

Designation of Matter To Be Included In
The Record on Appeal

The State of South Carolina
In the Court of Appeals

RECEIVED
MAY 08 2021
SC Court of Appeals

Appeal From Richland County
S.C. Workers' Compensation Commission

Commissioners: G. McCaskill, A. Taylor, Mike Campbell II

Case NO. 2021-000121

Dana Dixon

Appellant

V.

S.C. Department of mental health,

Respondent

Employer And

State Accident Fund

Carrier

Designation of Matter To Be Included
In the Record On Appeal

Appellant proposes the following be included in the record on
Appeal:

Designation of Matter To Be Included In The Record On Appeal

- 1 Order of June 12, 2019
- 2 Order Of January 06, 2021
- 3 Transcript of February 22, 2019 With Exhibit A included
- 4 Transcript of June 08, 2020
- 5 Brief of Respondents, dated August 19, 2019
- 6 S.C. Commercial Drivers License dated January 14, 2014
- 7 Medical Examiner's Certificate dated January 14, 2016
- 8 Offer letter from Respondents dated November 18, 2016
- 9 South Carolina Department of mental Health W.C.C. report of injury
- 10 January 31, 2017 (Respondents Exhibit A)
- 11 Page 4 of signed order of June 12, 2019
- 12 Copy of Certified envelope dated February 22, 2019
- 13 Pre-Hearing Brief Packet dated February 22, 2019
- 14 Copy of original envelope dated February 27, 2019
- 15 Copies of Subpoenas dated February 27, 2019
- 16 Copy of form from Respondents to palmetto Health Richland
dated January 18, 2017
- 17 Notice of Deposition And Subpoena, dated February 12, 2019.
- 18 Copy of 1 page from my medical record of December 23, 2016 Stamped
received February 22, 2018.
- 19 Page NO-15 of Carolina Occupational Healthcare dated March
- 20 23, 2017. Stamped received by S.C. WCC on February 22, 2018.
- 21 A Form 51 dated January 16, 2019, Showing a different weekly
wage (\$ 749.54)

22. A form 20 for date of injury January 31, 2017 (299.57)

23. Packet from my then attorney Benjamin Cruse with Order To Be

Relieved As Counsel, With offer, from Respondents

24. S.C. Department of mental Health Employee/Supervisor Notification

Form dated February 01, 2017 Without my Signature

25. S.C. Department of mental Health Employee/Supervisor Notification

Form dated February 03, 2017 With my Signature

26. S.C. Department of mental Health Memorandum Of Agreement

For Light Duty/modified/Transitional Duty Assignments

dated February 03, 2017.

27. Copy of Time Sheet for February 03, 2017 through February 16, 2017.

28. Reply email for MRI that Dr. Hynes wrote on March 06, 2017.

- 29. (Page 14) of Carolina Occupational Healthcare Pages.

30. Copy of the same MRI that I mailed to S.C. W.C.C.

And was RECEIVED on February 21, 2019.

31. Form 14B (Physician's statement) that Dr. Hynes never

wrote. On March 23, 2017.

32. Respondents pages from original medical record. 22 pages (17 missing)

33. Subpoena from S.C. Department of Labor, Licensing and

Regulation Before the Board of Medical Examiners

34. S.C. Department of mental Health witness statement of injury
or illness.

35. Respondents Response to Appellants motion to ADD, dated
July 22, 2019

36. Appellant Reply Brief dated July 30, 2019

1
Designation of Matter To Be Included
In The Record On Appeal

37 A Form 50 Filed by my then attorney.

38 Copies of check stubs dated 12/02/16-12/16/16, 12/17/16-01/01/17

39 Denial letter of motion to ADD, dated August 18, 2019

I certify that this designation contains no matter which
is irrelevant to this appeal.

(Dana Dixon

181 Stabler farm Rd

St. Matthews S.C. 29135

(470) 422-0591

CONCLUSION

The Respondents Accepted the three (3) new injuries of hand, wrist and elbow. All alleged injuries given to me by Dr. John Hynes (primary) and Dr. Thomas Motycka (secondary) was a clear indication that I was misdiagnosed.

The Respondents states that on February 24, 2017 was Dr. Hynes first time of mentioning my right shoulder, but on that same date he did mention my right shoulder while I was still his patient. On February 17, 2017 I am diagnosed with a new injury a week later that I never wrote or Dr. Hynes noted in my medical records, that was acceptable to the Respondents.

But not the right shoulder because Respondents states it was a new injury, but accepted the hand, wrist, elbow. I feel that Respondents have went far and above to do any thing to save their company money by 1. Having me report to their job, when Dr. Hynes had me out of work. 2. Held me accountable for the word of forearm. But accepted hand, wrist, elbow. Still have not answered my question where did I write hand, wrist, elbow. 3. By having me report to work when I was to have been out for 9 days was Respondents way to make sure they did not pay a

Weekly Compensation to me.

I had 2 physicals before my employment
With Respondents.

I had a Class A CDL.

I was a nursing Assistant. Began my employment
With Respondents in October 1988. Never filed a
Workers Comp claim against respondents until
September 2017 for my 2016 injury and this case.

I've been employed several times after my
rotator cuff surgery. And each time I left I gave my
2 week notice. But due to me being injured on the
job Respondent mailed me a letter stating I did
not give a 2 week notice and I am not re-hireable
at S.C. Department of mental Health.

Since the Respondents had denied the order
for the MRI that Dr. Hynes wrote on March 06, 2017,
After having issues with my right arm (shoulder included)
I was referred by Dr. Jerry Saunders for an MRI, which
showed I have a torn rotator cuff in my right shoulder.

The Respondents didn't have an issue with my work
I never received any reprimands of any kind even
after I became employed yet again after my right
rotator cuff surgery. The misdiagnoses and spoliation
of documents containing Dr. Hynes medical instructions
is an injustice that I did not receive definitive care.

Proof of Service of A Notice of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED

MAY 03 2021

SC Court of Appeals

Appeal From Richland County

South Carolina Workers' Compensation Commission

Commissioners: Gene McCaskill, Aisha Taylor, Mike Campbell

Case NO. 2021-000121

Dana Dixon

Appellant

V.

S.C. Department of Mental Health,

Respondent

Employer And

State Accident Fund

Carrier

PROOF OF SERVICE

I Certified that I have served copies of my initial brief and Designation of matter on March 28, 2021. And I served copies of amended initial brief and Designation of matter on April 15, 2021 by depositing a copy of it in the United States mail

Proof of Service of A Notice of Appeal

Postage prepaid on April 15, 2021. Address to
Attorney of Record Stephen Stuble, P.O. Box 11669 Columbia,
S.C. 29211

Dana Dixon

181 Stabler farm Rd

St. Matthews, S.C. 29135

(470) 422-0591

D. Dixon
181 Stabler Farm Rd
St. Matthews, SC 29155

RECEIVED

MAY 03 2021
SC Court of Appeals



Court of Appeals
1220 Senate St
Columbia, S.C. 29201

