



The South Carolina Court of Appeals

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May 11, 2021

The Honorable Amy Bracy
Worker's Compensation Commission
Post Office Box 1715
Columbia SC 29202

REMITTITUR

Re: Veronica Rodriguez v. Peggy Evers
Lower Court Case No. 1619767
Appellate Case No. 2018-001111

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,


CLERK

Enclosure

cc: George D. Gallagher, Esquire
Don C. Gibson, Esquire
Kevin Desmond Maroney, Esquire

2020-UPTHIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Veronica Rodriguez, Employee, Respondent,

v.

Peggy Evers, Employer, and NorGuard Insurance Company, Carrier, Appellants.

Appellate Case No. 2018-001111

Appeal From The Workers' Compensation Commission

Unpublished Opinion No. 2020-UP-133
Submitted March 1, 2020 – Filed May 6, 2020
Withdrawn, Substituted, and Refiled June 6, 2020

APPEAL DISMISSED

George D. Gallagher, of Speed, Seta, Martin, Trivett & Stublely, LLC, and Kevin Desmond Maroney, of Rogers Lewis Jackson Mann & Quinn, LLC, both of Columbia, for Appellants.

Don C. Gibson, of Gibson Law Firm, LLC, of N. Charleston, for Respondent.

PER CURIAM: Peggy Evers and NorGuard Insurance Company (Appellants) appeal the Worker's Compensation Commission's (the Commission's) dismissal of

their appeal from the single commissioner and the denial of their motion to reinstate. Appellants appealed a single commissioner's order finding that the claimant was a statutory employee and awarding various temporary benefits. The Commission administratively dismissed the appeal after Appellants did not file their appellate brief. Appellants petitioned to reinstate, which the Commission denied. This appeal followed.

The Commission has not reached a final decision on the merits of the claimant's contested case. Thus, the underlying orders are not immediately appealable to this court. Therefore, this appeal is dismissed. *See* S.C. Code Ann. § 1-23-380 (Supp. 2019) ("A party who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision in a contested case is entitled to judicial review"); *Bone v. U.S. Food Service*, 404 S.C. 67, 74-75, 744 S.E.2d 552, 556-57 (2013) (defining a final judgment as an order which disposes of the entire case and explaining issues like compensability may be raised on appeal of the final award).

APPEAL DISMISSED.¹

LOCKEMY, C.J., and GEATHERS and HEWITT, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.