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JUN 18 2021

SC Court of Appeals  
MOTION

# Return To Respondent

The last leg of the race, Respondent now files a motion. I had surgery on my hand (right) while writing my Record on appeal without asking for an extension. It's been 4yrs 4mths and some days since I was diagnosed with "Right Lateral Epicondylitis". So knowing that I submitted documents to the Commission for the appeal of June 08, 2020, and listed a few in Respondent response to my motion to add. Dated July 22, 2019. So that would indicate I filed a motion in 2019. R.p. 330 was signed in 2019. The Form 30 is part of the record. (R. 181) along with 182-203 dated June 22, 2019. (R.p. 204-234) dated January 08, 2020 of Appellant Reply Brief.

To have attorneys look you in your face and falsify <sup>with</sup> mind blowing and the Respondent have done that since my deposition to the hearing and the appeal. And they are doing it now.

I am wanting to know this, when Respondent received the packet of papers I listed as my APA at S.C.W.C.C. there was no complaint. But now that Respondent read my Record on Appeal and it explains what the document is for then now the Respondent "Specifically, Respondent request an Order from the Court striking the following (majority) of my Record on appeal, Including the Supporting Reasoning. I ask the Court to please review.

# Return To Respondent Motion

1. Delivery of my Record on Appeal: May 28, 2021
2. Respondent Needs to re-review the documents I used as my Record of Appeal. Since they are the same documents I submitted to the Commission on Respondent as my APA packet for Full Panel Appeal.
3. Respondent request should be denied, due to Respondent received every page they have listed as "Claimant APA packet". Every time that Respondent does not like something I did that's without fault he files, motion, lies, and now want to motion to strike my record on appeal. Respondent have stated numerous times that I am not an attorney. And for Respondent to ask that including the supporting reasoning be removed.

A. On 02/12/2019. I received a subpoena that's filed at the Commission. On 02/22/2019. I have deposition from 10:16 am to 11:53 am. Transcript was sent to the Commission.

B. Record on Appeal pages 104-109  
Submitted by Respondent. (Exhibit A)

C. Respondent is really not paying attention to what is true or false and then says "Were not entered into evidence by the Commission" Respondent Submitted R. p. 287 as part of their Exhibit A, APA. On March 07, 2019. I filed a Motion for R. 288 that shows my signature. No instructions from Dr. Hynes and the date of 02/03/2017, my second day @ my new modified assignment that Respondents stated on 03/07/2019 they accommodated me.

C.  
from 289-316 has been and is submitted at S.C. W.C.C. by me. I feel that there is an ulterior motive by Respondents stating I didn't submit documents to S.C. W.C.C.

d. R. p. 322 was filed at S.C. W.C.C. (To be relieved as Counsel on March , 2018. And again in 2019 and for my 2016 work injury since the formal offer was for a Clincher deal and the Respondent closed the file.

\*I understand that attorney of record was not around at the start of this case, but should be acclimated as to what

documents that was used for my APA packet for my appeal and their Exhibits, APAs.\*

e: Payroll / wage record was submitted to show how much I was making when I started in 12/02/2016 to 12/16/2016. I feel Respondent wants this information removed because the wage statement is used for my 2016 work injury and Respondent still put "TBD" on their Form 51. And has used the 2017 Form 20 for 2016 weekly compensation rate. 4 yrs and finally Commissioner Bardeen orders a Form 20. And Respondent still uses the 2017 Form 20.

The witness statement for 01/31/2017 was not submitted by the Respondent. But the 12/22/2016, work injury report that was written on 01/13/2017 for 12/22/16 work injury was submitted to show what the witness form look like.

f: R.p 331 was submitted, because I felt that the form should have been in my chart so I submitted it.

R. p. 307-313, was submitted to the Commission to show the date Respondent asked for medical records be mailed (03/13/2019) but hearing was on 03/07/2019

R.p 314 WAS Submitted for 2016, 2017 Work Injuries. To Show Respondent had medical record of 2016 (R.p.314) And medical record of 2017 (R.p.315) that has received FEB 22, 2018.

4. Respondents have told so many untruths, so by them stating that all other proposed submissions into the Record on Appeal were properly admitted well as much hell I caught after hand delivering my APAs and they never were scanned into W.C.C. System. But what I have listed as my Record on Appeal was filed at S.C.W.C.C.

On some of the documents have 2 sets of numbers. The lower number is from S.C.W.C.C. Full Panel Appeal. I ask The Court to please review all documents.

I Dana L. Dixon, the appellant ask for an Order from the Court denying the MOTION to STRIKE based on Respondent reasons set forth.

Proof Of Service Of Return To Respondent Motion

The State Of South Carolina  
In The Court Of Appeals

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SC Court of Appeals

Appeal From Richland County  
S.C. Workers Compensation Commission

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

Case No. 2021-000121

S.C. Department of Mental Health,  
and State Accident Fund

Respondent

Dana L. Dixon

Appellant

PROOF OF SERVICE

I Certify that I have served the Notice of appeal  
on S.C. Court Of Appeal by depositing  
a copy of it in the United States mail to the address  
at 1226 Senate St. Columbia, S.C. 29201 and to Attorney  
of record, M. Stephen Stubbley at P.O. Box 11669, Columbia,  
S.C. 29211 on June 17, 2021.

M. Stephen Stubbley  
P.O. Box 11669  
Columbia, SC 29211  
(803) 748-2919

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June 17, 2021

2021-000121

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

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