



The South Carolina Court of Appeals

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July 21, 2021

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

REMITTITUR

Re: Gilberto Salguero v. Vargas Drywall LLC
Lower Court Case No. 1900834
Appellate Case No. 2021-000468

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: Briggs P. Tucker, Esquire
Mark Reagan Calhoun, Sr., Esquire

The South Carolina Court of Appeals

Gilberto Salguero, Employee, Respondent,


v.

Vargas Drywall, LLC, Employer, and Riverport
Insurance Company, Carrier, Appellants.

Appellate Case No. 2021-000468

ORDER

Appellants have served and filed a notice of appeal from an order of the Appellate Panel of the South Carolina Workers' Compensation Commission addressing the "sole issue" of "the determination of average weekly wage and compensation rate of the claimant." The order noted "all other issues in the Claimants' Form 50 are held in abeyance" Appellants have now filed a motion to hold this appeal in abeyance, conceding that the order on appeal is interlocutory and "is not a 'final judgment' as defined by S.C. Code Ann. § 1-23-390 and *Bone v. U.S. Food Serv.*, 404 S.C. 67, 744 S.E.2d 552 (2013)." Because the underlying order on appeal is not an immediately appealable order, the motion to hold the appeal in abeyance is denied and this appeal is dismissed. The remittitur will be sent as required by 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

cc:

Briggs P. Tucker, Esquire

Mark Reagan Calhoun, Sr., Esquire

Amy Bracy

FILED
Jun 30 2021