

**RECEIVED**

JUL 21 2021

**SC Court of Appeals**

Alicia Ruffin, Employee, Appellant,

vs.

Builders Firstsource, Inc., Employer, and Liberty Mutual  
Insurance Company, Carrier, Respondents

Amanda Neely

Mary-Kate Littlejohn

Robert Keith

Appellate Case No.: 2021-000318

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**PETITION FOR REHEARING**

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The Appellant, formally petitions the court for a rehearing under Rule 221. Enclosed is proof that the Appellant did service the Respondents or the individual that at the time was serving the interests of Liberty Mutual in a timely manner.

September 16, 2020, the Atty. Amanda Neely was present and served as Counsel for Builder's First Source/ Liberty Mutual at the Workers Compensation Hearing. Atty. Neely alone represented Builders First Source/ Liberty Mutual. Mary Kate Littlejohn of Willson Jones Carter & Baxley, PA responded to January 22, 2021 to the "RESPONSE TO CLAIMANT'S MOTION TO REINSTATE". (Page 1) Before January 22, 2021, Atty. Amanda Neely did not provide the Appellant or Worker's Compensation Commission with a statement relinquishing her duties to Atty. Mary Kate Littlejohn in representing the interests of Builders Firstsource, Inc for a period of time; nor was there a statement to indicate that Atty. Mary Kate Littlejohn would be assuming her duties on this case. There was a statement entered into evidence that Myra S. Clayton will be serving as Legal Assistant for Mary Kate Littlejohn Esquire. (Page 2) There was a statement included that Myra S. Clayton served as Legal Assistant to Mary Kate Littlejohn and Amanda E. Neely, Esquire (Page 3) The information that was entered into evidence by Atty. Mary Kate Littlejohn under "RESPONSE TO CLAIMANT'S MOTION TO REINSTATE" was entered by Atty. Mary Kate Littlejohn only. Atty Amanda Neely was not copied nor served to be included in "RESPONSE TO CLAIMANT'S MOTION TO REINSTATE." Atty. Amanda Neely. (Page 1). Atty. Amanda was not even acknowledge by her own Co-counsel; Atty. Mary Kate Littlejohn.

Under Duties of Candor, it was Atty. Amanda Neely's responsibility to notify the court and all interested parties including the Appellant as to when she would be on Maternity Leave and the actual time that she returned to her duties, in order to include her to the Certificate of Service. It was Atty. Mary Kate Littlejohn's responsibility under those procedures to formally state when she was assuming the responsibility of Atty. Amanda Neely; neither events occurred.

(Page 4) On April 1, 2021, I reached out and apologized for not knowing who was representing Builders First Source and Liberty Mutual and I proceeded to forward "Request for the Appeal" and all

corresponding information to Atty. Mary Kate Littlejohn; since by Atty. Mary Kate Littlejohn's response to my email dated April 2, 2021. (Page 5) She indicated that Atty. Amanda Neely's was out on Maternity Leave. Prior to April 2, 2021, the Appellant was unaware of Atty. Neely's whereabouts. And although, Atty. Mary Kate Littlejohn stated that she should return in a week. To date, the Appellant had not received any correspondence from neither Atty. Littlejohn or Atty Neely; that Atty. Neely returned back from Maternity Leave. So the Certificate of Service and all corresponding information was addressed to and sent to Atty. Mary Kate Littlejohn and Atty. Robert Keith. Atty. Robert Keith is the Attorney for South Carolina Workers Compensation Commission. The December 10, 2020 decision and the Motion for Reinstatement was denied under South Carolina Workers Compensation Commission and Atty. Robert Keith to my knowledge represents the interests of the South Carolina Workers Compensation Commission as to which those decisions were rendered.

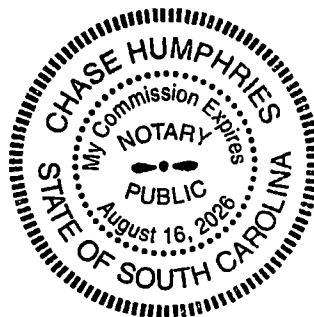
I, beg the courts to allow this statement and the enclosed proof of evidence to serve as Reason for Cause for a Rehearing for the Appellant, Alicia Ruffin.

*Alicia M. Ruffin*

Alicia Ruffin  
563 Duncan Station Drive  
Duncan, South Carolina 29334

Sworn to and subscribed before me this 20 day of July, 2021.

*[Signature]*  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission expires 16 Sept 2020



cc: Amanda Neely, Esquire  
Mary-Kate Littlejohn, Esquire  
Robert Keith, Esquire  
Amy Bracy

# WILLSON JONES CARTER & BAXLEY, P.A.

ATTORNEYS AT LAW

---

GREENVILLE

CHARLESTON

COLUMBIA

CHARLOTTE

RALEIGH

ATLANTA

MYRTLE BEACH

Mary Kate Littlejohn  
Direct (864) 527-3285  
Fax (864) 235-6015  
mklittlejohn@wjcbllaw.com

325 Rocky Slope Road, Suite 201  
Greenville, SC 29607  
www.wjcbllaw.com

January 22, 2021

*(Via E-mail)*

Ms. Eugenia Hollmon  
Judicial Docketing Director  
South Carolina Workers' Compensation Commission  
P.O. Box 1715  
Columbia, SC 29202-1715

Re: Alicia Ruffin vs. Builders Firstsource, Inc.  
WCC File No.: 1815744 DOI: 10/4/2018  
Carrier: Liberty Mutual Insurance Company - Claim No.: WC555-E13688  
WJC&B File No.: 0010.05283

Dear Ms. Hollmon:

Enclosed please find a RESPONSE TO CLAIMANT'S MOTION TO REINSTATE in the above-referenced matter. By copy of this correspondence, a copy of said RESPONSE is being served upon Alicia Ruffin, pro se claimant.

With kindest regards,

WILLSON JONES CARTER & BAXLEY, P.A.

*Mary Kate Littlejohn*

Mary Kate Littlejohn, Esquire

MKL/msc  
Enclosures

cc (w/enclosure): Alicia Ruffin (*Via E-mail & Certified Mail/RRR*)  
Ms. Marie Warner-Smith (via e-mail)

BEFORE THE SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION  
WCC FILE NO. 1815744

Alicia Ruffin, )  
Employee, )  
Claimant, )  
vs. )  
Builders Firstsource, Inc., )  
Employer, )  
and )  
Liberty Mutual Insurance Company, )  
Carrier, )  
Defendants. )

CERTIFICATE OF SERVICE

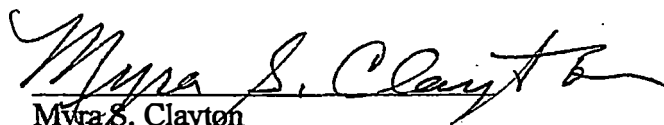
I, Myra S. Clayton, do hereby certify that I am the Legal Assistant for Mary Kate Littlejohn, Esquire, attorney for the Defendants with **WILLSON JONES CARTER & BAXLEY, P.A.** in Greenville, South Carolina, and that on the 22nd day of January, 2021, I emailed and mailed the foregoing RESPONSE TO CLAIMANT'S MOTION to the following by emailing and placing a copy thereof in the United States mail, first class, certified, return receipt requested, proper postage affixed thereto:

***(Certified Mail/Return Receipt Requested)***

Alicia Ruffin  
563 Duncan Station Drive  
Duncan, SC 29334  
[innocentlyal@yahoo.com](mailto:innocentlyal@yahoo.com)  
[innocentlyal@gmail.com](mailto:innocentlyal@gmail.com)

(continued on next page)

Defendants also emailed a copy to the Judicial Docketing Director, Eugenia Hollmon, at [ehollmon@wcc.sc.gov](mailto:ehollmon@wcc.sc.gov) on this 22<sup>nd</sup> Day of January 2021.



Myra S. Clayton

Legal Assistant to Mary Kate Littlejohn and Amanda E. Neely, Esquires

**WILLSON JONES CARTER & BAXLEY, P.A.**

325 Rocky Slope Road, Suite 201

Greenville, SC 29607

**RE: Alicia Ruffin v. Liberty Mutual/Builders FirstSource**

innocentlyal@ya.../Sent



**Alicia Smith** <innocentlyal@yahoo.com>

To: Mary Kate Littlejohn <mklittlejohn@wjcblaw.com>

Apr 1 at 5:42 PM

Dear Ms. Littlejohn,

I apologize. I was unaware that you needed to be informed of my efforts to appeal the discussion of Worker's Compensation Commission. I have been having a difficult time keeping up with who is actually the attorney on this case, since Amanda Neely was removed. Enclosed is an email copy. A formal copy will arrive to your office shortly. If you have any questions, please do not hesitate to call.

Sincerely,

Alicia M. Ruffin

Sent from Yahoo Mail on Android

1 File 8.8MB



2021-4-1\_41523.pdf  
9MB

**Re: Alicia Ruffin v. Liberty Mutual/Builders FirstSource**

innocentlyal@ya.../Inbox



**Mary Kate Littlejohn** <mklittlejohn@wjcbllaw.com>  
To: Alicia Smith <innocentlyal@yahoo.com>

Apr 2 at 8:22 AM

Ms. Ruffin:

Amanda Neely has been on maternity leave. I filled in in her absence. She will be back in a week and will resume defense of this case. In the meantime let me know if you have any questions.

Mary Kate Littlejohn

Sent from my iPhone, please excuse the brevity and typos



**Mary Kate Littlejohn, Attorney**  
[mklittlejohn@wjlaw.net](mailto:mklittlejohn@wjlaw.net)  
325 Rocky Slope Rd., Suite 201  
Greenville, South Carolina 29607  
Phone: (864) 527-3285  
Fax: (864) 235-6015  
[wjcbllaw.com](http://wjcbllaw.com)

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This message may be protected by the attorney/client privilege, attorney work product or other privileges. If you received this message in error, please send a reply, delete the message immediately and do not forward this message to any other person

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On Apr 1, 2021, at 5:43 PM, Alicia Smith <innocentlyal@yahoo.com> wrote:

Dear Ms. Littlejohn,

I apologize. I was unaware that you needed to be informed of my efforts to appeal the discussion of Worker's Compensation Commission. I have been having a difficult time keeping up with who is actually the attorney on this case, since Amanda Neely was removed. Enclosed is an email copy. A formal copy will arrive to your office shortly. If you have any questions, please do not hesitate to call.

Sincerely,

Alicia M. Ruffin

Sent from Yahoo Mail on Android  
<2021-4-1\_41523.pdf>

**LETTER TO THE APPELLATE COURT CLERK  
FILING THE NOTICE OF APPEAL**

**March 31, 2021**

The Honorable Jenny Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Alicia Ruffin, Appellant, v. Robert Keith, as Attorney for Workers Compensation  
Commission, Respondent,

Dear Ms. Kitchings:

Enclosed for filing is notice of appeal in the above case and filing fee of \$250.

Sincerely,

Alicia M. Ruffin  
563 Duncan Station Drive  
Duncan, South Carolina 29334  
(864) 814-8350  
Attorney for Appellant

Cc: Atty. Mary-Kate Littlejohn  
Attorney for Liberty Mutual/Builders FirstSource  
325 Rocky Slope Rd., Suite 201  
Greenville, South Carolina 29607  
864-527-3280

# The South Carolina Court of Appeals

Alicia Ruffin, Employee, Appellant,

v.

Builders Firstsource, Inc., Employer, and Liberty Mutual  
Insurance Company, Carrier, Respondents.

Appellate Case No. 2021-000318

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## ORDER

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This appeal arises out of an order of the South Carolina Workers' Compensation Commission dated February 24, 2021. Appellant received written notice of the entry of the order on February 26, 2021. The proof of service provided shows service on the Respondents on March 31, 2021. Because Appellant has failed to provide proof of timely service upon the Respondents as required by Rule 203(b)(6) of the South Carolina Appellate Court Rules, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

cc:

Alicia M. Ruffin  
Amanda Elizabeth Neely, Esquire  
Amy Bracy

**FILED**  
**Jul 14 2021**

Order served Via Email and USPS

Alicia Ruffin, Appellant  
563 Duncan Station Drive  
Duncan, South Carolina 29334

\*\*\*\*\*

Amanda Neely, Esquire  
Attorney for Liberty Mutual/Builders First Source  
325 Rocky Slope Rd., Suite 201  
Greenville, South Carolina 29607  
[aeneely@wjlaw.net](mailto:aeneely@wjlaw.net)

Mary Kate Littlejohn, Esquire  
325 Rocky Slope Rd., Suite 201  
Greenville, South Carolina 29607  
[mklittlejohn@wjcblaw.com](mailto:mklittlejohn@wjcblaw.com)

Robert Keith, Esquire  
South Carolina Workers' Compensation Commission  
P.O. Box 1715  
Columbia, South Carolina 29202-1715  
[keroberts@wcc.sc.gov](mailto:keroberts@wcc.sc.gov)

**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has on this date served a copy of this order in the above entitled action upon all parties to this case by sending an electronic copy hereof by electronic mail addressed to the attorneys for said parties; or if there is an unrepresented party(ies), by depositing a copy hereof, postage paid in the United States mail, first class, addressed to the unrepresented party(ies) and to the attorneys(s) for the represented party (ies)

*By: Alicia M. Ruffin on July 20, 2021*

**RECEIVED**

JUL 21 2021

SC Court of Appeals

Walter M. Keppen  
563 Duncan Station Drive  
Duncan, SC 29334

RECEIVED  
JUL 21 2014  
SC Court of Appeals

Honorable Jenny Ketchings  
Court of Appeals  
1220 Senate St.  
Columbia, SC 29201