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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

W.C.C. No. 1821956

RECEIVED

AUG 25 2021

SC Court of Appeals

Sherry L. Floyd, Employee..... Respondent,

v.

McLeod Health, Employer, and
McLeod Health Self Insured c/o Antum Risk, Carrier Appellants.

NOTICE OF APPEAL

McLeod Health and McLeod Health Self Insurance c/o Antum Risk hereby appeal the Order of Hearing Commissioner Susan S. Barden of the South Carolina Workers' Compensation Commission filed August 17, 2021. (Att. A). Appellants received written notice of entry of this Order on August 17, 2021.

While Appellants acknowledge that an order by a Hearing Commissioner normally is not directly appealable to this Court, both Commissioner Barden and the Full Commission lacked jurisdiction pursuant to the South Carolina Workers' Compensation Commission Regulations and Supreme Court precedent to enter and/or hear the appealed Order, which vacated a prior 14-Day Order of Dismissal & Order to Show Cause, which was filed and served on July 21, 2021 and pursuant to which this claim was automatically dismissed with prejudice on August 9, 2021. (Att. B). Out of an abundance of caution, and given the unique procedural posture of this matter, Appellants have filed this appeal.

August 20, 2021

MCANGUS GOUELOCK & COURIE, LLC

By: s/Helen F. Hiser

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*Attorneys for Appellants McLeod Health and
McLeod Health Self Insured c/o Antum Risk*

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Attorneys for Respondent Sherry L. Floyd

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PROOF OF SERVICE

I certify that I have served Appellants' **Notice of Appeal** on the South Carolina Workers' Compensation Commission and on the attorney of record for Respondent Sherry L. Floyd by depositing a copy of it in the United States Mail, postage prepaid, on the 20th day of August, 2021, addressed as follows:

The Honorable Amy Bracy
Judicial Director, South Carolina Workers' Compensation Commission
P.O. Box 1715
Columbia, South Carolina 29202-1715

William Ceth Land, Esq.
Land, Parker & Welch, P.A.
29 South Mill Street
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s/Helen F. Hiser

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Attorneys for Appellants



Reply To

HELEN F. HISER
Direct Dial: (843) 576-2930
helen.hiser@mgclaw.com

August 20, 2021

Via U.S. Mail

Amy Bracy, Judicial Director
South Carolina Workers' Compensation Commission
Post Office Box 1715
Columbia, South Carolina 29202-1715

RE: Sherry L. Floyd vs. McLeod Physicians Association and McLeod Health Self
Insured c/o Antum Risk
Date of Accident: December 31, 2018
WCC File No.: 1821956
Our File No.: 2021.21002
Claim No.: MCLH-09431

Please find enclosed for filing the original and one (1) copy of Notice of Appeal in the above-captioned case. I would appreciate your returning a clocked-in copy of the same to me in the envelope provided.

By copy of this letter, I am serving counsel of record with the above-referenced Notice of Appeal.

Thanking you in advance for your assistance, I am

Very truly yours,

Helen F. Hiser

Enclosures

cc: The Honorable Jenny Abbott Kitchings, S.C. Court of Appeals
William Ceth Land, Esq.

mgc

Reply To

HELEN F. HISER
Direct Dial: (843) 576-2930
helen.hiser@mgclaw.com

August 20, 2021

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AUG 25 2021

SC Court of Appeals

Via U.S. Mail

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RE: Sherry L. Floyd vs. McLeod Physicians Association and McLeod Health Self
Insured c/o Antum Risk
Date of Accident: December 31, 2018
WCC File No.: 1821956
Our File No.: 2021.21002
Claim No.: MCLH-09431
Appeal No.: 2021-

Dear Ms. Kitchings:

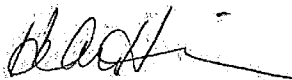
Enclosed for filing are an original and one (1) copy of a Notice of Appeal from an Order of the South Carolina Workers' Compensation Commission in the above-referenced matter. Also, enclosed are the following:

1. an original and one copy of Proof of Service of the Notice of Appeal on Respondent;
2. an original and one copy of the Order being appealed and the corresponding underlying Order;
3. two copies of our correspondence to the South Carolina Workers' Compensation Commission notifying of the appeal; and,
4. Our Check in the amount of \$250.00.

Please file the original documents and return the clocked-in copies in the enclosed, self-addressed stamped envelope.

Thanking you in advance for your assistance, I am

Very truly yours,



Helen F. Hiser

Enclosures

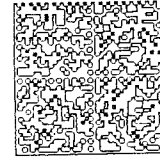
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The Honorable Jenny Abbott Kitchings
August 20, 2021
Page 2

cc: Amy Bracy, S.C. Workers' Compensation Commission
William Ceth Land, Esq.



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2021.21002 HFH

The Honorable Jenny Abbott
Clerk of Court
South Carolina Court of Appeals
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Columbia, SC 29211

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