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**SC Court of Appeals**

Return To Motion To Strike

The State of South Carolina  
In The Court of Appeals

Appeal from Richland County  
S.C. Workers Compensation Commission

Commissioners: A. Taylor, T. Scott Beck, M. B. Wilkerson

Case NO. 2021-000696

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

Respondent

v.

Dana L. Dixon  
Employee

Appellant

Return To Motion To Strike

Dana Dixon  
181 Stables Farm Rd.  
St. Matthews, S.C. 29135  
(470) 422-0591

1.

I Dana L. Dixon, pro-se for Case no. 1623365, Can not understand why the Respondents continues to file Motions to strike my record on appeal when:

A. With each transcript I've purchased <sup>total</sup> (4) for BOTH Claims, I was told they (Companies) had to file the transcript with the W.C.C. Commission. And the transcript for 02/22/2019 with exhibits is No Exception. (B)

C. 171 & 180. Respondents states these forms was NOT entered into evidence by the Commission. But if the form IS was to have been submitted to show monies paid for this claim the forms would have been submitted. (67-413)

On 9/30/2020 at 11:38 AM, Respondent tried to email me the "Itemized payment info" I could not retrieve them. Respondent put hard copy in mail (R.p. 180) and as far as (R.p. 171) is payment for services rendered on 12/23/2016, that shows this amount on (R.p. 172)

D. R.p. 190-200 is of 4 Dubes Tecum Subpoenas, Respondent used to obtain my medical records that's dated 02/27/2019 for W.C.C. file no. 1712879. Court of Appeal Case No. 2021-000121 showing the date medical records could be MAILED (3/13/19) when hearing was on 03/07/2019. And the records were to remain in the SAME ORIGINAL folder the Respondents received them. But instead the Respondents renumbered the pages. Respondents had NO intentions of using medical records for W.C.C. file no. 1712879.

2.

R.p. 201, is the form 20 of S.C. W.C.C. file no. 1712879 that went with my work injury of 01/31/2017, that Respondent gave to Single Comm on 6/12/2020. With Full Knowledge that Comm Barden requested a form 20 for this claim in 10/2019. Which produced R.p. 202. The Respondent gave this 20 to the Commission on 6-12-20. And it's stated on record (6/12/20 transcript)

E. Respondent had asked on 3/7/19, for a postponement "due to they had not received subpoenaed medical records." But fact is they had received them. Their pre-hearing packet is dated 02/22/2019, with the Certificate of Service which was before the hearing, that also states medical records also.

F. R.p. 231-233, is to show that on 09/07/2017, that my then attorney filed the form 50 on the same date that the form 50 for this claim was filed. And once he was relieved as Counsel (3/18/18) I filed the form 50. But was told by the Commission that my attorney was relieved as my Counsel. But the case didn't close. (I was told this earlier this month)

G. R.p. 236 is an offer from Respondent to me via my then attorney, that is mentioned in the Order to Be Relieved as Counsel and filed at S.C. W.C.C. and signed by Comm. Beck (Chairman) who put a lien on this case (R.p. 237) when all he did was file the form 50 for this claim.

H. R.p. 275 is Of Notice of Deposition for 02/22/19, where I was questioned about my 2016 work injury. No accusation it's in the transcript of 2/22/2019.

cont-H. Respondent list R.p. 275-276 Consisting of a Subpoena Duces Tecum. Respondent listed Wrong record pages. R.p. 190-200 is the Correct page numbers. And I included it because it shows the medical records were NOT wanted for my 2017 work injury from the dates on the subpoenas (2/27/19 and 3/13/19) and same subpoenaed medical records have/are being used in this claim and they are still out of order.

I R.p. 296-300. Apparently the Respondent forgot that on 09/28/20 I emailed (I still have) asking for copies of the for 18s & 19s. On 9/30/20 at 11:38 AM, Respondent emailed me saying "ms. Dixon attached is itemized payment into". On same date at 2:24 pm I emailed Respondent saying "for whatever reason I cant open the file you sent." I also sent the Respondent a long email at 12:49 pm asking if the hospital bill was paid on 3/14/19 and I never received authorization for medical treatment after 12/23/2016 and I NEVER received Workers Comp, why had the form 18s gone from \$618.70 to \$6,701.70. I then requested an ITEMIZED list for ALL services rendered for W.C.C. file No. 1628303. And due to me not being able to open the email, Respondent mailed me R.p. 296-300 through united States mail (R.p. 177, 180)

If this is for medical payments why are the Court Reporters listed?

J. R.p. 296-300 was attached to the email from Respondent that I could not open at 11:38 AM on 09/30/20.

\* I have EVERY email EVER RECEIVED From: A. O. R Workers Comp, State Accident fund for BOTH Claims\* and after not receiving requested documents from Respondent or receiving wrong form or receiving emails letting me know he will be out of the office earlier part of the day not sure of return time. So after some time of cooling off from the assassination of my character by Respondents, I called to let them know I was able to retrieve the

4.

the email and that I had received the emails about me as well. All because I was wanting the form 186 on a itemized list. Then on 10/27/2020 at 1:14 pm. Respondent emailed me to say. "MS. Dixon, this email is to confirm my request that all further communication between you and I will be in writing/email."

K. R.p. 301-302 is dated 01/16/2019 to show that I continued to re-open (file a Form 50) the claim(s) due to Respondent had closed BOTH. This is the first Form 51 from Respondent for my 2017 claim. They NEVER filed one after my then attorney filed a Form 50 on 9/7/17. And for this claim Respondents filed their first Form 51 on 04/02/2019 (R.p. 203)

L. R.p. 312-313, that Respondent has stated "Alleging".

I am not Tech Savvy, and therefore I don't have a printer but I do know how to write. MAJORITY of everything I've submitted is hand written for BOTH CASES. ALSO I have the actual email. I just don't really know how to send an email for printing from my phone. Therefore I've included date and time so if any one calls it into question, I could go straight to it.

M. Respondent has stated that R.p. 355 is illegible. And therefore unable to be confirmed as evidence that was before the Commission. 1. I paid my money at scwcc for copies of stated document along with Respondents designation of matter. And for, once if Respondent was to actually follow up on the documents instead being presumptuous they would have learned it is at S.C.W.C.C.  
2. Respondent has stated that it's illegible and that's fine. Apparently the Commission didn't feel the same.

5.

- And R.p. 359 is <sup>for</sup> a motion to ADD the same document of 2019 and 2020 for W.C.C. file No. 1712999. Not 1623303.

That was allowed in this claim on 05/22/19 (Records)

N. R.p. 333, is to Show what Respondent Final Brief stated the reason for my objection, even though it's for my 2019 claim. I wanted to show how far the Respondents went by giving their own opinion to my objection.

I NEVER stated those words and I can't find those words in EITHER of the 4 transcripts. I never requested a postponement, I was never late and I appeared at every court date. So why lie and state I objected due to my living situation and transportation issues? Respondent continues to make statements about something that I did or said but does not list where or in which transcript it can be found. To me I find that statement inflammatory, bias.

R.p. 471, Respondent continues to put wrong dates, transcript references and now case numbers, add numbers (compensation rate) when not listed in the Order Instructions. is something Respondent has continued to do while at W.C.C. and feels the need to continue to do now. I don't know if it's intentional but if the mistakes has been mentioned at W.C.C. why not correct them?

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4. The Respondent is requesting that documents that has notations be stricken. For the record, I have submitted documents from my 2017 claim, that is before this Court (2021-000121) and the forms that I've submitted has been used for each hearing with notations. And there was no problem with the lower court. I understand that attorney of record was not the attorney in the beginning, to know what forms was submitted at lower court. But instead of doing the research they file a motion to strike

5. I disagree with respondents, when they state that all other proposed submissions they agree with. 1. The subpoenas (R.p. 190-200) had to be filed at WCC in order to get medical records. Due to the subpoenas shows that medical records are being requested by MAIL on OR before 3/13/2019. The hearing was set for 3/17/2019. The date on subpoenas is 2/27/19. 2. I requested forms 18 + 19(s) and itemized list to try and figure out why the form 18 continues to increase (These are documents called periodic review) that goes to the Commission (supposedly) EVERY 6 months. I even filed a form 50 (R.p. 210) so the commissioner could explain to me how if the bill was paid on 3/14/17 (R.p. 172) and the itemized list respondent sent to me (R.p. 171, 180, 294, 295) by attorney of record. R.p. 171 confirms the amount respondents actually paid for services rendered on 12/23/2014, so where did \$612.90 come from on the form 18(s)? (R.p. 173-179). I had to cancel the hearing because the case is in the higher court I was told. So if the respondent did not send me the actual itemized list, but just something to appease me, I would not know but respondents would. Maybe that's why they want -

7.

them stricken. Respondent has stated that I am NOT a licensed medical provider. I am NOT an attorney either but here we are at Court of Appeals with a case. All while I am pro-se. I am a woman who loves to ask questions, especially when I do not understand something or when I feel that I am being lied on or to, and anything/everything pertaining to my health I ask the doctor (face to face) even down to the prescribed medication.

The Respondent sends the alleged requested documents that is supposedly used with the form 18's, that is to be reviewed (67-415) every 6 months by the Commission, or send emails that was to be <sup>an</sup> itemized list that I requested and instead I receive emails from Attorneys Calling Me Crazy. But Respondent have stated previously that I am Calling their Character into question. Every transcript that I've paid for, I was told that the Company was submitting one to the Commission. But there are 3 transcripts that I've submitted and the only one Respondent's wants Stricken is the one where I am questioned at my Subpoena deposition for my 2017 work injury about my 2016 injury of me explaining how I was injured. Subpoena Duces Tecum was used to obtain some medical records Respondent requested in 2017 that I never received (67-1301) and due to me NOT receiving them (maybe because I filed my claim in 9/2017) Respondent used a subpoena to obtain medical records after I stated on record that I did NOT treat with another doctor here in S.C. and I was sent to Respondent doctor (Got Mis-Diagnosed) the same morning of work injury. I didn't miss appointments

8.

If my 2016 work injury was covered under workers comp why did the Respondents use the Payment Purposes to obtain my medical records of 12/23/2016 on 01/12/2017? If it was Workers Comp all Respondents had to do was request medical records. (67-1301(A, B, C) I see on the form (R.p. 189) that it lists an acct number but no listing of "Workers Compensation" from Respondents to Palmetto Health Richland or vice versa. Respondent didn't check the box for legal purposes. Because I had not filed a claim.

So even with the emails from Respondents dated <sup>Friday</sup> 09/11/2020 at 12:51 pm, Subject: Settlement Offer.

Or the email of Respondent stating "My client has now prevailed at the Full Commission Appeal hearing and at the Single Commission before Comm James. Before I beginning the process of preparing the Order per Comm James instructions, I wanted to reach out re our prior offer below and see if you have any interest in settlement" and again on Monday 9/14/2020 @ 12:52 PM (I have these email also)

So after everything the Respondents have listed is of no surprise. Due to what I have come to realize and that is when Respondents had made false statements, told lies, added or deleted dates, listed wrong transcript references, made false statements in the motion previously filed about documents wasn't filed at S.C. W.C.L. that was submitted All to get documents that I listed in my designation of matter sticker along with the supporting reasons. So for them to file another motion is Respondents way of letting me know I've submitted documents that they did not anticipate.

9.

When all is well for the Respondents, I get emails of Settlement offers and told how they have prevailed thus far at the Lower Courts. But when I submit the same evidence used at Lower Court to Court of Appeals that Respondents stated in their first motion. "Documents was not submitted at Commission" And now another motion to strike. The items I listed with my Initial Brief are the same items for my Record on Appeal that I filed on July 28, 2020. Why did Respondents wait so long?

I will do whatever this Court deems proper.

Kind Regards

Dana Dixon

Appellant/Employee.

# Proof of Service Return to Motion to Strike

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In The Court of Appeals

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Appeal from Richland County SC Court of Appeals  
S.C. Workers Compensation Commission

Commissioners (s): A. Taylor, T. Scott Beck, A. B. Wilkerson

Case No. 2021-000696

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

Dana L. Dixon Appellant  
Employee

## Proof of Service

I Certify that I have served the Return to Motion to Strike  
on M. Stephen Stabley by depositing a copy of it in the  
United States Mail, postage paid, on September 29, 2021.  
Addressed to Attorney of record M. Stephen Stabley, 1122 Lady  
St. Suite 1000 Columbia S.C. 29211. On September 30, 2021

September 30, 2021

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2021-000696

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