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Dec 03 2021

SC Court of Appeals

In the Court of Appeals

APPEAL FROM THE WORKERS' COMPENSATION COMMISSION

Appellate Case No.: 2021-000696

Dana L. Dixon, Appellant

v.

S.C. Department of Mental Health,

Employer and State Accident Fund,

Carrier, Respondents.

**RESPONDENTS' MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS'
FINAL BRIEF**


M. Stephen Stubley
Speed, Seta, Martin, Trivett & Stubley, LLC
Post Office Box 11669
Columbia, SC 29211
803-748-2259
sstubley@speed-seta.com
Attorney for Respondents

Dana Dixon
181 Stabler Farm Road
St. Matthews, SC 29135
470-422-0591
Appellant, *Pro Se*

RESPONDENTS' MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS' FINAL BRIEF IS BASED ON THE FOLLOWING GROUNDS:

1. Respondents received Appellant's revised index to the proposed Record on Appeal via U.S. Mail on December 3, 2021.
2. Upon further review, Respondents realize that Appellant failed to serve the actual proposed Record on Appeal; therefore, submission of the index to the Record on Appeal to the Court, without more, is improper.
3. Further, Defendants have filed a separate Motion to Consolidate Appellate Case Nos: 2021-000121 and 2021-000696.
4. In the meantime, Respondents' Final Brief in the case is due on December 20, 2021. However, Respondents cannot cite appropriately to the Record on Appeal to their final brief in accordance with the SCACR without the actual Record on Appeal from Appellant.
5. Counsel for Respondent therefore respectfully requests an extension of time to file the Respondents' Final Brief until they are in receipt of the Record on Appeal from Appellant and the Motion for Consolidation pending before the Court as outlined above has been ruled upon by the Court;
6. This is Respondents' first motion for an extension of time with respect to filing the Respondents' Final Brief; AND
7. This motion is not being made for purposes of delay; rather scheduling conflicts have necessitated this request.

Respectfully Submitted,



M. Stephen Stublely, Esquire
Counsel for Respondents

Columbia, SC
December 3, 2021

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THE STATE OF SOUTH CAROLINA
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APPEAL FROM THE WORKERS' COMPENSATION COMMISSION

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v.

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

PROOF OF SERVICE

I certify that I have served the Respondents' Motion for Extension of Time to File Respondents' Final Brief by depositing a copy of it in the United States Mail, postage prepaid, **on December 3, 2021**, addressed to Appellant, Dana L. Dixon, 181 Stabler Farm Road, St. Matthews, SC 29135.



M. Stephen Stubley (SC Bar No. 14109)
Speed, Seta, Martin, Trivett & Stubley, LLC
Post Office Box 11669
Columbia, SC 29211
803-748-2259
sstubley@speed-seta.com
Attorney for Respondents

SPEED, SETA, MARTIN, TRIVETT & STUBLEY, LLC
ATTORNEYS AT LAW

WALLACE SPEED (1940-2020)
LESLI R. SETA (GA & FL)
SETH C. MARTIN (GA & FL)
ERIC L. TRIVETT (GA)
M. STEPHEN STUBLEY (SC)
STEPHANIE A. ROCKWELL (GA & TN)
JAMES E.L. FICKLING (SC & NC)
ANDREA S. OWEN (GA)
HUNTER CHANDLER (GA & TN)

REPLY TO
P.O. BOX 11669
COLUMBIA, SOUTH CAROLINA 29211
PHONE (803) 748-2919
FAX (803) 748-2735
www.Speed-Seta.com

ALEXANDER ADKINS (GA & TN)
SCOTT H. ANDREWS (GA)
MELISSA CRUZ (GA & TN)
JEREMY T. ENGLAND (AL & MS)
C. BENTON HILBURN (GA)
SARA P. MORRIS (SC & NC)
CALEY A. PITTS (GA)
KELSIE L. QUEEN (SC & NC)
JENNIFER S. RAY (GA)
SARAH V. SNIPES (GA)
LINDSEY R. STEWART (GA)
MARK M. STUBLEY, JR. (AL, NC & SC)
BRIGGS P. TUCKER (SC)
BRITTANY BELL TURNER (GA & FL)
LILY D. WILKERSON (GA & FL)

∞
GEORGE D. GALLAGHER (SC), of counsel

December 3, 2021

VIA EMAIL: CTAPPFILINGS@SCCOURTS.ORG
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

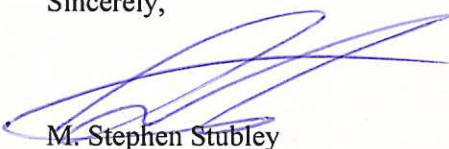
RE: Dana Dixon v. SC Department of Mental Health
WCC No.: 1623303
Appellate Case No.: 2021-000696
Claim No.: 2016-4177
DOA: 12/22/2016
Our File No.: 1200-0178

Dear Ms. Kitchings:

Please find enclosed our Respondents' Motion for Extension of Time To File Respondents' Final Brief in the above-referenced case, along with a check for the \$50.00 filing fee.

By copy of this letter to the Pro se Appellant, Dana Dixon, I am serving her with a copy of the Motion.

Sincerely,


M. Stephen Stubley
MSS/bej
Enclosures

cc: Dana Dixon (via certified and regular mail)
Shannon Bedell (w/encl)
Erin Farthing