

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE SOUTH  
CAROLINA WORKERS'  
COMPENSATION COMMISSION

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Case No. 2021-000517

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Shelia Hutchins, Employee,

Appellant,

v.

Security Group, Inc.,  
Employer, and Hartford  
Accident and Indemnity Co.,  
Carrier,

Respondents.

**RECEIVED**  
**Mar 18 2022**  
**SC Court of Appeals**

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**REPLY TO APPELLANT'S RETURN**  
**TO RESPONDENT'S SECOND MOTION TO STRIKE**

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Respondents would respectfully show unto the Court that:

1. This Court previously issued an order on November 17, 2021, striking Appellant's Brief and portions of her Designation of Matter to be Included in the Record on Appeal in this case.

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Shelia Hutchins, Employee,

Appellant,

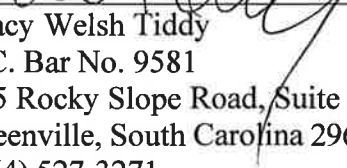
v.

Security Group, Inc.,  
Employer, and Hartford  
Accident & Indemnity Co.,  
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Respondents.

**PROOF OF SERVICE**

I hereby certify that I served the Reply to Appellant's Response to second Motion to Strike on Shelia Hutchins by depositing a copy of it in the United States Mail, Certified, postage prepaid, on March 18, 2022 addressed to 1391 Wilcox Avenue, Gaffney, SC 29341 and via electronic mail to sheliahutchins4@gmail.com.

  
Tracy Welsh Tiddy  
S.C. Bar No. 9581  
325 Rocky Slope Road, Suite 201  
Greenville, South Carolina 29607  
(864) 527-3271  
Attorney for Respondents

2. On January 16, 2022, Appellant served her Amended Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. Appellant then filed another Amended Initial Brief and Designation of Matter to be Included in the Record on Appeal on February 17, 2022<sup>1</sup>. Appellant's Amended Designation of Matter to be Included in the Record on Appeal included #7- "emails from Tracy Tiddy," #10- "Emails of where I communicated with Amy Bracy at workers comp," and # 11 "Email where I was not given 5 days to respond back to Full Commission after respondent replied to appellate brief."

3. Respondents requested copies of these documents as they could not be identified based on the description provided by Appellant. Appellant did provide 12 pages of email correspondence between Appellant and Deborah Hutto, Commissioner Avery Wilkerson's administrative assistant, and another email chain between Appellant and Amy Bracy, the judicial director of the South Carolina Workers' Compensation Commission (hereinafter "Commission"), but did not provide any "emails from Tracy Tiddy."

4. Respondents filed a second Motion to Strike on February 21, 2022, and requested that #7, #10, and #11 of the Appellant's Amended Designation of Matter to be Included in the Record on Appeal be stricken from the record because these emails were not part of the Commission's files and were not before the single commissioner or the appellate panel of the Commission when they rendered their decisions.

5. On March 1, 2022, Appellant requested an extension for serving and filing her Return to Respondent's Second Motion to Strike. The Court granted Appellant's request and extended the deadline to March 14, 2022.

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<sup>1</sup> Appellant refiled in February to address a formatting issue at the Court's direction.

6. Appellant filed her Return to Respondent's Second Motion to Strike on March 14, 2022. In her Return, Appellant requested that #7, #10, and #11 not be stricken from the record, but did not address whether the emails in question were part of the Commission's file or were before the single Commissioner or the appellate panel of the South Carolina Workers Compensation Commission when they rendered their decisions in this matter.

7. Attached to her Return, Appellant provided 29 pages of email correspondence between Appellant and Eugenia Hollmon, the Commission's Judicial Docketing Director; Deborah Hutto, Commissioner Avery Wilkerson's administrative assistant; another email chain between Appellant and Amy Bracy, the judicial director of the Commission; as well as one e-mail between Appellant and Respondent's Counsel. Respondents assume these are the only e-mails Claimant intends to include in the Record on Appeal; however, Appellant's Return does not make this clear.

8. As noted in the Motion to Strike, Respondents have requested and received a complete copy of Commission's files (which number 1,058 pages) and represent to this Court that none of the above-referenced e-mails are part of the Commission's files and were not before the single commissioner or the appellate panel of the Commission when they rendered their decision.<sup>2</sup>

9. A review of the transcript of the oral argument before the appellate panel on January 25, 2021, and the Order of the appellate panel of the Full Commission, filed April 14, 2021, reveal none of the above-referenced e-mails were submitted into the record during the proceeding before the Commission.

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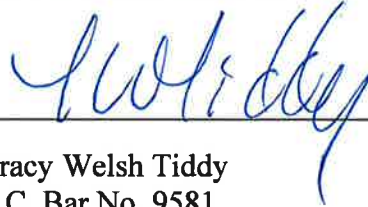
<sup>2</sup> Respondents do not dispute that Appellant's brief to the appellate panel of the commission (which was in the body of one of these emails) is part of the Commission's file.

10. Rule 210(c) of the South Carolina Appellate Court Rules provides that a Record on Appeal shall not include a matter which was not presented to the lower court or tribunal. Rule 210 (c), SCACR.

WHEREFORE, Respondents move for an Order from the Court striking #7- “emails from Tracy Tiddy,” #10- “Emails of where I communicated with Amy Bracy at workers comp,” and #11 “Email where I was not given 5 days to respond back to Full Commission after respondent replied to appellate brief” from the Matter to be Included in the Record on Appeal.

Respectfully submitted,

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



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Attorney for Respondents

March 17, 2022



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carter & baxley

**attorneys at law**  
greenville | charleston | columbia  
charlotte | myrtle beach | raleigh | atlanta

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March 18, 2022

**RECEIVED**

**Mar 18 2022**

**SC Court of Appeals**

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

Re: Shelia Hutchins vs. Security Group, Inc.  
Case No.: 2021-000517  
WCC File No.: 1421297 DOI: 11/20/2014  
Carrier: Hartford Accident and Indemnity Co - Claim No.: YKT78329C  
WJCB File No.: 0100.02739

Dear Ms. Kitchings:

I enclose for filing a Reply to Appellant's Response to Respondents' second Motion to Strike in the above-referenced case. By copy of this correspondence, I am serving a copy of the Reply on Shelia Hutchins, the Appellant.

With kindest regards,

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

  
Tracy Welsh Tiddy

TWT/jcw  
Enclosures

cc: Ms. Shelia Hutchins (via certified mail)  
Ms. Danielle Bruehl (via e-mail)