

APPELLATE PANEL DECISION AND ORDER  
OF THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION  
SCWCC FILE NO. 1808344

**RECEIVED**

MAY 03 2022

SC Court of Appeals

NAOMI LYNN BRIDGES, )  
 )  
 Claimant/Appellant, )  
 )  
 -v- )  
 )  
 HARBOUR TOWN SURF SHOP, LLC )  
 )  
 Employer/Respondent, )  
 )  
 and )  
 )  
 SOUTH CAROLINA WORKERS' )  
 COMPENSATION UNINSURED EMPLOYERS' )  
 FUND, )  
 )  
 Defendant/Respondent. )

FULL AFFIRMATION

Appellate Panel Review held in Columbia, South Carolina, on January 24, 2022, timely and properly served upon all parties of interest.

Appellate Panel Decision and Order filed on 4-19-22.

APPEARANCES: NAOMI LYNN BRIDGES, Claimant/Appellant, represented by Joshua R. Fester, Esquire, of Hardeeville, South Carolina and Gary P. Coggin, Esquire, of Hilton Head Island, South Carolina.

HARBOUR TOWN SURF SHOP, LLC, Employer/Respondent, represented by Michael W. Mogil, Esquire, of Hilton Head Island, South Carolina.

SOUTH CAROLINA WORKERS' COMPENSATION UNINSURED EMPLOYERS' FUND, Defendant/Respondent, was represented by Timothy B. Killen, Esquire, of Mt. Pleasant, South Carolina.

## STATEMENT OF THE CASE

A hearing was held in this case before Commissioner Melody L. James on July 24, 2019, and July 26, 2029 in Yemassee and Port Royal, South Carolina. As a result of that hearing, the Single Commissioner issued an Order dated January 27, 2021, from which Claimant takes this appeal.

The Single Commissioner's Findings of Fact and Conclusions of Law are as follows:

### FINDINGS OF FACT (SINGLE COMMISSIONER)

1. The parties to this proceeding are subject to and bound by the terms and provisions of the South Carolina Workers' Compensation Act (the Act), as amended.
2. The Employer, Harbour Town Surf Shop, LLC, was subject to the terms and provisions of the Act by stipulation and by regularly employing four (4) or more employees in South Carolina.
3. On June 16, 2018, the Claimant was an employee of Employer, Harbour Town Surf Shop, LLC.
4. The record was left open for two (2) weeks following the hearing so that Claimant could produce her 2016, 2017, and 2018 tax returns and related documentation, which was under subpoena from Employer. However, Claimant failed to timely produce this information.
5. Claimant did not articulate a clear way to calculate her Average Weekly Wage and Compensation Rate: Claimant failed to produce her income tax records; during the year preceding the quarter in which the injury allegedly occurred, Claimant missed work due to her unrelated eye illness and for other reasons; Claimant voluntarily quit her employment for some period of time during 2018; and the Employer's work is seasonal, as it closes for months during the off-season. The Claimant did place a significant emphasis on the schedule (Claimant's Ex.

1). However, the greater weight of the evidence establishes that the schedule (Claimant's Ex. No. 1) did not actually or accurately reflect the number of hours worked by any employee. Further, the greater weight of the evidence is that Employer did not pay Claimant or any other party with payments under the table. This finding is supported by the testimony.

6. Claimant's Average Weekly Wage and Compensation Rate shall be based on the actual numbers as reflected in Employer's APA Submissions. This finding is supported by the testimony, the APA Submissions, and the witnesses, including Sweeting and Rodriguez, whom I find to be the most impartial witnesses.

7. That Claimant's Average Weekly Wage and Compensation Rate are \$368.80 and \$245.88, respectively.

8. That the Claimant suffered an injury to the left leg prior to June 16, 2018, and she was suffering from this injury prior to her alleged fall. This finding is supported by the witness testimony and comports with the admitted instructions given to her not to climb the ladder.

9. Claimant's Exhibits No. 3 and 5 are not dispositive of anything and do not lend credibility to Claimant's arguments. The picture of Claimant and her grandson at his graduation is, by all accounts, temporarily prior to either the table incident and the alleged ladder incident. The picture of Claimant at the beach is blurry and doesn't show anything instructive on the issues.

10. That the Claimant's injuries are medically complex, and Claimant failed to establish by the medical evidence that the Claimant's injury arose in the course of employment.

11. That the greater weight of the evidence supports a finding that Claimant did not fall from the top step of the ladder, as she testified. It strains credulity to believe that the Claimant would need to be standing on the top step of the ladder to reach the items for which she claimed to be reaching. The EMS report reflects that, at the time of the alleged accident,

Claimant reported she fell from a lower step.

12. Whether the Claimant suffered an injury in the scope of employment is the burden of the Claimant, and it must be proved by the greater weight of the evidence. Here, Claimant failed to meet her evidentiary burden.

13. That Mr. Britton, as owner of Employer, gave clear and explicit instructions to Claimant not to climb on the ladder on June 16, 2018. The testimony of Christine Sweeting, Leticia Rodriguez, Zachary Edri, Raven Baden, and Amir Bitton support this finding. Even the testimony of the Claimant supports this finding, though she qualified the instruction in her testimony as instructions not to climb the ladder to get on top of the cooler.

14. When an employer limits the sphere of employment by specific prohibitions, injuries incurred while violating these prohibitions are not in the scope of employment and, therefore, not compensable. Here, the greater weight of the evidence establishes Claimant left the sphere of her employment by violating the specific orders not to climb the ladder.

15. Because Claimant's alleged injuries were not suffered in the scope of her employment, the Claimant was not injured by accident arising out of and in the course of her employment on June 16, 2018.

16. I find that Fund timely filed a Form 51 in this matter, preserving its opportunity to plead and argue affirmative defenses. The record is replete with instances when pleadings, motions, or other documents from Claimant were not served on Fund. Commissioner Taylor issued an Order adding the Fund as a party on November 29, 2018. Fund was not listed as a party on any hearing notice preceding that Order.

17. Regardless of the foregoing Finding, I find that whether Claimant was injured in the course of employment is Claimant's burden to prove by the preponderance of the evidence and is not an affirmative defense. Therefore, even if Fund's Form 51 were untimely, it can

continue to argue that the injuries were not suffered in the course of employment as part of a general denial, as allowed by S.C. Code Reg. 67-603.

18. Further, even though Employer failed to file a Form 51, S.C. Code Reg. 67-303(C) sets forth,

Failure to file a Form 51 or Form 53 within the period in section B(1) shall be deemed a general denial of liability for the benefits claimed and the employer and its representative by the failure to respond within the period in section B(1) shall forfeit each special and affirmative defense allowed by the Act including the defenses available in Sections 42-9-60 [Injury or death occasioned by intoxication or wilful intention of employee], 42-15-20 [Notice to employer of accident or repetitive trauma], 42-15-40 [Time for filing claim], and 42-17-90 [Review of award on change of condition] of the Act.

19. "The claimant has the burden of proving facts that will bring the injury within the workers' compensation law . . ." *Crisp v. SouthCo. Inc.*, 401 S.C. 627, 641, 738 S.E.2d 835, 842 (2013). "Injury" for purposes of workers' compensation means "only injury by accident arising out of and in the course of employment." S.C. Code Ann. § 42-1-160(A); *see also Turner v. SAHA Constr.*, 419 S.C. 98, 105, 796 S.E.2d 150, 154 (Ct. App. 2016) ("For an accidental injury to be compensable, it must "aris[e] out of and in the course of employment." (quoting S.C. Code Ann. § 42-1-160(A))). "An injury arises out of employment if it is proximately caused by the employment." *Turner*, 419 S.C. at 105, 796 S.E.2d at 154.

20. Because of the foregoing, the Claimant is not entitled to any benefits under the Act.

**CONCLUSIONS OF LAW**  
(SINGLE COMMISSIONER)

1. That S.C. Code Ann. § 42-3-180 defines the authority of this Commission to determine all questions arising from the Workers' Compensation Act;
2. That S.C. Code Ann. § 42-1-160 is applicable in defining injury.
3. That S.C. Code Ann. § 42-1-160(F) is applicable in defining accident.

4. That S.C. Code Ann. § 42-1-160(G) is applicable in governing medical evidence.

5. That S.C. Code Ann. § 42-1-40 is applicable in defining Average Weekly Wage.

6. That S.C. Code Ann. § 42-1-100 is applicable in defining compensation.

7. That S.C. Code Ann. §42-1-60 sets forth periods during which medical benefits and treatment should be provided;

8. That S.C. Code Ann. §42-1-60 sets forth periods during which medical benefits and treatment should be provided;

9. That S.C. Code Ann. § 42-17-40 is applicable in governing the conduct of hearings and the rendering of awards.

10. Section 42-1-40 establishes the appropriate means of determining an injured employees average weekly wage and compensation rate; under § 42-1-40, the Claimant's average weekly wage is \$737.60 with a corresponding compensation rate of \$491.76 per week.

11. S.C. Code Reg. 67-303(C) sets forth,

Failure to file a Form 51 or Form 53 within the period in section B(1) shall be deemed a general denial of liability for the benefits claimed and the employer and its representative by the failure to respond within the period in section B(1) shall forfeit each special and affirmative defense allowed by the Act including the defenses available in Sections 42-9-60 [Injury or death occasioned by intoxication or wilful intention of employee], 42-15-20 [Notice to employer of accident or repetitive trauma], 42-15-40 [Time for filing claim], and 42-17-90 [Review of award on change of condition] of the Act.

12. "The claimant has the burden of proving facts that will bring the injury within the workers' compensation law . . ." *Crisp v. SouthCo. Inc.*, 401 S.C. 627, 641, 738 S.E.2d 835, 842 (2013). "Injury" for purposes of workers' compensation means "only injury by accident arising out of and in the course of employment." S.C. Code Ann. § 42-1-160(A); *see also Turner v. SAHA Constr.*, 419 S.C. 98, 105, 796 S.E.2d 150, 154 (Ct. App. 2016) ("For an accidental injury to be compensable, it must "aris[e] out of and in the course of employment." (quoting S.C.

Code Ann. § 42-1-160(A)). "An injury arises out of employment if it is proximately caused by the employment." *Turner*, 419 S.C. at 105, 796 S.E.2d at 154.

13. Under *Wright v. Bi-Lo, Inc.*, 314 S.C. 152, 442 S.E.2d 186 (Ct.App. 1994), the Claimant was outside of the scope of her employment at the time she alleges to have suffered her injuries.

Within the statutory period, Claimant filed an Application for Review in the case setting forth their assignments of error, copies of which were furnished to all interested parties prior to oral argument presented before the Appellate Panel on January 24, 2022. In her Form 30, Appellant respectfully submitted to the Full Commission that the Single Commissioner erred as follows:

- (1) Whether the Hearing Commissioner erred as a matter of law and fact by finding: that the Claimant did not articulate a clear way to calculate her Average Weekly Wage and Compensation Rate; that Claimant failed to produce her income tax records; that Claimant missed work due to her unrelated eye illness and for other reasons; that Claimant voluntarily quit her employment for some period of the time during 2018; that the Employer's work is seasonal as it closes for months during the off-season; that the Claimant placed significant emphasis on the schedule; that the greater weight of the evidence is that the Employee [sic] did not pay Claimant or any other party with payments under the table; that the greater weight of the evidence establishes that the scheduled did not actually or accurately reflect the number of hours worked by any employee; and in finding that the Employer did not pay Claimant or any other employee with payments under the table is supported by testimony.
- (2) Whether the Hearing Commissioner erred as a matter of law and fact by finding that the Claimant's Average Weekly Wage and Compensation Rate should be based on the actual number as reflected in employer's APA Submissions and that the finding is supported by the testimony, the APA Submissions, and the witnesses, including Sweeting and Rodriguez, and in further finding that Sweeting and Rodriguez were the most impartial witnesses.
- (3) Whether the Hearing Commissioner erred as a matter of law and fact by finding that the Claimant's Average Weekly Wage and Compensation Rate are \$368.80 and \$245.88, respectively.

- (4) Whether the Hearing Commissioner erred as a matter of law and fact by finding that the Claimant suffered an injury to the left leg prior to June 16, 2018, that she was suffering from this injury prior to her alleged fall, that this finding is supported by witness testimony, and in finding that this comports with instructions given to her not to climb the ladder.
- (5) Whether the Hearing Commissioner erred as a matter of law and fact by finding that Claimant's Exhibits No. 3 and 5 are not dispositive of anything and do not lend credibility to Claimant's arguments.
- (6) Whether the Hearing Commissioner erred as a matter of law and fact by finding that the greater weight of the evidence supports a finding that Claimant did not fall from the top step of the ladder, as she testified and in finding that the EMS report reflects that, at the time of the alleged accident, Claimant reported she fell from a lower step.
- (7) Whether the Hearing Commissioner erred as a matter of law and fact by finding that the Claimant failed to meet her evidentiary burden of showing she suffered an injury in the scope of employment.
- (8) Whether the Hearing Commissioner erred as a matter of law and fact by finding that the Employer gave clear and explicit instructions for the Claimant not to climb on the ladder on June 16, 2018, that the testimony of others supported this finding and that the Claimant's testimony supported this finding.
- (9) Whether the Hearing Commissioner erred as a matter of law and fact by finding that the employer limited Claimant's sphere of employment and that the Claimant left the sphere of her employment by violating employer's instructions.
- (10) Whether the Hearing Commissioner erred as a matter of law and fact in finding that Claimant's alleged injuries were not suffered in the scope of her employment and that the Claimant was not injured by an accident arising out of and in the course of her employment on June 16, 2018.
- (11) Whether the Hearing Commissioner erred as a matter of law and fact in finding that the Uninsured Employer's [sic] Fund timely filed a Form 51 in this matter and in finding that the record is replete with instances when pleadings, motions, or other documents from Claimant were not served on the Fund.
- (12) Whether the Hearing Commissioner erred as a matter of law and fact in finding that even if the Fund's Form 51 were untimely, it can continue to argue that the injuries were not suffered in the course of employment as part of a general denial.

- (13) Whether the Hearing Commissioner erred in finding that the Claimant is not entitled to any benefits under the Act.
- (14) Whether the Hearing Commissioner erred in finding that the Claimant was outside the scope of her employment at the time she alleges to have suffered her injuries.

In her Appellant's Brief to the Full Commission, Claimant respectfully submitted to the Full Commission that the Single Commissioner erred as follows:

- (1) Did the Commissioner err in finding as fact and concluding that Claimant failed to meet her evidentiary burden of proving by the greater weight of the evidence that she suffered an injury in the scope of employment?
- (2) Did the Commissioner err in failing to find that whether employee left the scope of employment at the time of her workplace injury is an affirmative defense, such that is Defendants' burden to prove by the greater weight of the evidence, and accordingly, did the Commissioner apply the wrong legal standard throughout her Decision and Order?
- (3) Did the Commissioner err in finding and concluding that the greater weight of the evidence establishes Claimant left the sphere of her employment, by climbing on a ladder at work to perform working duties?
- (4) Did the Commissioner err in finding that the greater weight of the evidence supported that the Claimant suffered from a leg injury prior to her workplace accident of June 16, 2018?
- (5) Did the Commissioner err in finding as fact and concluding that Ms. Bridges['] average weekly wage and compensation rate, were \$360.80 and \$245.88, respectively, and also err in failing to consider the substantial evidence of record that the Claimant's pay with her employer was not limited to what was listed on her pay stubs or 2918 W-2?

Pursuant to S.C. Code Ann. § 42-17-50, we, the Appellate Panel, have reviewed the Decision and Order of the Single Commissioner and weighed the evidence as presented at the initial hearing. We have also considered all issues raised in the briefs of the Appellants and Respondents, as well as those issues raised at the Full Commission Review hearing.

After careful review, The Appellate Panel of the South Carolina Workers' Compensation Commission, by unanimous vote, have determined that the Hearing Commissioner's Findings of Fact and Conclusion of Law are corrected as stated and should be affirmed.

Accordingly, after full consideration of the evidence in the record and the parties' respective arguments, we, the Appellate Panel, enter the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**  
(APPELLATE PANEL)

1. The parties to this proceeding are subject to and bound by the terms and provisions of the South Carolina Workers' Compensation Act (the Act), as amended.
2. The Employer, Harbour Town Surf Shop, LLC, was subject to the terms and provisions of the Act by stipulation and by regularly employing four (4) or more employees in South Carolina.
3. On June 16, 2018, the Claimant was an employee of Employer, Harbour Town Surf Shop, LLC.
4. The record was left open for two (2) weeks following the hearing so that Claimant could produce her 2016, 2017, and 2018 tax returns and related documentation, which was under subpoena from Employer. However, Claimant failed to timely produce this information.
5. Claimant did not articulate a clear way to calculate her Average Weekly Wage and Compensation Rate; Claimant failed to produce her income tax records; during the year preceding the quarter in which the injury allegedly occurred, Claimant missed work due to her unrelated eye illness and for other reasons; Claimant voluntarily quit her employment for some period of time during 2018; and the Employer's work is seasonal, as it closes for months during the off-season. The Claimant did place a significant emphasis on the schedule (Claimant's Ex.

1). However, the greater weight of the evidence establishes that the schedule (Claimant's Ex. No. 1) did not actually or accurately reflect the number of hours worked by any employee. Further, the greater weight of the evidence is that Employer did not pay Claimant or any other party with payments under the table. This finding is supported by the testimony.

6. Claimant's Average Weekly Wage and Compensation Rate shall be based on the actual numbers as reflected in Employer's APA Submissions. This finding is supported by the testimony, the APA Submissions, and the witnesses, including Sweeting and Rodriguez, whom We find to be the most impartial witnesses.

7. That Claimant's Average Weekly Wage and Compensation Rate are \$368.80 and \$245.88, respectively.

8. That the Claimant suffered an injury to the left leg prior to June 16, 2018, and she was suffering from this injury prior to her alleged fall. This finding is supported by the witness testimony and comports with the admitted instructions given to her not to climb the ladder.

9. Claimant's Exhibits No. 3 and 5 are not dispositive of anything and do not lend credibility to Claimant's arguments. The picture of Claimant and her grandson at his graduation is, by all accounts, temporarily prior to either the table incident and the alleged ladder incident. The picture of Claimant at the beach is blurry and doesn't show anything instructive on the issues.

10. That the Claimant's injuries are medically complex, and Claimant failed to establish by the medical evidence that the Claimant's injury arose in the course of employment.

11. That the greater weight of the evidence supports a finding that Claimant did not fall from the top step of the ladder, as she testified. It strains credulity to believe that the Claimant would need to be standing on the top step of the ladder to reach the items for which she claimed to be reaching. The EMS report reflects that, at the time of the alleged accident,

Claimant reported she fell from a lower step.

12. Whether the Claimant suffered an injury in the scope of employment is the burden of the Claimant, and it must be proved by the greater weight of the evidence. Here, Claimant failed to meet her evidentiary burden.

13. That Mr. Britton, as owner of Employer, gave clear and explicit instructions to Claimant not to climb on the ladder on June 16, 2018. The testimony of Christine Sweeting, Leticia Rodriguez, Zachary Edri, Raven Baden, and Amir Bitton support this finding. Even the testimony of the Claimant supports this finding, though she qualified the instruction in her testimony as instructions not to climb the ladder to get on top of the cooler.

14. When an employer limits the sphere of employment by specific prohibitions, injuries incurred while violating these prohibitions are not in the scope of employment and, therefore, not compensable. Here, the greater weight of the evidence establishes Claimant left the sphere of her employment by violating the specific orders not to climb the ladder.

15. Because Claimant's alleged injuries were not suffered in the scope of her employment, the Claimant was not injured by accident arising out of and in the course of her employment on June 16, 2018.

16. We find that Fund timely filed a Form 51 in this matter, preserving its opportunity to plead and argue affirmative defenses. The record is replete with instances when pleadings, motions, or other documents from Claimant were not served on Fund. Commissioner Taylor issued an Order adding the Fund as a party on November 29, 2018. Fund was not listed as a party on any hearing notice preceding that Order.

17. Regardless of the foregoing Finding, We find that whether Claimant was injured in the course of employment is Claimant's burden to prove by the preponderance of the evidence and is not an affirmative defense. Therefore, even if Fund's Form 51 were untimely, it can

continue to argue that the injuries were not suffered in the course of employment as part of a general denial, as allowed by S.C. Code Reg. 67-603.

18. Further, even though Employer failed to file a Form 51, S.C. Code Reg. 67-303(C) sets forth,

Failure to file a Form 51 or Form 53 within the period in section B(1) shall be deemed a general denial of liability for the benefits claimed and the employer and its representative by the failure to respond within the period in section B(1) shall forfeit each special and affirmative defense allowed by the Act including the defenses available in Sections 42-9-60 [Injury or death occasioned by intoxication or wilful intention of employee], 42-15-20 [Notice to employer of accident or repetitive trauma], 42-15-40 [Time for filing claim], and 42-17-90 [Review of award on change of condition] of the Act.

19. "The claimant has the burden of proving facts that will bring the injury within the workers' compensation law . . ." *Crisp v. SouthCo. Inc.*, 401 S.C. 627, 641, 738 S.E.2d 835, 842 (2013). "Injury" for purposes of workers' compensation means "only injury by accident arising out of and in the course of employment." S.C. Code Ann. § 42-1-160(A); *see also Turner v. SAIIA Constr.*, 419 S.C. 98, 105, 796 S.E.2d 150, 154 (Ct. App. 2016) ("For an accidental injury to be compensable, it must "aris[e] out of and in the course of employment." (quoting S.C. Code Ann. § 42-1-160(A))). "An injury arises out of employment if it is proximately caused by the employment." *Turner*, 419 S.C. at 105, 796 S.E.2d at 154.

20. Because of the foregoing, the Claimant is not entitled to any benefits under the Act.

**CONCLUSIONS OF LAW**  
(APPELLATE PANEL)

1. That S.C. Code Ann. § 42-3-180 defines the authority of this Commission to determine all questions arising from the Workers' Compensation Act;
2. That S.C. Code Ann. § 42-1-160 is applicable in defining injury.
3. That S.C. Code Ann. § 42-1-160(F) is applicable in defining accident.

4. That S.C. Code Ann. § 42-1-160(G) is applicable in governing medical evidence.

5. That S.C. Code Ann. § 42-1-40 is applicable in defining Average Weekly Wage.

6. That S.C. Code Ann. § 42-1-100 is applicable in defining compensation.

7. That S.C. Code Ann. § 42-1-60 sets forth periods during which medical benefits and treatment should be provided;

8. That S.C. Code Ann. § 42-1-60 sets forth periods during which medical benefits and treatment should be provided;

9. That S.C. Code Ann. § 42-17-40 is applicable in governing the conduct of hearings and the rendering of awards.

10. Section 42-1-40 establishes the appropriate means of determining an injured employees average weekly wage and compensation rate; under § 42-1-40, the Claimant's average weekly wage is \$737.60 with a corresponding compensation rate of \$491.76 per week.

11. S.C. Code Reg. 67-303(C) sets forth,

Failure to file a Form 51 or Form 53 within the period in section B(1) shall be deemed a general denial of liability for the benefits claimed and the employer and its representative by the failure to respond within the period in section B(1) shall forfeit each special and affirmative defense allowed by the Act including the defenses available in Sections 42-9-60 [Injury or death occasioned by intoxication or wilful intention of employee], 42-15-20 [Notice to employer of accident or repetitive trauma], 42-15-40 [Time for filing claim], and 42-17-90 [Review of award on change of condition] of the Act.

12. "The claimant has the burden of proving facts that will bring the injury within the workers' compensation law . . ." *Crisp v. SouthCo. Inc.*, 401 S.C. 627, 641, 738 S.E.2d 835, 842 (2013). "Injury" for purposes of workers' compensation means "only injury by accident arising out of and in the course of employment." S.C. Code Ann. § 42-1-160(A); *see also Turner v. SAHA Constr.*, 419 S.C. 98, 105, 796 S.E.2d 150, 154 (Ct. App. 2016) ("For an accidental injury to be compensable, it must "aris[e] out of and in the course of employment." (quoting S.C.

Code Ann. § 42-1-160(A)). "An injury arises out of employment if it is proximately caused by the employment." *Turner*, 419 S.C. at 105, 796 S.E.2d at 154.

13. Under *Wright v. Bi-Lo, Inc.*, 314 S.C. 152, 442 S.E.2d 186 (Ct.App. 1994), the Claimant was outside of the scope of her employment at the time she alleges to have suffered her injuries.

### ORDER

By unanimous vote, the Order of the Single Commissioner from which this appeal has been taken is hereby Affirmed by the Appellate Panel. This order shall constitute the final Decision and Order of the South Carolina Workers' Compensation Commission.

**IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED** that the Findings of Fact and Conclusions of Law of the Single Commissioner are incorporated herein as if set forth verbatim and Claimant's claim for benefits under the Workers' Compensation Act is denied; and

**IT IS, THEREFORE, ORDERED** that Claimant's claims for benefits under the Workers' Compensation Act based on the alleged injury by accident herein is denied and that no hearing costs are assessed; and

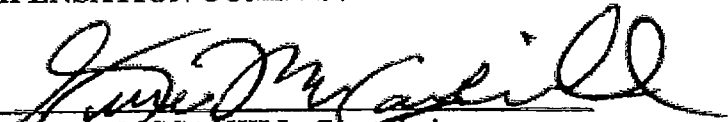
**IT IS, THEREFORE, ORDERED** that, the Findings of Fact and Conclusions of Law are incorporated herein as if set forth verbatim and the claim of the Claimant for temporary or permanent disability benefits and medical care be, and the same hereby is, **DENIED**; and

**ACCORDINGLY, IT IS HEREBY ORDERED** that the Claimant's request for benefits based on the alleged injury by accident of June 16, 2018, is denied.


**AND IT IS SO ORDERED!**

FULL AFFIRMATION:

**SOUTH CAROLINA WORKERS'  
COMPENSATION COMMISSION**

BY:   
GENE MCCASKILL, Commissioner

BY:   
T. SCOTT BECK, Commissioner

BY:   
R. MICHAEL CAMPBELL, II, Commissioner