



# The South Carolina Court of Appeals

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June 03, 2022

The Honorable Amy Bracy  
Worker's Compensation Commission  
Post Office Box 1715  
Columbia SC 29202

## **REMITTITUR**

Re: Delinzy Grant v. Steel Technologies  
Lower Court Case No. 1713493  
Appellate Case No. 2019-001017

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen*

CLERK

Enclosure

cc: Matthew Clark LaFave, Esquire  
Ryan Thomas LeBlanc, Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

Delinzy Grant, Claimant, Respondent,

v.

Steel Technologies, Employer, and Zurich American  
Insurance Co., Carrier, Appellants.

Appellate Case No. 2019-001017

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Appeal From The Workers' Compensation Commission

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Unpublished Opinion No. 2022-UP-221  
Submitted April 1, 2022 – Filed May 18, 2022

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**AFFIRMED**

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Matthew Clark LaFave, of Crowe LaFave, LLC, of  
Columbia, for Appellants.

Ryan Thomas LeBlanc, of Joye Law Firm, LLP, of North  
Charleston, for Respondent.

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**PER CURIAM:** Steel Technologies and Zurich American Insurance Company (collectively, Appellants) appeal an order from the Appellate Panel of the South Carolina Workers' Compensation Commission (the Appellate Panel). On appeal, Appellants argue the Appellate Panel erred in finding Steel Technologies' former

employee, Delinzy Grant, gave timely notice of her repetitive trauma injury in accordance with section 42-15-20(C) of the South Carolina Code (2015).

We hold Grant provided adequate notice to Appellants. Accordingly, we affirm pursuant to Rule 220(b), SCACR, and the following authorities: *Hargrove v. Titan Textile Co.*, 360 S.C. 276, 288, 599 S.E.2d 604, 610 (Ct. App. 2004) ("The South Carolina Administrative Procedures Act . . . establishes the standard for judicial review of decisions of the Workers' Compensation Commission."); *id* at 289, 599 S.E.2d at 610-11 ("[An appellate c]ourt's review is limited to deciding whether the [Appellate Panel's] decision is unsupported by substantial evidence or is controlled by some error of law."); *Shealy v. Aiken Cnty.*, 341 S.C. 448, 455, 535 S.E.2d 438, 442 (2000) ("In workers' compensation cases, the [Appellate Panel] is the ultimate fact finder."); *Hargrove*, 360 S.C. at 290, 599 S.E.2d at 611 ("Where there are conflicts in the evidence over a factual issue, the findings of the Appellate Panel are conclusive."); § 42-15-20(C) ("In the case of repetitive trauma, notice must be given by the employee within ninety days of the date the employee discovered, or could have discovered by exercising reasonable diligence, that h[er] condition is compensable, unless reasonable excuse is made to the satisfaction of the commission for not giving timely notice, and the commission is satisfied that the employer has not been unduly prejudiced thereby."); *King v. Int'l Knife & Saw-Florence*, 395 S.C. 437, 444, 718 S.E.2d 227, 231 (Ct. App. 2011) ("[A] work-related repetitive trauma injury does not become compensable, and the ninety-day reporting clock does not start, until the injured employee discovers or should discover [s]he qualifies to receive benefits for medical care, treatment, or disability due to h[er] condition.").

**AFFIRMED.**<sup>1</sup>

**GEATHERS and HILL, JJ., and LOCKEMY, A.J., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.