

Philip A. Baddour, III, Chair
Myra L. Griffin, Vice-Chair
James C. Gillen, Commissioner



Kenneth L. Goodman, Commissioner
Adrian A. Phillips, Commissioner
Wanda Blanche Taylor, Commissioner

NORTH CAROLINA INDUSTRIAL COMMISSION

January 28, 2022

IMPORTANT NOTICE TO ALL PARTIES

The cases listed on the attached calendar are scheduled for disposition by the Full Commission. Pursuant to the Full Commission's current hearing policy, some of the cases will be heard remotely via videoconference, and some will be heard in-person. The cases that will be heard remotely are designated as "REMOTE" and indicate only the date of the hearing. You will receive an email with instructions for videoconference participation at a later date that includes the time of the hearing. Some cases may be determined without oral argument pursuant to Rule 11 NCAC 23A .0701(h) or Rule 11 NCAC 23B .0301. The parties will be notified by the Commission prior to the hearing dates below if oral argument is waived. If no such notification is provided, oral argument will be held as scheduled below:

MARCH 9, 17, AND 22, 2022

REMOTE: Instructions to Follow

IN-PERSON: DOBBS BUILDING, SECOND FLOOR, ROOM 2173

430 NORTH SALISBURY STREET

RALEIGH, NORTH CAROLINA 27603

If your hearing will be held in-person, please enter the Dobbs building through the security desk area located on the third floor (on the mall area). You will be required to present a photo ID in order to enter the building.

Please review the enclosed calendar to determine the exact date on which your case will be heard. The hearing time may change based on the number of cases scheduled on the hearing day. **If you are not present in court (or on the videoconference) when your case is reached, the Full Commission will consider the record and will render its decision without hearing oral argument.**

For cases appearing on the enclosed calendar, all motions, including requests for continuances, should be addressed to the chair of the panel and must be filed in accordance with Rule 11 NCAC 23A .0108 for workers' compensation cases, or Rule 11 NCAC 23B .0104 for tort cases. Requests for continuances should be submitted at least two weeks prior to the date of hearing. An exception may be made for unexpected emergencies, in which case the continuance request should be filed as described above and followed up with a telephone call or electronic mail to the law clerk identified below. **In the event a case is continued, the case will be heard before the same panel at a later date.** In lieu of a continuance, oral argument may be waived for the party requesting the continuance.

Other inquiries regarding the cases appearing on the enclosed calendar should be directed to Daniel Burke, Counsel to Vice-Chair Myra L. Griffin, Dobbs Building, 1236 Mail Service Center, Raleigh, North Carolina 27699-1236. The telephone number for Mr. Burke is (919) 807-2568, and the electronic mail address is daniel.burke@ic.nc.gov.

ALL BRIEFS AND FORMS 44 must be filed in accordance with Rule 11 NCAC 23A .0108 for workers' compensation cases or Rule 11 NCAC 23B .0104 for tort cases. For help with EDFP registration, please visit <http://www.ic.nc.gov/EDFPRegistrationInstructions.pdf>. A party who fails to timely file a brief may be denied oral argument.

For additional information, please consult the Rules of the Industrial Commission as they apply to hearings before the Full Commission.

**NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION REVIEW DOCKET**

**MYRA L. GRIFFIN, VICE-CHAIR AND PANEL CHAIR
KENNETH L. GOODMAN, COMMISSIONER
WANDA BLANCHE TAYLOR, COMMISSIONER**

**TUESDAY, MARCH 9, 2022
VIDEOCONFERENCE**

I.C. NUMBER		ATTORNEY
X07132 KH	THEODORE R. HUDSON, III v. NC DEPARTMENT OF PUBLIC SAFETY SELF-INSURED (CCMSI)	PLF: BRANCH VINCENT THE VINCENT LAW FIRM SOUTHERN SHORES, NC DFT: DORIAN WOOLASTON NC DEPARTMENT OF JUSTICE RALEIGH, NC
19-006930 LG	KIMBERLY D. BROWN v. GOODYEAR TIRE & RUBBER COMPANY LIBERTY MUTUAL INSURANCE COMPANY	PLF: KATHLEEN SUMNER LAW OFFICES OF KATHLEEN G. SUMNER HAMPSTEAD, NC DFT: JENNIFER MITCHELL HEDRICK GARDNER KINCHELOE & GAROFALO; CHARLOTTE, NC
TA-29348 PB	GERARD ATKINSON v. THE OFFICE OF INDIGENT DEFENSE SERVICES	PLF: MICHAEL PORTER MICHAEL PORTER LAW FIRM FAYETTEVILLE, NC PLF: REED NOBLE REED NOBLE LAW FIRM FAYETTEVILLE, NC DFT: LISA TAYLOR NC DEPARTMENT OF JUSTICE RALEIGH, NC

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MYRA L. GRIFFIN, VICE-CHAIR AND PANEL CHAIR
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THURSDAY, MARCH 17, 2022
VIDEOCONFERENCE

I.C. NUMBER		ATTORNEY
17-022057 MCB	JOHN KEENAN v. FEDERAL EXPRESS CORPORATION SELF-INSURED (SEDGWICK CMS)	PLF: MARK SUMWALT/LAUREN WALKER SUMWALT ANDERSON LAW FIRM CHARLOTTE, NC DFT: MICHAEL RICCI CRANFILL SUMNER WILMINGTON, NC
W82613 14-752875 SS	CAROLYN H. HERRIN, EXECUTRIX OF THE ESTATE OF BENNY WILSON HERRIN AND CAROLYN H. HERRIN, WIDOW AND SOLE DEPENDENT OF BENNY WILSON WILSON, DECEASED v. ALBEMARLE PLUMBING & HEATING COMPANY, INC. ST. PAUL FIRE & MARINE INSURANCE COMPANY/ST. PAUL MERCURY INSURANCE COMPANY/TRAVELERS INDEMNITY COMPANY	PLF: KATHERINE WILLETT WILLETT LEGAL CONCORD, NC DFT: DEEPA WINEBARGER HEDRICK GARDNER KINCHELOE & GAROFALO; CHARLOTTE, NC
19-716395	FIDEL HERRERA v. MIGUEL VELASQUEZ NON-INSURED AMER BAKER NON-INSURED DELTA HOSPITALITY GROUP, LLC NON-INSURED ALPINE BUILDERS, LLC NON-INSURED TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA	PLF: KYA JOHNSON LAW OFFICES OF KENNETH M. JOHNSON GREENSBORO, NC DFT: PRO SE DFT: JACK BAYLISS/TRISHA BARFIELD CARRUTHERS & ROTH GREENSBORO, NC DFT: WESLEY MAYBERRY/NEIL ANDREWS HEDRICK GARDNER KINCHELOE & GAROFALO; CHARLOTTE, NC
PH-A073 CH	NC INDUSTRIAL COMMISSION v. MIGUEL VELASQUEZ AND MIGUEL VELASQUEZ, INDIVIDUALLY AMER BAKER AND AMER BAKER, INDIVIDUALLY DELTA HOSPITALITY GROUP, LLC AND AMER BAKER, INDIVIDUALLY	GRACE LINTHICUM NC DEPARTMENT OF JUSTICE RALEIGH, NC

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**MYRA L. GRIFFIN, VICE-CHAIR AND PANEL CHAIR
KENNETH L. GOODMAN, COMMISSIONER
WANDA BLANCHE TAYLOR, COMMISSIONER**

**TUESDAY, MARCH 22, 2022
IN-PERSON**

I.C. NUMBER		ATTORNEY	
X45404 X82412 MCB 9:30 A.M.	STEPHANIE MESSICK v. WALMART STORES, INC. NEW HAMPSHIRE INSURANCE COMPANY (CLAIMS MANAGEMENT, INC.)	PLF: DFT:	WHITNEY WILLIAMS WALLACE AND GRAHAM SALISBURY, NC PAUL LAWRENCE/DUANE JONES/ OLIVIA PERRY HEDRICK GARDNER KINCHELOE & GAROFALO; CHARLOTTE, NC
14-001068 14-724014 14-724017 ET 9:30 A.M.	CAROL ANDERSON v. BAYADA HOME HEALTH CARE, INC. ARCH INSURANCE GROUP, INC. (HELMSMAN MANAGEMENT SERVICES)	PLF: DFT:	RICHARD HARPER HARPER LAW FIRM SYLVA, NC JOY BREWER BREWER DEFENSE GROUP RALEIGH, NC
18-053490 LG 9:30 A.M.	DANNY RAY NELSON v. GOODYEAR TIRE & RUBBER COMPANY LIBERTY MUTUAL INSURANCE COMPANY	PLF: DFT:	VICKIE BURGE ADAMS BURGE & BOUGHMAN FAYETTEVILLE, NC MATTHEW LEDWITH HEDRICK GARDNER KINCHELOE & GAROFALO; RALEIGH, NC