

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

July 29, 2022

IMPORTANT NOTICE TO ALL PARTIES

The cases listed on the attached calendar are scheduled for disposition by the Full Commission. Pursuant to the Commission's current hearing policy due to COVID-19, Full Commission hearings are being held via videoconference. 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:

SEPTEMBER 14, 2022 VIA VIDEOCONFERENCE (PER COMMISSION ORDER)

(You will receive an email with instructions for videoconference participation at a later date)

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. **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.

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
Emily M. Baucom
Clerk of the Industrial Commission

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

**WANDA BLANCHE TAYLOR, COMMISSIONER AND PANEL CHAIR
JAMES C. GILLEN, COMMISSIONER
KENNETH L. GOODMAN, COMMISSIONER**

**WEDNESDAY, SEPTEMBER 14, 2022
VIDEOCONFERENCE**

I.C. NUMBER		ATTORNEY			
20-742050 LG	SHERRY MACK v. AMERICAN HEALTH ASSOCIATES, INC. SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.	PLF:	D. STUART SMITH DAVID & ASSOCIATES WILMINGTON, NC DFT:	LAURA CARTER HOLDER PADGETT LITTLEJOHN + PRICKETT; RALEIGH, NC	
16-022877 MCB	ADRIAN GILES v. FOOD LION SELF-INSURED	PLF:	PRO SE.	DFT:	BROOKE MULENEX/M. DUANE JONES HEDRICK GARDNER KINCHELOE & GAROFALO; CHARLOTTE, NC
TA-28816 DMH	JULIO ANTUAN SIMUEL, ADMINISTRATOR OF THE ESTATE OF K'YSON KAWHI FINLEY v. THE 40TH NORTH CAROLINA PROSECUTORIAL DISTRICT A/K/A THE OFFICE OF THE DISTRICT ATTORNEY FOR BUNCOMBE COUNTY, NORTH CAROLINA	PLF:	HARVEY KENNEDY/HAROLD KENNEDY KENNEDY KENNEDY KENNEDY & KENNEDY; WINSTON-SALEM, NC DFT:	CARL NEWMAN NC DEPARTMENT OF JUSTICE RALEIGH, NC	
TA-28826 DMH	JULIO ANTUAN SIMUEL, ADMINISTRATOR OF THE ESTATE OF TIYQUASHA SIMUEL v. THE 40TH NORTH CAROLINA PROSECUTORIAL DISTRICT A/K/A THE OFFICE OF THE DISTRICT ATTORNEY FOR BUNCOMBE COUNTY, NORTH CAROLINA	PLF:	HARVEY KENNEDY/HAROLD KENNEDY KENNEDY KENNEDY KENNEDY & KENNEDY; WINSTON-SALEM, NC DFT:	CARL NEWMAN NC DEPARTMENT OF JUSTICE RALEIGH, NC	