



1 of 11 DOCUMENTS



Caution
As of: Jan 31, 2009

Joseph Glenn Hicks, Sr., Deceased Employee; and Shirley Hicks and Joseph Glenn Hicks, Jr., Minors, by and through their Guardian ad Litem, Respondents, v. Piedmont Cold Storage, Inc., Employer, and Atlantic Mutual Insurance Company, Carrier, Petitioners.

Opinion No. 24928

SUPREME COURT OF SOUTH CAROLINA

335 S.C. 46; 515 S.E.2d 532; 1999 S.C. LEXIS 72

December 17, 1997, Heard

April 5, 1999, Filed

SUBSEQUENT HISTORY: [***1] Petition for Re-hearing Denied May 12, 1999.

PRIOR HISTORY: Appeal From Greenville County. C. Victor Pyle, Jr., Circuit Court Judge.

versed. In support of its ruling, the court held that the findings of an administrative agency were presumed correct and would only be set aside if unsupported by substantial evidence. The court further held that there was substantial evidence supporting the commission's finding that the work performed by deceased did not benefit ap-

PROPOSITION REFERRED

335 S.C. 46, *; 515 S.E.2d 532, **;
1999 S.C. LEXIS 72, ***

Administrative Law > Judicial Review > Standards of Review > Substantial Evidence

Civil Procedure > Appeals > Standards of Review > Clearly Erroneous Review

Evidence > Inferences & Presumptions > Presumption of Regularity

[HN1] The findings of an administrative agency are pre-

curred: (1) on Piedmont premises; (2) with Piedmont tools; and (3) while he performed a task under the direction and supervision of his superior. The circuit judge concluded the commission's decision was against the substantial [**533] weight of the evidence and ordered Piedmont to pay death and funeral benefits to the minor children. The Court of Appeals affirmed.

335 S.C. 46, *; 515 S.E.2d 532, **;
1999 S.C. LEXIS 72, ***

The substantial evidence rule controls here, and accordingly the decision of the Court of Appeals is

1976), the same case cited by our Court of Appeals in the instant case. While these North Carolina decisions do not