

RECEIVED

Jun 20 2023

SC Court of Appeals

THE SOUTH CAROLINA COURT OF APPEAL*

Alicia Ruffin,)
)
 Appellant,)
)
)
 vs.)
)
)
)
 Builders First source, Inc.)
 Employer)
 &)
 Liberty Mutual)
)
 Respondents,)
)
 _____)

Appellate Case No. 2023-00512

Motion to Reverse
&
Motion For an Order Compelling
or Discovery

RECEIVED

JUN 20 2023

SC Court of Appeals

This Motion to Reverse arises for the Court of Appeals by way of ORDER dated June 15, 2023. The reason stated for Dismissal is for Failed to provide proof of service that the notice of Appeal was timely made on Respondents as required by Rule 203(b)(6) of the South Carolina Appellate Court Rules. *Rodriguez v. Workers Comp. Appeals Bd, 045698* The Appellant stands that according to *S.C. App. Ct R. 203 (b)(6)* Enclosed are copies of Receipts for the U.S. Post Office and USPS Tracking showing delivery of the Notice of Appeal. The Respondents failed to file a Motion to have the case dismissed for Failing to provide Proof of Service. The Appellant wish to file Motion to Reverse the Court of Appeals decision to Dismiss and wish to incorporate a Motion under Rule 37(a) Motion for an Order Compelling Disclosure or Discovery. Enclosed are emails between Atty. J. SOUTH LEWIS, II and Ms. SONJI SPANN from the Financial Department of South Carolina Workers Compensation. SCWCC obstructed the submission of SSA 1709-A evidence that was filled out and submitted by Financial Supervisor, Sonji Spann; Showing over \$80,000 in TTD funds that was redirected for 2 years. For 2 years, SCWCC reported to the Department of Social Security Administration that the Appellant was still receiving TTD funds. The Appellant was informed that none of the Commissioners, including Liberty Mutual, never informed her that the TTD payments were terminated. According to the most recent, SSA Benefit Statement date June 18, 2023; it is being report that the Appellant is not receiving Retirement Benefits because their "records show that the Appellant is already receiving or have receiving benefits." Although, the Social Security Administration has granted the Appellant just approved Disability as of October 2022. The Appellant did not begin receiving anything und May of 2023. But the doctors' notes reported as of October of 2018, the Appellant has been reported as Disabled. The IME doctor, who was the only Physician that submitted a 14-B Statement, and who also stated that there was not "A doctor Patient

Relationship stated on July 22, 2019, that the Appellant, "could not return to work, "According to SC section code § 42-9-170 and SC section code § 42-15-60 (A) the Appellant was entitled to continue receiving TTD payments while receiving Disability Benefits and continued receiving, while still under the Appeals process. The Appellant stopped receiving funds since 11/30/2018. In addition, the Respondent failed to report that the Appellant refused the settlement payment in the amount of \$3,012.25. Opposing Counsel J. South Lewis II; admitted after the December 19, 2022 Judicial Review that he had possession of the check of \$3,012.25. If the Court of Appeals would review all records from SCWCC; it would show that the Appellant's Civil Rights to Due Process has been violated throughout the commencement of the case, as in Supreme Court Case, *Paula Russell v. Wal-Mart Stores, Inc. Appellate Case No., 2018-00035*; Ms. Paula Russell, Appellant reported a change of condition claim to a single commissioner for what would be a third ruling on the same claim. Russell appealed the remand order to the courts of appeals, which dismissed the appeal on the grounds the order was not a final decision, and thus not immediately appealable, but after some time the SC Carolina Supreme Court found the remand order was immediately appealable because the commission's unwarranted delay in making a final decision required immediate review to avoid leaving Russell adequate remedy on an appeal from a final decision. The Court reversed the Court of Appeals' order dismissing the appeal, reversed the appellate panel's remand order, and remanded to any appellate panel of the commission for an immediate and final review of the original commissioner's decision. In this case, the decision to accept the claim October 5, 2018, without undisputed. The Appellate suffered more injuries as a result of the Medical Care receive on 04/12/2019, when an Unauthorized PA from Carolina Orthopaedic Neurological Associates; PA, William Sean Irving removed the Appellants neck brace. On the same day, he and Dr. David Mitchell noted that they notice "At this point, we feel that her wearing the neck collar is making her neck weaker. And then 06/19/2019 when Dr. Terazella attempted an EMG Study. These injuries were reported in a timely manner. But the Commissioners failed to address the injuries once they evolved to Occupational Diseases as leaving the Appellant Permanently Disabled. The Commission failed to allow the Appellant ON RECORD to fully litigate her injuries. The Appellant never litigating the injuries and Occupational Diseases incurred by Builders First and Liberty Mutual Physicians, under SC Section code § 42-1-160(A)(B)(1)(C)(1).

The Appellate would like to notably mention; *SC Section code §42-1-415* Representation of Coverage; reimbursement from Uninsured Employer's Fund (C) The knowing and willful falsifying of information contained in standard forms submitted pursuant to this section must consider fraud and subjects the person responsible for filing the false documentation to the penalties for fraud as provided by law. Atty. Amanda Neely and Atty. Mary Kate Littlejohn submitted false documentation and submitted them on to the SCWCC and it was accepted to public record. Likened to the matter of Mark E. Schnee/Appellate In the Supreme Court; Case No.: 2018-001473 and 2020-000850. First, Atty. Neely submitted evidence for the September 16, 2020, hearing that violated SC Coded 17-28-350 altering and tampering with evidence and Commissioner T. Scott served as attorney for Liberty Mutual during the commencement of the hearing. Then, without notice Mary-Kate Littlejohn submitted tampered evidence to have the Appellant's Motion for Reinstatement dismissed. And like Ms. Russell in *Russell vs. Walmart Case No.:2018-*

00035, there is a similar connection in that the “commission’s unwarranted delay in making a final decision required immediate review to avoid leaving Russell with no adequate remedy on an appeal from a final decision. “In this current case, the Appellant received an Appeal Decision that was sometime around February 24, 2021, leaving the Appellant with no recourse to file for relief. This was reported to Executive Director, Gary Canon, his reply, “The Order you received denying your Motion for Reinstatement is the only document issued by the Commission in this matter.” The Appellant received a decision of Denial. But was not give Just Cause to file an Appeal and then Atty. Amanda Neely perjured herself before the Court of Appeals on September 15, 2021, when she stated that she was not properly Process Served, while she was out on Maturity Leave. The Appellant made copies of a settlement check (that was returned to Atty. South Lewis II) the check presented in “C/O Mary Kate Littlejohn” and in February of 2022 it was changed to Atty Amanda Neely demonstrating that Atty Mary-Kate Littlejohn just prior to the Court Appeals September 15 decision; she was the only one representing the interest of Liberty Mutual and Builders First source. The Appellant submitted it to the Court of Appeals, but the Appellant was informed that decision must be Appealed before the Supreme Court. Through a Remittitur, the case was returned from the Supreme Court to SC Workers Compensation Commission. The Appellant filed a Form 50 and paid the fees to allow for oral litigation of all Occupational Diseases. Again, Atty Neely submitted evidence that was altered, and tampered with and Commissioner Michael Campbell allowed the evidence onto record attempted to Dismissed the Appellant’s case, but Form 50 was filed before the Decision. And then a Pre-hearing was conducted OFF RECORD, the settlement check was handed to Commissioner Gene McGaskill, and he returned it to Atty. South Lewis II. Atty. Neely and Atty. Littlejohn were not present for the hearing and are no longer representing the interests of Liberty Mutual and Builders First Source. The Opposing Counsel’s position should have been dismissed on the account of (1) multiple times submitting evidence that reported and shown as being tampered with; by the previous Attorneys caused irreparable harm to the Appellant; which should have made each Commissioners Orders Null/Void. (2) Atty. South Lewis II testimony should not be allowed accepted on to record, since everything he utters; would be deemed as “HEARSAY” and should been stricken from the record. But on May 28, 2023, a Pre-hearing was conducted OFF THE RECORD AND ORDER WAS RENDERED OFF THE RECORD. Under SC Rule of Civile Procedure 58(a) “A judgment is effective only when so set forth and enter in the record.” Under SC Rule of Civil Procedure 60 (b) (3)(4) In addition, “Motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgement, **order**, or proceeding for the following reasons: fraud, misrepresentation, or other misconduct of an adverse party;” ..., “the judgment is void.” That decision was by the One Commissioner on August 3, 2022, and then on August 8, 2023, Commissioner Avery Wilkerson enters the same Order, to prevent Opposing Counsel from falling in DEFAULT Judgement for not responding to Appellant’s Motion for DEFAULT Judgment. On August 8, 2023, the was no hearing, but he stated the case came before him, but no one was present. Which should have made the judgement VOID as well. But it was allowed in to Record and stayed. The Appellant requested a Judicial review to Review the Procedures of the Commissioners to have all rendered decision on Case Id: 1815744 and all of the Commissioners procedures reviewed. One of the Commissioners that allowed tampered/altered evidence on February 24, 2021,

was now allowed to conduct the Judicial Review. Commissioner T. Beck, prior to the Judicial Review voted to have the SSA-1709 A forms excluded being allowed ON RECORD for the Judicial Review.

The Appellant wishes to add *SC Section code §42-1-620* Agreement or regulation does not limit liability of employer. No contract or agreement, written, or implied, and no rule, regulation or other device shall in any manner operate to relieve any employer, in whole or in part, of any obligation created by title. According to *SC Sec. code §42-15-70* Liability of Employer for medical treatment; effect of malpractice. The Appellant suffered from 3 separate injuries at the hands of the physicians and is left with 5 different Occupational diseases. The Appellant reported the worsening of her condition to no avail. Provided Medical documentation of all diseases. And was able to have all the diseases diagnosed with the authorized Treating Physicians refused to so after afflicting injuries. The Commissioners knew the Appellant's condition and still failed to fulfill its responsibilities under the Workers Compensation Act to promptly decide this case without prolonging litigation. The Appellant as of October 2022 has finally become approved for SSD benefits. But if the Appellant is entitled to benefits, most recently that means she was entitled to receive them for many years. *S. C. Prop. & Cas. Ins. Guar. Ass'n 411 S.C.* According to the statute the Appellant wishes to recover Economic as well as Non-economic damages based on the South Carolina and Fiscal Affairs Office's May 2023 terms.

The commission's unreasonable delays and denials to accept responsibility of claim that was already accepted. The Appellant request Motion be granted under Rule 37(a) Motion for an Order Compelling Disclosure or Discovery of all evidence concerning the \$80,000 that was reported to SSA from South Carolina Workers' Compensation Commission. This has left Appellant without an adequate remedy on appeals and from a final decision under SC code section §1-23-380. Therefore, the Appellant asks for relief by **REVERSE**, the Court of Appeals June 15, 2023, decision for Dismissal. **REVERSE** the order Panel of Commissioners decision dated February 14, 2023. **REMAND** to any appellate panel for immediate and final review of the original approval from the Commission dated October 5, 2018, reimburse the Appellant all TTD benefits dated back to 11/30/2020 till present. And lastly allow the Appellant's 14th Amendment Civil Rights to Due Process to conduct a fair hearing ON THE RECORD to allow the Appellant to litigate the full extent of her injuries in order to receive full compensation as detail under the South Carolina Revenue and Fiscal Affairs Office for the May 2023 term.

 06/19/2023

Appellant

Cc: Atty. Robert Keith
Atty. Amanda Neely
Atty. J. South Lewis
Atty. Mary-Kate Littlejohn

1815744 JCY

REQUEST FOR WORKERS' COMPENSATION/PUBLIC DISABILITY BENEFIT INFORMATION

TO: SC Workers' Compensation Commission PO BOX 1715 Columbia, SC 29202	Requesting Office 584
	Signature of SSA Official <i>Jessica Yang</i>
	Title CS
	Date 08/25/2021

Computer Matching Statement: We may also use the information you give us when we match records by computer. Matching programs compare our records with those of other Federal, State, or local government agencies. Many agencies may use matching programs to find or prove that a person qualifies for benefits paid by the Federal government. The law allows us to do this even if you do not agree to it.

Explanations about these and other reasons why information you provide us may be used or given out are available in Social Security office. If you want to learn more about this, contact any Social Security Office.

1. IDENTIFICATION OF WORKER (To be completed by the Social Security Administration)

Name of Worker Alicia M Ruffin	2. Social Security 251-47-6888
3. Address of Worker 563 DUNCAN STATION DR DUNCAN, SC 29334	4. Employer's Name and Address Builders FirstSource Inc 2001 Bryan St STE 1600 Dallas, TX 75201-3017
5. Claim Number(s)	6. Date of Injury or Onset of Disease (If applicable) 10/04/2018
I request and authorize release of information concerning my claim for workers' compensation or other public disability benefits to the Social Security Administration.	Signature (If required by State or other entity)

SSA
SPARTANBURG
2021 SEP - 1 P 2:48
584

INSTRUCTIONS FOR COMPLETION OF FORM

The Social Security Administration is required by law to reduce Social Security disability benefits when the worker is also receiving workers' compensation, black lung benefits, or other public disability benefits. If your office has no record of a claim by the worker named above, or if the worker filed a claim but was denied, please check the appropriate block below, sign on the reverse, and return this form to the Social Security Administration.

- No Record of Claim
 Claim Denied - No Appeal
 Claim Denied - Appeal Pending

If the claim by the named worker is pending, indicate when a decision is expected.

IF THE WORKER HAS EVER RECEIVED PERIODIC PAYMENTS OR A LUMP SUM AWARD, COMPLETE THE REVERSE SIDE OF THIS FORM. IT IS IMPORTANT THAT ALL BENEFIT INFORMATION IS COMPLETED AS ACCURATELY AS POSSIBLE BECAUSE THE WORKER'S SOCIAL SECURITY BENEFITS MAY BE REDUCED BASED ON THE INFORMATION PROVIDED.

Return To:
Social Security Administration
SOCIAL SECURITY, 145 N CHURCH ST, STE 300, SPARTANBURG, SC 29306-5190

RECEIVED

AUG 30 2021

Division of Claims
SC Workers' Comp. Comm.

2. INFORMATION REQUESTED (To be completed by addressee)

Note: A copy of the compensation decision, payment record, court order, award letter, etc. which clearly shows the payment data requested below may be submitted in lieu of completing this form.

7. a. Periodic workers' compensation or public disability payments to worker

Date Payment Effective	Date Ended	Weekly Amount	Attorney Fees and Other Expenses Included in Weekly Amount	Enter Type of Payments			
				Temporary		Permanent	
				Partial	Total	Partial	Total
10/5/18	ongoing	602.45		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Most recent payment stopped because (Check appropriate block).

- Lump-Sum Settlement Pending- Decision Expected by _____
- Permanent Rating Pending- Decision Expected by _____
- Award Under Appeal- Decision Expected by _____
- Other (Explain in "Remarks").

8. a. Lump sum payment to worker

Date of Settlement(s)	Gross Amount(s)	Rate(s) per Week	Number of Weeks	Beginning Date

b. The following expenses were deducted from the gross amount:

1. Present and past medical expenses	\$
2. Future medical expenses	\$
3. Attorney Fees	\$
4. Other related expenses (Explain in "Remarks".)	\$

9. Are the benefits reduced (or will be reduced) because of the worker's receipt of Social Security Benefits? Yes No

10. If the payments are not workers' compensation, (for example, disability retirement) and the worker was a State or local government employee, were Social Security taxes (that is, FICA taxes) paid on the worker's earnings? (If "No", go on to item 12.) Yes No

What were the total number of years of service (FICA and non-FICA)?	Total Years/Months	How many years was the worker engaged in employment "covered" by Social Security?	Years/Months

11. If the disability payments are not workers' compensation, but are being made under a Federal law or plan, was any of the worker's service covered under Social Security (i.e., FICA taxes were paid), including military service after 1956? (If "No", go on to item 12.) Yes No

What were the total number of years of service (FICA and non-FICA)?	Total Years/Months	How many years was the worker engaged in Federal employment covered by Social Security, including military service after 1956, but not military service before 1957? (OPM - Include deposit service.)	Years/Months

1815744

12. Remarks

Pending

I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best of my knowledge. I understand that anyone who knowingly gives a false or misleading statement about a material fact in this information, or causes someone else to do so, commits a crime and may be sent to prison, or may face other penalties, or both.

13. Signature of Person Completing the Form	Telephone No. (include area code) 803 737 6226
Title Claimer	Date 8/30/21

South Carolina Workers' Compensation Commission
 1333 Main Street, Suite 500
 P.O. BOX 1715
 Columbia, SC 29202-1715
 (803)737-5723



WCC File #: 1815744
 Carrier File #: WC555-E13688
 Carrier Code #: 417
 Employer FEIN #: 38-2774524

Claimant's Name: Alicia Ruffin Employer's Name: BUILDERS FIRSTSOURCE INC
 Address: 563 DUNCAN STATION DRIVE DUNCAN SC 29334 Address: 8035 HOWARD STREET SPARTANBURG SC 29303
 City: DUNCAN State: SC Zip: 29334 City: _____ State: _____ Zip: _____
 Home Phone: 8648148350 Work Phone: _____ Insurance Carrier: Liberty Insurance Corporation
 Preparer's Name: _____ Law Firm: _____ Preparer's Phone #: _____

Compensation Paid:	Number of Weeks	From (m/d/yyyy)	To (m/d/yyyy)	Amount
1. Number of weeks T.T.	<u>112.4</u>	<u>10/05/2018</u>	<u>11/30/2020</u>	<u>\$67,818.68</u>
2. Number of weeks T.P.	<u>.01</u>	<u>02/28/2022</u>	<u>02/28/2022</u>	<u>\$3,012.25</u>
3. Number of weeks P.P.	_____	_____	_____	<u>\$0.00</u>
4. Disfigurement	_____	_____	_____	<u>\$0.00</u>
5. Agreement and Final Release	_____	_____	_____	<u>\$0.00</u>
Total Compensation Paid				<u>\$70,830.93</u>
6. Total Medical Benefits* Paid	_____	_____	_____	<u>\$26,388.08</u>
7. Funeral Benefits	_____	_____	_____	<u>\$0.00</u>

Case Denied

Date of injury: 10/04/2018
(m/d/yyyy)

By signing this receipt, I acknowledge that I have received the compensation shown above.

By: _____
Claimant

By: 
Employee Representative

03/01/2022
Date (m/d/yyyy)

Print or type the name of the person, other than the claimant, receiving benefits and sign below.

By: _____

Report of Additional Fees and Recoupment

- A. Carrier Reimbursement by Third Party _____
- B. Attorney's Fee Paid by Employer _____
- C. Attorney's Fee Paid by Claimant _____
(Non contingent fees only)

File this form with the Claims Department according to R.67-414 and R.67-1204. A person, other than the claimant, receiving benefits should sign on the line provided. *Do not include as medical costs fees paid for expert testimony, fees for determining carrier's liability, costs of autopsy, birth and death certificates and impartial examination. Form 19 must be filed within 16 days of final payment of compensation. Form 19 must be filed when a claim is denied.

PRIER CODE #: 00417
AIM ADMIN CLAIM #: 555813688
TM 18 Record ID: 886,752
File Status Processed: 09/28/22

EMPLOYEE: ALICIA FURFEL
EMPLOYER: BUILDERS FIRESOURCE INC
PRIER: Liberty Insurance Corporation

DATE OF INJURY: 10/04/18
DATE OF FIRST PAYMENT: 10/30/18

RECORDS OF COMPENSATION PAYMENT:

TYPE	FROM	TO	WEEKS	DAYS	AMOUNT
PTD	10/05/18	03/28/22	112	5	\$70,830.91

TOTAL WEEKS OF COMPENSATION: 112.71

TOTAL COMPENSATION PAID: \$70,830.91

TOTAL MEDICAL PAID: \$28,913.08

AIM REPRESENTATIVE: MARIE WARNER SMITH
AIM ADDRESS: MARIE WARNER-SMITH@LIBERTYINDUSTRIAL.COM
PHONE NUMBER: 813-264-0533

Transaction Date: 09/27/22



Spann, Sonji <sspann@wcc.sc.gov>
To: Alicia Ruffin <innocentlyal@gmail.com>

Jan 4 at 8:19 AM

This is not my report. Please contact the insurance carrier.

From: Alicia Ruffin <innocentlyal@gmail.com>
Sent: Tuesday, January 3, 2023 5:35 PM
To: Spann, Sonji <sspann@wcc.sc.gov>
Subject: Re: [External] Re: Form 18

There are 65 weeks between 11/30/2020-02/28/2022. 602.45 x 65wks = \$39,159.25. There are 112 weeks and 3 days between 10/05/18-11/30/2020---112 wks x 602.45 = \$67,474.40. Someone is not calculating correctly, and someone is reporting correctly....
Social Security is stating that based on your report is the reason why I am not receiving Disability benefits...

On Tue, Jan 3, 2023 at 5:21 PM Alicia Ruffin <innocentlyal@gmail.com> wrote:

This is problem. On both of the Form 18's; Where did you receive the information of \$3,012.25? It's not on the print off sheets from Liberty Mutual. And where is the money from 11/30/2020-02/28/2022. That does not equal \$3,012.25. And that does not equal \$24,098.00... Where is the money from 11/30/2020-02/28/2022? You said that Liberty Mutual said that they were still paying me benefits... Respectfully, you and I both know how to add... If from 11/05/2018-11/30/2020 equals \$67,818.58 in benefits. From 11/30/2020-02/28/2022 does not equal \$3,012.25. Because Liberty Mutual was paying 602.45 weekly from 10/05/2018-11/30/2020. and Commissioner Beck Order dated 12/10/2022 ordered it to stop. And my VARO account showed that it did stop. But you were either told to continue reporting that I was still receiving payments or you were never told that the payments stopped on 12/10/2020? My question is which? and Where is all that money now?

On Tue, Jan 3, 2023 at 4:58 PM Spann, Sonji <sspann@wcc.sc.gov> wrote:

2

From: Alicia Ruffin <innocentlyal@gmail.com>
Sent: Tuesday, January 3, 2023 4:48 PM
To: Spann, Sonji <sspann@wcc.sc.gov>
Subject: Re: [External] Re: Form 18

How many Form 18's you've received in 2022?

On Tue, Jan 3, 2023 at 3:30 PM <innocentlyal@gmail.com> wrote:

I understand that the insurance carrier should complete Form 18 twice a year. I apologize for not asking the appropriate question... I am sorry. The question is how many Form 18's did you receive from Liberty Mutual and/or South Lewis?

On Tuesday, January 3, 2023, 01:38:21 PM EST, Spann, Sonji <sspann@wcc.sc.gov> wrote:

Form 18's come from the insurance carrier and the carrier has to file them twice a year. The next 18 is due April 2023. You have seen both SSA 1709's that I have filed based on what I have on file.

From: Alicia Ruffin <innocentlyal@gmail.com>
Sent: Tuesday, January 3, 2023 1:09 PM
To: Spann, Sonji <sspann@wcc.sc.gov>
Subject: [External] Re: Form 18

Thank-you. Which number is this? How many times has this Form 18 been changed? How many times you've had to change or alter the SSA 1709?

On Tue, Jan 3, 2023 at 12:11 PM Spann, Sonji <sspann@wcc.sc.gov> wrote:

CONFIDENTIAL & PRIVILEGED

The preceding email message, including any attachments, may be confidential and/or protected by the attorney-client or other applicable privileges. It is intended for the sole use of the individual or entity named above. If the reader of this transmission is not the intended recipient, please notify the sender immediately and destroy any copies, electronic, paper or otherwise, that you may have of this communication. Any unauthorized review, use, disclosure or distribution is strictly prohibited and may be unlawful.

Re: [External] Re: Form 18

innocentlyal/Sent



Alicia Ruffin <innocentlyal@gmail.com>
To: Spann, Sonji <sspann@wcc.sc.gov>

Jan 3 at 5:21 PM

This is problem. On both of the Form 18's; Where did you receive the information of \$3,012.25? It's not on the print off sheets from Liberty Mutual. And where is the money from 11/30/2020-02/28/2022. That does not equal \$3,012.25. And that does not equal \$24,098.00... Where is the money from 11/30/2020-02/28/2022? You said that Liberty Mutual said that they were still paying me benefits...Respectfully, you and I both know how to add...If from 11/05/2018-11/30/2020 equals \$67,818.58 in benefits. From 11/30/2020-02/28/2022 does not equal \$3,012.25. Because Liberty Mutual was paying 602.45 weekly from 10/05/2018-11/30/2020. and Commissioner Beck Order dated 12/10/2022 ordered it to stop. And my VARO account showed that it did stop. But you were either told to continue reporting that I was still receiving payments or you were never told that the payments stopped on 12/10/2020? My question is which? and Where is all that money now?

On Tue, Jan 3, 2023 at 4:58 PM Spann, Sonji <sspann@wcc.sc.gov> wrote:

2

From: Alicia Ruffin <innocentlyal@gmail.com>
Sent: Tuesday, January 3, 2023 4:48 PM
To: Spann, Sonji <sspann@wcc.sc.gov>
Subject: Re: [External] Re: Form 18

How many Form 18's you've received in 2022?

On Tue, Jan 3, 2023 at 3:30 PM <innocentlyal@gmail.com> wrote:

I understand that the insurance carrier should complete Form 18 twice a year. I apologize for not asking the appropriate question...I am sorry. The question is how many Form 18's did you receive from Liberty Mutual and/or South Lewis?

On Tuesday, January 3, 2023, 01:38:21 PM EST, Spann, Sonji <sspann@wcc.sc.gov> wrote:

Form 18's come from the insurance carrier and the carrier has to file them twice a year. The next 18 is due April 2023. You have seen both SSA 1709's that I have filed based on what I have on file.

From: Alicia Ruffin <innocentlyal@gmail.com>
Sent: Tuesday, January 3, 2023 1:09 PM
To: Spann, Sonji <sspann@wcc.sc.gov>
Subject: [External] Re: Form 18

Thank-you. Which number is this? How many times has this Form 18 been changed? How many times you've had to change or alter the SSA 1709?

On Tue, Jan 3, 2023 at 12:11 PM Spann, Sonji <sspann@wcc.sc.gov> wrote:

CONFIDENTIAL & PRIVILEGED

The preceding email message, including any attachments, may be confidential and/or protected by the attorney-client or other applicable privileges. It is intended for the sole use of the individual or entity named above. If the reader of this transmission is not the intended recipient, please notify the sender immediately and destroy any copies, electronic, paper or otherwise, that you may have of this communication. Any unauthorized review, use, disclosure or distribution is strictly prohibited and may be unlawful.

RE: Alicia Ruffin vs. Builders Firstsource, Inc. WC555-E13688: I have only one question?

innocentlyal@ya.../Lewis



South Lewis <jslewis@wjcbllaw.com>
To: Alicia Smith <innocentlyal@yahoo.com>

65

Dec 21, 2022 at 4:56 PM

Good afternoon, Ms. Ruffin. I did not lie about this. You sent that check back to our office in March, to Amanda Neely's attention. I have attached your letter dated March 26, 2022, your notarized statement accompanying it certifying that it was mailed back to Amanda, and a copy of the check. The check is still in my office and in the file. I did intend to convey that Amanda *kept* the check, but rather that it was returned to her attention in March—not to me at the hearing in May, as you stated.

I hope you and the family have a wonderful Christmas.

Best, South



willson jones
carter & baxley

J. South Lewis II
Attorney

email: jslewis@wjcbllaw.com
phone: 864.527.3204
325 Rocky Slope Rd., Suite 201
Greenville, South Carolina 29607

This message may be protected by the attorney/client privilege, attorney work product or other privileges. If you received this message in error, please send a reply delete the message immediately and do not forward this message to any other person.

From: Alicia Smith <innocentlyal@yahoo.com>
Sent: Wednesday, December 21, 2022 11:57 AM
To: South Lewis <jslewis@wjcbllaw.com>
Subject: Alicia Ruffin vs. Builders Firstsource, Inc. WC555-E13688: I have only one question?

Why did you lie and said that I mailed the \$3,012.24 check to Amanda Neely? What did she do to you?

Sent from Yahoo Mail on Android

2 Files 191.5kB



Claimant ltr to AEN returning settlement check.pdf
180kB



image001.png
11kB

To: South Lewis <jslewis@wjclaw.com>

Subject: Alicia Ruffin vs. Builders Firstsource, Inc. WC555-E13688: I have only one question?

Why did you lie and said that I mailed the \$3,012.24 check to Amanda Neely? What did she do to you?

Sent from Yahoo Mail on Android

CONFIDENTIAL & PRIVILEGED

The preceding email message, including any attachments, may be confidential and/or protected by the attorney-client or other applicable privileges. It is intended for the sole use of the individual or entity named above. If the reader of this transmission is not the intended recipient, please notify the sender immediately and destroy any copies, electronic, paper or otherwise, that you may have of this communication. Any unauthorized review, use, disclosure or distribution is strictly prohibited and may be unlawful.

RE: [External] Please take note...

innocentlyal@ya.../Inbox



Spann, Sonji <sspann@wcc.sc.gov>
To: Alicia Smith <innocentlyal@yahoo.com>

Jan 10 at 1:09 PM

Mrs. Smith,

Social Security did not make a request for 1709 accept for the two I sent you. I have given you all the copies of two 1709's on your file. Your carrier will have to provide you w/ the Form 18's.

From: Alicia Smith <innocentlyal@yahoo.com>
Sent: Tuesday, January 10, 2023 1:04 PM
To: Spann, Sonji <sspann@wcc.sc.gov>
Subject: Re: [External] Please take note...

Ok....I apologize. If I may have offended you. If I could just have all the copies of SSA 1709 forms and the matching Form 18. I do not have a copy of the SSA 1709 from for 2018, 2019, and 2020.

On Tuesday, January 10, 2023, 12:54:14 PM EST, Spann, Sonji <sspann@wcc.sc.gov> wrote:

I have explained to you, please work w/ the insurance company to make changes and refile the forms.

From: Alicia Smith <innocentlyal@yahoo.com>
Sent: Tuesday, January 10, 2023 12:44 PM
To: Spann, Sonji <sspann@wcc.sc.gov>
Subject: [External] Please take note...

Ms. Spann:

I have explained on more than occasion that I never accepted the \$3,012.25 check. Here is proof. And I have no intention in ever accepting that check for my permanent, Disability, Occupational Diseases. Your information is incorrect. And they are allowing you to report it as so. Please notice the date on the email from South.

Respectfully,

Alicia Ruffin

----- Forwarded Message -----

From: South Lewis <jslewis@wjcblaw.com>
To: Alicia Smith <innocentlyal@yahoo.com>
Sent: Wednesday, December 21, 2022, 04:56:38 PM EST
Subject: RE: Alicia Ruffin vs. Builders Firstsource, Inc. WC555-E13688: I have only one question?

Good afternoon, Ms. Ruffin. I did not lie about this. You sent that check back to our office in March, to Amanda Neely's attention. I have attached your letter dated March 26, 2022, your notarized statement accompanying it certifying that it was mailed back to Amanda, and a copy of the check. The check is still in my office and in the file. I did intend to convey that Amanda kept the check, but rather that it was returned to her attention in March—not to me at the hearing in May, as you stated.

I hope you and the family have a wonderful Christmas.

Best, South



willson jones
carter & baxley

J. South Lewis II
Attorney

email: jslewis@wjcblaw.com
phone: 864.527.3284
325 Rocky Slope Rd., Suite 201
Greenville, South Carolina 29607

This message may be protected by the attorney/client privilege, attorney work product or other privileges. If you received this message in error, please send a reply, delete the message immediately and do not forward this message to any other person.

From: Alicia Smith <innocentlyal@yahoo.com>
Sent: Wednesday, December 21, 2022 11:57 AM

To: South Lewis <jslewis@wjbtlaw.com>

Subject: Alicia Ruffin vs. Builders Firstsource, Inc. WC555-E13688: I have only one question?

Why did you lie and said that I mailed the \$3,012.24 check to Amanda Neely? What did she do to you?

[Sent from Yahoo Mail on Android](#)

CONFIDENTIAL & PRIVILEGED

The preceding email message, including any attachments, may be confidential and/or protected by the attorney-client or other applicable privileges. It is intended for the sole use of the individual or entity named above. If the reader of this transmission is not the intended recipient, please notify the sender immediately and destroy any copies, electronic, paper or otherwise, that you may have of this communication. Any unauthorized review, use, disclosure or distribution is strictly prohibited and may be unlawful.

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

RECEIVED

JUN 20 2023

SC Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKERS COMM. COMMISSION

COMMISSIONER WILLIAM CAMPBELL, COMMISSIONER MELODY L. JAMES
COMMISSIONER AISHA TAYLOR

RECEIVED

Jun 20 2023

SC Court of Appeals

APPELLATE CASE No. 2023-00512

000512 AR

Alicia Ruffin,

Appellant,

v.

SCWCC, Builders First Source, &
Liberty Mutual

Respondent,

PROOF OF SERVICE

Alicia Ruffin submits before the Court of Appeals a Motion to Reverse and Motion for an Order Compelling or Discovery for the Respondents to produce all that relates to the funds that continued to be reported from SC Workers Compensation after November 30, 2020.

June 20, 2023,

s/Alicia Ruffin

563 Duncan Station Drive

Duncan, South Carolina 29334

(864) 814-8350

Representing the Appellant/*Pro SE*

Other Counsel of Record:

Mary-Kate Littlejohn and

J. South Lewis, Esquire

325 Rocky Slope Road, Suite 201

Greenville, South Carolina 29601

Richard Keith
1333 Main St. Suite 500
Columbia, South Carolina 29201

Amanda Neely
McAngus, Goudelock & Courie
55 East Camperdown Way, Ste 300
Greenville, SC 29601