

NOTICE OF INTENT TO APPEAL  
THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT  
APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS GENERAL SESSIONS  
HONORABLE JUDGE DENNIS, PRESIDED

RECEIVED

SEP 19 2013

S.C. SUPREME COURT

Sandra a. Kears  
Case Number: 2013-CP-10-1223

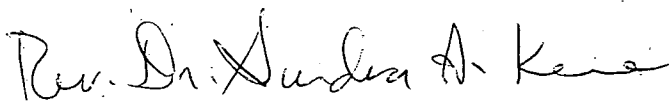
Vs.

Charleston County School District

To The Honorable Clerk of Court:

Enclosed is a request for the Supreme Court for a "Writ of Certiorari", an Appeal and evidence of documents pertaining to Worker's Compensation Case # 0700666 and Common Pleas Court # 2013-CP-10-1223. A copy of this document shall be sent to Attorney Leslie Whitten's Office by certified mail.

Thank You Kindly,



Rev. Dr. Sandra A. Kears

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

RECEIVED

SEP 19 2013

S.C. SUPREME COURT

SANDRA A. KEARSE, CLAIMANT

AUGUST 03, 2013

VS.

CHARLESTON COUNTY SCHOOL DISTRICT, EMPLOYER AND  
(FORMERLY LL SCHAEFFER COMPANIES CARRIER), DEFENDANTS.

ACCIDENT DATE: 01/03/2007

WCC CASE NUMBER: 0700666

CARRIER FILE NUMBER: 07-07-000014

GENERAL SESSIONS COMMON PLEAS : 2013-CP-10-1223

HONORABLE SHEAROUSE:

ORIGINALLY THE MATTER WAS HEARD BY COMMISSIONER AVERY WILKERSON ESTABLISHING CREDIBILITY OF THE CLAIMANT AND STATEMENTS MADE IN ORIGINAL APPLICATION AS TRUE AND NON-FRAUDULENT AND TEMPORARY TOTAL BENEFITS ENTITLED TO CLAIMANT BY S.C. CODE 42-1-160. THE DEFENSE APPEALED AND SAID THE COMMISSIONER WAS ERRONEOUS IN HIS DECISION.

SECONDLY, THE MATTER HAD BEEN BROUGHT BEFORE COMMISSIONER SUSAN BARDEN, IN WHICH SHE ONLY SAW THE ATTORNEYS, AND IT WAS TOLD TO ME BY MY ATTORNEY THAT SHE COMMANDED THEM TO GIVE ME THE CARE THAT I NEEDED AFTER IT WAS ORDERED, ADJUDGED AN DECREED BY 3 WORKER COMPENSATION DOCTORS ALL RECOMMENDING AND PRESCRIBING TREATMENT THAT WERE REASONABLE AND NECESSARY AND OTHER BENEFITS CONNECTED AND AGAIN THEY REFUSED. EXHIBIT(S) 1, 1A,7AND 9.

THIRDLY, THE MATTER WAS BROUGHT BEFORE THE FULL COMMISSION ON JUNE 21, 2010 AT 3:40 PM BEFORE COMMISSIONERS BARDEN, WILLIAMS, AND HUFFSTETLER, AT THE SOUTH CAROLINA

WORKER'S COMPENSATION COMMISSION BOARD. THE DEFENSE ARGUMENT WAS BASELESS AND UNFOUNDED BECAUSE THE CAUSE AS STATED BY COMMISSIONER HUFFSTETLER IS THAT OF A SLIP AND FALL ACCIDENT; AND THE CAUSE BEING A WET FLOOR, THE OUTCOME OF THAT HEARING WAS AGAIN FAVORABLE TO CLAIMANT BASED ON CAUSATION ARGUMENT. MY BULGING , NOW HERNIATED AND ADDITIONAL DISCS CAME FROM MY PERFORMING MY MILITARY DUTIES AND NURSING DUTIES OVER THE YEARS. THE DEFENSE HOWEVER, WANTED THE COMMISSION PANEL TO REVIEW THE BRAYBOY CASE, WHERE THE CLIENT LOW BACK WAS ALREADY INJURED. MINE HOWEVER, WAS EXACERBATED BY THE INJURY,; WHEREAS IN MY CASE IT WAS MY MID-BACK. THE BULGING DISCS, HOWEVER WORSENERD ( 3 ) AND IS DIFFERENT FROM A HERNIATED DISCS BEING MORE SEVERE. MY FALL IN FACT MADE MY BACK SO MUCH WORST AND IS SUBSTANTIATED BY THE NUMEROUS X-RAYS, CT SCANS AND MRI'S. (ATTACHMENTS FOR YOUR REVIEW BEFORE AND AFTER THE FALL ) IT HAS INCAPACITATED ME SO, I CAN NO LONGER LIFT MY GRANDCHILDREN, IT IS HARD FOR ME TO CARRY EVEN MY PURSE ON MY SHOULDERS AT TIMES, I CAN NO LONGER SIT FOR LONG PERIODS OF TIME, I EXPERIENCE EXTREME EXHAUSTION, MUST HAVE CPAP MACHINE NOW AND MANY TIMES EXPERIENCE LOSS OF SLEEP, I HAVE CONSTANT AND VERY LOUD TINNITUS, PAIN STILL IN MY EAR, JAW AND MASTOID AREA, TROUBLE FINDING WORDS, SENSITIVITY TO LIGHT WHEN DRIVING, SHORT TERM MEMORY LOSS, HEART PALPITATIONS AND MIGRAINE HEADACHES STILL TODAY. MY QUALITY OF LIFE IS DRASTICALLY REDUCED.

ON JUNE 21, 2012 COMMISSIONER GENE MCCASKILL ERRONEOUSLY MADE A DECISION BY REDUCING A 14% PERMANENT PARTIAL DISABILITY OF MY BODY, IN WHICH 5% IS TO MY NECK, IT IS NOW WORSE THAN IT WAS THEN BECAUSE OF NEGLECT OF CARE, REFUSING TO RECOGNIZE THE NOTICEABLE SCARRING TO MY FOREHEAD FROM THE BLUNT FORCE TRAUMA TO MY BRAIN/HEAD OR THE RESIDUAL EFFECTS THEREOF. THEREFORE, NOT AWARDING THE APPROPRIATE LOSS TIME WAGES OR ANYTHING INVOLVING THE INJURIES AND RESIDUAL DIMINIUTIVE EFFECTS AND/OR EXACERBATION UPON MY BODY, WHICH WAS ALREADY DECLARED BY 3 COMPETENT PHYSICIANS .

RECENTLY ON JULY 19, 2013, I APPEARED BEFORE JUDGE DENNIS WHO IN TURN DENIED MY DESIRE TO RESCIND THE DISMISSAL MOTION BROUGHT FORTH BY THE DEFENDANT. IT WAS AFTER I SUBMITTED A FORM 12 AGAINST THE DEFENSE ATTORNEY "FOR DIRTY HANDS" AND NOT TIMELY NOTIFYING ME OF THE DECISION OF THE APPELLATE PANEL SO THAT I MAY BE ABLE TO RENDER A PROPER RESPONSE. AND NOW, SHE IN TURN IS ALLEGING THAT I HAVE DONE THE SAME ON FEBRUARY 14, 2013, WHEREAS I RESPONDED AFTER PLEADING WITH HER BY ELECTRONIC TRANSMISSION TO SEND ME THE DOCUMENTS, SO THAT I MAY PROPERLY RESPOND. BACK IN 2012 WITH ATTORNEY ROBERT GILLIARD ASSISTING, I SENT A SUGGESTED OFFER FOR A CLINCHER TO MS. WHITTEN'S OFFICE AND SHE CLAIMS SHE NEVER RECEIVED IT, BUT I HAVE PROOF FROM A POST OFFICE TRACKING RECORD THAT HER OFFICE INDEED RECEIVED THIS LETTER. AS JUDGE DENNIS SUGGESTED BEFORE PROCEEDINGS TO TRY AND WORK IT OUT AND I HAVE TO NO AVAIL. I BELIEVE THE JUDGE'S LACK OF KNOWLEDGE ABOUT THIS CASE AND THE COMPLEXITY THEREOF DID NOT GIVE HIM PROPER TIME TO MAKE A FAIR JUDGEMENT. THEREFORE I AM ASKING THE SUPREME COURT TO RECEIVE AND EVALUATE THE ACTIONS IN THE TIMELINE PRESENTED HERE.

FOR YOUR REVIEW, I HAVE DOCUMENTS ( EXHIBITS ) THAT I RECEIVED, ONE WITH NO DATE (WHICH I THOUGHT WAS UNUSUAL AND NO SIGNATURES) (DOCUMENTS ATTACHED), THEN FINALLY, I RECEIVED A DUPLICATE WITH THE DATE AND PROPER SIGNATURES. AND FROM THAT DATE IN FEBRUARY I KNOW THE USUAL TIME GIVEN IS FROM 30- 45 DAYS WHICH WAS IN THE PROPER TIME LIMIT. IN ADDITION SHE IS PRESSING THE ISSUE FOR ME TO PAY A \$325.00 CHARGE TO A DOCTOR THAT GAVE ME NO SERVICE BECAUSE I WAS IN THE HOSPITAL. DOCUMENTS ARE ATTACHED SHOWING A CONVERSATION SHE HAD WITH NURSE JEAN TO CANCEL APPOINTMENT AFTER HEARING FROM MY ATTORNEY. I AM HEREBY ASKING THE SUPREME COURT OF SOUTH CAROLINA TO INVESTIGATE THESE ISSUES BY WRIT OF CERTIORARI, AND CONSIDER THE ETHICAL, CIVIL AND LEGAL BEARING IT HAS ON THIS SITUATION. IN ADDITION, I ASK FOR COMPENSATION OF ALL MEDICAL BILLS LATERALLY AND BILATERALLY RELATED SINCE THIS ACCIDENT OCCURRED AND CHARLESTON COUNTY SCHOOL DISTRICT AND ITS INSURER(S) HAS

DELIBERATELY AND ILLEGALLY NEGLECTED TO TREAT WHEN IT WAS MEDICALLY NECESSARY TO DO SO AND THEY REFUSED (WHILE I WAS SUFFERING) BASED ON TRYING TO FIND EVIDENCE OF FRAUD WHEN IT WAS PROVEN TO BE NONE. ( 2008 RHONDA JENNINGS REPRESENTING AT THAT TIME ). THEY IGNORED STATUTE SECTION 42-9-400 THAT PROVIDES SOME TEMPORARY TOTAL PAYMENTS AND THE PRE-EXISTING AILMENT THAT WAS EXACERBATED/AGGRAVATED BY THE FALL.

EXHIBITS PROVIDING INFORMATION ABOUT INJURIES / WITH DOCTORS DIAGNOSIS AND RECOMMENDATIONS

DR. PABLO -HOSPITAL ER REPORT- ST. FRANCIS HOSPITAL CONCUSSION, HEMATOMA AND FRACTURE.

TREATMENT - CT SCAN, ICE PACK AND PAIN MEDS. NO OVERNIGHT OBSERVATION.

DR. CHARLES JERVEY-PHYSICIAN IN CHARGE- 2007-2009  
DIAGNOSIS: EUSTACHIAN TUBE DYSFUNCTION, DEVELOPED VERTIGO, NECK PAIN, AND HEADACHES.

EVALUATION: I WAS GIVEN INFORMATION ON VESTIBULAR DISORDERS, YET FEW OF THE DISORDERS WERE ADDRESSED AND I WAS TOLD TO, "TAKE ONE THING AT A TIME", EACH TIME I HAD A VISIT.

(DOCUMENTS AND DIAGNOSIS ATTACHED.) OTHER RECOMMENDED ADVICE BY CO-PHYSICIANS WERE NOT FOLLOWED.

DR. SHAUN SCOTT-ENT

DIAGNOSIS: AUDITORY PROCESSING DISORDER, MINIMAL HEARING LOSS.

TREATMENT: CLARITIN. NOTHING WAS GIVEN FOR THROAT NOR PAIN IN MASTOID AREA THAT WERE AND STILL ARE CONSTANT MALADIES. EVEN RECENTLY WHEN PAIN WAS SO SEVERE IN FACE/JAW AREA I WAS DIAGNOSED WITH TMJ.

EVALUATION: NO FURTHER TREATMENT GIVEN.

DEPOSITION-FRAUDULENT STATEMENT MADE AGAINST CLAIMANT AND ACKNOWLEDGED BY CLAIMANT'S ATTORNEY. SEE ATTACHMENT

DR. TIMOTHY ZGLESZEWSKI, M.D. -BOARD CERTIFIED PAIN, PHYSICAL MEDICINE AND REHABILITATION

DIAGNOSIS: PERMANENT IMPAIRMENT ACCORDING TO AMA GUIDELINES, EXAMINEE IS CONSIDERED TO BE CERVICAL CATEGORY II 5% IMPAIRMENT TO WHOLE BODY, TRANSLATING TO 14% IMPAIRMENT TO THE REGIONAL CERVICAL SPINE. THEREFORE RATING BACK AND SPINE TO 10%. AGAIN, PATIENT IS NOT AT MMI AT THAT TIME.

TREATMENT: PATIENT WILL REQUIRE CERVICAL FACET NERVE BLOCKS TO THE BILATERAL C3-4, C4-5 AND C5-6 AND TRIGGER POINT INJECTIONS WITH CORTICOSTEROIDS. ( PLEASE READ ATTACHED DIAGNOSIS, TREATMENT AND EVALUATIONS)

EVALUATION: ATTACHMENTS.

DR. DUBICK -

DIAGNOSIS : DEVELOPING CONCUSSION AND VERTIGO, CONCURRENT CERVICAL FACET AND MIDTHORACIC FACET DYSFUNCTION, CONTINUING, ASSOCIATED COGNITIVE CHANGES WITH REGARDS TO MEMORY WITH VERTIGO AND CONCUSSION.

TREATMENT: RECOMMENDATIONS ATTACHED.

EVALUATION: ATTACHED DOCUMENTS.

DR. JOHN STEICHEN - NEUROSURGEON - WORKER'S COMP. HIRED

DIAGNOSIS: CONCURRED WITH EVERYTHING DR. BURKE DIAGNOSED AND RECOMMENDED

TREATMENT:

EVALUATION:

DR. BURKE-NEUROLOGIST - EMORY UNIVERSITY, ATLANTA GA.

DIAGNOSIS: POST TRAUMATIC STRESS DISORDER, SHORT TERM MEMORY, DIFFICULTIES WITH BREATHING, DIFFICULTIES WITH

BREATHING, VISUAL DISTORTION AND DIZZINESS AND BALANCE ISSUES AS WELL.

EVALUATION: SEE ATTACHED DOCUMENTS

RECOMMENDED TREATMENT: SEE COPIES OF ORIGINAL PRESCRIPTIONS.

PREVIOUS AILMENTS KNOWN AND DISCLOSED TO DOCTORS AND ATTORNEYS-

BULGING DISCS C3, C4, & C5 FURTHER DEGENERATION AFTER ACCIDENT.

SUGGESTIONS MADE BY DOCTORS DUBICK AND ZIEGLEWSKI NEVER FOLLOWED, FURTHER DEGENERATION HAS OCCURRED. (SEE ATTACHMENTS)

ADDITIONAL DISCS ARE NOW HERNIATED SEE MEDICAL REPORT - CAUSES MASSIVE PAIN, GREATER VISCERAL AND MUSCLES DEPLETION - MUST NOW HAVE PAIN MEDS AND USE ASSISTIVE DEVICE TO WALK/CANE - DID NOT HAVE BEFORE.

#### CONCLUSIONS IN THE LAW

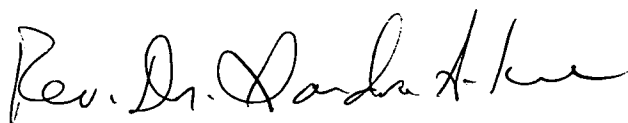
CHARLESTON COUNTY SCHOOL DISTRICT AND ITS REPRESENTATIVES (L.L. SCHAFFER WHOSE NAME WAS DROPPED FROM OTHER CORRESPONDENCES ) FAILED TO RECOGNIZE THE SEVERITY OF THIS BRAIN/HEAD AND NECK INJURY AND ITS FUTURE CONSEQUENCES AND EFFECTS IT HAS HAD ON MY QUALITY OF LIFE FROM A MEDICAL AND LEGAL STANDPOINT. THEREFORE THEY NEVER COMPLETED PROVIDING THE APPROPRIATE CARE IN THIS CASE. IT HAS NEGATIVELY AFFECTED MY CHILDREN, HUSBAND, OUR FINANCES AND OTHER FAMILY MEMBERS.

CHARLESTON COUNTY SCHOOLS (L.L. SCHAFFER) AND ITS REPRESENTATIVES FAILED TO MAINTAIN PROPER TREATMENT TO PROMOTE A HEALTHY EMOTIONALLY AND MENTALLY SOUND OUTCOME FOR ME-CLAIMANT. I AM FAITHFULLY PLEADING WITH THE SUPREME COURT TO RENDER A JUST AND SWIFT ORDER AND JUDGEMENT FOR MY LOST TIME WAGES, S.C. CODE 42-1-160 AND LOSS OF USE BE ALLOWED FOR A PARTIAL PERMANENT DISABILITY

ACCORDING TO DICKEY VS. SPRINGS COTTON MILLS, SECTION 209, S.C. 204, 39 S.E.2D 501 (1946) AND 50% LOSS OF USE OF LEFT ARM AND FACIAL SCARRING AS DEMONSTRATED TO LOWER COURTS AND EXACERBATION OF ADMITTED DEGENERATIVE DISCS DISEASE, AND DIMINUTIVE STATE OF HEALTH, I HAVE BEEN DECLARED AS TOTALLY PERMANENT DISABLEMENT BY MY PHYSICIAN. (DOCUMENT PROVIDED ONLY BY REQUEST. I DO NOT WANT THE PHYSICIAN TO BE HAGGLED OR GET IN TROUBLE IN ADDITION. ALL EXPENSES INCURRED BY MY HUSBAND AND I, REVERSAL OF ORDER TO PAY DR. GOLL FOR SERVICES NOT RENDERED, CIGNA, AND UNITED HEALTHCARE.); BECAUSE OF THE LACK OF PROPER CARE NOT GIVEN TO ME AFTER SUSTAINING A SEVERE HEAD AND NECK INJURY THAT WAS WITNESSED BY HUNDREDS ON JANUARY 3, 2007 AT HUNLEY PARK ELEMENTARY SCHOOL IN CHARLESTON, S.C., I AM PLEADING WITH THE HIGH COURT FOR JUSTICE!

I HAVE SOUGHT LEGAL COUNSEL AND TO NO AVAIL WAS UNSUCCESSFUL IN OBTAINING LEGAL COUNSEL FOR THE REMAINDER OF THIS CASE. PLEASE CONSIDER MY PLEA FOR A WRIT OF CRETORIA, 3 AMICUS WRITS BY MY HUSBAND AND 2 OF MY CHILDREN, PERMISSION FOR SUBPOENAS OF WITNESSES AND COMPENSATION AND RE-COMPENSATORY WAGES AND FEES FOR, LODGING, FUEL COSTS, MILEAGE AND ANY OTHER COST ASSOCIATED WITH THIS CASE.

THANK YOU KINDLY, I AM



REV. DR. SANDRA A. KEARSE

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS TO REGISTER MAIL  
**CERTIFIED MAIL**



7012 0470 0000 6036 3496



**IK**  
**Sandra Kearse**  
Unit 301  
1725 London Crest Dr.  
Orlando, FL 32818-7003

U.S. POSTAGE  
PAID  
ORLANDO, FL  
32818-7003  
SEP 11 11:11  
AMOUNT  
**\$12.51**  
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*Handwritten notes:*  
Sandra Kearse  
1725 London Crest Dr  
Orlando, FL 32818

**From:** Rev. Dr. Sandra Kearse  
1725 London Crest Dr # 301  
Orlando, FL 32818

**To:** Supreme Court of SC  
Clerk of Court  
P.O. Box 11330  
Columbia, SC 29211