



State of South Carolina
The Circuit Court of the Twelfth Judicial Circuit

THOMAS A. RUSSO
JUDGE

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November 1, 2013

Mr. Alexander Guice
P.O. Box 45062
Tampa, Florida 33677

Re: Alexander Guice v. US Foodservice, Inc., et al
Case No. : 2013-CP-32-1272

Dear Mr. Guice:

I am in receipt of your letter of October 28, 2013 regarding your Motion for Reconsideration. I am going to try and explain to you, once again, the status of this case and hope that you will consult an attorney to help you understand the current posture of this case.

In June 2013 this court, pursuant to the Defense's Motion to Dismiss, entered an order granting that Motion and dismissing the above referenced action. You received a copy of that order and subsequently filed a Motion for Reconsideration. A hearing date was set for September 3, 2013 to hear your Motion for Reconsideration. Prior to that hearing you informed the court that you would not be attending that hearing, however, you forwarded a letter, for the court to consider, setting forth your position in support of your Motion. In your Motion for Reconsideration you raised no new issue or anything other than what you had earlier submitted in your defense of the Defendant's Motion to Dismiss. Considering everything that was before me on the Motion for Reconsideration, this court stood by its original ruling and denied your Motion for Reconsideration.

After reconsidering your position and arguments and since you raised no new issues nor presented the court with anything new to consider since my ruling in the Order of June 2013, the court did not prepare a new order denying the Motion for Reconsideration, but simply stood on its previous ruling and filed its denial of your Motion on a document we refer to as a Form 4 on September 6, 2013. This form simply notes that the court denied your Motion with no further explanation. My law clerk tried to explain that to you in responding to your email of September 13, 2013.

Any appellate rights that you may have, have not been compromised by this court. If you wish to appeal my granting of the Motion to Dismiss, the basis and substance of my ruling appears in the order of June 2013, where the Motion to Dismiss was granted. Everything you need if you wish to appeal that decision is contained in that June Order. I know you are frustrated because you do not agree with this court's decision and you are not

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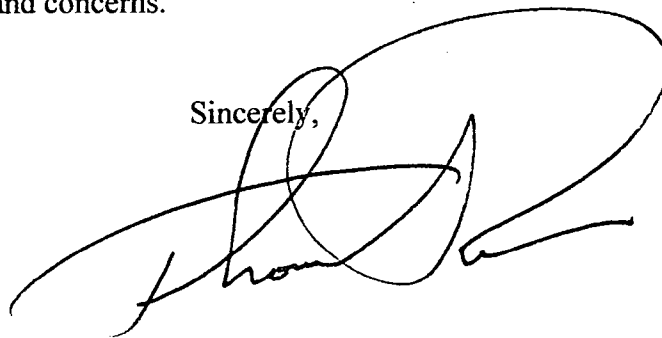
SC Court of Appeals

familiar with our procedures in the South Carolina Courts. This is why I implore you to, if not retain counsel to assist you with this matter, at least consult with an attorney who can hopefully help you understand the current posture of this case. Mr. Guice, there is been no attempt by this court to deliberately delay this case or in any way prejudice your appellate rights. You do not agree with my ruling in this case, so all I can do is tell you to move forward procedurally however you feel is most appropriate.

As to the issue of your filing a formal complaint with the Commission on Judicial Conduct, that is a matter that you must decide for yourself. I have tried to honestly explain to you the current posture of this case. As the Chief Administrative Judge for the 11th Judicial Circuit, I try my best to respond as quickly as possible to people's concerns. I hope you can understand and appreciate that your case is not the only case that requires my attention and I have done everything within my power to be sensitive to your correspondence and answer your concerns promptly. That occurs sometimes through my law clerk and other times through me directly, but in any case, we try to be as prompt as we can be in responding to questions. I'm sorry you feel your case been neglected, but I can assure you that is not been the case.

In closing, please allow me to recap where this case currently stands. As of now this case has been dismissed pursuant to defense counsel's Motion to Dismiss. Your Motion for Reconsideration of that decision has been denied and the case is listed on our docket as having been dismissed with prejudice. You can either appeal the decision of this Court or check with the Workers Compensation Commission to pursue your administrative remedies in that forum. Mr. Guice, you have every right to represent yourself, however, you must understand that in doing so there is a high likelihood to be some level of miscommunication or not completely understanding how things work. That's part of the difficulties that occur in not hiring a competent attorney to represent your legal interest. However, I can assure you that there has been no intention on the part of this Court to, in anyway, delay these matters or prejudice any party in these proceedings. I hope this letter has answered any questions you may have had as to your questions and concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas A. Russo". The signature is fluid and cursive, with a large, sweeping loop at the end.

Thomas A. Russo