

Alexander Guice

P.O. Box 13281
Tampa, FL 33681
Phone: (813) 562-0547
Email: alguice@hotmail.com

November 25, 2013

The Honorable Jenny A. Kitchings
Clerk of Court
SOUTH CAROLINA COURT OF APPEALS
Post Office Box 11629
Columbia, South Carolina 29211

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

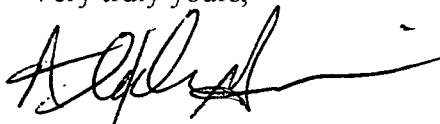
Dear Ms. Kitchings:

Please find enclosed an original and a copy of correspondence submitted to the Honorable Thomas A. Russo from the undersigned dated 11/12/2013; a Form 4 dated 09/06/2013 and proof of service, with respect to the Notice of Appeal filed by the undersigned in regard to the above captioned matter. Please forward to the appropriate individual for filing, and please return a file stamped copy of the same in the prepaid self-addressed stamped envelope enclosed for your convenience.

Please note that the aforementioned Form 4 dated 09/06/2013 was not mailed to the undersigned from the lower court until 11/21/2013 with service of the same by the undersigned on 11/25/2013.

By copy of this letter, I have provided Erin L. Hantske, the representative for the Respondents', and the Honorable Beth A. Carrigg, Clerk of Court for Lexington County, a copy of the same, via regular mail with enclosures. Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your assistance in this matter.

Very truly yours,



Alexander Guice
Appellant, *pro se*

/AG

cc:

Erin L. Hantske
Clerk of Court, Lexington County

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DEC 02 2013

SC Court of Appeals

2013-CP-32-1272 Alexander Guice v. US Foodservice, Inc. et al

From: **Alexander Guice** (alguice@hotmail.com)
Sent: Tue 11/12/13 3:58 PM
To: Beth Carrigg (bcarrigg@lex-co.com); Erin Hantske (erin.hantske@mgclaw.com); Judge Thomas Russo (trussolc@sccourts.org)
1 attachment
IMG_0001.pdf (1862.3 KB)

Dear Ms. Carrigg:

Please find attached correspondence to Judge Russo and a certificate of service in regard to the above captioned matter. Please forward to the appropriate individual for filing. I respectfully request the immediate service of the "Form 4" dated September 6, 2013 in regard to the above captioned matter.

By copy of this message, I have provided Erin Hantske, the attorney of record for the Defendants' and Judge Russo, a copy of the same, as an attachment to this email.

Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,

Alexander Guice
Post Office Box 13281
Tampa, FL 33681
Phone: (813) 562-0547
Plaintiff, *pro se*

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DEC 02 2013

SC Court of Appeals

Alexander Guice

P.O. Box 13281
Tampa, FL 33681
Phone: (813) 562-0547
Email: alguice@hotmail.com

November 12, 2013

VIA E-MAIL ONLY @ bcarrigg@lex-co.com

The Honorable Beth A. Carrigg
Clerk of Court
Lexington County
205 East Main Street
Lexington, South Carolina 29072

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

Dear Ms. Carrigg:

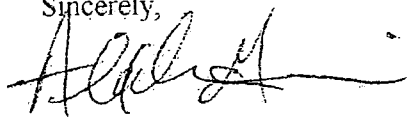
Please find enclosed a copy of a letter to Circuit Court Judge Thomas A. Russo and Certificate of Service in regard to the above captioned matter. Please forward to the appropriate person for filing.

Pursuant to correspondence received from Judge Russo dated October 28, 2013, Judge Russo apparently signed a Form 4 dated September 6, 2013 wherein Judge Russo denied my motion for reconsideration. To date, I have yet to be properly served with a copy of the aforementioned Form 4, and respectfully request that your office immediately serve a file stamped copy of the Form 4 in regard to the above captioned matter.

By copy of this letter, I have provided Erin Hantske, the attorney of record for the Defendants', a copy of the same, via electronic mail with enclosures.

Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,



Alexander Guice
Plaintiff, pro se

/AG

Enclosures: As stated
cc: Erin Hantske (via e-mail w/encl.)

RECEIVED

DEC 02 2013

SC COURT OF APPEALS

Alexander Guice

P.O. Box 13281
Tampa, FL 33681
Email: alguice@hotmail.com
Phone: (813) 562-0547

November 12, 2013

VIA E-MAIL ONLY @ trussolc@sccourts.org

The Honorable Thomas A. Russo
Chief Administrative Judge, 12th Circuit
180 North Irby Street
Florence, South Carolina 29501

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

Dear Judge Russo:

I am in receipt of His Honor's letter dated November 1, 2013 that was mailed on November 7, 2013 and received by the undersigned on November 12, 2013. **Please be advised that as the moving party, and to date, I have yet to be served with a file stamped copy, or a copy of any kind, of the alleged Form 4 dated September 6, 2013 wherein His Honor denied the Plaintiff's 'Motion for Reconsideration' in regard to the above captioned matter.**

Furthermore, if the undersigned had been properly served with a copy of the Form 4 from the Clerk, the undersigned would have never submitted electronic correspondence to His Honor requesting a status of the case on September 13, 2013 or submitted written correspondence to the same on October 28, 2013.

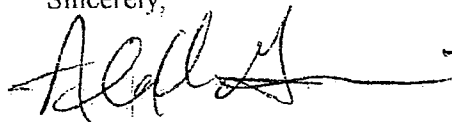
The undersigned is not a mind reader, and if the Court does not properly serve the parties with written notice as to the disposition of a case, the parties, even if one party is self-represented, has no way of knowing the actions taken by the Court in a case. If His Honor's law clerk would have enclosed (or attached) a copy of the Form 4 dated September 6, 2013 at the time His Honor's law clerk electronically informed the parties that His Honor denied the undersigned's aforementioned motion on September 13, 2013, again, there would have been no need to contact His Honor regarding this matter.

Furthermore, in His Honor's letter dated November 1, 2013 His Honor indicated that the undersigned "...raised no new issues nor presented the court with anything new to consider..." with respect to the aforementioned motion for reconsideration, which respectfully is **not accurate**. In particular, the undersigned provided evidentiary documentation, in particular, from Gary M. Cannon, Executive Director of the Workers' Compensation Commission, in which Mr. Cannon clearly stated "**There is no process to appeal a decision rendered by the Executive Director** (emphasis added)." Additionally, the undersigned properly asserted the FACT that SC Code 42-3-80 (2006) provides **no authority** for the executive director of the workers'

compensation commission to hear and determine contested cases within the workers' compensation forum, AS WELL AS the FACT that **exclusive authority** to hear and determine contested cases within the workers' compensation forum reside with WCC Commissioners, pursuant to SC Code 42-3-20 (C) (2007). The undersigned will certainly assert these and other arguments before the Court of Appeals in seeking to have His Honor's opinion in this matter REVERSED AND REMANDED.

In closing, this matter has been delayed as a direct result of the failure of His Honor, or the Lexington County Clerk's Office, to immediately and properly serve upon the parties, a copy of the apparent Form 4 dated September 6, 2013 denying the aforementioned motion for reconsideration. The undersigned respectfully demands that His Honor, or the Clerk, immediately provide proper service of a file stamped copy of the alleged Form 4 dated September 6, 2013 upon the parties, so that a proper appeal of His Honor's decision in regard to the above captioned matter can be initiated with the Court of Appeals.

Sincerely,



Alexander Guice
Plaintiff, *pro se*

/AG

cc: Erin L. Hantske, Esq. (via e-mail)
Beth Carrigg, Clerk (via e-mail)

STATE OF SOUTH CAROLINA)
COUNTY OF LEXINGTON)

IN THE CIRCUIT COURT OF THE)
ELEVENTH JUDICIAL CIRCUIT)
Civil Action No.: 2013-CP-32-1272)

Alexander Guice,)

)
)
Plaintiff,)

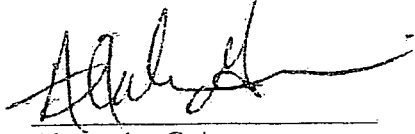
Versus)

CERTIFICATE OF SERVICE

US Foodservice, Inc., et al,)

)
)
Defendant(s).)

I HEREBY CERTIFY that I provided a copy of correspondence addressed to the Honorable Thomas A. Russo dated November 12, 2013, via **ELECTRONIC MAIL**, on the parties listed below.



Alexander Guice
Plaintiff, *pro se*
P.O. Box 13281
Tampa, FL 33681
Phone: (813) 562-0547
Email: alguice@hotmail.com

DATE OF ELECTRONIC MAILING: November 12, 2013

COPIES ELECTRONICALLY MAILED TO:

The Honorable Beth A. Carrigg
Clerk of Court
205 East Main Street
Lexington, SC 29072
E-Mail Address: bcarrigg@lex-co.com

Erin L. Hantske, Esq.
McAngus Goudelock & Courie, LLC
Post Office Box 650007
Mt. Pleasant, SC 29465
E-Mail Address: erin.hantske@mgclaw.com

ORIGINAL

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2013CP3201272

Alexander Guice

US Foodservice Inc

ACE American Insurance Co

2013 SEP -6 P 4 30

BEN CRUISE
CLERK OF COURT
LEXINGTON, SC

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON): Rule 40(j) SCRPC; Bankruptcy; Other: _____
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 Affirmed; Reversed; Remanded; Other:

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DEC 02 2013

SC Court of Appeals

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

MOTION FOR RECONSIDERATION WAS HEARD ON SEPTEMBER 3, 2013 @10 AM. MR GUICE FAILED TO APPEAR FOR THIS HEARING. PRESENT WAS BEN CRUISE ON BEHALF OF ERIN HANTSKE FOR US FOOD SERVICE. MR. GUISE'S MOTION FOR RECONSIDERATION IS DENIED.

This order ends does not end the case.
Additional Information for the Clerk: _____


INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.


Circuit Court Judge

2141
Judge Code

09/06/2013

Date

For Clerk of Court Office Use Only

This judgment was entered on **6th of September 2013**, and a copy mailed first class or placed in the appropriate attorney's box on **6th of September 2013**, to attorneys of record or to parties (when appearing pro se) as follows:

Alexander Guice P O Box 45062 Tampa, FL 33677

Erin Leigh Hantske PO Box 650007 Mt. Pleasant, SC 29465

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Beth A. Carrigg

Court Reporter

Beth A. Carrigg - Clerk of Court

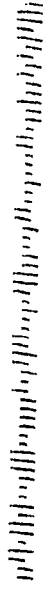
ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

COUNTY OF LEXINGTON
BETH A. CARRIGG
CLERK OF COURT
Lexington County Judicial Center
205 East Main Street
Lexington, S.C. 29072

Alexander Guice
P O Box 45062
Tampa, FL 33677

336775062 8018



THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Thomas A. Russo, Circuit Court Judge

Case No. 2013-CP-32-1272

US Foodservice, Inc. and Ace
American Insurance Company
c/o Gallagher Bassett Services, Inc. Respondent,

v.

Alexander Guice, Appellant.

PROOF OF SERVICE

I certify that I have provided a copy of correspondence submitted to the Honorable Thomas A. Russo by the Appellant dated November 12, 2013 and a copy of the Form 4 dated September 6, 2013 by depositing a copy of it in the United States Mail, postage prepaid, on November 25, 2013 addressed to SC Court of Appeals P.O. Box 11629 Columbia, SC 29211.

November 25, 2013



Alexander Guice
Post Office Box 13281
Tampa, Florida 33681
(813) 562-0547
Pro Se

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Thomas A. Russo, Circuit Court Judge

Case No. 2013-CP-32-1272

US Foodservice, Inc. and Ace
American Insurance Company
c/o Gallagher Bassett
Services, Inc.

Respondent,

v.

Alexander Guice,

Appellant.

PROOF OF SERVICE

I certify that I have provided a copy of correspondence submitted to the Honorable Thomas A. Russo by the Appellant dated November 12, 2013 and a copy of the Form 4 dated September 6, 2013 by depositing a copy of it in the United States Mail, postage prepaid, on November 25, 2013 addressed to the Respondents' attorney of record, Erin L. Hantske, P.O. Box 650007, Mt. Pleasant, SC 29465 and the Honorable Beth A. Carrigg, Clerk of Court for Lexington County at 205 East Main Street Lexington, SC 29072.

November 25, 2013



Alexander Guice
Post Office Box 13281
Tampa, Florida 33681
(813) 562-0547
Pro Se