

# Alexander Guice

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

January 10, 2014

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

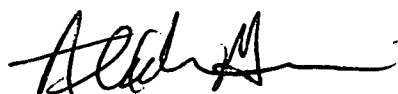
Re: Alexander Guice v. US Foodservice, Inc., and Ace American Insurance Company, c/o  
Gallagher Bassett Services, Inc.  
Appellate Case No. 2013-002941

Dear Ms. Kitchings:

1. Please find enclosed copies of a 'possible' Form 11 with supporting documents and a proof of service in regard to the above captioned matter. Please file a copy of same with the Court and return file stamped copies to the undersigned in the prepaid self-addressed envelope enclosed for your convenience.
2. Please be further advised that the undersigned never received a corrected copy of the Order(s) regarding this matter from the lower court; the lower court mailed an unsigned letter to the appellant alleging Rema K. Gantt Thomas as the Court Reporter, and as such, if in fact Ms. Thomas was not the Court Reporter, this process will be repeated by the undersigned.
3. By copy of this letter, Erin L. Hantske, the attorney of record for the respondents', has been provided a copy of the same, via regular mail with enclosures.

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

Very truly yours,



Alexander Guice  
Appellant, *pro se*

/AG

Enclosures: As stated  
cc: Erin L. Hantske, Esquire

**RECEIVED**

JAN 14 2014

**SC Court of Appeals**

**FORM 11**  
**LETTER ORDERING TRANSCRIPT FROM COURT REPORTER**

January 10, 2014

Rema K. Gantt Thomas, Court Reporter  
Post Office Box 562  
Chapin, South Carolina 29036

RE: Alexander Guice, Appellant, v. US Foodservice, Inc., and Ace American Insurance Co., c/o Gallagher Bassett Services, Inc., Respondent, Case No. 2013-CP-32-1272

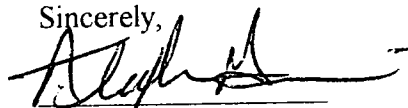
Dear Ms. Thomas:

On June 3, 2013 and September 3, 2013 respectively, the above case was tried before the Honorable Thomas A. Russo, Circuit Court Judge, in Lexington County. My records **do not** indicate the court reporter for this case; the Order and subsequent Form 4 does not state the Court Reporter's name. I requested a corrected Order and corrected Form 4 from the Lexington County Clerk's Office. I received an unsigned response from the Lexington County Clerk's Office alleging that you were the Court Reporter for the aforementioned hearings.

Although I believe the actions of the Clerk's Office to be improper, with respect to failing to immediately correct the aforementioned Order and Form 4, in the interest of moving forward with this appeal, if you were the Court Reporter for the aforementioned hearings, I request that you provide me with a transcript of the proceedings. Please transcribe the entire record(s) for both the June 3, 2013 and September 3, 2013 hearings in regard to the above captioned matter. Please find enclosed true copies of the aforementioned Order(s).

I agree to pay the per page charge for these transcript(s) as provided by Rule 607, SCACR. Please find enclosed a money order in the amount of \$75.00. If you were not the court reporter for the aforementioned hearings, please return the enclosed money order at your earliest convenience.

Sincerely,



Alexander Guice  
Post Office Box 13281  
Tampa, Florida 33681  
Phone: (813) 562-0547  
Email: [alguice@hotmail.com](mailto:alguice@hotmail.com)  
Appellant, *pro se*

Enclosures:

- (1) Order Granting Defendants' Motion To Dismiss, dated 06/10/2013
- (2) Order/Form 4, dated 09/06/2013
- (3) \$75.00 money order

cc: Erin L. Hantske, Esquire  
Clerk, Court of Appeals

ORIGINAL

STATE OF SOUTH CAROLINA  
COUNTY OF LEXINGTON  
THE COURT OF COMMON PLEAS  
Alexander Guice

JUDGMENT IN A CIVIL CASE  
CASE NUMBER 2013CP3201272

US Foodservice Inc

ACE American  
Insurance Co

PLAINTIFF(S)

DEFENDANT(S)

Attorney for:  Plaintiff  Defendant  
 Self-Represented Litigant

Submitted by:

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:

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

**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. GUICE'S MOTION FOR RECONSIDERATION IS DENIED.**

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

TORNEY(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.

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ORIGINAL

STATE OF SOUTH CAROLINA )  
COUNTY OF ~~Lexington~~ )  
*Lexington* )

IN THE COURT OF COMMON PLEAS

ALEXANDER GUICE, )  
 )  
Claimant, )

Civil Action No. 2013-CP-32-01272

v. )

US FOODSERVICE, INC., )  
 )  
Employer, )

ORDER GRANTING DEFENDANTS'  
MOTION TO DISMISS

and )

ACE AMERICAN INSURANCE )  
COMPANY C/O GALLAGHER )  
BASSETT SERVICES, INC., )

Carrier, )

Defendants. )

FILED  
2013 JUN 13 P 3:21  
BETH A. CARRIGG  
CLERK OF COURT  
LEXINGTON, SC

This matter came before the Court on June 3, 2013, upon Defendants' US Foodservice, Inc. and their workers' compensation insurance carrier by and through defense counsel for an Order dismissing this claim for lack of proper jurisdiction as the above-referenced Claimant has failed to exhaust his administrative remedies within the workers' compensation forum. Present at the hearing was Erin L. Hantske, Esquire, on behalf US Foodservice, Inc. and their workers' compensation insurance carrier. The *pro se* Claimant was not present at the hearing. The *pro se* Claimant had been provided notice of the hearing by the Lexington County Clerk of Court. Prior to the hearing, the *pro se* Claimant's name was called without an answer. At the call of the case, the *pro se* Claimant was not present or accounted for.

After reviewing the submissions including the Complaint, the Motion to Dismiss and the Memorandum in Support of Defendants' Motion to Dismiss, and listening to the arguments of counsel, I find the following:

1. The Claimant in the above-referenced case has failed to exhaust all administrative remedies within the workers' compensation forum prior to initiating this appeal in the Court of Common Pleas.

2. As such, the Court of Common Pleas does not have jurisdiction to hear the matters presented before it.

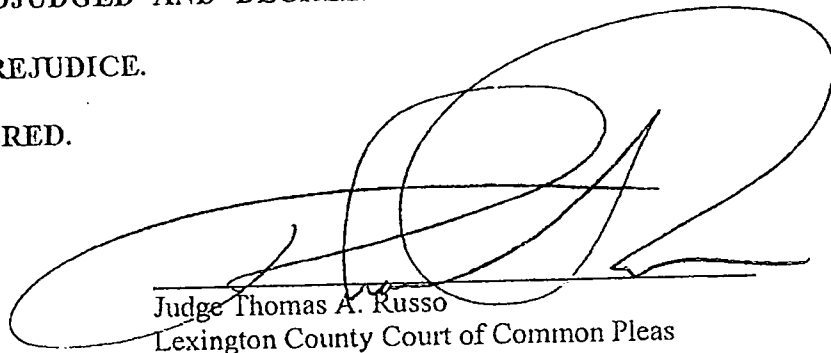
3. Upon exhaustion of all administrative remedies, the above-referenced Claimant may have an appeal to the Circuit Court once that agency has reached a final decision.

4. I find that Defendants' US Foodservice, Inc. and their workers' compensation insurance carrier's Motion to Dismiss is GRANTED and this matter is dismissed WITH PREJUDICE.

Based upon a review of the submissions and Defendants' Motion to Dismiss, it is therefore

**ORDERED, ADJUDGED AND DECREED** that Claimant's Complaint is hereby **DISMISSED WITH PREJUDICE.**

**IT IS SO ORDERED.**



Judge Thomas A. Russo  
Lexington County Court of Common Pleas

Date: 6/10/13

THE BACK OF THIS DOCUMENT CONTAINS AN "AMSCOT" ARTIFICIAL WATERMARK HOLD IT AT AN ANGLE



INTERNATIONAL MONEY ORDER

The Money Superstore

86-490  
1031 0009941372

Rema K Thomas

01/10/2014

Alexander Guise P.O. Box 13281 Tampa, FL 33614

\$ 75.00

AMSCOT CORPORATION  
P.O. BOX 25137  
TAMPA, FL  
33622-5137

PURCHASER

\*\*SEVENTY-FIVE AND 00/100 DOLLARS  
NOT VALID FOR MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS (\$1500)

09941372

Payable through: BancFirst

AMSCOT CORPORATION

*Alexander Guise*

PURCHASER AND PAYEE ARE SUBJECT TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

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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. 2013-002491

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

Respondents',

v.

Alexander Guice,

Appellant.

PROOF OF SERVICE

I certify that I provided to the respondents', by way of Erin L. Hantske, Esquire, the attorney of record for the same, a true copy of a Form 11 dated 01/10/2014 with supporting documents and proof of service, by depositing a copy of the same in the United States Mail, via regular mail, postage prepaid, on January 10, 2014 and addressed to: Erin L. Hantske, Esq. McAngus Goudelock & Courie, LLC Post Office Box 650007 Mt. Pleasant, South Carolina 29465.

January 10, 2014



Alexander Guice  
Post Office Box 13281  
Tampa, Florida 33681  
(813) 562-0547  
Appellant, *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. 2013-002491

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

Respondents',

v.

Alexander Guice,

Appellant.

PROOF OF SERVICE

I certify to the Court of Appeals that I provided to the respondents', by way of Erin L. Hantske, Esquire, the attorney of record for the same, a true copy of a Form 11 dated 01/10/2014 with supporting documents and proof of service, by depositing a copy of the same in the United States Mail, via regular mail, postage prepaid, on January 10, 2014 and addressed to: Court of Appeals Post Office Box 11629 Columbia, South Carolina 29211.

January 10, 2014



Alexander Guice  
Post Office Box 13281  
Tampa, Florida 33681  
(813) 562-0547  
Appellant, *pro se*

**RECEIVED**  
JAN 14 2014  
SC Court of Appeals

Post Office Box 13281  
Tampa, Florida 33681

Clerk of Court  
COURT OF APPEALS  
Post Office Box 11629  
Columbia, South Carolina 29211



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JAN 14 2014

**SC Court of Appeals**

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