

Carolyn Bearden Brown
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Columbia, S.C.
March 12, 2014

U. S. Certified Mail
The Honorable John C. Few
The South Carolina Court of Appeals
P. O. Box 11629
Columbia, S. C. 29211

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MAR 17 2014
SC Court of Appeals

Re: Peter Brown vs. SCDHHS
Appeals; Case No. 05-MISC-015
ALC Docket No. 13-ALJ-08-0159-AP

Dear Judge Few:

As 26 year Guardian of Peter Brown, appointed by Judge Catherine Kennedy, I respectfully request you to deny the Petition of Attorney Patricia Harrison to appoint a GAL for Peter in above referenced Case. Over nine years I **have spent sacrificially more than \$100,000 for legal fees and for hundreds of hours and thousands of miles for paralegal work and meetings Atty. Harrison requested, including two overnights to Atlanta CMS. Guardian believes she has not made similar demands of other disabled clients.**

Atty. Harrison has offered no reimbursement. Our family has exhausted our resources.

Guardian was not advised by Counsel of Judge Matthews' Decision and Order filed February 4, 2014, until late February 26, 2014; after which, Counsel set March 4, 2014, meeting, with little more than 48 hours until March 6, 2014, deadline to file Motion of Intent to Appeal. Counsel advised Guardian she would not file Intent to Appeal unless "Guardian paid a \$5,000 retainer and \$425.00 per hour billed monthly or to choose a GAL." **Atty. Harrison's current demands are inconsistent with our earlier Agreement.**

While the above referenced is a State Case, it is and has been interlocked directly for three years with the Fourth District Federal Case, identified as the Peter B. Case, including Michelle M. and Chip E., which Atty. Harrison filed on a contingency basis for all three.

With all due respect, through no fault of Peter Brown or the Guardian, Peter has been drawn into the cross hairs of a long-term bitter battle between Atty. Harrison and HHS/DDSN attorneys, which began long before we met her in 2005 and which has nothing to do with either of us.

This heated vitriol spilled out during September 4, 2013, Hearing before Judge Matthews when Atty. Harrison vociferously accused HHS Atty. Woodington in a strong twenty minute monologue, on

the Record, of using obstacles to deny essential Services to our "poorest citizens." **Judge Matthews inquired of Atty. Harrison, "Are you saying they are lying?" Atty. Harrison responded, "Yes," to which Atty. Woodington took exception.** This is not the first time there have been vitriolic exchanges. The Order provided by Judge Matthews is extremely damaging to Atty. Harrison.

At the close of above Hearing Atty. Harrison advised Peter's Counselor Mullis and Guardian she had requested a Court Recorder Transcript in the event Judge Matthews did not rule in our favor; "I will file an Appeal."

There is not a shred of evidence anywhere that the Guardian retained Atty. Harrison to restore the Twelve Hours ACS Weekly except as Federal Judge Childs ordered them to **be of the same "quality, kind, and volume enjoyed by Peter B. prior to July 2009."** Never in the thirteen years Peter's Provider Charles Lea afforded him the Twelve Hours was the Guardian charged with the responsibility to insure that a Trained Staff assigned solely to Peter would work with him weekly to fit his schedule. Not only has Counsel chosen not to use voluminous written evidence provided her to document Judge Childs' Order has been violated, the Guardian has become the Scapegoat.

With all respect, due to her inexperience and lack of knowledge of current staffing in SLP II residences, for Counsel to report Peter has been granted Twelve Hours ACS is empty rhetoric when the mechanics to provide delivery of services as **Court Ordered** is not available since ACS is not competitively funded. Having spent more than \$100,000 Guardian believes Counsel has the authority and the obligation to support the Guardian and Peter's Service Coordinator to seek a viable solution, **not to ask the Court to appoint another GAL who has no clue!**

Especially over the past five years the Guardian and Peter's brother Charles have shielded Peter mentally, physically, and emotionally from the increasing vicious fallout between Atty. Harrison and HHS/DDSN attorneys that has resulted in direct reprisal toward Peter. Peter receives daily calls, frequent visits and trips to enjoy Atlanta and Columbia family and friends. No matter where he may live in DDSN System, the bitter battle continues.

Guardian believes Counsel has not had contact with Peter in more than two years. The GAL she recommended in the Federal lawsuit has had contact only 90 minutes with Peter in the five years she has been involved.

From birth Guardian has always put what is best for Peter first. 1976 when Guardian became Single Parent Head of Household with no financial assistance for eleven year and eight year old sons, Guardian taught Peter to read and located multiple therapies for sixteen years, in addition to K-6 public school. As a 41 year S. C. public instructor, including seventeen years as a USC Columbia Faculty Member, she also educated Charlie at the University of the South, Sewanee. He has enjoyed a 27 year Atlanta successful career.

Since Counsel has drained the coffers and taken precipitous action to replace the Guardian after nine years, but she has held no one accountable; one must question why she finds the need to appoint another GAL.

Due to the short time for preparing support documents, Guardian will forward same but respectfully asks that you deny the Petitioner's Request to replace the twenty-six year Guardian with a GAL. Guardian believes this is in Peter's best interest.

It is a matter of public record the Guardian has effectively, compassionately, and safely advocated for Peter successfully; obtained Services and implemented Training, especially for his identified Needs, as well as for his social integration among the non-disabled for 46 years. No other person has had that first hand experience with Peter in the System or the Court.

Thank you.

Sincerely,

Carolyn Bearden Brown

Carolyn Bearden Brown
Guardian/Parent, Peter Brown

Cc: Charles Brown
Team Members
Patricia Harrison, Esq.
Richard Hepfer, Esq.
Kenneth Woodington, Esq.

3/13/14
Notary: *Crystal M. Hill*
Crystal Hill
My Commission Expires May 8, 2017

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