

**Carolyn Bearden Brown  
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**April 2, 2014**

U. S. Certified Mail

Fax (803) 734-2373

The Honorable Judge John C Few

The South Carolina Court of Appeals

P. O. Box 11629

Columbia, S. C. 29211

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APR 07 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:

Due to the request of Atty. Harrison to be replaced as Counsel for the nine year unusual circumstances, Guardian of Peter Brown respectfully asks for your clarification to protect Peter Brown since Counsel's petition to this Court is four-pronged.

Let there be no doubt, with regard to Twelve Hours Weekly One on One Adult Companion Services (ACS) for Peter eliminated 2009 to present, Guardian has provided Oversight, Implementation, Training for Peter on a modified but essential scale: physicians' appointments, including endocrinologist, ophthalmologist, and Weekly Food Plan.

In reference to above Case, Guardian reports:

1996-2009: Provider Charles Lea Center, at which Peter has been a 31 year resident, employed one staff person to work one-on-one with Peter for targeted Training with physician ordered/dietician devised Food Plan for diabetes, hyperglycemia; aerobics exercise, eye health, podiatry care, as well as participation among the off-site non-disabled. Training was fine-tuned over time. Guardian gave input and approval since health, safety, personal funds were involved. Charles Lea provided transportation and occasional tickets for companion.

On March 7, 2011, Fourth Circuit Federal Judge Childs ordered that ACS be continued and

**"... be of the same quality, kind, and volume enjoyed by Peter Brown prior to July 2009."**

**Although Guardian has reported many violations, Judge Childs' Order has not been enforced. From March 16, 2014, to date; fourteen new CLC Staff untrained on Peter's Food Plan (whom I can name) have appeared at Peter's apartment at meal times.**

2009-Present: The March 12, 2013, Order of DHHS Hearing Officer Janet Goode states

"... Petitioner as on ID/RD Waiver participant will be allowed to receive ACS offered by the ID/RD Waiver provided by the qualified provider of his choice, in the amount, duration, and scope as the Petitioner received one-on-one services..."

**There is no evidence anywhere the Guardian retained Counsel for or agreed to assume responsibility for above Order. This order does not provide the Service Charles Lea afforded Peter 1996-2009.**

Due to several requests in Counsel's Petition, Guardian respectfully asks that you advise first if this Court will grant a Hearing on whether DHHS has satisfied this Court's Remand to provide an Evidentiary Hearing for Peter. This decision is extremely significant as to how Guardian will proceed for legal representation for Peter and with regard to thousands already spent.

I declare that the foregoing is true, under penalty of perjury, to the best of my knowledge, information and belief. Executed in Columbia, South Carolina on this second day of April, 2014.

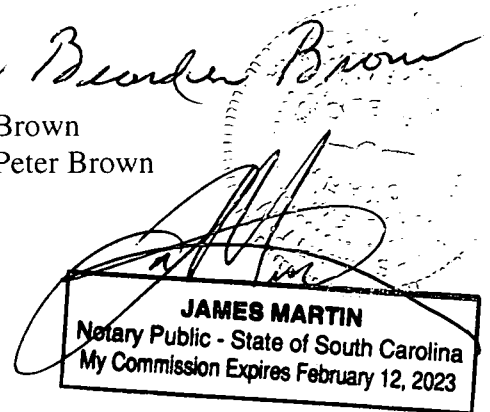
Thank you.

Sincerely,



Carolyn Bearden Brown  
Guardian/Parent, Peter Brown

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



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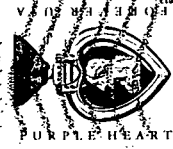
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Office of Appeals

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