

1 Benjamin L. Anderson
2 445 W. Rebound Road
3 Lancaster, SC 29720
4 (780) 313-6280
5 Appellant Pro Se

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SEP 04 2015
SC Court of Appeals

COURT OF APPEALS
South Carolina

CASE NO: 2014-CP-23-06070

9 Benjamin L. Anderson)
10 APPELLANT) NOTICE OF APPEAL
11) Plaintiff's Petition
12 VS) For Reversal of Summary
13) Judgment Decision
14 Davita Upstate Dialysis)
15 Carolina Nephrology) Exhibits Attached
16 APPELLEES)

18 The Appellant in the above captioned case petitions
19 the Court of Appeals for a fair and impartial
20 review of the decision of the Court awarding the
21 defendant's summary judgment. The defendants
22 were given a favorable ruling because of:
23 bad faith affidavits submitted by employees of
24 Davita Upstate Dialysis Center. The decision was
25 also based upon the number of affidavits.
26 Further, the Defendants sought to prejudice
27 the Plaintiff before the court because he filed
28 complaints in Federal District Court to vindicate

1 certain civil rights violations as a diabetes
2 patient. The Appellants' factual allegations,
3 inferences including affidavits, deposition,
4 answers to interrogatories, admissions on file
5 and his evidence was not taken into
6 consideration. The Plaintiff/Appellants' record
7 was completely bypassed by the Court in
8 the decision making process. The Appellant
9 a life long health care provider with military
10 service has first-hand knowledge of the facts
11 and is a competent witness for himself. He
12 has submitted counterjecting evidence, genuine
13 issues are documented. Further discovery by
14 Plaintiff is necessary in order for trial by
15 jury. Finally, the Appellant states that no
16 Judge has signed the embarrassing order granting
17 defendants' their summary judgment motion.
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22
23 August 4, 2015

Benjamin Anderson
Benjamin L. Anderson
Pro Se

1 Exhibits attached are as follows:

2 A Amended Complaint

3 B Affidavit of Plaintiff

4 C Supplemental Affidavit and filings

5 D Affidavit of DeLois Culp

6 E Plaintiffs' Opposition to Bad faith Affidavits

7 F STATEMENT OF GENUINE ISSUES OPPOSING summary
8 Judgment

9 G Plaintiffs' Opposition Summary Judgment/W

10 Memorandum of law (Pub 56c, Rule 402 ADR and
11 Rule 3(c))

12 H Opposition to Defendant's Motion to Dismiss

13 I Plaintiff's Evidentiary Documentation from
14 St Francis Hospital Medical Records

15 J Plaintiff's Physical Injury sustained

16 K Medical Records from Greenville VA outpatient

17 L Plaintiff's answers to interrogatories, Rules 56, 402

18 M Documentary Evidence of Plaintiff's Character and
19 Reputation as a Respiratory Therapist
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COURT OF APPEAL
South Carolina

Benjamin L. Anderson)
Plaintiff)

CASE NO 2014 CP 23 - 06070
(Greenville Court Common Pleas)

v.

Certificate of Service
By Mail

Davita Upstate Dialysis)
Carolina Nephrology)
Defendants)

I, the undersigned am over the age of
eighteen years, not a party to this lawsuit.
ON September 4 2015, I served prepaid postage to
OPPOSING counsel in the United States mail
at Lancaster, South Carolina the following
documents: Notice of Appeal.

COPY(S) TO: Sweeny, Wingate & Barrow, P.A.
Defendant Attorneys
Hartsville, South Carolina

Delois Culp
Delois Culp