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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
COURT OF COMMON PLEAS

Honorable William P. Keesley

Case No. 2013-CP-32-01272  
Case No. 2014-CP-32-00399

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NOV 05 2015

SC Court of Appeals

Alexander Guice, .....Appellant,

v.

US Food Service, Inc., Employer, and  
ACE American Insurance Company  
c/o Gallagher Bassett Services, Inc., ..... Respondents.

**RETURN TO APPELLANT'S MOTION TO STRIKE  
AND/OR IN THE ALTERNATIVE,  
MOTION TO FILE OUT OF TIME**

Pursuant to Rule 240, SCACR, Respondents reply to Appellant's Motion to Strike Respondents' Reply to Appellant's Return in Opposition to Motion for Correction and/or Clarification of Appellant's Designation of Matter ("Motion"). First, contrary to Appellant's assertions otherwise, Respondents received Appellant's Return in Opposition to Motion for Correction and/or Clarification of Appellant's Designation of Matter ("Appellant's Return") on October 19, 2015 and timely filed their Reply on October 24, 2015. Despite Appellant's printouts of postal delivery records, the fact remains that Respondents did not receive Appellant's Return in their office until October 19, 2015.

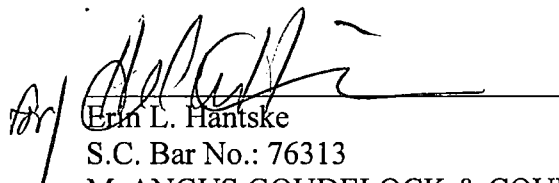
(See Att. A, showing date-stamp of receipt of Appellant's Return). Thus, Respondents request that this Court accept their Reply as filed.

However, in the alternative and solely out of an abundance of caution, Respondents, hereby move for permission to file their Reply to Appellant's Return in Opposition to Motion for Correction and/or Clarification of Appellant's Designation of Matter out of time. As noted above, Respondents did not actually receive Appellant's Return until October 19, and responded within the timeframe based on that date. As Respondents pointed out in their Reply, Appellant has failed to address most of the issues raised in Respondents' initial Motion for Correction and/or Clarification of Appellant's Designation of Matter, which need to be resolved before Respondents can properly prepare their Initial Brief.

#### CONCLUSION

For the reasons stated herein, Respondents request that this Court accept their Reply as filed and/or, in the alternative, grant their motion to file out of time. In addition, Respondents request that the deadline for filing their Initial Brief be suspended until this Court rules on these motions.

Respectfully submitted,

  
Erin L. Hantske

S.C. Bar No.: 76313  
McANGUS GOUDELOCK & COURIE, LLC  
Post Office Box 650007  
735 Johnnie Dodds Blvd, Suite 200  
Mt. Pleasant, South Carolina 29465  
(843) 576-2900  
*Attorney for Respondents*

November 3, 2015

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
COURT OF COMMON PLEAS

Honorable William P. Keesley

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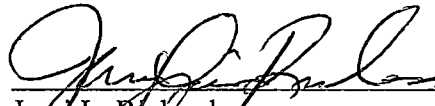
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**PROOF OF SERVICE**

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I certify that I have served the Respondents' **Return to Appellant's Motion to Strike and/or in the Alternative, Motion to File Out of Time** on Alexander Guice, pro se, by depositing a copy of it in the United States Mail, postage prepaid, on November 3, 2015, addressed as follows:

Alexander Guice  
P.O. Box 13281  
Tampa, Florida 33681



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Jami L. Richards  
Legal Assistant to Erin L. Hantske  
McANGUS GOUDELOCK & COURIE LLC  
735 Johnnie Dodds Blvd., Suite 200  
PO Box 650007  
Mount Pleasant, South Carolina 29465  
(843) 576-2900  
*Attorneys for Respondents*

# mgc

**Reply To**

ERIN L. HANTSKE  
Direct Dial: (843) 576-2946  
erin.hantske@mgclaw.com

November 3, 2015

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SC Court of Appeals

**Via U.S. Mail**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

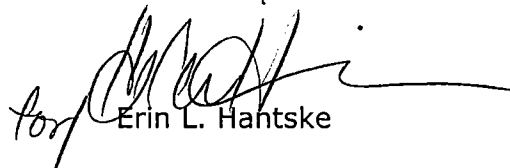
RE: Alexander Guice v. U.S. Food Service, Inc. and ACE American Insurance  
Company c/o Gallagher Bassett Services, Inc.  
Date of Accident: May 5, 2005  
WCC File No.: 0506205  
Our File No.: 2098.12550  
Claim No.: 004063-032175-wc-01  
Appeal No.: 2015-001821

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Respondents' Return to Appellant's Motion to Strike and/or in the Alternative, Motion to File Out of Time, and the original and one copy of the Proof of Service in the above-referenced matter. Please file the originals and return a clocked-in copy in the self-addressed, stamped envelope. Also enclosed is our firm's check in the amount of \$25 for filing the motion.

If you have any questions, please do not hesitate to contact me.

Yours truly,  
McAngus Goudelock & Courie, LLC

  
Erin L. Hantske

Enclosures

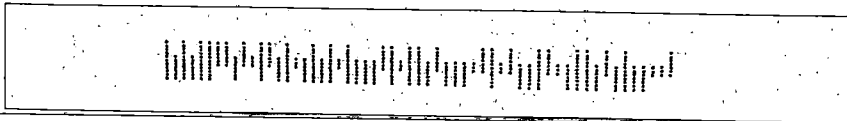
cc: Alexander Guice, *pro se*

735 JOHNNIE DODDS BLVD, SUITE 200  
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**mgc**

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**2098.12550/ELH/jlr**  
The Honorable Jenny Abbott Kitchings  
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