

Greene, Diane

From: Kitchings, Jenny
Sent: Monday, May 16, 2016 9:12 AM
To: Greene, Diane
Cc: Amick - Cassidy, Monica
Subject: FW: Reese Appellant Case # 2016-000997
Attachments: Reese Proof of Service.pdf

RECEIVED
MAY 16 2016
SC Court of Appeals

From: Harry Reese [<mailto:hreese2005@yahoo.com>]
Sent: Saturday, May 14, 2016 1:05 PM
To: Kitchings, Jenny
Cc: Page Snyder; Amy Bracy
Subject: Reese Appellant Case # 2016-000997

Dear Ms. Kitchings:

I'm in receipt of your May 13, 2016 correspondence detailing deficiencies noted under the SC Appellate Court Rules (SCACR). Your correspondence referenced the following missing items:

“The notice of appeal is not accompanied by the order(s) and/or judgment(s) challenged on appeal”.

Located in the “Blue Folder” presented to the Court of Appeals submitted on May11, 2016:

- Full Commission Panel Hearing transcript, Request for proposed order and decision, SAF initial response to the proposed order and decision, SAF revised response to the proposed order and decision, SAF Full Commission Brief of Defendants/Appellant, Appellant’s objection to proposed order additional supportive documentation, Full Commission signed order, , Proof of Service, Notice of Appeal (5/11/2016 and 4/28/2016), and postal receipts.

Located in “Binder B” presented to the Court of Appeals submitted on May11, 2016:

- Section 11: Initial SCWCC Hearing Transcript
- Section 12: Commissioner Barden’s Request for Proposed Order
- Section 13: SAF’s Response to Commissioner Barden’s Request for Proposed Order
- Section 14: Commissioner Barden’s Signed Order
- Section 18: April 6, 2015 SCWCC’s Hearing Transcript

“A proof of service showing that a copy has been served on the Workers' Compensation Commission has not been provided as required by Rule 203(e), SCACR”.

- Located in Binder B presented to the Court of Appeals submitted on May11, 2016. I was instructed by the Court of Appeals representative to submit this document to State Accident Fund along with copies of the documents that I would be providing to the Court of Appeals immediately after mailing the documents via USPS Priority Mail to State Accident Fund. If this document is required to be provided to SCWCC, I will mail a copy via USPS Certified mail on Monday, May 16, 2016. I’m also attaching a copy of the “Proof of Service” to Ms. Amy Bracy (South Carolina Worker’s Compensation’s Judicial Director) via email which is attached to this correspondence. Again, this document was previously provided to SAF via USPS Priority Mail on May 11, 2016.

“The notice of appeal was submitted with documents which are not necessary to file at this time. Please see Rule 210, SCACR, for guidance on when to file these documents. You are requested to make arrangements with the Court to pick up these documents”.

- As stated previously, I was informed by the SC Court of Appeals representative to submit a copy of everything that I was going to submit to the Court of Appeals to SAF; therefore, I provided the Court of Appeals with an array of evidence. Nevertheless, I will pick-up these items on Monday, May 16, 2016 as instructed and submitted them at a later date. Please remove the required documents in Binder B, Sections – 11, 12, 13, 14, and 18 to meet the requirements of South Carolina Appellate Court Rules (SCACR). If I'm required to submit any additional documents, please provide me with guidance and I will ensure that the required documents are provided in a timely manner.

Finally, under the SC judicial Department's "RULE 210 RECORD ON APPEAL" it states: "The Record shall not, however, include matter which was not presented to the lower court or tribunal", The information in Binder B was either referenced to in the Deposition/hearing or information requested by SAF from via information obtained by me during my October 22, 2014 Deposition with SAF. Moreover, I was misled by Commissioner Barden, other SCWCC staff members, and Ms. Page Snyder in believing that the Appeals process would allow me to introduce additional information that continued substantiating my case and was previously discussed with the SAF attorney prior to the Hearing. It was because of the aforementioned and other egregious ongoing illegal and unethical conduct by the aforementioned parties that I filed a formal complaint with the SC Judicial Department's Commission on Lawyer Conduct against Commissioner Barden and Ms. Snyder. A copy of the formal complaint dated December 28, 2015 is included in the evidentiary documentation provided to the Court of Appeals on May 11, 2016. It is because of the aforementioned, I'm requesting that all documents provided to the Court of Appeals on May 11, 2016 be submitted to afford me with an opportunity to have a fair hearing that was not afforded to me in the initial hearing and the Appeal; moreover, to continue addresses these illegal and unethical behaviors hopefully in an unbiased setting. As noted before, which is clearly documented, their ongoing illegal and unethical behavior clearly demonstrates that they denied my case well before the hearing took place.

Respectfully Submitted,
Harry E. Reese Sr.

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