

THE SOUTH CAROLINA COURT OF APPEALS

Armando Despaigne Zulveta, Appellant v. Charter Communications, LLC., Respondent,  
Appellate Case No.: 2016-000229

THE HONORABLE D. GARRISON HILL

GREENVILLE COUNTY

TRIAL COURT CASE NO. 2015CP2305171

RECEIVED

MAY 09 2016

SC Court of Appeals

MOTION TO REVIEW PETITION FOR REHEARING IN BANC

Pursuant RULE 219 (a) Plaintiff-Appellant Armando Despaigne Zulveta now moves this court to review and grant Appellant Zulveta's REVIEW TO REVIEW PETITION FOR REHEARING IN BANC.

The grounds for this Motion are more fully set forth in the attached Memorandum in Support along with its affidavit.

On this day the 5th of May, 2016

Respectfully Submitted;

*Armando 05/05/2016*  
*Armando Despaigne Zulveta*

THE SOUTH CAROLINA COURT OF APPEALS

Armando Despaigne Zulveta, Appellant v. Charter Communications, LLC., Respondent,  
Appellate Case No.: 2016-000229

THE HONORABLE D. GARRISON HILL

GREENVILLE COUNTY

TRIAL COURT CASE NO. 2015CP2305171

PLAINTIFF-APPELLANT ZULVETA'S MEMORANDUM OF LAW IN SUPPORT AND AFFIDAVIT

Plaintiff Armando Despaigne Zulveta, Pro Se, respectfully submit the following Memorandum of Support of Motion for: MOTION TO REVIEW PETITION FOR REHEARING IN BANC.

STANDARD OF REVIEW

To avoid repetition Plaintiff-Appellant Zulveta refers this Court of Appeals to the complete Roster Of Civil Case Greenville County Civil Case No.: 2015CP2305175 as well as Appellate Case No.: 2016-000229 filed with this court. In particular, Stay of Proceeding with its Memorandum in Support filed in this court on February 22, 2016.

This case is of public interest. It has been well over a year since Appellant Zulveta is conducting Civil Cases with all of the Defendants mentioned in this case. All of them have same pattern: A history of fraudulent activities.

For convenience I would refer Plaintiff Zulveta as: (AZ) and also, SOUTH CAROLINA as (SC), AS WELL AS OTHERS.

1) On March 17, 2015 Appellant Zulveta (AZ) cancelled service of contract with Respondent. Their rented equipment were returned. Subsequently, Appellant Zulveta's reimbursement of money for months was unlawfully held by Charter against (AZ)'s will and also, my continuous verbal and documented demands.

2) Meanwhile, with phone calls Charter was harrassing Appellant Zulveta demanding their rental equipment be returned. To avoid repetition please see: ( SEE Greenville County's Roster SUMMONS AND COMPLAINT filed on August 8/21/2015). In addition,

See attached to this Standard of Review Exhibit "A", filed in court September 18, 2015 Proof of Service that South Carolina Secretary of State has served upon Charter's Registered Agent c/o Corporation Service Co. 1703 Laurel Street, Columbia, SC 29201 dated September 11, 2015.

3) By 10/23/2016 as usual Respondent-Defendant Charter still ignoring (AZ)'s demands as was well as Default Instructions from Greenville Circuit Court. That day (AZ) filed with Greenville County a "MOTION FOR ENTRY OF DEFAULT JUDGEMENT" (SEE Roster filed MOTION 10/20/2015).

4) Via SC Secretary of State (AZ) forwarded again copy of said Motion for Default Judgement along with its Memorandum in Support and also: a) Notice of a Motion for Default Judgement along with its Memorandum in Support, b) Notice of Scheduling Hearing, addressed to same Charter's Registered Agent. (SEE Enclosed Exhibit "B" proof of Received by SC Secretary of State)

5) On December 03, 2015 (AZ) received from Secretary of State a letter dated November 24, 2015 in which states that they were unable this time to serve Charter's Registered Agent. (See said SC Secretary's letter Exhibit "C", as well as Roster filed on MOTION OF REQUESTION FOR AN APPOINTED TRANSLATOR , all addressed to Charter's Registered Agent).

6) While Charter still in default and unable to be found same date on 12/03/2016 (AZ) filed and Granted by Greenville Court on December 07, 2015 a: REQUEST FOR CONTINUANCE OF HEARING (SEE Roster's filing December 08, 2016).

7) Trying to serve Charter on or about December 11, 2015 (AZ) went to Greenville Court and asked for help. There Clerk Shawn called Stephen Lopez Non-Jury Coordinator who at the time was at the hearing but moments later he appeared. It stroked me that from Greenville Clerk of Court's personnel whom (AZ) could not get a simple legal instructions this time these two generous gentleman specially Mr. Lopez are very helpful providing me legal advise among them: "You don't have to send those legal documents to anyone, Charter's attorney could get them from us", while the subject of discussion was the address of Registered Agent, (AZ) could not find Charter, etc., and having Coordinator Lopez in his hands copy of all my filed documents in court.

8) On or about December 14, 2015 (AZ) received from Gallivan White and Boyd, P.A. a letter dated December 11, 2015 in which identified themselves as Charter's attorney Michelle Yarbrough (SEE Exhibit "D" Galivan's letter).

9) Prior to our scheduled meeting on December 22, 2015 (AZ) notified attorney Yarbrough of the need for the completion of Service of Process which at the time anyhow (AZ) still has filed in court with Registered Agent's address. Attorney Yarbrough stated that: "There is not need for since I already have them (complete file) from court".

10) By the middle of June (AZ) was aware that Plaintiff has failed to respond Plaintiff's demands. While researching for better ways to address this continuous problem (AZ) find out that once the SC Secretary of State has served Charter the rest of service must be addressed to Charter' attorney, not to the Registered Agent. Immediately (AZ)'s thoughts went to Shawn and Coordinator Lopez's misleading legal advise and also, attorney Yarbrough's similar legal advise: "There is not need to send those papers to anyone, they can be obtained from court". (With the wrong addressed Service of Process by the way).

11) For that reason, (AZ) reintroduced again on Court MOTION FOR DEFAULT JUDGMENT along with its MEMORANDUM IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT JUDGMENT (SEE Roster MOTION TO ADMEND COMPLAINT dated January 14, 2016 and also please, find enclosed Exhibit "E" SERVICE OF PROCESS for MOTION TO DEFAULT JUDGMENT served personally with the correct address to Charter's attorney Michelle Yarbrough which (AZ) requested from her signature that is written below.

11) Most likely than not, attorney Yarbrough was waiting for ahead scheduled hearing on January 25, 2016 to either no assist due to not proper notification was received or to have (AZ)'s Civil Case dismissed that day in court. (AZ)'s action of filed again Motion in court spoiled her move before got to the hearing. Trying to avoid another Default, ANSWER OF DEFENDANT CHARTER COMMUNICATIONS, LLC. dated December 23, 2015 was fraudulent filed in Greenville County Court.

12) After almost a year of Charter began his defaulting agenda of ignoring (AZ) on January 25, 2016 at Greenville Court hearing Judge Hill ordered (AZ) to respond ANSWER OF DEFENDANT CHARTER COMMUNICATIONS, LLC. dated December 23, 2015 presented by Charter's attorney Michelle Yarbrough at the hearing. Charter's attorney Yarbrough presented AFFIDAVIT OF CRISTINA FLORES in which had this situation is so not sad defrauding victims of their values her affidavit would be very laughable. It describes the situation in which Corporations like Charter moves freely with impunity inside of the court room double down beating upon victims. Translated in plain language said affidavit only states: "Charter does not care about our customer business. We defraud customers of their money, we are irresponsible and intentionally

misevaluate our costumers' complaint since we thought that it was for discrimination but anyhow we would not send back your complaint to the right department so it can properly evaluate it. That way, we (Charter) would do nothing about it and then when you file a civil case in court we will be you and you will owe us legal costs and fees. That is the message that appears to (AZ) Cristina Flores' affidavit contains. A message of Almighty Power against the community, Charter's customers (SEE Exhibit "F" AFFIDAVIT OF CRISTINA which Greenville County Circuit Court like several of (AZ)'s filed legal documents failed to include in the Roster). Like the other defendants in cases below charter keeps bringing the Race Card? in an effort to (AZ) embraces their suggesstions. They are so unfair that noone needs to bring anything related to discrimination in order to present their fraudulent scheme. Fraud has no bounderies.

13) Even without experience of legal acknowledgement here is (AZ)'s conclusion to event above occurred. No lawyer in this World is going to respond a Civil Case against his/her client that it is not properly addressed to he/she. Charter's attorney Michelle Yarbrough, Clerk Shawn as well as Clerk coordinator Steve lopez they knew very well what they were doing while misled (AZ) and most likely, they have done it more than once against vulnerable victims like (AZ). In my situation, due to (AZ)'s terrible broken spoken English I was a perfect candidate for victim of their fraudulent scheme. The same pattern that never fails from keep earning fraudulent activity that personal benefit public officials or employees who engaging in these kind of activity arewhile acting Under the Color of the Law.

14) At hearing 01/25/2016 (AZ) was ordered only five (6) days to respond Charter's Answer. For that reason, next day (AZ) placed some phone calls upon Clerk Shawn and Coordinator Lopez regarding Judge Hill's Non-issued Order for Amended Complaint. Their response were contradictory. Also, they exchanged email with copy sent to me (SEE Exhibit "G", "H", and "I", emails from Clerks Shawn and Coordinator Lopez). After the 28 (AZ) lost interest on the subject Non-issue Order.

15) Misled by Greenville Court also without being aware (AZ) in turn mislead this Court of Appeals. On 01/28/2016 Honorable Judge Code 2138 entered and also on 02/04/2016 filed in court same judgment that grants Plaintiff Zulveta an amend to reflect the proper name of Defendant as CHARTER COMMUNICATIONS, LLC. This Order is also fraudulent.

16) (AZ)'s STAY OF PROCEEDINGS filed with this court of Appeals on February 19, 2016 states: ...On 02/02/ 2016 Honorable Judge Code 2158 entered an Order and also filed same Order on 02/09/2016 which denied Plaintiff Zulveta's Motion to Leave to Proceed

in Forma Pauperis to: ARMANDO DESPAIGNE ZULVETA V. CHARTER COMMUNICATIONS, INC.

Order of Denial Motion to Proceed in Forma Pauperis filed on 02/09/2016 is a disparate. It prejudices Plaintiff Zulveta's Due Process since Order to Amend Charter Communications, LLC was already issued on 01/28/2016 and filed on 02/04/2016 without Plaintiff Zulveta's acknowledgement. There is a Constitutional question the way Honorable Judges Code 2138 and 2158 handle of these cases without Appellant Zulveta being notified of Issued order denying Plaintiff MOTION TO PROCEED IN FORMA PAUPERIS.

In addition, Order filed on 02/09/2016 has no foundation since Honorable Judge Code 2158 provided no reason for its denial.

Plaintiff Zulveta doesn't understand why the Orders from South Carolina Court of Appeals are coming super fast even ahead of Greenville County Court's Orders.

17) This was a calculated move that it produced a change on (AZ)'s course of action on this Court of Appeals. To its denial in Court of appeals it greatly contributed also.

18) Order of Amend Complaint issued on February 28, 2016 and filed on February 04, 2016 is a fraudulent Order until someone from Greenville Clerk of Court had explained why it is listed in Greenville County's Roster as denied. See Roster Zulveta, Armando Despaigne Order/Form 4/Plt's Motion to Amend Complaint/Denied Order 02/04/2016-15:40. In addition, why like Order issued dated January 26, 2016 said Order it was not filed stamped in court the same date. Why date 02/04/2016 it can be seen on second page that it has been fraudulent placed on top of a wrinkled or eliminated space unlike, the other order.

19) After (AZ)'s Stay of Proceeding filed on appeal on February 19, 2016 and it expired on April 04, 2016 taking the opportunity next day Greenville County issued an Order for ADR issued on April 05, 2016 (SEE exhibit "J").

20) On April 13, 2016 Charter's attorney Yarbrough invited (AZ) to recommend a mediator.

21) (AZ)'s response (SEE EXhibit "L")

22) Making the story short. As usual attorney Yarbrough tried to deceive and lure with promises (AZ) into another judicial's ambush this time again to a unfair settlement which money would be obtained by the Court appointed mediator anyhow. The same more thing: (AZ) would be defrauded. (SEE Exhibits ""M", "N", "O" and "P". Like most people, over the phone attorney Yarbrough don not understand not even 40% of what I said. We have conversations over the phone in which often can be heard from her: "What? I can not nunderstand what you said? But, with promises she wanted to accept

a mediation conducted over the phone with the court appointed mediator. After she has rejected my efforts for a mediator which out of county would be impossible since Plaintiff Zulveta has no money. She was the one that initially choose appointed mediator without even, the court hasn't appointed yet. As usual, cheating.

### CONCLUSION

- a) The core component of this Civil Action is Fraud. A rehearing petition is absolutely necessary in two situations: where the court decides the case on a legal principle or ground not discussed in the briefs, and when the court's opinion omits or misstates an issue or a material.
- b) Appellant Zulveta moves this court for an Entry of Final Default Judgement since Charter's default is over 6 months old.
- c) Appellant Zulveta demands parallel to this case a criminal investigation for obstruction of justice, deprivation of Appellant's Constitutional Rights to have a fair trial.
- d) Under Title VII, punitive damages are available only "if the complaining party demonstrates that the respondent engaged in a discriminatory practice or discriminatory practices with malice or with reckless indifference to the federally protected rights of an aggrieved individual." 42 U.S.C. § 1981a(b)(1). It applies to Appellant Zulveta.
- e) This Forma Pauperis is for also continuous proceeding in Greenville County Court.
- f) Award Appellant all of the relief states on the claim since among several letters of complaint forwarded Defendant Charter knew that damages would be equal to \$75,000 since their defraud would adversely affects the initiation of my business with my family in Cuba which standard of working paycheck is 20 pesos a month equal to: \$2 dollars in the value of money in the United States. (AZ) reimbursement held by Charter in Cuba is equal to more than 4 years of paycheck working in the US. Believe or not. Corissa White knew this and they destroy my business in Cuba. Then, they did not care about it so now this Court of Appeals has a moral obligation awarding (AZ) those damages or otherwise, send back (AZ) to Greenville Circuit Court so I can continuous being the victim of the same pattern and unlawful activities performed by Gallivan White and Boyds with their colleagues and associated on cases below. (See Exhibits letters to Supervisor Corissa dated May 08,2015 in which she publicly admitted that complaint would be forwarded to Charter's legal Team. They just didn't care because they act with

impunity. That is all).

This case is very similar to:

IN THE UNITED STATES COURT OF APPEAL FOR THE FOURTH CIRCUIT No.: 15-2561,  
Armando Despaigne Zulveta Plaintiff-Appellant vs. State Automobile Mutual Insurance  
Co., Steadman Hawkins of the Carolinas, Tim Case, Wilson Jones Carter & Baxley, PA,  
Philpot Law Firm, P.A., TC Unlimited, Inc., Curtis Elliot, Robert P. Restrepo, Jr., Stephen  
R. Bruner, Irvin H. Philpot, III, and Wesley J. Shull Defendants-Appellees, Case No.:  
6:15-2880-HMH-KFM in which Gallivan White and Boyd as usual with their colleagues  
engaged in a culture of Default in court (SEE Exhibit "O") having Appellant Zulveta  
defrauded of his more than a year (1) paycheck in conjunction with SC Workers  
Compensation's Chairman T. Scott beck and his Judicial Director Amy brady.

g) In conjunction with Greenville Library System's Board of Trusted Directors they thrown  
(AZ) out of the library in order to prevent me from filing these cases. (SEE Exhibit "Q").  
After couple of hearings and more than six (6) pages which includes terrible accusations  
against (AZ) I got lucky that the Directors they decided to provided me dates of the  
allegues terrible incidents but, no a single name nor the accusers were provided to (AZ).

h) Board Vice Chair attorney Hills refused to be removed from the judge table after  
being asked upon as well as director James also for conflict of interest. (See Exhibit "R"  
and "S"- partial victory obtained over attorney Hills defending a corporation that has  
abducted (AZ) after skyrocketing 10 times cost of car repairs as result of no authorized  
repairs. We settled out of court satisfactorily for me).

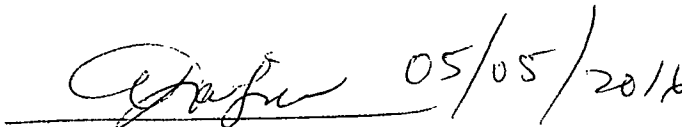
I) (AZ) request also that this investigation reach and reopen Judge Ford's disappearance  
of (AZ)'s Motions with the SC Disciplinary Counsel again.

J) Counsel Gogolia along with the Campbells in Columbia is similar story to the Hills in  
Greenville, SC. No justice.

K) Pattern of these cases: Fraud, defraud, conspiracy to obstruct justice, etc.

On this day the 5th of May, 2016

Respectfully Submitted,

  
Armando Despaigne Zulveta

Armando Despaigne Zulveta

May 05 2016

P.O. Box 24892

Winston-Salem, NC 27114

Phone#: (864) 305-9480 Email: acere1296@gmail.com

The Honorable Court of Appeals

Desiree Allen, Court Reporter Manager

1220 Senate Street Columbia, SC 29201

RE: Armando Despaigne Zulveta, Appellant v. Charter Communications, LLC.,  
Respondent Appellate Case No. 2016-000229 The Honorable D. Garrison Hill  
Greenville County Trial Court Case No.: 2015CP2305171 (PRODUCTION OF TRANSCRIPT)

Dear Manager Allen:

Please find enclosed letter of: PRODUCTION OF TRANSCRIPT related to case mentioned  
above hearing at Greenville County on January 25, 2016 date of hearing presided by  
Honorable D. Garrison Hill the Court Reporter in charge was Hollie M. Jenkins.

Respectfully Submitted;

*Despaigne 05/05/2016*  
*Armando Despaigne Zulveta*

Armando Despaigne Zulveta

May 05, 2016

P.O. Box 24892

Winston-Salem, NC 27114

PHONE#: (864) 305-9480 Email: acere1296@gmail.com

Court Reporter's Name: HOLLIE M. JENKINS

Address: P.O. BOX 16506 GREENVILLE, SC 29606

RE: LETTER ORDERING THE PRODUCTION OF TRANSCRIPT FROM COURT REPORTER.

THE SOUTH CAROLINA COURT OF APPEALS

Armando Despaigne Zulveta, Appellant v. Charter Communications, LLC., Respondent

Appellate Case No. 2016-000229

THE HONORABLE D. GARRISON HILL

GREENVILLE COUNTY

TRIAL COURT CASE NO. 2015CP2305171

Dear: MS. JENKINS:

On January 25, 2015 the above case was heard before the Honorable D. Garrison Hill, Circuit Court judge, in Greenville County. My record indicates that you were the court reporter for this case.

I request that you provide the production of said proceeding's transcript. Please transcribe the entire record. Copy of said transcript is to be served to: GALLIVAN, WHITE, & BOYD, P.A., MICHELLE DE LUCA YARBROUGH, 55 BEATTIE PLACE, SUITE 1200, P.O. BOX 10589 (29603), GREENVILLE, SC 29601

Plaintiff Zulveta requests this transcript In Forma Pauperis.

(1 of 2)

Sincerely;

Armando 05/05/2016  
Armando Desprezire Zulueta

CC: The Honorable Court of Appeals Court Administrator

Desiree Allen, Court Reporter Manager

1220 Senate Street Columbia, SC 29201

(2097)

THE SOUTH CAROLINA COURT OF APPEALS

Armando Despaigne Zelveta, Appellant v. Charter Communications, LLC., Respondent

Appellate Case No. 2016-000229

THE HONORABLE D. GARRISON HILL


GREENVILLE COUNTY

TRIAL COURT CASE NO. 2015CP2305171

CERTIFICATE OF SERVICE

This is to certify that a true copy of APPELLANT ZULVETA'S MOTION TO REVIEW PETITION FOR REHEARING IN BANC along wit its MEMORANDUM IN SUPPORT AND AFFIDAVIT, LETTER ORDERING TRANSCRIPT, EXHIBITS FROM "A" TO "S" was electronic mail served upon: GALLIVAN WHITE and BOYD, Michelle D. Yarbough, attorney for defendant Charter Communications,LLC at: FAX (864) 271-7502.

On this day the 5th of May, 2016

  
Armando Despaigne Zelveta

P.O. Box 24892

Winston-Salem, NC 24892

(864) 305-9480

Email:acere1296@gmail.com

"EXHIBIT A"

State of South Carolina  
Office of the Secretary of State  
The Honorable Mark Hammond

1205 PENDLETON STREET, SUITE 525  
COLUMBIA, SC 29201

803-734-2170  
www.sos.sc.gov



September 11, 2015

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Charter Communications, Inc.  
c/o Corporation Service Co.  
1703 Laurel Street,  
Columbia, SC 29201

RE: Charter Communications, Inc., 2015-CP-23-05171

Dear Madam/Sir:

In accordance with South Carolina Code § 15-9-245, we are enclosing herewith a copy of the Summons and Complaint in the above-entitled case. Service was accepted on September 8, 2015 and a copy has been duly filed in our office as of this date. The fee of \$10.00 has been paid.

Yours very truly,

A handwritten signature in cursive script that reads "Mark Hammond".

Mark Hammond  
Secretary of State

MH/csd  
Enclosures

cc: Armando Despaigne Zulveto  
PO Box 24892  
Winston-Salem, SC 27114

FILED-CLERK OF COURT  
GREGORY L. OLSO, S.C.  
PAUL B. WICKENS/SMITH  
2015 SEP 18 PM 12 08

EXHIBIT "B"

Armando Despaigne Zulveta

November 18, 2015

P.O. Box 24892

Winston-Salem, NC 27114

Email: acere1296@gmail.com

ATTENTION SERVICE OF PROCESS

South Carolina State Office of the Secretary of State

The Honorable Mark Hammond

1205 Pendleton Street, Suite 525

Columbia, SC 29201

RE: SERVICE OF PROCESS:

Dear Honorable Hammond:

Along with a Money Order of Ten (\$10) Dollars issued to said department mentioned above please find enclosed:

- a) Notice of a Motion for Default Judgement along with its Memorandum in Support (2)
- b) Notice of Scheduled Hearing (2)
- c) Copy of Motion for Default Judgement with its Memorandum in Support (2)
- d) Copy of scheduled hearing, all related to: (2)

Case No.: 2015-CP-23-05171 Armando Despaigne Zulveta v. Charter Communications, Inc

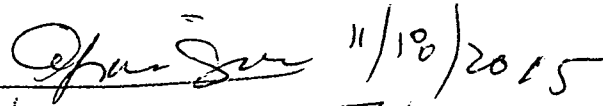
Address: Charter Communications, Inc.

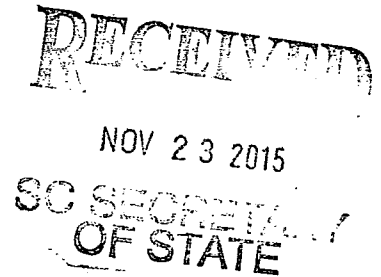
c/o Corporation Service Co. (Registered agent)

1703 Laurel Street, Columbia, SC 29201

Thanks you in advance for your concern.

Sincerely;

  
Armando Despaigne Zulveta



Armando Despaigne Zulveta

May 05 2016

P.O. Box 24892

Winston-Salem, NC 27114

Phone#: (864) 305-9480 Email: acere1296@gmail.com

The Honorable Court of Appeals

Desiree Allen, Court Reporter Manager

1220 Senate Street Columbia, SC 29201

RE: Armando Despaigne Zulveta, Appellant v. Charter Communications, LLC.,  
Respondent Appellate Case No. 2016-000229 The Honorable D. Garrison Hill  
Greenville County Trial Court Case No.: 2015CP2305171 (PRODUCTION OF TRANSCRIPT)

Dear Manager Allen:

Please find enclosed letter of: PRODUCTION OF TRANSCRIPT related to case mentioned  
above hearing at Greenville County on January 25, 2016 date of hearing presided by  
Honorable D. Garrison Hill the Court Reporter in charge was Hollie M. Jenkins.

Respectfully Submitted;

*Armando Despaigne Zulveta* 05/05/2016  
Armando Despaigne Zulveta

Armando Despaigne Zulveta

May 05, 2016

P.O. Box 24892

Winston-Salem, NC 27114

PHONE#: (864) 305-9480 Email: acere1296@gmail.com

Court Reporter's Name: HOLLIE M. JENKINS

Address: P.O. BOX 16506 GREENVILLE, SC 29606

RE: LETTER ORDERING THE PRODUCTION OF TRANSCRIPT FROM COURT REPORTER.

THE SOUTH CAROLINA COURT OF APPEALS

Armando Despaigne Zulveta, Appellant v. Charter Communications, LLC., Respondent

Appellate Case No. 2016-000229

THE HONORABLE D. GARRISON HILL

GREENVILLE COUNTY

TRIAL COURT CASE NO. 2015CP2305171

Dear: MS. JENKINS:

On January 25, 2015 the above case was heard before the Honorable D. Garrison Hill, Circuit Court judge, in Greenville County. My record indicates that you were the court reporter for this case.

I request that you provide the production of said proceeding's transcript. Please transcribe the entire record. Copy of said transcript is to be served to: GALLIVAN, WHITE, & BOYD, P.A., MICHELLE DE LUCA YARBROUGH, 55 BEATTIE PLACE, SUITE 1200, P.O. BOX 10589 (29603), GREENVILLE, SC 29601

Plaintiff Zulveta requests this transcript In Forma Pauperis.

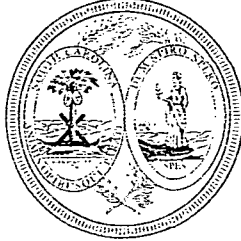
(1 of 2)



EXHIBIT "B" DEFAULT EXHIBIT "C"  
State of South Carolina  
Office of the Secretary of State  
The Honorable Mark Hammond

1205 PENDLETON STREET, SUITE 525  
COLUMBIA, SC 29201

803-734-2170  
www.sos.sc.gov



November 24, 2015

Armando Despaigne Zulveta  
PO Box 24892  
Winston-Salem NC 27114

RE: Case No: 2015-CP-23-05171

Dear Mr. Zulveta:

We received the enclosed documents on November 23, 2015. According to our records Charter Communications, Inc. is a foreign corporation from Delaware in good standing in South Carolina. Therefore, we are not authorized to accept service on behalf of this entity and the registered agent should be served directly. We apologize that we are not able to process this request.

If you are unable to serve the registered agent on file with this office, S.C. Code Section 15-9-240 provides for alternate methods of service.

If there is anything further I can assist you with in this matter, please do not hesitate to contact me at (803) 734-0367.

With kindest regards,

*Cynthia S. Durst*

Cynthia S. Durst  
Office of the Secretary of State

Enclosure

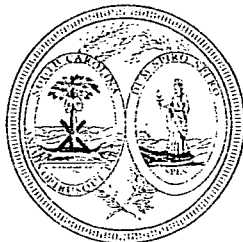
" E, HIBIT "B"

DEFAULT EXHIBIT "C"

State of South Carolina  
Office of the Secretary of State  
The Honorable Mark Hammond

1205 PENDLETON STREET, SUITE 525  
COLUMBIA, SC 29201

803-734-2170  
www.sos.sc.gov



November 24, 2015

Armando Despaigne Zulveta  
PO Box 24892  
Winston-Salem NC 27114

RE: Case No: 2015-CP-23-05171

Dear Mr. Zulveta:

We received the enclosed documents on November 23, 2015. According to our records Charter Communications, Inc. is a foreign corporation from Delaware in good standing in South Carolina. Therefore, we are not authorized to accept service on behalf of this entity and the registered agent should be served directly. We apologize that we are not able to process this request.

If you are unable to serve the registered agent on file with this office, S.C. Code Section 15-9-240 provides for alternate methods of service.

If there is anything further I can assist you with in this matter, please do not hesitate to contact me at (803) 734-0367.

With kindest regards,

*Cynthia S. Durst*

Cynthia S. Durst  
Office of the Secretary of State

Enclosure

EXHIBIT "D" "D"

Michelle DeLuca Yarbrough  
A member of the South Carolina Bar  
Direct 864.271.5349  
MYarbrough@GWBlawfirm.com



Gallivan, White & Boyd, P.A.  
ATTORNEYS AT LAW

55 Beattie Place, Suite 1200  
Post Office Box 10589 (29603)  
Greenville, South Carolina 29601  
Telephone 864.271.9580  
Facsimile 864.271.7502  
www.GWBlawfirm.com

December 11, 2015

Mr. Paul A. Wickensimer  
Clerk of Court  
Greenville County Court of Common Pleas  
305 East North Street  
Greenville, SC 29601

Re: Armando Despaigne Zulveta v. Charter Communications, Inc.  
C.A. No.: 2015-CP-23-05171

Dear Mr. Wickensimer:

This is to advise that we have been asked to represent the defendant, Charter Communications, Inc., in the above-referenced matter. I would appreciate your noting our representation in this case and making certain that all future notices are directed to my attention.

By copy of this letter, I am advising the plaintiff, Armando Despaigne Zulveta, of our representation in this matter.

Sincerely,

GALLIVAN, WHITE & BOYD, P.A.

*Michelle D. Yarbrough*

Michelle DeLuca Yarbrough  
Direct Dial: (864) 271-5349  
Email: myarbrough@gwblawfirm.com

MDY/smg

cc: Armando Despaigne Zulveta ✓

EXHIBIT "D"  
"E"

PERSONALLY  
Served

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GREENVILLE THIRTEENTH JUDICIAL CIRCUIT

FILED IN COURT  
GREENVILLE CO. S.C.  
PAUL B. WICKENSIMMER

2016 JAN 14 PM 9:20

Armando Despaigue Zulveta )

Plaintiff )

v. )

Charter Communications, Inc)

Defendant )

C.A. No: 2015-CP-23 PM 9:20

~~2016 JAN 14 PM 3:49~~  
JUDGE: CLAYTON GREENE

SERVICE OF PROCESS

This is to certify that a copy of MOTION FOR OF DEFAULT JUDGEMENT along with MEMORANDUM IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT JUDGEMENT has been personally served to: GALLIVAN, WHITE & BOYD, PA, Attorney MICHELLE D. YARBROUGH 55 BEATTIE PLACE, SUITE 1200, P.O. BOX 10589 (29603) GREENVILLE, SC 29601

On this date January 14, 2016

*Armando Zulveta* 01/14/2016

*Armando Despaigue Zulveta*

P.O. BOX 24892

Winston-Salem, NC 27114

Email: acere1296@gmail.com

Phone: (864) 305-9480

*Michelle Yarbrough*



EXHIBIT "F"

CORPORATION SERVICE COMPANY

SBR / ALL  
Transmittal Number: 14241885  
Date Processed: 09/15/2015

## Notice of Service of Process

Primary Contact: Christine Flores  
Charter Communications, Inc.  
12405 Powerscourt Drive  
Saint Louis, MO 63131

Copy of transmittal only provided to: Kim Love  
Kirill Abramov  
Barry King  
Jennifer Page  
Mr. Larry Christopher  
Christie Schmieder

|                           |   |
|---------------------------|---|
| Entity:                   | Charter Communications, Inc.<br>Entity ID Number 2153792  |
| Entity Served:            | Charter Communications, Inc.                              |
| Title of Action:          | Armando Despaigne Zulveta vs. Charter Communications, Inc |
| Document(s) Type:         | Summons/Complaint   |
| Nature of Action:         | Discrimination  |
| Court/Agency:             | Greenville County Court of Common Pleas, South Carolina   |
| Case/Reference No:        | 2015-CP-23-05-] I   |
| Jurisdiction Served:      | South Carolina  |
| Date Served on CSC:       | 09/14/2015  |
| Answer or Appearance Due: | 30 Days   |
| Originally Served On:     | SC on 09/08/2015  |
| How Served:               | Certified Mail  |
| Sender Information:       | Armando Despaigne Zulveta<br>860-305-9480                 |

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC  
CSC is SAS70 Type II certified for its Litigation Management System.  
2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | sop@cscinfo.com

EXHIBIT "9"

from: Lopez, Stephen <SLopez@greenvillecounty.org>

to: "acere1296@gmail.com" <acere1296@gmail.com>

date: Tue, Jan 26, 2016 at 1:07 PM

subject: Zulveta v. Charter Communications CA# 2015CP2305171

mailed-by: greenvillecounty.org

encryption: greenvillecounty.org did not encrypt this message [Learn more](#)

: Important mainly because of the people in the conversation.

Zulveta v. Charter Communications CA# 2015CP2305171

Inbox

x

Lopez, Stephen <SLopez@greenvillecounty.org>

Jan 26

to me

Mr. Zulveta,

It was good to see you yesterday. I spoke with Shawn in the Clerk of Court's office and he told me that you asked that I contact you. I am in the courtroom again today and have limited access to a phone. So I decided to e-mail.

Judge Hill has signed the Order from yesterday's hearing. I placed it on Shawn's desk and he promised to process it and e-mail a copy to you and opposing counsel this afternoon. Please let me know if you need anything in addition.

EXHIBIT 1

from: Knox, Shawn <SKnox@greenvillecounty.org>  
to: "Lopez, Stephen" <SLopez@greenvillecounty.org>  
cc: "acere1296@gmail.com" <acere1296@gmail.com>  
date: Wed, Jan 27, 2016 at 4:12 PM  
subject: 2015CP2305171 - Armando Despaigne Zulveta vs. Charter Communications Inc  
mailed-by: greenvillecounty.org  
encryption: greenvillecounty.org did not encrypt this message [Learn more](#)  
: Important mainly because of the people in the conversation.

2015CP2305171 - Armando Despaigne Zulveta vs. Charter Communications Inc

Inbox

x

Knox, Shawn <SKnox@greenvillecounty.org>

Jan 27

to Stephen, me

Steve,

Mr. Zulveta has a question about his motion hearing yesterday. Since I was not there I'm unsure of what exactly transpired but according to Mr. Zulveta the motion was supposed to be in regards to amending his complaint. I noticed that the motion is marked as "under advisement" in our system but Mr. Zulveta does not believe that Judge Hill actually ruled on his motion to amend. Did the order that was sent out yesterday resolve all of the issues with this motion or is this part of the hearing still

EXHIBIT "H"

under advisement?

Thanks,

Shawn

---

Shawn M. Knox

Administrative Support Specialist

Greenville County Clerk of Court

Civil Records

864.467.8544

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# EXHIBIT "I"

from: Lopez, Stephen <SLopez@greenvillecounty.org>

to: "Knox, Shawn" <SKnox@greenvillecounty.org>

cc: "acere1296@gmail.com" <acere1296@gmail.com>

date: Thu, Jan 28, 2016 at 1:09 PM

subject: RE: 2015CP2305171 - Armando Despaigne Zulveta vs. Charter Communications Inc

mailed-by: greenvillecounty.org

encryption: greenvillecounty.org did not encrypt this message [Learn more](#)

: Important mainly because of your interaction with messages in the conversation.

Lopez, Stephen <SLopez@greenvillecounty.org>

Jan 28

to Shawn, me

Shawn,

Judge Hill is still considering Mr. Zulveta's Motion to Amend. I have hopes that the judge will issue an Order this week.

Steve

Stephen Lopez

Non-Jury Coordinator

Greenville County Clerk of Court

ph (864) 467-8546

fax (864) 467-8519

EXHIBIT

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS

**NOTICE OF ADR**

Armando Despaigne Zulveta

2015CP2305171

PLAINTIFF(S)

Filing Date: August 21, 2015

VS  
Charter Communications Inc

DEFENDANT(S)

Pursuant to the South Carolina Alternative Dispute Resolution Rules (SCADR), you are required to participate in the following methods of Alternative Dispute Resolution (ADR): mediation or arbitration (binding or non-binding); on or before 300 days from the date of filing of this action. The parties have a right to mutually agree upon the form of ADR and a neutral person(s) to conduct that ADR process. In the event the parties are unable to agree upon the form of ADR, the court hereby designates mediation as the default process of ADR. In the event the parties are unable to agree upon a mediator, the court hereby appoints

Carl B. Epps III, PO Box 11070, , Columbia, SC 29211, Phone (803) 255-9751

to serve as mediator. In the event the aforementioned mediator has a conflict of interest or is unable to serve, the alternate mediator is

David B. Marvel, PO Box 22734, , Charleston, SC 29413, Phone (843) 853-4877

The parties and/or their lawyers shall contact the court-appointed mediator directly regarding scheduling and payment of the court-mandated fee.

A Rule to Show Cause why sanctions should not be imposed may be issued in all cases that fail to file a Proof of ADR or Exemption form indicating evidence of participation in or exemption from an ADR process within 300 days from the date of filing of the action or 90 days from the date of this notice 07/12/2016.

Date: 5/5/2016

\_\_\_\_\_  
CLERK OF COURT

Notice of this Order was given by facsimile transmission, or if no fax number is shown, by first class mail or email to the attorneys of record on 5/5/2016

Clerk's Initials \_\_\_\_\_

Plaintiff Attorney:  
Armando Despaigne Zulveta  
P.O Box 24892

Winston Salem, NC 27114

Defendant Attorney:  
Michelle Deluca Yarbrough  
Gallivan, White & Boyd, P.A.  
P.O. Box 10589

CP18  
SCADR 102 (11/2012)

EXHIBIT "K"



Gallivan, White & Boyd, P.A.  
ATTORNEYS AT LAW

On Wed, Apr 13, 2016 at 4:51 PM, Michelle Yarbrough <myarbrough@gwblawfirm.com> wrote:

Armando,

Mediation is mandatory in this case and must be done by July 12th. Mediators usually charge \$250 to \$300 per hour and their fee will be split between us. I am happy to consider any qualified mediators that you recommend. Please let me know when you want to mediate and which mediators you recommend so that we can get the mediation set.

Thank you,

Michelle Yarbrough

Michelle DeLuca Yarbrough

Partner

myarbrough@GWBlawfirm.com

Gallivan, White & Boyd P.A.

Office 55 Beattie Place | Suite 1200 | Greenville SC 29601

864 271 5349 Direct | 864 271 9580 Main | 864 271 7502 Fax

Mailing Post Office Box 10589 | Greenville SC 29603

vCard | BioURL | Website

This message is from the law firm Gallivan, White & Boyd, PA and may be a confidential and privileged legal communication to the named recipient(s). If you receive this message in error or are not the named recipient(s), please notify the sender and delete this email. Thank you.

EXHIBIT "1"

from: Armando Zelveta <acere1296@gmail.com>

to: Michelle Yarbrough <myarbrough@gwblawfirm.com>

date: Thu, Apr 14, 2016 at 12:18 AM

subject: Re: Notice of ADR 2015cp2305171

mailed-by: gmail.com

: Important according to our magic sauce.

On Thu, Apr 14, 2016 at 12:18 AM, Armando Zelveta <acere1296@gmail.com>  
wrote: >>>>>

>>> I have no money to pay for mediator. Judges Hill and Stilwell do not allow me to proceed this case in Forma Pauperis. Unless Claimant Zelveta disqualified both of them trying to obtain the proceeding in Forma Pauperis A Stay of proceeding is placed in SC Court of Appeals regarding said subject.

EXHIBIT "M"



Gallivan, White & Boyd, P.A.  
— ATTORNEYS AT LAW —

Michelle Yarbrough <myarbrough@gwblawfirm.com>

Apr 22 (4 days ago)

to me

Armando,

I am having some difficulty understanding your correspondence. In some e-mails or text messages, you indicate that you do not plan to mediate. In other correspondence, it appears that you will agree to mediate. Can you please clarify your position on mediation for me? If you have a suggestion for a mediator, please let me know who you would like to use. With regard to the appeals, I believe you are confusing your claim in Federal Court with your claim in State Court. If you will just send me copies of your pleadings relating to the Charter claim, I would appreciate it.

Thank you,

Michelle Yarbrough

Michelle DeLuca Yarbrough

Partner

myarbrough@GWBlawfirm.com

Gallivan, White & Boyd P.A.

Office 55 Beattie Place | Suite 1200 | Greenville SC 29601

864 271 5349 Direct | 864 271 9580 Main | 864 271 7502 Fax

Mailing Post Office Box 10589 | Greenville SC 29603

EXHIBIT "N"



Gallivan, White & Boyd, P.A.  
— ATTORNEYS AT LAW —

Michelle Yarbrough <myarbrough@gwblawfirm.com>

Apr 24 (2 days ago)

to me

Armando,

We can either use a mediator of your choosing or we can use one of the two mediators listed on the mediation notice. Because the mediators or the mediation notice are out of town, it may be possible to do the mediation by phone. Please let me know who you want to use. You may want to consider a bilingual mediator so you do not have to bring an interpreter. Please let me know your choice of mediator and we will get it set up at a time convenient to everyone.

Thank you,

Michelle

Michelle DeLuca Yarbrough

Partner

myarbrough@GWBlawfirm.com

Gallivan, White & Boyd P.A.

Office 55 Beattie Place | Suite 1200 | Greenville SC 29601

864 271 5349 Direct | 864 271 9580 Main | 864 271 7502 Fax

EXHIBIT "O"



Gallivan, White & Boyd, P.A.  
— ATTORNEYS AT LAW —

On Mon, Apr 25, 2016 at 6:07 PM, Michelle Yarbrough  
<myarbrough@gwblawfirm.com> wrote:

Armando,

Mediation is a way to determine if the parties can reach a settlement agreement. Sometimes the parties are not able to reach an agreement. If you intend to demand anywhere near \$65K or \$75K, we will not be able to reach a settlement agreement. If you want to settle for somewhere in the range of \$500, we should be able to reach an agreement. I will call Mr. Marvel tomorrow to ask about May 5, 20, and 25 as possible mediation dates. It is my understanding that this mediation will take place via telephone since Mr. Marvel works in Charleston, SC. You will be responsible for ½ of the mediation fees and I will be responsible for the other ½ of the fees.

Thank you,

Michelle Yarbrough

Michelle DeLuca Yarbrough

Partner myarbrough@GWBlawfirm.com

Gallivan, White & Boyd P.A.

Office 55 Beattie Place | Suite 1200 | Greenville SC 29601

864 271 5349 Direct | 864 271 9580 Main | 864 271 7502 Fax

Mailing Post Office Box 10589 | Greenville SC 29603

vCard | BioURL | Website

EXHIBIT "P"

from: Armando Zulveta <acere1296@gmail.com>

to: Michelle Yarbrough <myarbrough@gwblawfirm.com>

date: Mon, Apr 25, 2016 at 11:13 PM

subject: Re: Notice of ADR 2015cp2305171

mailed-by: gmail.com

I really apologize for bother Mr. Marvel. I always thought that it was bad idea for you to recommend me to call Mr. Marvel and initiate the meeting because unlike defrauder of victims Charter Communications, LLC , and corrupt Gallivan who you represent, Plaintiff Zulveta has no more money to be defrauded. The person who was about to loan me some money changed mind because there is a belief that the corrupt system can not be beaten. Call Mr. Marvel for me please and tell him that the mediation is cancel.

Tedrow el sure Oct. 21, 15 at 6:40 P.M

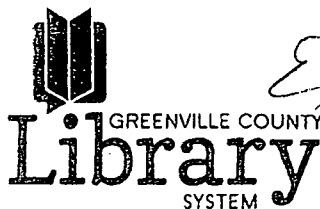


EXHIBIT "A"

TRESPASS WARNING NOTICE NOT TO ENTER PUBLIC LIBRARY

IN ACCORDANCE WITH SC CODE OF LAWS 16-11-625

NAME: Armando Zulueta

This Trespass Warning Notice is effective as of today, 10-22-15 through Permanent

If you enter any Greenville County Library System (GCLS) facility during this period you will be charged with trespass and may be arrested. This warning is based on the alleged criminal law violation(s) or violation(s) of the GCLS Code of Conduct cited below.

REASON FOR WARNING: [include date(s) and location(s)]

Multiple incidents of aggressive and intimidating behavior toward library staff

LIBRARY REPRESENTATIVE:

LIBRARY REPRESENTATIVE TITLE: (Check one)

- Director, Acting Director, Branch Manager, Acting Branch Manager in consultation with Director

LAW ENFORCEMENT OFFICIAL SIGNATURE: CASE #:

RIGHT TO APPEAL:

If you wish to appeal this warning you must submit a written request for a hearing to the Library Board of Trustees within five (5) business days of receiving this notice.

Submit appeals in writing to: Library Board of Trustees, Greenville County Library System, 25 Heritage Green Place, Greenville, SC 29601

EXHIBIT 'R'



Honorable Gaybriel Gibson  
Fairview/Austin Summary Court  
205 N. Maple St., Suite 4  
Simpsonville, SC 29681

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

IN THE MAGISTRATE'S COURT  
CIVIL CASE 2013CV2310201381

ARMANDO DESPAIGNE ZULVETA )  
PLAINTIFF )

v. )

NORTH HILLS AUTOMOTIVE, INC / )  
KEN GAMBLE )  
DEFENDANTS )

**RULING**

The above case, in the form of a Summons and Complaint, was heard on December 18, 2013 before the Honorable Judge Gaybriel Gibson. The Plaintiff appeared Pro-Se and the Defendants were represented by Attorney S. Allan Hill. The complaint was amended to add "Inc." to the business name and to also change the name of the co-defendant to Ken Gamble, the correct owner of the business, instead of Jacob Gamble.

After reviewing the testimony and evidence presented at trial, I find, on the original claim, that the Plaintiff did not prove his case over the Defendants by a preponderance of the evidence. Therefore, I am dismissing the case. On the counterclaim, I find in favor of the Defendants for \$594.81, for costs to repair the vehicle. I did not find that the Plaintiff agreed to the costs associated with the battery and the counterclaim was adjusted accordingly. The defense stated in court that they were not seeking compensation for storage fees or attorney fees.

I also order the Defendants to release all personal property inside the car to the Plaintiff. This exchange will need to be scheduled with the Constable, Tommy Abbott, in this court within the next two weeks. Please call this office to get the actual date & time. The Defendants need to leave the items in the car and allow the Constable to monitor the exchange.

If you have any questions, please do not hesitate to contact the office personnel at any time at (864) 963-3457.

THE HONORABLE JUDGE GAYBRIEL GIBSON  
January 2, 2014

EXHIBIT S"

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

IN THE MAGISTRATE'S COURT  
CIVIL CASE 2013CV2310201381

ARMANDO DESPAIGNE ZULV ETA

PLAINTIFF

VS.

NORHT HILLS AUTOMOTIVE, INC/

KEN GAMBLE

MOTION TO VACATE

PLAINTIFF ARMANDO DESPAIGNE ZULVETA, PRO SE, NO LONGER WISH TO PROCEED WITH CIVIL CASE NUMBER REFERENCE ABOVE. PLAINTIFF ENTIRELY DROPS THE CASE AS WELL AS MOTION FOR CHANGE OF VENUE WITH ITS RESPECTIVE AFFIDAVIT.

ON THIS DATE THE 23<sup>RD</sup> OF JANUARY 2014

RESPECTFULLY SUBMITTED;

  
ARMANDO DESPAIGNE ZULVETA

A COPY OF THIS MOTION TO VACATE HAS BEEN SERVED UPON ALLAN S. HILL,  
ATTORNEY

819 EAST NORTH STREET GREENVILLE, SC 29601

CC

Armando Despaigne Zulveta

May 08, 2015

24 -A Hollywood Circle

Greenville, SC 29607

PHONE#: (864) 305-9480

TO: Corissa White, Store Supervisor

Charter Spectrum

1042 Woodruff Rd.

Greenville, SC 29605

RE: REIMBURSEMENT OF MONEY OF REMAINING UNUSED SERVICE. COMPENSATION FOR DAMAGES CAUSED AS RESULT OF CHARTER SPECTRUM'S ACTION.

Dear Supervisor Corissa:

I cancelled services and soon after on March 17, 2015 I returned equipment to Charter's employee Yolanda and also, I signed a receipt. Following, Yolanda mentioned an equipment is missed. I returned home, couple of hours later I handed over Yolanda requested equipment. I asked for second receipt which twice was denied while she stated: "Everything is OK".

Days later I started receiving phone calls from Charter asking for return of missed equipment. Each time I assured its return was made as well as petition for my refund be reimbursed I asked.

On April 21, 2015 personally I visited location mentioned above. I requested to speak with Yolanda. I remember her name as result of horrible service I received, wanted write her up on March 17, 2015. Yolanda returned from lunch, totally ignored me, bypass the table where I was after I addressed her. Same day Tasha was introduced to me as store's supervisor. In her

( 1 of 2 )

capacity I addressed the issue, no result. I requested to speak with Yolanda who this time in my presence denied receiving any missed equipment from my part.

Several times this matter verbally, documented has been brought to Charter Spectrum's personnel, staff. No result is seen. In addition, I do not understand why I used only 1/3 of Charter's service but still, 2/3 of the total amount of money from the bill was taken. It should be vice versa. For that reason, I strongly believe am entitled to around Fifty eight Dollars (\$58) reimbursement refund instead of \$30.85. Hasn't been resolved this issue yet, I request 20% of daily interest rate be applied to said amount of \$58 starting from March 17, 2015 date I returned equipment, date my refund illegally held is. Hasn't been returned yet after Three (3) working day of Charter Spectrum acknowledgement of this Notice an amount of Twenty Dollars (\$20) daily would take place of said interest.

In addition, from Charter Spectrum I seek Seventy Five Thousand Dollars (\$75,000) be putted on my name due to its action in front of my city's fellow residents (which there were some familiar faces at the time) of portrait me as a person who likes to take property that doesn't belong to me.

Thanks in advance for your concern, documented response. I would not accept phone calls as an answer to this issue.

Sincerely;

*Armando* 05/08/2015  
Armando Despaigne Zulueta

Received by:

*Corissa White*  
5/8/15

CC

(2 of 2)

Armando Despaigne Zulveta

May 08, 2015

24 -A Hollywood Circle

Greenville, SC 29607

PHONE#: (864) 305-9480

TO: Corissa White, Store Supervisor

Charter Spectrum

1042 Woodruff Rd.

Greenville, SC 29605

RE: COMPLAINT AGAINST CHARTER SPECTRUM CUSTOMER SERVICE EMPLOYEE YOLANDA FOR LACK OF JOB'S PERFORMANCE, DISREGARD FOR CUSTOMER'S NEED. RUDE, VAGUE, NO PROFESSIONAL , ILLEGAL TREATMENT.

On March 17, 2015 date of returned equipment it began with my name was not correctly called. I stood on line seeing customers who came after being served in front of me. I noticed it to an employee, Yolanda was assigned to attend me. Yolanda approached me and said: "You have to pay attention you have missed your call". I answered Yolanda that I have an unusual name. That is easy for people mistakenly pronoun it giving me the impression someone else has been called. From there Yolanda was rude, abrupt, complicated, escalated argument, disregarded, very disrespectful. At one point I asked Yolanda why I only get \$30.85 refund reimbursement. She got offended, in rude manner said: "We are not here to rob you out of your money, this is what you get". I asked her for an explanation, to break down reimbursement of refunding money against service I used. She refused, declined to do her job and instead referred me to my paper bill. "There everything is explained", she said. Yolanda on several occasions stated: "I don't understand you, you have a thick accent". At the same time making eyes contact, faces at others at the surrounding which I perceived as mockery, perhaps due to my foreign nationality, accent. In response, I noticed Yolanda that she is having normal

(1 of 2)

conversation answering, questioning me. That at no time she has asked to I repeat myself. Personally, I think that in Customer Service Yolanda has the opportunity of meeting people of different nationality, culture, race, ethnic background. She should be at least tolerant, acceptable, must be responsive to others. That is the most important base of Yolanda's job. I hope Charter Spectrum is willing to take Disciplinary Action against her. Yolanda already had premeditated agenda when she refused to provide me second receipt for return of missed equipment.

Thanks in advance for your concern, documented response. I would not accept phone calls as an answer to this issue.

Sincerely;

Armando Despaigne Zulveta 05/08/2015

Received by:  
Coruson White  
5/08/15

CC

(2 of 2)

AFFIDAVIT

I, Armando Despaigne Zulveta, being first duly sworn, state as follows:

That everything stated and related to South Carolina Commission's Commissioner Mike Campbell's Health care Misconduct on his presiding hearing dated December 09, 2015 is true and correct.

I certify that, under the penalty of perjury of the law of the NC, that the above written statements herein are true and accurate to the best of my knowledge.

STATE OF NC

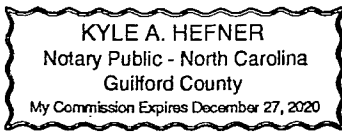
COUNTY OF Forsyth

Armando Despaigne Zulveta 05/05/2016

ARMANDO ZULVETA, being duly sworn, or having duly affirmed to tell the truth, stated personally before me that they are competent under the law to give this affidavit and unless stated have personal knowledge of the facts stated herein:

Sworn or affirmed before me on 05/05/16.

[Signature]  
Notary Public



Commission Expires: 12/27/20

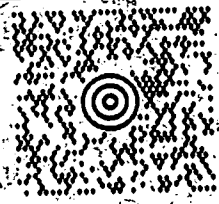
RECEIVED  
MAY 09 2016  
SC Court of Appeals

ARMANDO ZULVETA  
(864) 305-9480  
THE UPS STORE #6024  
STEY 672  
3320 SILAS CREEK PKWY  
WINSTON SALEM, NC 27103-3114

2 LBS 1 OF 1  
SHP WT: 2 LBS  
DATE: 06 MAY 2016

SHIP CLERK OF COURT  
TO SC COURT OF APPEALS  
1200 SENATE ST

COLUMBIA SC 29201-3723



SC 291 9-01



UPS GROUND

TRACKING # 1Z 764 7VY 03 7831 4617 1



P/P

REF W21 KH

ISH 13 00H 22P 450 75 5U 04/2016

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*SC Court of Appeals  
Clerk of Court  
1200 SENATE ST  
Columbia, SC 29201*

*1304 29092  
WINSTON SALEM, NC  
MAY 11 2016*

**RECEIVED**

MAY 09 2016

SC Court of Appeals