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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM South Carolina
Workers Compensation Commission

MAY 17 2016

SC Court of Appeals

Full Commission Order Dated December 19, 2013 affirming Commissioner Melody L. James
orders dated January 04, 2013 And September 30, 2013

Case No.: 2014-000186

John C. McDaniel.....Appellant,

v.

Snelling Staffing Services and United Wisconsin Insurance
Company c/o United HeartlandRespondents.

MOTION FOR ORAL ARGUMENT

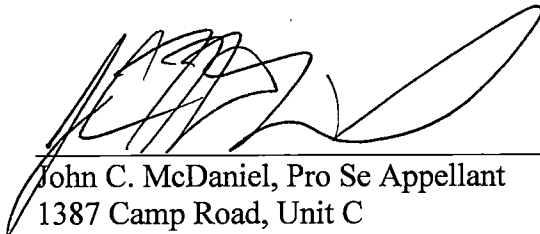
PLEASE TAKE NOTICE that the appellant hereby motions under SC Appellant Court Rules for Oral Argument. The court should only decide a case without oral argument if it determines that oral argument would not aid the court in resolving the issues. The Appellant's case is complicated, raising 16 distinct issues on appeal. The Appellant believes that an opportunity to argue his case orally would aid the court in resolving the issues, as this appeal is raised seeking relief from an administrative agency, with the claim that due process violations make up a substantial part of the appeal, and the Appellant has not had an opportunity to argue his positions in front of the judiciary.

The South Carolina Workers Compensation Commission has acknowledged the rights of the Appellant, yet have continuously denied them. The commission has even gone so far as to state, "I cannot take any additional evidence." (ROA 359) This is directly in conflict with S.C.

Code 1-23-320-(E) "Opportunity must be afforded all parties to respond and present evidence and argument on all issues involved."

The Commission and its lack of regard for the due process rights of injured workers was previously rebuked by the high court of this state in *Adams V. H.R. Allen* 397 S.C. 652 (2012) "Procedural due process requirements are not technical; no particular form of procedure is necessary. The United States Supreme Court has held, however, that at a minimum certain elements must be present. These include (1) adequate notice; (2) adequate opportunity for a hearing; (3) the right to introduce evidence; and (4) the right to confront and cross-examine witnesses." All four of these issues are raised in the appeal and the Appellant believes he is able to express his case better orally than through his imperfect and limited in length pleadings.

For the above reasons the appellant request oral argument.



John C. McDaniel, Pro Se Appellant
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May ¹³/₂, 2016

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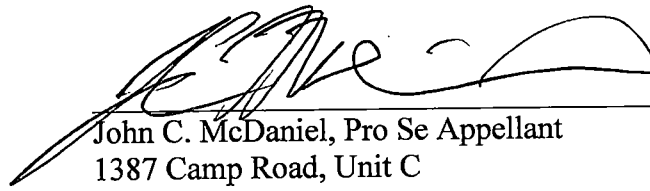
Snelling Staffing Services and United Wisconsin Insurance
Company c/o United HeartlandRespondents.

PROOF OF SERVICE

I certify that I have served Appellant's Motion for Oral Argument by depositing a copy in
the U.S. Mail, postage paid on May ~~12~~¹³, 2016 addressed to the below:

Helen F. Hiser
Weston Adams, III
R. Mark Davis
Allison Nussbaum

McAngus Goudelock & Courie, LLC
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May 13, 2016

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SC Court of Appeals

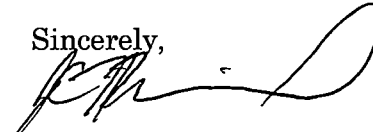
Jenny Abbott Kitchings
SC Court of Appeals
Clerk of Court
P.O. Box 11629
Columbia, SC 29211

RE: John C. McDaniel v. Career Employment Professional d/b/a Snelling Staffing
DOI: 11/21/2011
WCC File: 1116275
Appellant Case No: 2014-000186

Dear Ms. Kitchings,

ENCLOSED PLEASE FIND, one (1) original motion for oral argument, certificate of service and six (6) copies of the motion.

Sincerely,



John C. McDaniel

CC: McAngus, Goudlocke, and Curry

JC McDaniel
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Charleston, SC 29412

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MAY 17 2016

SC Court of Appeals

Jenny Abbott Kitchings
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