

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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OCT 04 2016

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

SC Court of Appeals

William P. Keesley, Successor Circuit Court Judge

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

Appellate Case No. 2015-001821

APPEAL FROM THE WORKERS' COMPENSATION COMMISSION

WCC Case No. 0506205

Alexander Guice, Employee, Appellant,

v.

US Foodservice, Inc., Employer, and
Ace American Insurance Company, c/o
Gallagher Bassett Services, Inc., Respondents.

MOTION FOR LEAVE TO STAY

Pursuant to Rule 240(b), SCACR, and/or other holding authorities, Alexander Guice, the self-represented Employee and undersigned Appellant/Affiant in this matter presents this pleading in *propria persona*, wherein pleadings are to be considered without regard to technicalities. Conley v. Gibson, 355 U.S. 41 at 48 (Sup. Ct.1957). Appellant seeks permission from the Court to stay the instant appeal and extend the time for Appellant to file and serve his Initial Reply Brief or any other pleading in this

matter, for forty-five (**45**) days, due to health issues related to Appellant, wherein Appellant would allege as follows:

1. On September 22, 2016 Appellant was diagnosed by the U.S. Department of Veterans Affairs with Type 2 Diabetes. Ex. A.
2. Appellant is currently seeking treatment for complications related to diabetes, including; a) significantly impaired vision; b) extreme fatigue; and c) frequent and severe headaches.
3. Appellant's vision is significantly impaired. Appellant attempted to obtain reading glasses to use until Appellant's vision improves; however, the reading glasses purchased has resulted in increased severe headaches.
4. Appellant has an appointment with a VA Optometrists on October 1, 2016 (Saturday) at 9:45 a.m. However, Appellant was advised that any prescribed glasses can only be provided to Appellant via mail and would not be provided to Appellant for at least 14 to 21 days after the 10/01/2016 VA appointment.
5. Appellant request the Court to stay the instant appeal for 45 days until such time as Appellant's complications related to diabetes improves so that Appellant can adequately prosecute his appeal.
6. This is the first extension request advanced by Appellant.

CONCLUSION

For all the foregoing reasons, Appellant moves the Court for an appropriate order granting this motion and staying the instant appeal for 45 days. Further, Appellant requests that the Court stay the above-entitled action until such time as the Court has issued a ruling on this motion.

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VERIFICATION

SC Court of Appeals

I, **Alexander Guice**, the named and undersigned self-represented African American Appellant in this matter, do hereby swear, under penalty of perjury that I reviewed the information contained herein, said information is submitted in good faith, and I believe it to be true and correct to the best of my knowledge and ability.

Respectfully submitted,

By: *Alexander Guice*

Alexander Guice
U.S. African American Citizen
Honorable Disabled Veteran
Post Office Box 13281
Tampa, FL 33681
(813) 562-0547
alguice@hotmail.com
Appellant, Pro Se

Sworn to before me this
30 day of September, 2016

Gilberto L. Cruz

Notary Public of Florida
My commission expires 01/30/2018

September 30, 2016



GILBERTO L. CRUZ
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF088018
Expires 1/30/2018

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EXHIBIT A

VAMC TAMPA, FL 33612
673 (1000047249/) Ph: 888-281-5463

Attn: (119)
12210 BRUCE B. DOWNS BLVD
TAMPA, FL 33612

Sep 22, 2016

Rx# _____ SEP 22,2016 Fill 1 of 4
GUICE,ALEXANDER
TAKE ONE TABLET BY MOUTH TWICE A DAY
FOR DIABETES

If you drink alcohol, discuss the safe use of alcohol while taking this medication with your healthcare professional.

Take this medication with a meal. Read label carefully for how many times to take each day.

It is very important that you take or use this exactly as directed. Do not skip doses or discontinue unless directed by your doctor.

Read the boxed warning information for this medication.

GUICE,ALEXANDER
P O BOX 13281
TAMPA, FL 33681-3281

Discard after SEP 22,2017 _____ Mfr _____
May refill 3X by SEP 23,2017

Qty: 180 TAB BHALEEYA,PRATIKSHA D
METFORMIN HCL 500MG TAB

673 (1000047249/) SEP 22,2016@09:09
Rx# _____ SEP 22,2016 Fill 1 of 4
GUICE,ALEXANDER
TAKE ONE TABLET BY MOUTH TWICE A DAY
FOR DIABETES

PHONE IN OR MAIL THIS REFILL REQUEST
Follow the refill instructions provided with your prescription.
For Refill Call 888-281-5463

GUICE,ALEXANDER
Rx# _____ SEP 22,2016 Fill 1 of 4

Qty: 180 TAB BHALEEYA,PRATIKSHA D
METFORMIN HCL 500MG TAB

Qty: 180 TAB Days supply: 90
METFORMIN HCL 500MG TAB

Lot# _____
RPh _____
Tech _____
Routing: WINDOW Days supply: 90 Cap: SAFETY
sd: SEP 22,2016 Exp: SEP 23,2017 Last Fill: N/A

May refill 3X by SEP 23,2017
NO COPAY

TAMPA-673

WARNING 269N,324N,13N
Stat SC Clinic: PCCRHA

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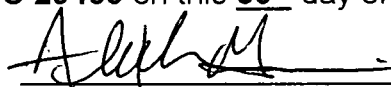
Alexander Guice, Employee, Appellant,

v.

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

PROOF OF SERVICE

I hereby certify that the Respondents, through Counsel, were provided a true copy of a cover letter to the Clerk; a Motion for Leave to Stay; and a proof of service, by depositing the same in the US Postal Service, via Priority Mail, and addressed to: **Erin L. Hantske, Esq., P.O. Box 650007 Mt. Pleasant, SC 29465** on this 30th day of September, 2016.



Alexander Guice
U.S. African American Citizen
P.O. Box 13281
Tampa, FL 33681
(813) 562-0547
Appellant, Pro Se

September 30, 2016

Alexander Guice

P.O. Box 13281
Tampa, FL 33681
Phone: (813) 562-0547
Email: alguice@hotmail.com

September 30, 2016

Via Priority Mail

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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Re: Alexander Guice v. US Foodservice, Inc., et al
Appellate Case No. 2015-001821

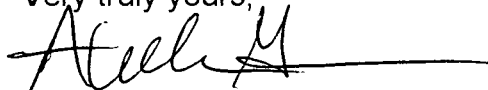
Dear Ms. Kitchings:

Please find enclosed with this cover letter an original and seven (7) copies of 'A Motion for Leave to Stay' and a proof of service in regards to the above-entitled action. Please also find enclosed a \$25.00 Certified Money Order for the filing fee. Please forward to the appropriate personnel for processing, and please return clocked copies of the same to the undersigned in the pre-paid self-addressed envelope enclosed for your convenience.

By copy of this correspondence, Erin L. Hantske, Esq., the Respondents' Counsel of record, has been provided a copy of the same via priority mail with enclosures.

Should you have any questions, please do not hesitate to contact me. Thank you for your assistance in this matter.

Very truly yours,



Alexander Guice
Appellant, *pro se*

Enclosures: As stated

cc: Erin L. Hantske, Esquire