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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA  
Worker's Compensation Commission

W.C.C. FILE NO. 1322039

Appellant Case No. 2016-000997

**RECEIVED**

NOV 29 2016

SC Court of Appeals

Harry Reese..... Appellant,

V.

South Carolina Department of Mental Health, SC State Accident  
Fund,..... Respondent.

**MOTION TO ADMIT**

The Appellant is requesting that the "Added" documents be admitted into evidence that the Respondent has referenced to be stricken. These documents are essential within demonstrating the illegal and ethical acts against the Appellant by both the Respondent and the South Carolina Worker's Compensation Commission (SCWCC).

**I.**

As you will note that the Respondent provided an array of court cases that prohibited "Added" documents that weren't reviewed by the lower court. Surely, in these cases, the Appellant or Claimant, were able to employ the assistance of an attorney that would have prevented the heinous illegal and unethical acts against their client that this Appellant consistently experienced via the Respondent and the SCWCC. Moreover, these documents will clearly demonstrate that the Appellant did not have a fair hearing in both the Single and Full Commissioners hearing.

**II.**

The added documents referenced by the Respondent is used to rebut the false claims (perjury) by the Respondent and to support the claims made by the Appellant against the Respondent in the Appellant's Full Commission Hearing and now to this Court.

**III.**

The Appellant through the evidence submitted (initial and added evidence) will clearly

demonstrate that the SCWCC worked in concert with State Accident Fund (SAF) in denying the Appellant due process rights – a fair and unbiased hearing. One email document, which is not presented to the Court of Appeals that should be submitted and entered into evidence, is an email document from the SCWCC to State Accident Fund (SAF) of the removal of egregious actions taken against the Appellant by the SCWCC's Judicial staff out of the Order which continues to demonstrate that the Appellant's case was denied prior to the hearing. Much like SAF, SCWCC did not want their behavior presented to the high court; therefore, they wanted it removed. Because the Respondent did not understand SCWCC initial request of SCWCC to remove the Judicial staff 's egregious behavioral, SCWCC made the request a second time with detailed and specific instructions. Even though the Appellant objected to the removal of the Judicial staff's egregious behavior, the Appellant's objection was ignored and the documented behavior was ultimately removed.

#### IV.

The Respondent is acutely aware that a number of the added documents are documents reflecting medical evidence that the Respondent disposed of; are request of information forms that the Respondent submitted to obtain requested medical information from the attending doctors – Dr. Thornton McKinney, Dr. James Kirkland, and Dr. Donna Upchurch, the Department of Social Services, and SLED of which the SAF attorney witness the extraordinary and unusual attacks against the Appellant by the Respondent which resulted in the Appellant undergoing additional undue stress caused by the Respondent.

#### V.

The added documents also include copies of the Respondent's documentation providing the Respondent's rationale as to the Respondent denial of the Appellant's claim under Section 42-1-160 of which the Appellant overwhelming met the conditions of this statute and the illegal and unethical conduct and behavior of the Respondent and the SCWCC was only employed to uphold the denial of the Appellant's claim prior to the Appellant's case being heard based on the type of case presented – Work-related stress which resulted in a mental/mental injury and exacerbated medical conditions as consistently medically concluded by several medical/mental health providers, the Employee Assistance Program counselor, and the years of documentation submitted by the Appellant as well as verbal testimony.

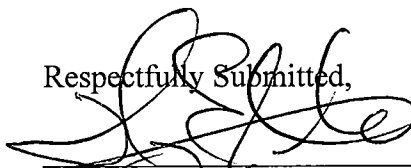
#### VI.

The added information also includes my formal complaint to the SC Judicial Department: Commission on Lawyer Conduct detailing the Respondent and SCWCC's illegal and unethical acts against the Appellant of which no evidence is presented that the Full Commission reviewed or considered the formal complaint detailing the Respondent and SCWCC illegal and unethical conduct. In the Full Commission's decision, the Full Commission supported the Single Commissioners' Decision which was based on a fraudulent order which continues to demonstrate that the Appellant case was well decided before the Single and Full Commissioners hearings. The Respondent is 100% accurate, I could not have, as stated in the Respondent's Motion to Strike # IV, pg. 2, presented the formal complaint to the Single Commissioner if the Respondent and SCWCC would have conducted themselves in a legal and ethical manner.

VII.

The Respondent pray that this Court will allow all of the evidence to be submitted into evidence which to include documentation after April 6, 2015 based on the following: Evidence will demonstrate that the Appellant wasn't provided due process – fair hearing; that the Respondent and SCWCC, in concert, engaged in illegal and unethical conduct merely to deny the Appellant's case; the Single Commissioner **"DID NOT"** review all the evidence submitted into evidence especially the Respondent's policies and directives that overwhelmingly demonstrated that the Appellant consistently experienced extraordinary and unusual work conditions, and due to the single commissioner signing and effectuating a fraudulent order.

Respectfully Submitted,



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Harry Reese  
8408 Little John Drive  
Columbia, SC 29209  
Tel: (803) 851-3182  
Cell: (803) 477-4227

**Pro Se**

November 29, 2016

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA  
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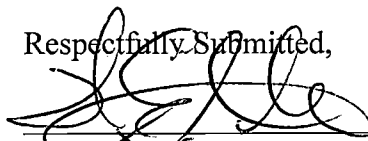
V.

South Carolina Department of Mental Health, SC State Accident  
Fund..... Respondent.

**PROOF OF SERVICE**

I certify that I have served the Appellant's Motion to Admit on the South Carolina Court of Appeals by hand delivering a copy of it on November 29, 2016, to South Carolina Court of Appeals/Ms. Jenny Kitchings located at: Calhoun Building, 1220 Senate Street; Columbia, SC 29201.

Respectfully Submitted,



Harry Reese  
8408 Little John Drive  
Columbia, SC 29209  
(803) 851-3182  
Hreese2005@yahoo.com

Pro Se

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Harry Reese..... Appellant,

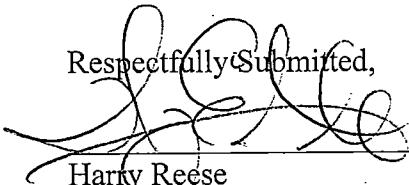
V.

South Carolina Department of Mental Health, SC State Accident  
Fund,..... Respondent.

PROOF OF SERVICE

I certify that I have served the Appellant's Motion to Admit on the South Carolina Worker's Compensation Commission by depositing a copy of it in the United States mail on November 29, 2016, addressed to South Carolina Worker's Compensation Commission/Ms. Amy Bracey located at: 1333 Main Street, Ste. 500, Columbia, SC 29201.

Respectfully Submitted,



Harry Reese  
8408 Little John Drive  
Columbia, SC 29209  
(803) 851-3182  
Hreese2005@yahoo.com

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Appellant Case No. 2016-000997

Harry Reese..... Appellant,

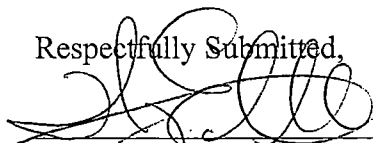
V.

South Carolina Department of Mental Health, SC State Accident  
Fund,..... Respondent.

**PROOF OF SERVICE**

I certify that I have served the Appellant's Motion to Admit on the South Carolina Department of Mental Health by depositing a copy of it in the United States mail on November 29, 2016, addressed to the Respondent's insurance carrier/attorney of record, South Carolina State Accident Fund/Ms. Page Snyder located at: 800 Dutch Square Blvd., Suite 160, Columbia, SC 29210-1317.

Respectfully Submitted,



Harry Reese  
8408 Little John Drive  
Columbia, SC 29209  
(803) 851-3182  
Hreese2005@yahoo.com

Pro Se

# The South Carolina Court of Appeals

Harry Reese, Appellant,

v.

South Carolina Department of Mental Health and SC  
State Accident Fund, Respondents.

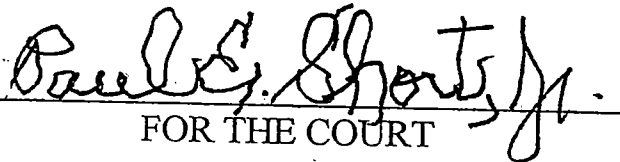
Appellate Case No. 2016-000997

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## ORDER

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After careful consideration, Respondents' motion to strike is granted and Appellant's motion to admit is denied. Within thirty days of the date of this order, Appellant shall serve and file an amended initial brief that does not reference matters occurring after the April 8, 2016 decision and an amended designation of matter that does not designate any matters occurring after the April 8, 2016 decision.

  
FOR THE COURT

Columbia, South Carolina

**FILED**

cc:

Harry Reese  
Page Snyder Hilton, Esquire

November 16, 2016

November 29, 2016

8408 Little John Drive  
Columbia, SC 29209

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

**RECEIVED**

NOV 29 2016

SC Court of Appeals

Re: Clarity regarding November 16, 2016 Order

Dear Honorable Ms. Kitchings:

Upon revisiting the court's November 16, 2016 Order denying the Appellant's September 26, 2016 "Motion to Admit" request, I discovered that the Order states that I must:

*"File an amended initial brief that does not reference matters occurring after the April 8, 2016 decision and an amended designation of matter that does not designate any matters occurring after April 8, 2016"*

The Appellant's initial hearing was held on April 6, 2015 and the Appeals held on December 14, 2015; however, the November 16, 2016 Order states no matters after April 8, 2016 (please see copy of attached referenced order). There was no hearing on April 8, 2016.

With that being said, I'm I to understand that no matters after the April 6, 2015 hearing should be included in the amended initial brief? If that's the case, should the Appeals Orders and transcript be removed from the initial brief and designation? Commissioner Barden allowed the Appellant to respond to her "Request for Proposed Order" which is included in the Appellant's SCWCC Full Commission Brief; therefore, this information should be included even though it was after the April 6, 2015 hearing. The illegal and unethical acts by the Respondent and the South Carolina Worker's Compensation Commission's staff was observed "during and after" the initial hearing and the Appeals which leads the Appellant to believe that the decision to deny my case was established well before the April 6, 2015 hearing; therefore, this information and other supporting documentation should be included and not ignored which overwhelmingly substantiates the Appellant's claim. Since I don't have access to the cases that the Respondent so eloquently referenced in striking the documents after the hearing; i.e. *Tant v. Gant*, etc., I'm unable to review the cited cases; however, surely these court decisions cited by the Respondent didn't condone illegal and unethical conduct that was observed in this case when rendering their decision.

The Full Commission did not address or allow me to introduce the facts as detailed in the Appellant's November 23, 2015 Brief "only" which highlights the illegal and unethical acts of the Respondent and the South Carolina Worker's Compensation Commission's staff and not its' supporting exhibits and additional documentation that accompanied the Appellant's November 23, 2015 Brief. Again, with the facts and merits of the case with supporting documentation since

2010; the illegal and unethical acts by the Respondent and the South Carolina Worker's Compensation Commission's staff; the Single Commissioner signing and effectuating a fraudulent order satiated with misrepresentations and perjures statements by the Respondent; and the Full Commission upholding the Single Commissioner's Order, all the supporting documents that the Appellant requested should be admitted and the Court should respectfully find in favor of the Appellant. If the Respondent believed that the Appellant's work conditions even with the Respondent citing Chuck Roundy's observation that the Respondent assumed was against the Appellant; however, the actions of Mr. Roundy and the Palmetto Health Behavioral Treatment team to include the attending psychiatrist Dr. Thornton McKinney don't support the Respondent's assumption, weren't extraordinary and unusual to cause a mental/mental injury why then did the Respondent and the South Carolina Worker's Compensation Commission's staff engage in such egregious illegal and unethical conduct towards an unrepresented Plaintiff which was done simply to deny my case. Now, the Respondent is tremendously rewarded via striking evidence that substantiates the Appellant's claim; in that, it prevents the Court of Appeals' Judge(s) from witnessing their egregious illegal and unethical behavior. By law if I committed perjury, I could not only lose my case, but also look at jail time. What makes the Respondent and the South Carolina Worker's Compensation Commission's staff different from me - they have the money and the legal know how to manipulate the law and financial resources that I do not have. The Respondent included the South Carolina Worker's Compensation Commission's staff involvement within this matter in their brief and if it wasn't for the South Carolina Worker's Compensation Commission's staff interference and demanding that the Respondent to remove the information from their brief, it would still be included. Where is the due process or "Lady justice?"

With the aforementioned being said, I'm respectfully requesting that the November 16, 2016 Order be reversed which will allow all the facts of this tedious case to be submitted into evidence and evaluated on undisputable medical facts and history - not illegal and unethical behaviors by the Respondent and the South Carolina Worker's Compensation Commission's staff.

Finally, I've attached a copy of the initial "Motion to Admit" which has been revised due to clerical error (Clause VII) and re-signed and dated reflecting today's date. **I'm respectfully requesting an extension of the amended initial brief and designation matter, if need be, until a decision can be rendered.** If you have any questions or concerns, please do not hesitate to contact me at (C) (803) 477-4227; (H) (803) 851-3182; or email: [hreese2005@yahoo.com](mailto:hreese2005@yahoo.com).

Respectfully Submitted,

  
Harry E. Reese Sr.  
Pro Se