

"THE SWAMP"

Armando Despaigne Zulveta

P.O. Box 24892 Winston- Salem, NC 27114

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

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NOV 22 2016

SC Court of Appeals

South Carolina Workers Compensation Commission

Commissioner Mike Campbell

P.O. BOX 1715 Columbia, SC 29202-1715

1333 Main Street, Suite 500 Columbia, SC 29201

RE: ARMANDO DESPAIGNE ZULVETA vs/ TC UNLIMITED Inc.

WCC File No.:1416780 DOI: 11/11/2014

CARRIER: STATE AUTO INSURANCE COMPANY-CLAIM No: 452483

WJC7B FILE No: 0124.00065

STANDARD OF REVIEW

This case is of public interest having as consequences that South Carolina Workers Compensation Commission's Commissioner Mike Campbell, along with Claimant Zulveta's former employer Tim Case who own TC Unlimited Inc., and their insurance carrier State Automobile Mutual Insurance Co., and their medical provider Dr. Thomas Baumgarten of Patewood Orthopedics Clinic and Dr. Curtis Elliott of Steadman Hawkins Clinic of the Carolinas (according to their lawyers Greenville Health System instead), and their attorney Wesley Shull of Wilson Jones Carter & Baxley, and also Claimant Zulveta's own former attorney Irvin H. Philpot, III of Philpot Law Firm, except Commissioner Campbell altogether Defendants in Greenville Division District Court Civil Case No.:Case No. 6:15-2880-HMH-KFM .

Those mentioned above have an organized scheme aimed to target a sector of South Carolina's population (nationwide also) which includes: a) injured workers who do not

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S.C. Workers Compensation Comm.
Office of Commissioner Campbell

2) INJURED WORKERS WHO DO NOT

have enough information regarding their own legal claim nor injured worker status or have poor education background, b) injured workers who voice have no sufficient weight inside of the culture of the courtroom as result of criminal background are primarily targeted, c) Injured worker intentionally is being misinformed by his/her own attorney, d) when an injured worker rarely has passed obstacles in a form of economic sanctions imposed by Defendants like among many other things: Intentional Delay of issuance of benefits checks and having my own attorney Philpot's passive position to all adverse decisions coming from adverse side, then, a Pro Se like Claimant Zulveta at the hearing has to face a Commissioner that according to culture of the attorneys like my own Irvin H. Philpot, opposite side's attorney Wesley, and their closest ally Robert Foster the only different is that unlike his colleagues rather than verbally Foster documented that the reason an injured workers had no properly medical attention nor settlement that honor it (no the careless medical treatment defendants obtained by bribery) is relying on: This was an unfortunate result due primarily to the current make-up of the Commissioners who all have been appointed by Governors Haley and Sanford, who are very conservative in their views and pro-business oriented. (SEE EXHIBIT FOSTER LAW FIRM, LLC DATED MARCH 20, 2015. This Pro-Business oriented position of which an official of South Carolina Judicial System is accusing its Governor and Commissioners has its legal term: No consistency with the law by their own State's top leader, d) Chairman Beck, Commissioners Mike Campbell and Avery Wilkerson lead the injured worker into an ambush that benefitted the opposite party that also will introduced in hearing False statement on a material issue made willfully with knowledge that it was false relying on.

As Claimant Zulveta has stated in this case for over a year and also in case Case No.: 6:15-2880-HMH-KFM, South Carolina Judicial System is involved in a fraudulent scheme that is designed to target a selected group of people of the society putting them on dependency of government programs for the purpose of benefitting themselves as well as employer's insurance carrier and medical provider while shifting injured workers's medical expenses to Medicare, Social Security, Unemployment. Mentioned above defraud State and Federal Government's Benefit Programs in violation of Title 67. Claimant Zulveta wish is to Object to Proposed order dated march 08, 2016 and is in need of the transcript. Here is the base for this stay of Proceeding and the Objection.

At the presiding hearing dated December 09, 2015 South Carolina Workers

Compensation's Commissioner Mike Campbell violated allowed Employer Tim Case and his insurance carrier's attorney Wesley Shull to introduced an incompetent medical record that constains: a) Non-readable medical record that is base for Fraudulent activity when attorney Shull used page 64 to credit a statement which Claimant zulveta never said and it was impossible to determine what is written on page 64. I contested as fraudulent and incompetent medical record which includes an tampered and fraudulent Dr. Thomas Baumgarten's Physician Statement 14B in which attorney Shull familiar with my medical record was well aware it was a Health Care fraud. The same for Claimant Zulveta's benefits paychecks that were tampered to decrease real amount of monetary benefits.

In doing so Commissioner Campbell violated:

South Carolina Judicial Department CANON 3

A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY AND DILIGENTLY

B. Adjudicative Responsibilities.

(5) A judge shall perform judicial duties without bias or prejudice.

A judge must perform judicial duties impartially and fairly.

Chapter 67 — South Carolina Workers' Compensation Commission

67-612. Admission of Expert's Report as Evidence.

D. Any report submitted to the opposing party in accord with B(1) or B(2) above shall be submitted as an APA exhibit at the hearing unless withdrawn with the consent of the other party, and the non-moving party shall submit only reports not submitted by the moving party

F. If the parties consent to the admission of a report, then the Hearing Commissioner shall receive such report into evidence without regard as to whether the parties have complied with this section

H. Counsel for all other parties appearing at the hearing shall be given the opportunity to review the APA exhibits as prepared in accordance with this regulation and to supplement the record with any properly noticed APA exhibits which may have been

omitted from the Claimant's and Defendants' single sets.

I. By complying with this regulation, the parties do not waive any evidentiary objections to the introduction of a particular exhibit. Such objections may include, but are not limited to relevancy, materiality, qualification of the expert, timeliness, privilege, hearsay or authenticity as may relate to the document in controversy.

67-606. Employee's Wage Determination.

A. The average weekly wage and compensation rate is an issue for determination at the hearing unless stipulated by the parties. Claimant Zulveta's Workers Compensation's paycheck benefit is \$393.13. As result of employer attorney and insurance carrier relying on:

Chapter 67 — South Carolina Workers' Compensation Commission 67-612. Admission of Expert's Report as Evidence. D. Any report submitted to the opposing party in accord with B(1) or B(2) above shall be submitted as an APA exhibit at the hearing unless withdrawn with the consent of the other party, and the non-moving party shall submit only reports not submitted by the moving party. The actual report shall not be filed with the Commission prior to the hearing, and based on this introduced in hearing False statement on a material issue made willfully with knowledge that it was false relying employer's attorney and its insurance carrier introduced false materia stating that claimant paid is AWW: \$336 CR: \$224.13 which claimant does not understand AWW nor CR mean) the fraudulent amount introduced by attorney Wesley J. Shull, employer Tim Case, and his insurance carrier State Auto Mutual Co., will prevail. A fraudulent document introduced at the hearing with the consent and acknowledge of all of those mentioned above but the mislead injured worker.

This is South Carolina Workers Compensation Commision's Jim Crow's Laws against a targeted section of the populatrion and the Governor of this State has done anything about it to revisit it because it benefits political class in conjunction with lobbying corporations personal interest. This is a culture in which an injured workers is victimized without even realized (SEE ALSO EXHIBIT HMM-KFM Plaintiff's Respond To Defendant Motion to Dismiss.

The medical record presented by defendants it was tampered, incompetent to Stand at Trial, at the hearing it was contested and proven, Commissioner Campbell is covering up Chairman Beck' Health Care misconduct as well as his tring to destroy an injured

worker's claim.

Therefore, Claimant now moves South Carolina Workers Compensation Commission to disqualify from proceedings Commissioner Mike Campbell for allowed the introduction at the hearing he presided on December 09, 2015 False material issue made willfully with knowledge that it was false relying on.

Chapter 67 — South Carolina Workers' Compensation Commission

E. Disqualification.

(1) A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where: False material issue made willfully with knowledge that it was false relying on.

On this date the 18 of March, 2016.

Respectfully Submitted;

Armando 03-18-2016
Armando Desrosiere Zulueta

cc Presidential Candidates

Dr. Ben Carson

Donald Trump

Ted Cruz

Hillary Clinton

John Kasich

U.S. Senate Judicial Committee Chuck Grassley

Congressman James Clyburn

South Carolina Workers Compensation Commission

Judicial Department

P.O. BOX 1715 Columbia, SC 29202-1715

1333 Main Street, Suite 500 Columbia, SC 29201

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WCC File No.:1416780 DOI: 11/11/2014

CARRIER: STATE AUTO INSURANCE COMPANY-CLAIM No: 452483

WJC7B FILE No: 0124.00065

CERTIFICATE OF SERVICE

This is to certify that a true copy of APPELLANT ZULVETA'S REQUESTS FOR DISQUALIFICATION OF COMMISSIONER MIKE BECK was electronic mail served at: Wilson Jones Carter & Baxley , attorney Wesley Shull (864) 373-7060.

On this day the 18th of February, 2016


Armando Despaigne Zulveta

03/18/2016

P.O. Box 24892

Winston-Salem, NC 24892

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

South Carolina Workers Compensation Commission

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AFFIDAVIT

I, Armando Despaigne Zulveta state as follows:

That I am the Claimant in this South Carolina Workers compensation's Claim and that everything stated and related to South Carolina Commission's Commission 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, that the above written statements herein are true and accurate to the best of my knowledge.

On this day the 18 of March, 2016

Respectfully Submitted;

Armando Despaigne Zulveta 03/18/2016
Armando Despaigne Zulveta



FOSTER LAW FIRM, L.L.C.

Attorneys and Counselors at Law

PAUL J. FOSTER, JR., 1928-1999

Robert P. Foster
rfoster@fosterfoster.com
GREENVILLE

March 20, 2015

Yvonne Leaks
24 Hollywood Circle
Apartment A
Greenville, South Carolina 29607

RE: Yvonne Leaks v. Quality Business Solutions
Date of Accident: 3/29/13
WCC File No.: 1303337

Dear Yvonne:

Pursuant to our telephone call of March 20, 2015, I have accepted the insurance company's offer of \$1500.00 to settle your case. We discussed your options in light of the Commission's instructions to the defense attorney Mark Allison by email which I was copied with, instructing him what to put in the Order with the Commissioner's findings. Those findings included denying additional treatment for your knee and back and finding you have reached MMI (maximum medical treatment) and accepting the treating doctors opinions (of permanent impairment ratings of 0% to your knee and 2% to your back as the final "disability awards" in the case. Before the hearing began, the insurance company would not agree to provide further treatment of any kind, and their offer of \$7000.00 was conditioned on not having to provide further treatment, which you would not accept because that was the main reason you wanted the hearing. Since the insurance company had filed what is known as a Form 21 hearing request to determine permanent disability, once we lost on the issue of further treatment, we could not avoid the Commission making determinations of disability because you had reached MMI in the Commissioner's view.

Based on the awards given, a 2% disability to your back is worth 6 weeks of benefits at \$131.90 which equals 6 x 131.90 or \$791.40. An appeal of the decision would in my opinion be nearly impossible to overturn, because the Commissioner made credibility determinations which a three panel review appeal would not overturn. We would lose any appeal.

As far as division of the settlement funds in concerned, I will agree to take \$500.00 towards my costs of \$1074.24 (including \$700.00 for Dr. Grady's evaluation and report), leaving you with \$1000.00 net. I will agree to waive my fee of 1/3 of the gross recovery (\$500.00) and suffer a \$574.00 loss.

www.fosterfoster.com

GREENVILLE: 601 E. McBee Avenue, Suite 104 • Greenville, SC 29601 • 864-242-6200 • Fax: 864-233-0290
CHARLESTON: 895 Island Park Drive, Suite 202 • Charleston, SC 29492 • 843-972-0313 • Fax: 888-519-0934
Toll Free: 866-279-9772

This was an unfortunate result due primarily to the current make-up of the Commissioners who have all been appointed by Governors Haley and Sanford, who are very conservative in their views and very pro-business oriented. I have been counseling all of my clients of the current defense oriented bias of the current Commission. All of my fellow injured worker attorneys share this view as well.

You have asked for a copy of your file. I have enclosed a disc containing your file and would remind you that we furnished you a copy of your file on a disc last fall as well. You would also note on the disc a copy of the email attachment with the Commissioner's findings against you.

I'm disappointed in the Commission's rulings, but this is the risk you run in taking issues before a Commissioner in the current worker's compensation system.

With kind regards,

Sincerely,



Robert P. Foster

RPF/dg
Enclosure

THE SWAMP

Armando Despaigne Zulveta

11/11/2016

P.O. Box 30361

Winston-Salem, NC 27130

The Honorable Robin B. Stilwell, Chief Administrative Judge

Greenville County Courth of Common Pleas 13th circuit

305 E. North St. Greenville, SC 29601

Office: (864) 467-8406 Fax: (864) 235-3625

Admin Assistant: Carole Ring Law Clerk: Katherine Sieber

Dear Honorable Robin B. Stilwell:

Please disregard prior complaint forwarded today on 11/11/2016 at 04:18 P.M. Among other mistakes Appellant-Plaintiff Zulveta wrongly forwarded with date 11/14/2016. In addition, there is a mispoken sentence relating to below a) your order of October 25, 2016.

Since no response has been issued for the written complaint noone is being prejudice.

RE: SYMBOLIC JUDICIAL COMPLAINT AGAINST HONORABLE ROBIN B. STILWELL, CHIEF ADMINISTRATIVE JUDGE 13TH CIRCUIT.

RE: Armando Despaigne Zulveta, Plaintiff v. Charter Communications, LLC., Defendant, THE HONORABLE D. GARRISON HILL GREENVILLE COURT TRIAL COURT CASE NO. 2015CP2305171.

RE: Armando Despaigne Zulveta, Appellant v. Charter Communications, LLC., Respondent, Appellate case No.: 2016-001439.

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

(1 of 2)

Dear Judge Stilwell:

You were aware that Appellant-Plaintiff Zulveta has made allegations or filed complaints of judicial misconduct among other against: a) North Hills Automotive, b) Greenville Library System's Vice Chair attorney S. Allan Hill, Judge D. Garrison Hill presiding judge of this case that you dismissed. Judicial Complaints against three (3) Hills who are connected to each other no only by name but also, by judicial misconduct.

You were aware that Appellant-Plaintiff Zulveta has made allégations or filed complaints of judicial misconduct among others against: a) South Carolina Workers Compensation Commission's Commisssioner R. Michael Campbell, II, b) Greenville Library System's Chair Chace Campbell, c) South Carolina Supreme Court Assistant Disciplinary Counsel William Curtis Campbell. Judicial Complaints Against three (3) Campbells who are connected to each other by names and also, by judicial misconduct.

According to what it clearly appears coordinated orders issued between Greenville County Court of Commons Pleas and South Carolina Court of Appeals I have raised flags regarding Court of Appeals Judge H. Samuel Stilwell, b) you were aware that I have made countless allegations of bias and prejudice against Greenville Common Pleas' Chief Administrative Judge Robin B. Stilwell, yourself.

On October 25, 2016 date of your presiding hearing at the court house's hall Plaintiff-Appellant Zulveta met a lady that she helped me find my assigned courtroom hearing and also, she located my name that it was listed on back of the paper.

We entered the assigned courtroom I having the thought that this nice lady was either a party to a civil proceeding, or someone of public interest that was there to see hearings.

At the hearing, during the course of my testimony of events occurred on June 27, 2016 date of presiding hearing Judge Verdin, while explaining everytime I turned at her direction front the public area's bench said nice lady wilfully and intentionally displayed an aggressive, hostile, unpleasant behavior directly at me. At the end of the hearing on my way to exit door she uttered some words toward me. I was not able to read her lips.

On hearing date October 25, 2016 Your Honour gave me two days to comply with Orders, a) to produce proof of my answers to Defendant Charter's unlimited discovery before ordered by Judge Verdin, b) my answers to said Discovered be personally

(2 of 2)

provided to you before Friday. I have two (2) days for.

That is the way we discussed after Gallivan White and Boyd, P.A. got caught again misleading the court.

Tying to serve better your order I made some calls to Greenville County Clerk of Court and was able to talk to several staff. During the course of these inquiring I found out that the person who on your behalf I have to serve answers she was the nice-hostile lady at the hearing. Therefore, your Administrative Assistant Carole Ring who engaged in this judicial misconduct. She could have better serve the public working instead of being there obstructing justice and distracting a party to a civil proceeding, in a civil court, her place's site.

In addition, on October 27, 2016 said Admin Assistant Carole Ring was uncooperative to come to Clerk of Court and get said answer from me. Therefore, I had to clock stamped them to get on time with your Order. But next day on October 28, 2016 when Law Clerk Katherine Sieber offered in your behalf to receive the answer there was Admin Assistant Carole Ring interfered with the process.

At your hearing Admin Assistant Carole Ring was there while wilfully and intentionally she engaged in judicial misconduct in violation of:

506 Code of Conduct for Staff Attorneys and Law Clerks

Canon 1 A Staff Attorney or Law Clerk Should Uphold the Integrity and Independence of the Judiciary and of His Office

Canon 2 A Staff Attorney or Law Clerk Should Avoid Impropriety and the Appearance of Impropriety in All His Activities

Canon 3 A Staff Attorney or Law Clerk Should Perform the Duties of His Office Impartially and Diligently.

Respectfully Submitted;

On this day the 11th of November, 2016

(3 of 4)

CERTIFICATE OF SERVICE

This is to certify that a true copy of PLAINTIFF-APPELLANT ZULVETA COMPLAINT AGAINST JUDGE ROBIN B. STILWELL has been electronically served upon Gallivan White & Boyd, P.A, Michelle Yarbrough attorney for defendant Charter Communications, LLC at FAX #: (864) 271-7502.

On this day the 11th of November, 2016

Armando Despaigne Zulveta *11/11/2016*
P.O. Box 30361 Winston-Salem, NC 27130

Phone No.: (864) 305-9480 Email: acere 1296@gmail.com

(4 of 4)

Armando Despaigne Zulveta

11/11/2016

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Admin Assistant Carole Ring

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Armando Desautels Zelveta 11/11/2016

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On this day the 11th of November, 2016

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Phone No.: (864) 305-9480 Email: acere 1296@gmail.com