

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

RECEIVED  
USDC, CLERK GREENVILLE, SC  
2017 FEB 22 AM 9:57

RECEIVED

MAR 01 2017

SC Court of Appeals

Armando Despaigne Zuveta, Plaintiff )

vs. )

Case No.: 6:15-2880-HMH-KFM

Tim Case and TC Unlimited, Inc., )

Defendants, )

PLAINTIFF-APPELLANT ZUVETA'S OBJECTION TO UNITED STATES MAGISTRATE KEVIN F. MC DONALD'S CONCLUSION AND RECOMMENDATION DATED FEBRUARY 02, 2016.

NOW COMES Plaintiff Zuveta and moves this court to set aside REPORT of MAGISTRATE JUDGE MCDONALD. Plaintiff Zuvetaq has been prejudiced because the findings, inferences, conclusions, or decisions of this case are: (a) In violation of constitutional or statutory provisions; b) made upon unlawful procedure by defendants actions in court; (d) affected by other error of law; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

UNIONED STATES' COMMON LAWS ARE MADE OUT OF COMMON SENSE.

On December 21, 2015 Honorable Herlong, Jr., dismissed defendants from this case and, the case proceed at the time solely on the retaliation cause of action against Defendants TC Unlimited, Inc., and Tim Case. Plaintiff Zuveta appealed this order which originated Appellate Cases No.: 15-2561.

Subsequently on Feb. 01, 2016 in The United states Fourth Court of Appeals defendants regrouped themselves with TC Unlimited and Tim case as The Movants while they filed a Motion to dismiss this case.

On August 18, 2016 Fourth Circuit of Appeal's Clerk of Court closed Appellate Case 15-2561.

Subsequently on August 24, 2016 Honorable Herlong, Jr., entered a Scheduling Order solely for defendants TC Unlimited, Inc., and Tim Case provoding that Discovery in this case should be completed no later than February 06, 2017. This Order was appealed

and originated Appellate Case 16-2078.

A year later again on December 21, 2016 Honorable Herlong Jr., Opinion and Order dismissed defendants from this case and, the case proceed at the time solely on the retaliation cause of action against Defendants TC Unlimited, Inc., and Tim Case. Plaintiff Zulveta appealed this Opinion and order which originated current Appellate Cases No.: 17-1129.

On January 19, 2017 Tim Case and TC Unlimited Inc., seek sanctions against Plaintiff which include costs and dismissal of the case with prejudice, or in the alternative, for sanctions and an extension of the scheduling order.

#### BACKGROUND

A) This Honorable Court takes judicial notice that on 09/13/2016 defendants attorney Clawson and Staubes accomodated with me and suggested as our deposition site Charlotte, NC. (See below email forwarded by defendants' attorney).

Tim Domin <TDomin@clawsonandstaubes.com> 9/13/16

to Pat, me

As to your deposition, it is normal that the plaintiff's deposition be done in the place where you filed the case. So, I would propose we find an acceptable date in Greenville SC. However, because I have a Charlotte NC office, I would be willing to have your deposition in Charlotte, NC it would b closer for you.

B) On 09/13/2016 defendants' attorneys asked me for relevant documents I complied with their request and forwarded them significant amount of relevant documents at their Fax #: (843) 722-2867. On September 27, 2016 I have to take requested documents to court becuse there were a failure of Fax machine communication. (See below defendants's request for production of relevant documents.

Tim Domin <TDomin@clawsonandstaubes.com> 9/13/16

to Pat, me

Do you agree to send all relevant documents by the deadline of 9/27/2016.

C) This Honorable Court takes Judicial Notice that in conversation over the phone defendants attorneys want to depose me soon according to his schedule in court and travelers issue. When Plaintiff Zulvet agreed to be deposed they changed their position (See email below from them.

Tim Domin <TDomin@clawsonandstaubes.com>

9/14/16

to me, Pat

I have received your fax. I appreciate your offer to do your deposition Friday. But that is too soon. I will want to get your relevant documents and give you mine. I will want to set a date far enough in advance to place it on the calendars of an interpreter and court reporter. So, we are probably taking about 30-45 days.

D) This Honorable Court takes Judicial Notice of Plaintiff Zulveta's willingness to comply with this court's order but like September 27, 2016 only I received is interference and excuse from defendants' attorneys

Armando Zulveta <acere1296@gmail.com>

9/14/16

to Tim

Ok, that is fine. When we are going to start exchange relevant documents?

E) This Honorable court takesw Judicial Notice that on 9/25/ 16 requested relevant documents were forwarded to defendants's attorneys (See below Email)

Armando Zulveta <acere1296@gmail.com> 9/25/16

to Tim

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

No.: 15-2561, Armando Despaigne Zulveta, Plaintiff-Appellant

vs.

State Automobile Mutual Insurance Co., Steadman Hawkins Clinic of the Carolinas, Tim Case, Wilson Jones Carter & Baxley, PA, Philpot Law Firm, P.A., TC Unlimited, Inc., Curtis Ellison, Robert P. Restrepo, Jr., Stephen R. Bruner, Irvin H. Philpot, III, and Wesley J. Shull,

Defendants-Appellees, Case No.: 6:15-2880-HMH-KFM

NOTICE

Dear attorney Tim Domin

Clawson and Staubes, LLC attorneys for TC Unlimited and Tim Case

I am making you aware that I forgot to make copies of affidavits and sent to you but every single motion filed with the court dated September 16, 2016 it has its affidavit.

On this day the 16 of September, 2016

Armando Despaigne Zulveta P.O. Box 30361 Winston-Salem, NC 27130

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

F) This Honorable Court takes Judicial Notice of Plaintiff Zulveta's request to TC Unlimited Inc., willingness for deposition.

On Mon, Dec 12, 2016 at 4:11 PM, Armando Zulveta <acere1296@gmail.com> wrote:

I would let you know what date is convenient for me but be prepared to take Employer Tim Case and TC Unlimited Inc., for deposition also. Thanks a lot.

G) This Honorable court takes JUDICIAL NOTICE that defendants's attorneys Clawson and Starbus and his secretary Pat, they tried to misled me with their unlawful procedures in court. Attorney Timothy Domin violated ABA conduct. (See below attorney Domin constantly assurance that our deadline for Discovery was February 9, instead of February 06, 2016. Against the law defendants attorney prey on Pro Se

ignorance, vulnerability, for their own personal purpose trying to obtain a dismissal from court.

Tim Domin <TDomin@clawsonandstaubes.com>

12/13/16

to me

We have a deadline on the current scheduling order to complete discovery By February 9 and that is just around the corner.

Sent from my iPhone

H) This Honorable Court takes Judicial Notice that scheduled date deposition sets by defendants' attorneys on January 11, 2017 would not allow Plaintiff Zulveta the opportunity of 30 days response to his interrogatory and since defendantss attorneys tried to mislead me with discovery deadline set by this court on February 06, 2017 ( See article "G" above) this is another judicial misconduct of defendants's attorney. Plaintiff Zulveta did not stipulate Judicial misconducts.

I) This Honorable Court takes Judicial Notice that there is no provision for stipulations varying the procedures by which methods of discovery other than depositions are governed. It is common practice for parties to agree on such variations, and the amendment recognizes such agreements and provides a formal mechanism in the rules for giving them effect. That is not the case with defendants attorneys.

1) Phone Call placed to defendants attorneys on 09/13/2016 at 11:24 of 3min. 2 sec. of conversation;

2) phone call made on 09/27/2016 at 8:47 A.M. and 10:57 A.M., 56 sec. of conversation;

3) phone call placed to defendants' attorneys on 12/05/2016 at 10:01 A.M. of 1 min. and 54 sec. and at 10:06 A.M. of 11 min. and 36 sec;

4) phone call placed on 01/10/2017 of 7 min. and 9 sec;

5) phone call placed to defendants' attorneys on January 10, 2017 of 7 min. and 9 min.,

This Honorable Court takes Judicial Notice that for an outsider who may have acknowledgment of this case it would be very difficult for the defendants to be believed that they did not understand my English, that is a lot of talk involved in our phone conversation without understanding. Among other things Defendants' attorneys instructed me to stop referring TC Unlimited Inc. 22 employees as undocumented. That as long as Plaintiff Zulveta refers to them (22) as TC Unlimited Inc., he and this Honorable Court would accept this plea because TC Unlimited Inc., under the law is governed as a "person" and as long as request TC Unlimited Inc., for deposition I am also requesting all personnel employed by the company. And that is what I did under his supervision.

6) This Honorable Court takes Judicial Notice that for an outsider who may have acknowledgment of this case it would be very difficult for the defendants to be believed that the picture of a family they sent me on Discovery and whose family is from my inscription birthday hometown Palma Soriano and they have same name and last name like mine that that picture is not intended to be construed as a Death Threat and Psychological Coercion placed upon me, and my family. Anyhow, most likely, he is some relative I am not aware of. I grew up in Havana. (See Exhibits Photos of family "A", "B", "C", and "D" Birth Certificate).

7) The Honorable Court take Judicial Notice that defendants' attorneys Clawson and Staubes felt under their own scheme of continuously deceiving a Pro Se based on my ignorance of the law. On January 06, 2017. According to my acknowledgment I served them in District Court electronically properly under 15 U.S.C. Section 7002(a) and SECTION 26-6-150 (A) (1)(2)(3) and (B)(1), and then, I made them aware of the filings in court. Every single time Plaintiff Zulveta used three ways to serve defendants and District and Fourth of Appeals Court. I certify my mail for either one court of defendants. In addition, I forward electronic and copy to every single one involved in these cases. My filing cases are not processed according to neither FRCP 77 nor Rule 5. In the process Plaintiff Zulveta's Civil Case obtains adverse dismissal while defendants' civil case benefits from same dismissal. (See Exhibits "E" to "I" ) some electronic filing as well as some of many certified mails sent to District and Court of Appeals and also to defendants' attorneys. Since 09/13/2016 Defendants knew who they have to offer for deposition. They offered Tim Case, what about people who witness my work related accident. That is a shame their High Profile Law Firm have to cheat on a Pro Se.

Armando Zulveta <acere1296@gmail.com>

Jan 10

to Tim

From: Armando Zulveta [<mailto:acere1296@gmail.com>] I have send you copy out of my record because I have original of 26 somewhere which I would start fax you today if I can. Also is missing Affidavit on copy I forwarded you to have an idea that many people needs be for deposition. Let me know if you can have all of them early on January 11, 2016 so I can be there tomorrow on time.

J) This Honorable court takes Judicial Notice that like defendants failed to provide Rule 26.1 Corporate Disclosure Statement at Furth Circuit of Appeals until after they were threaten with a dismissal or produce it. The same for this court in the begining they didn't file their attorney disclosure.

A disclosure statement assists a judge in ascertaining whether or not the judge has an interest that should cause the judge to recuse himself or herself from the case. Based on this disclosure of entity (Charter) Judge Garrison Hills knew that his decision would adversely affect me.

K) This Honorable Court takes Judicial Notice that:

a) On Sept. 18, 2015 pursuant 55(b)(2) Plaintiff filed Motion to Strike Defendants Tim case and TC Unlimited Inc. Memorandum in Response to Plaintiff's Motion for default against defendants,

b) on September 18, 2015 Plaintiff filed Motion for Default (Docket 35)

c) on 08/18/2015 Civil Case No.: 15-2561, was closed by Clerk of Court.

d) on 08/24/2015 Honorable Order Herlong Jr., Ordered Schedule Conference having solely TC Unlimited and Tim Case as defendants which Plaintiff Zulveta appealed under Rule 41. Appellate Civil Case 16-2078 was born.

STAY OF APPEAL: only those provisions for which review is sought and matters not affected by the notice of appeal are not stayed. As a group TC unlimited is affected by the appeal while prejudice my case his stance on the case. Discovery is not reachable to co-defendants therefore, it unpair my case. TC Unlimited Inc., and Tim Case should not

be allowed to continue with Honorable Herlong Jr., Scheduling Conference dated August 24, 2016.

e) On February 01, 2016 defendants reunited themselves again in District Court as The Movants and they filed a motion to Dismiss my case.

f) on 11/17/2015 Honorable Herlong, Jr., conducted a de novo review of the "Plaintiff's motion for default as to all defendants [ECF No. 71]" that was mailed prior to the issuance of Honorable Magistrate McDonald's Report and Recommendation, but was not received until after the Report and Recommendation was issued. Honorable Herlong rules that the motion is duplicative and raises no new grounds. The Plaintiff filed no objection, the court is not required to give any explanation for adopting the recommendation.

g) Exactly a year after a similar dismissal was issued on December 21, 2016 at District Court Honorable Herlong Jr., Order prejudiced me when excluded defendants Steadman Hawskin of the Carolinas, Tim Case and TC Unlimited from answer my allegation of Fraud Upon the Court. I Appealed date on 12/30/2016 subject of confusion between District Court and Appeals. Usually, Plaintiff-Appellant Zulveta served both court properly with a copy for each court. Appellate Civil case 17- 1129 was born. This Honorable court for one reason or another it has a tendency of shortening issued scheduling order and every single time Plaintiff is prejudiced while same issued Order benefits defendants above.

l) Defendants had their own default in this District Court that to this moment it has caused me over two (2) years of paychecks benefits lost. When this court allowed them to continue Plaintiff Zulveta made no objection to a substantial amount of money lost. I think over \$1,200 that I question as inflated would not be prejudiced at any type defendants particularly, after Plaintiff Zulveta made once again available to deposition in Charlotte, Greenville, SC, and for be deposed at Greenville District courthouse also because their Death Threat as well as psychological coercion against Plaintiff Zulveta a party to a civil proceeding in a United States District Court and my family, it worked. Your Honour puts yourself on my position. Still, Plaintiff-Appellant Zulveta resisted implemented coercion, fear, and I was willing to make myself available again for deposition.

M) On 09/27/2016 Plaintiff Zulveta filed and requested in this District Court an Ordered Scheduling Conference that like all of my Motions it was ignored and have as result, Defendants'sw attorney Clawson and Starbus Non-Transparent maneuvers in court against an Ignorant of the Law Pro Se. Plaintiff Zulveta moves this court for re-Instation of my motion for Scheduling Conference that was filed long before any Motion filed by defendants' attorneys over the subject. Defendants to produced every experts related to my civil case and the 22 employees witness of my workl related accident. They can be disposed pursuant: **Restrictions on Obtaining Testimony and Documents from Non-Parties Under the Federal Arbitration Act.** Honorable Magistrate Mc Donald allowed me to respond until February 23, 2017. Thisn Honorable court takes this plead as Plaintiff Zulveta requests for TC Unlimited 22 employees, their doctors and experts I requested is only Plaintiff Zulveta requests from them. Forget about the President of The United States Donald Trump who is busy now giving our jobs back and Honorable Nikkie Haley who is busy also representing this country in The United Nations. Keep on with the good work for us working Class People President and Ambassador.

N) Employer Tim Case and his company have created a scheme to employ workforces substantially comprised of undocumented immigrants who have no legal right to be employed in the U.S. for the purpose of depressing employee wages below the levels they would otherwise be required to pay if they were unable to hire substantial numbers of illegalimmigrants who, due to their economic situation and fear of asserting their rights dueto their illegal status, can be easily exploited and who are therefore willing to work for depressed wages.

The Illegal Immigrant Hiring Scheme Is perpetrated by defendants Tim Case and TC Unlimited, Inc., through their participation in association-in-fact enterprises, comprised of each defendant, a company organized under the laws of the State of South Carolina and conducting business, employee recruiting in South Carolina. Defendants Tim Case and TC Unlimited use say company for the purpose of perpetrating this scheme and with the hope that each will be thus shielded from charges that they violated federal law.

This Illegal Immigrant Hiring Scheme nationwide has resulted in the depression or lowering of wages paid to millions of persons who are legally authorized to work in the U.S.

On or about September, 2014 coincidently and while he worked I met TC Unlimited Inc., employee Humberto. At first sight he thought I was an African American who speak fluent Spanish. After our introduction he advised me that his company was in need of workers who has driver license and for information purpose he provided his Employer Card's business

There were neither Recession, nor Unemployment, nor the Economy was recovering. Companie

and employer like TC Unlimited Inc and Employer Tim Case they took the jobs from us and gave them to unauthorized workers in the United States. The same jobs that the Good Governor of South Carolina Honorable Nikkie Haley created for us then, by clear appearance of wrongdoings defendants above took the jobs from us and placed in other hands. CONGRATULATIONS TO HONORABLE UNITED STATES AMBASSADOR NIKKIE HALEY. AND AS A PARTY TO THIS CIVIL PROCEEDING AND WORKER CLASS PEOPLE AFFECTED BY THE CLEARLY APPEARANCE OF WRONGDOINGS OF DEFENDANTS ABOVE LIKE MILLIONS I PERSONALLY BE GRATEFUL TO THE PRESIDENT OF THE UNITED STATES DONALD TRUMP FOR GIVING ME BACK THE CONFIDENCE THAT GOVERNOR HALEY DESERVES. DEFENDANTS ABOVE TOOK THAT CONFIDENCE FROM ME AS WELL AS FROM MANY SOUTH CAROLINIANS I KNOW. THE PRESIDENT OF THE UNITED STATES DONALD TRUMP IS FULFILLING HIS PROMISES OF GETTING OUR JOB BACK TO US. HE ALREADY HAS CREATED THOUSANDS OF THEM EVEN, BEFORE BECAME PRESIDENT. THEREFORE, HE TERMINATED RECESSION, UNEMPLOYMENT, BURTS THE ECOONOMY OF THE UN ITED STATES THAT DEFENDENATS ABOVE HAS SO DAMAGED AND STILL DAMAGING TO WORKING CLASS PEOPLE OUT OF THEIR JUDICIAL MISCONDUCT IN COURT IN BEHALF OF DEFENDANTS ABOVE OUR BENEFITS PAYCHECKS DISAPPEAR.

O) This Honorable Court takes Judicial Notice that Rule 3.3 Candor Toward The Tribunal It applles squarely to the appearance of defendants Judicial Misconduct.

#### Rule 3.3 Candor Toward The Tribunal

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.

(b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including,

if necessary, disclosure to the tribunal.

(c) The duties stated in paragraphs (a) and (b) continue to the conclusion of the proceeding, and apply even if compliance requires disclosure of information otherwise protected by Rule 1.6.

South Carolina has a mandatory reporting act that states "...any person, insurer or authorized agency having reason to believe that another has made a false statement or misrepresentation or has knowledge of a suspected false statement or misrepresentation shall, for purpose of reporting and investigation, notify the Insurance Fraud Division of the Office of the Attorney General of the knowledge or belief and provide any additional information within his possession relative thereto."

Allowing manifestly unjust results to stand uncorrected also erodes public faith in the judicial process.

P) Honorable Mc Donald sanctions under FRCP 26 is drastic since there wasn't Non Compliance but abuse of the law against a Pro se by an experienced attorney and the award of expenses is unjust. Defendants have couple of defaults under their belt that have caused me a great deal of monetary lost. This civil case is based on the merits and Plaintiff Zulveta understood this Order when allowed defendants to wal away from a dismissal. Honorable Herlong, Jr., Scheduling Conference must be ikisued where3 we can lay down our evidences in from this Honorable court. deffendants have all of my relevaqt documents.

In addition, among many things that defendants fabricated, Plaintiff statements twisted, incompetent medical record introduced at SC workers Compensation and this District Court, Plaintiif Zulveta never went to Greenville Hospital System for Chest Pain. (See defendants' fraudulent and fabricated medical bills Exhibits "J" and "K") Defendants they may fraudulent placed me in the Chest Pain Center, that is their hospital which Plaintiff Zulveta knows nothing about their health care center but in the end, they provided me the service I went there for: MY NEGLECTED KNEE LOOKING FOR MNEDICAL ATTENTION.

Also, (See Exhibit "M") South Carolina Workers Compensation Commission's

*5/27/17 11:42 AM N.Y.S. J.24 S.C. 11*

Commissioner Michael R. Campbell rendered a decision that benefit defendants without them having a file on record.


On this day the 21st of February, 2017

Respectfully Submitted;

*Armando Despujols* 02/21/2017  
*Armando Despujols*


¿Y H I B i t "A"





 Armando Moreno Despaigne  
January 1, 2014 ·


Share

8 people like this.


 Armando Moreno Despaigne Con mi hijo  
See Translation  
January 1, 2014 at 5:26pm

 Norvi Lopez E me parecen conocido jajaja  
See Translation  
January 1, 2014 at 6:47pm

 Armando Moreno Despaigne Jajaja dimaic  
sosio  
See Translation  
January 1, 2014 at 5:59pm

 Aimara Despaigne Oye como se ve que so  
Despaigne ...ahahah!!!!  
See Translation  
January 2, 2014 at 6:34am

People You May Know

 Angle Fisher Burgess  
8 mutual friends  
Add Friend

322

Find friends



EXHIBIT "C"

Add Friend

Message

- Timeline
- About
- Friends
- Photos
- More

About

To see what he shares with friends, send him a friend request.

Overview

CURRENT CITY AND HOMETOWN

Work and Education

Houston, Texas  
Current city

Places He's Lived

Palma Soriano, Cuba  
Hometown

Contact and Basic Info

Family and Relationships

Details About Armando

Life Events

- Sponsored
- Sharon Arnold 4h
- Bernice Floyd 3h
- Cynthia Griffin Johns... 1h
- Charlotte Reeder
- Tracey Downs 55m
- Nikki Akerele Collins

Take Your...  
See a U...  
from the...  
home...  
Dow...

Friends

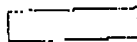
Add Friend

- All Friends
- Current City
- Hometown
- Following

Search Friends



José Roberto Morales  
Works at No Trabajo, Me mantienen



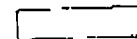
Ronald Chacon  
Driver at RL Transportation



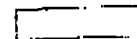
Nolgje Damron  
Amazon.com



Glamis Hernandez  
Enma Rosa Chul



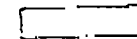
Yadrin Moreno  
Truck Driver at Iron Horse Trucking LLC



Ellenis Maria  
Houston, Texas



Amado Fernandez



Yoryana Despaigne  
Works at Self-Employed



See All

Photos

324

EXHIBIT "B"



Armando Moreno Despaigne's Photo...  
in Mobile Uploads

Options Share Send



Armando Moreno Despaigne  
January 11 ·

Aqui con el primo y amigos

See Translation

Share

13 people like this.

Sponsored

Cre



#1 Rated Mobile Carrier  
consumercellular.com  
Mama H. says, "I was with my last provider for 13 y  
and they kept raising prices. I..."

323

7/30/2016

Print

**Subject:** RE: Amondo Zulveta vs. TC Unlimited Inc. 452483:  
**From:** Cheeseboro, Barbara (BCheeseboro@wcc.sc.gov)  
**To:** wjshull@wjlaw.net;  
**Cc:** zularmando@yahoo.com; trsharpless@wjlaw.net;  
**Date:** Monday, July 25, 2016 12:32 PM

EXHIBIT 2

Mr. Shull, your APAs and exhibits were never uploaded for the file. Please upload for the file.

Thanks,

**From:** Wes J. Shull [mailto:wjshull@wjlaw.net]  
**Sent:** Wednesday, March 16, 2016 4:43 PM  
**To:** Cheeseboro, Barbara  
**Cc:** 'Armando Despaigne zulveta'; Trudy R. Sharpless  
**Subject:** Amondo Zulveta vs. TC Unlimited Inc. 452483:

Barbara,

Please find attached a proposed Decision & Order I have drafted for Commissioner Campbell's signature, per his order instructions.

Since Mr. Zulveta is unrepresented, I am also sending a hard copy of this out via U.S. Mail.

Best regards,

Wes



**Wesley J. Shull, Attorney**  
wjshull@wjlaw.net  
872 S. Pleasantburg Dr.  
Greenville, South Carolina 29607  
Phone: (864) 272-2660  
Fax: (864) 235-6015  
wjclaw.net

This message may be protected by the attorney/client privilege, attorney work product or other privileges. If you received this message in error, please send a reply, delete the message immediately and do not forward this message to any other person.

**GREENVILLE HEALTH SYSTEM**

255 Enterprise Blvd., Suite 210  
Greenville, SC 29615-3556

ADDRESS SERVICE REQUESTED

002564  
0101

Check here if your address or insurance information has changed.  
Please indicate changes on this form or call Customer Service.

CHECK CARD USING FOR PAYMENT			
<input type="checkbox"/> MASTERCARD	<input type="checkbox"/> DISCOVER	<input type="checkbox"/> VISA	<input type="checkbox"/> AMERICAN EXPT
CARD NUMBER	SECURITY VALUE	AMOUNT	
SIGNATURE			EXP. DATE
STATEMENT DATE	AMOUNT DUE NOW	ACCOUNT NUMBER	
05/22/2015	\$936.72	08002238779	
PATIENT NAME			AMOUNT PAYING
ZULVETA DESPAIGNE			\$

854848D



#BWNFJQG  
#0800223877950006#  
ARMANDO DESPAIGNE ZULVETA  
PO BOX 6015  
GREENVILLE, SC 29606-6015



GREENVILLE HEALTH SYSTEM  
PO BOX 19051  
GREENVILLE, SC 29602-9051

0800223877950000936728

PAY ONLINE AT [www.ghs.org](http://www.ghs.org)

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

**PATIENT BILL FOR SERVICES**

Patient Name	Account Number	Service From:	Service To:	Statement Date
ZULVETA DESPAIGNE	080022387795	02/13/2015	02/13/2015	05/22/2015

LOCATION: GREENVILLE MEMORIAL

TOTAL CHARGES FOR THE FOLLOWING SERVICE: CHEST PAIN CENTER

\$1,040.80

*Armando Despaigne Zulveta*  
*VS*  
*TC UNLIMITED INC*  
*Claim # 452483*

*EXHIBIT*

10% UNINSURED DISCOUNT

(\$104.08)

**Please Pay This Amount**

**\$936.72**

**IMPORTANT NOTE FOR: ARMANDO DESPAIGNE ZULVETA  
PAST DUE NOTICE**

Full payment has not been received. Payment in full must be made immediately to avoid further collection activity. Please contact our office at the number below to make a credit card payment by phone or to discuss financial arrangements. Thank you.

Patient Financial Services • 255 Enterprise Boulevard, Suite 210 • Greenville, SC 29615-3556  
(864) 454-8611 (local) or long distance 1(800) 998-8995 (toll free)



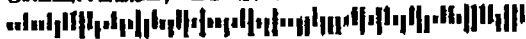
**GREENVILLE  
HEALTH SYSTEM**

255 Enterprise Blvd., Suite 210  
Greenville, SC 29615-3556

Check here if your address or insurance information has changed.  
Please indicate changes on this form or call Customer Service.

DATE OF SERVICE 04/24/15	ACCOUNT NUMBER 080022923422
PATIENT NAME ZULVETA DESPAIGNE	
PHYSICIAN JOHN BENJAMIN CRUMPLER, MD	
SERVICE CHEST PAIN CENTER	
LOCATION GREENVILLE MEMORIAL	

#EWNFJRD\*\*\*\*\*  
#0800229234220062#  
ARMANDO DESPAIGNE ZULVETA  
PO BOX 6015  
GREENVILLE, SC 29606



*EXHIBIT 5*

ITEMIZED CHARGES

SERVICE DATE	DESCRIPTION	AMOUNT	QTY	TOTAL	
04/24/15	RADIOLOGY XR KNEE COMPLETE 4+VIEWS TOTAL RADIOLOGY	\$493.90	1	\$493.90	\$493.90
04/24/15	EMERGENCY ROOM ED FEE LEVEL III TOTAL EMERGENCY ROOM	\$815.00	1	\$815.00	\$815.00
04/24/15	PHYSICIAN(S) FEE 99283 ER MD-LEVEL III TOTAL PHYSICIAN(S) FEE	\$225.80	1	\$225.80	\$225.80
TOTAL CHARGES					\$1,534.70

*Armando DESPAIGNE ZULVETA  
vs.  
TC Unlimited Inc  
Claim # 452483*

\*\*\*\*\*  
 \*\*\* ACTIVITY REPORT \*\*\*  
 \*\*\*\*\*

ST. TIME	DESTINATION NUMBER	DESTINATION ID	NO.	MODE	PGS.	RESULT
01/06 23:14	8037222867		0461	TRANSMIT	0	NG 00'00 0 #018
01/06 23:25	8037222867		0462	TRANSMIT	0	NG 00'00 0 #018
01/06 23:28	8037222867		0463	TRANSMIT	0	NG 00'00 0 #001
01/06 23:28	8037222867		0464	TRANSMIT	0	NG 00'00 0 #001
01/06 23:29	8037222867		0465	TRANSMIT	0	NG 00'00 0 #001
01/06 23:30	8037222867		0466	TRANSMIT	0	NG 00'00 0 #001
01/06 23:35	8037222867		0467	TRANSMIT	0	NG 00'00 0 #018
01/06 23:55	8642412711		0468	TRANSMIT	ECM 11	OK 02'46
01/06 23:59	8642412711		0469	TRANSMIT	ECM 11	OK 03'10
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	0	NG 00'37
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	ECM 13	OK 01'40
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	ECM 13	OK 01'26
[REDACTED]	[REDACTED]		0473	TRANSMIT	G3 13	OK 03'46
01/09 16:26	8037345167		0474	TRANSMIT	0	NG 00'37 0 #018
01/09 16:32	8037345167		0475	TRANSMIT	G3 13	OK 03'51
[REDACTED]	[REDACTED]		0476	TRANSMIT	G3 13	OK 05'00
[REDACTED]	[REDACTED]		0477	TRANSMIT	G3 13	OK 03'54
01/09 16:53	8037791767		0478	TRANSMIT	ECM 13	OK 01'20
[REDACTED]	[REDACTED]		0479	TRANSMIT	ECM 13	OK 01'28
01/09 22:23	8037222867		0480	TRANSMIT	0	NG 00'00 0 #018

EXHIBIT I

\*\*\*\*\*  
 \*\*\* ACTIVITY REPORT \*\*\*  
 \*\*\*\*\*

ST. TIME	DESTINATION NUMBER	DESTINATION ID	NO.	MODE	PGS.	RESULT
12/27 08:36	8642132121		0401	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	3	OK 00'48
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	NG 00'35
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
[REDACTED]	[REDACTED]	[REDACTED]	0404	TRANSMIT	3	OK 00'32
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	3	OK 00'31
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	26	OK 03'59
[REDACTED]	[REDACTED]	[REDACTED]	0407	TRANSMIT	0	NG 00'59
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	26	OK 10'04
12/31 18:06	8437222867		0409	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
[REDACTED]	[REDACTED]	[REDACTED]	0410	TRANSMIT	26	OK 03'18
[REDACTED]	[REDACTED]	[REDACTED]	0411	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
12/31 19:58	8437222867		0412	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
[REDACTED]	[REDACTED]	[REDACTED]	0413	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
[REDACTED]	[REDACTED]	[REDACTED]	0414	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
[REDACTED]	[REDACTED]	[REDACTED]	0415	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
01/03 16:30	8437222867		0416	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
[REDACTED]	[REDACTED]	[REDACTED]	0417	TRANSMIT	0	NG 00'35
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 #018
[REDACTED]	[REDACTED]	[REDACTED]	0418	TRANSMIT	0	NG 00'00
01/03 22:36	8037345167		0418	TRANSMIT	4	OK 01'43
[REDACTED]	8642642711		0419	TRANSMIT	0	NG 00'00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	0	0 STOP
01/03 22:38	8642412711		0420	TRANSMIT	4	OK 02'06

EXHIBIT "H"

\*\*\*\*\*  
 \*\*\* ACTIVITY REPORT \*\*\*  
 \*\*\*\*\*

ST. TIME	DESTINATION NUMBER	DESTINATION ID	NO.	MODE	PGS.	RESULT
01/03 22:49	8437222867		0421	TRANSMIT	0	NG 00'00 0 #018
01/03 22:51	8037345167		0422	TRANSMIT G3	27	OK 09'12
[REDACTED]	[REDACTED]		0423	TRANSMIT ECM	4	OK 00'54
[REDACTED]	[REDACTED]		0424	TRANSMIT ECM	3	OK 00'33
[REDACTED]	[REDACTED]		0425	TRANSMIT G3	7	OK 02'34
[REDACTED]	[REDACTED]		0426	TRANSMIT	0	NG 00'00 0 STOP
[REDACTED]	[REDACTED]		0427	TRANSMIT ECM	5	NG 01'18 5
01/04 07:59	8642132121		0428	TRANSMIT	0	NG 00'35 0 #018
01/04 08:07	8037345167		0429	TRANSMIT G3	4	OK 01'25
[REDACTED]	[REDACTED]		0430	TRANSMIT	0	NG 00'37 0
[REDACTED]	[REDACTED]		0431	TRANSMIT ECM	7	OK 01'29
[REDACTED]	[REDACTED]		0432	TRANSMIT ECM	7	OK 01'06
[REDACTED]	[REDACTED]		0433	TRANSMIT G3	7	OK 03'21
[REDACTED]	[REDACTED]		0434	TRANSMIT ECM	7	OK 01'03
01/04 10:10	8037345167		0435	TRANSMIT G3	3	OK 01'11
01/04 10:25	8642412711		0436	TRANSMIT ECM	7	OK 02'43
[REDACTED]	[REDACTED]		0437	TRANSMIT G3	14	OK 05'33
[REDACTED]	[REDACTED]		0438	TRANSMIT ECM	14	OK 02'56
[REDACTED]	[REDACTED]		0439	TRANSMIT G3	14	OK 07'46
01/04 11:09	8647222867		0440	TRANSMIT	0	NG 00'00 0 STOP

EXHIBIT "5"

**TRANSLATION OF BIRTH CERTIFICATE**

MJ-RC-21-1

I. 025 - (5CC)

<b>MINISTRY OF JUSTICE</b>	No. Of the application paid: <del>██████████</del>	Order No. <del>██████████</del>
<b>CIVIL REGISTRY</b>	<b>BIRTH CERTIFICATE</b>	
<input type="checkbox"/> Exempt	<input checked="" type="checkbox"/> Recorded	
	Subscriber's rights under the law 1264 of 14 January 1974	
To be used in: Immigration and Aliens	Effected in: <input type="checkbox"/> Cuba <input checked="" type="checkbox"/> Other Countries	
Take    File    Date of Registration <del>████</del> <del>████</del> Day- <del>██</del> Month- <del>██</del> Year- <del>██</del>	Civil Registry <b>Palma Soriano</b>	
<i>Name (s) and Last Names</i> <b>ARMANDO DESPAIGNE ZULUETA.</b>		
<i>Place of Birth</i> Santa Filomena Plama Soriano	<i>Sex</i> Male	<i>Date of Birth</i> Day- <del>██</del> Month- <del>██</del> Year- <del>██</del>
<i>Father Name and Last Name</i> <del>████████████████████</del>		
<i>Natural of</i> Palma Soriano		
<i>Mother Name and Last Name</i> <del>████████████████████</del>		
<i>Natural of</i> Palma Soriano		
<i>Paternal Grandparents</i> <del>████████████████████</del>		
<i>Maternal Grandparents</i> <del>████████████████████</del>		
<i>Entries made under:</i> Appearance of the Mother		
Observations:		

EXHIBIT 1197413

**CERTIFICATION**

The Registrar of Civil Status: Palma Soriano  
**CERTIFIED:** The above data agree closely with those that appear recorded in the inscription referred to: ~~████████████████████~~

Prepared by: VRS - Signature-	Confronted by:	Registrar in Charge: <i>There is a stamp the reads: Republic of Cuba</i> Ministry of Justice --- Signature ---
-------------------------------	----------------	---

325

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 FOURTH CIRCUIT COURT APPEALS  
 CLERK OF COURT  
 1100 EAST MAIN ST, SUITE 501  
 RICHMOND, VA 23219



9590 9403 0280 5155 5597 56

2. Article Number (Transfer from label)  
 015 0640 0002 2698 6945

PS Form 3811, April 2015 PSN 7530-02-000-8053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Charles Pugh*  Agent  Addressee

B. Received by (Printed Name)  
 Charles Pugh

C. Date of Delivery  
 02-16-16

D. Is delivery address different from Item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

PS Form 3811, July 2013  
 Domestic Return Receipt  
 (Transfer from serv.)  
 2015 1720 0000 4788 2697

4. Restricted Delivery? (Extra Fee)  Yes  No
3. Service Type
- Certified Mail®
  - Priority Mail Express™
  - Registered
  - Return Receipt for Merchandise
  - Insured Mail
  - Collect on Delivery

1. Article Addressed to:  
 WILSON JONES CENTER & BANKERS PA  
 WILSON S. SHELDON, ATTORNEY  
 872 S. PLEASANTBURG DR.  
 GREENVILLE, SC 29607

A. Signature  
 X *Blayne M. Hays*  Agent  Addressee

B. Received by (Printed Name)  
 Blayne M. Hays

C. Date of Delivery  
 2/16/16

D. Is delivery address different from Item 1?  Yes  No  
 If YES, enter delivery address below:

**COMPLETE THIS SECTION ON DELIVERY**

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Timothy A. Dominis Attorney  
 126 SEVEN FARMS DRIVE  
 SUITE 200  
 CHARLESTON, SC 29492



9590 9403 0280 5155 5597 70

2. Article Number (Transfer from service label)

PS Form 3811, April 2015 PSN 7530-02-000-8053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Mark S. Itton*  Agent  Addressee

B. Received by (Printed Name)  
 Mark S. Itton

C. Date of Delivery  
 2-8-16

D. Is delivery address different from Item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-8053 Domestic Return Receipt

EXHIBIT 11

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Chief Judge Healy Sr.  
 305 E. Washington St.,  
 Greenville, SC 29601



9590 9402 2422 6249 1716 62

2. Article Number (Transfer from service label)

7016 1370 0000 6806 1008

PS Form 3811, July 2015 PSN 7530-02-000-9059

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Priority Mail Express
  - Registered Mail
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Chief Judge Roger Gregory  
 Lewis F. Powell Jr. Courthouse  
 1100 East Main St., Ste. 501  
 Richmond, VA 23219



9590 9402 2422 6249 1723 48

2. Article Number (Transfer from service label)

7016 1370 0000 6806 1077

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Priority Mail Express
  - Registered Mail
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 US Federal Circuit Appeals  
 Chief Judge Honorable  
 Robert Gregory  
 1100 E. Main St.,  
 Richmond, VA 23219

2. Article Number (Transfer from service label)

7015 0640 0002 2698 6969

PS Form 3811, February 2004

Domestic Return Receipt

102695-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type
- Certified Mail
  - Registered
  - Insured Mail
  - Express Mail
  - Return Receipt for Merchandise
  - G.O.D.
4. Restricted Delivery? (Extra Fee)  Yes

2741312

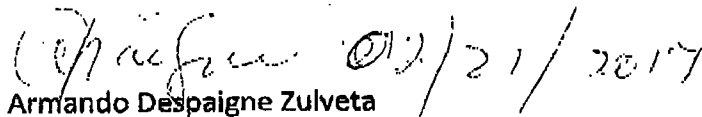
IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Armando Despaigne Zulveta, ) C.A. No. 6:15-cv-2880-HMH-KFM  
Plaintiff, )  
vs. )  
TC Unlimited Inc, Tim Case )  
Defendants )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

This is to certify that a true copy of PLAINTIFF ZULVETA's OBJECTION TO UNITED STATES MAGISTRATE JUDGE KEVIN MC DONALD's CONCLUSION AND RECOMMENDATION DATED 02/02/2017 has been electroically served upon Defendants TC UNLIMITED Inc., and TIM CASE's attorney CLAWSON and STABUS attorney TIMOTHY A. DOMIN at FAX #: (843) 722- 2867 or (704) 522-9033 or (843) 722-2867 or (864) 232-2921 or USPS mail.

On this day the 21 of February, 2017

  
Armando Despaigne Zulveta

P.O. Box 30361 Winston-Salem, NC 27130

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