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SC Court of Appeals

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VIA FAX (803) 734-1839	
The Honorable Jenny Abbott Kitchings, Clerk South Carolina Court of Appeals 1220 Senate Street Columbia, SC 29201	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <p>FOIA/ PRIVACY REQUEST:</p> <p style="text-align: center;">NOVEMBER 30, 2018</p>
Appellate Case No. 2018- 001364 S.C. WCC File#: 1322451, 1319203, 142087	
Mr. Terry H Capone 130 Summerlea Drive Columbia, SC 29203	
NOTICE OF FREEDOM OF INFORMATION (FOIA)/ 10 U.S.C 1556/ PRIVACY ACT 1974 ,(20) DAYS REQUEST FOR RECORDS. REQUEST BEING SENT VIA FAX (803) 734-1839 IN THE ABOVE REFERENCED MATTERS	

Dear Ms. Kitchings:

I hereby request a copy of "all" names and votes/ decisions made by members of the Court be furnished for any and all session hearings/ decisions "Full or otherwise" and all ex parte communication between the Court and members of the court and Court Employees, opinions sought and made In regards to all hearings between all parties state government or commercial pertaining or by any Court employee / State employee to and from any and all South Carolina Workers Compensation Commission Employees in regards to the above aforementioned as Appellate case No. 2018-00134 also identified SC WCC File# 1322451, 1319203, 142087 beginning on or about June 2018 to present.

The inquiry is being conducted in advance of Federal Complaint coming forth for Obstruction of Justice, Fraud Upon The Court, Civil (RICO) Racketeer Influenced Corrupt Organization ACT Complaint AND Conspiracy to Commit CIVIL RICO to include Wire Fraud and Mail Fraud in the denial/ devaluation of South Carolina Workers Compensation Benefits (PROPERTY) that I hold a substantial property- interest, Denial of Procedural and Substantive due process, Denial of Equal Justice and Equal Protection under the Color of Law and other violations that had lead to arbitrary and capricious decisions and unfair manner of treatment abusing this Commission discretion and not in accordance with law or was made without observation of procedure and regulations required by law or modern standards or practices.

I further request the information be expedited due to time constraints connected filing the complaint.

I further request a full waiver of fees associated with this request. The information requested is material to my claim and filing of forthcoming federal complaint.

Please note that this request for documents is being made pursuant to the Privacy Act, 5 U.S.C 552, and Freedom of Information Act (FOIA), 5 U.S.C. 552a, as well as 38 C.F.R. 1.550 and 38 C.F.R 1.577. Your agency has a duty to respond to this request within TWENTY (20) Days of the date of this request pursuant to 5 U.S.C 552 (a)(6)(A)(2)(I).

Additionally, although an extension of time to respond may be requested, it may only be granted for "unusual circumstances". Predictable agency workload is not typically considered an unusual circumstance as stated in 5 U.S.C. 552(a)(6)(c)(ii). Moreover, even to the extent that unusual circumstances could be demonstrated in this instance, the time limit for the extension is limited to "10 working days" pursuant to 38 C.F.R. 1.553(d)

Please also be aware that your agency's failure to respond to this request within Twenty (20) days may result in the filing of an administrative appeal with the office of the Secretary of the Department of Veterans Affairs pursuant to 38 C.F.R 1.557 and 5 U.S.C 552(a)(6)(A)(2)(ii), and potentially, the filing of a federal lawsuit to compel the production for the information requested.

This may subject your agency to contempt of court and a fine, including attorney fees and litigation expenses in compelling the production of this information pursuant to 38 U.S.C. 552a(g)(1) of the Privacy Act, and 38 U.S.C. 552(a)(4)(B) of FOIA. Thank you



Very Truly Yours,
Sent from Terry H Capone's Verizon
Wireless 4G LTE smartphone