

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

ORIGINAL

APPEAL FROM SOUTH CAROLINA WORKER'S COMPENSATION
Full Appellate Board

Case No. 2016-000598

RECEIVED
OCT 27 2017
SC Court of Appeals

Clarence B. Jenkins, Employee,Appellant,

v.

Amazon.Com DEDC, LLC, Employer,
and American Zurich Ins. Co, Carrier, Respondents.

SECOND SUPPLEMENTAL RECORD ON APPEAL

Clarence B. Jenkins Jr.
945 Wire Rd.
Neeses, S.C 29107
(803) 263-4514
Attorney for Appellant

Attorney Helen F. Hiser
Post Office Box 650007
Mt. Pleasant, SC 29465
(843) 576-2930
Attorney for Respondents

Russell Goudelock
PO Box 12519
Columbia, SC 29211

Attorney for Respondents

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South Carolina Workers' Compensation Commission

1333 Main Street, Suite 500
P.O. BOX 1715
Columbia, SC 29202-1715
(803) 737-5723

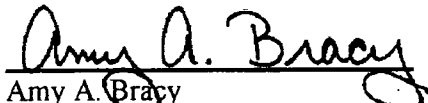


WCC File #: 1303989

Date of Injury: 02/10/2013

CLARENCE JENKINS v. AMAZON.COM.DEDC, LLC
WCC File No. 1303989

The Commission is hereby providing you a copy of the Amended Form 50 filed by the unrepresented claimant pursuant to R.67-207 A (3) and R.67-211.


Amy A. Bracy
Judicial Director

Date: October 13, 2014

CERTIFICATE OF SERVICE

I hereby certify on October 13, 2014, I served this document on the parties listed below by electronic mail or depositing a copy hereof, postage prepaid, in the United States mail and addressed as follows:

J. Russell Goude-lock, II (5)
McAngus Goude-lock & Courie, LLC
PO Box 12519
Columbia, SC 29211

By: Tracy S. Riddle, Judicial Department



recheck

Claimant's Name: Clarence Jenkins Jr SSN: _____
Address: _____
City: Neeses State: SC Zip: 29102
Home Phone: _____ Work Phone: _____

Employer's Name: Amazon Vede, LLC
Address: 7200 Discovery Drive
City: Chattanooga State: TN Zip: 37421
Insurance Carrier: Insurance Co. state of Pennsylvania
CIO Sedgwick

Preparer's Name: Varrie Jenkins Jr Law Firm: NA Preparer's Phone #: 803 2103 4514

A claim for workers' compensation benefits is made based on the following grounds:

Date of Injury or Illness: 2-10-13

- Injury Illness Repetitive Trauma Occupational Disease Physical Brain Injury Concurrent Jurisdiction

1. The claimant sustained an injury to Head (part(s) of Body Injured) on 2-10-13 (Month/Day/Year) in Lexington county, state of SC
2. Body part(s) affected are: Head, eyes, leg and foot and ear
3. Briefly describe how the accident occurred: hit my head on a metal table as I pick up an item.
4. Both the claimant and the employer were subject to the South Carolina Workers' Compensation Act at the time of injury. yes
5. The relationship of employer and employee existed at the time of injury. yes
6. At the time of the injury the claimant was performing services arising out of and in the course of employment. yes
7. Notice of the accidental injury was given to the Employer on 2-10-13 (Month/Day/Year) in the following manner: By reporting injury to

immediate supervisor and filing a written report to on site medical facility.

7. Due to injury, the claimant is in need of (check one):

(a) medical examination and treatment for: _____

(b) additional medical examination and treatment for: constant headaches, right leg and foot and vision problems

8. Due to injury, the claimant requests temporary total disability benefits because of lost compensable time from work and wages for the period of: see attachment

9. Due to the injury, the Claimant has permanent disability of the following nature and extent (check one):

(1) General Disability: Total Partial (2) Specific Disability: Total Partial (3) Wage Loss

9a. A determination of permanent disability is premature at this time.

10. Due to the injury, the Claimant has a serious bodily disfigurement consisting of: _____

10a. At the time of the injury, the Claimant was paid weekly wages of \$500 and demands accounting of days worked and wages earned as provided by law. NO

10b. Give names and addresses of all employers for whom the Claimant has worked since the date of the accident: Amazon
4400 12th West Columbia, SC 29172

11. Further grounds or unusual aspects of claim: see attachment

11a. List names and addresses of all physicians or other medical specialists who have seen or treated the Claimant as a result of the accident: Dr. Mohammed Orangeburg, SC / Dr. Strickler Charleston, SC / Dr. Eden, Norcross, SC

11b. To the best of your knowledge, did you have any prior permanent disability? NO
If yes, describe: _____

12. Appropriate benefits as provided in the Act for the above grounds and other relief as the Workers' Compensation Commission may direct as just and proper.

13a. I am filing a claim. I am not requesting a hearing at this time.

14. Estimated time needed for hearing: 1 hour

13b. I am requesting a hearing. A \$25 fee is required.

Mediation

- a. Mediation is requested to be ordered pursuant to Reg. 67-1801 B.
 b. Mediation is required pursuant to Reg. 67-1802.
 c. Mediation is requested by consent of the Parties pursuant to Reg. 67-1803.
 d. Mediation has been conducted by a duly qualified mediator and resulted in an impasse.

Questions regarding mediation may be submitted to mediation@wcc.sc.gov.

I certify I have served this document pursuant to Reg. 67-211 by delivering a copy to SC Worker's Compensation Commission
address PO Box 1715 Columbia, SC on the 9th day of 10, 2014 by first class postage certified mail personal service.

I verify the contents of this form are accurate and true to the best of my knowledge.

Clarence Jenkins Jr
Preparer's Signature

Claimant
Title

uscales@amazon.com
Email

October 9, 2014
Date

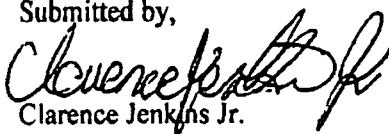
Questions about the use of this form should be directed to the Claims Department at 803.737.5723. Refer to Regulations 67-204 through 67-211 and Regulations 67-601 through 67-615 as well as Reg. 67-1801.

Attachment: SC Worker's Compensation Form 50

8. Have not work since January 21, 2014 because of medical problems. Dr. Mohammed placed me on light duty because of medical problems and employer would not allowed access because medical work restrictions which is supported by written verification.

11. The defendant has admitted to responsibility in questions 1 through 6 while stating reasons for denial in the same questions which implies a double standard to benefit Amazon. Amazon Legal Representative (Mr. Rusty Goudelock) stated in an email April, 2014 that worker's compensation would not be given to me when the laws of the state of South Carolina has allowed for it due to work related injury and employer admitting to injury. Amazon intended to create a financial hardship by denying worker's compensation and shortterm disability since March 5, 2014 knowing that employer (Amazon) did not allowed me to work because of light duty restrictions by Dr. Mohammed. I sought information for many months from Amazon regarding worker's compensation or shortterm disability and no one would respond which is supported by verification. I have been receiving blank monthly pay stubs since March 5, 2014 sent to my direct deposit account which is supported by written verification. By Amazon finding a doctor (Dr. Stickler) to say I am at maximum medical improvement because Dr. Mohammed who is primary neurologist would not give them a rating in June, 2014 when requested by Nurse Case Manager (Kelly Wells) stating until he receives medical evaluation from neuro surgeon, neuro physician and spine specialist which have not been completed at this time. Dr. Stickler Office would not even confirm that I was ever a patient of his when Aetna Insurance was seeking information per my authorization which is supported by verification. Amazon had previously attempted the same maximum medical improvement outcome with Dr. Jerve (neurologist) from Charleston, SC. The first scheduled appointment with Dr. Stickler was August 13, 2014 but due to misinformation between defendant and his office regarding services to be render therefore had to be rescheduled. Defendants filed a form 51 on August 15, 2014 reserving the right to and may amend or supplement pending further investigation. The scheduled appointment with Dr. Stickler was scheduled for August 20, 2014 where he later submitted a report stating I was at maximum medical improvement. Defendants amended their form 51 on September 29, 2014 after Dr. Stickler submitted his report indicating maximum medical improvement stating no further benefits and/to disability compensation benefits are owed to claimant. The defendant deliberately scheduled a pre-arrange an intentional appointment to render no medical services on August 13, 2014 knowing that a form 51 will be completed on August 15, 2014 requesting the right to reserve and may amend upon an investigation. The defendant amended their form 51 on September 29, 2014 stating claimant has reached maximum medical improvement and no further medical benefits and/to disability compensation benefits are owed to claimant after Dr. Stickler submitted his report of maximum medical improvement. The defendant set me up as robbers waiting outside a bank therefore a deliberate act of fraudulent intentions. Dr. Stickler was a pawn for Amazon that brought shame to his own medical practice. I am still in need of additional medical care.

Submitted by,


Clarence Jenkins Jr.

DATE

6-20-14

THE NEUROLOGY AND PAIN CLINIC

2850 Pelham Court
Orangeburg, SC 29118
PHONE: (803) 531-8500

NAME

Clarence Jenkins

ADDRESS

Mohammed Alhatou, M.D.
SC Lic. No. 22951
DEA No. BA6915283
NPI No. 1124057245

Mahmoud Abu-Ata, M.D.
SC Lic. No. 27809
DEA No. BA9235765
NPI No. 1841216991

Rx

(Please Label Contents)

Mg. No.

Sig.

Rep.

1 refer for neuropsych testing

2

3

4

DISPENSE AS WRITTEN

GROVE PARK PHARMACY

M.D.

536-0007

SUBSTITUTION PERMITTED

M.D.

Drive-Thru Window

DATE

6-20-14

THE NEUROLOGY AND PAIN CLINIC

2850 Pelham Court
Orangeburg, SC 29118
PHONE: (803) 531-8500

NAME

Clarence Jenkins

ADDRESS

Mohammed Alhatou, M.D.
SC Lic. No. 22951
DEA No. BA6915283
NPI No. 1124057245

Mahmoud Abu-Ata, M.D.
SC Lic. No. 27809
DEA No. BA9235765
NPI No. 1841216991

Rx

(Please Label Contents)

Mg. No.

Sig.

Rep.

1 refer to psychiatry for
2 evaluation

3

4

DISPENSE AS WRITTEN

GROVE PARK PHARMACY

M.D.

536-0007

SUBSTITUTION PERMITTED

M.D.

Drive-Thru Window

DATE

6-20-14

THE NEUROLOGY AND PAIN CLINIC

2850 Pelham Court
Orangeburg, SC 29118
PHONE: (803) 531-8500

NAME

Clarence Jenkins

ADDRESS

Mohammed Alhatou, M.D.
SC Lic. No. 22951
DEA No. BA6915283
NPI No. 1124057245

Mahmoud Abu-Ata, M.D.
SC Lic. No. 27809
DEA No. BA9235765
NPI No. 1841216991

Rx

(Please Label Contents)

Mg. No.

Sig.

Rep.

1 referral - for spine surgery

2

3

4 Dx: Chronic spine disease

DISPENSE AS WRITTEN

GROVE PARK PHARMACY

M.D.

536-0007

SUBSTITUTION PERMITTED

M.D.

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lynda.com
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Too Much is Too Much(7)

Me Dear Amazon: If I suffer any financial mishaps in any way the Feb 19

Doyle, Michelle Feb 19

To Me, Smith, Trina, Katsler, Alicia

Hi Clarence.

I wanted to let you know that the site has reviewed the restrictions on your RMI that we received and at this time we are not able to accommodate your restrictions. The doctor lists loud noise and bright lights to be an issue. As you know, the site is loud and bright. Since we are unable to accommodate your restrictions, please reach out to the LOA team to request an LOA starting with the first day of work missed on 1.20.14. The LOA team will also be able to put you in contact with the short-term disability team in regards to potential compensation for missed time.

Thanks
MD

Michelle Doyle | HR Business Partner | Amazon Fulfillment-CA1
m.doyle@amazon.com



Show message history

Reply, Reply All or Forward | More

Me Amazon: Michele, thanks for responding. I am disappointed Feb 19

Me On Wednesday, February 19, 2014 8:11 PM, Clarence Jr <up> Feb 21

Me On Friday, February 21, 2014 7:39 PM, Clarence Jr <upscale> Feb 21

Me On Friday, February 21, 2014 7:51 PM, Clarence Jr <upscale> Feb 22

Me
To clarence491@liva.com

Hide message history

On Saturday, February 22, 2014 7:43 PM, Clarence Jr <upscale81@yahoo.com> wrote:

On Friday, February 21, 2014 7:51 PM, Clarence Jr <upscale81@yahoo.com> wrote:

On Friday, February 21, 2014 7:39 PM, Clarence Jr <upscale81@yahoo.com> wrote:

Available on iOS and Android
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DID YOU KNOW:
If Your Car is Over 3 Years Old, Insurance Companies Hope You Don't Know This Ridiculously Easy Trick

The Government is forcing drivers to purchase auto insurance. Drivers who use this trick are able to get their insurance for as low as \$9/week. Insurance companies hate the trick because if it got out, it would cost them millions. Don't overpay for your auto insurance, learn the trick.

Select Your Age:

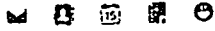
20	20	20	20	20	20	20	20	20
21	21	21	21	21	21	21	21	21
22	22	22	22	22	22	22	22	22
23	23	23	23	23	23	23	23	23

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Inbox (296)

Information(3)

Drafts (46)

Me Amazon and Sedgwick: I have not receive shortterm disability paymer Apr 23

Sent

Cook, Kathy Mr. Jenkins, please contact our attorney, Russell Goudelock. Apr 24

Spam (648)

Trash (26)

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Ashford University Online

Clarence,

I am happy to speak with you at any time. Please feel free to call me.

You will not be receiving any workers' compensation payments at this time. I do not have anything to do with your short-term disability, but I have previously offered to try to help you address that. And, I know that Ms. Keisler has also offered to help you with that. My understanding is that short-term disability still may need some type of clarification from your doctor, but I am not certain of that. And, yes, an employee can be terminated while out of work on work restrictions and following a work-related injury. Amazon has a very favorable return-to-work and work continuation policy, but the law does not strictly protect or preserve anyone's job position during the pendency of a workers' compensation claim.

Please let me know if I can answer any further questions. Please understand that I represent Amazon and am not in a position to provide any formal legal counsel to you. You should consider consulting with legal counsel of your own.

mgc INSURANCE DEFENSE
J. Russell Goudelock Attorney
Main: 803-779-7300
Direct: 803-227-2223
Fax: 803-748-0528
1320 Main St. 10th Floor Columbia, SC 29201
rgoudelock@mgcinc.com

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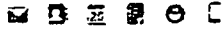
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Send medical notes to Aon Hewitt(3)

Me Sep 23 at 3:54 PM
 To: Rusty GoudeLOCK, trsmith@amazon.com, keislera@amazon.com,
 doylemric@amazon.com, Kathy.Cook@sedgwickcms.com

Amazon:

I have just spoken with Jean at Aon Hewitt on 9/23/2014 which stated that she does not have any medical notes from doctors visit. I informed her that Amazon Worker's Compensation has the medical notes because Nurse Kelly Wells was at office visits. I am requesting that Amazon Worker's Compensation send all medical notes to Aon Hewitt for a shortterm review. Jean states that she needs notes because a decision must be made by October 11, 2014. Provided that medical notes are not received at Aon by October 11, 2014 then my shortterm disability will be denied. Jean was advised to contact Ms. Keisler for documentations.

Jean states that she has verified with Amazon Worker's Compensation that I have an open case. I informed Jean that Amazon Worker's Compensation HAS NOT PAID ANYTHING. The more I try to recovery is impossible with Amazon.

Please provide a follow up:

Clarance Jenkins Jr
 Clarance Jenkins Jr

Reply, Reply All or Forward | More

Rusty GoudeLOCK Rusty GoudeLOCK will be out of the office attending a n Sep 23 at 3:54 PM

Keisler, Alicia Thank you for your message. I am currently out of the offi Sep 23 at 4:00 PM

Click to reply all

Send

Start saving today
Sign up FREE

For terms and conditions visit www.junkwords.com
 SIGN UP HERE



7

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- Drafts (46)
- Sent
- Spam (601)
- Trash (2)
- > Folders
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Grand Canyon University
Bachelor of Science in
Counseling

A Complete Analysis of Dr. Stickler Fraudulent Report(2)

Me Sep 12 at 10:21 PM
 To: Rusty Goudelock, doylemic@amazon.com, keislera@amazon.com, trsmith@amazon.com

Amazon and Partners:

Dr. Stickler's report states that I denies vomiting and nausea which could not be true. Amazon Attorney, Mr. Rusty, Amazon HR, Michele Doyle and Amazon Worker's Compensation Staff, Alicia Keisler and Amazon Worker's Comp Manager, Trina Smith have all been told by email of situations where I was sick all night vomiting with nausea.

Dr. Stickler's stated in his report there is no aura which is incorrect because at my last office visit with Dr. Mohammed it was expressed to him that I can find myself coughing and vomiting until almost passing out when smelling very bad odors. Dr. Mohammed made three referrals with one being to a neuropsychology for evaluation which Amazon has decided to not honor. The conversation took place while Nurse Kelly Wells was present and copies of referrals has been provided to Amazon.

Dr. Stickler's report states no dizziness, leg pain and leg weakness were not present in the timeframe immediately following the injury and there does not appear to be a relationship between these complaints and his head injury which is incorrect. I am wondering what medical documentations was provided to Dr. Stickler or one he read because his incompetent is ever so present in his findings. Provided that Dr. Stickler wanted to do right by an Inch then basic understanding of all my medical records would have not allowed him to make such egregious errors to satisfied Amazon desire to dispute my injury claim. I can say with determination that none of you would testify that Dr. Stickler's report is factual knowing that medical documentations and information has been provided regarding health problems.

Dr. Stickler's report is incompetent and fraudulent base on prior and current medical problems since head injury. I will produce every email to dispute Dr. Stickler's report as verification of his incompetent before the SC Worker's Compensation Commission. I am going to send this letter and Dr. Stickler's report to the SC Human Affairs Commission to show the deliberate and calculated actions of Amazon. I will not allow Amazon to play with me or my life. I am still not well requiring medical care. I could not sleep.

Clarence Jenkins Jr

Reply, Reply All or Forward | More

Doyle, Michelle Sep 12 at 10:21 PM
 To Me

I am currently out of the office until September 23, 2014 with limited access to e-mail. If you need immediate assistance please contact:

- Smanthia Jones: smanthia@amazon.com
- Tom Fieseler: fieseler@amazon.com
- Rob Williams: wrobe@amazon.com

Thanks
MD

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- Trash (26)
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Follow up(4)

Me Ms. Monica: Please a status update pertaining to longterm disability. Sep 24 at 5:14 PM

Goss, Monica L Hello Clarence, I am still waiting for the clinical review of Today at 12:30 PM

Me Amazon: Please see email from Aetna Insurance detailing how Dr. Sti Today at 1:08 PM

Me

To mellis@schac.sc.gov

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Harry's
How Harry's is Disrupting a \$13 Billion Industry

Ms. Ellis:

Please review email below which verifies Amazon's hostile treatment. Please add to my complaint against Amazon. Send notification once this email is received.

Clarence Jenkins Jr

Hide message history

On Thursday, September 25, 2014 1:08 PM, Clarence Jr <upscale81@yahoo.com> wrote:

Amazon:

Please see email from Aetna Insurance detailing how Dr. Sticker Office will not confirm my visit with them which was ordered by Amazon. I am ever more confident that my visit with Dr. Sticker was a pre-arrange corruption to deny current medical or future problems but provide a report of Maximum Medical Evaluation on behalf of Amazon to benefit them. What a scam of shame because I had already provided Aetna with a copy of Dr. Sticker report therefore my visit was verified.

Amazon be assure all these documentations will be used to established a hostile environment. I cannot even disagree because Amazon continues to be a monster in this entire process.

Clarence Jenkins Jr
Clarence Jenkins Jr

On Thursday, September 25, 2014 12:29 PM, "Goss, Monica L" <GossM@AETNA.com> wrote:

Hello Clarence,

I am still waiting for the clinical review of the IME completed and it should come back anytime. Also I left a voicemail this morning with Dr. Muhammad as we were told on 9/10/2014 the records would be faxed in 24-48 hours and the information is still not received. Since that day our vender Parameds left 7 voicemails with no return call.

Also On Wednesday this week Janna with Dr. Sticker is still advising that there are no records found for you with your name, social security number and date of birth. What may help at this point is to see if they can give you a copy of your visit(s) directly. I am not sure why they are telling us there are no records.

Monica Goss
Long Term Disability Analyst
Aetna Life Insurance Company
(888) 807-3750
Fax: (866) 667-1987

From: Clarence Jr [mailto:upscale81@yahoo.com]
Sent: Wednesday, September 24, 2014 2:14 PM
To: Goss, Monica L
Subject: Follow up

Ms. Monica:

Pinpoint where customers are dropping off and re-engage with them instantly to close sales.

Live Web Insights
It's free!

Start now

YAHOO!
COMMERCIAL CENTRAL

CO. FILE DEPT. CLOCK VCHR. NO.
 GFS 122880 120004 395 0000426550

1028-0014

AMAZON COM DEDC LLC
 P.O. BOX 80726
 SEATTLE, WA 98108

Earnings Statement



Period Beginning: 09/21/2014
 Period Ending: 10/04/2014
 Pay Date: 10/10/2014

Taxable Marital Status: Single
 Exemptions/Allowances:
 Federal: 2
 SC: 2

CLARENCE B JENKINS
945 WIRE RD
NEESES SC 29107

Social Security Number: XXX-XX-1391

Earnings	rate	hours	this period	year to date
Regular				1,507.65
Overtime				0.86
Holiday				184.00
Personal				42.78
Shift Pay O/T@				0.04
Shift Pay @				75.41
Shift Term Dis				1,577.14
Variable Comp				43.44
Gross Pay				\$0:00 3,431.32

Important Notes

@ THE SHIFT PAY RATE MAY NOT DISPLAY CONSISTENTLY DUE TO CALCULATION METHOD AND ROUNDING.
 ACCRUAL BALANCES DISPLAYED MAY VARY SLIGHTLY FROM ACTUAL. PLEASE VIEW MYTIME FOR EXACT INFORMATION

Deductions	Statutory	
Federal Income Tax		82.88
Social Security Tax		205.13
Medicare Tax		47.97
SC State Income Tax		64.57
Other		
Pre-Tax Dental		9.24
Pre-Tax Medical		113.57
401K		92.02
Net Pay		\$0:00
Net Check		\$0:00

AMAZON COM DEDC LLC
 P.O. BOX 80726
 SEATTLE, WA 98108

Advice number: 00000426550
 Pay date: 10/10/2014

Deposited to the account of CLARENCE B JENKINS account number _____ transit ABA _____ amount _____

THIS IS NOT A CHECK

NON-NEGOTIABLE

CO. FILE DEPT. CLOCK VCHR. NO.
 GFS 122880 120004 395 0000164128 1

Earnings Statement



938-0014

AMAZON.COM DEDC INC.
 P.O. BOX 80726
 SEATTLE, WA 98108

Period Beginning: 03/23/2014
 Period Ending: 04/05/2014
 Pay Date: 04/11/2014

Taxable Marital Status: Single
 Exemptions/Allowances:
 Federal: 2
 SC: 2

CLARENCE B JENKINS
945 WIRE RD
NEESES SC 29107

Social Security Number: XXX-XX-1391

<u>Earnings</u>	rate	hours	this period	year to date
Regular				1,507.65
Overtime				0.86
Holiday				184.00
Personal				42.78
Shift Pay O/T@				0.04
Shift Pay @				75.41
Shift Term Dis				1,577.14
Variable Comp				43.44
Gross Pay				3,431.32

Important Notes
 @ THE SHIFT PAY RATE MAY NOT DISPLAY CONSISTENTLY DUE TO CALCULATION METHOD AND ROUNDING.
 ACCRUAL BALANCES DISPLAYED MAY VARY SLIGHTLY FROM ACTUAL. PLEASE VIEW MYTIME FOR EXACT INFORMATION

<u>Deductions</u>	Statutory	
Federal Income Tax		82.88
Social Security Tax		205.13
Medicare Tax		47.97
SC State Income Tax		64.57
Other		
Pre-Tax Dental		9.24
Pre-Tax Medical		113.57
401K		92.02
Net Pay		\$0.00
Net Check		\$0.00

AMAZON.COM DEDC INC.
 P.O. BOX 80726
 SEATTLE, WA 98108

Advice number: 00000164128
 Pay date: 04/11/2014

Deposited to the account of CLARENCE B JENKINS account number _____ translt ABA _____ amount _____

THIS IS NOT A CHECK

NON-NEGOTIABLE

Certificate of Counsel

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

October 24 2017



s/ Clarence B. Jenkins Jr.

Clarence B. Jenkins Jr.
945 Wire Rd.
Neeses, South Carolina 29107
(803) 263-4514
Pro Se Appellant

RECEIVED
OCT 27 2017
SC Court of Appeals