

May 1, 2019

Christine Bradley (Albert Bradley), Pro Se
475 Lower Lee School Rd.
Mayesville, SC 29104

Re: SC Court of Appeals, Case No: 2018001535

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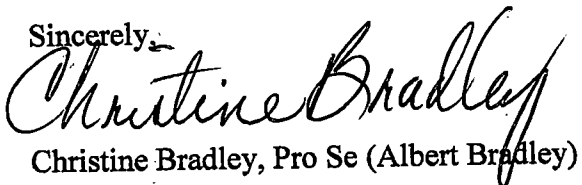
MAY 01 2019

SC Court of Appeals

Dear Attorney Helen Hiser:

First, it is important that I remind you that I am Pro Se in this matter. Therefore, I kindly request that you address me as such pertaining to all matters in this appeal. In response to your motion, please review all the correspondence I sent to the court and copied to respective respondents. The files and documents that I have requested have been requested on multiple occasions, and I am still not in receipt of all files by all parties who were involved in the case of Albert Bradley. Decision and Order made by the Commission on December 6, 2017 was requested for review by me, and subsequently went before the Commission Review panel for full review on May 21, 2018. Please see the attached findings of fact which highlight the reason for review and my request for appeal by the SC Court of Appeals. Therefore, my request for subpoenas from the Appellate Court and for hearing before the court are justified, as parties fail to provide me with all files and documentation needed for further investigation into this case. Also, please note my right to appeal per Rule 201 (a)(b) and right for subpoenas, 413.0-Rule 15, Oaths, Subpoena Power, (a)(b)(c)(d)(e) and (f).

Sincerely,


Christine Bradley, Pro Se (Albert Bradley)

Cc: Chief Judge James E. Lockemy

PROOF OF SERVICE

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals
In the Supreme Court

Appellate Court Judges

Case No: 2018001535

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SC Court of Appeals

Christine Bradley (Albert Bradley), Pro se

Appellant

v.

SC Workers' Compensation Commission,
Southern Industrial Constructors Inc.,
Zurich American Insurance Company %
Zurich North America, Victoria Lichtenberger,
Gaston County DHHS (Tereasa Osborne, Stephanie Stevenson)

Respondents

I certify that I have served the Answer to Counter Motion on the SC Workers' Compensation Commission on May 1, 2019, by depositing a copy of it in the United States Mail to P.O. Box 1715, Columbia, SC 29202-1715, or via hand-delivery 1333 Main St., Suite 500, Columbia, SC, 29202. I certify that I have served the same upon Southern Industrial Constructors and Zurich American Insurance Company on April 22, 2019 by depositing a copy of it in the United States Mail, to the attorney of record, Jason W. Lockhart at P.O. Box 12519, Columbia, SC 29201, and via hand delivery to his office at 1320 Main St., Columbia, SC 29201. I certify that I have served a copy to attorney of record Helen Hiser, by depositing a copy in the U.S. Mail to, 735 Johnnie Dodds Blvd., Suite 200, Mt. Pleasant, SC 29464. I certify that I have served a copy to the Gaston County DHHS, by depositing a copy of it in the United States Mail, to the attorney of record, Tereasa Osborne, at 330 Dr. Martin Luther King, Jr. Way, Gastonia, NC 28052. I certify that I have served a copy to Victoria Lichtenberger, Guardian, by depositing a copy of I in the United States Mail to 1018 East Blvd., Suite 3, Charlotte, NC 28203.

May 1, 2019

Christine Bradley (Albert Bradley), Pro se
475 Lower Lee School Rd.
Mayesville, SC 29104

Did the commissioner fail to consider important reasons for award for compensation? If so, what reasons?

Section 42-9-10(A)(B)(C)(D). Amount of compensation for total disability and what constitutes total disability. During proceedings and order, temporary compensation was applied to a permanent disability claim. Although Commissioner Beck stated that claimant Albert Bradley was declared permanently disabled, law was applied for temporary disability with attempt to settle the claim on that basis.

Section 42-15-60 (C)- Albert Bradley, now deceased claimant, who received total care and medical services in his home by family members 24/7 up until the year he was taken, were never compensated for the services they provided to the claimant even after care plan which was requested was presented to the court to show the care the claimant was receiving in the home. There was a court order which ordered monies which Albert Bradley paid out of his own monies to be reimbursed by the carrier for expenses such as medications and supplies dating back to 2013 which still have not been paid as of this date. Albert Bradley paid for his own transportation to court hearings, doctors' visits, medications, and nursing services, all which no reimbursement was received. Albert Bradley even had to purchase his own wheelchair accessible van for transportation out of his own money and was never reimbursed.

67-902-Dependency investigation. The argument here is that a thorough investigation of benefits on behalf of the claimant for all dependents through his employers should be brought before the court. Christine Bradley stated before the court in a prior hearing and made pleas to the Commission that she was due spousal benefits as she was the beneficiary listed for Albert Bradley through his employer Southern Industrial. Her request for further information and documentation pertaining to the above was not acknowledged.

Section 42-17-60. Christine Bradley, spouse of claimant, has been denied benefits. "In case of appeal from the decision of the commission on questions of law, the appeal does not operate as a supersedeas, and, after that time the employer is required to make weekly payments of compensation."

Sections 42-9-220, 42-9-230. Christine Bradley was separated from her husband on March 17, 2016, and all benefits that Albert Bradley had been receiving had stopped in December 2015.

Did the commissioner incorrectly decide the facts? If so, what facts?

Section 42-9-10(A)(B)(C)(D). Albert Bradley was declared permanently and totally disabled.

Section 42-15-80. It was ordered that Albert Bradley died of acute bronchopneumonia. No medical records including autopsy and toxicology results were submitted to support this diagnosis. No expert witness testified at the hearing to provide expert testimony to support this diagnosis.

Albert Bradley died in the custody of Gaston County DSS/Tereasa Osborne, Stephanie Stevenson and Victoria Lichtenberger, appointed Guardian/Guardian ad Litem through the SC Workers' Compensation Commission. Victoria Lichtenberger is owner of ElderSource, located at 1018 East Blvd., Suite 3, Charlotte, NC, a geriatric care management company that is responsible for the placement of geriatric patients into adult homes and facilities.

Albert Bradley suffered immensely under the hands of Guardian Ad Litem Victoria Lichtenberger and Gaston County DSS/Tereasa Osborne, Stephanie Stevenson. From the time of their acquisition of the claimant, there was a rapid decline in his health evidenced by multiple hospital visits and admissions that ultimately led to his death.

Section 42-15-60- The claimant has medical bills that have not been paid by the carrier. These bills have not been brought before the court to show proof of payment.

67-902, 67-903, 67-904. Tuten testified that he conducted the dependency investigation in good faith when in fact he failed to make contact with all of the claimant's family members and failed to provide documentation to support his findings.

APA submission presented by Attorney Jason Lockhart used as evidence was not provided to all parties prior to hearing or after the hearing and was used as facts for the case.

67-216, 42-15-55. Victoria Lichtenberger, Guardian ad Litem, said representative for the deceased claimant, was speaking on behalf of the insurance company instead of the claimant. Albert Bradley was in the custody of Victoria Lichtenberger, Guardian Ad Litem and Gaston County DSS/Tereasa Osborne/Stephanie Stevenson when he died. Victoria Lichtenberger, Guardian Ad Litem was also documented as dependent of the claimant. Proof of guardianship was never provided during court when requested. Family members, or the claimant himself, Albert Bradley, was not present at any hearing for the appointment of Guardian Ad Litem.

Family members had very limited contact with Albert Bradley during the last year of his life, and visits with him were supervised when they were allowed.

Do you think the Commissioner applied the wrong law? If so, what law?

Section 42-9-20. Temporary compensation, partial disability law cannot be applied to a claimant who has suffered physical brain damage. Albert Bradley sustained physical brain damage on May 16, 2011, and was permanently and totally disabled on the date of his accident.

Do you feel there are any other reasons why the Commissioner's judgment was wrong? If so, what?

42-9-20. Based on the findings and the laws, as highlighted above a temporary compensation and partial disability cannot be applied when an individual has suffered a permanent disability.

Family members were denied their rights to civil proceedings for guardianship for Albert Bradley. Albert Bradley has a living spouse Christine Bradley.

67-902. There was failure to conduct a thorough dependency investigation through the claimant's employer Southern Industrial.

Albert Bradley was in the custody of Victoria Lichtenberger, Guardian Ad Litem, and owner of ElderSource and Gaston County DSS/Tereasa Osborne, Agency Attorney/Stephanie Stevenson, guardianship supervisor. No proof of guardianship was ever provided.

67-1301. Expert physician testimony was not heard on the given diagnosis, acute bronchopneumonia, as to the cause of Albert Bradley's death.

Other documentation which were ordered by the Commissioner to include the complete financial record of the claimant held by the Guardian Ad Litem Victoria Lichtenberger as well as her final accounting, full medical records from the time that Albert Bradley was taken into custody from 3/17/2016 until the date of his death including autopsy and toxicology were not submitted as ordered for review and evidence.

What action do you want the Commission to take in this case?

Apply the laws accordingly, consider the facts in this case, and apply due process to be fair in his decision-making and execution of the laws. Every individual has the right to fair and equal representation.

South Carolina Workers' Compensation Commission

1333 Main Street, Suite 503
P.O. BOX 1715
Columbia, SC 29202-1715
(803) 737-5723

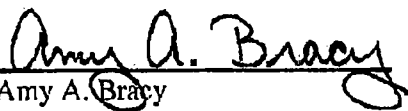


WCC File #: 1105628

Date of Injury: 05/16/2011

ALBERT BRADLEY v. SOUTHERN INDUSTRIAL CONSTRUCTO
WCC File No. 1105628

The Commission is hereby providing you a copy of the Form 30 filed by the unrepresented claimant pursuant to R.67-701 B.


Amy A. Bracy
Judicial Director

Date: April 18, 2018

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SC Court of Appeals

CERTIFICATE OF SERVICE

I hereby certify on April 18, 2018, I served this document on the parties listed below by electronic mail or depositing a copy hercof, postage prepaid, in the United States mail and addressed as follows:

ALBERT BRADLEY
c/o Christine W Bradley
475 Lower Lee School Road
MAYESVILLE, SC 29104

Jason W. Lockhart (5)
McAngus Goudelock & Courie, LLC
PO Box 12519
Columbia, SC 29211

Victoria Lichtenberger
1018 East Boulevard, Suite 3
Charlotte, NC 28203

Derwin Bradley
520 Abbeyhill Drive
Columbia, SC 29229

Lavare Seltun
4324 Stone Mountain Drive
Gastonia, NC 28054

Christy James
3441 Shadow Burch Road
Florence, SC 29505

By: Valerie D. Deller, Judicial Department

What does the SC workers' compensation law state regarding workers who suffer catastrophic injuries resulting in total disability and incapacitation which occurred from a work-related injury?

Section 42-9-5(C)(D); Section 42-15-60

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Albert Bradley sustained a severe brain injury and several other injuries such as such severe tongue and facial/jaw laceration and Inhalation of metal fragments into lung tissue while working for Southern Industrial Constructors of Columbia, SC on May 16, 2011. These injuries left him totally incapacitated. Albert Bradley was deemed permanently and totally disabled because of these injuries by the SC Workers' Compensation Commission (Commissioner T. Scott Beck). He received the maximum weekly benefits allowable under the law.

Attorney Jason Lockhart argues that Albert Bradley died of diffuse acute bronchopneumonia in his submission. What is that? Please provide the official signed medical documentation from the medical provider who diagnosed Albert Bradley with this condition as his cause of death.

What does the law state regarding the appointment of a guardian for an injured worker? What decision-making is factored in to the appointment of a Guardian/Guardian ad litem for an injured worker? What is the role of the appointed Guardian ad litem in relationship to the injured worker (i.e. healthcare, finances, collaboration with other family members)? What does the law state about family members as guardian? What is a guardian? What is Guardian ad litem? Does this law apply in this case? If so, how?

Section 42-15-55; Chapter 67-216

Albert Bradley died in the hands of the court-appointed Guardian ad litem Victoria Lichtenberger who owns and operates an agency that receives federal funds from the government and who is affiliated with and collaborated with the Gaston County DSS/DHHS/Tereasa Osborne, Stephanie Stevenson. He had several hospital admissions while in the custody of Victoria Lichtenberger and Gaston County DSS. No family members were present at the time of appointment of guardianship for Albert Bradley which denied Albert Bradley, and his family their rights to be present, to be heard, and to be represented. Family members were not provided any documentation regarding Albert Bradley's health condition, his hospital visits, multiple tests performed, autopsy results, and toxicology screen, while in the custody of Victoria Lichtenberger and Gaston County DSS/DHHS/Tereasa Osborne, Stephanie Stevenson. Family members had very limited contact with Albert Bradley from 3/17/2016 to 2/05/2017.

What does the law state regarding appointment of an attorney for an individual who is not represented at a hearing?

Chapter 67-216

It was stated in the hearing that Victoria Lichtenberger is Albert Bradley's Guardian ad litem yet the claimant was without legal representation at the hearing which was held on December 6, 2017.

What is a dependency investigation?

Chapter 67-902

There was no good faith effort to conduct any dependency investigation as it was communicated to the commissioner that if in fact if there was such an investigation to be held, it was to be done in the Commissioner's presence in court. (See the attached letter). Also, there is documentation about good faith made to conduct a dependency investigation with all family members. However, there is no documentation of any communication with Christy James. Where is the proof of the letters that Tuten sent to all three of the children to include the date and time stamp?

Several requests were made for all medical records, guardianship court orders and all orders, financial statements, and the entire the SC Workers' Compensation Commission file pertaining to Albert Bradley for his entire claim period. These documents still have not been received to this date.

What does the law state about payment of benefits for the injured worker who had coverage for himself and his spouse? How did you calculate the benefits to paid?

Chapter 67-902

A good faith effort must be made to identify all beneficiaries of the claimant. Albert Bradley was employed by Southern Industrial Constructors of Columbia, SC until the time of his death. Who are his beneficiaries listed with his employer? Did Albert Bradley have any of his children listed as beneficiaries through his employer?

Chapter 67-902

Albert Bradley had benefits for his spouse through his employer that should have been paid from the time of his accident. Where are those benefits?

42-15-60

As previously documented to the SC Workers' Compensation Commission and Commissioner T. Scott Beck, Albert Bradley has medical bills that are the responsibility of Southern Industrial/Zurich Insurance. The Estate of Albert Bradley will not be responsible for any bills that have mounted up and have remained unpaid by the carrier, Zurich Insurance, Victoria Lichtenberger/Gaston County DSS/Tereasa Osborne, Stephanie Stevenson.

APA submissions provided to court by Attorney Jason Lockhart and used as evidence were not provided to Christine Bradley, Derwin Bradley, Lavare Seltun, and Christy James. The dependents of Albert Bradley have not received any legal documents with supporting evidence.

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SC Court of Appeals

December 7, 2017

Christine W. Bradley
475 Lower Lee School Rd.
Mayesville, SC 29104

1105628

Commissioner T. Scott Beck
1333 Main St., Suite 500
Columbia, SC 29201

Re: Albert Bradley, dependency hearing

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Dear Commissioner Beck:

SC Court of Appeals

I am writing to follow up with you regarding the dependency hearing that was held before your presence on yesterday for claimant Albert Bradley to determine to whom benefits would be paid and in what amounts. After careful attention to the total amount due, it has been determined that monies have been excluded from this calculation to include social security payments for 11 months, SC state retirement benefits for 3 months, and weekly workers' compensation payments from January 2016 until February 5, 2017.

It was also documented at the hearing yesterday that the appointed Guardian Ad Litem Victoria Lichtenberger testified that she did not spend any monies for the care of Albert Bradley and that everything he got was donated to him. Also, because Albert Bradley's injury was deemed permanent and total, and this was a workers' compensation claim, all medical claims and other related expenses are to be paid by workers' compensation. I am requesting that the above items be added to the order to be drafted, as well as the spousal income that I never received during the entire time my husband, Albert Bradley, was injured. Again, as requested on previous letters to you, I am requesting the court orders and records pertaining to Albert Bradley. Refer to letter previously written regarding this request. Also, please make sure payments are calculated using the permanent disability calculation and the appropriate forms are being used. Your corrections and addendum to this will be greatly appreciated. If we need to return to address the issues cited above, please advise as well. Again, thank you for your time and attention.

Sincerely,

Christine W. Bradley

Christine W. Bradley

Cc: Jason Lockhart, Gary Cannon, Keith Roberts

SCWCC

FEB 05 2018

JUDICIAL

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FEB 02 2018

SC WORKERS' COMPENSATION



Claimant's Name: Albert Bradley SSN: 24790-0113 Employer's Name: Southern Industrial Constructors
Address: 475 Lowe A Lice School Rd Address: _____
City: Marysville State: SC Zip: 29104 City: Columbia State: SC Zip: _____
Home Phone: (704)608-2024 Work Phone: _____ Insurance Carrier: Zurich American Insurance Co.
Preparer's Name: Christine W. Bradley Law Firm: None Preparer's Phone #: (704)608-2024
(813)289-3501

REQUEST FOR COMMISSION REVIEW

Request for Commission Review by claimant employer (check one) Date of injury: 05-16-2011

The undersigned makes application for review of the findings of the Commissioner in the above-captioned case. The request for review is based on the following grounds: (State the grounds of your appeal in the form of questions presented. Each question presented must contain a concise statement of one proposition of law or fact. Refer to evidence by title and exhibit number. Use additional pages if necessary).

See the Attached documents. CWB

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SC Court of Appeals

(Check one) Oral argument is is not requested. Appellant's request for oral argument is waived if not indicated on this form.
I certify that I have served this document pursuant to R.67-211 by delivering a copy to Commissioner T. Scott Beck
Name

on the _____ day of _____ by Christine W. Bradley home 02-02-2018
Preparer's Signature Title Date
 first class mail personal service certified mail.

Check this box if you are not represented by an attorney.

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FEB 02 2019

If the claimant appeals and is representing himself or herself, the Judicial Department will prepare the additional copies of this form and serve this form on the opposing party. R.67-701B. Otherwise, file the original and four copies of this form with the Judicial Department. The appeal must be postmarked no later than 14 days from the date of service of the Hearing Commissioner's decision. R.67-701 and R.67-205. Attach the filing fee to this form. Attach a Form 32 if you are unable to pay the filing fee. Refer to R.67-701 through R.67-711 for additional information.