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Aug 31 2022

SC Court of Appeals

From: [Janet Frisco](#)
To: [Transcripts](#); [Court Of Appeals Filings](#)
Cc: [Cendroski, Julie A.](#); sfutral@charlestonlaw.net; [Holmes, Tammie](#); [Stephanie Smith](#)
Subject: Re: Resolution to Transcript Challenge
Date: Wednesday, August 31, 2022 1:50:48 PM

*** **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

You Ms.Holmes,

The last time I spoke to you on the phone was during the conference call with you and Ms.Raines in mid August. Neither of you mentioned Rule 607. That was the same call I requested a copy of the audio of the hearing. I definitely need to listen to the audio after going over your findings. If you have any instructions for me in the future, send them via email so I will have a written record of what you said.

By the way, Judge Price didn't mention the Motions for the Partial Summary Judgement at the hearing so your explanation for Ms. Cendroski not listing both party's motions does not hold water. The court reporter should be aware of the Motion Roster Schedule and put that on index page unless the judge makes changes at the beginning of the hearing. Judge Price doesn't appear to know what motions he was hearing that day as you can see by the transcript. All he says in his opening announcement is there are four motions; two for the plaintiff and two for the defendant.

I'm receiving the transcript after the sixty-day deadline because of Ms.Cendroski errors so I believe that's an issue that puts her in contempt of court because she didn't file an extension.

Janet Frisco
Appeal Case 2022-000775

[Sent from Yahoo Mail on Android](#)

On Tue, Aug 30, 2022 at 6:08 PM, Transcripts
<transcripts@sccourts.org> wrote:

Good afternoon Ms. Frisco.

As I went over with you recently via a phone conversation, transcripts are governed by court rule 607. I appreciate your using the proper format to submit your challenge. I have reviewed the transcript in question. Please see my findings below in **RED** regarding your challenge.

RE:PET HELPERS, INC. VS. JANET FRISCO CASE #2022-CP-10-2682 &
APPELLATE CASE #2022-000775

CHALLENGE TO THE RECORD on Transcript of HEARING 4/22/22 in the Court of Common Pleas, 9th Circuit Charleston County:

A. Challenges to Court Reporter's Entrees:

Page 2, Line 5 & 6:

MOTION FOR PARTIAL SUMMARY JUDGEMENT By Mr. Futeral

It should be: MOTION FOR PARTIAL SUMMARY JUDGEMENT & MOTION FOR SANCTIONS FOR FAILURE TO COMPLY WITH DISCOVERY by Mr. Futeral

This shall stand as it is because the only motion referred to in court by the judge was the one listed.

Page 2, Lines 7 & 8

REPLY TO MOTION FOR PARTIAL SUMMARY JUDGEMENT by Ms. Frisco

It should read: RETURN TO MOTION TO AMEND ANSWER & MOTION TO SUPPLEMENT ANSWER TO PLAINTIFF'S COMPLAINT by Ms. Frisco

This shall stand as it is because the only motion that was referred to in court by the judge was the one listed.

Page 14, Line 24

...and she called it a Motion "to" Leave to Supplement Answer

It should read: ...and she called it a Motion "**for**" Leave to Supplement Answer

(That's the name of the Motion that I made that was scheduled on April 22, 2022, but I wasn't allowed to formally argue it. It wasn't supposed to be scheduled because it was a "form motion" which means you are asking for permission to file the motion and providing a pleading to the court, but they scheduled it anyway so I couldn't drop my Return to Motion to Amend Answer which was done incorrectly. It helped the Plaintiff's lawyer rack up legal fees because he could say he had to reply to it and two previous attempts to amend my answer to the complaint that I did incorrectly. I emailed Judge McCoy, the administrative judge, but she didn't reply and neither did Angela Rigney, who schedules the hearings.)

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 14, Line 24.

Page 18, Line 10

And then we've given you an adoption "redacted form".

I believe it should read: "**unredacted**" form

(Immediately after that verbal exchange the plaintiff's lawyer tells the judge he has an envelope. Prior to that he is talking about documents he has already provided to the court, an affidavit and a redacted adoption application.)

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 18, Line 10.

Page 19, Line 21

And "I" actually spoke to her when she was coming out of this training to kill dogs.

I believe I said: And “**she**” actually spoke to her when she was coming out of the training to kill dogs.

(I’m referring to my witness, Pam Lambert, who is the one who Ms. Susko told she had just returned from training to euthanize.)

Page 19, Line 21 should be changed to remove the “I”. Nothing should be added in its place as nothing was spoken on the record.

Page 20, Line 1

I want to mention to him and “to” my law analysis that the ultimate burden

I believe I said: I want to mention to him “**from**” my law analysis...

(At that time, I was about to read from my law analysis “*Memorandum in Opposition of Plaintiff’s Motion for a Partial Summary Judgement*”. See attached document.)

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 20, Line 1.

Page 20, Line 6

The movant may not present only the portions of the record supporting its position while “admitting” evidence to the contrary.

It should read: ...while “**omitting**” evidence to the contrary.

(I am reading verbatim from a law analysis contained in my filed document “*Memorandum in Opposition of Plaintiff’s Motion for Partial Summary Judgement*” which says “omitting”.

The memorandum is attached. “Admitting” and “omitting” sound very similar, but there is a significant difference in meaning relevant to my appeal.)

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 20, Line 6.

Page 20, Line 23

...because I “believe” that they were what they claim to be.

It should read: ...because I “**believed**” that they were what they claimed to be.

(I believed Pet Helpers were what they claimed to be prior to the experience of surrendering my dog. So ‘believed’ would be past tense and ‘believe’ is present tense. I no longer believe they care about pets or their caretakers. It’s all about greed for money).

Page 20, Line 23 “believe” should be changed to “believed” in this line.

Page 22, Line 14

They’ve lied to me ---implying that I could get the dog back which “when” I submitted an application

It should read: ...which “**is**” when I submitted an application.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 22, Line 14.

Page 27, Lines 9 & 10

She goes you surrendered your legal rights.

Should read and be punctuated: She goes, “You surrendered your legal rights!”

(I’m quoting Ms. Susko exactly as she said it, and it should have been punctuated accordingly because my point is that she said it in a hateful manner when I made the

request which illustrates her cruelty and indifference to my distress over losing my dog. It's important to the case since I am claiming they are cruel and their attorney is calling that libelous.)

The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Page 39, Line 11

"Berkeley" County

It should read: "**Charleston**" County

Page 39, Line 11 "Berkeley" should be changed to "Charleston" in this line.

B). Challenges to the Changes that were made by the Court Reporter in August 15, 2021 transcript:

Page 15, Lines 14-15

She's trying to mislead this court that she didn't have an opportunity to do so. And that she never had an opportunity to do so.

August 5th transcript reads: She's trying to mislead this court if she didn't have an opportunity to do so. And then she never asked to do so.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Page 15, Lines 25

I'll give you "more than" enough time to speak.

August 5th Transcript reads: I'll give you enough opportunity to speak.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Page 16, Line 12

She does get a jury trial on the "damages".

August 5th Transcript reads: She does get a jury trial on the "merits".

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Page 16, Line 18

It delineates "various different things" she can't do.

August 5th Transcript reads: It delineates "most everything" she can't do.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Page 21, Line 21 -22

When that is not what I appealed at all.

August 5th transcript reads: When that is not what I "**just**" appealed at all.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Line 22, Line 3

And so, you know, he (Mr.Futeral) acts like I shouldn't be able to defend myself in a court

of law.

August 5 transcript reads: And so, he acts like I shouldn't be allowed to defend myself in a court of law.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Page 22, Line 8

And so I really think he's distorting "very much".

August 5th Transcript reads: And so I really think he's distorting.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Page 22, Line 9

He has a nerve calling me a liar.

August 5th Transcript reads: "I will note" he has a nerve calling me a liar.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

Page 23, Line 22

"Well," they had

August 5th Transcript reads: "No", they had

(The word "well" implies agreement with the Court. "No" signifies I am disagreeing with the Court and trying to explain the sanctions of \$5000 were initiated by the Plaintiff's lawyer and a form of extortion even if the Court approved them, but Judge Price kept interrupting and cutting me off when I was trying to make points and defend myself throughout the entire hearing.

This shall stand as it is. The transcript is verbatim as it is said in court and on the audio for Page 27, Line 9 and 10.

My review of the transcript you challenged stands as is with the exception of the revisions listed above for Page 19, Line 21; Page 20, Line 23; and Page 39, Line 11. Ms. Cendroski will correct the three (3) issues mentioned above, which reflect what was said in court on April 22, 2022 and will provide you with the revised transcript, at no additional cost.

Respectfully,

Tammie M. Holmes

Court Reporter Manager

South Carolina Judicial Branch

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