

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT COURT
CASE #:2021-CP-10-2848

**PLAINTIFF'S AMENDED OBJECTION TO
DEFENDANTS' MOTION TO RECONSIDER
CONSOLIDATION**

JANET L. FRISCO,
PLAINTIFF

Vs.

PET HELPERS, INC. & MELISSA SUSKO
DEFENDANTS

RECEIVED

Oct 06 2022

SC Court of Appeals

CURRENT TWO CASES INVOLVING THE PARTIES SHOULD NOT BE CONSOLIDATED AS REQUESTED IN PLAINTIFFS MOTION TO RECONSIDER MOTION TO CONSOLIDATE BECAUSE COURT OF COMMON PLEAS HAS EXHIBITED BIAS IN THIS CASE AS IN A PREVIOUS CASE #2005CP100368 JANET FRISCO VS. DEBRA WALKER:

I object to my complaint #2021CP102848 against Pet Helpers, Inc being consolidated into their complaint #2021CP102682 because the merits of my case have not been considered and my *Motion to Amend My Answer* filed on October 19, 2021 has not been scheduled for a hearing. Pet Helper's attorney has been given preference by the court in his motions to place restraining orders on me which he told blatant lies in order to attain. After which he made two motions to show cause which resulted in me paying a sanction of \$5434.32 to pay for his lawyer fees and court costs. I was jailed for four days for contempt of court because I didn't comply with the restraining orders that were created by plaintiff's legal counsel to cover-up Pet Helpers fraudulent behavior in faking the adoption of my dog Toby and soliciting donations based on a fabrication that they had found him a good home. My objections and motions that I have filed in Case #2021-CP-10-2682 have been ignored by the court while they consistently favored Pet Helpers' complaint against me throughout the litigation.

Now contrary to Mr. Futeral's claim that I had no injury on which to base a claim, I can adamantly say that I have unjustly been charged \$5434.32 to avoid serving a thirty-day sentence in which I suffered an untold amount of mental duress and hardship for four days of incarceration. I should be compensated for that by the plaintiffs as well as refunded the entire amount of money I had to pay to Mr. Futeral to be released from jail.

Pet Helpers took Toby under false pretenses and he suffered the entire time he was with them waiting for me to return and bring him home. I would have immediately done so if they had allowed me to, but they wouldn't because they wanted to use Toby to solicit donations claiming he had been adopted. They didn't care how much suffering they inflicted on him or me. When I protested, Ms. Susko and Pet Helpers turned their lawyer loose on me and he has done everything in his power to literally destroy me aided by the Court of Common Pleas who has cooperated almost 100% in everything he has demanded during this litigation. I am submitting the complete history of my previous experience with the court in 2005 Janet Frisco Vs. Debra Walker to show that even though my case was ironclad against Ms. Walker

after she attempted to steal my car through the courts, she was protected and favored by all the Charleston County courts in North Charleston Magistrate Court of David Coker, Small Claims Court of James Turner and finally in the Court of Common Pleas with Markley Dennis.

The plaintiffs are basing their motion for consolidation on Rule 42 (A) SCRPC Which states “when the two actions involve a common question of law”, but the two cases do not involve a common question of law. Plaintiffs claim I libeled and slandered them in their lawsuit, but they are using the lawsuit and the allegations of libel and slander against me to cover-up a crime of fraud and portray me as a liar when in fact they are the party that is practicing deceit not only to me but to their donors and to the Bissell corporation that was subsidizing Pet Helper’s low-cost adoption event on May 7th-9th 2021. There is no common question in the two lawsuits so consolidation of the two cases should not be allowed by the court, because the two cases are based on entirely different issues. There was no liable or slander by me against Pet Helpers. Everything I said is true except that I mistakenly I assumed they had euthanized him after the alleged adoption because I heard from a previous employee that Ms. Susko was certified to euthanize and had previously been involved in the deaths of two dogs when she worked for Pet Helpers. I never violated the No Trespass Order or tried to manufacture evidence by registering Toby’s chip as their legal counsel claimed. I never broke any laws or threatened anyone while protesting and the restraining orders should never have been granted because they were an attempt to silence the truth about what happened to me at Pet Helper’s after I surrendered Toby to them on April 13, 2021. These are cruel and greedy people who are trying to cover up fraud they committed just like Ms. Walker did in the 2005 case that follows. Both parties committed fraud and were then protected by law enforcement and the court system. Pet Helper’s complaint should be dismissed, I should be refunded the sanction I paid to secure my release from jail and Toby should be returned to me. I will then agree to withdraw my complaint against them and not take further legal action.

HISTORY CASE #2005CP100368

In October of 2004 my 1990 Honda Accord was stolen by someone my son was living with at the time. When I found out about the theft I called and then went by the Dorchester County Sheriff’s Department on 3/5/05 in person, but they refused to make a stolen car report because they said they didn’t know the jurisdiction of the crime because I didn’t know where my son was living. When I asked Lt. Barnhill and Lt. Thomas Marshall how I was supposed to turn in my tags or cease my car insurance, he said I had a problem. Later I found out from the highway department if there is no stolen car report, the car is considered “abandoned”. I paid the taxes and renewed the registration and tags for the vehicle on 12/09/05. On 2/25/05 I received a *Notice to Claim Vehicle/Item of Personal Property* from North Charleston Magistrate David Coker that I had 30 days to reclaim my car and I owed a storage fee of \$2666 or the car would be auctioned off. The individual who claimed to have stored my car was using SC Statue 29-15-10 that can only be legitimately used by “a proprietor, owner, operator of a towing company, storage facility or repair shop that repaired or furnished any materials for repair” as the statue states. I called the individual, Debra Walker, assuming she was a towing or storage facility, but when I asked her where she found the car, she said a friend of her daughter’s had brought it to her house. Shocked I replied that was probably the person who stole the car. I called her back a few days later because the notice said I had the right to inspect the car and she said the wheel was off. While I was on the phone with her, I asked her why she hadn’t tried to find the owner of the car and she asked me why

I didn't try to find the car. After this conversation I went to see Judge Coker thinking he was unaware of the situation, but he only told me I could pick up my car and "not to make a fuss". Then I went to the City of North Charleston Police on March 12, 2005 and told them I wanted to report a stolen car since I now knew its' location. I asked for a police escort to Ms. Walker's home and called Jennings Towing to take my vehicle to Rick Hendrick's Honda on Savannah Highway. When the police and I arrived at her residence my car was parked on the street in front of her house. Ofc. Gann knocked on her door, she Ms. Walker waved at me and a young girl came out of the house and removed a fishing pole and other items from my car. I asked the police officer to write a report, but he was reluctant because he said I had retrieved my property. He also said he was leaving and I told him that I didn't feel comfortable waiting for the tow truck in front of the house where my stolen car was located. When I got the report a few days later, it said my son didn't remember where he had left his car which I never at any time said concerning the car so that was completely fabricated by the officer. I said he wouldn't tell me where he was living when the car was stolen and I found out later he was afraid to because the person who stole the car pointed a gun at his head and warning him not to report the theft.

When I had the car inspected at Rick Hendrick's Honda, they said the suspension was damaged and it would cost approximately \$1000 to repair it. I had also paid insurance on the car the entire time it was in Ms. Walker's possession. A hearing was scheduled in Judge Coker's magistrate court for 4/1/05, but Ms. Walker did not appear. I filed a complaint in the North Charleston Small Claims Court with Judge Turner asking for damages, but Judge Turner said we "were both innocent" and ruled in her favor on 8/5/05 even though she had committed fraud by attempting to gain ownership of the car through the Charleston County Magistrate Court and admitted during the hearing that she "just wanted the car for her daughter". She had violated a federal law when she submitted SCHD Form 5027-A to the highway department, *The Driver's Privacy Protection Act of 1994-18 USC, Chapter 123 as Amended*. I appealed his ruling on 8/12/05 and it was denied on 8/17/05. On 9/9/05 I filed a claim with the Charleston County Court of Common Pleas requesting a jury trial. When I came to the hearing on the appointed day, a court clerk told me Ms. Walker had not been notified to come and Judge Markley Dennis dismissed the case. The public record reflects that my case was disposed by nonjury trial on 1/27/06.

I was tempted to take the case to the Federal Court because Ms. Walker had broken a federal law when she went to the SC Highway Department and requested my vehicle information, but I thought I would probably be wasting my time and the filing fee there, too. Judges David Coker was involved in trying to launder my car through his court. Judges Turner and Dennis were both involved in protecting Judge Coker and in the cover-up afterwards. Ms. Walker was in possession of stolen property and had knowingly attempted to gain ownership of my car by claiming she had stored it when she wasn't a storage facility and should have reported the car to the police so they could have restored it to its' rightful owner. The obvious conclusion is that the Dorchester County Sheriff's Department, North Charleston Police Department, North Charleston Magistrate Court, North Charleston Small Claims Court, and Charleston County Court of Common Pleas were all involved in the cover-up of car theft.

The actions of these courts are available on the Charleston County Public Record case #2005CP1003681 Janet Frisco vs. Debra Walker and confirm that the courts did not take any action against Ms. Walker and ruled in her favor although she had been in possession of stolen vehicle and illegally obtained personal information on my car from the South Carolina Highway Department for the purpose of gaining ownership. Ms. Walker did so with the assistance of law enforcement and the judicial system in Charleston County. Tragically these activities date back many years and are manifest in my current situation with Pet Helpers, Inc.

TIMELINE OF CASE 2005CP1003681

- 10/04** - My 1990 Honda Accord is stolen from the residence where my son, Charles A. Frisco is living.
- 12/09/04** - After finding out that from him that his roommate took the car while he was out, I call the Dorchester County Sheriff's Office to report it. Then I went in person to the DCSO to report the car stolen and Lt. Barnhill refuses to take a report because don't know where the car was stolen from.
- 01/26/05** - Debra Walker files a *REQUEST FOR VEHICLE INFORMATION (FORM 5027-A)* with South Carolina Highway Department checking box #7 which reads "For use in providing notice to owners of towed or impounded vehicles" and *REPORT OF UNCLAIMED VEHICLE (FORM TR-2)* checking box "Reporting and Requesting Information".
- 02/08/05** - I pay \$14.13 taxes on the vehicle with the County of Dorchester.
- 02/09/05** - I renew my registration and tags on the Honda.
- 02/09/05** - Debra Walker receives information from the SCHD that the car is not stolen (since there's no stolen car report).
- 02/25/05** - I receive a certified letter from Magistrate David C. Coker *NOTICE TO CLAIM VEHICLE/ITEM OF PERSONAL PROPERTY* which states that my vehicle has been stored since October 13, 2004 and has accrued storage fees of \$2660.00 saying it will be sold in a magistrate's sale if unclaimed with Ms. Walker's contact information.
- 03/05/05** - I go to the North Charleston Police to report the vehicle as stolen since I know it's located at Ms. Walker's home. Ofc. Alston tells me to go to Judge Coker and explain the situation.
- 03/08/05** - I spoke with Judge Coker and he said I can request a hearing and I can pick up my car.
- 03/12/05** - I return to the North Charleston Police Department to report the car stolen and request that Ofc. Gann follow me to Ms. Walker's home to meet Jennings Towing. I request that the officer file a report concerning the incident. The car is towed to Rick Hendrick's Honda on Savannah Highway. The report states in error that my son didn't remember where he left the car.
- 03/17/05** - I return to Judge Coker and schedule a hearing for 4/1/05 and Ms. Walker is summoned.
- 04/01/05** - Ms. Walker does not appear at the hearing and Judge Coker says, that I got my car back and the matter is finished in his court.
- 04/27/05** - I turn in my tags to SCDMV.
- 04/29/05** - I cancel my insurance on the Honda effective 3/18/05 with Charles Chitwood State Farm.
- 05/13/05** - I receive a refund from State Farm in the amount of \$178.35
- 06/17/05** - A supplement to correct the North Charleston police report #2005009502 by is added by Lt. Tetanich at my request.
- 06/19/06** - I write Governor Mark Sanford concerning the story.
- 06/29/05** - I request copies of forms 5027-A and TR-2 as per Section 56-3-520 (B) under Article 4 that Ms. Walker filed with SCHD and release of my motor vehicle registration and licensing under Chapter 3.
- 06/05** - I file a complaint against Ms. Walker in the Charleston County Small Claims Court asking for \$2893.43 for damages, towing and insurance costs which is scheduled for 8/5/05.
- 07/18/05** - I request forms 5027-A and TR-2 under Section 56-3-520 (B) from the SCHD that were illegally submitted by Debra Walker to obtain information on my vehicle.
- 08/05/05** - Judge James Turner rules in favor of Ms. Walker.
- 08/10/05** - Faxed copies of Form 5027-A Ms. Walker illegally submitted to SCHD to Calvin Jones with FBI per his request.
- 08/12/05** - I appeal and file a motion for a new trial in case #2005-SC-87-0481 against Ms. Walker.
- 08/17/05** - My motion for a new trial is denied in small claims court.

08/24/05 - I pay fees at the SCDMV in Columbia, SC for information on my vehicle's current status.

09/09/05 - I appeal and file a complaint with the Charleston County Court of Common Pleas case #05-CP-10-3681 requesting \$2893 in damages plus court costs demanding a jury trial.

09/09/05 - I write to Mr. Edward Wicker with the SCDMV concerning Ms. Walker's fraudulent use of Form 5027-A.

09/21/05 - Ms. Walker is served a summons by Charleston County Sheriff's Department.

09/22/05 - I receive a RETURN from the Small Claims Court Judge James Turner.

10/20/05 - I write another letter to SCDMV concerning the fraudulent use of Form 5027-A and gave them Special Agent Calvin Jones with FBI contact information.

11/01/06 - I receive letter from my state senator Thomas L. Moore acknowledging correspondence I sent him concerning story.

12/02/05 - I receive letter from Charles Chitwood acknowledging receipt of my letter to him concerning the fraud that was committed and irregularities with the courts and law enforcement.

12/05/06 - I receive letter from The Supreme Court of South Carolina Office of the Disciplinary Counsel after reporting a complaint about Judge Davis Coker's involvement with laundering my car and they say they can't do anything.

12/11/06 - I write another letter to Governor Sanford concerning the story.

01/25/06 - I appear at hearing in the Court of Common Pleas and am told by a court clerk that Ms. Walker was not notified to be there. Judge Markley Dennis dismisses the case and it is ended by a non-jury trial according to Public Record as of 1/27/06.

02/02/06 - Last entrée in public record Form 4 in RE: order 2006 127 9990 mailed first class. I am not sure who it was mailed to, but I never received anything concerning the verdict in the case.

02/06/05 - Wrote letter to State Farm Insurance Company in Bloomington, IL relating the entire incident with Ms. Walker, the courts and law enforcement.

05/01/06 - Wrote letter to Dorchester County Sheriff's Department to the attention of Thomas Marshall relating the problems I had reporting the theft of my car and the subsequent lawsuits.

02/06/07 - I write a letter to Representative Henry Brown concerning the story.

03/07/07 - I write another letter to State Farm Insurance Corporate Office to the attention of Susan Mullinax concerning Ms. Walker, law enforcement and the courts and how they handled the theft and fraudulent activities surrounding it.

10/08/09 - Sold my 1990 Honda Accord for \$200.00 to a private party. According to Blue Book it had a value of approximately \$2000 if it was not damaged.

Case #2005CP1003681 PUBLIC RECORD ENTREES

05/18/05 - Non liquidated, civil converted cost

05/23/05 - Service Vanderhorst

06/17/05 - Answer

07/01/05 - Civil Court Default Date

08/05/05 - Civil court event

08/05/05 - Finding for defendant at non-jury trial

09/09/05 - Receipt #05-11475

09/09/05 - Civil appeal from small claims court

09/20/05 - Transfer to other court

09/20/05 - Findings for defendant jury trial

09/20/05 – Judgement Janet Frisco
09/20/21 – Judgement Debra Walker
09/20/05 - Memo Return done

Janet L. Frisco, Pro Se

Dated: _____

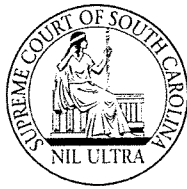
CERTIFICATE OF SERVICE

The foregoing document Plaintiff's Amended Objection to the Defendants' Motion to Reconsider Consolidation was served on the following by email and U.S. Mail with sufficient postage affixed, this ____ day of November 2021:

Stephan V. Futeral

1004 Anna Knapp Blvd. Suite 3
Mt. Pleasant, South Carolina 29494
sfuteral@charlestonlaw.net

Janet L. Frisco



The Supreme Court of South Carolina

OFFICE OF THE DISCIPLINARY COUNSEL

HENRY B. RICHARDSON, JR.
DISCIPLINARY COUNSEL

DEBORAH S. MCKEOWN
ASST. DISCIPLINARY COUNSEL

1015 SUMTER STREET, SUITE 111
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1965

December 5, 2006

PERSONAL AND CONFIDENTIAL

Ms. Janet L. Frisco
Post Office Box 118087
Charleston, South Carolina 29423-8087

Re: Judge: Charleston County Magistrate David W. Coker
Case No.: 06-DE-J-0256

Dear Ms. Frisco:

This office is in receipt of your complaint filed in connection with the above referenced matter. The authority of this office and the jurisdiction of the Commission on Judicial Conduct concerning complaints against judges are limited to issues of whether a judge has committed misconduct or is incapacitated within the guidelines of the *Rules for Judicial Disciplinary Enforcement* - Rule 502, SCACR, promulgated by the Supreme Court of South Carolina.

These rules do not apply to legal matters related to whether or not the outcome of a case before a judge was fair nor to errors of law a judge might have made in a case. These are legal matters which must be addressed at trial or on appeal using the appropriate appellate procedures.

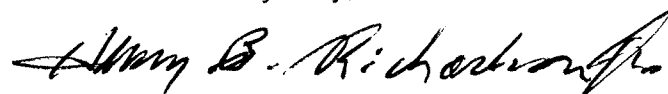
In your letter, you complain because Judge Coker and the Court of Common Pleas "ruled against [you] even though [the defendant] had broken a federal law." In my judgment, this fact would not be necessarily determinative of the outcome of the matter at issue. Even if so, it would be a legal issue. A litigant's disagreement with a decision of a court involving legal issues are outside the jurisdiction of the Commission on Judicial Conduct and this office. Such legal issues must be addressed in the appropriate legal forum by motion for reconsideration, appeal to a higher court, or other appropriate and timely legal process. In my judgment, you presented no factual information in your letter of complaint that indicates there was any judicial misconduct on the part of Judge Coker or any judge of the Court of Common Pleas. It appears that the gravamen of your complaint relates to just such legal issues and the handling of the matter by law enforcement.

Ms. Frisco
December 5, 2006
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You also complain in your letter about the actions of the North Charleston Police Department. This office, however, has no jurisdiction over law enforcement agencies. Thus, no action can be taken by this office or the Commission on Judicial Conduct in connection with your complaint in that regard.

Based on the foregoing, the undersigned finds that the information in your complaint involves legal matters that would not constitute misconduct or incapacity under the *Rules for Judicial Disciplinary Enforcement* even if true and, as such, are outside the jurisdiction of this office and the Commission on Judicial Conduct. For this reason, your complaint is dismissed pursuant to the provisions of Rule 19(a) of the *Rules for Judicial Disciplinary Enforcement*. Your interest in judicial conduct is appreciated.

Yours very truly,

A handwritten signature in black ink, appearing to read "Henry B. Richardson, Jr.", written in a cursive style.

Henry B. Richardson, Jr.

HBRjr:dsm



The Supreme Court of South Carolina

COMMISSION ON LAWYER CONDUCT

Deborah S. McKeown
Commission Counsel

1220 Senate Street, Suite 111
Columbia, South Carolina 29201
Telephone: (803) 734-2037
Fax: (803) 734-0363

August 29, 2022

PERSONAL AND CONFIDENTIAL

Janet Laurenzi Frisco
janetfrisco@yahoo.com

RE: Lawyer: Stephan Victor Futeral, Esquire
ODC File Number: 22-DE-L-0605
NOTICE OF FINAL DISPOSITION

Dear Ms. Frisco:

You previously filed a complaint with the Office of Disciplinary Counsel about Stephan Victor Futeral, Esquire in connection with the above-referenced matter. On August 19, 2022, an investigative panel of the Commission convened to consider the recommendation of the Disciplinary Counsel for disposition of this matter based on the information gathered in the investigation. As required by the Rules for Lawyer Disciplinary Enforcement, Rule 413, SCACR, the inquiries of the panel were limited to whether or not there was evidence of ethical misconduct on the part of Mr. Futeral that would warrant further investigation or the filing of formal charges.

After considering the information received from you, Mr. Futeral's response, and the report of Disciplinary Counsel setting forth the results of the investigation, the investigative panel voted to dismiss your complaint. At the direction of the Commission, I am notifying you of the action taken on this matter. This dismissal constitutes a final disposition of your complaint. As required by the rules, Mr. Futeral and Disciplinary Counsel are being notified of the action taken by the investigative panel by copy of this letter.

Sincerely,

Barbara W. Hinson
Legal Assistant

BWH/

cc: Stephan Victor Futeral, Esquire
Jamie E. Wilson, Esquire
Assistant Disciplinary Counsel