

STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON )

John Dong, M.D., Ph.D. )  
APPELLANT(S) )

VS. )

The Medical University of South Carolina )  
RESPONDENT(S) )

2016-CP-10-06683  
COMMON PLEAS CASE NUMBER

IN THE COURT OF APPEALS  
THE STATE OF SOUTH CAROLINA

NOTICE OF CIVIL APPEAL

**RECEIVED**

**Oct 10 2022**

SC Court of Appeals

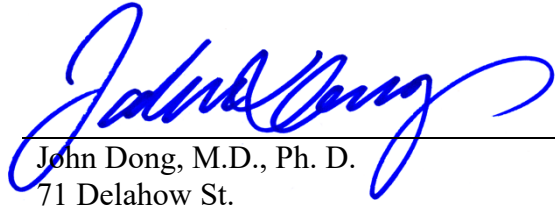
The plaintiff, John Dong, M.D., Ph.D., hereby gives notice of appeal from the judgment of the Circuit Court of Common Pleas in the above action, to the Appellate Court of the State of South Carolina.

This notice of appeal is made subsequent to personal notice of the judgment which was received on the 28th day of September 2022.

The appellant's exceptions to the judgment of the Circuit Court of Common Pleas are set forth as follows:

Persuing to Rule 72, a judgment is appealable if it affects the Due Process and cannot be cured after the trial or a final judgment. In the forgoing case, the Circuit Judge issued a Final and Controlling Discovery Order that restricts Plaintiff's discovery to only a set of email chains "to or from" the Plaintiff and prohibits the Plaintiff from obtaining any other related documents or filing an interrogatory without citing any reason, statute, rule, or case law.

The right to discovery under the Due Process Clause of Article III of the Constitution is a fundamental right. Deprivation of the right for discovery causes a party being without the entitled evidence and unprepared for a trial. Such an error causes irreparable prejudice to the party, and the prejudice cannot be cured by trial or after a final judgement. Therefore, the error is structural. Deprivation of discovery is the number one ground that requires review of the Appellate Court or the Supreme Court.



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John Dong, M.D., Ph. D.  
71 Delahow St.  
Charleston, SC 29492  
Phone: 843-991-2332  
Email: johny.dong@me.com

Dated: October 8, 2022

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SC Court of Appeals

FORM 7  
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLETON COUNTY  
Court of Common Pleas

R. Ferrell Cothran, Jr, Circuit Court Judge

Case No. 2016-CP-10-06683

The Medical University of  
South Carolina

Respondent,

v.

John Dong, M.D., Ph.D.

Appellant.

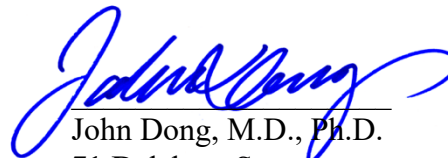
PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Bob Conley/MUSC by depositing a copy of it in the United States Mail, postage prepaid, on October 10th, 2022, to the following address:

Bob J. Conley, Esq.  
Cleveland & Conley, LLC  
171 Church Street, Suite 310  
Charleston, South Carolina 29401

In addition, a copy of it is submitted by US Mail to the ECF system at the Court of Common Pleas and Court of Appeals, State of South Carolina, which will give notice electronically to all parties.

Monday, October 10, 2022



John Dong, M.D., Ph.D.  
71 Delahow Street  
Charleston, SC 29492  
Phone: (843)-991-2332  
Email: johny.dong@me.com

