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2016-CP-10-06683

COMMON PLEAS CASE NUMBER

STATE OF SOUTH CAROLINA OCT 21 2022

COUNTY OF CHARLESTON SC Court of Appeals

97387

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

IN THE COURT OF APPEALS THE STATE OF SOUTH CAROLINA

VS.

NOTICE OF CIVIL APPEAL

The Medical University of South Carolina RESPONDENT(S)

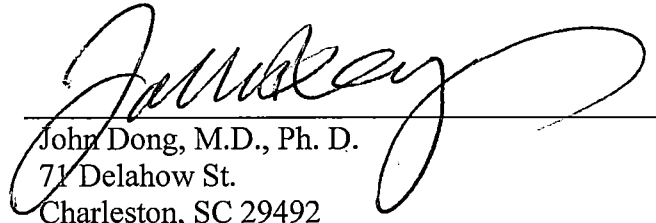
The plaintiff, John Dong, M.D., Ph.D., hereby gives notice of appeal from the judgment of the Circuit Court of Common Pleas in the above action, to the Appellate Court of the State of South Carolina.

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.



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

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

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OCT 21 2022

SC Court of Appeals

Case No. 2016-CP-10-06683

The Medical University of
South Carolina

Respondent,

v.

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

Appellant.

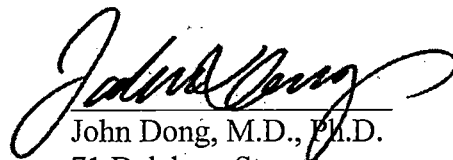
PROOF OF SERVICE

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 giving 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: johnny.dong@me.com

FORM 8
LETTER TO THE APPELLATE COURT CLERK
FILING THE NOTICE OF APPEAL

October 10, 2022

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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OCT 21 2022
SC Court of Appeals

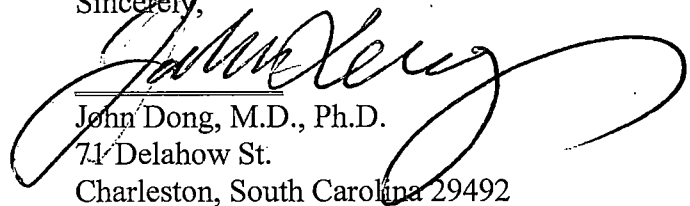
RE: John Dong, M.D., Ph.D., v. The Medical University of South Carolina,
Case No. 2016-CP-10-06683

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent[s].
- (2) A copy of the order[s] [judgment] which is [are] to be challenged on appeal.
- (3) A filing fee of \$250.

Sincerely,



John Dong, M.D., Ph.D.
71 Delahow St.
Charleston, South Carolina 29492
(842) 991-2332

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

71 Delahow St.

Daniel Island, SC 29492

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OCT 21 2022

SC Court of Appeals

Court of Appeals

Clerk of Court

P.O. Box 11629

Columbia, South Carolina 29201



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