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**Dec 28 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of  
Appeals

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APPEAL FROM CHARLESTON  
COUNTY  
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

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Civil Court Case No. 2021-CP-10-2682  
Court of Appeals Case No. 2022-000775

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Pet Helpers, Inc.

Respondent,

v.

Janet L. Frisco,

Appellant,

v.

Melissa Susko

Third-Party Defendant

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**REPLY TO RESPONDENT'S RETURN TO APPELLANT'S MOTION TO STRIKE  
MATTERS FROM RESPONDENT'S DESIGNATION OF MATTER**

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This court should grant Appellant's Motion to Strike Matters from Respondent's Designation of Matter filed on December 12, 2022 because the Respondent did not amend or delete any of their twenty designations when they filed the Amended Designation of Matter, but merely added the certification that no matters were irrelevant to the appeal. Respondent's statement that the error was "inadvertent" on his part is an after-the-fact attempt to designate matter that is irrelevant to the Appellant's appeal with this court and was also not clearly identified or set forth with specificity as claimed on the Respondent's amended document.

In his designation the Respondent did not address any issues of the appeal that were stated on the Appellant's Initial Brief, but is basically regurgitating the history of the case of which the outcome is under appeal because of the lower court's Abuse of the Standard of Discretion and due to the fact that the Respondent's legal counsel abused civil process. Respondent's counsel neglects to designate any matter refuting the statements on appeal.

The Respondent's counsel's response to the appeal is to continue repeating the sequence of orders that were unjustly imposed on the Appellant in the lower court. The Respondent's counsel has no problem with the judicial system assisting criminals in stealing cars as they did in Janet Frisco v. Debra Walker in 2005 and motioned to strike that case from Appellant's Designation, falsely stating it was not included in the trial proceedings, his manufacturing of evidence, his making false accusations on filed documents, incarcerating an innocent person and extorting money from them, but he becomes aggressively indignant when an opponent seeks to assert their basic civil rights of free speech and the right to a fair trial before a jury. Throughout this litigation, Respondent's legal counsel has attempted to suppress evidence that was critical to the Respondent's defense and has been assisted by the lower court in doing so. Respondent's counsel is particularly incensed by the Appellant's attempts to defend herself against the complaint such as filing a counter claim for injuries, attempting to amend or supplement my answer to their complaint, or filing an affidavit requesting a continuance on the Partial Summary Judgement pursuant to SCR 56(f). He also objects to answering the Interrogatories Defendant submitted which forced Defendant to file a Motion for an Order to Compel Discovery. Both these documents will be added to Respondent's final brief and designation of matter.

The following are The Appellant's replies to the Respondent's twenty designations:

1. Entire transcript from hearing held on April 22, 2022. (The Respondent is not being specific on the portions of the transcript which support his response to the appeal.)
2. Order of Motions filed May 5, 2022. (The Appellant has already included the order on her Designation of Matter.)
3. Complaint filed on June 9 2021 (Plaintiff filed complaint to cover up his client's criminal fraud so it's irrelevant.)
4. Ex Parte Injunction and Restraining Order filed June 11, 2021. (Should not have been granted because Respondent's counsel made false statements to obtain it and is irrelevant on the appeal issues.)
5. Ex Parte Injunction and Restraining Order filed on June 17, 2021. (As above).
6. Complaint filed by Janet Frisco on June 17, 2021. (Complaint was consolidated January 6, 2022 over Appellant's objections of lower court's previous abuse of the Standard of Discretion.
7. Amended Order on Plaintiff's Motion to Consolidate filed on January 6, 2022. (Judge McCoy had consolidated the Plaintiff's case into appellants complaint, but then changed it.)
8. Order for Plaintiff's Motion to Reconsider (2<sup>nd</sup> Order for Injunction) filed October 12, 2021.) (Plaintiff wanted to incarcerate the defendant because she didn't comply with restraining orders that should never have been granted by the lower court.)
9. Order of Contempt filed November 5, 2021. (Defendant was falsely imprisoned to extort \$5432.00 and to intimidate the Respondent into accepting settlement).
10. Motion to Amend Answer filed by Janet Frisco on October 19, 2021. (After acquiring additional information that the adoption of my dog Toby was staged, I filed a Motion to Amend Answer twice, but I made an inadvertent error which I corrected in my form Motion for Leave to Supplement Answer. It's irrelevant to the Respondent's response)
11. Order on Motions filed January 11, 2022. (Portions of the order included on Appellant's Designation, Respondent not complying with specificity.)
12. Motion for Sanctions for Defendant's Failure to Comply with an Order of Discovery filed January 21, 2022. (Defendant filed Interrogatories on Plaintiff and Plaintiff's counsel filed an objection stating the interrogatories were "too broad and burdensome" and refused to answer, the hearing will probably not be scheduled and Plaintiff will not be sanctioned.)

13. 2<sup>nd</sup> Motion to Amend Answer (captioned as Return to Defendant's Motion to Amend Answer Pursuant (sic) to SCRCF Rule 15 (b) and Counterclaim for Malicious Prosecution filed by Janet Frisco on February 28, 2022. (I couldn't withdraw the second Motion to Amend Answer because the court administration wouldn't give permission for the form motion for Leave to Supplement Answer and scheduled both at the hearing of April 22, 2022. it's not relevant to their response and simply shows the bias of the lower court.)
14. Motion for Leave to Supplement Answer filed by Janet Frisco on March 24, 2022. (It was done correctly and pursuant to another subdivision, but the lower court refused to hear the motion at the hearing on April 22, 2022 and did not announce it at the beginning of the hearing. It was included on the Appellant's Designation but is not relevant to the Respondent's response.)
15. Motion for a Partial Summary Judgement. (Plaintiff filed the motion seven days after the complaint was filed and Defendant had not had an opportunity to pose discovery requests to the Plaintiff at that time. Defendant filed an affidavit requesting a continuance to submit interrogatories to the Plaintiff, but it was denied at the hearing on April 22, 2022 by the lower court.)
16. Memorandum in Support of Motion for Partial Summary Judgement with Exhibits A through D filed April 12, 2022. (Melissa Susko, the executive director of Pet Helpers, supported a Partial Summary Judgement because that would prevent the case proceeding to trial and my witness testifying before a jury that Ms. Susko told her she is certified to euthanize. Document was already listed on the Appellant's Designation.)
17. Affidavit of Janet Frisco filed on April 21, 2022. (Affidavit of Janet Frisco pursuant to SCRCF 56 (f) requesting a continuance to submit discovery requests to the Plaintiff which I did on December 12, 2022. Respondent objected and refused to answer so I was forced to file a motion to compel discovery. Respondent's counsel is opposed to Appellant having the opportunity to prepare for a trial, because he planned, with the help of the lower court, to dispose of the case without giving the Appellant the opportunity to present her case in front of jury.)
18. Second Objection to Plaintiff's Motion for a Partial Summary Judgement filed by Janet Frisco on December 8, 2021. (Document is already included on Appellant's Designation. I'm opposed to the Partial Summary Judgement because it is radical and premature. It's not relevant to the Respondent's response.)
19. Defendant's Supplement for Second Objection Plaintiff's Motion for a Partial Summary Judgement filed by Janet Frisco on December 8, 2021. (Document already included on Appellant's Designation and the lower court granting the Summary Judgement is the primary reason for the appeal in the Court of Appeals because these arguments were never allowed to be heard in the lower court. Matter is irrelevant to the Respondent's response to the appeal.)
20. Defendant's Supplement for Second Objection to Plaintiff's Motion for a Partial Summary Judgement filed by Janet Frisco on December 8, 2021. (Document is already included on Appellant's Designation of Matter and it is irrelevant to the Respondent's response to the appeal.)

The Respondent's Attorney is attempting to obstruct my ability to appeal by including irrelevant matter in his Designation that is not addressing my statement of the issues. Counsel is probably aware that the Appellant must compile and file both parties' designations of matter and then bind the hard copies to be sent to this court with the final brief. Therefore, Appellant requests that, all irrelevant, duplicated, and not specific matter should be struck from the Respondent's Designation by this Honorable Court. Respondent's counsel doesn't possess any relevant documents that refute my statement of the issues so he is attempting to divert this court's attention from his abuse of civil process and the lower court's Abuse of the Standard of Discretion. The Respondent's counsel abhors the fact

that I appealed the Partial Summary Judgement, injunctions, additional sanctions and other unjust orders of the lower court and stood up for my rights which apparently most litigants avoid after they are heavily sanctioned by the lower court and attorneys and face the possibility of complete destitution.

Respectfully submitted,

A handwritten signature in cursive script that reads "Janet L. Frisco".

Janet L. Frisco, Pro Se Appellant  
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843-804-0875

Dated: December 26, 2022

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas, 9<sup>th</sup> Circuit Court  
The Honorable Bentley D. Price

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Court of Appeals Case No. 2022-000775

Circuit Court Case No. 2021-CP-10-2682

Pet Helpers, Inc..... Respondent

V.

Janet L. Frisco ..... Appellant

V.

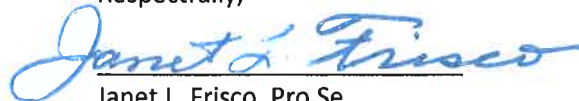
Melissa Susko.....Third-Party Defendant

**PROOF OF SERVICE**

I certify that I have served the Respondent the document **REPLY TO RESPONDENTS RETURN TO APPELLANT'S MOTION TO STRIKE MATTERS FROM RESPONDENT'S DESIGNATION OF MATTER** delivering the same via email and United States mail, postage prepaid addressed to the Respondent as follows:

Stephan V. Futeral,  
Attorney for the Respondent  
1004 Anna Knapp Blvd., Suite 3  
Mt. Pleasant, South Carolina 29464  
[sfuteral@charlestonlaw.net](mailto:sfuteral@charlestonlaw.net)

Respectfully,



Janet L. Frisco, Pro Se

DATED: December 26, 2022