

RECEIVED

MAY 22 2023

Circuit Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

) COMMON PLEAS CASE

) NUMBER

2021-CP-26-8745-

Joseph A. Stagar APPELLANT)

IN THE COURT OF

) COMMOM PLEAS NOTICE

VS.

) OF CIVIL APPEAL

Deborah Cole RESPONDENT)

The plaintiff Joseph A. Stagar Pro Se notice of appeal from the judgment of the Circuit Court of Common Pleas, in the county of Horry.

This notice of appeal is made subsequent to personal notice of the judgment which was received on the 17 day of MAY, 2023

The appellant's exceptions to the judgment of the attending judge are set as follows.

1. The trial Judge err in failing to recuse herself for a personal relation with the Defendants attorney family. (The Judge and Mr. McCutchen were taking about there family wear they live, his uncle for at least 10 minutes before case started.
2. The trial Judge err in not applying Rule 9.(h) Libel or Slander./ Rule 5. Service and Filing of Pleading R5(b)(1)Sam: How Made, / Rule 4(j) Acceptance of service (Cole acting as pro se on August 30, 2021 got Summons and Compliant with Admissions. On Sept 23 Cole did put pen to paper and answer the Admission the judge did not take the clocked in paper.

FILED
Horry County
MAY -9 A 9:52
JENNIE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

STATEMENT OF ISSUES ON APPEAL

Case 2021-CP-26-5745

3. The original Summons and Complaint was answered 57 days late. That is when the pro se Plaintiff found out that Cole retained McMutchen 111 as her attorney in the above case

4. In the clock in papers the judge does not take in consideration a copy of SOUTH CAROLINA SEXUAL CONDUCT

SC 16-3-656 Section Verbal Assault with intent to commit sexual
conduct shall be punishable as if the SEXUAL ACT WAS COMMITTED

5. The Judge failed to read any of the answers in the replies to the Plaintiff from Cole . That the only person that could hear her was my wife. They refuse to give the video tapes that would show their were a crowd of people there who was setting next to me or there bartender book

For the reasons stated, the appellant asks the court to grant the appellant a Jury Trail.

Attorney of record Respondent

Luther McCutchen esq

410 Oleander Drive Suite 203

Myrtle Beach SC 29577


Joseph A. Stagar ProSe

9758 Little River Rd NW

Ash NC 28420

(910) 287-7711

FORM 11

LETTER ORDERING TRANSCRIPT FROM COURT

REPORTER

May 3, 2023

Julie Kvish

**Post Office Box 30223
Myrtle Beach SC 29577**

**FILED
HORRY COUNTY
2023 MAY -9 A 9:52
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC**

RE: Joseph A Stagar Pro Se v Deborah Cole Case ²⁰²¹201-CP-26-05745

On APRIL 24, 2023 the above case was tried before the Honorable Debra McMaslin Common Pleas in Horry County SC. My records indicate that you were the court reporter for the case request that you provide me with a estimate of the record please call or send Email to drb1953@atmc. Home (910) 287-7711

I AGREE TO PAY THE PER PAGE CHARGE FOR THE TRANSCRIPT WITH A BANK CHECK ON THE AGREED PRICE.

Joseph A. Stagar Pro Se
Joseph A Stagar Pro Se

9758 little River Rd NW

ASH NC 28420

(910) 287-7711, Home

Drb1953@atmc.net

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF HORRY)

15th JUDICIAL COURT

Civil Action No. 2021 -CP-26-5785

Joseph A, Stagar, Pro Se)

Plaintff)

Vs.)

PLAINTIFF' REQUEST FOR

Deborah Cole)

ADIMISSIONS

Defendant)

RECEIVED
 CLERK OF COURT
 HORRY COUNTY
 2021 AUG 26 AM 10:18
 HERRIN, JAMES

TO THE DEFENDANT in Civil Action 2021 -CP-26-5785

Pursuant to Rule 36 of the South Carolina Rules of Civil Procedure, you are hereby served with written request for Admissions of Fact and Request for Genuiness of Documents for the purpose of the pending action only. Such Requests for Admissions, pursuant to the Rule, Shall be deemed admitted unless within thirty (30) days from the date hereof, the undersigned at their address shall receive a written answer or objection. If objection is made, the reason therefor shall be stated.

The answer to these Requests shall specifically deny the mater, or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. Any such denial shall fairly meet the substance of the requested admissions and when good faith required that you qualify an answer or deny only part of the matter witch is requested to be admitted, you shall specify so much of the Request as being true, and qualify or deny the remainder.

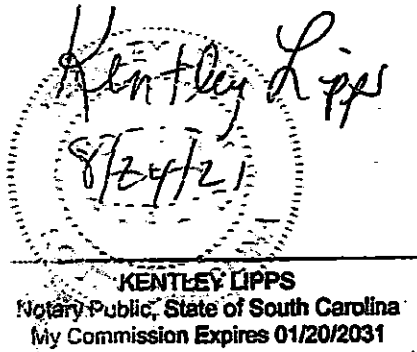
1. Does the Defendant own the business called Pilot House 4490 Mineola Ave Little River South Carolina
2. Does the Defendant work at the Pilot House every day
3. Does the Defendant know the definition of PEDOPHILE
4. Does the Defendant know the definition of Slander
5. Did the defendant call the Plaintiff a Pedophile verbally in a loud voice with the establishment full of people on July 24, 2021.
6. Did the Defendant call the Plaintiff a pedophile in front of your bartender on July 25, 2021
7. Has the Defendant before July 24, 2021 called the Plaintiff a Pedophile and did a criminal background check on the Plaintiff

YOU WILL HERBY TAKE NOTICE, that if you fail to admit these Requests for Admissions, and if the undersigned thereafter proves the truth of the mater, the undersigned shall apply to the Court for Order requiring your client, to pay the reasonable expenses incurred in making such proof, which shall include reasonable expense.

Should a sworn denial of the request be received and the Plaintiffs hereafter prove the genuineness of the truth of the matters of fact set forth above Plaintiffs will apply to the Court for an order requiring the Defendant to pay the reasonable expenses, including the cost of depositions, travel expenses, and witness fees.

We reserve the right to supplement statements.

On the 26 day of August 2020



Joseph A. Stagar
Joseph A. Stagar Pro SE
9758 Little River Rd Nw
Ash North Carolina 28420

JOSEPH A. STAGAR
PLAINTIFF

September 20
2021

DEBORAH COLE
DEFENDANT

ANSWER: 2021-CP-26-5745

1. Yes.

2. No.

3. Yes.

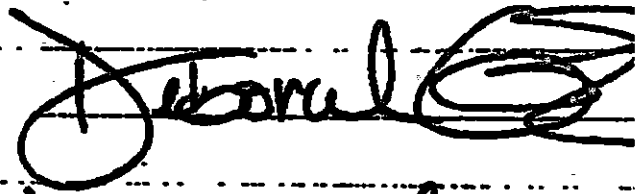
4. Yes.

5. No.

6. Dont Recall.

7. No & No.

FILED
Horry County
SEP 23 PM 4:09
RENEE N. BLAVIS
CLERK OF COURT
HORRY COUNTY, SC


DEBORAH COLE

138 Old Sawmill
Little River, SC
2956

(843) 734-0360

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF HORRY	)	FIFTEENTH JUDICAL CIRCUIT
	)	CIVIL ACTION NO. <u>2021 CP-26-5745</u>
Joseph A. Stagar Pro SE)	
Plaintiff)	
Vs	)	COMPLAINT
	)	JURY TRAIL REQUESTED
<hr/> Deborah Cole	)	<hr/>Definition of Slander Per SE
Defendant)	

JURISDICTIONAL STATEMENT

1. Joseph A. Stagar, Plaintiff is a citizen and resident of Brunswick County, NORTH CAROLINA
2. Deborah Cole is a resident in Horry County, South Carolina represented by legal counsel:
3. This action arose in Horry County, South Carolina
4. The cause of this action is for Slanderous and verbal accusing the PLAINTIFF CRIMINAL ACT

CAUSE OF ACTION

ACCUSING FALSEY JOSEPH A. STAGAR OF BEING A PEDOPHILE

In a public business establishment

The Plaintiff herein, coming forth-Pro se. complaining of the Defendant, would respectfully show unto this Honorable :

***On July 24 and 25 of July 2021 Wrongly Accused of being an individual who has had arousing fantasies about, urges for, or behaviors with a prepubescent child or children,**

*** That I have acted out these sexual desires, or is experiencing significant distress or difficulty as a result of these desires**

*** The Specifiers, sexual attraction to children only, attraction to boys, girls**

*** The Defendant making false allegation gave her feeling of psychological satisfaction the center of attention.**

*** the Plaintiff on July 26 2021 refused entry into Ricky,s dockside (Deborah Cole and owners of Ricky,s very good friends)**

***S C Civil Procedure Rules, Rule 9(h) In pleading libel or slander it not necessary to state in the pleading any extrinsic facts for the defamatory matter out of which the action arose: but it is sufficient to state generally that the same was spoken concerning the pleader**

*** S C> STATUTE 16-7-150; Federal 28US, Code s 4101 (injure his or her character or reputation has presented any person in false light, giving emotional distress, in action dishonor on condemnation**

***SC 16-3-656 Section Assault with intent to have the Plaintiff has committed criminal sexual conduct punishable as if the CRIMINAL SEXUAL ACT WAS COMMITTED , MORAL TURITUDE**

RELIEF SOUGHT

That the Defendant be order to pay \$225,000.00 thousand dollars (TWO HUNDERD AND TWENTY FIVE THOUSANDS) for Slander, damage to reputation ,emotional distress and dishonor and MALICE INTENT

Joseph A. Stagar
JOSEPH A. STAGAR PRO Se 910 -287 7711

9758 Little River Rd Nw ASH NC

NOTORY SIGN AND SWORN BEFOR ME THIS _____ DAY OF SEPT 2022

COVER SHEET for CIVIL ACTION No 2021-CP-26-5745

Plaintiff Request For Admissions

SLANDER Per Sa

STATE OF SOUTH CAROLINA COUNTY OF HORRY

**JOSEPH A. STAGAR PRO SE VS DEBORAH COLE (ATTORNEY Luther O.
McCutchen 111 SC BAR #3763)**

4610 Oleander Drive Ste 203

Myrtle Beach SC. 29577

5 pages with Cover

JOSEPH A. STAGAR PRO SE

9758 Little River North West

ASH NC 28420

910-287-7711

**RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC**

2023 JAN 20 A 9:17

**FILED
HORRY COUNTY**

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF HORRY	)	15 th JUDICIAL COURT
	)	Civil Action No. 2021-CP-26-5745
Joseph A, Stagar, Pro Se)	
Plaintff)	
Vs.	)	PLAINTIFF' REQUEST FOR
Deborah Cole	)	ADIMISSIONS
Defendant)	

FILED
 HORRY COUNTY
 2023 JUN 20 A 9:17
 RUFEE N. ELVIS
 CLERK OF COURT
 HORRY COUNTY, SC

TO THE DEFENDANT in Civil Action SLANDER

Pursuant to Rule 36 of the South Carolina Rules of Civil Procedure, you are hereby served with written request for Admissions of Fact and Request for Genuiness of Documents for the purpose of the pending action only. Such Requests for Admissions, pursuant to the Rule 36 and 36(b) will be deemed admitted unless within thirty (30) days from the date hereof, the undersigned at their address shall receive a written answer or objection. If objection is made, the reason therefor shall be stated.

The answer to these Requests shall specifically deny the mater, or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. Any such denial will fairly meet the substance of the requested admissions and when good faith required that you qualify an answer or deny only part of the matter is requested to be admitted, you shall specify so much of the Request as being true, and qualify or deny the remainder.

Joseph Stagar
 9758 Little River Rd. NW
 Ash, NC 28420
 710-287-7711

A

An answering party may not give lack of information or knowledge as a reason for failure to admit or deny unless he states that he made reasonable inquiry and that the information known or readily obtainable by him is insufficient to enable him to admit or deny. A party who considers that a matter of which an admission has been requested presents a genuine issue for trial may NOT, on that ground alone, object to the to the request:

1. In your answer to the admission on SEP 23 2021 (3) you said yes. So you know the legal diagnosis assigned to adults (defined as age 16 and up)who have sexual desire for prepubescent children (American Psychiatric Association and the (Diagnostic and Statistical Manual of Mental Disorders). You know it is a criminal offense in the United States, Canada, and Europe.
2. In your answer to the admission on SEPT 23, 2021 (4) you said yes . So you know the legal reading of SLANDER in the law slander it is not necessary to state in the pleading any eccentric facts for the purpose of showing the application to the pleader of the defamatory matter out of which the action arose; but it is sufficient to state generally that the same was published or spoken concerning the pleader Rule 9, Rule 9(h)
3. In your answer to the admission on SEPT 23 2021(5) you said No, the security cameras on July 24 and 25 of 2021will show how many people were in your bar in the morning
- 4 Do you bring your grand children in the bar when I was in your place
- 5 At any time did the Plaintiff make SEXUAL acts to the CHILDREN or to be alone with them

FILED
Horry County
2021 JAN 20 A 9:18
RENEE N. ELVIS
CLERK OF COURT
Horry County, SC

Joseph A. Stegall
Joseph Stegall
158 Little River Rd. NW
Ash, NC 28420

910-287-7711

6. When you chose the BEHAVIOR you chose the CONSEQUENCE
7. Past behavior is a MIRROR for future behavior
8. In your answer to the admission on Sept 23, 2021 you said No, so if you do not have any legal proof OF ANY SEX OFFENSE AGAINST CHILDREN that the PLAINTIFF DID. YOU DID WITH MALICE AND FORTHOUGHT OF CALLING ME A PEDOPHILE!
9. If you have any proof Please state what Degree the PLAINTIFF is (pedophile)
A FIRST DEGREE _____, SECOND DEGREE _____, THIRD DEGREE _____
10. Does your business and your personal reputation mean nothing at any time
11. So if your business, personal reputation mean something so should the Plaintiffs be just as good as yours

12. Did you Deborah Cole and your daughter live at any time above pilot house
13. A post on Face Book JAN 2, 2023 That you are there most of the time between 9am to 11am
14. Do you know the Impact of Being Wrongly accused of being a child Pedophilia
15. In the study Center for Criminology reputation of pedophilia and the guilt , making it impossible for the individual to return to their normal life

FILED
Horry County
2023 JAN 20 A 9:18
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Joseph A. Stagar, Pwde
Joseph Stagar
9758 Little River Rd. NW
Ash, NC 28420
910-287-7711

16. Your answer and your Attorneys answer said because I am Disabled or 70 years old My Reputation Means nothing and it did not cost me nothing
17. Did you the defendant Cole put a offer on the table to settle by way of a Apology and a Monetary settlement.

**WORK HISTORY OVER 30 YEARS TO PRESENT DID WORK
IN South Carolina, North Carolina , (Licensed Contractor) working for!**

ELLIOT REALTY (SENATOR ELLIOT OWNER)

MARILYN HATTLY (MAYOR OF NORTH MYRTLE BEACH)

PHIILL TILLMAN (X MAYOR OF NORTH MYRTLE BEACH)

MICHAEL HERRING (CALABASH COUNSELMAN)

QUARDENT PROPERTY MANAGEMENT

BENCHMARK PROPERTY MANAGEMENT

ALLY PROPERTY MANAGEMENT

MYRTLE FARMS Co

Chady Hattely Esq

Louis Cook Esq

Starwood Landscaping and Const

Welbor Const

O C R M

ARMY CORPS of ENGINEERS

**Present time still doing light Const work + Auto engine work Painting Body work
Part time**

FILED
HORRY COUNTY
2023 JAN 20 A 9:18
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Joseph A. Steyer, Pres. Inc.
Joseph Stegar
9758 Little River Rd. NW
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