

April 20, 2012

BY FACSIMILE AND U.S. MAIL

Clerk of the Circuit Court – Richland County
1701 Main Street, Room 205
P.O. Box 2766
Columbia, South Carolina 29202

Re: Plaintiff's Comment on Proposed Order Denying Motion For
Reconsideration of Dismissal Pursuant to Rule 41.

Case No. 2002-CP-40-0229

(Karl A. Duskocil and John M. Duskocil v. Patricia Gail D. Culp, Trustee, et al)

Please include a copy of my attached letter, conveying comments regarding the
specified Order, with the Court's record for this Case (2002-CP-40-0229).
These comments are provided pursuant to Rule 5, SCRCF.

Three (3) pages are attached hereto.

Thank you,

Karl A. Duskocil
Plaintiff (*pro se*)

April 20, 2012

BY FACSIMILE AND U.S. MAIL

The Honorable Joseph M. Strickland
Master In Equity – Richland County
1701 Main Street
Columbia, South Carolina 29201

Re: Proposed Order as submitted by Robert Rikard, Denying Plaintiff's Motion For Reconsideration (ref: Dismissal of Case Pursuant to Rule 41)
Case No. 2002-CP-40-0229
Karl A. Duskocil and John M. Duskocil v. Patricia Gail D. Culp, Trustee, et al

Dear Judge Strickland:

I have received copy of Defendant Counsel Robert Rikard's proposed order and, pursuant to Rule 5, SCRPC, I submit the following comments for consideration before the order is signed:

- 1.) The ORDER caption does not clearly specify this Order as being specific to Plaintiff's Motion For Reconsideration.
- 2.) Likewise (lacking the above distinction for clarity of review), the opening sentence (Paragraph 1) seems ambiguous in its statement: "This matter was heard..." My concern is for clarity that "the matter" heard on April 13, 2012 was specifically limited to the Court's prior sua sponte dismissal of the case "Pursuant to Rule 41, SCRPC... for lack of prosecution".

The case itself, or any evidence relating thereto, has never been heard for consideration by this Court.

- 3.) The first sentence of Paragraph 2 of the Proposed Order, again with concern for accuracy and clarity, should indicate that: "After comments by Robert Rikard and John Duskocil during the hearing, the parties, including John Duskocil and Karl Duskocil, were put under oath by the court reporter at Karl Duskocil's request."
- 4.) In the last (3rd) paragraph of the Proposed Order, please note my following comments:
 - a. I appreciate the Court's review of my Motion For Reconsideration, Plaintiff's "Brief For Motion Hearing and Affidavit In Support Of Motion For Reconsideration" and specified attachments provided therewith. I am not aware

The Honorable Joseph M. Strickland
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of any submission by Defendant or her Counsel, or by any other party to this matter; except for brief input by attorney Robert Rikard, regarding the dismissal language, which apparently took place ex parte on March 16, 2012. If any other "submissions" (as referenced in the Proposed Order) exist, I respectfully request that those be provided to me for review.

- b. As to the Proposed Order's reference to "applicable law of the State of South Carolina..." as a basis for denial of my Motion For Reconsideration, and for dismissal of the case itself: I simply wish to reassert my belief that both the denial and the dismissal operate contrary to the very laws which the Proposed Order specifies as being applicable to the circumstances of this case. I humbly urge Your Honor's review of this matter before you sign the proposed order. I have received no explanation as to how I have not been diligent in efforts to prosecute the case against the Defendant, nor regarding the Court's tolerance of the Defendant Trustee Patricia Culp's contumacious conduct and refusal to cooperate throughout despite your Orders and my repeated requests to both Defendant and to the Court.

Respectfully,



Karl A. Duskocil
Plaintiff - pro se

Attachment: Proposed Order submitted by Defendant's Counsel, Robert Rikard

cc: Clerk of Court, Richland County

