

**HORRY COUNTY FIRST FILLED BRIEF
LOWER COURT CASE 2021-CP26-5745 MAY 9,
2021. SOUTH CAROLINA APPEALS COURT CASE
2023 000822. SENT IN FIRST PACKAGE COPYS
OF BRIEF. AM SENDINGS COPYS OF SAME
BRIEF**

**RE: TO DEPUTY CLERK
HARRISON**

RECEIVED

JUL 27 2023
SC Court of Appeals

FORM 13

BRIEF OF APPELLANT

THE STATE OF SOUTH CAROLINA **RECEIVED**
In The Court of Appeals JUL 27 2023
SC Court of Appeals

APPEAL FROM HORRY COUNTY

Court of Common Pleas

Debra McMaslin Common Pleas Judge

Case No 2021-CP-2-05745

Joseph A. Stagar Pro SE

Appellant

v.

Deborah Cole

Respondent

(INITIAL) BRIEF OF APPELLANT

Joseph A. Stagar
Joseph A. Stagar PRO Se

9758 Little River RD Nw

ASH NC 28420

(910) 287-7711

**STATE OF SOUTH CAROLINA
COUNTY OF HORRY**

) **COMMON PLEAS CASE**

) **NUMBER**

Joseph A. Stagar APPELLANT

2021-CP-26-5745
IN THE COURT OF

) **COMMON 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 7 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.**

P1

**FILED
HORRY COUNTY
MAY -9 A 9:52
ENGINEER 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

Joseph Stagar
9758 Little River Rd. NW
Ash, NC 28420

South Carolina Court of Appeals
Jenny Abbott Hulings, Clerk
Post Office Box 629
Columbia, South Carolina 29211

RECEIVED

JUL 27 2023

SC Court of Appeals