

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable Diane Goodstein, First Judicial Circuit  
Honorable Maite Murphy, First Judicial Circuit

---

Appellate Case No. 2023-000879

---

Molly M. Morphew

Appellant

v.

Stephen Dudek and Doreen Cross

Respondents

---

APPELLANT’S MOTION TO EXCLUDE MATTER; EXTENSION TO FILE FINAL BRIEFS  
AND THE RECORD ON APPEAL

---

Appellant, Molly Morphew, (herein “Appellant”) submits this Motion to exclude Respondents Stephen Dudek and Doreen Cross’ designation of matter from the Record of Appeal, specifically: 1) Order granting summary judgment, October 11, 2022, Case No. 2018-CP-18-1661, due the order was vacated by the lower court and not appealed by the Respondents, therefore cannot be considered by this court; and 2) the Entire Transcript, October 2, 2019, Case No. 2018-CP-18-1661, due there is no record a hearing took place or that there is no transcription.

10/10/11  
**RECEIVED**  
FEB 09 2024  
SC Court of Appeals

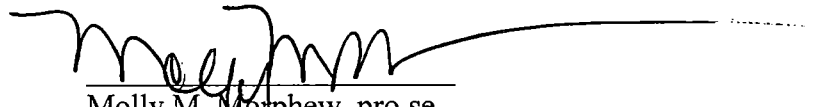
Appellant has included the Order of October 11, 2022, in the Record served on Respondents on February 6, 2024 in order to meet this court's rules regarding Designation of Matter, pending this court's decision to exclude. As a result, Appellant also asks this court for an extension to file its final briefs and Record until this court's decision.

Appellant had filed an order of protection for the dates of 9-15-2022 – 10-5-2022 and 10-21-2022-11-4-2022 and that order was signed by the Chief Administrative Judge, Judge Goodstein. Despite the order of protection, a hearing was held by Judge Maite Murphy on 9-19-2022, without notice to the Appellant and without Appellant present. On October 13, 2022, Judge Goodstein submitted an order which gave notice to all parties that the prior order granting summary judgement was vacated. The vacated order was neither contended nor appealed by either party, cannot be considered by this court, therefore irrelevant to the appeal. According to SCACR 209(b), "A party shall not include any matter in his Designation which is not relevant to the appeal." (Exhibit A, Order, October 13, 2022)

Appellant had submitted all correspondence ordering any applicable transcripts available regarding orders appealed to the Respondents. Respondents have requested an additional transcript in their designation of matter. Appellant has attempted to locate a hearing and or a record of a transcription dated October 2, 2019, but without success. Appellant asks this court for the record of the alleged hearing and the transcriptionist attending on October 2, 2019, plus the Order resulting. Once received, if applicable, Appellant will obtain said transcript. Pending the adjudication of this motion, Appellant asks this court for an extension filing the Record on Appeal and its final briefs. In the interim, Appellant will serve the Record, minus the alleged transcript of October 2, 2019, and add later to the record as an Addendum, with permission of this Court.

Due the reasons above, asks this Court for an order granting Appellant permission to exclude the Respondents' designated matter, Order granting summary judgment, October 11, 2022, from the Record on Appeal; and exclude or temporarily exclude the alleged entire transcript dated October 2, 2019, Case No. 2018-CP-18-1661, from the Record on Appeal, pending the disposition of this motion. Further, Appellant asks this Court for an extension to file its final briefs and the Record on Appeal until this motion is heard and adjudicated.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Molly M. Morphew', with a long horizontal line extending to the right.

Molly M. Morphew, pro se  
285 Wooden Horse Run  
Ridgeland, SC 29936  
843-514-7299

February 6, 2024

# EXHIBIT A

STATE OF SOUTH CAROLINA  
COUNTY OF DORCHESTER  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2018 CP-18-01661

MOLLY M. MORPHEW

STEPHEN DUDEK and DOREEN CROSS

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for :  Plaintiff  Defendant  
or  
 Self-Represented Litigant

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court: This matter came before Judge Goodstein as the result of the granting of Defendant's Motion for Summary Judgement from a hearing held on 9/19/2022. On 9/8/2022, Plaintiff submitted an Order of Protection for the dates of 9/15/2022 - 10/5/2022 and 10/21/2022 - 11/4/2022. This Order of Protection was signed by Judge Goodstein prior to the hearing; however, it was not filed until after the hearing due to travel and the Order could not be e-filed because it was for a pro se Plaintiff. On 9/19/2022, Judge Murphy held a motion hearing regarding this case and moved forward with the hearing. While it is unclear at the whether Judge Murphy was aware of the submittal of the Order of Protection, it is clear Judge Murphy was not aware of the granting of the order of protection. As a result of the hearing, a Motion for Summary Judgement was entered in favor of Defendant's. On 10/11/2022, Defendant filed a motion to amend the Plaintiff's Order of Protection. As a result of the motion to amend, this Court became aware of the issue and determined a status conference was necessary. All parties were given notice of a virtual status conference to be held on 10/13/2022 at 11am via phone call, emails, and official roster notices from the Clerk of Court. At the status conference Defense counsel was present, and the defendants were present. Plaintiff, Molly Morphey, was not present. During the status conference, Judge Goodstein informed the Defendants that Judge Murphy was going to vacate the granting Defendant's Motion Summary Judgement, and the motions will be re-heard before Judge Goodstein on Monday, November 21, 2022 at 10:00am via WebEx. This case shall not be continued by any other Judge except Judge Goodstein, as Chief Administrative Judge.

**ORDER INFORMATION**

This order  ends  does not end the case.

Additional Information for the Clerk : \_\_\_\_\_

**INFORMATION FOR THE JUDGMENT INDEX**

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.  
**Note: Title abstractors and researchers should refer to the official court order for judgment details.**  
**E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.**

Diane S. Goodstein	2112	10/13/2022
Circuit Court Judge	Judge Code	Date

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
**ATTORNEY(S) FOR THE PLAINTIFF(S)**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
**ATTORNEY(S) FOR THE DEFENDANT(S)**

\_\_\_\_\_  
**CLERK OF COURT**

**Court Reporter:**

**E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCF.**

**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

\_\_\_\_\_  
 \_\_\_\_\_



Dorchester Common Pleas

**Case Caption:** Molly M Morpew VS Stephen Dudek , defendant, et al  
**Case Number:** 2018CP1801661  
**Type:** Order/Other

It is so Ordered!

s/Diane S. Goodstein

Electronically signed on 2022-10-13 13:41:23 page 3 of 3

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

FEB 09 2024  
SC Court of Appeals

The Honorable Diane Goodstein, First Judicial Circuit  
Honorable Maite Murphy, First Judicial Circuit

Appellate Case No. 2023-000879

Molly M. Morphew, Appellant,

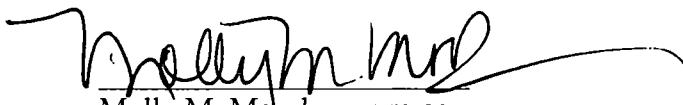
v.

Stephen Dudek and Doreen Cross, Respondents.

CERTIFICATE OF SERVICE

I, Molly M. Morphew, Appellant, pro se for said case, hereby certify that I have, on this date indicated below, served counsel below with Appellant's MOTION TO EXCLUDE AND EXTENSION by mailing a copy of same via United States Mail, postage prepaid and return address clearly indicated on said envelope, to counsel at the following address:

**Zachary Closser, Esquire**  
**P.O. Box 40578**  
**Charleston, SC 29423-0578**

  
Molly M. Morphew, pro se

February 6, 2024

February 6, 2024

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29211

**RECEIVED**  
FEB 09 2024  
SC Court of Appeals

Re: Appellate Case No. 2023-000879  
Molly M. Morphew v. Stephen Dudek and Doreen Cross

Dear Ms. Kitchings:

Please find enclosed the CERTIFICATE OF SERVICE of the Record on Appeal to be recorded and filed.

Also enclosed is a copy of above to be kindly recorded and returned in the self-addressed, stamped envelope.

Thank you and very truly yours,



Molly Morphew, pro se

Cc: Zachary Closser, Esq.

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable Diane Goodstein, First Judicial Circuit  
Honorable Maite Murphy, First Judicial Circuit

Appellate Case No. 2023-000879

**RECEIVED**

FEB 09 2024

SC Court of Appeals

Molly M. Morphew, Appellant,

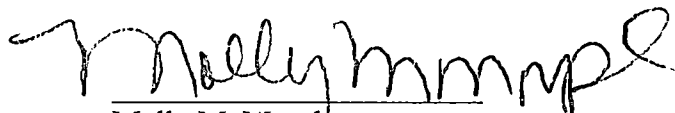
v.

Stephen Dudek and Doreen Cross, Respondents.

CERTIFICATE OF SERVICE

I, Molly M. Morphew, Appellant, pro se for said case, hereby certify that I have, on this date indicated below, served counsel below with the RECORD ON APPEAL and CERTIFICATE OF COMPLIANCE by mailing a copy of same via United States Mail, postage prepaid and return address clearly indicated on said envelope, to counsel at the following address:

**Zachary Closser, Esquire  
P.O. Box 40578  
Charleston, SC 29423-0578**

  
Molly M. Morphew, pro se

February 6, 2024

February 6, 2024

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29211

**RECEIVED**  
FEB 09 2024  
SC Court of Appeals

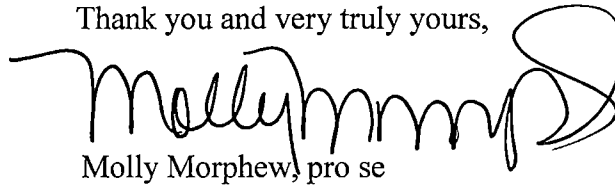
Re: Appellate Case No. 2023-000879  
Molly M. Morphew v. Stephen Dudek and Doreen Cross

Dear Ms. Kitchings:

Please find enclosed Appellants MOTION TO EXCLUDE AND EXTENSION and CERTIFICATE OF SERVICE to be recorded and filed.

Also enclosed is a copy of above to be kindly recorded and returned in the self-addressed, stamped envelope.

Thank you and very truly yours,

A handwritten signature in black ink, appearing to read 'Molly Morphew', with a large, stylized flourish at the end.

Molly Morphew, pro se

Cc: Zachary Closser, Esq.

PRESS FIRMLY TO SEAL



PRESS FIRMLY TO SEAL

PRIORITY MAIL  
FLAT RATE ENVELOPE  
POSTAGE REQUIRED



PRIORITY MAIL

- Expected delivery date specified for domestic use.
- Domestic shipments include \$100 of insurance (restrictions apply).\*
- USPS Tracking® service included for domestic and many international destinations.
- Limited international insurance.\*\*
- When used internationally, a customs declaration form is required.

\*Insurance does not cover certain items. For details regarding claims exclusions see the Domestic Mail Manual at <http://pe.usps.com>.

\*\*See International Mail Manual at <http://pe.usps.com> for availability and limitations of coverage.

FLAT RATE ENVELOPE  
ONE RATE ■ ANY WEIGHT

TRACKED ■ INSURED

To schedule free Package Pickup,  
scan the QR code.



EP14F July 2022  
OD: 12 1/2 x 9 1/2



USPS.COM/PICKUP

FROM:

**P** usps.com 9405 5036 9930 0657 9682 57 0098 5001 0322 0201  
\$3.45 **US POSTAGE** **U.S. POSTAGE PAID**  
 Flat Rate Env. 02/06/2024 Mailed from 29938 966742247700347

**PRIORITY MAIL®**

MOLLY MORPHEW 285 WOODEN HORSE RUN RIDGELAND SC 29936-4075 Expected Delivery Date: 02/09/24 Ref: POS ROA 0003

**RECEIVED**  
 FEB 09 2024 **C076**

**SC Court of Appeals**  
RON JENNY ABBOTT KITCHINGS SOUTH CAROLINA COURT OF APPEALS 1015 SUMTER ST COLUMBIA SC 29201-3726

**USPS TRACKING #**

**9405 5036 9930 0657 9682 57**

Electronic Rate Approved #038555749

This packaging is the property of the U.S. Postal Service and is provided solely for use in sending Priority Mail and Priority Mail International® shipments. Reuse may be a violation of Federal law. This packaging is not for resale. EP14F © U.S. Postal Service, July 2022. All rights reserved.

This section is made from recycled materials.