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Apr 16 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Court of Appeals Case No. 2022-000775

Civil Court Case Nos. 2021-CP-10-2682, 2021-CP-10-2848

Pet Helpers, Inc.....Respondent,

v.

Janet L. Frisco.....Appellant,

v.

Melissa Susko.....Third-Party Defendant

**REPLY TO THE RESPONDENT’S MOTION TO STRIKE APPELLANT’S AMENDED
INITIAL REPLY BRIEF**

In reply to Respondent’s Motion to Strike Appellant’s Amended Initial Reply
Brief for exceeding allowed length of document under Rule 208 (b) 5 SCACR,
Appellant herewith challenges the Respondent’s attorney’s motive for filing the
motion because the amended document is exactly the same length as the

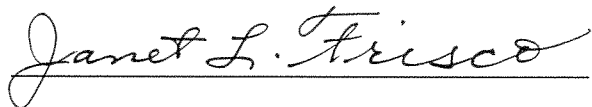
Appellant's Initial Reply Brief filed November 13, 2023 which the Respondent's attorney did not move to strike. The Appellant has merely corrected typographical errors and references to Designation of Matter citations as was explained to him in the cover letter sent with the amended document (See Exhibit A). This current motion plainly indicates that the Respondent's attorney has taken issue with the corrections that were made to the document and not the five extra pages. As Appellant has previously stated in this appeal, the Respondent's attorney relies on technical rules because he has no other defense against the Appellant's arguments. His previous attempt to delay decision on the appeal namely the, *Third Motion to Strike Respondent's Designation of Matter filed November 27, 2023* was denied and so he is "grasping at straws" with this latest motion to cause delay in the appeal decision.

This Honorable Court should not condescend to the Respondent's attorney's tactics to delay decision on the appeal based on five extra pages in the amended document (which the Respondent's attorney did not initially object to) and the Appellant's oversight in not filing a motion to exceed the limit of pages. If this court so orders, the Appellant will condense the document to the specified limit or file a motion to exceed the limit so the process can precede without further delays intentionally initiated by the Respondent's attorney for that sole

purpose. The Respondent's seeks to draw the courts attention away from the appeal issue that the Respondent's attorney is guilty of abusing civil process in order to conceal his client's criminal fraud through the implementation of the complaint filed on June 19, 2021. Their attorney is also guilty of impeding the Appellant's substantial right to a trial by jury by filing motions to strike, requesting continuances and orders of protection (See Exhibit B) when he vacations which he doesn't even bother to file anymore. In fact, his Motion to Strike Appellant's Designation of Matter that was filed on November 23, 2023 and to which Appellant replied to on December 4, 2023 was not ruled upon by this Court until April 5, 2024 (See Exhibit C) which was the exact day the Respondent's attorney returned according to an automatic email reply that stated he would be out of the office from March 26-April 5, 2024.

In addition to these motion delay tactics, he requested a continuance at the hearing on December 17, 2021 for his Motion for a Partial Summary Judgement under the pretense he wanted to give Defendant more time to complete the Plaintiff's discovery requests. The Respondent's attorney is filing motions to strike using rules of form such as failure to doubled-space Appellant's Initial Brief and here the number of pages in Amended Reply Brief when he is committing far greater infractions such as abuse of civil process and violating the Appellant's

constitutional right to a speedy jury trial the Appellant is rightfully entitled to. The Courts should focus on the Respondent's overall abuse of civil process including Appellant's false imprisonment, extortion by misuse of sanctions and the manufacture of evidence rather than the Appellant's lack of total adherence to rules of form which are insignificant in the face of the Respondent and their attorney's criminal behavior.

A handwritten signature in cursive script that reads "Janet L. Frisco". The signature is written in black ink and is positioned above a horizontal line.

Janet L. Frisco, Pro Se Appellant
203 Cardinal Drive
Summerville, South Carolina 29485
Janetfrisco@yahoo.com

DATED: April 16, 2024

Exhibit A

April 10, 2024

Stephan V. Futeral
534 Johnnie Dodds Blvd., Suite 202
Mt. Pleasant, South Carolina 29464

Re: Appeal Case #2022-000775 Pet Helpers, Respondent v Janet L. Frisco,
Appellant v Melissa Susko, Third-Party Defendant

Dear Mr. Futeral,

Enclosed you will find the *Appellant's Amended Initial Reply Brief* that was e-filed with The South Carolina Court of Appeal today and emailed to you. Typographical errors in designations, spelling and grammar were corrected, but no significant changes were made to the essence of the document.

Sincerely,

Janet L. Frisco, Pro Se

Exhibit B

ELECTRONICALLY FILED - 2022 Mar 08 10:00 AM - CHARLESTON - COMMON PLEAS - CASE#2021CP1002682

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT

MOTION FOR AND ORDER OF PROTECTION

IN RE: STEPHAN V. FUTERAL

ORDER OF PROTECTION

IT APPEARING to this Court that Stephan V. Futeral has requested protection for the period of March 31, 2022 through April 8, 2022, and May 16, 2022 through May 20, 2022 to allow for travel; and

THEREFORE, it is

ORDERED that Stephan V. Futeral be granted protection and may not be called for court in the Charleston County Court of Common Pleas during the above specified dates. This Order shall not apply to matters scheduled prior to this Order; and

IT IS SO ORDERED.

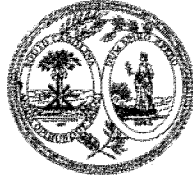
The Honorable Roger M. Young Sr.
Presiding Administrative Judge of the Ninth Judicial Circuit
The Court of Common Pleas

This _____ day of _____, 2022
Charleston, South Carolina

I So Move: s/Stephan V. Futeral

CHARLESTON COUNTY CASES:

CASE NUMBER	CASE NAME
2021CP1005347	Guthrie, et al VS Islands At Blue House Property Owners Association
2021CP1002682	Pet Helpers Inc VS Janet Frisco



Charleston Common Pleas

Case Caption: Pet Helpers Inc VS Janet Frisco
Case Number: 2021CP1002682
Type: Order/Protection from Court Appearance

So Ordered

s/Jennifer B. McCoy #2764

Exhibit C

The South Carolina Court of Appeals

Pet Helpers, Inc., Respondent,

v.

Janet Frisco, Appellant,

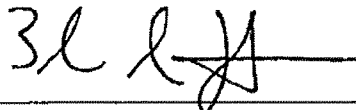
v.

Melissa Susko, Third-Party Defendant.

Appellate Case No. 2022-000775

ORDER

Appellant filed her initial reply brief and designation of matter on November 13, 2023. Respondent filed a motion to strike Appellant's designation of matter filed on November 13, 2023. Appellant filed a return to the motion to strike. After careful consideration, we deny Respondent's motion to strike. *See* Rule 209(a), SCACR ("At the same time a party serves his initial brief(s) under Rule 208, to include a reply brief, he shall also serve on all parties to the appeal a [d]esignation of [m]atter to be [i]ncluded in the [r]ecord on [a]ppeal . . ."). Appellant shall serve and file the record on appeal within thirty days of the date of this order.



FOR THE COURT

Columbia, South Carolina

cc:

Janet L. Frisco

Stephan Victor Futeral, Esquire

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Apr 05 2024

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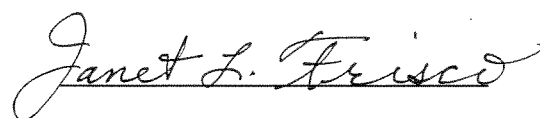
Melissa Susko.....Third-Party Defendant

PROOF OF SERVICE

I certify that I have served the Respondent the *Reply to the Respondent's Motion to Strike Appellant's Amended Initial Reply Brief* by delivering the same via email and United States Regular Mail, postage prepaid, addressed to the Respondent's legal representative as follows:

Stephan V. Futeral
534 Johnnie Dodds Blvd., Suite 202
Mt. Pleasant, South Carolina 29464
sfuteral@charlestonlaw.net

DATED: April 16, 2024



Janet L. Frisco, Appellant Pro Se