

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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May 16 2024

SC Court of Appeals

APPEAL FROM OCONEE COUNTY CIRCUIT COURT

IMMEDIATELY APPEALABLE INTERLOCUTORY ORDERS

R. Lawton McIntosh, Circuit Court Judge

R. Sprouse Scott, Circuit Court Judge

Appellate case: 2023-001516

Dorothy Pierce, Appellant

V.

Jerry Edwards; Edwards, Group Holdings; Edwards Printing; Richard Hunt McDuff; MJM Law, LLC; Riley Morningstar; The Journal Newspaper; And Hal Welch. Respondents

MOTION FOR REHEARING

Appellant, Dorothy Pierce proceeding Pro se, pursuant to Rule 221 of the South Carolina Appellate Court Rules (SCACR), respectfully moves this Honorable Court for a rehearing. This motion is based on grounds that the Court's order dismissing the appeal overlooks critical aspects of the case that directly affect substantial rights of the Appellant and involve the merits of the action.

Compelling evidence that surfaced subsequent to the judgment has surfaced, which could materially influence the legal interpretation pertinent to this appeal and significantly affect the contemplation by the Court.

GROUNDS FOR MOTION FOR REHEARING

1. The Appellant's substantial rights are adversely affected by the trial court's interlocutory orders.
2. The Court's dismissal has precluded a substantive review of significant legal errors and judicial mistakes that have irrevocably damaged the Appellant's ability to receive a fair trial.
3. The misapplication of attorney-client privilege has resulted in egregious discovery misconduct, curtailing the Appellant's access to necessary evidence and impacting the case's merits.
4. The implications of procedural irregularities and sanctions imposed upon the appellant, particularly in light of her adherence to discovery amid significant personal challenges, raise concerns of fairness and justice.
5. Newly unveiled evidence of partiality and conflict of interest on the part of Judge R. Sprouse Scott, stemming from his prior representation of Plaintiff Helen Simons Pierce against the Appellant's now deceased spouse, Doyle Elton Pierce: Judge Sprouse, associated with the law firm Stoudemire & Sprouse PA Attorneys at Law, previously sued the Plaintiff's husband. This evidence was just discovered a few days ago and could not have been introduced into evidence during the trial. It has come to the Appellant's attention that Judge R. Scott Sprouse, who played a pivotal role in the decision-making regarding the in-camera inspection of pivotal documents and other prejudicial pre-trial rulings, had previously acted in a legal capacity against the Appellant's spouse, Doyle Elton Pierce, in 2005-2006. Such prior involvement raises serious concerns about potential conflicts and calls into question the neutrality of Judge Sprouse's decisions, which have significantly impacted the Appellant's rights. **[See the attached Retainer Agreement by R. Sprouse Scott.]**
6. Ethically, judges bear the responsibility to reveal any possible conflicts that might cast doubts on their neutrality in a matter. Not disclosing such conflicts contravenes the ideals of a fair legal system. The Appellant holds that Judge Sprouse's failure to disclose his former litigation against her husband and his role in material decisions throughout these procedures represents a transgression of due process that justifies a reconsideration and reassessment.

7. The prior undisclosed affiliations of Judge Sprouse have influenced the procedural determinations which culminated in the orders now subject to appeal. Judge Sprouse has rendered various biased rulings concerning the Appellant's cases that unduly favored the opposing parties. The pursuit of judicial equality and fairness mandates a reconsideration to reflect on the impact of this recently disclosed evidence.

In light of the above, the Appellant asserts that a motion for rehearing is justified to ensure justice is served. The Appellant kindly requests this Honorable Court to grant a rehearing of the appeal and to consider the orders made by Judge Sprouse within the context of the new information detailed above. A rehearing is essential to preserving the public's confidence in the judicial system and to uphold the fundamental principles of justice.

Respectfully submitted, this May 16, 2024

A handwritten signature in black ink, appearing to read 'Dorothy Pierce', written over a horizontal line. The signature is stylized and somewhat cursive.

Dorothy Pierce (Appellant Pro se)

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CERTIFICATE OF SERVICE

I certify that on May 16, 2024, I served the foregoing Appellant's Motion for Rehearing to Respondents utilizing electronic mail upon all parties of record, as follows.

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