

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

JUN 20 2024

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Bentley D. Price

Court of Appeals Case No. 2022-000775  
Civil Court Case No. 2021-CP-10-2682

Pet Helpers, Inc.....Respondent,

v.

Janet L. Frisco.....Appellant,

v.

Melissa Susko ..... Third-Party Defendant.

**RETURN TO APPELLANT’S MOTION  
TO SUPPLEMENT THE RECORD ON APPEAL**

Respondent respectfully requests that this Honorable Court deny Appellant’s Motion to Supplement the Record on Appeal because Appellant’s additional designations do not include any matter relevant to this appeal.

Appellant seeks to add two irrelevant matters to the record: (1) Objection to Motion to Consolidate filed July 16, 2021 and attachments and (2) a tax map of Respondent’s property. First, Appellant did not appeal the lower court’s order consolidating matters. Instead, this appeal concerns the lower court’s order, filed on May 5, 2022 granting (1) partial summary judgment regarding claims made by Respondent and Third-Party Party Defendant Melissa Susko, (2)

sanctions against Appellant for failure to comply with the lower court's order compelling discovery, and (3) the denial of Appellant's Second and Third Motions to Amend. Accordingly, to avoid littering the Record on Appeal with irrelevant pleadings and documents, this Court should deny Appellant's Motion.

Second, Appellant is attempting to "try" a claim before this Court by introducing evidence, i.e., the tax map, that Respondent engaged in an "abuse of civil process." Notwithstanding that Appellant never filed a claim for abuse of process, there is no "trial" before this Court for which Appellant may introduce evidence. Accordingly, the tax map is irrelevant to this appeal, and this Court should deny Appellant's Motion.

### CONCLUSION

Based on the foregoing, Respondent hereby respectfully requests that this Honorable Court deny Appellant's Motion because the matters Appellant seeks to add to the record on appeal are irrelevant to the appeal.

Respectfully submitted,

FUTERAL & NELSON, LLC

/s/Stephan V. Futeral

Stephan V. Futeral

SC Bar ID 66427

534 Johnnie Dodds Blvd., Suite 202

Mount Pleasant, South Carolina 29464

(843) 284-5500 Phone (843) 284-5501 Fax

sfuteral@charlestonlaw.net

*Attorney for Respondent*

*and Third-Party Defendant*

Dated: June 17, 2024

**RECEIVED**

JUN 20 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Bentley D. Price

Court of Appeals Case No. 2022-000775  
Common Pleas Court Case No. 2021-CP-10-2682

Pet Helpers, Inc.....Respondent,

v.

Janet L. Frisco.....Appellant,

v.

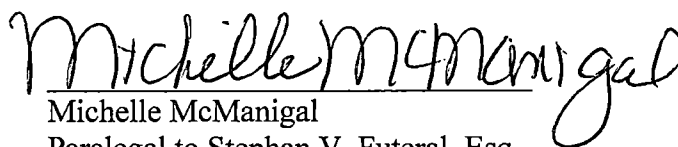
Melissa Susko ..... Third-Party Respondent.

**PROOF OF SERVICE**

I certify that I have served the *Return to Appellant's Motion to Supplement the Record on Appeal* by delivering the same via email and United States Regular Mail, postage prepaid, on June 17, 2024, addressed to the Appellant as follows:

Janet Frisco  
203 Cardinal Drive  
Summerville, SC 29485  
Janetfrisco@yahoo.com

FUTERAL AND NELSON, LLC

  
Michelle McManigal

Paralegal to Stephan V. Futeral, Esq.

Dated: June 17, 2024



# Futeral & Nelson LLC

534 Johnnie Dodds Blvd., Suite 202  
Mount Pleasant, South Carolina 29464  
Tel: 843-284-5500 | Fax: 843-284-5501  
charlestonlaw.net

**RECEIVED**  
JUN 20 2024  
SC Court of Appeals

June 17, 2024

Ms. V. Claire Allen, Deputy  
South Carolina Court of Appeals  
Post Office Box 11629  
1220 Senate Street  
Columbia, South Carolina 29201

**RE: Pet Helpers, Inc. v. Janet Frisco v. Melissa Susko**  
**Appellant Case No.: 2022-000775**

Dear Ms. Allen:

Enclosed please find the *Return to Appellant's Motion to Supplement the Record on Appeal* which was emailed to this Court for filing today, June 17, 2024. If there are any questions or should the Court need anything further, please let us know.

With kind regards, I am,

Sincerely,

Michelle McManigal  
Paralegal to Stephan V. Futeral

MM/kgf  
Enclosure

cc: Janet Frisco (via email and US Mail)

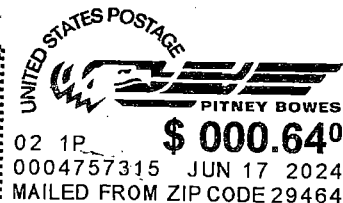


# Futeral & Nelson LLC

534 Johnnie Dodds Blvd., Suite 202  
Mount Pleasant, South Carolina 29465

CHARLESTON SC 294

17 JUN 2024 PM



02 1P \$ 000.64<sup>0</sup>  
0004757315 JUN 17 2024  
MAILED FROM ZIP CODE 29464

**Ms. V. Claire Allen, Deputy  
South Carolina Court of Appeals  
Post Office Box 11629  
1220 Senate Street  
Columbia, South Carolina 29201**

**RECEIVED**

JUN 20 2024

SC Court of Appeals

29201-376999

