

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

JUL 15 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. Morpew

Appellant

v.

Stephen Dudek and Doreen Cross

Respondents

APPELLANT'S MEMORANDUM IN SUPPORT OF ITS MOTION TO EXCLUDE MATTER;
EXTENSION TO RE-SERVE RECORD; EXTENSION TO FILE FINAL BRIEFS AND THE
RECORD ON APPEAL

Appellant, Molly Morpew, (herein "Appellant") submits this Memorandum in support of her Motion to exclude Respondents Stephen Dudek and Doreen Cross' designation of matter from the Record of Appeal, specifically to exclude:

- 1) **The vacated Order granting summary judgment, October 11, 2022, Case No. 2018-CP-18-1661.**

On May 6, 2024, at 11:00 a.m., Appellant attempted to obtain a certified copy of the alleged Order from the Dorchester County Court. According to the Deputy Clerk of Court, Rosealee Baldwin, and/or Court Support Specialist, Rosea Brown, a certified copy of the October 11, 2022, Order cannot

be obtained. No Order was found in the Court record. On October 13, 2022, the Order was vacated by Chief Administrative Judge, the Honorable Judge Goodstein, due to being improperly issued. Specifically, a hearing took place in the absence of Appellant and while Appellant's Order of Protection was in place, therefore both the hearing and the Order were improper or unlawful and promptly vacated. The Order is no longer in the record thus not available for consideration either by the lower Court or the Appellate Court.

2) The Entire Transcript, October 2, 2019, Case No. 2018-CP-18-1661.

Appellant contends that the hearing scheduled for October 2, 2019, was to hear five (5) motions. Four (4) Appellant motions and one (1) Respondent motion, all specifically regarding the Original Complaint filed September 19, 2018. No disposition or order(s) were ever filed in regard to the motions. Appellant filed an Amended Complaint on March 12, 2020. The lower Court ruled in holding with *Bowers v. Robinson*, 311 S.C. 412, 429 S.E.2d 799 (1993), thus rendering the Amended Complaint the operative complaint. It was also ruled the Original Complaint, and any motions with respect to that Complaint, are not before the lower Court (Order, August 23, 2021, Case #2018-CP-18-1661), therefore not before this Court. As a result, and regardless of a transcript taken or not, the hearing was in regard to the Original Complaint, which is irrelevant to the Appeal thus fails Rule 209 SCACR.

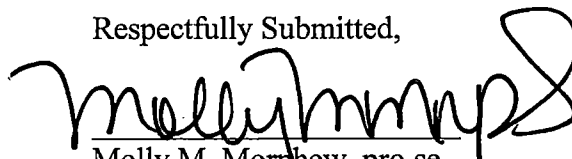
Again, according to the Deputy Clerk of Court, Rosealee Baldwin, and/or Court Support Specialist, Rosea Brown, there was no record of a transcriptionist, court reporter or transcription taken for the hearing. Additionally, Emily Hansbarger, Esq., contacted court reporter, Penny Johnson, regarding the alleged transcript. As Appellant has previously attempted to obtain the name of the court reporter from the Dorchester Court for the hearing, first by phone then in person, and was told both times there was no record of a transcript taken or a court reporter for that hearing, Appellant struggles to deduce how Ms. Hansbarger came to contact Ms. Johnson. First, Ms. Hansbarger is not listed in the

court record as an attorney representing either party in this case. Second, Appellant has not been copied on any transcript correspondence or been provided any transcript correspondence via USPS mail (as required to a pro se party) from Ms. Hansbarger to Ms. Johnson nor does it appear this court or the administrative court has been copied, as required by the rules of this court. For the record, Appellant would ask this court for any documentation that provides Ms. Hansbarger's legal scope in this Court and in this case, and a copy of Ms. Hansbarger's correspondence to Ms. Johnson requesting the transcript. Lastly, based on an email from Ms. Johnson in response to Ms. Hansbarger's request for a transcript from October 2, 2019, there is no record of a transcript nor a request for a transcript taken for the hearing (**Ex. A**).

Due to the above, and that the Respondents' designation of matter fails to conform to the rules of this court, particularly SCACR Rule 209, the above referenced Order and Transcript cannot be matter included in the Record on Appeal.

Appellant respectfully requests this Court for an Order requesting the Respondents amend their Designation of Matter to remove the improper and vacated October 11, 2022, Order, and the Transcript, October 2, 2019, Case No. 2018-CP-18-1661, where said transcript was neither taken, produced, or requested for that date. Further, Appellant would ask this court for any documentation that provides Ms. Hansbarger's legal scope in this Court and in this case, and for a copy of Ms. Hansbarger's correspondence to Ms. Johnson requesting the transcript.

Respectfully Submitted,



Molly M. Morphew, pro se
300 Blue Moon Crossing, Apt. 4201
Pooler, GA 31322
843-514-7299

July 9, 2024

EXHIBIT A

Morphew vs. Dudek & Cross

From: Johnson, Penny (pjohnson@sccourts.org)

To: ehansbarger@scnlaw.com

Cc: firegirl0926@yahoo.com

Date: Thursday, May 16, 2024 at 12:25 PM EDT

Ms. Hansbarger,

Per your request for a transcript from October 2, 2019 in Dorchester County in reference to the above case, I have looked through my transcripts that I produced for that time period and I do not see where that was done. I was the court reporter for Judge Goodstein on that date, but no transcript has been produced or requested for that date.

Thank you!

Penny M. Johnson
Court Reporter III
2nd Judicial Circuit

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

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,

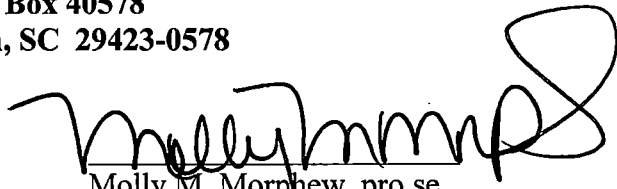
v.

Stephen Dudek and Doreen Cross, Respondents.

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 MEMORANDUM IN SUPPORT OF ITS 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

July 10, 2024, 2024

**RECEIVED**  
JUL 15 2024  
SC Court of Appeals

July 10, 2024

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

**RECEIVED**  
JUL 15 2024  
SC Court of Appeals

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

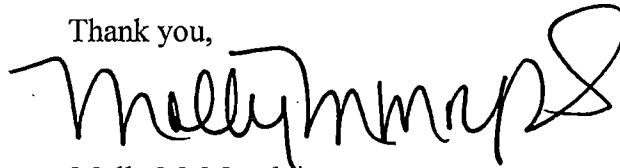
Dear Ms. Kitchings:

I would like to file and record my change of address as of July 10, 2024, for the case referenced above.

**Old address:** 285 Wooden Horse Run  
Ridgeland, SC 29936

**New address:** 300 Blue Moon Crossing  
Apt. 4201  
Pooler, GA 31322

Thank you,

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

Molly M. Morphew, pro se

Cc: Zachary Closser, Esq.

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

JUL 15 2024

SC 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

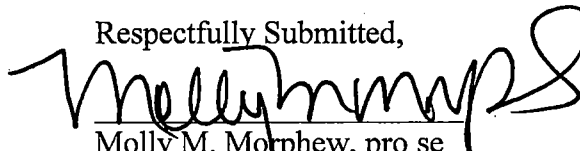
Respondents

APPELLANT'S MOTION FOR AN ORDER OF PROTECTION

Appellant, Molly Morphew, (herein "Appellant") submits this motion asking this Court for an Order of Protection from all court proceedings or requirements for the dates and reasons as indicated below.

1. July 11-July 22: Moving (Change of Address included)
2. July 30-August 5: Work Travel
3. September 25-September 27: Vacation
4. October 10-October 11: Work Travel
5. October 30-November 5: Work Travel

Respectfully Submitted,



Molly M. Morphew, pro se  
300 Blue Moon Crossing, Apt. 4201  
Pooler, GA 31322

July 10, 2024

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. Morpew, Appellant,

v.

Stephen Dudek and Doreen Cross, Respondents.

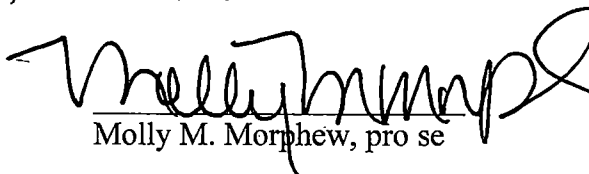
---

CERTIFICATE OF SERVICE

---

I, Molly M. Morpew, Appellant, pro se for said case, hereby certify that I have, on this date indicated below, served counsel below with Appellant's MOTION FOR AN ORDER OF PROTECTION 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. Morpew, pro se

July 10, 2024

**RECEIVED**

JUL 15 2024

SC Court of Appeals

July 10, 2024

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

**RECEIVED**  
JUL 15 2024  
SC Court of Appeals

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

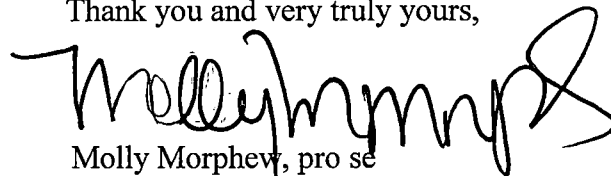
Dear Ms. Kitchings:

Please find enclosed:

1. Appellant's MEMORANDUM IN SUPPORT OF IT'S MOTION TO EXCLUDE MATTER, and CERTIFICATE OF SERVICE to be recorded and filed.
2. Appellant's Change of Address.
3. Appellant's MOTION FOR AN ORDER OF PROTECTION 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,

  
Molly Morphey, pro se

Cc: Zachary Closser, Esq.

PRESS FIRMLY TO SEAL



PRESS FIRMLY TO SEAL

PRIORITY MAIL  
FLAT RATE ENVELOPE  
POSTAGE REQUIRED

This package is made from post-consumer waste. Please recycle - Right.

- 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



PS00001000014

EP14F October 2023  
OD: 12 1/2 x 9 1/2

To schedule free Package Pickup,  
scan the QR code.



USPS.COM/PICKUP



9405 5036 9930 0699 6596 49 0098 5001 6332 9201

**P** US POSTAGE  
Flat Rate Env<sup>o</sup> **U.S. POSTAGE PAID**

07/10/2024 Mailed from 31322 966734322399374

**PRIORITY MAIL®**

MOLLY MORPHEW Expected Delivery Date: 07/13/24  
APT 4201 Ref: Memo Exch  
399 BLUE MOON KING 0003  
FOOLER LN 31322-3726

JUL 15 2024 **C076**

SC Court of Appeals

HON. JENNY ABBOTT KITCHINGS  
SOUTH CAROLINA COURT OF APPEALS  
1015 SUMTER ST  
COLUMBIA SC 29201-3726

**USPS TRACKING #**

9405 5036 9930 0699 6596 49

Electronic Rate Approved #038555749

This package is the property of the U.S. Postal Service® and is provided solely for use in tracking Priority Mail and Priority Mail International® shipments. It is not to be used for any other purpose. This package is not for resale. EP14F © U.S. Postal Service, October 2023. All rights reserved.