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Oct 07 2024

SC Court of Appeals

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Robert J. Bonds, Circuit Court Judge

Case No. 2024-CP-21-00406

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Oct 22 2024

SC Court of Appeals

Donna S. Ard,

Appellant,

v.

Willie S. Edwards / McLeod Spine Center

Respondents.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Appellant Brief Pg. 3 under other authorities S.C.R.E. 701; described as in medical negligence cases the witness is not testifying as an expert, only in form of opinion or skill, experience, or training.
2. Appellant Brief Pg. 3 under other authorities S.C.R.E. 401; Defines relevant evidence as evidence that has a tendency to make a fact more or less likely to be true than it would be without evidence.
3. Transcript Pg. 4 Paragraphs 2-4, S.C. Code of Laws 15-36-100, 15-36-100(b) and 15-36-100(F) as required by prior Rules of Evidence , Expert Witness Affidavit not required to testify as a witness, layman, skill, trained, educated or otherwise.
4. Appellant Brief Pg. 5, **Paragraph 4**, 12(c) Motion for judgement on pleadings. There Were never any pleadings or jury trial, just denials by Respondents? All Pleadings **submitted April 4, 2024 in its entirety** were made with very clear statements **in** Appellants memorandum in opposition to dismiss **submitted April 4, 2024 in its entirety, paragraphs numbered 1-16**
5. Transcript Pg. 3 lines 8-24, Respondent atty. Mr. Banner speaking First;
6. Transcript Pg.4 lines 4-25, Respondent atty. Mr. Banner speaking first

7. Transcript Pg. 5 Paragraph 2, Statement of Issues; no specificity of insufficiency of process.
8. Transcript Pg. 5 lines 1-24, Respondents atty. Mr. Banner speaking
9. Transcript Pg. 6 lines 14-25, Appellant speaking Making knowledge to Judge Bonds of My Personal Medical Information of the surgical history, surgical instrument (image attached) that was found in my back from a prior surgery, and is also dictated in the MRI on 10/14/2020 (attached) and reports that was documented on the physician's health practice electronic medical records which the record referred to a document that had been dictated on October 14, 2020 at 7:30 a.m., I requested this document three times and never received.
10. Transcript Pg. 7 line 1, Appellant completing sentence regarding surgical instrument or foreign object removed; same Pg. Lines 4-10, Appellant offers the authenticated hospital Records to Honorable Judge Bonds and telling Judge Bonds the Respondent has been in charge of my spine for 10 years and my spine should not be in this shape, he did have control. Line 12-25, Appellant speaking to judge about the current issue at hand and this involves his negligence that has been a detriment to my health.
11. Transcript **Pg. 8 lines 1-25**, Appellant **explaining the** negligence in care displayed in office after surgery.
12. Transcript Pg. 12 lines 12-25, Appellant, I ask Honorable Judge Bonds a second time if I could provide him with records under Rule S.C.R.E. 401 and S.C.R.E. 701 as attached docketed cover sheet dated 9/5/2023 will clearly defend my statement, Pg. 21 of scan.

Prior records provided to the Lower Court

13. Docket cover sheet **Pg. 21** dated 9/5/2023 to reiterate the legitimacy of the medical negligence and not medical malpractice intentions.
14. Appellants 3 pages **scanned pgs. 22-24** of memorandum in opposition to dismiss filed with the lower court stating all facts clearly.
15. 2 Pages **scanned pgs. 25-26** MRI dated 9/4/2020 lumbar MRI of Appellant before surgery used to determine surgical procedure that should have been performed.
16. 2 Pages **scanned pgs. 27-28** MRI dated 12/21/2020 after surgery MRI, which IF compared to the MRI **scanned pgs. 25-26** on 9/4/2020 which was a 3/4 page diagnosis of issues, **and ON** 12/21/2020 was two full **pages of diagnosis's** of issues of which I was in a full torso brace. My back had not made this type of change from the beginning of when I started having back issues.

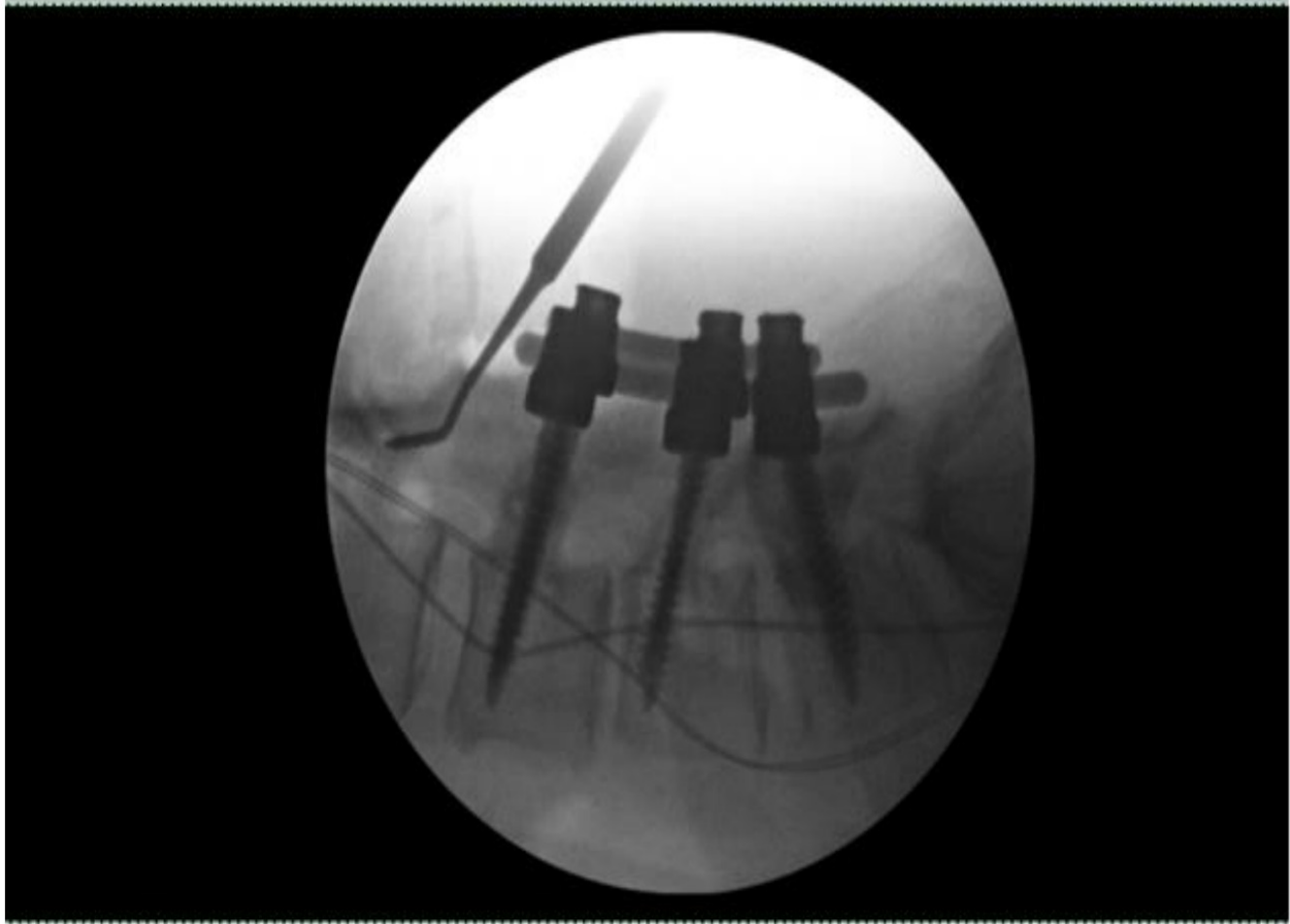
17. Personal Letter **scanned pg. 29** to Respondents in regards to my knee failing dated 10/8/2019.
18. Personal Letter **scanned pg. 30** to Respondents in regards to my knee failing still before my third surgery date 9/7/2020
19. Hospital bills **scanned pgs. 31-32** and **scanned pgs. 33-49 of** medical records (**hand written numbered**) pgs. 1-19 in upper right corner of page which is records from just a partial part of expenses as a direct causal to the gross negligence, which had been submitted prior to the lower court as well where I have fallen twice, with the latest fall in January 26, 2024; I suffered a broken hip and multiple other injuries.
Hospital bills are paged 1-19 on right top corner.

I certify that this designation contains no matter which is irrelevant to this appeal.

October 20, 2024

/s/ Donna S. Ard
Donna S. Ard
2460 Cicero Lane
Florence, SC 29501-0826
843-472-1298

A handwritten signature in black ink that reads "Donna Ard". The signature is written in a cursive style and is centered within a light gray rectangular box.



Exam Results

Name: ARD DONNA SINGLETARY

Patient ID/MR #: 458910

Patient DOB: 19660718

Exam Description: XR Spine Lumbar 1 View

Accession #: 10-XR-20-230704

Date Of Exam: 20201014

Referring Physician:

FINAL REPORT: XR Spine Lumbar 1 View AT 0949 HOURS

LANGUAGE OF CONTENTS ITEMS AND DESCENDANTS: English

PERSON OBSERVER NAME:

PROCEDURE STUDY INSTANCE UID: 1.2.840.113780.990001.9952203.20201014093046.10

SUBJECT NAME: ARD, DONNA SINGLETARY

FINDINGS

FINDING: History: lumbar pain.

Comparison: Lumbar spine MRI, 9/4/2020.

FINDINGS: 2 fluoroscopic images submitted. Pre-existing posterior fusion hardware L3-L5. Surgical instrument seen projecting along the posterior elements inferior aspects L2 level. Real-time interpretation not provided.

Fluoroscopy time 5 seconds.

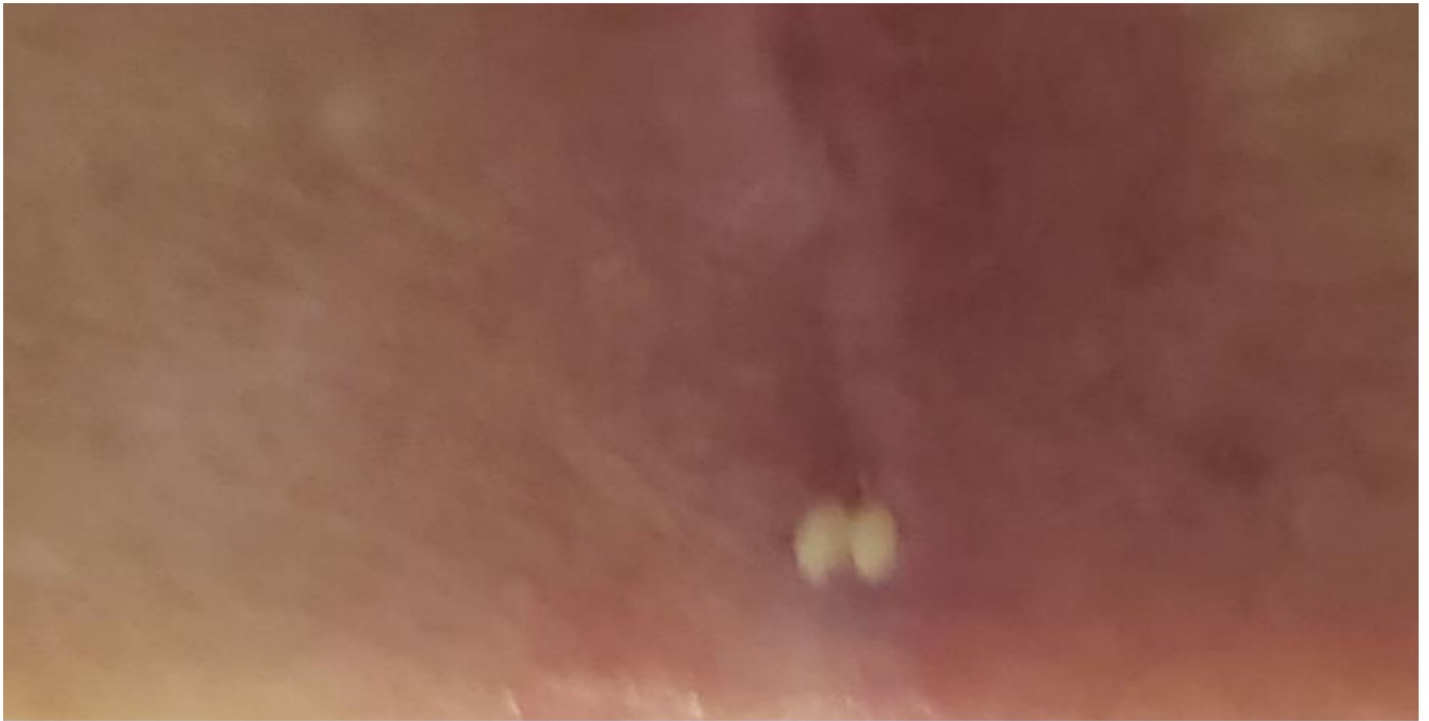
IMPRESSION: Limited fluoroscopic imaging from ongoing lumbar spine surgery. Please see operative report for details.

***** Final *****

Dictated by: Moore, MD, Bradford D

Dictated DT/TM: 10/14/2020 1:36 pm

Signed by: Moore, MD, Bradford D





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PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Robert J. Bonds, Circuit Court Judge

Case No. 2024-001201

CP case no.2024-CP-21-00406

Donna S. Ard,

Respondent

v.

Willie S. Edwards /McLeod Spine Center

Appellant,

PROOF OF SERVICE

I certify that I have served the corrected Designation of Matter and Receipt for the Completed Binder Book of Case No. 2024-001201 in its entirety on Willie S. Edwards / McLeod Spine Center to their legal representative on file, Attorney J. David Banner, by depositing a copy of it in the United States Mail, postage prepaid, addressed to their attorney of record, Mr. J. David Banner, at P.O. Drawer 1931, Florence, SC 29503.

October 21, 2024

s/ Donna S. Ard Donna S. Ard
2460 Cicero Lane
Florence, South Carolina 29501
(843) 472-1298
Pro Se Appellant

Donna S. Ard

Case # 2024-001201/2024-CP-21-00406 Ard v_ Edwards - DOM-1.pdf

From: DONNA ARD (donnaard001@aol.com)
To: jdb@aikenbridges.com
Bcc: donnaard001@aol.com
Date: Wednesday, October 16, 2024 at 06:41 PM EDT

Mr Banner

Attached you will find eight pages of corrected Designated Matter which includes a blank spacer page between Designated Matter and Evidense, as well as the receipt for the blue binder book previously mailed to you on September 26, 2024.
All information will also be forwarded to via regular mail.

Thank you

Donna Ard
This document was signed using Adobe Fill & Sign.
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Donna Ard



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1.6MB

