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Dec 05 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Dale E. Van Slambrook, S.C. Circuit Court Judge #2781

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,
v.
Joe Kocsis, Carpet King & Flooring, Respondents.

MOTION TO HOLD THE CASE IN ABEYANCE

Pursuant to this Court's inherent authority to control its docket, appellant Olga Teslenko ("Appellant") respectfully moves this Court to hold in abeyance all proceedings in the above-captioned appeal, including the briefing schedule, pending the disposition of Appellant's motion for the release and transfer of the original exhibits, until the date when Appellant's original exhibits become available in this Court.

The grounds for this motion are the following:

LEGAL STANDARD

CASES

Owens v. Stirling, 438 S.C. 352, 882 S.E.2d 858 (S.C. 2023), “We will hold the remainder of the appeal in abeyance pending the circuit court's resolution of the discovery issue”.

Ross Marine, LLC v. Query, Sautter, & Gliserman, LLC, 671 S.E.2d 604 (S.C. 2009), “The Court of Appeals held the present appeal in abeyance pending this Court's disposition of the...request”.

Sea Pines Ass'n v. South Carolina Department of Natural Resources, 345 S.C. 594, 550 S.E.2d 287 (S.C. 2001), “[T]he Court of Appeals issued an order holding the appeal in abeyance pending the outcome of a trial *on the merits of the case*”.

Patton v. Kimble, No. 19-6902 (4th Cir. May. 13, 2021), “We held this appeal in abeyance pending the disposition [...]”.

Edwards v. SunCom, 369 S.C. 91, 95, 631 S.E.2d 529, 531 (2006): (the decision to stay a case is within a court's discretion).

STATUTES:

§ 18-7-130: “The appeal shall be heard by the court *upon all the papers* in the case [...]”;

§ 18-7-170: “Upon hearing the appeal, the appellate court shall give judgment according to the *justice of the case*, without regard to...defects which do not affect *the merits*”;

§ 18-1-100: “When a party shall give, in good faith, notice...and shall omit, through mistake...*to stay proceedings* the court may permit an amendment on such terms as may be just”.

USCS Ct App 4th Cir., Loc. R. 12(d): “In the interest of docket control the Court may, either on its own motion or upon request, place a case in abeyance *pending disposition of matters before this Court or other courts which may affect the ultimate resolution of an appeal.*”

FACTS

1. Appellant filed her motion for the release and transfer of the original exhibits on November 12th, 2024.
2. On November 21st, Appellant was notified of a deficiency with that motion, corrected it that same day, but, through ignorance and honest mistake, failed to serve that correction on Respondent.
3. On November 25th, Appellant was notified of this second deficiency. The following day Appellant clarified the nature of this deficiency, and on November 27th, 2024, filed the second correction.

GROUND IN SUPPORT

Even though Appellant has not received any more deficiency notices, today, on December 5th, 2024, Appellant’s motion for the release and transfer of the original exhibits has not yet been sent for adjudgment. Appellant’s truly woeful ignorance in jurisprudence has slowed down the processing of the motion, but experience also suggests that this motion’s progress may be difficult even when it is perfected to the T. However, the above case cannot be ascertained without the review of Appellant’s exhibits, admitted in both lower

courts, because they are not only relevant but essential for proving Appellant's case. Regrettably, nearly all of Appellant's paper exhibits were rendered illegible in the process of being scanned, as is shown in Appellant's motion for the release and transfer of the original exhibits (enclosed). Therefore, the only way for this Court to review them is to have the originals transferred and to review the originals. Additionally, one of Appellant's exhibits is a flashdrive containing essential photo and video evidence. Appellant needs to designate that flashdrive and those paper documents into the record on appeal. In other words, the very merits of the above case cannot be formulated without the designation of Appellant's original exhibits into the record on appeal. How can Appellant argue her case if she has to refer to documents that are completely illegible and videos that are not available? Appellant's brief is contingent on the availability of Appellant's original exhibits in this Court. Since they are still unavailable, Appellant had to obtain a second extension of time to rescue Appellant's case from being dismissed. But no more extensions will be possible. At the same time, numerous South Carolina statutes clad Appellant with the duty of persuasion, which makes sense for no one but Appellant has the duty to establish Appellant's case. To which end Rule 210, SCACR, stipulates the requirements for the initial brief, and in part (c) and (f) specifically requires original exhibits in certain situations. Please see also the enclosed Letter of Explanation from the Clerk. It follows then that if Appellant is to be given an opportunity to formulate the merits of the above case in a meaningful and precise brief, and to designate a meaningful and strictly relevant record, in compliance with the law, this Court should hold in abeyance the above-captioned case pending the disposition and fulfillment of Appellant's motion for the release and transfer of the original exhibits.

Without this abeyance, Appellant is at a significant risk of approaching Appellant's

initial briefing deadline without Appellant's original exhibits available in this Court, which is guaranteed to cause the same miscarriage of justice as has been caused by the lower courts judgment and orders being appealed thence here. On the other hand, holding the above case in abeyance (including the briefing schedule) will remove this risk and nullify the chances of this Court being forced to make a blind uninformed decision. Once Appellant's motion for the release and transfer of the original exhibits is disposed and fulfilled, the precise and meaningful formulation of Appellant's brief will be possible and will be done expeditiously, and the above case can proceed.

For the foregoing reasons, Appellant respectfully requests that this Court hold the above case in abeyance pending the disposition and fulfillment of Appellant's motion for the release and transfer of the original exhibits.

This abeyance will not prejudice or present a disadvantage to Respondent.

This motion is in compliance with Rule 240, SCACR.

Respectfully submitted,

/s/ Olga Teslenko

Olga Teslenko

100 FP #103,

MB, SC 29579.

osenochen@gmail.com

(510) 388-2780

Pro se Appellant

Dated: December 04, 2024.

Enclosed:

Letter of Explanation from the Clerk;

Motion for the Release and Transfer of the Original Exhibits.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

November 08, 2024

Olga Teslenko
100 Fountain Pointe Ln, Unit 103,
Myrtle Beach SC 29579

Re: Olga Teslenko v. Joe Kocsis
Appellate Case No. 2024-001734

Dear Ms. Teslenko:

The Court received your letter dated November 04, 2024, inquiring about designating exhibits entered by the trial court. If the exhibits are documents that are capable of being reproduced on a page that is 8 1/2 inches by 11 inches, then you may include copies of those exhibits in the record on appeal. If the exhibit entered in the trial court is not capable of reproduction in the record on appeal, such as a video or oversized exhibit, then you may request the issuance of an order of this Court directing the release of the exhibit for the purpose of appeal. In other words, scanned copies of the exhibits are acceptable, as long as they are also legible. In most cases, the Court of Appeals does not need original exhibits.

Very truly yours,


CLERK

cc: Carpet King & Flooring
Joe Kocsis

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Dale E. Van Slambrook, S.C. Circuit Court Judge #2781

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis,
Carpet King & Flooring, Respondents.

**MOTION TO REQUEST THE RELEASE AND TRANSFER OF THE ORIGINAL
EXHIBITS FILED WITH THE TRIAL COURT ON 7.22.2024 IN A LETTER
SUBMITTING EXHIBITS OMITTED IN LOWER COURT'S RETURN**

Pursuant to S.C. Code Section 18-7-130, which requires that an appeal case be heard by the appellate court based on all the essential exhibits in the case; and in compliance with Rule 210(c), SCACR, which requires that the record on appeal include only those exhibits which were presented to the lower court; as well as, lastly, in order to comply with Rule 10(c), SCRCR, which requires that copies of exhibits be attached to the brief in order to be adopted into the record on appeal, appellant Olga Teslenko (“Appellant”) files this Motion to Request the Release and Transfer of the Original Exhibits Filed with Horry County court on 7.22.2024 in a Letter Submitting Exhibits Omitted in Lower Court’s Return.

Appellant wishes to designate the original exhibits because: (1) they are essential to proving Appellant's case; (2) they were filed timely with the lower court; and (3) they fall into one of the two categories identified by this Honorable Court as the categories for which the scanned copies are unacceptable in the record on appeal. The package of the exhibits Appellant filed with Horry County court on 7.22.2024 in a letter submitting exhibits omitted in lower court's return, contained over 80 pages of printed documents and a flashdrive with photo and video evidence. Unfortunately, nearly all of the printed documents were scanned by Horry County court such that they became illegible. Please see the enclosed examples for illustration. In accordance with the explanation given by this Court, as well as the fundamental principles of law, copies are unacceptable if they are illegible. Yet these exhibits are essential to proving Appellant's case, and they were timely filed with the lower court. It therefore follows that the original, legible, exhibits should be included in the record on appeal instead of the scanned illegible copies. Additionally, one of the exhibits was a flashdrive containing essential evidence. Please see the enclosed copy of the filed flashdrive. Since that flashdrive is not a paper exhibit, and since the contents of that flashdrive are essential to proving Appellant's case, and since that flashdrive was timely filed with the lower court, the original of that flashdrive should be included in the record on appeal.

For these reasons, and in accordance with the explanation given by this Court, Appellant respectfully moves to request the issuance of an order directing the release and transfer of the entire package of the original exhibits filed with Horry County court on 7.22.2024 in a letter submitting exhibits omitted in lower court's return, to be included in the Record on Appeal in the above case.

Appellant confirms and certifies that this motion complies with Rule 75, SCRPC, which stipulates that appeals shall be made upon the original record in the lower court.

This motion will not prejudice the rights of the Respondents.

This motion is in compliance with Rule 240, SCACR.

Dated: November 11, 2024

s/ Olga Teslenko
Olga Teslenko
100 Fountain Pointe Ln, Unit 103,
Myrtle Beach, South Carolina 29579
Telephone: (510) 388-2780
Email: osenochen@gmail.com
Appellant

Enclosed:

1. Proof of Service on Respondent;
2. Certificate of Filing Fee Payment;
3. Flashdrive filed within Letter Submitting Exhibits;
4. Original - Picture 1; Scanned - Picture 1;
5. Original - Picture 5; Scanned - Picture 5;
6. Original - Picture 16; Scanned - Picture 16;
7. Original - Picture 22; Scanned - Picture 22;
8. Original - Picture 34; Scanned - Picture 34;
9. Original - Picture 38; Scanned - Picture 38;
10. Original - Picture 42; Scanned - Picture 42;
11. Original - Picture 44; Scanned - Picture 44;
12. Original - Shaw 200 Adhesive, pg. 1; Scanned - Shaw 200 Adhesive, pg. 1;
13. Original - Shaw Installation, pg. 1; Scanned - Shaw Installation, pg. 1.

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Olga Teslenko
APPELLANT

VS.

Carpet King & Flooring, Joe Kocsis
RESPONDENTS

2024CP2602983
COMMON PLEAS CASE NUMBER

2023CV261093695
MAGISTRATE CIVIL CASE NUMBER

IN THE COURT OF COMMON PLEAS

LETTER TO THE
CLERK OF COURT

July 22, 2024

Mme. Rene N. Elvis,
Horry County Clerk of Court
P.O. Box 677
1301 2nd Avenue
Conway, South Carolina 29526

FILED
HORRY COUNTY
2024 JUL 22 P 2:16
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY SC

RE: Olga Teslenko, Appellant, VS. Carpet King & Flooring, Joe Kocsis,
Respondent,

Dear Madame Clerk of Court,

I would like the Judge in my case to review the evidence which I submitted to the Magistrate, Honorable Judge Christopher Arakas, at my court hearing in the Magistrate Court, and which has been omitted in the return documents, returned by the Magistrate. Without this evidence, the matter of my appeal cannot be ascertained, and therefore a risk of miscarriage of justice exists. This evidence is included in a flash drive and printed documents the same way I submitted it to the Magistrate court originally. I would like to propose to include this evidence in the Record of Appeal as the evidence omitted in the Magistrate Return.

Sincerely,



Olga Teslenko, Appellant,
100 Fountain Pointe Ln, Unit 103,
Myrtle Beach, SC, 28578

July 22, 2024

Enclosed:

Flash drive

Olga Teslenko's Magistrate Court statement and supporting documents

Picture 1: Porous and cracked subfloor absorbed glue



Picture 1: Porous and cracked subfloor absorbed glue

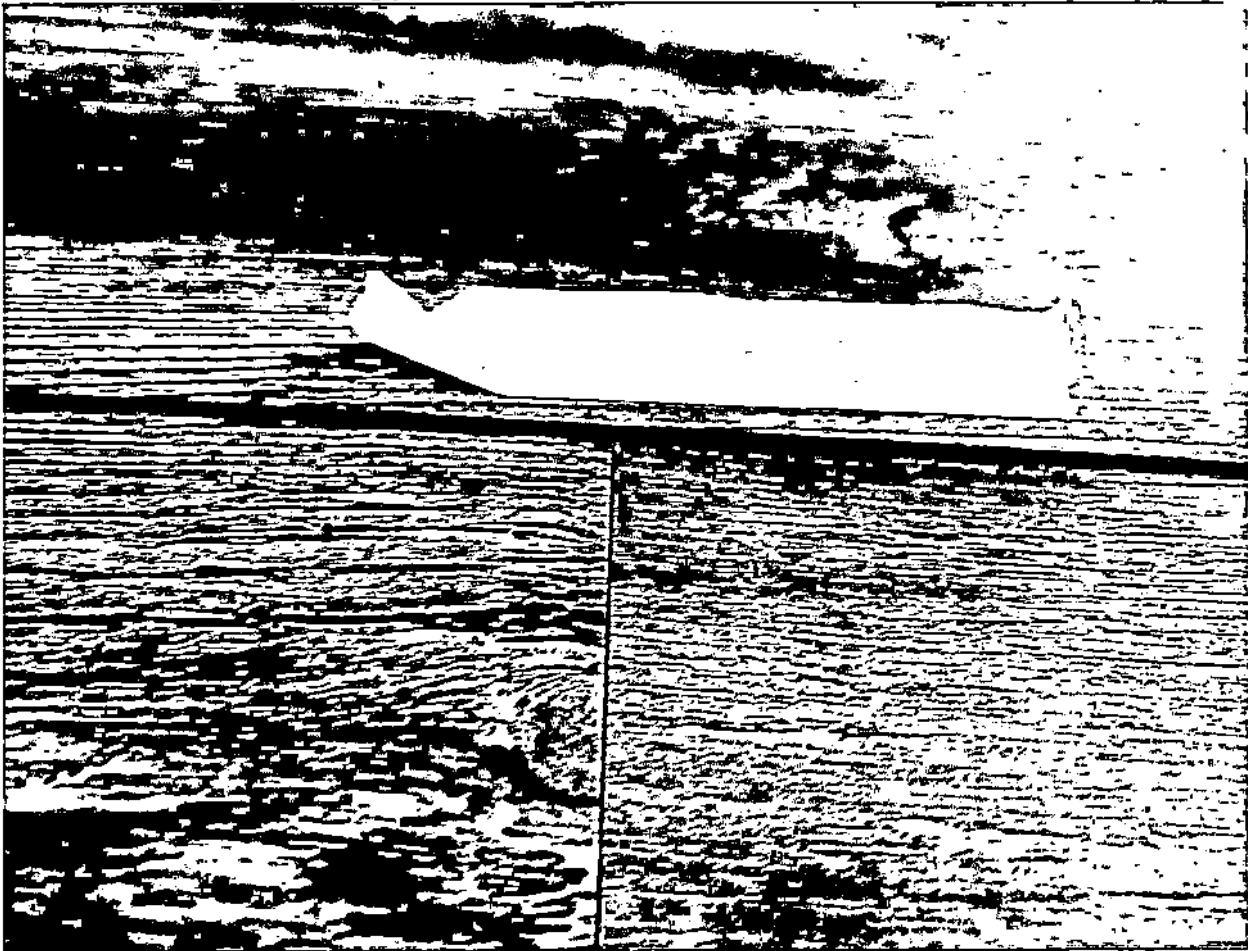


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HORRY COUNTY
2024 JUL 22 PM 2 17
RENEE N. LEWIS
CLERK OF COURT
HORRY COUNTY, SC

Picture 5: Lifting and peeling planks

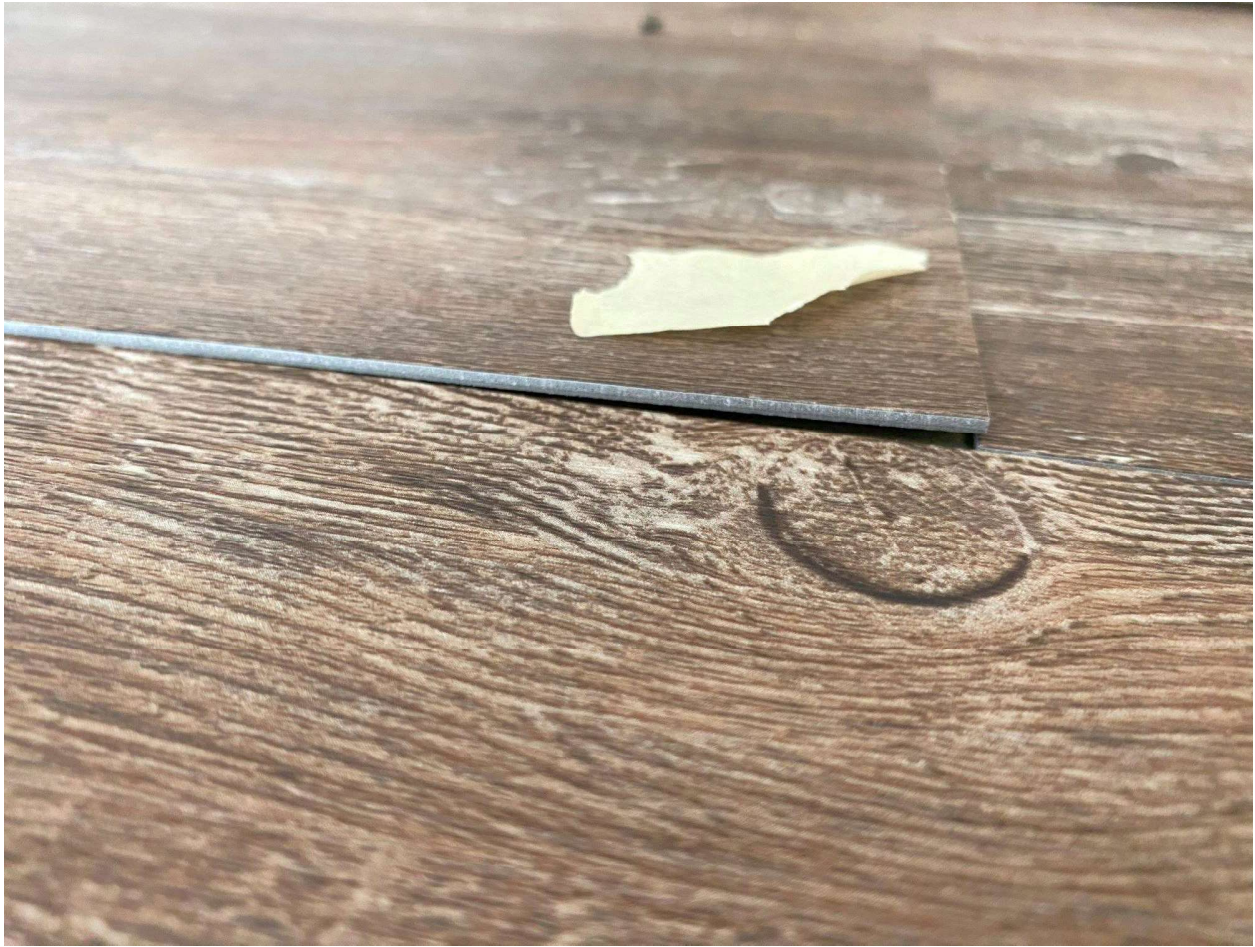


Picture 5: Lifting and peeling planks



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2024 OCT 22 PM 2:17
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Picture 16: Continuously lifting throughout, severe tripping hazard



Picture 16: Continuously lifting throughout, severe tripping hazard



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2024 JUN 22 PM 2 18
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Picture 22: Insufficient glue transfer to back of planks



Picture 22: Insufficient glue transfer to back of planks



Picture 34: Substrate not smooth, free of old paint and old adhesive. Products not rolled with a roller to create transfer.

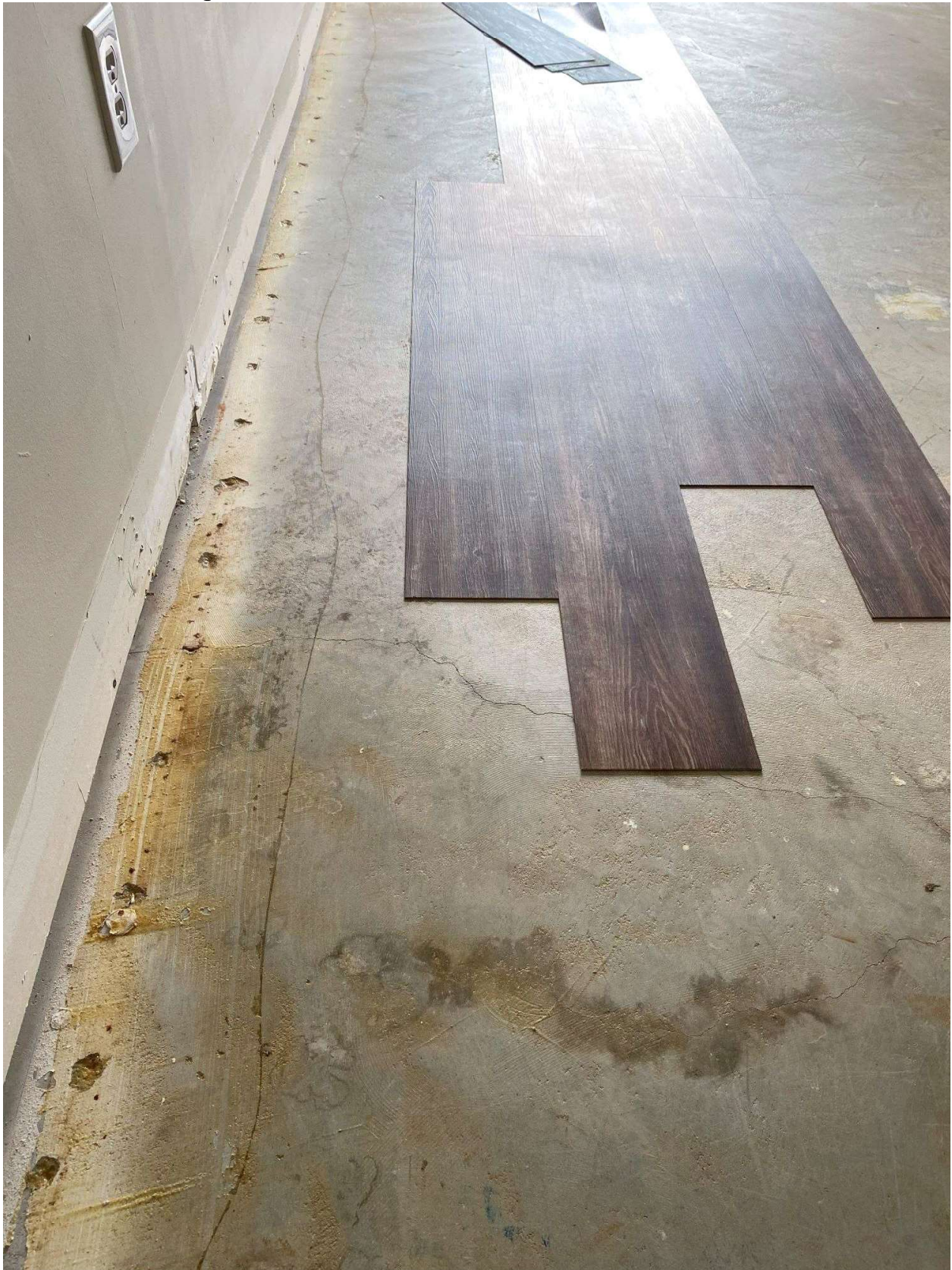


Picture 34: Substrate not smooth, free of old paint and old adhesive. Products not rolled with a roller to create transfer.



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GORRY COUNTY
JUL 22 P 2:18
RENEE N. ELVIS
CLERK OF COURT
HURRY COUNTY, SC

Picture 38: Sub-floor cracks, holes, and deviations not appropriately prepped. Porous substrate absorbed glue



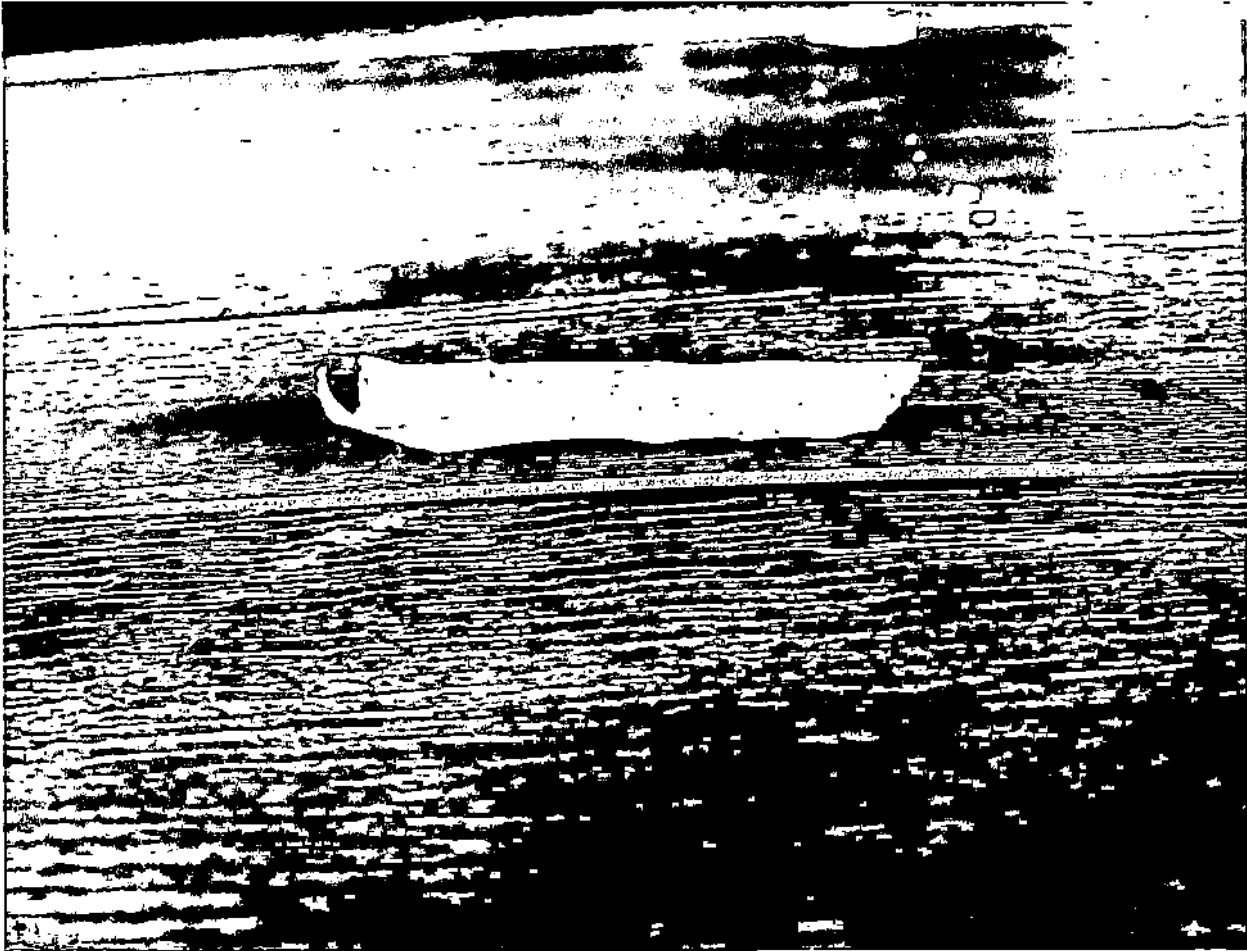
Picture 38: Sub-floor cracks, holes, and deviations not appropriately prepped. Porous substrate absorbed glue



Picture 42: Failure to comply to the installation guidelines as required by the manufacturer



Picture 42: Failure to comply to the installation guidelines as required by the manufacturer



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HORRY COUNTY
2024 JUL 22 P 2:19
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Picture 44: Failure to comply to the installation guidelines as required by the manufacturer



Picture 44: Failure to comply to the installation guidelines as required by the manufacturer



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2024 JUL 22 P 2:19
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

SHAW 200 RESILIENT ADHESIVE

DESCRIPTION

Shaw 200 is a resin based, cross-linking transitional pressure adhesive for installing resilient flooring products over porous and non-porous substrates. After installation, the Shaw 200 adhesive will transition from an initial pressure sensitive bond to a permanent hard set bond.

APPROVED SUBSTRATES

- For interior use only.
- Wood Association approved wood underlayment and subflooring. See Resilient Wood Substrate Information
- Sound and properly prepared concrete (on, above or below grade), metal, wood fiberglass and terrazzo.
- Existing resilient products should be over 1 year old, secure and fully adhered with a full spread of adhesive. Remove all waxes and polishes from the existing floor before installation.

SUBSTRATE TESTING

- RH 99% (ASTM F2170). (absent of hydrostatic pressure)
- MVER must be at or below 12 lbs (ASTM F1869)
- pH must not exceed 12 (ASTM F710)

For older slabs that have a prior history of moisture related issues, Shaw Technical Support recommends moisture mitigation in the form of a 2-part epoxy system, such as MoistureTEK.

SURFACE PREPARATION

- Substrate must be structurally sound, clean, level and dry.
- Substrate must be free of dust, dirt, oil, grease, paint, curing agents, concrete sealers, loosely bonded toppings, loose particles and any other substance or condition that may prevent or reduce adhesion.
- Fill depressions or cracks with a cementitious patching/leveling compound that meet or exceed Shaw Industries maximum moisture level and pH requirements. Use of gypsum-based patching and/or leveling compounds which contain Portland or high alumina cement and meet or exceed the compressive strength of 3,000 psi are acceptable.

SHAW 200 RESILIENT ADHESIVE

DESCRIPTION

Shaw 200 is a resin based, cross-linking transitional pressure adhesive for installing ~~resilient flooring products~~ over porous and non-porous substrates. After installation, the Shaw 200 adhesive will transition from an initial pressure sensitive bond to a permanent hard set bond.

APPROVED SUBSTRATES

- For interior use only.
- Wood Association approved wood underlayment and subflooring. See Resilient Wood Substrate Information
- ~~Concrete, stone, brick, etc.~~ (on, above or below grade), metal, wood fiberglass and terrazzo.
- Existing resilient products should be over 1 year old, secure and fully adhered with a full spread of adhesive. Remove all waxes and polishes from the existing floor before installation.

SUBSTRATE TESTING

- RH 99% (ASTM F2170). (absent of hydrostatic pressure)
- MVER must be at or below 12 lbs (ASTM F1869)
- pH must not exceed 12 (ASTM F710)

For older slabs that have a prior history of moisture related issues, Shaw Technical Support recommends moisture mitigation in the form of a 2-part epoxy system, such as MoistureTEK.

SURFACE PREPARATION

- ~~Substrate must be structurally sound, clean, level~~ and dry.
- ~~Remove all traces of dust, dirt, oil, grease, wax, curing agents, concrete sealers, loosely bonded toppings, loose concrete~~ and any other substance or condition that may prevent or reduce adhesion.
- ~~Fill depressions or cracks with a cementitious patching leveling compound~~ that meet or exceed Shaw Industries maximum moisture level and pH requirements. Use of gypsum-based patching and/or leveling compounds which contain Portland or high alumina cement and meet or exceed the compressive strength of 3,000 psi are acceptable.

FILED
 HORRY COUNTY
 JUL 22 P 2:20
 RENEE N. ELVIS
 CLERK OF COURT
 HORRY COUNTY, SC

INSTALLATION GUIDELINES FOR RESIDENTIAL RESILIENT DIRECT GLUE

1. TEST BEFORE STARTING INSTALLATION

Note: All substrates to receive moisture sensitive floor covering must be tested for moisture.

CONCRETE SUBSTRATES

All concrete substrates should be tested for IRH (Internal Relative Humidity) according to ASTM F 2170.

Calcium Chloride tests may be conducted in addition to IRH and must be performed per the latest edition of ASTM F 1869.

NEW AND EXISTING CONCRETE SUBFLOORS SHOULD MEET THE GUIDELINES OF THE LATEST EDITION OF ACI 302 AND ASTM F 710, "STANDARD PRACTICE FOR PREPARING CONCRETE FLOORS TO RECEIVE RESILIENT FLOORING" AVAILABLE FROM THE AMERICAN SOCIETY FOR TESTING AND MATERIALS, 100 BARR HARBOR DRIVE, WEST CONSHOHOCKEN, PA 19428; 610-832-9585; [HTTP://WWW.ASTM.ORG](http://www.astm.org).

- Substrates shall be smooth, structurally sound, permanently dry, clean and free of all foreign material such as dust, wax, solvents, paint, grease, oils, old adhesive residue, curing and hardening/ curing compounds, sealers and other foreign material that might prevent adhesive bond.
- If the adhesive residue is asphalt-based (cut-back), or any other type of adhesive is present, it must be removed by industry accepted methods such as mechanical removal or wet scraping.
- If a chemical abatement has been performed, use Shaw Surface Prep EXT to remove any residual chemicals present. Once Shaw Surface Prep EXT has been properly cleaned and removed, apply one coat of Shaw MRP for additional protection.

Adhesive removal through the use of solvents or citrus adhesive removers is not recommended. Solvent residue left in or on the subfloor may affect the new adhesive and floor covering.

WARNING! DO NOT SAND, DRY SWEEP, DRY SCRAPE, DRILL, SAW, BEAD BLAST OR MECHANICALLY CHIP OR PULVERISE EXISTING RESILIENT FLOORING, BACKING, LINING FELT, ASPHALTIC "CUT BACK" ADHESIVES OR OTHER ADHESIVES.

These products may contain either asbestos fibers and/or crystalline silica. Avoid creating dust. Inhalation of such dust is a cancer and respiratory tract hazard. Smoking by individuals exposed to asbestos fibers greatly increases the risk of serious bodily harm. Unless positively certain that the product is a non-asbestos-containing material, you must presume it contains asbestos. Regulations may require that the material be tested to determine asbestos content and may govern the removal and disposal of material. See current edition of the Resilient Floor Covering Institute (RFCI) publication Recommended Work Practices for Removal of Resilient Floor Coverings for detailed information and instructions on removing all resilient covering structures. For current information go to www.rfci.com.

- Concrete floors shall be flat and smooth within 1/8" in 6 feet or 3/16" in 10 feet.
- F-Number System: Overall values of FF 36/ FL 20 may be appropriate for resilient floor coverings.
- Moisture Vapor Emission Rate (MVER) – Conduct either in-situ RH test (ASTM F-2170) or CaCl MVER test method (ASTM F1869) Refer to the adhesive information for the acceptable moisture limits.
- Use cementitious patching and leveling compounds that meet or exceed Shaw's maximum moisture level and pH requirements. Use of gypsum-based patching and/or leveling compounds which contain Portland or high alumina cement and meet or exceed the compressive strength of 3,000 psi are acceptable.
- Perform Bond testing to determine compatibility of adhesive to the substrate. Shaw 9050 primer can be utilized to promote adhesion.
- Porosity – water drop test will help determine porosity – if drop remains on the surface after 1-2 mins concrete should be considered non-porous.
- Working and open times of adhesives may vary based on job conditions, substrate, temperature, and humidity.
- Areas to receive flooring should be adequately lighted during all phases of the installation process.
- It is recommended that resilient floor covering installation shall not begin until all other trades have completed.

TEMPERATURE - AMBIENT

Controlled environments are critical. Fully functional HVAC systems are the best way to ensure temperature and humidity control.

- **DO NOT** install resilient flooring products until the work area can be temperature controlled.
- The permanent HVAC system turned on and set to a minimum of 65°F (18.3°C) or a maximum of 85°F, for a minimum of 7 days prior to, during, and after installation. Once the installation is complete the temperature should not exceed 85°F (29.4°C).

PH

Concrete floors must be tested per the latest edition of ASTM F 710.

- PH reading must not exceed 10.0.

INSTALLATION GUIDELINES FOR RESIDENTIAL RESILIENT DIRECT GLUE

1. TEST BEFORE STARTING INSTALLATION

Note: All substrates to receive moisture sensitive floor covering must be tested for moisture.

CONCRETE SUBSTRATES

All concrete substrates should be tested for IRH (Internal Relative Humidity) according to ASTM F 2170.

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- Substrate shall be smooth to the touch, free of oil, grease, dirt, wax, paint, etc. All adhesive residue shall be removed. If the adhesive residue is asphalt-based (cut-back), or any other type of adhesive, it shall be removed by one of the methods such as mechanical removal or wet scraping.
- If a chemical abatement has been performed, use Shaw Surface Prep EXT to remove any residual chemicals present. Once Shaw Surface Prep EXT has been properly cleaned and removed, apply one coat of Shaw MRP for additional protection.

Adhesive removal through the use of solvents or citrus adhesive removers is not recommended. Solvent residue left in or on the subfloor may affect the new adhesive and floor covering.

WARNING! DO NOT SAND, DRY SWEEP, DRY SCRAPE, DRILL, SAW, BEAD BLAST OR MECHANICALLY CHIP OR PULVERISE EXISTING RESILIENT FLOORING, BACKING, LINING FELT, ASPHALTIC "CUT BACK" ADHESIVES OR OTHER ADHESIVES.

These products may contain either asbestos fibers and/or crystalline silica. Avoid creating dust. Inhalation of such dust is a cancer and respiratory tract hazard. Smoking by individuals exposed to asbestos fibers greatly increases the risk of serious bodily harm. Unless positively certain that the product is a non-asbestos-containing material, you must presume it contains asbestos. Regulations may require that the material be tested to determine asbestos content and may govern the removal and disposal of material. See current edition of the Resilient Floor Covering Institute (RFCI) publication Recommended Work Practices for Removal of Resilient Floor Coverings for detailed information and instructions on removing all resilient covering structures. For current information go to www.rfci.com.

- Concrete floors shall be flat and smooth within 1/8" in 10 feet or 1/16" in 10 feet.
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- Perform water pour test to help determine porosity. If drop remains on the surface after 10 mins concrete should be considered non-porous.
- Working and open times of adhesives may vary based on job conditions, substrate, temperature, and humidity.
- Areas to receive flooring should be adequately lighted during all phases of the installation process.
- It is recommended that resilient floor covering installation shall not begin until all other trades have completed.

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Controlled environments are critical. Fully functional HVAC systems are the best way to ensure temperature and humidity control.

- DO NOT** install resilient flooring products until the work area can be temperature controlled.
- The permanent HVAC system turned on and set to a minimum of 65°F (18.3°C) or a maximum of 85°F, for a minimum of 7 days prior to, during, and after installation. Once the installation is complete the temperature should not exceed 85°F (29.4°C).

PH

Concrete floors must be tested per the latest edition of ASTM F 710.

- PH reading must not exceed 10.0.

FILED
 HORRY COUNTY
 2024 JUN 22 10 2: 19
 RENE N. EAVIS
 CLERK OF COURT
 HORRY COUNTY, SC

RECEIVED

Dec 05 2024

SC Court of Appeals

PROOF OF SERVICE OF THE MOTION FOR ABEYANCE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Dale E. Van Slambrook, S.C. Circuit Court Judge #2781

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,
v.
Joe Kocsis,
Carpet King & Flooring, Respondents.

PROOF OF SERVICE OF THE MOTION FOR ABEYANCE

I certify that I have served my Motion for Abeyance on respondent Joe Kocsis, who represented himself as the owner of Carpet King & Flooring, by depositing a copy of it in the United States Mail, postage prepaid, on **December 5th**, 2024, addressed to his store address, Joe Kocsis, Carpet King & Flooring, 532 Broadway Street, Myrtle Beach, SC 29577.

Respectfully submitted,

/s/ Olga Teslenko

Olga Teslenko
100 FP #103,
MB, SC 29579
osenochen@gmail.com
(510) 388-2780
Pro se Appellant.

Dated: **December 05, 2024**