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Dec 23 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF COMMON PLEAS

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS

THE HONORABLE JUDGE ROBERT J. BONDS, CIRCUIT COURT JUDGE

Case No. 2024-CP-21-00406

Donna S. Ard.....Appellant,

v.

Willie S. Edwards/ McLeod Spine Center.....Respondents',

APPELLANTS FINAL BRIEF

December 23, 2024

s/Donna Ard
Donna Ard
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Pro Se Appellant

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STATEMENT OF ISSUES ON APPEAL

Did the Judge err in allowing the Respondents' Attorney Mr. David Banner to address the Honorable Judge Robert Bonds and speak first at the podium in opening statements (R. Tra. pp. 106 lines 10-20, p. 107 lines 4-25, p. 108 lines 1-24) and skewed the view and scope of the case giving the judge an opportunity to make a preconceived judgement?

- § 15-36-100, *et. seq.* (2005) of the *Code of Laws of South Carolina*, Complaint in actions for damages alleging professional negligence; contemporaneous affidavit of expert specifying negligent act or omission?
- § 15-36-100(B) of the Code of Laws of the State of South Carolina (2005(B) Except as provided in Section 15-79-125, in an action for damages alleging professional negligence against a professional licensed by or registered with the State of South Carolina and listed in subsection (G) or against any licensed health care facility alleged to be liable based upon the action or inaction of a health care professional licensed by the State of South Carolina and listed in subsection (G), the plaintiff must file as part of the complaint an affidavit of an expert witness which must specify at least one negligent act or omission claimed to exist and the factual basis for each claim based on the available evidence at the time of the filing of the affidavit?
- § 15-36-100(F) of the Code of Laws of the State of South Carolina (2005)
(F) If a plaintiff fails to file an affidavit as required by this section, and the Respondents' raises the failure to file an affidavit by motion to dismiss filed contemporaneously with its initial responsive pleading, the complaint is not subject to renewal after the expiration of the applicable period of limitation unless a court determines that the plaintiff had the requisite affidavit within the time required pursuant to this section and the failure to file the affidavit is the result of a mistake. The filing of a motion to dismiss pursuant to this section shall alter the period for filing an answer to the complaint in accordance with Rule 12(a), South Carolina Rules of Civil Procedure?

- 12(B)(4) of the *South Carolina Civil Rules of Procedure*; Insufficiency of Process?
- 12(B)(6) of the *South Carolina Civil Rules of Procedure*; failure to state facts sufficient to constitute a cause of action?
- 12(C) of the *South Carolina Civil Rules of Procedure*; Motion for Judgment on the Pleadings. After the pleadings are closed but within such time as not to delay the trial, any party may move for judgment on the pleadings. If, on a motion for judgment on the pleadings, matters outside the pleadings are presented to and not excluded by the Court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56, and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56.

STATEMENT OF THE CASE

On August 28, 2023, Appellant Donna Ard (“Appellant”) filed a Notice of Intent Letter (R. pp. 15-16 dated Aug. 28, 2023), Civil Action Cover sheet dated September 5, 2023 (R. p. 14) with the Court of Common Pleas in Florence. S.C§ 15-36-100, *et. seq.* (2005) of the *Code of Laws of South Carolina*, *Federal Rule 701* governs the admissibility of opinion testimony by lay witnesses in federal courts and it also allows lay witnesses to provide opinions or inferences that may help the trier of fact, also helpful to a clear understanding of the witness' testimony or the determination of a fact in issue.

In this Notice of Intent (R. p. 17) The Appellant referenced to two (2) surgical procedures that had been performed on the Appellant lower lumbar spine of which the (Respondent’s) Dr. Willie S. Edwards at McLeod Spine Center had performed on the Appellant prior, a second back surgery on October 28, 2019 and a third back surgery on October 14, 2020, all of the lower lumbar. The letter of intent (R. p. 17) was very explicit in direct and descriptive information of the Appellants personal letters (R. p.78-79) delivered to Respondents’ office by the Appellant’s husband addressing the weakness and issue of the Appellants knee failing, as well as the surgical instrument (R. p.66) that was visually seen and dictated on the radiologist results (R. p. 69 Line 12 Labeled Findings:, Lines, 12-13). This letter also detailed explicit information dating back to before the Appellant’s second surgery on October 28, 2019 when the issues with the knee begun to give out.

Appellant received a Response to Appellants Notice of Intent and Notice of Appearance on behalf of Respondents’ dated September 23, 2023 and cover letter dated October 3, 2023 (R. pp.17-17-A) from Aiken Bridges Attorney at Law, Mr. David Banner which reference Appellant Donna S. Ard vs. Respondents’ Willie S. Edwards and McLeod Spine Center with a wrong CA

No. 2020-NI-21-00024 AB File No. 37131. This wrong case number had prior assignment and currently belongs to a Deceased Individual (decedent) case of whom the Respondents' attorney Mr. Banner, was also involved with just prior to the Appellants' submission of Notice of Intent; however, the Aiken Bridges AB File No. 37131 which was documented on the cover letter with the wrong case number assignment to the deceased case number on October 3, 2023 is in question of who does it belong to, and more importantly does the Respondents Attorney Mr. David Banner have two (2) cases entangled due to facts that this case number has been documented on numerous pieces of legal documents to the Appellant and more importantly Mr. Banner referred to the Appellant as the decedent (R. p. 26 line 2)? More importantly it raises legal questions, that the Appellant has the right to a fair and just trial which is a fundamental principle in the justice system and such errors by a Professional and Legal Attorney are unacceptable and can erroneously adjudicate someone's destiny, leading to a significantly adverse and detrimental impact which should be unacceptable. Therefore the Appellant has not been afforded the Seventh Amendment Right.

On December 19, 2023, The Respondents' attorney Mr. Banner and the Appellant Donna Ard as well as the Appellants husband Alvin Ard participated in mediation hosted in Columbia, S.C. with a mediator which resulted in an impasse. The pre-suit mediation was more of a bullying session for the mediator. The Appellant repeatedly attempted to provide an extensive collection of expert medical records and images, all sourced from qualified medical professionals located from within the same network which adhere to the requirements set forth by the "South Carolina Rules of Evidence 701 and 401." *S.C.R.E. 401* which 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 the evidence. *State v. Alexander, 303 S.C, 401 S.E.2d 146 (1991)*

On February 16, 2024, the Appellant filed a Cover Sheet, Summons and Complaint (R. p.p. 18-22) with the Court of Common Pleas in Florence S.C. The Appellant did not file an Expert Affidavit as the *S.C.R.E. 701* which if the case in a medical negligence case as filed then, *the witness is not testifying as an expert, the witness' testimony in the form of opinions or inferences is limited to those opinions or inferences which do not require special knowledge, skill, experience, or training.* State v. Ostrowski, 435 S.C. 364, 867 S.E.2d 269 (S.C. Ct. App. 2021), because the Appellants intention was never medical malpractice; in fact the Respondents' Attorney Mr. David Banner has mischaracterized and attached the label of medical malpractice himself to this case because the only communications, contacts or actions as far as resolution has been attending the ADR, and Respondents' attorney Mr. David Banner stated "I'm sorry I don't know anything about medical", there has been no pleadings, no discovery, no discussions no trial. The nature of the case and mischaracterization on behalf of the Respondents' has lead to incorrect handling of the case, applying the wrong legal standards as well as the Appellant not having the opportunity to a fair and just trial. On February 12, 2024 The Appellants filed Common Pleas Cover Sheet is checked as "other" (299) Non-economic and economic damages, Pain and Suffering, Mental and Emotional Distress. (R. p.18)

On March 20, 2024 The Appellant received the Respondents Answer and a Request for Motion to Dismiss (Jury Trial Requested) (R. p.p. 23-30, and a second p. 30). No jury trial was granted or ever assigned.

On April 5 2024 I, the Appellant filed an Appellants Response Memorandum in Opposition to Respondents' Motion to Dismiss.

On April 12, 2024 the appellant filed an Amended Response Memorandum in Opposition to Respondents' Motion to Dismiss as well as 50 Pages of doctors' bills and medical records from further injuries the Appellant has experienced from two (2) falls where the knee has failed causing additional pain and suffering and one where the Appellant was hospitalized for two (2) weeks with a broken hip. Medical records and imaging were offered at both the mediation and the hearing and were refused, as evidence in Response to the Motion to Dismiss.

On May 28, 2024 The Appellant received a Notice of a Hearing scheduled for June 18, 2024, courtroom 3A 9:30 a.m. (R. p. 4)

Less than twenty four hours before the court hearing, the Respondents' Attorney Mr. Banner submitted electronically to the court system a Respondents' Memorandum in support of its Motion to Dismiss Appellants complaint" reserving any and all defenses, objections, jurisdictional arguments or available statutory or common law defenses without any citing references (R. p.p. 41-41).

On June 18, 2024, the Respondent's attorney Mr. Banner opened the hearing by stating the Appellant had filed a "classic medical malpractice case" (which is a completely false misrepresentation of the Appellants material facts and law) did not have the Expert Affidavit. The Judge heard from the Appellant, ask if the Appellant understood and the Appellant answered that the Appellant did understand the Nature of the Motion as presented, but Appellant also tried to present Expert Records to Judge to support Appellant statements as well (Common Pleas cover sheet R. p. 14 dated 9-5-2023, p. 18 dated 2-12-24 Sheet is checked as

“other” (299) Non-economic and economic damages, Pain and Suffering, Mental and Emotional Anguish, Mental and Emotional Distress. (R. p.18).

Rule 701 states. Opinion Testimony by Lay Witnesses

If a witness is not testifying as an expert, testimony in the form of an opinion is limited to one that is:

- (a) Rationally based on the witness’s perception;
- (b) Helpful to clearly understanding the witness’s testimony or to determining a fact in issue; and
- (c) Not based on scientific, technical, or other specialized knowledge within the scope of Rule 702.

And Rule 704

15-36-100(2) The contemporaneous filing requirement of subsection (B) is not required to support a pleaded specification of negligence involving subject matter that lies within the ambit of common knowledge and experience, so that no special learning is needed to evaluate the conduct of the defendant.

Relevant evidence in a legal proceeding:

Federal Rule of Evidence 401 defines what constitutes relevant evidence in a legal proceeding.

This rule is a foundational aspect of the United States Federal Rules of Evidence, which govern the use of evidence in federal courts. Key aspects of Rule 401 include:

1. **Definition of Relevant Evidence:** According to Rule 401, evidence is considered relevant if:

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- It has any tendency to make a fact more or less probable than it would be without the evidence; and
 - The fact is of consequence in determining the action.
2. **Tendency to Prove or Disprove a Fact:** This part of the rule emphasizes that for evidence to be relevant, it doesn't need to conclusively prove a fact; it only needs to make the fact more or less likely to be true.
 3. **Materiality:** The fact that the evidence seeks to prove or disprove must be significant to the case—it must be a “fact of consequence.” This means the evidence must relate directly to the issues or elements in dispute in the case.
 4. **Threshold for Relevance:** The threshold for relevance under this rule is quite low. Evidence doesn't need to be conclusive or even strongly indicative of a particular fact; it merely needs to contribute in some way to making a fact at issue more or less likely.
 5. **Foundation for Admissibility:** Rule 401 sets the basic standard for whether evidence should be admitted in court. Evidence that does not meet this relevance standard is generally inadmissible, although relevant evidence can still be excluded under other rules if its probative value is substantially outweighed by certain other factors.

Federal Rule of Evidence 401 establishes the criteria for determining the relevance of evidence in federal court. Evidence is relevant if it has any tendency to make a fact of consequence in the case more or less probable. This rule is crucial as it serves as the foundation for deciding whether evidence can be presented to the court.

STANDARD OF REVIEW

The Appellant has well documented records from appointments with the Respondents' of continued office visits for an extended period for resolution of back problems, right knee failing and having weakness, numbness, attending therapy to

No avail. After obtaining all of the Appellants medical records requested in December 2021, there were two surgical procedures over an eighteen month (18) period with a failure to diagnose, treat and or perform a corrective surgery. The Appellant felt the lack of care and concern begun to display less and less compassion and the attitude and treatment changed, the attitude begun to change to more of a hostile attitude. While reviewing the Appellants medical records, the Appellant discovered an imaging Xray dated October 14, 2020 at 949a.m. which had a surgical instrument projecting in the Appellants back as well the surgical instrument being dictated by a medical radiologist/doctor in the signed and finalized report which is a permanent part of my medical records.

Appellant Donna Ard initiated this action with the required Letter/Notice of Intent on August 28, 2023 as "other-299" Economic and Non-Economic damages, Pain and Suffering, Mental and Emotion Anguish, Mental and Emotional Distress. Since the start of the legal process began, the Appellant and Respondents' Attorney Mr. David Banner have only participated in the mediation, as mandated by the court which Respondents' Attorney Mr. David Banner stated "I'm sorry I don't know anything about medical", and the mediator result to a bullying tactic laughing continuously and stating "you still don't have the expert affidavit". The Appellant made every attempt to present evidence to both and stated facts in records that supports Daubert v. Merrell Dow Pharmaceuticals (1993), as well as sufficient facts were stated in the initial Letter of Intent dated August 28, 2023 (R. p.1 pa. . lines 5-9, lines 18-27).

Disabato v. S.C. Ass'n of Sch. Adm'rs, 404 S.C. 433, 441, 746 S.E.2d 329, 333 (2013); *see also Turner v. Daniels*, 404 S.C. 430, 431 n. 1, 746 S.E.2d 40, 41 n. 1 (2013)

On behalf of the Respondents' Attorney Mr. David Banner, the crucial and legal aspects and inconsistencies that suggest elements that another case of a deceased is involved have been a total and complete misrepresentation from the beginning as well as raising legal questions to a fair and just trial which have therefore skewed the real evidence and facts of the truth. But more importantly the Respondents' Attorney Mr. David Banner has also chosen to step out of the boundaries and add his own title and case misrepresentation which questions my character and integrity.

In a letter from Mr. Banner dated October 3, 2023 was a cover letter Re: CA No. 2020-NI-21-00024 which belongs to a deceased person in the judicial system, also within the Appellants legal case proceedings at (R. p. 26 pa. 1-2) the Appellant is being referred to as a decedent.

We participated in mediation on December 19, 2023 and there has been, pleadings no other encounter, questions, evidence, depositions nothing of sort has occurred.

Re: *S.C. Code of Laws 15-36-100*

S.C.R.P. 701 In the letter of intent are clear direct described negligence which if the case in a medical negligence case is filed then, the witness is not testifying as an expert, the witness' of testimony in the form of opinions or inferences is limited to those opinions or inferences which do not require special knowledge, skill, experience, or training. *State v. Ostrowski*, 435 S.C. 364, 867 S.E.2d 269 (S.C. Ct. App. 2021). S.C.R.E.401 which 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 the evidence. *State v. Alezander*, 303 S.C,401 S.E.2d 146 (1991) The statutory definition of medical malpractice found in section 15-79-110(6) does not impact medical providers' ordinary obligation to reasonably care for patients with respect to nonmedical, administrative, ministerial, or routine care. Thus, medical providers are still subject to claims sounding in ordinary negligence.

Re: *S.C. Code of Laws 15-36-100(B)*

The application of the common knowledge exception in proving negligence in a case involving medical malpractice depends on the particular facts of the case. When expert testimony is not required, the plaintiff must offer evidence that rises above mere speculation or conjecture.” *Hickman v. Sexton Clinic*, 295 S.C. 164, 168 (Ct. App. 1988).

Re: *S.C. Code of Laws 15-36-100(F)*

The application of the common knowledge exception in proving negligence in a case involving medical malpractice depends on the particular facts of the case. *Sharpe v. South Carolina Department of Mental Health*, d292 S.C. 11, 354 S.E.2d 778 (Ct.App. 1987

Re: *12(b)(4) S.C. the South Carolina Rules of Civil Procedure 12(b)(4)*

A motion that merely deals specifically with the content of the summons.” Charles Alan Wright, Arthur R. Miller, and Edward H. Cooper, *Federal Practice and Procedure* § 1353 (3d ed. 1998) [hereinafter “Wright & Miller”]. In other words, the objection is to the content of the summons and not the service. See, e.g., *Hammond v. Honda Motor Co., Ltd.*, 128 F.R.D. 638, 639 (D.S.C. 1989) (denying motion to quash under Rule 12(b)(4) that was based on grounds that the summons did not comply with the requirements of the Hague Convention); *State Bd. Of Medical. Examiners of South Carolina v. Fenwick Hall, Inc.*, 300 S.C. 274, 276, 387 S.E.2d 458, 459 (1990)

Re: *12(b)(6) of the S.C. the South Carolina Rules of Civil Procedure*

As in this Plaintiff’s case, 50 pages of legal documented medical records AND IMAGES have been provided to the court on April 5, 2024 and based solely on the factual allegations set forth in the complaint, and the court must consider all well-pled allegations as true.” *Disabato v. S.C. Ass’n of Sch. Adm’rs*, 404 S.C. 433, 441, 746 S.E.2d 329, 333 (2013); see also *Turner v. Daniels*, 404 S.C. 430, 431 n. 1, 746 S.E.2d 40, 41 n. 1 (2013) (noting under the standard of review applicable to Rule 12(b)(6) motions, we construe all of the facts in the appellant's well-pled complaint in the light most favorable to the appellant and presume those facts to be true). "If the facts alleged and inferences reasonably deducible therefrom, viewed in the light most favorable to the plaintiff, would entitle the plaintiff to relief on any theory, dismissal under Rule 12(b)(6) is improper." *Carnival Corp. v. Historic Ansonborough Neighborhood Ass’n*, 407 S.C. 67, 7475, 753 S.E.2d 846, 850 (2014)

Re: *S.C.12(c)* for fact pleading. It may also be treated as a motion for summary judgment in proper circumstances?

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FACTS

In the Appellants letter of intent, it was very explicit, direct and detailed in the failures and further injures the Appellant have received. The Letter of Intent also is very clear with a detailed history from the beginning of the NOI, until after the summons and complaint was filed and Respondents' responded. The Appellant filed with the court system 50 pages of medical records with imaging of a surgical instrument in the Appellants back as well as a dictated Xray report and also hospital separate records and bills from a fall occurring from the Appellants knee failing and resulting in a broken hip incurring an additional estimated \$150,000.00 debt.

As for the Respondents' and Attorney Mr. David Banner there has been case misrepresentation and fabrication, as well as deliberate indifference encompassing recklessness and disregard of my rights to the fourteenth amendment, there have been absolutely no pleadings, no depositions and no communications. Appellant filed ample records to the court (R. pp. 66-116) for examination and is willing to amend if needed or do discovery if needed to further represent the Appellants case, the Appellant has Fifteen (15) years of experience in the medical field and can speak to the deficiencies as stated.

There has only been one encounter with the Respondents' Attorney and this was during the mediation of which the only words spoken from the Respondent was "I'm sorry, I don't know anything about medical" and this was during mediation of which the mediator was very unprofessional, by constantly laughing in the Appellants face as if this was a joke.

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ARGUMENTS

- I. Ethical conduct and standards are designed to uphold the integrity of the legal system, promote fairness and justice, and ensure the trust and confidence of clients, courts, and the public, and because the Respondents' have failed to file not one piece of evidence in support of or any material facts to dispute the Appellants material evidence and statements, also have not provided any supporting evidence for their defense, no depositions or communications to defend any of the seventeen defenses that the Respondents' deny, I ask that the Appellate Court will take into account all the facts of the case and the act of the Respondents' Attorney Mr. David Banner's falsely misrepresentation in the defense by wrongfully libel and slanderous misrepresentation , causing emotional and heightened anxiety, that the err by the Respondents Attorney in wrongfully citing a decedents case number and referring to the Appellant as a decedent in the case and reverse and Remand the entire decision of the hearing with Judge Robert Bonds on June 18, 2024.

- II. This is simply a medical negligence case of which S.C Rule 701, the Appellant has Fifteen years (15) of medical knowledge and can speak to the issues at hand and is not testifying as an expert, the Appellant testimony in the form of opinions or inferences is limited to those opinions or inferences which, do not require special knowledge, skill, experience, or training. State v. Ostrowski, 435 S.C. 364, 867 S.E.2d 269 (S.C. Ct. App. 2021). The Appellant does have Fifteen years of prior medical experience and understanding of the body,

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S.C. Code of Laws 15-36-100(B)

The application of the common knowledge exception in proving negligence in a case involving medical malpractice depends on the particular facts of the case. When expert testimony is not required, the plaintiff must offer evidence that rises above mere speculation or conjecture” *Hickman v. Sexton Clinic*, 295 S.C. 164, 168 (Ct. App. 1988).

Re: *S.C. Code of Laws 15-36-100(F)*

The application of the common knowledge exception in proving negligence in a case involving medical malpractice depends on the particular facts of the case. *Sharpe v. South Carolina Department of Mental Health*, 292 S.C. 11, 354 S.E.2d 778 (Ct.App. 1987

12(b)(4) S.C. the South Carolina Rules of Civil Procedure 12(b)(4)

A motion that merely deals specifically with the content of the summons.” 5B Charles Alan Wright, Arthur R. Miller, and Edward H. Cooper, *Federal Practice and Procedure* § 1353 (3d ed. 1998) [hereinafter “Wright & Miller”]. In other words, the objection is to the content of the summons and not the service. See, e.g., *Hammond v. Honda Motor Co., Ltd.*, 128 F.R.D. 638, 639 (D.S.C. 1989) (denying motion to quash under Rule 12(b)(4) that was based on grounds that the summons did not comply with the requirements of the Hague Convention); *State Bd. Of Medical. Examiners of South Carolina v. Fenwick Hall, Inc.*, 300 S.C. 274, 276, 387 S.E.2d 458, 459 (1990)

12(b)(6)of the S.C. the South Carolina Rules of Civil Procedure

As in this Plaintiff’s case, 55 pages of legal documented medical records have been provided to the court on April 5, 2024 and based solely on the factual allegations set forth in the complaint, and the court must consider all wellpled allegations as true.” *Disabato v. S.C. Ass'n of Sch. Adm'rs.*, 404 S.C. 433, 441, 746 S.E.2d 329, 333 (2013); see also *Turner v. Daniels*, 404 S.C. 430, 431 n. 1, 746 S.E.2d 40, 41 n. 1 (2013) (noting under the standard of review applicable to Rule 12(b)(6) motions, we construe all of the facts in the appellant's well-pled complaint in the light most favorable to the appellant and presume those facts to be true). "If the facts alleged and inferences reasonably deducible therefrom, viewed in the light most favorable to the plaintiff, would entitle the plaintiff to

relief on any theory, dismissal under Rule 12(b)(6) is improper." Carnival Corp. v. Historic Ansonborough Neighborhood Ass'n, 407 S.C. 67, 74-75, 753 S.E.2d 846, 850 (2014)

Re: *S.C.12(C) of the S.C. the South Carolina Rules of Civil*

The Defendants have not and does not have any records to dispute the negligence. All information available from Respondents' would support every negligent statement in the suit.

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CONCLUSION

The Appellant filed a case based on Factual and Material Evidence as well as knowledge and can put in layman terms. Not only has the Respondents' Attorney Mr. David Banner falsely misrepresented the case in the defense by wrongfully libel and slanderous misrepresentation and has taken every measure to discredit the case and the Appellants Integrity and credibility by classifying the case as a "classic medical malpractice case", which if you were to read closely in all of his correspondence the Respondents' Attorney Mr. David Banner himself does not even know what the case is about because he has used every term available to try and cover all possible legal terminology also causing emotional and heightened anxiety, but also that the err by the Respondents Attorney in wrongfully citing a decedents case number and referring to the Appellant as a decedent in the case.

The Appellate ask that the Court of Appeals to Reverse and Remand the entire decision of the Circuit Court and grant the Appellant a new jury trial as requested. For the reasons stated and the wrongful entanglement of two cases, CA. No. #2020-NI-21-00024 of a deceased person documented on cover page dated October 3, 2023 to mailed to Appellant with Response to Appellants Notice of Intent and Notice of Appearance of behalf of Respondents' dated September 26, 2023 (R. pp.17-17-A) Mr. David Banner Referring to the Appellant as being a Decedent, also the legal aspects of mischaracterization and mislabeling has been further detrimental to the case. It is the Appellants belief that the Respondents' Attorney Mr. David Banner has been less than adequately willing to look into the true allegations and material facts of the case and focusing only on a dismissal by virtue of a malfunction from legality aspects. Time of

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expiration had not been met when the case was filed, I ask that the Court of Appeals
Reverse and Remand the Appellants case.

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CERTIFICATE OF COUNSEL

I certify that the Final Brief of Respondent complies with Rule 211(b), SCACR.

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December 23, 2024

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Alvin A. Coleman (1930-1995)

October 3, 2023

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Ms. Donna S. Ard
3460 Cicero Lane
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Re: Donna S. Ard vs. Willie S. Edwards and McLeod Spine Center
CA No. 2020-NI-21-00024
AB File No. 37131

Dear Ms. Ard:

Please find enclosed a filed copy of the Response to Plaintiff's Notice of Intent and Notice of Appearance on Behalf of Defendants Willie S. Edwards and McLeod Spine Center in regards to the above referenced lawsuit.

With kind personal regards, I am

Sincerely yours,



J. DAVID BANNER

IDB/dal
Enc.

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