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Jun 26 2025

SC Court of Appeals

June 26, 2025

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: **Jefferson Davis Jr, Appellant vs. Chad Connelly, Et al. Respondents**
Appellate Case No.: 2024-002049
C.A. NO.: 2020-CP-36-00382

and

Jefferson Davis Jr, Appellant vs. Chad Connelly, Et al. Respondents
Appellate Case No.: 2024-002049
C.A. NO.: 2020-CP-36-00384

Dear Ms. Kitchings:

Please be advised that Appellant has received (*ordered on January 13th, 2025 and received on February 13th, 2025*) the transcript of the October 11th, 2024, Newberry trial court Rule to Show Cause hearing in the above referenced cases.

This appeal was timely filed (December 2nd, 2024), then followed by Appellant's Emergency Writ of Supersedeas (December 19th, 2024), and finally followed by an Order (December 20th, 2024) from this **Court of Appeals granting a temporary stay** as to the lower courts order of civil contempt and **remanding** the case to the circuit court of an **expedited hearing** on Appellant's petition for supersedeas.

This Court of Appeals specifically directed Appellant to "***provide sufficient medical records to support the health conditions attested to in his affidavit.***" (emphasis added.)

[**NOTE:** In addition to Appellant's sworn testimony and sworn affidavit at the October 11th, 2024 circuit court hearing, Appellant also provided the circuit court (*the same day as the hearing and prior to issuance of the circuit courts written order*)

on November 25th, 2024) with 132 pages of medical and financial records detailing his **Stage IV colon cancer** and **\$531,394.13 in medical bills** for the circuit courts consideration. The additional evidence did not impact the circuit courts original determination of willful civil contempt – even though Appellant was physically and financially unable to comply and provided evidence / sworn testimony to that fact.]

Although the circuit court has not yet ruled on the supersedeas in an expedited hearing as directed by the Court of Appeals, the circuit court has finally conceded that that Appellant did / does in fact have Stage IV colon cancer (Order #3 dated May 29th, 2025).

Given Appellants continued battle with Stage IV colon cancer, the circuit court in its Order #3 (Page 5, Item #6) dated May 29th, 2025, has also issued a **“temporary stay ... until the next hearing to be scheduled sometime in November 2025.”**

Recent Timeline as to Transcript:

- **Friday, June 13th, 2025:** The Court of Appeals Clerk issued a letter (*emailed to counsel, mailed to pro se Appellant*) apparently stating that the Court of Appeals was re-assuming jurisdiction of the appeal and directing Appellant to file a letter as to the status of the transcript. [NOTE: The letter was not posted online until Tuesday, June 17th, 2025 – see below.]
- **Monday, June 16th, 2025:** Appellant first learned about the existence of said June 13th, 2025, letter via an email from the circuit court judge. SEE ATTACHED.
- **Tuesday, June 17th, 2025:** Whereas there was no letter filed online, Appellant contacted the Court of Appeals to clarify the matter. It was not until this date that said letter was posted online and Appellant first saw the letter.
- **Today, Thursday, June 26th, 2025:** Appellant timely responds with this letter notifying the Court of Appeals and opposing counsel that (#1) the transcript has been ordered and received & (#2) asking the Court of Appeals for direction and timeline going forward, or to dismiss this matter outright.

REQUEST FOR DIRECTION:

(#1) Further Action in Circuit Court?: In the attached email from the circuit court on June 16th, 2025, it appears that the circuit court is retaining jurisdiction over this matter (*with an expected next hearing in November 2025*), yet the Court of Appeals appears to be assuming jurisdiction and moving forward with Appellant's Appeal.

QUESTION: Does the Court of Appeals desire continued action at the circuit court level, or has all necessary evidence been provided given the circuit court has finally conceded in its May 29th, 2025, Order that Appellant did / does in fact have Stage IV colon cancer?

(#2) Circuit Courts Conflicting Orders RE Additional Financial Evidence: As has been a recurring issue with the circuit court (*leading to this confusing willful civil contempt order*), the circuit court in its May 29th, 2025, Order accused Appellant numerous times of willfully FAILING to provide evidence as to his inability to pay the contempt fees and costs. See Order, Page 2, Page 3, and Page 4, Item #2. However, the circuit court specifically Ordered in its January 23rd, 2025, Order, that the circuit court would **"At present, this Order will only deal with the Plaintiff's medical records and this Court will reserve ruling on the Defendants' other requests [*i.e., financial and tax records*] in the future depending upon what the medical records show."** The circuit court further Ordered (Page 5, Item #3) on January 23rd, 2025, that **"3. That the issue of discovery as to any other matters requested by the Defendants [*i.e., financial and tax records*] is held in abeyance at this time."**

Appellant, as a licensed attorney & CPA in Georgia, has already provided sworn testimony to the circuit court that he is unable to pay the ordered contempt fees and costs. The Court of Appeals did not ask in its December 20th, 2024, Order for additional evidence as to Appellants inability to pay (*only as to the evidence of Appellants cancer – likely due to the fact that the circuit court & Respondents would not concede he had Stage IV colon cancer despite his sworn testimony and evidence provided*).

QUESTION: As such, and related to request for direction #1 above, does the Court of Appeals expect the circuit court to continue with any additional inquiry into Appellants ability to pay beyond what has already been provided as to his inability to pay?

[NOTE: The circuit court in its January 23rd, 2025, Order also claimed that Appellant had not provided a one-page medical diagnosis evidencing his Stage IV Colon Cancer, when in fact this Appellant did provide a **two-page Health Summary from his myCHART** online medical account evidencing his “**Current Health Issues**” as a “**Malignant neoplasm of sigmoid colon**” and “**Primary colon cancer with invasion or adherence to other organ or structure (T4b) (HCC)**” - i.e., Stage IV Colon Cancer – as page 3 & 4 of the 132 pages provided.]

(#3) Continued Medical Condition / Stay / Reversal of Civil Contempt Order: Given Appellant’s continued battle with Stage IV Colon Cancer, his further chemotherapy treatments and scheduled major surgery, and the circuit courts STAY until November 2025 due to its substantial inquiry and the medical evidence provided by Appellant, it appears clear that Appellant was NOT in any way, and certainly not willfully, in contempt of court as he was sick and unable to pay the ordered contempt fees and cost.

QUESTION: Will the Court of Appeals, in the interest of justice and due to Appellant battle with cancer, DISMISS / REVERSE the civil contempt order as this time?

CLOSING:

Please advise as to next steps and any deadlines for Appellants’ **#1 Initial Brief** and **#2 Designation of Matter to be Included in the Record on Appeal** pursuant to Rules 208 and 209, SCACR.

Thank you for your assistance. If you have any questions, please feel free to email me at jeff@apogeetax.com or give me a call at 843-901-8036 (cell).

Sincerely,



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Pro Se Appellant
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cc: All expected counsel of record (*via email*)

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**Non-Party - Educational Credit For Exceptional Needs
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Davis v, Connelly, et.al.

1 message

Hocker, Donald B. <dhockerj@sccourts.org>

Mon, Jun 16, 2025 at 1:52 PM

To: Geoffrey Chambers <g.k.chambers@gmail.com>, "Justin P. Novak" <jnovak@barnwell-whaley.com>, Jeff Davis <jeff@apogeetax.com>, Jeff Davis <jdavis@apogeetax.com>

Cc: Anthony Baglivo <abaglivo@barnwell-whaley.com>

All: I am in receipt of a letter from the Court of Appeals indicating this appeal is no longer being held in abeyance. Since the letter does not indicate any recession of the Order remanding the supersedeas to me I am taking the position that I still have jurisdiction over the issue of a stay of the enforcement of the contempt. We will proceed in accordance with my last Order. Thank you. (dbh)

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STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )

IN THE COURT OF COMMON PLEAS

JEFFERSON DAVIS, JR. )  
 )  
Plaintiff/Appellant )  
 )  
vs. )  
 )  
CHAD CONNELLY, et.al. )  
 )  
Defendants/Respondents )  
\_\_\_\_\_ )

ECOPY

ORDER  
AS TO FIRST EXPEDITED HEARING  
2020-CP-36-00382 and 384  
Appellate Case No. 2024-002049

On October 11, 2024, the Court held, in person, a contempt hearing. At this hearing the Plaintiff submitted the below Declaration without any medical records. This Court issued an Order of Civil Contempt against the Plaintiff in both cases on November 25, 2024. The Plaintiff filed an appeal of this Order and later filed an Emergency Writ of Supersedeas seeking to stay enforcement of the contempt Order during the pendency of the appeal. By Declaration of October 11, 2024, the Plaintiff claims:

1. He is unable to pay the court-ordered fees;
2. He has had colon cancer, had surgery on March 18, 2024 and has undergone chemotherapy through July 5, 2024;



3. Because of the substantial financial costs incurred because of his Health/cancer issues, he is currently unable to pay the court-ordered fees;
4. That he currently has substantial medical fees not covered by insurance.

Subsequent thereto, the South Carolina Court of Appeals issued an Order on December 20, 2024 ordering:

1. A temporary stay of the contempt Order;
2. A remand to this Circuit Court to hold an expedited hearing on the Petition for Supersedeas;
3. Appellant to provide sufficient medical records to support the health conditions attested to in his Affidavit (Declaration);
4. Appellant to provide the Court of Appeals status updates every thirty days.

Subsequent thereto, the Defendants filed a Joint Motion for Expedited Discovery seeking production of asset records, financial records, tax records, and medical records in order to respond to the Writ of Supersedeas.

This Court conducted what this Court believes to be a **First** Expedited Hearing on January 8, 2025 via virtual courtroom. Present on behalf of the

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Defendants were Attorneys Justin Novak and Geoffrey Chambers. The Plaintiff was also in attendance. Counsel for the Defendants made their argument concerning their joint Motion for Expedited Discovery. The Plaintiff responded by wanting additional time to respond to the joint Motion and the Court gave him five days. He responded with a written Memorandum in Response to the Joint Motion for Expedited Discovery.

At present, this Order will only deal with the Plaintiff's medical records and this Court will reserve ruling on the Defendants' other requests in the future depending upon what the medical records show. Before the following ruling is made, the Court wants to make several observations in support of its ruling.

First of all, the South Carolina Court of Appeals made it very clear that the Plaintiff must provide sufficient medical records to support his health claims.

Secondly, the Plaintiff maintains that he has already provided the Court with medical records post the October contempt hearing. He also maintains that he provided a one-page medical diagnosis with these materials. First of all, this one page was not provided. What was provided were the following:

1. A very general and basic two-page My Chart Health Summary not in narrative form;

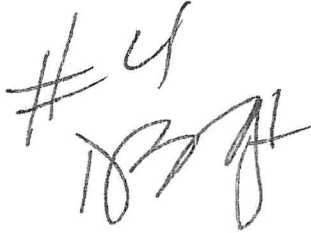
Handwritten signature and the number 3.

2. A two-page spreadsheet (1/1/24-10/11/2024) of medical expenses showing provider, total charge, claim status, patient liability, and amount insurance paid. It is unclear who prepared and generated this two-page spreadsheet;

3. Approximately 75 pages of copies of Blue Cross/Blue Shield claim reports with many of these pages containing standard "boiler-plate" form language and many pages were not in English;

Thirdly, what the Court of Appeals wants and what this Court wants are medical records and information from doctors, hospitals, etc. that will specifically address and support the claims made by the Plaintiff in connection with his position concerning inability to pay the contempt fees. Records and information concerning future medical condition and prognosis would be in order as well.

Fourthly, the Plaintiff only wants to provide the medical records, *in camera*, to the Court and not to the Defendants. The Court will not do this. The Plaintiff has every right to prosecute his Writ of Supersedeas and his request to stay the contempt. However, the Defendants have every right as well to defend against the Writ and request to Stay. It would be unfair to the Defendants to deprive them of very critical information that the Plaintiff is basing his case on.

Handwritten signature and initials, possibly reading "#4" and "10/3/24".

Based upon the above, it is

HEREBY ORDERED:

1. That within thirty (30) days from the date of this Order, the Plaintiff shall provide to this Court and Attorneys Novak and Chambers all necessary medical records and information to support his claims.

2. That due to the personal and confidential nature of these medical records, the attorneys for the Defendants are to use these records and information that the Plaintiff provides in this case only. The attorneys have the right to discuss with their clients the general nature of the documents without allowing the Defendants to view the same. Everyone on the Defendants' side are enjoined and restrained from disclosing these records and information contained therein to anyone outside of this case in any manner whatsoever. Furthermore, the attorneys for the Defendants and the Defendants shall make no contact with any of the Plaintiff's medical providers and medical insurance companies as the Plaintiff has expressed concern that they would.

3. That the issue of discovery as to any other matters requested by the Defendants is held in abeyance at this time.

Handwritten signature and initials in black ink, appearing to be "#5" followed by a stylized signature.

SO ORDERED.



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DONALD B. HOCKER  
CIRCUIT COURT JUDGE

Laurens, South Carolina  
Date: 1-23-25

-6-



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )

IN THE COURT OF COMMON PLEAS

JEFFERSON DAVIS, JR. )  
 )  
Plaintiff/Appellant )  
 )  
vs, )  
 )  
CHAD CONNELLY, et.al. )  
 )  
Defendants/Respondents) )  
\_\_\_\_\_ )

**RECEIVED**  
**May 29 2025**  
**SC Court of Appeals**

ORDER  
2020-CP-36-00382 and 384  
Appellate Case No.20240002049

This Order is being issued without a hearing and is the third Order issued by this Court since The South Carolina Court of Appeals (COA) issued its Order on December 20, 2024.

An overview of what has transpired will be set out, beginning with the Contempt Order issued by this Court on November 25, 2024, in order to keep matters in perspective.

This Court held the Plaintiff in contempt of Court on November 25, 2024 and ordered him to pay fees and costs. Subsequent thereto, the Plaintiff filed an

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appeal of this Contempt Order to the COA. Evidently realizing later that the appeal did not automatically stay the contempt finding, the Plaintiff filed a Writ of Supersedeas with the COA seeking a stay of the enforcement of the contempt.

By Order of the COA on December 20, 2024, a temporary stay was ordered with a remand to the lower court for an expedited hearing on the request to the lifting the automatic stay or granting supersedeas. This Order contained other applicable provisions.

It is the position of the Plaintiff that due to his medical condition that he is unable to pay the contempt fees and costs and he wants the contempt dismissed.

Subsequent to the above, the Defendants filed a joint Motion for discovery of records from the Plaintiff concerning medical, financial, tax and asset records. The first expedited hearing was held on January 8, 2025 by this Court. An Order was issued on January 23, 2025 ordering, in part, medical records and information of the Plaintiff specifically addressing the issue of the Plaintiff's inability to pay the contempt fees and costs. This information was to come from the Plaintiff's doctors, hospitals, etc.

In accordance with the above, voluminous medical records were provided by the Plaintiff to the Court and Defendants' counsel several times. These records

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did not address however, from a medical standpoint, the issue of the Plaintiff's inability to pay the contempt fees and costs. What the records did show was that the Plaintiff was diagnosed with Stage IV colon cancer in 2024 (possibility before then), had surgery and other forms of treatment. More recent records indicate a need for chemotherapy treatment and potential surgery in the future.

Consequently, this Court issued an Order on May 1, 2025 requiring the Plaintiff to provide information directly from his treating doctors indicating a timeframe for the completion of chemotherapy treatment and/or surgery. This information was provided by the Plaintiff in compliance with the Court's Order. A summary of the four letters from the Plaintiff's doctors is as follows:

1. Dr. Chung: The Plaintiff will have chemotherapy (April, May, June 2025) and surgery July 21, 2025. He will be able to reengage in most activities by October 1, 2025. This doctor notes no work during this period of time. (Note: This is the first medical record provided related to the issue of activities, work and/or otherwise);
2. Dr. Brickley: Plaintiff is undergoing chemotherapy to be completed November 2025. Currently unable to work because of weakness, fatigue, etc. She indicates full recovery by New Year. (Note: Second medical record as above);

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3. Dr. Trocha: Same letter as Dr. Chung's letter. Reengage by September 15, 2025;

4. Dr. Werntz: Same letter as Chung and Trocha. Reengage by September 15, 2025.

The Court will make some observations and the plans to move forward notwithstanding Plaintiff's repeated requests to dismiss this entire matter against him:

1. Notwithstanding the fact that the Plaintiff has accused the Court (See below Note) of doubting the existence of Plaintiff's cancer which the Court never has, it is clear that he has Stage IV colon cancer and has undergone and continues to undergo treatment of various kinds;

2. The existence of cancer, however serious it may be, does not "in and of itself" automatically determine that the Plaintiff is unable, financially and otherwise, to pay the contempt fees and costs. The Plaintiff has simply wanted this Court and the Defendants to blindly accept, without inquiring, investigation, or questioning, his assertion that he is unable to pay the contempt fees and costs because of medical reasons.

3. This Court takes extremely seriously the issue of contempt

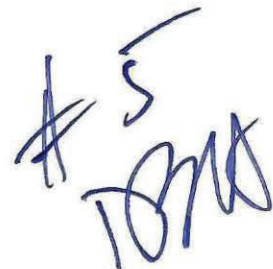


as it relates to both sides and wants to be as methodical as possible so that the ultimate decision will be a correct and fair one.

4. Everyone, including this Court and the COA, thought that an expedited hearing would be sufficient to decide the issue of a automatic stay/supersedeas and for the Court of Appeals to resume control of this case. This Court has determined that more time is needed and it is hoped that the Court of Appeals will be agreement.

5. That based upon the above doctors' reports with respect to resumption of activities, two say September 25<sup>th</sup>, one says October 1 and one says by the first of the new year.

6. That the temporary stay will remain in effect until the next hearing to be scheduled sometime in November 2025. At the hearing the Court will allow the Defendant's to renew their Motion for records and will determine whether to continue the temporary stay/lift the automatic stay or grant supersedeas. The Court will be in touch with the parties concerning scheduling of this hearing. While the Court prefers an in-person hearing, it will certainly entertain a request for a virtual hearing.



7. Once again, this Court recognizes that both sides eagerly desire a Final ruling in this case.

Accordingly, the above is hereby ordered:

So Ordered.



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DONALD B. HOCKER  
CIRCUIT COURT JUDGE

Laurens, South Carolina  
Date: 5-29-25

Note: At the contempt hearing in October 2024, the Plaintiff, in a sworn Affidavit of May 16, 2025, quotes from the Transcript of what the Court said: "But bold (sworn) statements that you had health issues and therefore can't pay without any supporting documents from doctors or whoever to support that, it is hard for me to put much faith into your statement insofar as allowing that to be a basis for a defense to this contempt action."

