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Aug 18 2025

SC Court of Appeals

Commission on Lawyer Conduct
William M. Blich
Disciplinary Counsel

Telephone: (803) 734-2038

Fax: (803) 734-1964

Email: ODCmail@sccourts.org

August 1, 2025

Re: NOTICE OF APPEAL to PANEL Rule 18(b)

Darryl C. Caldwell, Esq. (Via Electronic Mail and US Postal Mail)

File Number: 24-DE-L-1279

SC Rule 413, SCACR: Breach of Duty

Negligence/Legal Malpractice/Ineffective Counsel

Dear William M. Blich, Esq.,

As a licensed lawyer, Attorney Caldwell owed Hannah Secka and (M.Y.N.S.) a *fiduciary duty* in all cases he has represented. In all professional functions and responsibilities as a lawyer he should be competent, prompt and diligent in his position. A lawyer's conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer's business and personal affairs. A lawyer should use the law's procedures only for legitimate purposes and not to harass or intimidate others. A lawyer should demonstrate respect for the legal system and for those who serve it, including judges, other lawyers and public officials. While it is a lawyer's duty, when necessary, to challenge the rectitude of official action, it is also a lawyer's duty to uphold the legal process. Attorney Caldwell's negligence, ineffective counsel, legal malpractice, and dishonesty has caused his client to have a bias judgment of \$9,000 due to his negligence and caused a substantive case to have summary judgment GRANTED for *failure to state a claim* of their personal injury lawsuit where a minor special education student was a victim of numerous school crimes that were concealed by the school officials and administration resulting in severe mental and physical injuries to both clients.

Attorney Caldwell intentionally filed the wrong *causes of actions* that were agreed upon with his client, he *failed to conduct an investigation* into the individuals who were identified by name as the perpetrators from his clients, then, *he failed to appeal OCR Case#11-19-1135* where Brian Denny and Richard O'Malley lied to the OCR investigators, he *failed to secure witness statements* or depositions from the school staff, community advocates and organizations who had first-hand knowledge of the school crimes committed against the victim, and he *deliberately missed the deadline* to file the personal injury lawsuit in 2020 to comply with *statute of limitations* for *Hannah Secka and (M.Y.N.S.) v. Florence School District One (FSD1) and Florence County Sheriff Department (FCSD)*. Attorney Caldwell accepted this case on 11/18/2019 and he took possession of all the evidence on 12/12/2019. He told his client the lawsuit would be filed on or about 2/20/2020, and he never provided his clients with a copy of the complaint until the day of her and the minor's deposition on 11/16/2022. Most significantly, Attorney Caldwell *failed to cross-examine both of his clients* at the deposition to get the necessary evidence in the record. Once Hannah Secka read the complaint it did not have the agree-upon cause of actions discussed on 2/18/2020. Caldwell did not follow the Courts Scheduling Order for the Personal Injury lawsuit. Caldwell *failed to provide competent legal representation* that caused Hannah Secka to have adverse judgment of \$9000 due to his negligence of not filing the Motion to Dismiss and Counterclaim. **Evidence:** 2/18/2020 Complaint (Secka v. FSD1)

When it comes to Case No: 4:21-cv-03746-JD...

The district sued the parents on 11/16/2021 in retaliation of the personal injury lawsuit filed on 9/29/2021. Attorney Caldwell was retained to file a Motion to Dismiss and enter a Counterclaim for \$50,000, which he failed to notify his client Hannah Secka until the day of Mediation on 1/31/2023 that the Motion and Counterclaim was not filed because he doesn't practice educational law. His exact words were. "*That's not my area of expertise.*" Hannah Secka was blindsided in Mediation and in shock then quickly terminated Caldwell because of his negligence by coercing his client to agree to a settlement agreement that was unfair by stating, "*we just gon settle this so we can get to the big money, Yasen's case. Which has a potential payout of \$900,000.*" Attorney Caldwell had a *fiduciary duty* for Case No: 4:21-cv-03746-JD, where he was given evidence that the due process hearing was timely withdrawn on 1/31/2023 in the Mediators Office. Below is the email that proves I timely withdrew the July 2021 IDEA Complaint due to the illegal continuous appointment of the same hearing officer Brian P. Murphy, was bias, and

prejudice. Not only was Caldwell attached on the email to the SCDE on 8/3/2021, but the State also acknowledged receipt of such request and provided a response. The district's lawsuit was frivolous and had no merit! The IDEA complaint was filed because the district retaliated against the students' One-to-One, Ms. Daisy Johnson for testifying truthfully about the abuse, assaults, bullying, harassment, and law enforcement attack on his client.

Evidence: (Daisy Johnson Retaliation)

IDEA Complaint Secka vs. (FSD1) M.Y.N.S.
Due Process Hearing Request

July 22, 2021

Student: Moudou-Yasen Nasir Secka
Address; 503 W Darlington St #B
Florence, SC 29501
DOB: 1/7/2004
Age: 17
Grade: 11
Disabilities: Autism/SLD/LD/OHI
School: WFHS 319 S Irby St Florence, SC
Richard O'Malley, Superintendent
Brian Denny, Director of OEC
Matthew Dowdell, Principal

Description of the Facts: Retaliation *Pursuant to* 34 CFR 300.34 Related Services

[Pursuant 34 CFR 300.580](#)

Denial of Free Appropriate Public Education (FAPE)

In accordance with to the requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1415. They have been met with the information detailed in accordance with the Act and are within the scope of the LHO's authority and jurisdiction required under the law. See Dispute Resolution Procedures under Part B of the Individuals with Disabilities Education Act (Part B), 61 IDELR 232 (OSEP 2013); consistent with 34 C.F.R. §§ 300.508(d) and 300.513.

[Pursuant to 34 CFR 300.324](#)

Develop, review, and revision of IEP. The District is failing to implement my child's IEP and BIP, along with the support services of one-to-one Daisy Johnson. She has been in place for my child since 5th grade. Her services are still requested by parents to meet his current fragile state of mind and fear of his safety for retribution from the School Administration and Brian Denny, Sonya Herbert, Richard O'Malley and Matthew Dowdell.

Retaliation is a harmful act against a person that is made in response to that person's grievance or participation in an activity that is protected by law. The District is retaliating against my disabled

son by removing his one-to-one paraprofessional (Daisy Johnson) because of my advocacy, and her truthful testimony in the due process hearings and the civil litigation against the District. I have a pending lawsuit for the abuse and neglect of my son. My child is fragile and needs her services. This is mean-spirited and a true act of bad faith! Ms. Johnson has been the paraprofessional for my child since 5th grade. She is the only one-to-one who is trained in all his disabilities. The District is in violation of 34 CFR 300.34 Related Services.

Section 504 of the Rehabilitation Act prohibits anyone from interfering with the exercise of rights granted by the law to individuals with disabilities. Section 504 incorporates the anti-retaliation provision of Title VI of the Civil Rights Act of 1964, which “*prohibits recipients from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege . . . or because he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under this part.*” 34 C.F.R. §104.61 and 34 C.F.R. §100.7(e) [logins required]. The Americans with Disabilities Act (ADA) provides, “*no person shall discriminate against any individual because such individual has opposed any act or practice made unlawful by*” the ADA. 42 U.S.C. § 12203(a). Because section 504 uses an anti-retaliation clause that is functionally identical to the ADA, they are generally analyzed together.

In conclusion, this culture and atmosphere of retaliation, intimidation and harassment for exercising my right to advocate is becoming criminal by Florence One School District.

[Hannah L. Secka](#)

Via Electronic Mail

Resolve:

Return One to One Paraprofessional Mrs. Daisy Johnson to my son to meet his unique individualized special education needs in accordance with IDEA regulations.

CC: Office of Civil Rights

Evidence: (IDEA Complaint 7/19/2021)

From: Hannah Secka <hannsc2@aol.com>

Date: July 20, 2021 at 4:06:49 AM EDT

To: Barbara Drayton <BDRAYTON@ed.sc.gov>

Cc: BRIAN DENNY <bdenny@fsd1.org>

Subject: IDEA Complaint (FSD1) MYNS

IDEA Complaint (FSD1) M.Y.N.S.

Due Process Hearing Request

July 19, 2021 (Revised)

Staff:

Richard O'Malley, Superintendent

Brian Denny, District LEA

Matthew Dowdell, WFHS Principal

Student: Moudou-Yasen Nasir Secka

Address: 503 W Darlington St #B

Florence, SC 29501

DOB: 1/7/2004

Age: 17

Grade:11

Disabilities: Autism/SLD/LD/OHI

School: WFHS 319 S Irby St Florence, SC

Richard O'Malley, Superintendent

Brian Denny, Director of OEC

Matthew Dowdell, Principal

Pursuant to the requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1415. They have been met with the information detailed in accordance with the Act and are within the scope of the LHO's authority and jurisdiction required under the law. See Dispute Resolution Procedures under Part B of the Individuals with Disabilities Education Act (Part B), 61 IDELR 232 (OSEP 2013); consistent with 34 C.F.R. §§ 300.508(d) and 300.513.

Allegations:

1.Pursuant to 34 CFR 300.513 (a)(1)

Denial of Free Appropriate Public Education (FAPE)

FAPE requires an effective IEP program for the students. (*M.Y.N.S. IEP is ineffective*). Therefore, the parents are challenging the plan. It does not have any measurable goals that my child has met, speech services were reduced without data, and it doesn't address his current individual needs.

2.Pursuant to 34 CFR 300.322

Denial Parental Participation

An ineffective IEP was developed without my presence and input. This IEP gave the student no educational benefit and impeded parental participation in the IEP development process, lack of progress, ESY services, denial of access to educational records, false content on PWN, failing to keep accurate student records on the student.

3.Pursuant to 34 CFR 300.324

Develop, review, and revision of IEP

On 11/13/2019 the IEP Team @ WFHS met without me and against my request to reschedule and holding this meeting without the parent caused a substantive violation of IDEA. The violation is insufficient to afford FAPE, because it interfered with the parents right to be a part of the IEP Team and collaboration on decisions that holds educational benefit to the child.

4.Pursuant to 34 CFR 99.3-10; 300.613

Denial of Access to Educational Records

On June 14, 2021 Brian Denny dispensed a letter stating that he was destroying all rehabilitative behavioral counseling records. I have continuously requested these records of my child and you have not complied. Destroying student mental health records are illegal.

Description of Complaint w/ Facts:

This letter is an IDEA Complaint is o/b/o my son (M.Y.N.S.) against Florence School District One. Brian Denny denied parental participation by refusing to convene an IEP Meeting on 6/2/2021 and 7/19/2021 to discuss lack of progress, private IEE evaluation data, post-secondary transition needs to meet graduation requirements, inadequate IEP accommodations/services, his current accommodations needs for his depression and anxiety before the start of school.

The IDEA provides that a procedural violation will only amount to a denial of FAPE if it: *“impeded the child’s right to a free appropriate public education; significantly impeded the parents’ opportunity to participate in the decision-making process regarding the provision of a free appropriate public education to the parents’ child; or caused a deprivation of educational benefit.”*

First, substantial violations typically involve a district’s failure to collaborate with parents in developing an IEP, to individualize the IEP process to the child’s *unique* needs, or both of these issues. Second, the failure involves more than a short delay in meeting a statutorily imposed deadline, is not of a temporary nature, and affects the district’s IEP decision-making process or the services the child receives.

Most importantly, although, it is well established that IDEA (State) and Section 504 (Federal) are two separate entities and jurisdictions, which I seek no relief in this petition. But because they co-exist together under due process rights for students with disabilities. This type of disability discrimination needs to be placed on the record to the SCDE that Brian Denny, FSD1 District LEA

is violating parents and students' civil rights by failing to provide Section 504 Grievance Procedures for Impartial Hearings upon parent request. Just in case, this complaint proceeds with an Office of Civil Rights (OCR) Complaint for relief as well.

In conclusion, first and foremost, I Object to any jurisdiction claims of any LHO. Especially Doug Dent and Brian P. Murphy. Second, I contend that my complaint meets the criteria of IDEA pursuant to 34 CFR 300.508 (d). I can attest that Brian Denny is violating IDEA. The District has a spirit of being unresponsive to parents' request and student needs. I contend that my complaint meets the criteria of IDEA pursuant to 34 CFR 300.508 (d). Brian Denny's actions have impeded my child's right to a free appropriate public education; significantly impeded the parents' opportunity to participate in the decision-making process of my child's special education program.

Resolve:

- IEP Meeting w/ Team to Discuss Student Needs for Development of Adequate IEP
- Provide Student Educational Records for Rehab. Behavioral Counseling Records 2014-present
- Compensatory Services

[Hannah Secka](#)

Via Electronic Mail

Evidence: *OCR#11-21-1211* Resolution Agreement Signed by FSD1 Superintendent 12/1/2021
(FSD1 Ordered to Revise Section 504 Policies and Procedures)

Evidence: (Proof Given in Mediation)

From: Hannah Secka <hannsc2@aol.com>
Date: January 31, 2023 at 12:51:56 PM EST
To: Caldwell Firm <dcaldwell@dcaldwelllawfirm.com>
Subject: Fwd: Withdrawal w/o Prejudice

From: Hannah Secka <hannsc2@aol.com>
Date: August 3, 2021 at 2:40:34 PM EDT
To: Barbara Drayton <BDRAYTON@ed.sc.gov>, Caldwell Firm
<dcaldwell@dcaldwelllawfirm.com>
Subject: Withdrawal w/o Prejudice

Barbara Drayton,

The Resolution Session was held today at 2:30pm with no settlement agreement. That satisfies the prerequisite to the due process hearing.

The LHO is conducting a hearing through the issue of Orders seeking direct questions which should occur in the proceedings, giving the District leverage in their defense against parents.

Due to the threatening aggressive tone, predetermined bias of Dismissing w/Prejudice prior complaints in favor of the District, continuous conflict of interest, illegal appointments to my complaints 7 times to ensure FAPE to my son, refusal to withdraw or recuse the LHO due to his personal and financial relationships with the FSD1 LEA/SEA and Superintendent.

I have satisfied and cooperated with his Order for the Districts' Sufficiency Challenge/Order to Dismiss dated 8/2/2021.

Therefore, I seek to **Withdraw w/o Prejudice** my complaint of 7/19/2021 Amended 7/20/2021 and I Object to the consolidation of my two separate complaints.

I exercise my constitutional right to obtain legal counsel to plead my argument and represent my son and I in these matters. I Object to any jurisdiction claims by Brian P. Murphy, LHO regarding "any" of my allegations and claims. Furthermore, I Object and Appeal any Order from him dismissing my complaints w/ prejudice.

Hannah L. Secka
Via Electronic Mail

CC: Darryl C. Caldwell, Esq.

Sent from my iPhone

Evidence:

From: Hannah Secka <hannsc2@aol.com>
Date: July 30, 2021 at 10:17:18 AM EDT
To: Barbara A Drayton <bdrayton@ed.sc.gov>
Cc: Arati Jain <Arati.Jain@ed.gov>
Subject: Withdrawal of LHO

Barbara Drayton,

I Object to the appointment of Brian P. Murphy as LHO due to the bias subjective behavior of Dismissal w/ Prejudice of my prior due process hearing and his conflict of interest. I want him withdrawn/recused. He should recuse himself just like Doug Dent withdrew for Gloria Jones. His previous involvement and prejudice Orders, which violated my civil rights warrant his recusal and/or immediate withdrawal. I want fresh eyes on my son's educational rights.

He is currently LHO in 3 cases in Florence. He can't possibly give each student or parent the attention required to rule favorably.

Hannah Secka

Evidence:

From: Hannah Secka <hannsc2@aol.com>
Date: January 31, 2023 at 1:20:40 PM EST
To: Caldwell Firm <dcaldwell@dcaldwelllawfirm.com>
Subject: Fwd: SCDE - Status of Hearing Request and Request for Appeal

From: Parent Portal <parentportal@ed.sc.gov>
Date: August 25, 2021 at 4:28:07 PM EDT
To: Hannah Secka <hannsc2@aol.com>
Subject: SCDE - Status of Hearing Request and Request for Appeal

Ms. Secka,

The request to withdraw will be forwarded to the appointed local due process hearing officer.

Thank you.

From: Hannah Secka <hannsc2@aol.com>
Sent: Wednesday, August 25, 2021 4:06 PM
To: Drayton, Barbara A <BDrayton@ed.sc.gov>; Payne, John R <JRPayne@ed.sc.gov>
Cc: Gloria Jones <zbfsd1iep@gmail.com>; Arati Jain <Arati.Jain@ed.gov>
Subject: Re: SCDE - Status of Hearing Request and Request for Appeal

Barbara Drayton,

First of all, I contacted you as SEA and you allowed the District Counsel Kim Blackburn to respond. That lets me know you engaged in *ex parte communication* with the District instead of addressing my concern and contacting me until after the fact!

Also, I have documented and reported your unethical lawyer misconduct to your superior John Payne and Molly Spearman. I don't need you placing what occurred with District Counsel Kim Blackburn or Brian Murphy.

Additionally, once again, you failed to monitor and enforce IDEA on the LEA regarding my due process complaint and you allowed the District to violate the timelines. There is no trust or confidence in YOU or the SCDOE two-tier due process procedures for parents.

Now, if this is regarding Daisy Johnson, my desire is for another hearing officer to be appointed other than Brian Murphy to preside over this matter. If not, I **Withdraw w/o Prejudice** at this time. I will proceed to OCR.

Hannah Secka

CC: Office of Civil Rights

Sent from my iPhone

In his *duty of care*, I specifically asked Attorney Caldwell if entering this Settlement Agreement would hurt the Personal Injury claim and he said no. That was untruthful and dishonest conduct. I terminated Caldwell on 2/3/2023 and filed the *Pro se* Motion to Dismiss and enter a Counterclaim for \$50,000 due to retaliation, harassment, and discrimination by FSD1 on 2/10/2023 (*See Complaint*). It was stamped by the District Court. I was told by Clerk of Courts that I could not represent myself until Caldwell was relieved as counsel. Attorney Caldwell filed a Motion to Relieve himself as Counsel on 4/3/2023 (60 days later) without telling me, (*See Motion*) which was ignored by the Courts or had a legal basis that Caldwell failed to make his client aware of. From 2/20/2023 to August 2023 the District Courts did not send me any Notice to Appear or Report or Recommendations or any type of status of my case.

Neither did Caldwell provide any status of where the case was and my right to due process was just lingering in the air. On 6/20/2023 I filed a Motion for a Speedy Trial to Judge Dawson, with no response (*See Motion*). Caldwell related that Judge Dawson refused or denied his Motion to Withdraw as Counsel because it had to be amended to state that he was terminated by his client (*See Termination Letter*). Caldwell did not comply with Judge Dawson Order, which Caldwell refused to provide his client of the Order. I continued to ask for updates and the status of Caldwell's withdrawal. Caldwell said he had not heard from the courts (*See May & June 2024 email links*). Then Caldwell filed another Motion for Permission to Withdraw as Counsel for the Defendant on 7/21/2024 (*See Motion*). Judge Joe Dawson III entered a U.S. District Court Text Order *granting unopposed [29] Motion to Withdraw as Counsel* for Caldwell. I also must mention another conflict-of-interest Attorney Caldwell had in this matter.

Caldwell told me that he and Judge Dawson served together in the United States Army and Judge Dawson had got into some trouble in the military and he didn't see how he could be a judge because of the seriousness of his conduct. Nevertheless, the Order went electronically to Vernie Williams, Susan Fittipaldi, and Darryl Caldwell. I received the Notice in the mail on August 25th. It states, *Darryl C. Caldwell is hereby relieved as counsel for Defendant Hannah L. Secka on 8/20/2024 (See Order)*. Caldwell's negligence caused Hannah Secka to lose her appeals rights with the 4th Circuit Court for Case No. 2024-001454 as the civil matter because the deadline for appeal was 8/12/2024. On 1/27/2025 the 4th Circuit Court provided an *Unpublished Opinion* that the district court entered its Order on

7/12/2024, and the appeal for Case No. 24-2005 expired on 8/12/2024. Secka Notice of Appeal to 4th Circuit was filed on 9/19/2024. That is true because the 7/16/2024 NOA was sent to the wrong jurisdiction the SC Court of Appeals instead of 4th Circuit Court in err. Catherine Harrison, Deputy Clerk SC Court of Appeals sent me a letter stating they had no jurisdiction over U.S. District Court on 9/13/2024. (See Letter from SC Appeal). Attorney Caldwell failed to act reasonable skill and competence that caused a breach of duty, which led to Hannah Secka terminating his as her lawyer and represent herself in the matter pro se. Hannah Secka is confident if it had not been for the technicality of timelines her Appeal would have prevailed.

In the United States

The State of South Carolina
Court of Appeals

Joe Dawson III., District Court Judge
Common Pleas

Case No. 4:21-cv-032746

Florence County School District One (1)
Plaintiff-**Appellant**

vs.

Hannah L. Secka *pro se litigant*
Defendant-**Respondent**

NOTICE OF APPEAL

Hannah L. Secka *pro se* appeals the Motion for Consideration Order of the **Honorable Joe Dawson, III** dated July 12, 2024. Respondent received written notice of the entry of order on June 15, 2024, via email by Darryl C. Caldwell, Esq.

Darryl C. Caldwell, Esquire
Attorney of Record (Terminated)
SC Bar# 10743
CALDWELL LAW FIRM, LLC
140 Wildewood Park Drive, Suite 103,
Columbia, South Carolina 29223
(803) 542-0431 (O) / (803) 419-8787 (F)

Defense Counsel of Record
Susan M. Fittipaldi, Esq.
1301 Gervais Street, Suite 1400
Columbia, SC 29211
(803) 254-4035
sfittipaldi@hmwlegal.com

[/s/Hannah L. Secka](#)

Date: July 16, 2024

In the United States
State of South Carolina Court of Appeals

Florence School District One (1)
Plaintiff

Case#: **4:21-cv-032746**

vs.

Certificate of Service

Hannah L. Secka (pro se litigant)
Defendant

Proof of Certificate of Service

-Darryl C. Caldwell, Esq. (Defendant Counsel) **Terminated** dcaldwell@dcaldwelllawfirm.com

-Susan Fittipaldi, Esq. (Plaintiff Counsel) sfittipaldi@hmwlegal.com

-Richard O'Malley, Superintendent romalley@fsd1.org

-Brian Denny, Assistant Superintendent of Special Services bdenny@fsd1.org

-Vernie Williams, Esq. vwilliams@hmwlegal.com

-Kimberley Blackburn, Esq. kblackburn@hmwlegal.com

-Brian P. Murphy, Esq. Local Hearing Officer brian@stephensonmurphy.com

-Doug Dent, Esq. Local Hearing Office ddent@greenvillerevitalization.org

-Avni Gupta-Kagan, State Review Officer aguptakagan@gmail.com

-Barbara Drayton, SCDE General Counsel BDrayton@ed.sc.gov

Signed this 16th Day of July:

/s/ Hannah L. Secka

Hannah L. Secka (pro se litigant)
503 W. Darlington #B Florence, SC 29501

Evidence: ([Client-Attorney Email Links](#))

From: Hannah Secka <hannsc2@aol.com>

Date: May 9, 2024 at 3:56:39 PM EDT

To: Darryl Caldwell <dcaldwell@dcaldwelllawfirm.com>

Subject: Client Update Rule 52c Rule 59, and Rule 72

Attorney Caldwell,

Please provide an update on the attorney fee case with FSD1. The Motion to Vacate Settlement Agreement and Quash Writ of Execution was filed on 12/15/2023 and it's 5/9/2024. Timelines are past due. I am requesting that you write a letter to Judge Joe Dawson III regarding a ruling. Under the Judicial Conduct Act, any circuit, chief judge can be investigated for conduct that is prejudicial to the effective and expeditious administration of the business of the courts.

Thanks!

Hannah Secka

From: Hannah Secka <hannsc2@aol.com>

Sent: Thursday, May 16, 2024 12:57 PM

To: Darryl Caldwell <dcaldwell@dcaldwelllawfirm.com>

Cc: dawson_ecf@scd.uscourts.gov

Subject: Client Update Rule 52c Rule 59, and Rule 72

Once again Attorney Caldwell,

Please provide an update on the attorney fee case with FSD1. The Motion to Vacate Settlement Agreement and Quash Writ of Execution was filed on 12/15/2023 and it's 5/9/2024. Best practice 60-day Timelines are up. I am requesting that you write a letter to Judge Joe Dawson III for his ruling in this matter. Under the Judicial Conduct Act, any circuit, chief judge can be investigated for conduct that is prejudicial to the effective and expeditious administration of the business of the courts. I am disappointed in the handling of this matter. My son and I have suffered enough. I have been railroaded. Please ask the courts to make a determination or file a judicial conduct complaint!

Thanks!

Hannah Secka

From: dcaldwell@dcaldwelllawfirm.com

Date: May 16, 2024 at 1:08:14 PM EDT

To: Hannah Secka <hannsc2@aol.com>

Subject: RE: Client Update Rule 52c Rule 59, and Rule 72

Received. We will discuss.

From: Hannah Secka <hannsc2@aol.com>

Sent: Tuesday, May 28, 2024 3:00 PM

To: Darryl Caldwell <dcaldwell@dcaldwelllawfirm.com>; paralegal@dcaldwelllawfirm.com

Cc: Shelly Williams <shellyw918@yahoo.com>; Alexis <angeladvocates4se@gmail.com>; Beckye Barnes <beckyebarnes@gmail.com>

Subject: Fwd: Client Update Rule 52c Rule 59, and Rule 72

Attorney Caldwell,

Hope all is well.

I expected to hear from you as you indicated below on 5/16/2024; however, you have not provided me with an update as of today 5/28/2024 of the next course of action you are going to take in representing me and my son. June is next week. I believe the Courts are not in session in June and July.

First...

What is considered unethical behavior for a judge?

Obvious examples are violations of criminal law, sexual misconduct with staff/attorneys/parties, joining discriminatory organizations and using the judicial position to enhance a private interest.

However, a judge can be sued for actions that are outside of their judicial duties or if they act in complete absence of all jurisdiction. If a judge violated your constitutional rights or discriminated against you, you may be able to sue under federal law.

It is a federal violation of constitutional civil rights statute to deny due process rights and trial by jury for Plaintiffs.

Under the Judicial Conduct Act, any circuit, chief judge can be investigated for conduct that is prejudicial to the effective and expeditious administration of the business of the courts. I am disappointed in the handling of this matter. My son and I have suffered enough. I have been *railroaded!* Please ask the courts to make a determination or file a judicial conduct complaint against Judge Dawson!

Finally,

What is it called when a lawyer doesn't do his job?

Like any professional malpractice, legal malpractice occurs when a lawyer's performance falls below the standard of care expected of an attorney of similar ability and training. Proving a malpractice case requires showing more than that your lawyer didn't do what they should and that you lost your case.

Time is of the essence. Please immediately respond to this correspondence and I want you to enforce the law upon the judge for a ruling. The lack of effective communication is pressing my

nerve and you are allowing the judge to violate timelines without a response to the courts to set the record straight.

Kind regards,

Hannah L. Secka

On **May 28, 2024, at 3:38 PM**, dcaldwell@dcaldwelllawfirm.com wrote:

Good Afternoon: The Judge has not ruled on the motion for reconsideration. I will contact his chambers this week. Once he rules we will determine the next steps regarding the case. Darryl

From: Hannah Secka <hannsc2@aol.com>

Date: June 7, 2024 at 10:43:52 AM EDT

To: dcaldwell@dcaldwelllawfirm.com

Cc: paralegal@dcaldwelllawfirm.com

Subject: Client Update Rule 52c Rule 59, and Rule 72

Greetings Attorney Caldwell,

Have you made contact with Judge Joe Dawson chambers regarding a ruling on the Motion to Vacate the Settlement Agreement? If so, what was the outcome? Is it possible to construct a written correspondence to him to get clarity on why it's taken 6 months (180 days) for him to act in accordance with applicable timelines and standards of the courts. Please respond to my client's request. This is taking an extreme psychological torture of my mind.

Thanks!

Hannah Secka

From: Hannah Secka <hannsc2@aol.com>

Date: June 10, 2024 at 1:15:41 PM EDT

To: Darryl Caldwell <dcaldwell@dcaldwelllawfirm.com>, paralegal@dcaldwelllawfirm.com

Cc: Shelly Williams <shellyw918@yahoo.com>

Subject: 2nd Request: Client Update Rule 52c Rule 59, and Rule 72

Greetings Attorney Caldwell,

Have you made contact with Judge Joe Dawson chambers regarding a ruling on the Motion to Vacate the Settlement Agreement? If so, what was the outcome? Is it possible to construct a written correspondence to him to get clarity on why it's taken 6 months (180 days) for him to act in accordance with applicable timelines and standards of the courts. Please respond to your client request. This is taking an extreme psychological torture of my mind.

Thanks!

Hannah Secka

The FSD1 11/16/2021 lawsuit is frivolous and was filed in direct malicious retaliation for the personal injury lawsuit by FSD1 Superintendent Richard O'Malley and the Board of Trustees against Hannah Secka for advocating for her disabled child's rights as a victim of school crimes, violence, abuse, neglect, and crimes committed against her son pursuant to the School Crimes Report Act 59-63-330, Safe School Climate Act 59-63-110-120, and the SC Code of Obstruction of Justice provision pursuant to SC Code 16-9-340 by attempting to destroy and impede the administration of justice in any court. "*Common law obstruction of justice is an offence to do any act which prevents, obstructs, impedes, or hinders the administration of justice.*" Case Law: *State v. Cogdell*, 273 S.C. 563, 567, 257, S.E. 3rd 748, 750 (1979). Richard O'Malley and Brian Denny lied to OCR investigators about who I reported the football locker room hazing, assault & battery, bullying, harassment, assault by mob, and sexual contact (sexual battery). There was an IEP Meeting on 11/13/2018 with Brian Denny at West Florence High School where he was told. I met with Richard O'Malley on 12/3/2018 at the district office on Dargan Street at 9am where he was told, and he made copies of visible physical injuries of (M.Y.N.S.). Richard O'Malley committed perjury under oath in his deposition on 9/6/2023. Due to their untruthfulness, it affected the results of OCR Case# 11-19-1135, but the district still signed a Resolution Agreement to resolve the complaint on 6/12/2019. The OCR said the district must be trained in Section 504 by 10/15/2019. Darryl Caldwell was informed that Brian Denny and Richard O'Malley lied to the OCR investigator, he said he would appeal the OCR case for review, depose Kathy Luhrs, Coach Lee, Matthew Dowdell, and press charges against Kathy Luhrs, the quarterback and the other player to get the evidence into the file of what happened to (M.Y.N.S.) but failed in his *due diligence* to do so and set the record straight regarding what happened to (M.Y.N.S.). But the truth is out in (M.Y.N.S.) testimony in his deposition of what happened to him. He testified that he told Coach Lee and he did nothing to protect the quarterback. I have never heard a story about my son running into a wall. And if he ran into a wall where is the notification to the parent? My son has a visible handprint on his face and a busted lip. (see images). (M.Y.N.S.) testified that if the Coach Lee would have punished the players they would have to "roll" at practice the next day and they did not! Caldwell's negligence actions and inactions in failure to cross-examination of (M.Y.N.S.) severely hurt the case and caused summary judgment. The fact that David Nelson puts some untruthful allegation in his Memorandum (2/12/2024) about hazing my son by groping his penis is no practical joke.

Attorney Nelson falsified (M.Y.N.S.) Discipline Records, stating, he cheated, took other students' property, stealing, and hitting a teacher when she took his phone is a lie. Kathy Luhrs is the teacher who wrote a gang style tattoo on my child and violated his religious beliefs. Caldwell was grossly negligence by not filing a Motion to Oppose David Lyon' Memorandum of Support of Summary Judgement. Lyon already filed a Motion for Summary Judgment in March and October of 2023.

(M.Y.N.S.) was a victim of a hazing, sexually assaulted, assault by mob, assault & battery 3rd degree by the quarterback and other upper teammates at West Florence High School in the football locker room as a freshman, he was constantly provoked and physically attacked in class by his peers due to his disabilities, he was a victim of Assault & Battery 3rd Degree on several occasions. These attacks left visible bodily injuries to her face, lip, and back, he was a constant target of bullying, harassment by teachers, peers, and law enforcement in the school. His Math Teacher was racist and intentionally wrote a misspelled gang style tattoo "*Loyalty*" with a black permanent sharpie marker on his ENTIRE arm without consent, violating clients' religious beliefs as practicing Muslims of Islam. Any carving or ink on the body is haram (sin) in our faith. This is a crime of hate and religious discrimination. Her actions were intentional and according to David Lyon in his 2/12/2024 Memorandum in Support of Summary Judgment he stated that the district *had no knowledge or evidence* of the teacher's immoral conduct. This is false. She admitted to the act with district officials in the IEP meeting, and the parents were promised adverse action. The district intentionally suppressed this evidence during the due process hearings and failed to make available to testify at the hearing. Attorney Caldwell most definitely knew what David Lyon placed in that Memorandum was distorted, and a misinterpretation. It was his duty to file a *Motion to Oppose* the Memorandum for Summary Judgment. In Caldwell Motion for Reconsideration dated 3/14/2024 which was DENIED on 9/4/2024. Judge Nettles stated, "*you don't get a bite at the apple twice.*" Caldwell had evidence that he should have used that would have made significant outcome in our favor. Judge Nettles relied heavily on the 2/12/2024 Memorandum in Support of Summary Judgment from David Lyon because Darryl Caldwell withheld evidence to support the lawsuit he filed. Caldwell states, he filed a Memorandum in Opposition to District's Motion for Summary Judgment. But it is nowhere in the docket he sent to me in the mail or available on the Public Index. Additional negligence and failing to be candor with the Court.

On the contrary to what the district counsel keeps saying that Hannah Secka had 10 or 12 due process hearing, that's not true. There were only two (2) due process hearings. Every time an IDEA complaint was filed, they continued to violate IDEA and Section 504 federal law and procedures for the rotational provision of an "impartial" due process hearing officer and the district violated that provision and continued to appoint and pay Doug Dent or Brian P. Murphy to rule in their favor, while slandering and defaming parents by violating their 4th, 6th, and 14th constitutional amendment rights. Under IDEA and Section 504 parents have the right to have input in the selection of a hearing officer. I wanted Bruce Smith, but the district and state refused to have him because he was familiar and witnessed first-hand evidence of abuse and the gross negligence of the district employees. The district paid over \$300,000 to \$1,000,000 to Doug Dent and Brian P. Murphy to provide them *favorable decisions* against vulnerable disabled students and their parents. The Office of State Inspector General has an open investigation into the financial improprieties of Richard O'Malley paying Hearing Officer money (bribes). Hannah Secka seeks to have these two hearing officers written decisions invalidated.

There are two (2) cases to consider the facts and evidence for this appeal:

Case No. 2021-CP-21-02121 *Secka v. FSDI* (filed 9/29/2021) Personal Injury

Case No: 4:21-cv-03746-JD *FSDI vs. Secka* (filed 11/16/2021) Civil Matter

Attorney Caldwell committed the serious errors outlined below that justify restitution, suspension and sanctions:

Attorney Caldwell failed to file a *Motion to Dismiss* and enter **Counterclaim** for \$50,000 on 1/18/2022 for (*FSDI v. Secka*) as agreed upon with his client Hannah Secka, that's lawyer misconduct on 1/18/2022. Their (*FSDI*) lawsuit was frivolous and filed in retaliation of Hannah Secka personal injury lawsuit. Please look at the dates (9/29/2021 and 11/16/2021). Caldwell's gross neglect and deception has caused his client to have a bias judgment of \$9000 for an IDEA *Due process hearing* that never occurred in July 2021. Caldwell admitted in Mediation that he accepted that case which was outside of the scope of his expertise, which constitutes *intentional misrepresentation and dishonesty*, that's lawyer misconduct. He coerced his client Hannah Secka to agree to a settlement agreement against her objection, that's lawyer misconduct, which resulted in his termination from case. He was provided clear convincing evidence that the July 2021 due process

hearing never took place and Vernie Williams and Kim Blackburn committed fraud and perjury in their declaration statements to the Courts about working hours on the July 2021 hearing for Hannah Secka. That's perjury, fraud and mismanagement of federal funds. The firm is on a retainer with the district, so how can they seek money from a parent for advocating for their child? The court must prove my actions were frivolous. A parent can file 100 complaints if they're clear violations of the Act.

IDEA 2004 states:

(i) IN GENERAL - In any action or proceeding brought under this section, the court, in its discretion, may award reasonable attorneys' fees as part of the costs--

(I) to a prevailing party who is the parent of a child with a disability.

(II) to a prevailing party who is a State educational agency or local educational agency *against the attorney of a parent who files a complaint or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of a parent who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation* [bold added for emphasis by me]; or

(III) to a prevailing State educational agency or local educational agency against the attorney of a parent, or against the parent, if the parent's complaint or subsequent cause of action was presented for *any improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.* [20 U.S.C. Section 1415\(i\)\(3\)\(B\)\(i\)](#) (See IDEA Rule 11)

The district sued Hannah Secka out of *racial animus*. Darryl Caldwell told his client, "*They hate you. They want you to stop advocating in the community, go away and shut up!*" On 11/11/2021 the Board of Trustees went into Executive Session and voted (6 white to 3 black) to take litigation against a parent for advocating for her disabled son and the crimes that were intentionally concealed against her child. As long as you have lawyers moonlighting their law license to the highest bidder the statistic in SC shows out of the five (5) Hearing Officers on the list, Doug Dent and Brian P. Murphy has secured a safe haven of guaranteed compensation of federal funds to keep the State from being sued for IDEA violations. Only 4% of parents prevail in due process hearings in the State of South Carolina. The South Carolina two-tier system is flawed! Brian P. Murphy has made over \$1,000,000 from Richard O'Malley and Brian Denny. They warrant a financial forensic audit and investigation of the misuse of federal funds. It's done everywhere in South Carolina except Florence 1 Schools. Why? They spend the most on athletic fields in the state. It was

Darryl Caldwell *fiduciary duty* to protect his clients and their rights, his breach of this duty by providing incorrect legal advice.

In the Matter of Case No. 2021-CP-21-02121 Secka v. FSD1

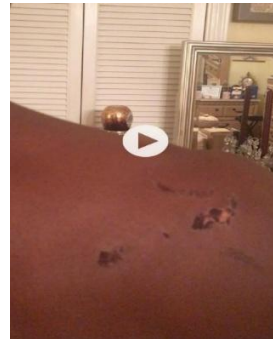
When I pulled the image up on my cellphone to show the entire IEP Team the State Facilitator (Bruce Smith) stated, “*Now, that the mother has thrown a grenade, give her everything she asked for in (M.Y.N.S.) IEP and BIP!*” The teacher was in the IEP Meeting and admitted she wrote on his arm and could not explain her poor judgment, and the perceived evil act of why she would write on her *dark-skinned* student with a black permanent marker. The student-teacher relationship had already been a horrible experience throughout the year, where she was reprimanded for taking his cell phone without consent, because he has autism accommodation for use of his cellphone for his sensory disabilities to noise. She had no answers for the parents. The school administration and district office administration (Brian Denny, Director of Special Services), and a SCDE State Facilitator (Bruce Smith) were present as I cried out in pain discussing all the illegal and negligent atrocities (M.Y.N.S.) had endured while in the care of FSD1. The student grew so depressed that he attempted suicide due to all the abuse and violence surrounding him FSD1. Every IEP Team Member cried in that meeting, including Brian Denny. It was Brian Denny, District IDEA LEA who assured the parents adverse action would be taken against the teacher. But he did nothing pursuant to the Mandatory Reporter laws pursuant to 63-7-310 and the abuse and neglect got worse for the victim!

All of the information and evidence of these school crimes were initially given to school staff Coach Jeff Lee, Matthew Dowdell, and district administrators Brian Denny then, to the Superintendent Richard O’Malley and the Board of Trustees Governing Body. Instead of conducting an internal investigation which is required by local, state, and federal law. They failed to act, respond, document, investigate, and protect (M.Y.N.S.) from physical and emotional harm pursuant to the South Carolina School Crime Report Act SC Code 59-63-330. There is no internal investigation of violations of Board Policies for Title IX, Hazing, Sexual Battery, Harassment, Intimidation, Bullying (HIB), Assault & Battery 3rd Degree, Neglect, Abuse, or Immoral Conduct, Board Policy GBAC-R Discrimination, Harassment, and Retaliation. Due to the District and State’ lack of proper investigation and prosecution of the perpetrators. The only evidence is what the parents secured at the Sheriff Department. The parent even went to the Solicitor’s Office to press charges against the teacher and the football players and was told by Ed Clements, Solicitor

that the protocol was for the school to refer illegal conduct and crimes to the SC Department of Education and then they refer it to the Attorney General for charges to be lodged against the district. Nevertheless, there is no statute of limitations on crimes committed in the State of South Carolina.

Evidence:

- FCSO Incident Reports# 2019-02-0194 (Visible Bodily Injuries)
- FCSO Incident Reports# 2019-06-0227 (Abuse & Neglect)



Enclosed Evidence:

- 4th Circuit Initial Brief and 4th Circuit Reply Brief
- Appellate Case No. 2024-001454 Fourth Circuit Opinion
- OCR Open Investigation Case# 11-22-1050 (Retaliation/Discrimination)
- OCR Open Investigation Case# 11-21-1364 (Denial FAPE/Retaliation)
- Board Policy GBAC-R (Discrimination/Harassment/Retaliation)
- Expert Affidavit Larry Jackson, Retired FSD1 Superintendent
- Forged Settlement Agreement w/ FSD1 for \$14,000 (10/26/2023)
- Motion to Withdraw July 2021 Due Process Hearing w/o Prejudice
- Due process hearing#1 Doug Dent (4/10/2019)
- Due process hearing# 2 Brian P. Murphy (10/23/2020)
- (M.Y.N.S.) Deposition (11/16/2022)
- Hannah Secka Deposition (11/16/2022)
- Richard O'Malley Deposition (9/6/2023)
- Daisy Johnson Deposition (10/17/2023)
- Expert School Policies Dr. Sterling Harris Deposition (12/12/2023)
- Redacted and Unredacted Invoices to Doug Dent, Hearing Officer
- Expert Data: BASK Psychology, Psychological Evaluation (Hannah Secka)
- Expert Data: Seasons Psychology Trauma Evaluation (M.Y.N.S.)
- ODC Complaint Duff-Freeman-Lyon (David N. Lyon & David T. Duff)

There is no mandatory Title IX investigation initiated by Attorney Caldwell of these crimes that were concealed against his client (M.Y.N.S.) that have no statute of limitations, where a Writ of Mandamus is appropriate. All corrective actions Darryl Caldwell should have taken he did not. The district's conduct is indeed gross negligence and extreme recklessness under the South Carolina Tort Claims Act. Attorney Caldwell claimed to be going after the district, sheriff department, the quarterback and the other identified perpetrators, he was negligent in his inaction to pursue justice for (M.Y.N.S.) as our attorney of record. Richard O'Malley, Brian Denny, and Matthew Dowdell (WFHS) are in another Title IX federal lawsuit for *Criminal Sexual Contact* where a rape (sexual assault) was concealed of a special education student at WFHS on September 26, 2024. FSD1 has a pattern of concealing school crimes.

Football was (M.Y.N.S.) dream, considering all his adversities being born dead due to a birth injury of Traumatic Brain Injury (TBI) skull fracture and told you had Autism, ADHD, Epilepsy, your frontal lobe was obliterated, craniosynostosis, cerebral palsy, left-hemiparesis, paralysis, sleep apnea, narcolepsy, and chances he would never walk, talk, or be able to hear. This young man beat all the odds and persevered with tenacity and resilience encouraged by his mother. It was Matthew Dowdell, Principal of West Florence High School (WFHS), who took (M.Y.N.S.) to the School Resource Officer office to be physically attacked by Deputy Jablonski Greene. Sheriff Joye apologized, fired the deputy, and settled for their wrongdoing with the Plaintiffs in Mediation on 10/26/2023. On the other hand, Richard O'Malley stated, "*I'm not giving the mother a dime!*" He has no GOD in him!

Evidence: Article: *Florence 1 Schools Sued Over Suspected Sexual Assault at School* by, Tonya Brown abc15News

"*When did this become rape?*" ~Richard O'Malley by, WMBF News 10/8/2024

Jane Doe v. Richard O'Malley Florence 1 Schools Case No. 4:2024cv05305

Hannah Secka and (M.Y.N.S.) knows that Attorney Caldwell became compromised after the 9/29/2021 lawsuit was filed and David T. Duff, and David N. Lyon, Esq. were the defense counsel for FSD1, both of whom was his co-workers at 3700 Forest Dr. Columbia, SC for 16 years. Attorney Caldwell had told his client that her case was a prime example of a *civil conspiracy* against her. He stated, "*especially, if we can prove that the law firm (Halligan, Mahoney & Williams) paid the hearing officers.*" When I sent Caldwell the invoice as proof. He said, "*we got*

them!” Doug Dent rendered a decision on 4/19/2019. Initially, under a FOIA request by Hannah Secka the invoice for Doug Dent services as a hearing officer was severely redacted and was not on the letterhead of the Halligan Mahoney & Williams Law Firm. After Hannah Secka requested the district un-redact the invoice, they placed the invoice payment from Richard O’Malley to Doug Dent Federal ID# on the law firm letterhead. Brian Denny, LEA is the only person authorized under IDEA to make payment to the Hearing Officer. He paid Doug Dent a separate fee of \$6,737.17. My Notice of Appeal was filed on 4/26/2019 and Richard O’Malley paid Doug Dent \$63,707.57 on 5/13/2019 for a *client appreciation fee* while my due process hearing was on appeal to a State Review Officer.

Hannah Secka was unlawfully fired in FSD3 which resulted in a *Wrongful Termination* Settlement in 2020 *Secka v. FSD3(Lake City, SC)* on some bogus accusation spearheaded by the State Department and Richard O’Malley. Caldwell was my attorney for this case. Again, taking low-ball settlements by saying the personal injury lawsuit would payout in the sum of \$900,000. O’Malley taunted and harassed me by referring to me as a “*former*” teacher in an email when there is no way he should have known about my employment status at that stage. David T. Duff and David N. Lyon were the attorneys for this lawsuit as well. There was most definitely some *ex-parte* communication going on. I asked Caldwell if this was a conflict of interest and he said yes, but we have a firewall. Attorney Caldwell allowed David Lyon to question Hannah Secka about her sons’ (M.Y.N.S.) lawsuit against FSD1 at the FSD3 Deposition. Darryl Caldwell intentionally didn’t file the lawsuit in 2020, which cause statute of limitation timeline to occur during the onset of COVID-19. Caldwell is personal friends with Vernie Williams, (Halligan, Mahoney, & Williams, Law Firm) and David T. Duff (Duff Freeman Lyon) was his boss for 16 years. Vernie and Darryl went to school together and played sports in Manning, SC. Caldwell admitted to his client Hannah Secka they had a close relationship. During the 1/31/2023 Mediation for the *FSD1 v. Hannah Secka w/ Regina Hollins-Lewis, Esq.* served as Mediator. Hannah Secka was indeed pressured and coerced by Darryl and Regina to enter a settlement agreement w/ FSD1 under false pretense of the litigation settlement for the personal injury lawsuit against FSD1, which was GRANTED Summary Judgment for failure to state a claim. Attorney Caldwell and Lewis aided and abed in the coerced settlement agreement with FSD1. David Duff, David Lyon, and Regina Lewis all house their firms at 3700 Forest Drive Columbia, SC 29204.

Darryl Caldwell used Regina Lewis, Esq. again as Mediator against my Objection for Case No. 2021-CP-21-02121 on 10/26/2023 where she provided a Settlement Agreement stating that Hannah Secka and (M.Y.N.S.) settled with FSD1 for \$14,000. This is forgery! Attorney Caldwell sent this document to me not realizing that it was a “private” settlement agreement I knew nothing about, and he forged his client’s signature digitally. When I asked for an explanation, I was stonewalled for a year by Regina Hollins-Lewis and Darryl C. Caldwell. Then she claimed inadvertent error and incapacity due to cancer. Nevertheless, lawyer incompetence and fraud! Caldwell never produced the Settlement Agreement reached with the Florence County Sheriff Department as I requested. I had to get it from Sheriff TJ Joye. Who also advised, “*You need to sue your lawyer for incompetence!*” The Sheriff Department, severed their lawsuit from FSD1 and settled, fired the deputy, and apologized to Hannah Secka for their staff’s wrongdoing to her son, whereas, Richard O’Malley said, “*I’m not giving the mother a dime!*” As if Tort Bonds belonged to him. His arrogance and willful violations of laws, concealment of school crimes, and at his own admission that he has the protection from the SCDE and Governor McMaster who allows him to do whatever he wants to do in the State of South Carolina. He has a pattern of concealing school crimes, failing to inform the public, and under-reporting school violence. He is guilty of “neglect of duty.” Especially at West Florence High School (WFHS). Governor McMaster was the guest speaker for the 2020 Class @ West Florence High School.

Rule 1.3 – Diligence: *A lawyer shall act with reasonable diligence and promptness in representing a client.*

The District Court issues an ADR “Sanction Letter” on 5/8/2023. On 5/18/2023 the 12th Circuit Scheduling Order stated that this case must be called for trial prior to 1/31/2024. Darryl Caldwell did comply with scheduling order and missed several deadlines for the case. His negligence led to FSD1 being GRANTED Summary Judgment.

Caldwell had a serious *conflict of interest* w/ Vernie Williams, Esq. They are personal friends, they both engaged in a conspiracy to obtain a coerced settlement agreement on 1/31/2023 in mediation, which was held at 3700 Forest Dr. Columbia, SC, resulting in a judgment against Hannah Secka in the amount of \$9000 for advocating for her disabled autistic son (M.Y.N.S.) under IDEA and Section 504. Vernie is a partner at Halligan Mahoney & Williams, PA in Columbia, SC. Vernie and Kimberley Blackburn committed perjury and fraud on the courts with illegal

declaration statements of attorney fees for a non-evidentiary due process hearing for July 2021. The Halligan, Mahoney, & Williams Law Firm used their position to harass and intimidate Hannah Secka. Hannah Secka timely withdrew her complaint due to hearing officer bias and bribery payments from FSD1 Superintendent Richard O'Malley to Doug Dent and Brian P. Murphy for bias slanderous, defamatory written decisions about the mother and they both failed to adhere to the evidence presented of the school crimes committed against her autistic son. They feel they have qualified immunity so they can do what they want for highest bidder. This illegal greed that destroys families of children with disabilities.

Attorney Caldwell willfully and intentionally ignored his clients request to produce relevant evidence of expert witness testimony in the psychological evaluations to the courts and did not pay their outstanding medical balances of \$11,500.00 for (M.Y.N.S.) and \$5,000 for Hannah Secka from the settlement with the Sheriff Department. Attorney Caldwell engaged in low-ball settlements for his clients regarding the cap of SC Tort Claim Act causing client to incur a bias adverse judgment of \$9,000 in *FSD1 v. Secka* complaint (Susan Fittipaldi, Esq. FSD1 Counsel) and Summary Judgment GRANTED in *Secka v. FSD1* (David T. Duff & David N. Lyon FSD1 Counsel). Attorney Caldwell was terminated as counsel on/about 2/3/2022 and submitted a Motion to Relieved as Counsel on 4/3/2022 (60 days) violating timelines for appeals rights and it was Denied by Judge Joe Dawson III for failure to comply with the Courts order to amend his Motion, which he never did, and failed to provide his client with a copy of the Motion and Judge Dawson written decision with instructions resulting in the unjust judgment against Hannah Secka. Attorney Caldwell intentionally ignored clients request for the entire docket and/or file related to Case No. 4-21-cv-03746-JD until after the client lost her appeals' rights in 4th Circuit Court and deliberately sabotaged the personal injury lawsuit against FSD1 by failing to defend his clients with a counter Motion to Oppose and challenge the distorted untruthful Memorandum in Support of Summary Judgment filed by David N. Lyon on 2/12/2024.

Rule 1- Purpose

The regulation of the conduct of a lawyer is critical to preserving the integrity of the legal profession and enhancing public confidence in the judicial system. These rules provide the procedure for resolving allegations that a lawyer has committed ethical misconduct or that the lawyer suffers from physical or mental condition which adversely affects the lawyer's ability to practice law.

As a direct result of Attorney Caldwell's negligence, it has caused a ***gross miscarriage of justice*** in the legal profession. Hannah Secka wants Attorney Caldwell to be held accountable for his lawyer misconduct, and illegal acts. In his negligence he failed to use the degree of skill, care, diligence, and knowledge possessed and used by a reasonable, careful, and prudent attorney in the State of South Carolina. His conduct fell below the standard of care and caused damage to his clients. He had a fiduciary duty, he breached that duty, and caused tangible financial, physical, and mental harm to both clients. Due to his negligence his clients have lost all trust in the confidence in the judicial system. If it were not for his negligence, clients would have prevailed if Attorney Caldwell did not make the foreseeable intentional and deliberate mistakes, therefore he must be sanctioned and disciplined by the Commission on Lawyer Misconduct, Office of Disciplinary Panel.

Hannah Secka and (M.Y.N.S.) seek damages for the *breach of trust* and the direct harm he has caused his clients. Especially, (M.Y.N.S.). He *failed to investigate properly, failed to protect* and *failed to defend* the most vulnerable population in the world. The disabled! We seek restitution in the amount of \$300,000 for negligence, legal malpractice, and ineffective counsel. Also, the suspension of his law practice, a public reprimand and written apology to his clients for the extreme emotional distress and pain and suffering that he has caused.

Signature: *Hannah L. Secka* Date: 8/1/2025

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843 407-8867

Via Electronic Signature
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