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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring,
Respondents.

**EXPEDITED MOTION TO TRANSMIT FLASHDRIVE AND ORIGINAL EXHIBITS, AND TO HOLD
APPEAL IN ABEYANCE**

NOW COMES Olga Teslenko, Appellant, acting pro se, and respectfully moves this Honorable Court pursuant to SCACR Rule 210(c) and (f) for an Order requiring the Clerk of the Horry County Circuit Court to transmit the physical flashdrive and original paper exhibits filed on July 22, 2024, and to hold this appeal in abeyance until the requested trial materials have been transmitted. Appellant asserts that a denial of this motion would be dispositional, effectively dismissing the appeal in violation of due process. **This motion invokes the Court's duty under Rule 210, SCACR, to transmit the filed trial exhibits for review, and is not a motion for transportation or reconsideration.** This motion seeks panel review to preserve due process.

In support of this motion, Appellant states the following:

I. FACTS.

A. Integrity of Trial Exhibits.

1. **Admitted Trial Exhibits.** At the magistrate court trial, Appellant entered a package of exhibits, including paper documents and a flashdrive with critical video and audio evidence. The magistrate reviewed, authenticated, and admitted these exhibits into evidence without objection. The magistrate's summary, while otherwise fraudulent, contains no record of any objection, deficiency, or ruling to strike. **See exhibit Z.**
2. **Omitted Exhibits Refiled.** The magistrate's return to the circuit court omitted these trial exhibits. On July 22, 2024, pursuant to the county clerk's instruction, Appellant re-filed the omitted exhibits, both paper and flashdrive, emphasizing that they were critical to the appeal and constituted the original trial record: "Without this evidence, the matter of my appeal cannot be ascertained. **See exhibit A.**
3. **Correcting Court's Mischaracterization.** When the clerk miscaptioned the filing, Appellant corrected it, certifying that the exhibits were properly reviewed, authenticated, and admitted at trial: "Appellant filed evidence which has been omitted in the returned documents... [at trial], this evidence was in fact reviewed in court". **See exhibit B.**
4. **Re-filed Exhibits Undisputed.** At the circuit court hearing, Appellant confirmed under oath that the re-filed exhibits were identical to those admitted at trial. There were no objections. the presiding judge acknowledged the exhibits, stating an intent to review them. **See exhibit C, p. 4 through 10.**
5. **Authenticity Confirmed by Necessity.** In a motion for reconsideration, Appellant demonstrated that the re-filed exhibits were, by necessity, identical to those admitted at trial, as they consisted of official state documents and digital evidence already corroborated by the record. **See Appellant's motion for reconsideration on the Horry County Circuit Court docket, civil case No. 2024CP2602983, filed on 9/20/2024, pp. 7–13.**
6. **Compromised Record.** The circuit court's scanning of the paper exhibits rendered them illegible, and the court excluded the flashdrive entirely, as documented in Appellant's first motion for release and transfer, enclosed here as **Exhibit D.**

B. Constitutional Nature and Prejudice.

1. **Nature of the Appeal.** This appeal is a suit in equity to set aside the magistrate's judgment and circuit court orders for extrinsic fraud, raising due process violations and a denial of access to courts.
2. **Essential Evidence.** The flashdrive and paper exhibits contain direct evidence of this fraud. Without them, Appellant cannot establish her case, and attempts to brief using the defective record have proven futile. **See Exhibits J, L, M, and P.**
3. **Futile Briefing Attempts and Procedural Trap.** Appellant's attempts to brief the case without the original evidence resulted in an oversized brief, as documented in the July 28 motion to exceed page limit and August 13 supplement. In those filings, she cited the existence of numerous constitutional issues, arguing that further reduction of argumentation would eliminate essential claims. With the briefing deadline looming and no ruling on her motion, Appellant was compelled to email a courtesy copy of the August 13 Supplement directly to the Chief Judge, explaining the procedural trap. Emailing a courtesy copy was compelled by procedural necessity to prevent the appeal from being effectively dismissed by inaction, not as an attempt at ex parte communication. Still with no ruling on her motion to exceed, Appellant filed her oversized initial brief conditionally. The brief exposed a coordinated structure of judicial fraud across multiple courts. Her motion to exceed was denied on August 18 without explanation, her initial brief was stricken, and her motion to reconsider was dismissed by the Clerk on August 28 in a letter. **See Appellant's amended initial brief (stricken) on the Court of Appeals docket, Appellate Case No. 2024-001734, filed on August 15, 2025, and Exhibits J, K, L, M, and P.**
4. **Excluding Evidence Guarantees Appeal Failure.** The materially incomplete and illegible Record on Appeal, due to the omission of the flashdrive and the illegibility of scanned documents, guarantees Appellant's brief is unsupported. This effectively erases her constitutional claims and forces her appeal to fail, regardless of its merits.
5. **Deprivation of Rights Under Color of Law.** This obstruction effectively denies Appellant due process and access to the protection of the law. Continued denial of access to trial evidence severely prejudices Appellant and raises a major public interest question regarding the court's refusal to review critical evidence that exposes potential coordinated judicial fraud. A denial of this motion is dispositional, foreclosing

the appeal in violation of due process.

C. The Pattern of Obstruction.

1. **First Motion (Nov 12, 2024):** The Clerk improperly re-branded Appellant's motion for Release and Transfer of Original Exhibits as a "motion for transportation". The motion was ultimately denied on January 14, 2025 by a judicial order signed by the Chief Judge, based on the improper pretext of unnumbered exhibits: "Although Appellant provided a detailed list of the items she wishes to have transported to this court, she did not provide any specific exhibit numbers... to have item 16 [flashdrive] transported to this Court for review, she must provide the exhibit number from the circuit court". Appellant filed objections and demonstrated that the denial was dispositional. The Clerk disregarded Appellant's objections, asserted that transmission was impossible, and actively discouraged rehearing. **See Exhibits D, G, H, and I.**
2. **Second Motion (Aug 25, 2025):** The Clerk again improperly re-branded the renewed motion to compel transmission of original exhibits as a "motion for reconsideration". Appellant attempted to rectify the rebranding by providing a courtesy copy to the Chief Judge showing that this was an evidentiary motion. This was a good-faith effort driven by necessity, not an attempt at ex parte communication. The courtesy copy made no difference. The Clerk dismissed the motion in a letter on August 28, 2025, using Rule 221, inapplicable to dispositional orders. **See Exhibits O, P, R, and S.**
3. **Third Motion (Aug 28, 2025):** The Clerk dismissed the third motion to compel transmission of original exhibits by construing it as a request for reconsideration, and dismissing in a No Action letter on September 3, 2025, further demonstrating the pattern of procedural obstruction. **See Exhibits T and U.**
4. **Fourth, Current, Motion (September 3, 2025):** This current motion is a good-faith attempt to provide a full procedural history in order to rectify the continued denial of due process. **Appellant is not adding new evidence, but seeking the transmission of the filed trial exhibits.**

D. Appellant's Limitations and Good Faith.

1. **Disability and Illness:** Appellant has a hereditary neurological disability which impairs function, along with a recent severe illness. These conditions, acknowledged in a previous motion, objectively impede Appellant's ability to manage legal proceedings and explain the necessity of using extensions of time. **See Exhibit N.**
2. **Denial of Legal Representation:** Despite diligent and continuous efforts, Appellant has been categorically unable to retain legal representation. Around 70 firms have declined engagement after learning Appellant's name and address. This forced pro se status, coupled with her health conditions, underscores that any procedural deficiencies are the result of objective impairments outside of her control and not a lack of good faith. **See Exhibit N.**

F. Itemized List of Original Trial Exhibits.

The trial exhibits, re-filed with the Horry County Circuit Court on July 22, 2024, are identified by the title on each document and the scanned copy of the filed flashdrive:

1. Plaintiff's Exhibit: paper document (two pages total, pp. 1–2) showing the title **South Carolina Residential Construction Standards**: the first two pages of the official South Carolina Residential Construction Standards document, adopted by commission on February 18, 1998; the Official Seal page and the Table of Contents page;
2. Plaintiff's Exhibit: paper document (five pages total, pp. 36–40) showing the title **RESILIENT FLOORING STANDARDS**: the complete Resilient Flooring Standards chapter excerpted for the official South Carolina Residential Construction Standards document;
3. Plaintiff's Exhibit: paper document (two pages total, not paginated) showing the title **Tony Jones Flooring Inspections, company address, report caption, findings, and signature**: the first two pages of the 01/29/24 Tony Jones Flooring Inspections report containing the company's title, the report caption, findings, and Tony Jones' signature, attributed to F.C.I.T.S. Inspection Agency;
4. Plaintiff's Exhibit: paper photographs (forty-five pages total, not paginated) showing the flooring and measurements: the forty-five photographs taken by Tony Jones

during his inspection and enclosed with the **Tony Jones Flooring Inspections** report, as referenced in the findings;

5. Plaintiff's Exhibit: paper document (one page total, not paginated) showing the title **SHAW FLOORS, What to Expect and How to Prepare for Resilient Flooring**: a screenprint of the official Shaw Floors website: <https://shawfloors.com/flooring/how-to/vinyl/installation/what-to-expect-and-how-to-prepare>, saved in simplified printing mode (with no images);
6. Plaintiff's Exhibit: document (three pages total, not paginated) showing the top title **SHAW FLOORS**: Appellant's own self-made summation document, also stored on the flashdrive as 'All Instructions.pdf', proffered in the opening statement for convenience of reference;
7. Plaintiff's Exhibit: paper document (seven pages total, pp. 1–7) showing the title **SHAW FLOORS INSTALLATION, INSTALLATION GUIDELINES FOR RESIDENTIAL RESILIENT DIRECT GLUE**: the official instructions document downloaded off the official Shaw Floors website shawfloors.com. Revision No. 04012022;
8. Plaintiff's Exhibit: paper document (five pages total, pp. 1–5) showing the title **PHILADELPHIA COMMERCIAL SPECIFICATION, SHAW 200 RESILIENT ADHESIVE**: the official adhesive specification document downloaded off the official website philadelphiacommercial.com. Revision No. 09052023.
9. Plaintiff's Exhibit: paper photograph (one page total) showing **CARPET KING AND FLOORING, LLC, Shaw 200 TPS 4G**: the photograph of the shipping label off the top of the glue bucket;
10. Plaintiff's Exhibit: paper photograph (one page total) showing **RECOMMENDED TROWELS**: the photograph of the manufacturer label off the back of the glue bucket;
11. Plaintiff's Exhibit: paper photograph (one page total) showing **LUXURY VINYL ADHESIVE**: the photograph of the manufacturer label off the back of the glue bucket;
12. Plaintiff's Exhibit: paper printout (three pages total) showing **Carpet Kind and flooring. Fri, Nov 17, 2023 at 2:36 PM**: a standard Gmail printout of the Carpet King and flooring email communication;

13. Plaintiff's Exhibit: paper photograph (one page total) showing concrete slab and a carpenter's ruler: the photograph of a properly prepared concrete slab, downloaded off of the National Floor Covering Association (NFCA) manual (full manual is included in Plaintiff's flashdrive);
14. Plaintiff's Exhibit: paper photograph (one page total) showing detached vinyl flooring: the photograph of inadequate adhesive transfer, downloaded off of the National Floor Covering Association, NFCA, manual (full manual is included in Plaintiff's flashdrive);
15. Plaintiff's Exhibit: **one (1) physical flashdrive as scanned at filing (Exhibit A)**: Plaintiff's trial flash drive containing critical digital evidence, including video and audio exhibits.

II. LEGAL BASIS.

This motion is based upon the following South Carolina Appellate Court Rules and the constitutional right to due process guaranteed by both state and federal law:

U.S. Const. amend. XIV, § 1: The Due Process Clause.

S.C. Const. art. I, § 3: The Due Process Clause.

Rule 210(c), SCACR: Governing the content of the Record on Appeal.

Rule 210(f), SCACR: Governing the transmission of exhibits that do not lend themselves to accurate reproduction.

Rule 606(b), SCACR: Authorizing the release of exhibits upon a court order.

III. ARGUMENT.

A. The Flawed Record Violates Due Process and S.C. Appellate Court Rules, s, Requiring Expedited Processing and Panel Review.

1. The incomplete and illegible record violates Appellant's fundamental right to due process and contravenes Rules 210(c) and 210(f), which mandate a complete record and require the transmission of exhibits that do not accurately reproduce.
2. Due to the imminent **September 17, 2025 briefing deadline**, Appellant requires expedited processing to prevent the forfeiture of her appeal. A delay in ruling on this motion causes irreparable harm by ensuring Appellant has no access to her trial

evidence, effectively terminating her appeal.

3. Given the exceptional circumstances, including the pattern of procedural irregularities, the constitutional nature of the issues, and the potential for a detrimental precedent, review by a **panel of judges** is warranted to ensure due process.

- B. Denial of this Motion is Dispositional and Subject to Challenge.** Any denial of this motion would effectively terminate Appellant's appeal. Previous mischaracterizations of similar denials as "non-dispositional" are legally incorrect. This denial would be a dispositional act subject to challenge under **Rule 221(c), SCACR**, and constitutional due process.
- C. The Pattern of Procedural Obstruction Deprives Appellant of Due Process.** As documented in the attached exhibits, the Court's repeated and procedurally improper actions have systematically obstructed the review of Appellant's trial evidence, constituting a pattern of due process deprivation. Appellant's provision of courtesy copies was forced by this due process deprivation, and was not an attempt to circumvent Respondent.
- D. The Court's Continued Refusal to Consider Properly Filed Exhibits Threatens the Integrity of the Appellate Process.** Endorsing the denial of properly filed exhibits based on invalid procedural pretexts sets a dangerous precedent that undermines the integrity of the judiciary.
- E. Pre-Deadline Abeyance is a Necessary and Urgent Remedy.** To prevent a miscarriage of justice and the effective dismissal of Appellant's appeal, an order for abeyance is required before the September 17, 2025 briefing deadline. Holding the appeal in abeyance until the evidence is transmitted will ensure Appellant has a fair opportunity to prepare a brief based on the complete and accurate trial record.

IV. RELIEF REQUESTED.

WHEREFORE, Appellant respectfully requests that this Honorable Court enter an Order:

1. Granting expedited review and processing of this motion.
2. Granting review by a panel of judges.

3. Acknowledging that any denial of this motion would constitute a final and dispositional order.
4. Directing the Clerk of the Horry County Circuit Court to immediately transmit the original flashdrive and paper exhibits filed on July 22, 2024.
5. In the alternative, permitting Appellant to substitute legible, verified copies of her trial paper exhibits and flashdrive, and formally accepting them into the record.
6. Holding the appeal in abeyance, and tolling all briefing deadlines, until the requested evidence has been transmitted.
7. Granting such other relief as is just and proper to ensure the integrity of the appellate process and protect Appellant's constitutional rights.

Respectfully submitted,

Dated: September 4, 2025

/s/ Olga Teslenko

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

Enclosed:

EXHIBITS A – Z.

**EXHIBITS TO APPELLANT'S EXPEDITED MOTION TO TRANSMIT FLASHDRIVE AND ORIGINAL
EXHIBITS, AND TO HOLD APPEAL IN ABEYANCE**

EXHIBIT INDEX

Exhibit A	Appellant's flashdrive, scanned when filed within Letter Submitting Exhibits Omitted in Lower Court's Return, filed July 22, 2024.	Page 1
Exhibit B	Appellant's Correction Request: Exhibits Reviewed at Trial, filed August 14, 2024.	Page 2
Exhibit C	Official Transcript of the 8/21/2024 Circuit Court Hearing	Pages 3 – 15
Exhibit D	Appellant's First Motion for Release and Transfer of Original Exhibits, filed November 12, 2024.	Pages 16 – 39
Exhibits E, F	Deficiency Notices, filed November 21, 2024 and November 25, 2024.	Page 40, 41
Exhibit G	Court of Appeals Order Denying Motion for Exhibits, filed January 14, 2025.	Pages 42 – 43
Exhibit H	Appellant's Request for Clarification, filed January 15, 2025.	Pages 44 – 65
Exhibit I	Appellant's Follow Up and Clerk's response, filed January 15, 2025	Pages 66 – 67
Exhibit J	Appellant's Supplement to Motion to Exceed, filed August 13, 2025.	Pages 68 – 69
Exhibit K	Appellant's Email, Courtesy Copy of Supplement to Motion to Exceed, filed August 14, 2025.	Pages 70 – 71
Exhibit L	Court of Appeals Order Denying Motion to Exceed, filed August 18, 2025.	Pages 72 – 73
Exhibit M	Appellant's Motion to Reconsider Denial to Exceed, filed August 20, 2025.	Pages 74 – 76
Exhibit N	Appellant's Motion for Extension of Time, filed October 29, 2024.	Pages 78 – 85
Exhibit O	Appellant's Second, Renewed Motion to Compel Transmission of Original Exhibits, filed August 25, 2025.	Pages 86 – 89
Exhibit P	Clerk's Letter, Dismissing Appellant's Motions, filed August 28, 2025.	Pages 90 – 91
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Exhibit S	Appellant's Email, Courtesy Copy of Renewed Motion to Compel Transmission, filed August 25, 2025.	Pages 93 – 95
Exhibit T	Appellant's Third Motion to Compel Transmission of Original Exhibits, filed August 28, 2025.	Pages 96 – 97
Exhibit U	Clerk's Letter, No Action, filed September 3, 2025.	Page 98
Exhibit Z	Magistrate's Summary, backfiled on August 22, 2024 into the May 29, 2024 docket entry for magistrate's return.	Pages 99–100

EXHIBITS

**to Appellant's Expedited Motion to Transmit
Flashdrive and Original Exhibits, and to Hold
Appeal in Abeyance
(filed September 4, 2025)**

EXHIBIT A

**Appellant's flashdrive, scanned when filed
within Letter Submitting Exhibits Omitted in
Lower Court's Return on July 22, 2024.**

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Olga Teslenko
APPELLANT

VS.

Carpet King & Flooring, Joe Kocsis
RESPONDENTS

2024CP2602983
COMMON PLEAS CASE NUMBER

2023CV261093695
MAGISTRATE CIVIL CASE NUMBER

IN THE COURT OF COMMON PLEAS

LETTER TO THE
CLERK OF COURT

July 22, 2024

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

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

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

Dear Madame Clerk of Court,

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

Sincerely,


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

July 22, 2024

Enclosed:

Flash drive

Olga Teslenko's Magistrate Court statement and supporting documents

EXHIBIT B

**Appellant's Correction Request: Exhibits
Reviewed at Trial, filed August 14, 2024.**

.

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Olga Teslenko

APPELLANT

VS.

Carpet King & Flooring,

Joe Kocsis

RESPONDENT(S)

2024CP2602983

COMMON PLEAS CASE NUMBER

2023CV261093695

MAGISTRATE CIVIL CASE NUMBER

IN THE COURT OF COMMON PLEAS

REQUEST TO CORRECT

DATA ENTRY ERROR

Appellant hereby requests the electronic data in this matter be corrected because there is an error in the electronic data maintained by the clerk of court.

1. The data entry error is the description of the exhibits Appellant filed on July 22, 2024, as "Exhibits Not Reviewed in Lower Court". In a letter to the Clerk of Court, on 07/22/2024, Appellant filed evidence, which has been omitted in the return documents, returned by the Magistrate, but which was originally submitted to the Magistrate court, and which constitutes the original record on the Magistrate civil case number above. On Magistrate's court day this evidence was in fact reviewed in court.

2. Appellant hereby requests the following correction to the data:
Appellant's filing on 07/22/2024 described as "Exhibits Omitted in Lower Court's Return".

Date: August 14, 2024

Appellant Signature

Olga Teslenko,
100 Fountain Pointe Ln
Unit 103,
Myrtle Beach, SC, 28578
(510) 388-2780
osenochen@gmail.com
Appellant

FILED
HORRY COUNTY
2024 AUG 14 P 2:47
RENEE M. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

SCCA/295 (10/2015)

EXHIBIT C

**Official Transcript of the August 21, 2024
Circuit Court Hearing.**

1 STATE OF SOUTH CAROLINA) IN THE SOUTH CAROLINA CIRCUIT COURT 15
2 COUNTY OF HORRY) COURT C.A NO. 2024-CP-26-02983
3
4 Ogla Teslenko,)
5 Plaintiff,)
6 Versus)
7 Carpet King & Flooring, Joe Kocsis)
8 Defendant.)
9
10 H E A R I N G
11
12 DATE: August 21, 2024
13
14 LOCATION: South Carolina Circuit Court 15
15
16 JUDGE: Dale Van Slambrook
17
18 TRANSCRIBED BY: ERIN REILLY
19
20 LEGAL EAGLE
21 Post Office Box 5682
22 Greenville, South Carolina 29606
23 864-467-1373
24 depos@legaleagleinc.com
25

APPEARANCES:

Attorney for Plaintiff:

Olga Teslenko (Pro Se)

Attorney for Defendant:

Joe Kocsis (Pro Se)

INDEX OF PROCEEDINGS

Certificate of Transcriber 13

EXHIBITS

(None marked)

(THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH IS
REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

1 PROCEEDINGS

2 THE COURT: The next matter I had was Olga Teslenko
3 versus Carpet King & Flooring. Ms. Teslenko or some
4 representative of Carpet King & Flooring present in our virtual
5 courtroom today?

6 MS. TESLENKO: Your Honor, my name is Olga Teslenko.
7 I don't represent Carpet King & Flooring and I represent only
8 myself. I'm the appellant

9 THE COURT: All right. Is there any representative
10 here from Carpet King that has joined us? All right. Let me
11 find this file as well. All right. I'm looking at the public
12 index, I see the motion that you'd filed Ms. Teslenko. All
13 right. Ms. Keeling maybe you can help me out on this one as
14 well. Is there a return that's filed from the magistrate on
15 this? I see an appeal returned E-D on the end, and that looks
16 like just the appeal documents. Is there a return in this that
17 I'm overlooking?

18 THE CLERK: Let me look. The appeal returned
19 received is the return, if you look there are 30 pages.

20 THE COURT: Is that just the documents or is there an
21 actual summary with an outline of information signed by the
22 magistrate? I'm not sure if I -- because I scrolled through it,
23 I'm just not --

24 THE CLERK: Yes, it's from Judge Arrakis.

25 THE COURT: Where is that at?

1 THE CLERK: The return is the first two pages and
2 then the rest is documents.

3 THE COURT: All right. And are you saying that
4 that's under the caption where it says appeal/appeal return
5 received?

6 THE CLERK: Yes, sir.

7 THE COURT: And is it the first or second document
8 identified?

9 THE CLERK: I believe it's the first.

10 THE COURT: Okay. Well, I'm trying to get this thing
11 pulled up, Ms. Teslenko?

12 MS. TESLENKO: Yes, judge.

13 THE COURT: Tell me what you're asking for. What are
14 you appealing and why should I -- and what relief are you
15 asking for and why should I grant it?

16 MS. TESLENKO: Sir, I'm appealing the judgment by the
17 magistrate's judge that ruled in my favor and I claimed a
18 complete material breach of contract. So, the judge ruled in
19 my favor but somehow discounted the amount of money that was
20 supposed to be return -- recovered to me from the Defendant by
21 \$1,825 without any explanation. I actually felt unsafe when I
22 received that judgment because at the magistrate court hearing,
23 I have provided a flash drive that contained all of the
24 documents that support my claim as well as an immense amount of
25 video and photo evidence that this is indeed a complete

1 material breach of contract. The flooring for which I paid Mr.
2 Kocsis \$3,395 was not even pretended to be installed. The
3 flash drive also contained the independent inspection report by
4 National Foundation certified inspector, independent inspector
5 recommended by the manufacturer.

6 THE COURT: Were all of those documents submitted to
7 the magistrate?

8 MS. TESLENKO: Yes, not only did they submit the
9 flash drive at the hearing.

10 THE COURT: Okay.

11 MS. TESLENKO: But I also printed out some distinct
12 or distinctly critical documents were also printed out and
13 submitted in a printed package. The printed package also
14 contained my Plaintiff's statement. Your Honor, one side note
15 that I must add is this is the very first time in my entire
16 life that I have to interact with the judicial system. I
17 understand the importance of having -- a functioning judicial
18 system in society.

19 A society can't function without a set of laws and a way
20 to abide by them, to enforce these laws are abided by. But my
21 own personal tendencies and also, you know, the culture of
22 where I come from, they kind of kept me away from any
23 interaction with courts. In other words, I don't even know how
24 courts interact.

25 It was my hope that in the United States courts work

1 properly and at this point. So, I didn't know that I was
2 supposed to maybe file my evidence prior to appearing in the
3 magistrates court hearing. So, when I came to the magistrates
4 court hearing, I had a flash drive which I submitted to the
5 Judge. I had a packet of printed documents, which I have also
6 submitted to the Judge.

7 And also, I had several physical of vinyl planks that
8 contained the trial marks and other evidence which were
9 physical proof of what the inspector has found and put in his
10 inspection report of the physical proof of the contractor Mr.
11 Joe Kocsis having violated all the essential requirements for
12 the installation of this product and adhesive requirements for
13 the adhesive that he used. So, that was submitted to the
14 Court. And at the court hearing, I was able to read through my
15 statement entirely.

16 And in my statement, it's explicitly stated that I am
17 aware of the South Carolina law that provides the contractor
18 with the right to cure a defect, but that this situation is not
19 a construction defect. This situation is a complete material
20 breach of contract. And at the end of my statement, I asked
21 the Court to review the evidence and order that the full amount
22 of the contract be returned or recovered to me as well as the
23 inspection fee, which was \$430.

24 So, the total amount of money that I specifically
25 asked for to be recovered to me was \$3,825. The Magistrate's

1 court somehow ruled in my favor. Well, I understand how it was
2 ruled in my favor. Let me back up for a second. At the
3 magistrate hearing at my court date, the magistrate judge has
4 actually had the flash drive reviewed and several videos were
5 reviewed in the courtroom and showed explicitly that this
6 installation was not at all actually installed.

7 The planks were simply laid over the concrete not
8 rolled, not pressed. So, my videos show me lifting off each
9 plank with one hand only hold in the telephone with camera in
10 the other hand. This is not even a mockery of installation;
11 this is zero installation. So, the judge did have to rule in
12 my favor, the amount of the judgment was what actually made me
13 deadly concerned. The judge ruled only \$2,000 to be recovered
14 to me from the Defendant was the actual amount of the contract
15 plus the inspection fee were \$3,825.

16 There was no explanation provided for why \$1,825 were
17 decided to not be recovered to me. And the reason I felt very
18 unsafe at this judgment was that it in center hide Mr. Kocsis
19 in the -- his line of operation. In other words, Mr. Kocsis
20 earned \$1,800 per day's work of salvaging half from my condo.

21 He earned money to salvage somebody else's property.
22 I have experience of being ripped off ever since I've relocated
23 into this community, three years ago because of my disability,
24 I have to retire. So, I had to find a place where life is a
25 little less expensive. I bought this condo and then an immense

1 amount of collusion started happening to where initially for
2 the longest time I thought I was just being imaginative. I
3 thought things were just something as fantastic as that
4 couldn't be true. So, I started to collect evidence and is the
5 evidence of the objective facts that I had been collecting that
6 showed me that collusion indeed happens in this community,
7 people are indeed ripping me off and so I thought - I felt very
8 unsafe.

9 THE COURT: Let me interrupt you for a minute, I want
10 to make sure I understand. The amount of the prayer, which is
11 the amount you requested was 3,825, is that right, but the
12 amount of the award was 2000?

13 MS. TESLENKO: Correct.

14 THE COURT: Okay. And I don't have the benefit of
15 the order. I see the documents that were filed but I still
16 don't see the return.

17 MS. TESLENKO: I can actually see the return.

18 THE COURT: Explaining it. So -- I'm sorry, say that
19 again for me?

20 MS. TESLENKO: It was after I reviewed the return --
21 returned by the magistrate court that I discovered that the
22 magistrate's court omitted my flash drive and preprinted
23 documents were also omitted from the printed documents package
24 that it turned in to the magistrate's court. One was my
25 statement, which outlined exactly that there was a complete

1 bridge of contract and that I was requesting or praying for
2 \$3,825. The second document -- the second category of
3 documents were all the manufacturer's instructions. And third
4 document omitted in the magistrate return was a copy of my
5 check paying the inspections fee. The judgment itself contains
6 not ---

7 THE COURT: Let me do this. Ms. Teslenko and I
8 appreciate you sharing that. I think I understood essentially
9 what was going on before you explained it, but after you
10 explained it, I understand it better. I need the opportunity
11 to review all of those documents that are in that return and,
12 and find the summary portion of it as well to see if there is a
13 sufficient legal explanation for that reduction.

14 Okay. If there is a sufficient legal explanation for that
15 reduction then the award may have to stay at the \$2,000. Okay?
16 If there's not a sufficient explanation then I'll have to sort
17 out how to handle that. It wouldn't necessarily mean that I
18 would change the award. It may very well require that the
19 matter be reconsidered or reviewed by the magistrate after
20 being remanded or returned to them. Okay?

21 MS. TESLENKO: Could I ask you a few questions, two
22 questions. I don't know how to -- can I ask you a question,
23 Your Honor.

24 THE COURT: I can't give you any legal advice but I
25 might be able to share some explanation.

1 MS. TESLENKO: No, about what you just said.

2 THE COURT: All right. Go ahead.

3 MS. TESLENKO: Question number 1, as of this morning,
4 the magistrate's return contained no summary. Okay. Or the
5 magistrate's judgment contain no summary. I have copies of
6 everything that was filed by the magistrate in their return.

7 THE COURT: All right. And that's what I'm saying.

8 MS. TESLENKO: Do you think there's --

9 THE COURT: I need to look at the -- I need to look
10 at that document and if it's not there then I'll consider that
11 as well. Okay.

12 MS. TESLENKO: And Question Number 2, can I ask you a
13 second question about what you just said?

14 THE COURT: Certainly.

15 MS. TESLENKO: I understand that you may have to
16 remit or return this case back to the magistrate's court.
17 However, I have evidence of the -- of that particular
18 magistrate court doing something very incomprehensible for me.
19 For instance, when I asked them about the rules to appeal, they
20 told me that I was being ungrateful. It's incomprehensible,
21 second instance when I asked them --

22 THE COURT: Whether they would handle it or not, I
23 mean, that's a -- that's something that would have to be dealt
24 with down the road. I can't answer that question today.

25 MS. TESLENKO: Okay. Could I -- at which point can I

1 ask for this case to be returned back to some other magistrate
2 court not Myrtle Beach?

3 THE COURT: I'm not sure if I can address that. If I
4 can I will in my order. If I can't you may have to deal with
5 that once it gets sent back to them. Okay?

6 MS. TESLENKO: Thank you very much. Thank you.

7 THE COURT: Okay. All right. And so, the way we're
8 gonna leave it right now Ms. Teslenko is I'm taking this matter
9 under advisement. I will prepare a written order that will be
10 filed and a copy will be sent to you. Okay?

11 MS. TESLENKO: Thank you Judge.

12 THE COURT: Okay. Yes ma'am. Good luck to you.

13 MS. TESLENKO: Thank you very much. Have a good day.

14 THE COURT: You too.

15

16 [END OF HEARING]

17

18

19

20

21

22

23

24

25

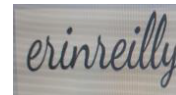
1 CERTIFICATE OF TRANSCRIBER

2 I, ERIN REILLY, a court-approved transcriber, do hereby certify
3 that the foregoing is a true, accurate and complete Transcript
4 of Record of the proceedings had and evidence introduced in the
5 trial of the captioned case, relative to appeal, in the South
6 Carolina Circuit Court 15, South Carolina, on the 21st day of
7 August, 2024.

8
9 I do further certify that I am neither of kin, counsel, nor
10 interest to any party hereto.

11 September 4th, 2024

12 ERIN REILLY

13 A rectangular box containing a handwritten signature in cursive script that reads "erinreilly".

14 TRANSCRIBER
15
16
17
18

EXHIBIT D

**Appellant's First Motion for Release and
Transfer of Original Exhibits,
filed November 12, 2024.**

RECEIVED

Nov 12 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

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

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis,
Carpet King & Flooring, Respondents.

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

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

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

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

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

This motion will not prejudice the rights of the Respondents.

This motion is in compliance with Rule 240, SCACR.

Dated: November 11, 2024

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

Enclosed:

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

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Olga Teslenko
APPELLANT

VS.

Carpet King & Flooring, Joe Kocsis
RESPONDENTS

2024CP2602983
COMMON PLEAS CASE NUMBER

2023CV261093695
MAGISTRATE CIVIL CASE NUMBER

IN THE COURT OF COMMON PLEAS

LETTER TO THE
CLERK OF COURT

July 22, 2024

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

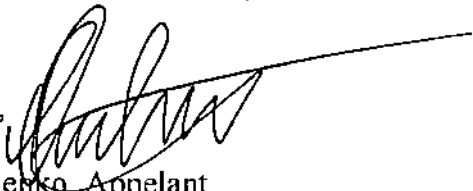
FILED
HORRY COUNTY
2024 JUL 22 P 2:15
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY SC

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

Dear Madame Clerk of Court,

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

Sincerely,


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

July 22, 2024

Enclosed:

Flash drive

Olga Teslenko's Magistrate Court statement and supporting documents

Picture 1: Porous and cracked subfloor absorbed glue



Picture 1: Porous and cracked subfloor absorbed glue

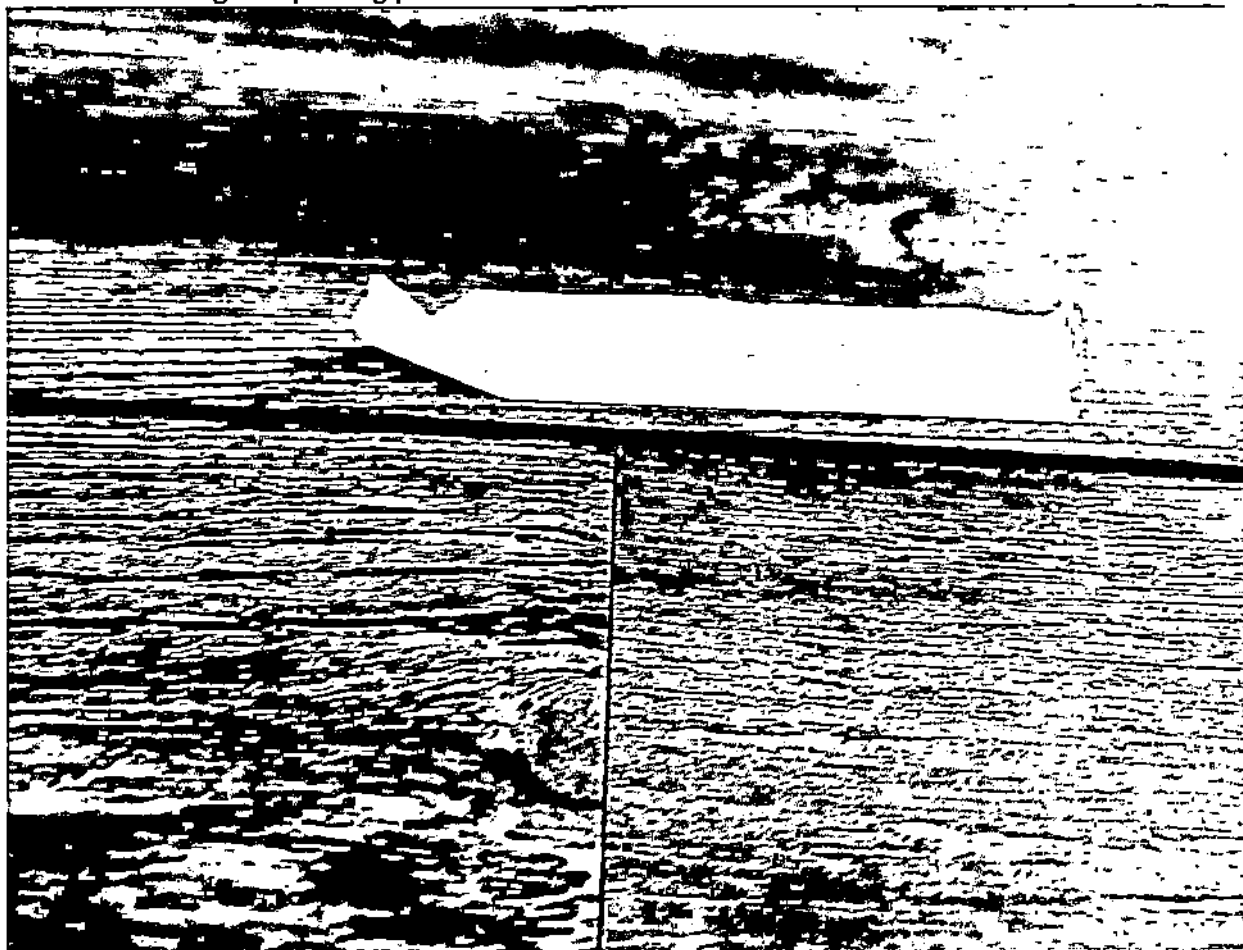


FILED
Horry County
2024 JUL 22 PM 2 17
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

Picture 5: Lifting and peeling planks

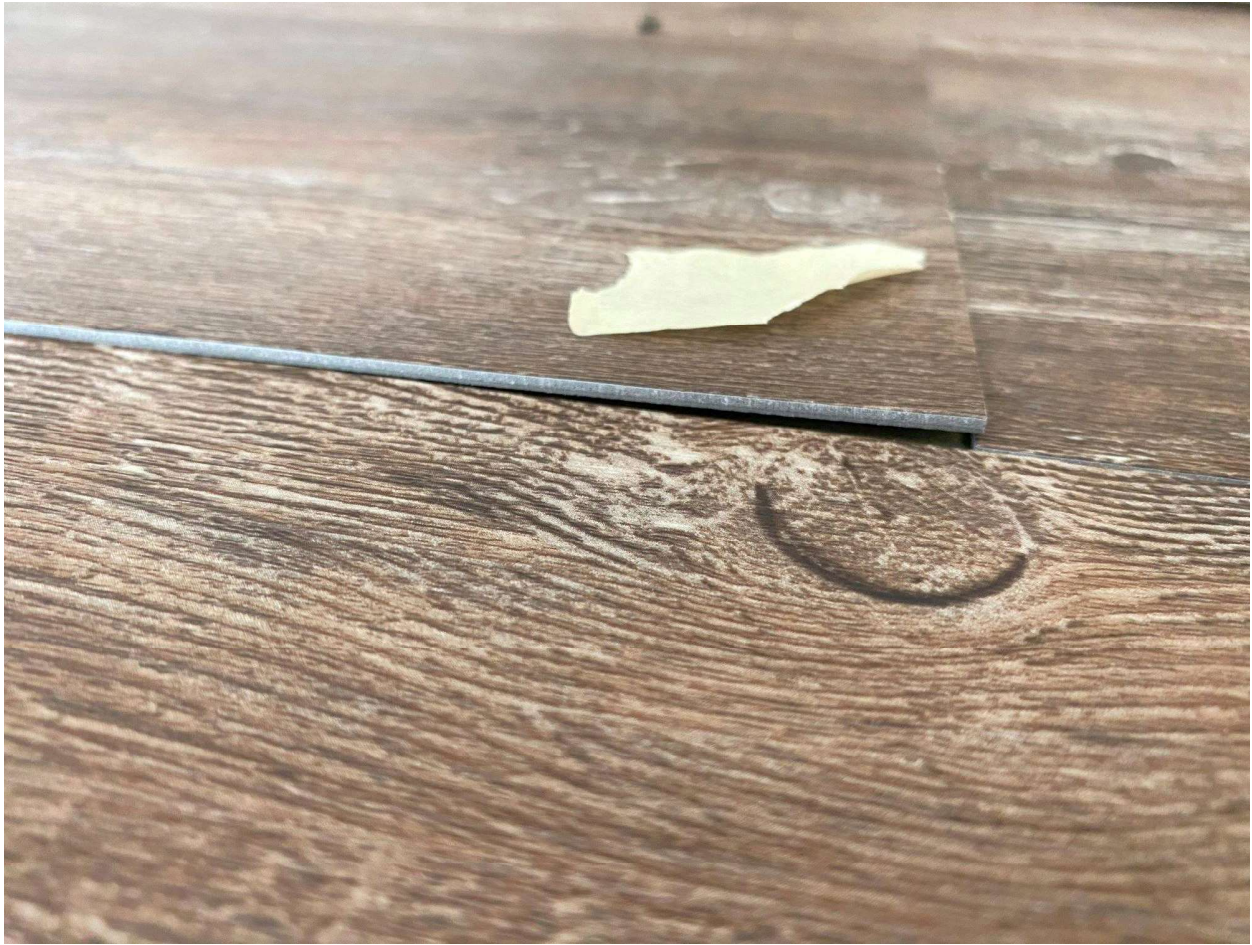


Picture 5: Lifting and peeling planks



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

Picture 16: Continuously lifting throughout, severe tripping hazard



Picture 16: Continuously lifting throughout, severe tripping hazard



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

Picture 22: Insufficient glue transfer to back of planks



Picture 22: Insufficient glue transfer to back of planks



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

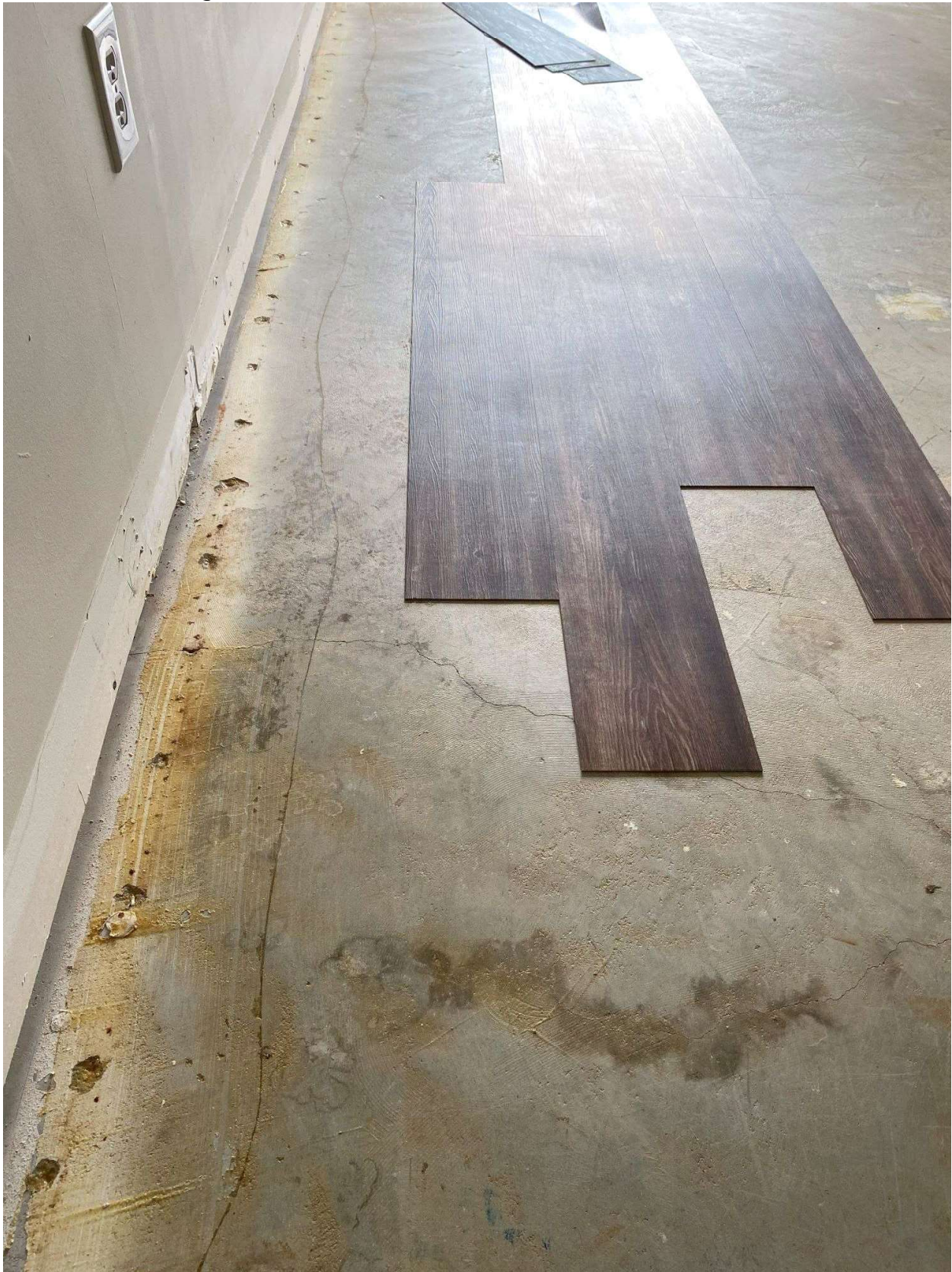


Picture 34: Substrate not smooth, free of old paint and old adhesive. Products not rolled with a roller to create transfer.



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

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



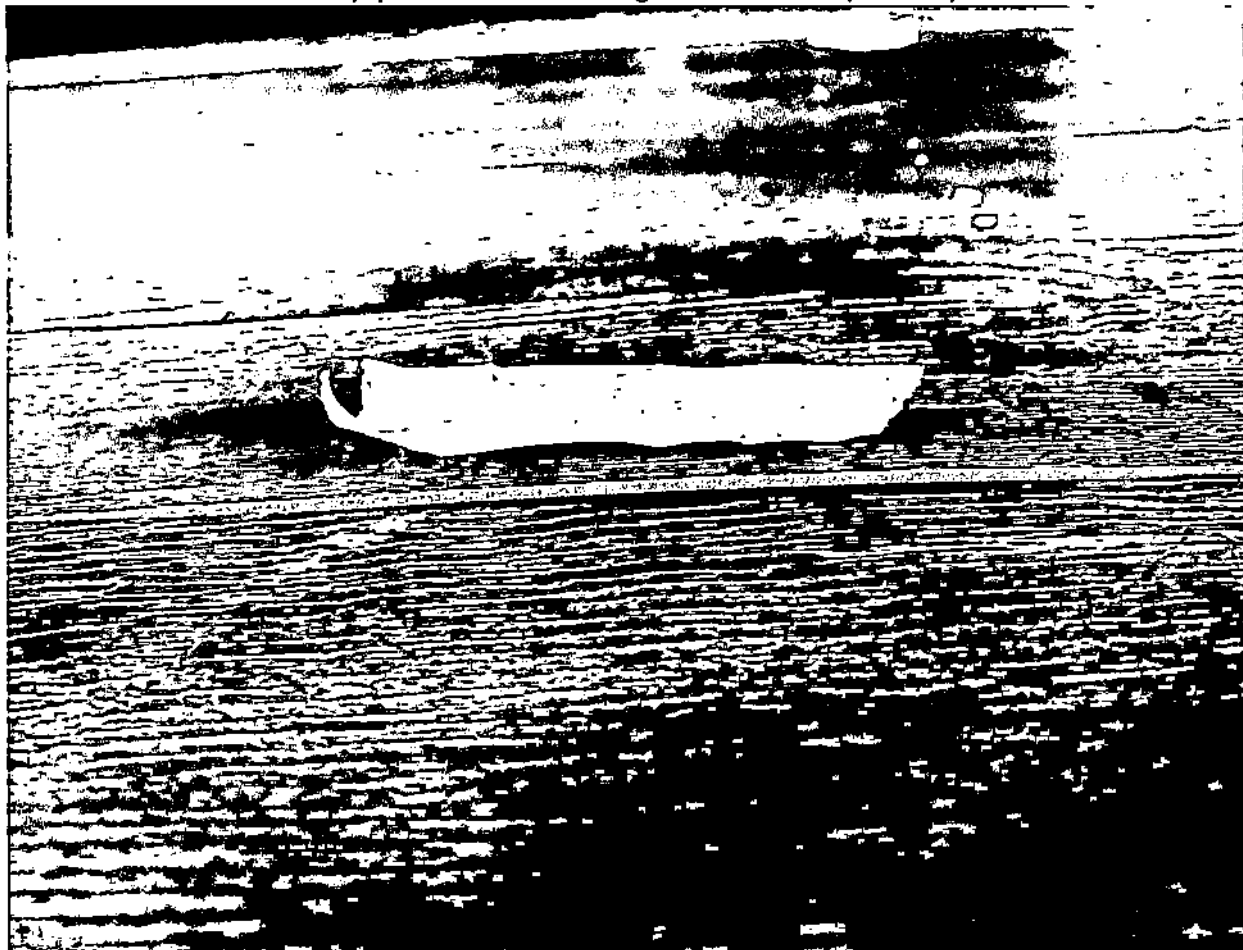
Picture 38: Sub-floor cracks, holes, and deviations not appropriately prepped. Porous substrate absorbed glue



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



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



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

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



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



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

SHAW 200 RESILIENT ADHESIVE

DESCRIPTION

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

APPROVED SUBSTRATES

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

SUBSTRATE TESTING

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

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

SURFACE PREPARATION

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

SHAW 200 RESILIENT ADHESIVE

DESCRIPTION

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

APPROVED SUBSTRATES

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

SUBSTRATE TESTING

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

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

SURFACE PREPARATION

- ~~Substrate must be clean, dry, and free of all contaminants~~ and dry.
- ~~Substrate must be free of all contaminants~~ curing agents, concrete sealers, loosely bonded toppings, ~~loose concrete~~ and any other substance or condition that may prevent or reduce adhesion.
- ~~For repairs or cracks with a compressive strength less than 3,000 psi~~ ~~compound~~ that meet or exceed Shaw Industries maximum moisture level and pH requirements. Use of gypsum-based patching and/or leveling compounds which contain Portland or high alumina cement and meet or exceed the compressive strength of 3,000 psi are acceptable.

INSTALLATION GUIDELINES FOR RESIDENTIAL RESILIENT DIRECT GLUE

1. TEST BEFORE STARTING INSTALLATION

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

CONCRETE SUBSTRATES

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

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

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

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

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

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

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

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

TEMPERATURE - AMBIENT

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

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

PH

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

- PH reading must not exceed 10.0.

INSTALLATION GUIDELINES FOR RESILIENT RESILIENT DIRECT GLUE

1. TEST BEFORE STARTING INSTALLATION

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

CONCRETE SUBSTRATES

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

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

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

- Substrate shall be smooth and free of all loose material, oil, wax, grease, dirt, or other contaminants. If the substrate is not smooth, it shall be ground, sanded, or otherwise prepared to a smooth finish. If the substrate is not free of contaminants, it shall be cleaned with a suitable solvent or detergent. The adhesive bond shall be tested for adhesion.
- If the adhesive residue is asphalt-based (cut-back), or if the adhesive residue is not removed by the methods described above, it shall be removed by mechanical removal or wet scraping.
- If a chemical abatement has been performed, use Shaw Surface Prep EXT to remove any residual chemicals present. Once Shaw Surface Prep EXT has been properly cleaned and removed, apply one coat of Shaw MRP for additional protection.

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

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

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

- Concrete floors shall be flat and smooth within 1/8" in 10 feet or 1/16" in 1 foot.
- F-Number System: Overall values of FF 36/ FL 20 may be appropriate for resilient floor coverings.
- Moisture Vapor Emission Rate (MVER) – Conduct either in-situ RH test (ASTM F-2170) or CaCl MVER test method (ASTM F1869) Refer to the adhesive information for the acceptable moisture limits.
- Use a cementitious patching and leveling compound that meets or exceeds Shaw's maximum moisture level and pH requirements. Use of gypsum-based patching and/or leveling compounds which contain Portland or high alumina cement and meet or exceed the compressive strength of 3,000 psi are acceptable.
- Perform a bond test to ensure proper adhesion to the substrate. Shaw 9050 primer can be utilized to promote adhesion.
- Do not use water or other liquids to clean the substrate. If the substrate is porous, it should be sealed with a suitable sealer. Do not use concrete that is porous.
- Working and open times of adhesives may vary based on job conditions, substrate, temperature, and humidity.
- Areas to receive flooring should be adequately lighted during all phases of the installation process.
- It is recommended that resilient floor covering installation shall not begin until all other trades have completed.

TEMPERATURE - AMBIENT

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

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

PH

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

- PH reading must not exceed 10.0.

FILED
Horry County
2024 Jun 22 10:21 AM
RENEE N. ELLIS
CLERK OF COURT
Horry County, SC

EXHIBITS E and F

**Deficiency Notices, filed November 21,
2024 and November 25, 2024.**



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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

November 21, 2024

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

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

Dear Ms. Teslenko:

Upon reviewing your motion for transportation, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your motion will not be considered:

- You must provide a list of the specific exhibits admitted at trial, along with a description of the exhibit. For example, Plaintiff's Exhibit 1 (flash drive).

Very truly yours,

A handwritten signature in blue ink, reading "Jenny A. Kitchings".

CLERK

cc: Carpet King & Flooring
Joe Kocsis



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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

November 25, 2024

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

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

Dear Counsel:

Upon reviewing your motion for transportation deficiency correction, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your filing will not be considered:

- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Harrison, deputy". The signature is fluid and cursive.

CLERK

cc: Carpet King & Flooring
Joe Kocsis

EXHIBIT G

**Court of Appeals Order Denying Motion
for Exhibits, filed January 14, 2025.**

The South Carolina Court of Appeals

Olga Teslenko, Appellant,

v.

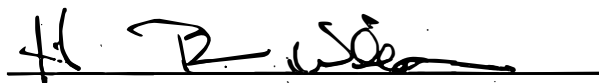
Joe Kocsis and Carpet King & Flooring, Respondents.

Appellate Case No. 2024-001734

ORDER

Appellant filed a motion seeking transportation of exhibits from the circuit court pursuant to Rule 210(f), SCACR. In the Court's deficiency letter dated November 21, 2024, we indicated that Appellant must provide a list of the specific exhibits admitted at trial, such as Plaintiff's Exhibit 1 (flash drive). Although Appellant provided a detailed list of the items she wishes to have transported to this Court, she did not provide any specific exhibit numbers, which are required for identification by the circuit court Clerk of Court. Furthermore, items 1-15 identified in Appellant's motion appear to be documents capable of reproduction in the record on appeal. Items 1-15 should be included in Appellant's designation of matter, then later reproduced as part of the record on appeal, as contemplated by Rules 209 and 210(c), SCACR. To the extent Appellant wishes to have item 16 transported to this Court for review, she must provide the exhibit number from the circuit court. Accordingly, Appellant's motion for transportation of exhibits from the circuit court is denied.

Appellant also filed a motion seeking to hold the appeal in abeyance pending release of exhibits from the circuit court. The motion is denied. The appellant's initial brief and designation of matter are due within 30 days of the date of this order.


_____, C.J.
FOR THE COURT

Columbia, South Carolina

cc:

Olga Teslenko

Carpet King & Flooring

Joe Kocsis

FILED
Jan 14 2025

EXHIBIT H

**Appellant's Request for Clarification,
filed January 15, 2025.**

**REQUEST FOR CLARIFICATION
REGARDING JAN 14TH ORDER DENYING
APPELLANT’S MOTION FOR TRANSPORTATION OF THE ORIGINAL EXHIBITS**

January 15, 2025

The Honorable H. Bruce Williams, Chief Judge;
The Honorable Jenny Abbott Kitchings, Clerk of Court,
The South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

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

Dear Chief Judge Williams,

I am writing to respectfully request clarification on this Court's Order dated Jan 14th denying my motion for transportation of the original exhibits in the above-captioned case. Specifically, I am seeking clarification regarding the following five questions:

1. Due to ignorance and upon instruction by the circuit court clerk’s office, all of the exhibits I filed with the circuit court on 7.22.2024 (prior to my hearing) were filed within a Letter Submitting Exhibits Omitted in Lower Court's Return in the form of “a flash drive and printed documents the same way I submitted it to the Magistrate court originally”. Please see the scanned image of my flash drive as it was filed with the circuit court, and the Letter, enclosed below. All of these exhibits had been admitted at trial in the magistrate court as evidenced by the Plaintiff’s statement returned by the magistrate and magistrate’s summary returned by the magistrate. The Plaintiff’s statement, returned by the magistrate, is enclosed below. Due to ignorance, all of my exhibits admitted at trial in the magistrate court, were not numbered. Consequently, the same exhibits filed with the circuit court were also not numbered. I explained the same, later, to the Honorable circuit court judge at my hearing. The circuit court hearing transcript is enclosed here

below. Yet the wording in this Court's order appears to suggest that none of my exhibits thus admitted at trial and filed with the circuit court may be included in the record on appeal because they were not numbered¹. Is this interpretation correct?

2. All of the exhibits I filed with the circuit court were admitted at trial in the magistrate court, yet this Court has denied my motion for transportation because these exhibits were not numbered². Does that mean there is absolutely no way I may include my flash drive, filed with the circuit court, in the record on appeal?
3. Can my flash drive still be transported to this court for review based on its scanned image, scanned as it was filed with the circuit court? (see below).
4. Can my paper exhibits still be transported to this court for review all together based on the total number of pages filed with the circuit court? Currently, the document filed in the circuit court filing system on 7.22.2024 as Letter Submitting Exhibits Omitted in Lower Court's Return contains 83 pages and a flash drive. Can all 83 pages and the flash drive be transported to this court for review, as one packet?
5. All of the paper exhibits I filed with the circuit court were admitted at trial in the magistrate court but scanned to become completely illegible in the circuit court filing system, as is demonstrated in my motion for transportation. Even if I include all such exhibits in my designation of matter, won't they be provided in their spoiled, illegible, form to be included in my record on appeal?

Please let me know if my interpretations above are correct. This court's Order has the effect of finally deciding my appeal because it summarily excludes from the record all of my essential evidence on an insubstantial pretext, even though this evidence was timely filed. By excluding all of my essential evidence, this Court will be committing the same error of law as was committed at the circuit court, - the violation of the S.C. Code Section 18-7-130, which requires that an appeal case be heard by the appellate court based on all the essential exhibits in the case. By excluding all of my essential evidence, this Court would be adjudicating my appeal on a woefully incomplete record. Essentially, none of my evidence will be included in the record on appeal. This violates my right to introduce evidence, my right to be heard and to state the merits of my appeal, and my right to an equal protection of the law, and reinforces the manifest injustice which has grave, immediate ramifications on public interest. The entire local

community in which I live knows of the continuous blatant discrimination, abuse and plunder, of which this appeal exposes only a small portion. If this Court reinforces the same manifest injustice and illegal practices as were reinforced at the trial court, public trust in the State government will be damaged even deeper than it has already been damaged.

¹ “Although Appellant provided a detailed list of the items she wishes to have transported to this Court, she did not provide any specific exhibit numbers, which are required for identification by the circuit court Clerk of Court. To the extent Appellant wishes to have item [...] transported to this Court for review, she must provide the exhibit number from the circuit court”. Order filed Jan 14, 2025.

² Accordingly, Appellant's motion for transportation of exhibits from the circuit court is denied”. Order filed Jan 14, 2025.

Sincerely,

s/ Olga Teslenko

Olga Teslenko

100 Fountain Pointe Ln, Unit 103,

Myrtle Beach, South Carolina 29579,

Telephone: (510) 388-2780,

Email: osenochen@gmail.com,

Dated: January 15th, 2025.

Pro Se Appellant.

Enclosed:

1. Letter Submitting Original Exhibits Omitted in Lower Court's Return, filed on 7.22.2024, pg. 84, Plaintiff's Flashdrive;
2. Return from Magistrate Court, filed on 5.29.2024, left-most document, pp. 22-26, Plaintiff's Statement.
3. Circuit court hearing transcript.

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Olga Teslenko
APPELLANT

VS.

Carpet King & Flooring, Joe Kocsis
RESPONDENTS

2024CP2602983
COMMON PLEAS CASE NUMBER

2023CV261093695
MAGISTRATE CIVIL CASE NUMBER

IN THE COURT OF COMMON PLEAS

LETTER TO THE
CLERK OF COURT

July 22, 2024

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

FILED
HORRY COUNTY
2024 JUL 22 P 2:15
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY SC

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

Dear Madame Clerk of Court,

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

Sincerely,


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

July 22, 2024

Enclosed:

Flash drive

Olga Teslenko's Magistrate Court statement and supporting documents

Civil Case #: 2023CV261093695

Olga Tesleno's Statement.

Your Honor, a flooring contractor, Mr. Joe Kocsis, who I paid \$3400 to install direct glue vinyl plank flooring in two rooms in my condo, did not carry out his contract (please see **Folder #1** for contract and payments).

I am aware of the SC law which provides the contractor with the Right to Cure a defect. However, this is not a situation of a construction defect. On November 9, 2023, Mr. Kocsis violated all of the industry requirements for the installation of direct glue LVP flooring, and thus failed to carry out his contract. Nearly all of the planks Mr. Kocsis layed on the concrete slab in my condo, have lifted off within the first ten days after the installation (please see **Folder #2** for my date-stamped pictures and videos, as well as the two videos from the NFCA Reference Manual showing a failed bond test and a passed bond test, for comparison). I informed Mr. Kocsis of these problems, and on Novemebtr 16, a week after his installation, he came to inspect it. During his inspection, Mr. Kocsis said that "this is normal", and admitted that they didn't prepared the concrete subfloor (please see **Folder #3** for my date-stamped pictures of the concrete slab before and after the installation, as well as a photo from the NFCA Reference Manual showing a properly prepared concrete slab, for comparison). During his inspection, Mr. Kocsis addmitted that they didn't roll the installation, which is why he finally agreed to return my money (please see **Folder #4** for the enclosed audio record of Mr. Kocsis' inspection and admissions). The following day Mr. Kocsis changed his mind and tried to bully me into accepting his installation and into dealing with strange unknown people. I consulted the SC Residential Construction Standards for Resilient Flooring (please see **Folder #5** for the enclosed SC Residential Construction Standads, which are also included in your printed package), as well as Shaw installation instructions (please see **Folder #6** for Shaw installation instructions, adhesive specifications, and material specifications, which are combined in a single document **All Instructions.PDF** and included in your printed package), all of which confirmed that this is not a defect but a complete breach of contract. The SC Residential Construction Standards define loosening of the resilient flooring to be a defect **only** if it occurs after the

normal warranty period of one year: "Resilient flooring should not loosen during the normal warranty period". As you could see in my date-stamped photos and videos, these planks not only loosened but came off (please see Folder #1 again). Normally, a bonded vinyl plank will not come off easily or in one piece (please see the Bond Test videos and photo taken from the NFCA Reference Manual, which is enclosed in Folder #7). I therefore filed a complaint with the SC department of LLR (Folder #8), and hired an independent flooring inspector, recommended by the manufacturer and certified by FCITS (Folder #9). The Shaw-recommended, FCITS-certified independent inspector found that "all the problems at this jobsite indicate a failure to comply to the installation guidelines as required by the manufacturer. All the problems inspected are jobsite and installation related issues. The installers did not follow the required protocol and guidelines set forth by the manufacturers". The complete inspection report is enclosed in Folder #9 on the flashdrive.

In addition, there was a strong smell of marijuana present on the day of the installation in my family room. This, and some other evidence discovered later (enclosed in Folder #10), suggest Mr. Kocsis acted in bad faith from the beginning and his negligence is intentional. The fact remains that all of the area described in his offer E176 has not been installed (please see Folder #1 again for contract and payments). I ask that Mr. Kocsis return the money I paid him for this failed installation and the money I paid to hire an independent inspector, \$3830 in total, as soon as possible. I am disabled, my disability benefit is small, I need to recover this money in order to install flooring on the bare slab in my condo.

Let me elaborate.

In October of last year, I collected bids to install glue-down LVP flooring, manufactured by Shaw, in two rooms in my condo. Half of my condo was already done in this same vinyl plank installed the same way (direct glue-down) several years ago by the previous owners. So I saved up enough money, and called several flooring contractors requesting bids to install the same model flooring in the rest of my condo. On 10/31, Mr. Joe Kocsis came to my home and presented himself the owner of Carpet King and Flooring. He conducted the necessary measurements and discussed with

me my need to install this flooring correctly. He assured me he has the expertise, and the following day emailed me his offer #E176 for this LVP glue-down installation. I enclose here the Shaw Floors "Installation Guidelines For Residential Resilient Direct Glue" installation method to show what is defined as LVP glue-down installation. Please see the All Instructions document in Folder #6 for this definition. I accepted to Mr. Kocsis' offer, and asked Mr. Kocsis if it needed to be signed. He said he only needed my first payment, and the following day I delivered to Carpet King and Flooring my first payment of \$1700 (see Folder #1 again).

On the day of the installation, on November 9 of last year, the LVP material was brought in at noon and installed immediately. At the end of the day Mr. Kocsis reported the installation to be completed, and requested that I write out my second check to his name personally, which I did. Mr. Kocsis said he will come by the following day to install the end cap for the sliding door, which in his words was the only remaining part of the contract. The following day he reported ill and requested a week to get better. During that week all of the planks in my family room started to peel and lift off, as well as most of the planks in my master bedroom. I tripped over them, they squelched under foot, or they gaped in sight. I reported these problems to Mr. Kocsis, who came to inspect them on November 16, a week after the installation. Mr. Kocsis came bearing an end cap for the sliding door which he said needed to be installed to completely finish the contract. In the flashdrive, in Folder #4, I enclose a complete audio record of his inspection. with short characteristic segments copied for convenience. During his inspection, Mr. Kocsis said that the peeling and lifting was the adhesive's fault, or that it was due to the old carpet glue which was on the subfloor, that this is normal and an easy fix, and that they can patch up the peeling spots, and they may need to bring a roller this time, which they didn't have before, but it looks like it would help, and if I insist they would even bring a straightedge, but that I shouldn't look for more peeling planks or collect them. I disagreed on all counts, pointing out that it looks like too little glue has been used for this installation area, and that nearly every plank is peeling fully off. At that point Mr. Kocsis admitted he is not the owner of Carpet King & Flooring, and asked if I would please give him a second chance. I explained that I am not in the position to give second chances, unfortunately. At which point Mr. Kocsis agreed to return my money. We agreed. However later

that day, Mr. Kocsis sent me a text in which he asked for the opportunity to "fix this". In the following few days, most planks lifted off with no glue on the back, while some planks had faint trowel marks which showed to be half of the required size and not rolled, yet other planks showed patches of old paint or old glue. I researched, and discovered that the concrete subfloor in my condo has not been prepared to the Shaw instructions, that the wrong trowel size has been used, which dispersed too little glue, and that the installed planks were not rolled, as required by the installation instructions. All of this failed to create adhesive transfer to the back of the planks. Since none of the installation has been done according to the industry guidelines and Shaw instructions, and since Mr. Kocsis knowingly acted in bad-faith from the beginning, I refused to give Mr. Kocsis a second chance. This was a case of a completely breached installation, not a defect. I filed a complaint with the SC department of LLR, and filed a claim with this court. I sought the manufacturer's instructions and contacted Shaw customer support to obtain clarifications. Finally, I hired a Shaw-recommended certified flooring inspector to conduct an independent inspection. The inspection found the following:

- All the problems at this jobsite indicate a failure to comply to the installation guidelines as required by the manufacturer. All the problems inspected are jobsite and installation related issues. The installers did not follow the required protocol and guidelines set forth by the manufacturers.
- The substrate was not smooth, clean, and free from all foreign materials such as dust, old adhesive, old paint, etc. The porous and cracked concrete sub floor has absorbed the glue and the subfloor was not properly prepared for the luxury vinyl plank.
- The sub floor has depressions, dips, and valleys over 5/16" in a 6'7" radius. Pictures indicate the major floor deviations and dips that needed to be corrected prior to the install. All the perimeter tackstrip holes, cracks, and deviations were not appropriately patched, prepared, or primed.
- No bond testing was performed. Set a minimum of three planks in the adhesive overnight. If the planks are stuck, or the plank has adhesive transfer onto the back, this indicates a good bond.
- Flooring material and adhesive must be acclimated to the installation area for a minimum of 48 hours prior to installation.

• Substrate porosity was not determined. Wrong-size trowel was used. The installers did not determine the porosity of the concrete subfloor and used the wrong trowel size in one room. The water drop test indicates this is a porous substrate. Vinyl tile and plank to be installed over a porous substrate require a 1/16" sq. notch trowel. This installer used a 1/32" trowel in the family room. This led to insufficient adhesive transfer to the backs of the planks.

• This installation was not rolled. The trowel or glue did not appear pressed or smudged which would indicate that the products were not rolled with a 100lbs. roller to create transfer, as required by the manufacturer's instructions. After the installation of floor covering, roll floor covering with a 75-100lbs. roller. These installers did not roll the installed floor covering with a required roller. The installed planks did not have glue transfer on the back. The planks in the full length of the install were lifting and peeling up. The edges are continuously lifting throughout the installed areas and creating a severe tripping hazard.

• The previously installed vinyl planks in the foyer were glued down using a 1/16" trowel, and rolled, and these planks are not peeling or lifting.

I have provided this court with several physical vinyl planks which were used in that installation, and which contain some traces of old paint, or wrong trowel marks, which can be ascertained with the two trowels included.

I have a neurological disability which makes it impossible for me to earn money now. I can only save money month to month but my Disability pension is small, which is why I moved to the state of SC.. I must recover the money I paid Mr. Kocsis in order to install flooring in my condo. Your Honor, I am asking not only for the \$3400 I paid Mr. Kocsis, but also for the \$430 inspection fee, and I am asking you to include provisions for this money to be repaid promptly and definitely.

Thank you very much for your time and consideration,
Olga Teslenko

FILED
HORRY COUNTY
2024 MAY 23 P 4:19
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

1 STATE OF SOUTH CAROLINA) IN THE SOUTH CAROLINA CIRCUIT COURT 15
2 COUNTY OF HORRY) COURT C.A NO. 2024-CP-26-02983
3
4 Ogla Teslenko,)
5 Plaintiff,)
6 Versus)
7 Carpet King & Flooring, Joe Kocsis)
8 Defendant.)
9
10 H E A R I N G
11
12 DATE: August 21, 2024
13
14 LOCATION: South Carolina Circuit Court 15
15
16 JUDGE: Dale Van Slambrook
17
18 TRANSCRIBED BY: ERIN REILLY
19
20 LEGAL EAGLE
21 Post Office Box 5682
22 Greenville, South Carolina 29606
23 864-467-1373
24 depos@legaleagleinc.com
25

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APPEARANCES:

Attorney for Plaintiff:

Olga Teslenko (Pro Se)

Attorney for Defendant:

Joe Kocsis (Pro Se)

INDEX OF PROCEEDINGS

Certificate of Transcriber 13

EXHIBITS

(None marked)

(THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH IS
REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

1 PROCEEDINGS

2 THE COURT: The next matter I had was Olga Teslenko
3 versus Carpet King & Flooring. Ms. Teslenko or some
4 representative of Carpet King & Flooring present in our virtual
5 courtroom today?

6 MS. TESLENKO: Your Honor, my name is Olga Teslenko.
7 I don't represent Carpet King & Flooring and I represent only
8 myself. I'm the appellant

9 THE COURT: All right. Is there any representative
10 here from Carpet King that has joined us? All right. Let me
11 find this file as well. All right. I'm looking at the public
12 index, I see the motion that you'd filed Ms. Teslenko. All
13 right. Ms. Keeling maybe you can help me out on this one as
14 well. Is there a return that's filed from the magistrate on
15 this? I see an appeal returned E-D on the end, and that looks
16 like just the appeal documents. Is there a return in this that
17 I'm overlooking?

18 THE CLERK: Let me look. The appeal returned
19 received is the return, if you look there are 30 pages.

20 THE COURT: Is that just the documents or is there an
21 actual summary with an outline of information signed by the
22 magistrate? I'm not sure if I -- because I scrolled through it,
23 I'm just not --

24 THE CLERK: Yes, it's from Judge Arrakis.

25 THE COURT: Where is that at?

1 THE CLERK: The return is the first two pages and
2 then the rest is documents.

3 THE COURT: All right. And are you saying that
4 that's under the caption where it says appeal/appeal return
5 received?

6 THE CLERK: Yes, sir.

7 THE COURT: And is it the first or second document
8 identified?

9 THE CLERK: I believe it's the first.

10 THE COURT: Okay. Well, I'm trying to get this thing
11 pulled up, Ms. Teslenko?

12 MS. TESLENKO: Yes, judge.

13 THE COURT: Tell me what you're asking for. What are
14 you appealing and why should I -- and what relief are you
15 asking for and why should I grant it?

16 MS. TESLENKO: Sir, I'm appealing the judgment by the
17 magistrate's judge that ruled in my favor and I claimed a
18 complete material breach of contract. So, the judge ruled in
19 my favor but somehow discounted the amount of money that was
20 supposed to be return -- recovered to me from the Defendant by
21 \$1,825 without any explanation. I actually felt unsafe when I
22 received that judgment because at the magistrate court hearing,
23 I have provided a flash drive that contained all of the
24 documents that support my claim as well as an immense amount of
25 video and photo evidence that this is indeed a complete

1 material breach of contract. The flooring for which I paid Mr.
2 Kocsis \$3,395 was not even pretended to be installed. The
3 flash drive also contained the independent inspection report by
4 National Foundation certified inspector, independent inspector
5 recommended by the manufacturer.

6 THE COURT: Were all of those documents submitted to
7 the magistrate?

8 MS. TESLENKO: Yes, not only did they submit the
9 flash drive at the hearing.

10 THE COURT: Okay.

11 MS. TESLENKO: But I also printed out some distinct
12 or distinctly critical documents were also printed out and
13 submitted in a printed package. The printed package also
14 contained my Plaintiff's statement. Your Honor, one side note
15 that I must add is this is the very first time in my entire
16 life that I have to interact with the judicial system. I
17 understand the importance of having -- a functioning judicial
18 system in society.

19 A society can't function without a set of laws and a way
20 to abide by them, to enforce these laws are abided by. But my
21 own personal tendencies and also, you know, the culture of
22 where I come from, they kind of kept me away from any
23 interaction with courts. In other words, I don't even know how
24 courts interact.

25 It was my hope that in the United States courts work

1 properly and at this point. So, I didn't know that I was
2 supposed to maybe file my evidence prior to appearing in the
3 magistrates court hearing. So, when I came to the magistrates
4 court hearing, I had a flash drive which I submitted to the
5 Judge. I had a packet of printed documents, which I have also
6 submitted to the Judge.

7 And also, I had several physical of vinyl planks that
8 contained the trial marks and other evidence which were
9 physical proof of what the inspector has found and put in his
10 inspection report of the physical proof of the contractor Mr.
11 Joe Kocsis having violated all the essential requirements for
12 the installation of this product and adhesive requirements for
13 the adhesive that he used. So, that was submitted to the
14 Court. And at the court hearing, I was able to read through my
15 statement entirely.

16 And in my statement, it's explicitly stated that I am
17 aware of the South Carolina law that provides the contractor
18 with the right to cure a defect, but that this situation is not
19 a construction defect. This situation is a complete material
20 breach of contract. And at the end of my statement, I asked
21 the Court to review the evidence and order that the full amount
22 of the contract be returned or recovered to me as well as the
23 inspection fee, which was \$430.

24 So, the total amount of money that I specifically
25 asked for to be recovered to me was \$3,825. The Magistrate's

1 | court somehow ruled in my favor. Well, I understand how it was
2 | ruled in my favor. Let me back up for a second. At the
3 | magistrate hearing at my court date, the magistrate judge has
4 | actually had the flash drive reviewed and several videos were
5 | reviewed in the courtroom and showed explicitly that this
6 | installation was not at all actually installed.

7 | The planks were simply laid over the concrete not
8 | rolled, not pressed. So, my videos show me lifting off each
9 | plank with one hand only hold in the telephone with camera in
10 | the other hand. This is not even a mockery of installation;
11 | this is zero installation. So, the judge did have to rule in
12 | my favor, the amount of the judgment was what actually made me
13 | deadly concerned. The judge ruled only \$2,000 to be recovered
14 | to me from the Defendant was the actual amount of the contract
15 | plus the inspection fee were \$3,825.

16 | There was no explanation provided for why \$1,825 were
17 | decided to not be recovered to me. And the reason I felt very
18 | unsafe at this judgment was that it in center hide Mr. Kocsis
19 | in the -- his line of operation. In other words, Mr. Kocsis
20 | earned \$1,800 per day's work of salvaging half from my condo.

21 | He earned money to salvage somebody else's property.
22 | I have experience of being ripped off ever since I've relocated
23 | into this community, three years ago because of my disability,
24 | I have to retire. So, I had to find a place where life is a
25 | little less expensive. I bought this condo and then an immense

1 amount of collusion started happening to where initially for
2 the longest time I thought I was just being imaginative. I
3 thought things were just something as fantastic as that
4 couldn't be true. So, I started to collect evidence and is the
5 evidence of the objective facts that I had been collecting that
6 showed me that collusion indeed happens in this community,
7 people are indeed ripping me off and so I thought - I felt very
8 unsafe.

9 THE COURT: Let me interrupt you for a minute, I want
10 to make sure I understand. The amount of the prayer, which is
11 the amount you requested was 3,825, is that right, but the
12 amount of the award was 2000?

13 MS. TESLENKO: Correct.

14 THE COURT: Okay. And I don't have the benefit of
15 the order. I see the documents that were filed but I still
16 don't see the return.

17 MS. TESLENKO: I can actually see the return.

18 THE COURT: Explaining it. So -- I'm sorry, say that
19 again for me?

20 MS. TESLENKO: It was after I reviewed the return --
21 returned by the magistrate court that I discovered that the
22 magistrate's court omitted my flash drive and preprinted
23 documents were also omitted from the printed documents package
24 that it turned in to the magistrate's court. One was my
25 statement, which outlined exactly that there was a complete

1 bridge of contract and that I was requesting or praying for
2 \$3,825. The second document -- the second category of
3 documents were all the manufacturer's instructions. And third
4 document omitted in the magistrate return was a copy of my
5 check paying the inspections fee. The judgment itself contains
6 not ---

7 THE COURT: Let me do this. Ms. Teslenko and I
8 appreciate you sharing that. I think I understood essentially
9 what was going on before you explained it, but after you
10 explained it, I understand it better. I need the opportunity
11 to review all of those documents that are in that return and,
12 and find the summary portion of it as well to see if there is a
13 sufficient legal explanation for that reduction.

14 Okay. If there is a sufficient legal explanation for that
15 reduction then the award may have to stay at the \$2,000. Okay?
16 If there's not a sufficient explanation then I'll have to sort
17 out how to handle that. It wouldn't necessarily mean that I
18 would change the award. It may very well require that the
19 matter be reconsidered or reviewed by the magistrate after
20 being remanded or returned to them. Okay?

21 MS. TESLENKO: Could I ask you a few questions, two
22 questions. I don't know how to -- can I ask you a question,
23 Your Honor.

24 THE COURT: I can't give you any legal advice but I
25 might be able to share some explanation.

1 MS. TESLENKO: No, about what you just said.

2 THE COURT: All right. Go ahead.

3 MS. TESLENKO: Question number 1, as of this morning,
4 the magistrate's return contained no summary. Okay. Or the
5 magistrate's judgment contain no summary. I have copies of
6 everything that was filed by the magistrate in their return.

7 THE COURT: All right. And that's what I'm saying.

8 MS. TESLENKO: Do you think there's --

9 THE COURT: I need to look at the -- I need to look
10 at that document and if it's not there then I'll consider that
11 as well. Okay.

12 MS. TESLENKO: And Question Number 2, can I ask you a
13 second question about what you just said?

14 THE COURT: Certainly.

15 MS. TESLENKO: I understand that you may have to
16 remit or return this case back to the magistrate's court.
17 However, I have evidence of the -- of that particular
18 magistrate court doing something very incomprehensible for me.
19 For instance, when I asked them about the rules to appeal, they
20 told me that I was being ungrateful. It's incomprehensible,
21 second instance when I asked them --

22 THE COURT: Whether they would handle it or not, I
23 mean, that's a -- that's something that would have to be dealt
24 with down the road. I can't answer that question today.

25 MS. TESLENKO: Okay. Could I -- at which point can I

1 ask for this case to be returned back to some other magistrate
2 court not Myrtle Beach?

3 THE COURT: I'm not sure if I can address that. If I
4 can I will in my order. If I can't you may have to deal with
5 that once it gets sent back to them. Okay?

6 MS. TESLENKO: Thank you very much. Thank you.

7 THE COURT: Okay. All right. And so, the way we're
8 gonna leave it right now Ms. Teslenko is I'm taking this matter
9 under advisement. I will prepare a written order that will be
10 filed and a copy will be sent to you. Okay?

11 MS. TESLENKO: Thank you Judge.

12 THE COURT: Okay. Yes ma'am. Good luck to you.

13 MS. TESLENKO: Thank you very much. Have a good day.

14 THE COURT: You too.

15

16 [END OF HEARING]

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1 CERTIFICATE OF TRANSCRIBER

2 I, ERIN REILLY, a court-approved transcriber, do hereby certify
3 that the foregoing is a true, accurate and complete Transcript
4 of Record of the proceedings had and evidence introduced in the
5 trial of the captioned case, relative to appeal, in the South
6 Carolina Circuit Court 15, South Carolina, on the 21st day of
7 August, 2024.

8
9 I do further certify that I am neither of kin, counsel, nor
10 interest to any party hereto.

11 September 4th, 2024

12 ERIN REILLY

13 A rectangular box containing a handwritten signature in cursive script that reads "erinreilly".

14 TRANSCRIBER
15
16
17
18

EXHIBIT I

**Appellant's Follow Up and Clerk's
response,
filed January 15, 2025**

Jan 15 2025

SC Court of Appeals

From: [O. T.](#)
To: [Court Of Appeals Filings](#)
Subject: LETTER TO THE APPELLATE COURT CLERK, Appellate Case No. 2024-001734.
Date: Wednesday, January 15, 2025 10:56:52 PM

*** **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

LETTER TO THE APPELLATE COURT CLERK

January 15, 2025

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

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

Dear Ms. Kitchings:

Thank you very much for answering my request for clarification today. You answered it very succinctly and I understood everything. Mulling over this information, I am afraid I am coming to the conclusion that I do need to petition for a rehearing of that order, even if this petition is automatically denied. I will try to analyze this better before I decide whether or not to file this petition. Would my appeal be still held in abeyance until this petition for rehearing is ruled on, or is the abeyance lifted now and my briefing is due in a month from the date of the order? Please let me know, and thank you again,

Sincerely,

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



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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

January 16, 2025

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

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

Dear Ms. Teslenko:

The Court is in receipt of your correspondence filed on January 15, 2025. If you wish to request relief from this Court, you must do so in the form of a motion pursuant to Rule 240 of the South Carolina Appellate Court Rules. Therefore, no further action will be taken on your correspondence.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Harrison, deputy". The signature is stylized and cursive.

CLERK

cc: Carpet King & Flooring
Joe Kocsis

EXHIBIT J

**Appellant's Supplement to Motion to
Exceed, filed August 13, 2025.**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

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

SUPPLEMENT TO MOTION TO EXCEED PAGE LIMIT

Appellant respectfully supplements her Motion to Exceed Page Limit filed on July 28, 2025. Since filing that motion, Appellant has finalized her amended brief and determined that, despite diligent editing and the elimination of all non-essential material, the final draft still exceeds the 50-page limit in Rule 208(b)(1), SCACR, due to the necessity of preserving multiple, distinct constitutional issues and evidentiary arguments for appellate and potential certiorari review. These issues include, but are not limited to:

1. Fraud on the court at the magistrate and circuit court levels;
2. Systemic deprivation of rights under color of law;
3. Permanent exclusion of admitted trial evidence; and
4. Retaliation and resulting structural collapse of the judicial process.

Because each issue is supported by specific citations to the record and controlling authority, further reduction would either eliminate essential arguments or strip necessary factual and procedural context. This would prejudice Appellant's ability to fully present her case and preserve issues for review.

Appellant therefore respectfully reaffirms her July 28 request and asks that the Court grant leave to file the amended brief at its current length in the interest of justice and in light of the extraordinary circumstances described therein.

Respectfully submitted,

Dated: August 13, 2025

/s/ Olga Teslenko

100 Fountain Pointe Ln, Unit 103,
Myrtle Beach, SC 29579.

(510) 388-2780

osenochen@gmail.com

Pro Se Appellant.

EXHIBIT K

**Appellant's Email, Courtesy Copy of
Supplement to Motion to Exceed, filed
August 14, 2025.**

Singleton, Mary C.

From: Kitchings, Jenny
Sent: Thursday, August 14, 2025 11:37 AM
To: Court Of Appeals Filings
Subject: FW: Letter submitting a courtesy copy of Appellant's motion to exceed and supplement
Attachments: 1. Teslenko v. Kocsis - Motion to Exceed (Jul 28) (Aug 11).pdf; 2. Teslenko v. Kocsis - Supp. Motion (Aug 13) .pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Williams, H. Bruce <hwilliams@sccourts.org>
Sent: Thursday, August 14, 2025 11:35 AM
To: Kitchings, Jenny <jkitchings@sccourts.org>
Subject: FW: Letter submitting a courtesy copy of Appellant's motion to exceed and supplement

From: O. T. <osenochen@gmail.com>
Sent: Thursday, August 14, 2025 11:26 AM
To: Williams, H. Bruce <hwilliams@sccourts.org>; Williams, H. Bruce <hwilliams@sccourts.org>
Subject: Letter submitting a courtesy copy of Appellant's motion to exceed and supplement

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

LETTER TO THE CHIEF JUDGE OF THE SOUTH CAROLINA COURT OF APPEALS
PROVIDING A COURTESY COPY OF MOTION TO EXCEED PAGE LIMIT AND SUPPLEMENT

August 14, 2025

The Honorable Chief Judge H. Bruce Williams
South Carolina Court of Appeals
Email: hwilliamsj@sccourts.org
Email: hwilliams@sccourts.org

RE: Teslenko v. Kocsis, Appellate Case No. 2024-001734

Dear Honorable Chief Judge Williams,

I respectfully submit this courtesy copy of my July 28 motion to exceed page limit and August 13 supplement; both filed with the Clerk's Office and still pending without action. My amended initial brief is due today, August 14. My brief exposes the system of coordinated fraud in the lower courts. I am a disabled pro se appellant compelled to

proceed without counsel against the continuous clerical obstruction protecting this fraud. Due to the number and seriousness of the issues involved, my brief cannot be presented within the default page limit, which prompted my July 28 request for permission to exceed this limit. Seventeen days later, no ruling has been issued, and my brief is due today. This creates a procedural trap—my brief already exceeds the default limit, as I reiterated in my supplement filed yesterday.

Trimming my brief today to fit the page limit will erase issues essential to this appeal and any future review, but filing it as is—without an order granting my motion—will lead to its automatic dismissal. Thus, my appeal has now effectively been decided by procedural default rather than on the merits.

I fully respect the traditional filing process and have complied with all applicable procedural rules. However, the unresolved status of this motion, coupled with my disability and the imminent deadline, has created an immediate barrier to appellate review. If my motion is not granted by end of day today, the appeal will effectively be foreclosed by procedural obstruction.

I am grateful for your time and consideration.

Respectfully submitted,

s/ Olga Teslenko

Pro se Appellant

Olga Teslenko

100 Fountain Pointe Ln, Unit 103,

Myrtle Beach, South Carolina 29579

Telephone: (510) 388-2780

Email: osenochen@gmail.com

Dated: **August 14, 2025**

Attached:

1. Motion to Exceed Page Limit;
2. Supplement to Motion to Exceed Page Limit.

EXHIBIT L

**Court of Appeals Order Denying Motion
to Exceed, filed August 18, 2025.**

The South Carolina Court of Appeals

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring, Respondents.

Appellate Case No. 2024-001734

ORDER

On July 28, 2025, Appellant moved to exceed the page limit for her amended initial brief, seeking to file an amended initial brief not exceeding eighty-five pages. On August 13, 2025, Appellant filed an amended motion to exceed the page limit. On August 15, 2025, Appellant conditionally filed an amended brief consisting of 105 pages. After careful consideration, we deny Appellant's motion to exceed the page limit for her amended initial brief. *See* Rule 208(b)(5), SCACR (explaining "principal briefs shall not exceed fifty (50) pages" and allowing "the appellate court [to] grant a party permission to exceed those limitations"). Within thirty days of the date of this order, Appellant shall serve and file an amended initial brief not exceeding fifty pages.

On June 16, 2025, Appellant filed a corrected designation of matter. On July 28, 2025, Appellant moved to file an amended designation of matter to add three items. On August 15, 2025, Appellant conditionally filed an amended designation of matter. After careful consideration, we grant Appellant's motion to file an amended designation of matter and accept Appellant's August 15, 2025 conditionally-filed amended designation of matter as filed.



FOR THE COURT J.

Columbia, South Carolina

FILED
Aug 18 2025

cc:

Olga Teslenko

Carpet King & Flooring

Joe Kocsis

EXHIBIT M

**Appellant's Motion to Reconsider Denial
to Exceed Page Limit, filed August 20,
2025.**

obstruction and deprivation of rights. Each issue is significant both independently and collectively, and demonstrates an extraordinary coordinated structure.

3. Procedural Cause of Scope. The unusually large volume of issues in this appeal is the direct result of the Clerk's January 14 refusal to transfer Appellant's original corrective exhibits for appellate review. Because the evidentiary record was obstructed, Appellant has been compelled not only to raise her constitutional and factual claims, but first to demonstrate that the omitted trial exhibits existed, were reviewed, authenticated, and admitted at trial, and that her corrective exhibits are identical to those omitted. Instead of relying on the record as transmitted, Appellant has been forced to prove the integrity of the record itself before reaching the merits. This necessity has multiplied both the number and scope of arguments, rendering compliance with the standard fifty-page limit impossible without eliminating essential constitutional claims. Moreover, because the record-proving arguments serve as the inextricable foundation for the substantive claims, any reduction of the former would necessarily erase the latter. Thus, forcing Appellant to reduce her initial brief to fifty pages would necessarily erase her constitutional claims from meaningful review.
4. Due Process Concern. Full presentation of these constitutional claims requires 85 pages. Compressing the filed brief into the standard fifty-page limit—less than half of its current size—cannot be achieved by simple editing or summarization, and will necessarily eliminate entire arguments, effectively foreclosing meaningful appellate review. The right to be heard on complex constitutional claims cannot be denied by a procedural limitation applicable to routine claims.
5. Due Process Concern. The order appears to have been issued administratively by the Clerk. Given the constitutional magnitude of her claims, Appellant respectfully submits that the determination of the appropriate page limit for presenting them warrants judicial consideration rather than administrative disposition.
6. Relief Requested. Appellant therefore requests that the Court reconsider its denial and grant leave for her brief to extend to eighty-five (85) pages, nunc pro tunc. Appellant acknowledges that the amended brief already filed exceeds that number, and undertakes to reduce it to eighty-five (85) pages within a reasonable time, if reconsideration is granted

7. Alternatively, in the event the Court declines reconsideration, Appellant will submit a revised 50-page protective brief to avoid dismissal, without waiving or abandoning her objection that the 50-page limit denies meaningful appellate review of her constitutional claims.

Appellant respectfully emphasizes that eighty-five (85) pages is the minimum necessary length to present these constitutional and evidentiary issues, and that further reduction would preclude meaningful review.

WHEREFORE, Appellant respectfully requests that the Court grant this Motion for Reconsideration and permit her to condense the filed brief to the 85-page limit, nunc pro tunc, or grant such other relief as justice may require.

Respectfully submitted,

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

EXHIBIT N

**Appellant's Motion for Extension of
Time,
filed October 29, 2024.**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Dale Van Slambrook, Master-in-Equity at Berkeley County

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring, Respondents.

**MOTION FOR EXTENSION OF TIME FOR APPELLANT TO
SERVE AND FILE INITIAL BRIEF AND DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 263(b), SCACR, appellant Olga Teslenko (“Appellant”) moves for an extension of time in which to serve and file Appellant’s Initial Brief and Designation of Matter to be included in the Record on Appeal. Appellant requests an extension of thirty days to file the Initial Brief and Designation of Matter which are currently due November 12, 2024. This is the first request for an extension filed by Appellant.

The grounds for this motion are three-fold. First, Appellant has a hereditary neurological disability which impairs Appellant’s ability to function, making all functioning slower with lengthy periods of complete inability to function. Please see the enclosed neurologist’s letter. Second, Appellant is chronically ill, having been ill for the last three years, and is currently recovering from the severe iron-deficiency anemia with which Appellant was diagnosed earlier.

Please see the enclosed test result. Thirdly, despite diligent continuous efforts, Appellant is categorically unable to engage with an attorney. Appellant contacted around 70 attorneys and large law firms, all of whom decline engagement as soon as they learn Appellant's name and address. Even attorneys recommended by the South Carolina Lawyer Referral Program, decline engagement as soon as they learn Appellant's name and address. Please see the enclosed certificate of Appellant's inability to engage counsel. Since this case poses an existential threat to Appellant's life and property, Appellant can't give it up, and is forced to do it pro se. A longer time before the Initial Briefing deadline will allow Appellant an opportunity to better prepare the substance and merits of this appeal.

For these reasons, Appellant requests an extension of the deadline for filing and serving the Initial Brief and Designation of Matter until December 13, 2024.

This extension will not prejudice the rights of the Respondents.

This motion is in compliance with Rule 240, SCACR.

Dated: October 29, 2024

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

Enclosed:

The Permanente Medical Group, Neurology, disability explanation letter;
Appellant's Ferritin test result;
Certificate of Appellant's Inability to Engage Counsel;
Proof of Service on Respondent;
Certificate of Filing Fee payment.

The Permanente Medical Group, Inc.

**NEUROLOGY
3701 Broadway
Oakland, CA 94611-5613
Dept: 510-752-6509**

July 14, 2010

Ola Teslenko
4057 Birchgrove Way
Sacramento, CA 95826

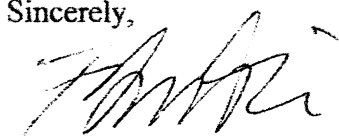
Ms. Teslenko,

I first saw you in April 2010 for lifelong progressively worsening symptoms of poor coordination and slurred speech. There is also a history of this in your father. Your MRI shows cerebellar degeneration. Laboratory testing was negative.

You are diagnosed with cerebellar degeneration - inherited type. The exact genotype is unknown. Many of the genetic forms of cerebellar degeneration do not yet have genetic tests available for them yet.

Unfortunately, your condition results in slurred speech, unsteady gait, poor arm and hand coordination, and visual difficulties, which as you have discovered, are often misinterpreted by laypeople and law enforcement officers as signs of intoxication. You should carry this letter of explanation with you in order to try to minimize any misunderstanding in those situations.

Sincerely,



FRANK ARTHUR DUSTIN MD
Department of Neurology

Collection Date: 04/23/2024



TESLENKO, OLGA, F, 01/12/1973

510-388-2780

410711GS3 GRAND STRAND PRIMARY CARE INT
MED

920 DOUG WHITE DR STE 250, MYRTLE BEACH, SC 295724120

843-236-1950

FINAL RESULT

Accession ID: L15996471

Lab Ref ID: L15996471

Order Date: 04/23/2024

Received: 04/24/2024 12:15:03

Collection Date: 04/23/2024 15:33:00

Receiving Physician: NAZ, ARIBA

Ordering Physician: NAZ, ARIBA

FERRITIN[GSMC-FER]

NAME	VALUE	REFERENCE RANGE	LAB
F FERRITIN	6.2 L	8.0-252.0 (NG/ML)	GS

PERFORMING LAB: GS, GRAND STRAND MAIN LAB#39731615

809 82ND PKWY

MYRTLE BEACH

SC 29582

Result:

Accession ID:

L15996471

Notes:

NAZ, ARIBA 4/25/2024 09:45:17 AM
EDT >attempted to call patient, no
asnwer. patient previously reluctant
to go on iron.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Dale Van Slambrook, Master-in-Equity at Berkeley County

Appellate Case No. 2024-001734

OlgaTeslenko,

Appellant,

v.

Joe Kocsis and Carpet King & Flooring,

Respondents.

CERTIFICATE OF APPELLANTS INABILITY TO ENGAGE COUNSEL

I, Olga Teslenko, the Appellant in the above case, hereby certify that despite diligent continuous efforts, I am categorically unable to engage with an attorney. I have contacted around 70 attorneys and large law firms, all of whom decline engagement as soon as they learn my name and my address. Even attorneys recommended by the South Carolina Lawyer Referral Program, decline engagement as soon as they learn my name and address.

This certificate is accompanied by one instance of evidence to illustrate the above.

Dated: October 28, 2024

s/ Olga Teslenko

Olga Teslenko

100 Fountain Pointe Ln, Unit 103,

Myrtle Beach, South Carolina 29579

Telephone: (510) 388-2780

Email: osenochen@gmail.com

Appellant

Enclosed:

1. S.C. Lawyer Referral to Ryan Compton.PDF
2. Ryan Compton Law reply.PDF



O. T. <osenochen@gmail.com>

You submitted a consultation request to Ryan Compton

1 message

South Carolina Bar Lawyer Referral Service <no-reply@send.community.lawyer>

Thu, Apr 11, 2024 at 5:30

PM

To: osenochen@gmail.com

Hi Olga Teslenko,

Thank you for submitting your request for a consultation via the South Carolina Bar Lawyer Referral Service. The request has been submitted to Ryan Compton. We recommend you call the attorney to arrange the consultation.

— Summary —

Your information

Name

Olga Teslenko

Phone number

(510) 388-2780

Emailosenochen@gmail.com

Your case information

Matter id #

723630

Matter type

Personal injury / property damage → Appeals (civil)

Deadline

You did not submit a deadline for this case.

Issue location

29579

Attorney information

Name

Ryan Compton

Phone number

(843) 547-3333

Email address

ryan@bakercomptonlawfirm.com

Address

[11019 Tournament Blvd., Suite 203, Murrells Inlet, South Carolina, 29576](#)

Law firm

Baker Compton Law Firm, LLC

This email is automatically generated by a web service we use. For that reason, please do not reply to this email if you need to contact us. Instead email us directly at lrs-info@scbar.org or call 1-800-868-2284.

Warm regards,
South Carolina Bar Lawyer Referral Service

[950 Taylor Street](#)
[Columbia, SC 29201](#)



11019 Tournament Blvd., Suite 203
Murrells Inlet, SC 29576
t. 843.547.3333
f. 843.536.9035

Ryan P. Compton
Attorney/Partner
ryan@bakercomptonlawfirm.com

April 15, 2024

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

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

Re: Potential Legal Matter – Civil Appeal / Contractor Dispute
Declination and Non-Engagement by Baker Compton Law Firm, LLC

Dear Ms. Teslenko:

I hope this letter finds you well. As you and I discussed by telephone today, I and my firm are unable to represent you in your potential appeal or other legal matter(s). Please allow this letter to confirm that I and my firm do not represent you in any appeal or any other legal matter(s). Because we have not investigated the potential appeal or any other potential legal matter(s), we do not express any opinions or legal advice concerning any such matter(s).

As you and I discussed by telephone, we strongly recommend that you consult with another South Carolina attorney about any legal matter(s) without any delay. Time limits may apply and you must act *immediately*. Failure to do so timely could bar your potential legal matter(s). Because we do not represent you, we have not researched and have not advised you regarding the application of any time limits to any potential legal matter(s) you may have.

Again, we will not be representing you in this matter or any legal matter at this time. Please understand that neither my law firm, Baker Compton Law Firm, LLC, nor myself will take any action on your behalf or pertaining to your potential matter(s).

I wish you the best of luck.

Yours sincerely,

BAKER COMPTON LAW FIRM, LLC

Ryan P. Compton

EXHIBIT O

**Appellant's Second, Renewed Motion to
Compel Transmission of Original
Exhibits (without enclosures), filed
August 25, 2025.**

RECEIVED

Aug 25 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring,
Respondents.

APPELLANT'S RENEWED MOTION TO COMPEL TRANSMISSION OF ORIGINAL EXHIBITS

Appellant, appearing pro se, respectfully moves this Court pursuant to Rule 240, SCACR, to reconsider its January 14, 2025 order denying transmission of original exhibits and to compel the Horry County Clerk of Court to transmit those exhibits (including Appellant's flash drive) filed July 22, 2024, to this Court.

BACKGROUND.

1. Trial court. At trial in the magistrate court, Appellant entered a package of exhibits, including paper exhibits and a flashdrive containing video evidence, which were reviewed, authenticated, and admitted into evidence without objection.
2. Defective return. On appeal to the circuit court, those exhibits were omitted from the magistrate's return. Pursuant to the county clerk's instruction, Appellant filed a corrective package on July 22, 2024, consisting of identical copies of the omitted exhibits, both paper and flashdrive. At the circuit court hearing, Appellant confirmed under oath that her exhibits were identical to those admitted at trial. See Exhibit A

(Transcript of Circuit Court Hearing, Aug. 21, 2024), pp. 5–10. She later provided written proof of this in her post-hearing motion for reconsideration, filed with the circuit court on September 20, 2024.

3. Clerical obstruction. The circuit court scanned the paper exhibits in a manner that rendered them illegible, and excluded the flashdrive entirely.
4. Motion for originals. On November 11, 2024, Appellant moved this Court to order transmission of the original exhibits. In response to deficiency notices, Appellant filed an itemized list of the exhibits on November 21, 2024, and served it on Respondent on December 6, 2024, thereby correcting all deficiencies. See Exhibit B (Appellant’s Motion to Transfer Originals with Correction #1).
5. Denial order. Despite Appellant’s full compliance with both deficiency notices, this Court denied the motion on January 14, 2025, citing “unnumbered exhibits.” See Exhibit C (Order Denying Motion, Jan. 14, 2025).

GROUND FOR RELIEF.

6. Erroneous denial. The denial was erroneous. Appellant corrected every deficiency identified by the Clerk and explained that her exhibits were filed below precisely as instructed. Numbering is a clerical formality, not a substantive bar to appellate review. Appellant’s admitted trial exhibits were part of the record; when they were omitted from the return, Appellant re-filed them. Appellant does not seek to supplement the record with new material, but only to compel transmission of the evidence already admitted at trial. Appellant certified under oath and demonstrated that her re-filed exhibits were identical to those admitted at trial. Barring admitted trial exhibits from review denies Appellant due process.
7. Legal issue. Rule 210(c), SCACR requires that the Record on Appeal contain “all matters material to the appeal.” Rule 10(c), SCRCP likewise requires transmission of all exhibits admitted below.
8. Legal issue. S.C. Code §18-7-130 directs that appeals “be heard upon the return of the magistrate with all papers relating to the case.” The phrase “all papers relating to the case” necessarily includes exhibits admitted at trial. Where the return is incomplete, and Appellant both objected and re-filed the admitted trial exhibits pursuant to the clerk’s instruction, those exhibits must be treated as part of the record.

9. Statutory Interpretation. To interpret §18-7-130 otherwise would allow clerical omission or deliberate suppression to deprive appellants of review of admitted evidence—a result fundamentally at odds with Rule 210(c) and basic due process.
10. Due Process denial. Fundamental fairness and due process require that this Court review the case on the same evidentiary record considered by the magistrate. To bar Appellant’s exhibits from review on the pretext that they were not numbered below would punish her for clerical conduct outside her control and effectively deny meaningful review.
11. Empty record. The record before this Court—without the original exhibits—is incomplete, devoid of Appellant’s evidence, and therefore misleading. The scanned versions are illegible, and the flashdrive evidence cannot be reduced to paper. Excluding them denies Appellant meaningful appellate review.
12. Extraordinary prejudice. The continued refusal to transmit Appellant’s original exhibits has caused extraordinary prejudice. Appellant has expended significant, unnecessary resources attempting to comply with shifting clerical instructions, only to be told that her admitted trial evidence would not be reviewed. The obstruction diverted Appellant’s limited resources from her health and family responsibilities, causing severe emotional and physical hardship. Most critically, the denial of transmission has prevented meaningful appellate review on the actual evidence admitted at trial, compounding the injustice of the lower courts’ actions, which were not mere clerical mistakes but deliberate suppression of the evidentiary record.
13. Request for judicial review. Appellant respectfully requests that this motion be adjudicated by a judge of this Court, rather than disposed of administratively by the Clerk, as it concerns Appellant’s right of access to the evidentiary record.

RELIEF REQUESTED.

Appellant respectfully requests that this motion be adjudicated by a judge of this Court, rather than disposed of administratively by the Clerk, as it concerns Appellant’s constitutional rights. Appellant has complied with every instruction of the clerks, yet continues to be denied transmission of the record necessary for judicial review. To preserve Appellant’s constitutional right of access to the courts, it is essential that this Court order transmission directly, rather than leave the matter to clerical discretion.

For the foregoing reasons, Appellant respectfully requests that this Court:

- A. Reconsider its January 14, 2025 Order;
- B. Compel the Clerk of Court for Horry County to transmit to this Court the original exhibits package filed July 22, 2024, including the flashdrive;
- C. In the alternative, permit Appellant to substitute her identical copies, including the flashdrive, and order that they be admitted into the record nunc pro tunc as of July 22, 2024, the date of their original filing in the circuit court;
- D. Grant such other and further relief as may be just and proper to ensure that this appeal is decided on a complete and accurate record.

Respectfully submitted,

Dated: August 23, 2025

/s/ Olga Teslenko

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

Enclosures:

Exhibit A – Transcript of Circuit Court Hearing (Aug. 21, 2024).

Exhibit B – Motion to Transfer Originals (Nov. 11, 2024) with Correction #1 (Nov. 21, 2024).

Exhibit C – Order Denying Motion (Jan. 14, 2025).

EXHIBIT P

**Clerk's Letter, Dismissing Appellant's
Motions, filed August 28,2025.**



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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

August 28, 2025

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

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

Dear Ms. Teslenko:

We received your email correspondence dated August 25, 2025 regarding your motions dated August 20, 2025 and August 25, 2025. These motions have been construed as motions requesting reconsideration of decisions previously issued by this Court. Pursuant to Rule 221(c) of the South Carolina Appellate Court Rules (SCACR), the appellate court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal. Therefore, this Court declines to consider your motions for reconsideration dated August 20, 2025 and August 25, 2025 and no further action will be taken.

As stated in this Court's order dated August 18, 2025, the appellant's amended initial brief not exceeding fifty (50) pages is due within thirty (30) days from the date of the order, or by September 17, 2025.

Very truly yours,

Handwritten signature in blue ink that reads "Catherine J. Fanning, deputy". The signature is fluid and cursive, with the first name "Catherine" being more prominent.

CLERK

cc: Carpet King & Flooring
Joe Kocsis

EXHIBIT R

**Clerk's Letter, Ex-Parte Communication,
filed August 28,2025.**



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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

August 28, 2025

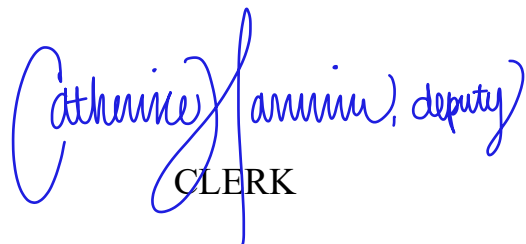
Olga Teslenko
100 Fountain Pointe Ln, Unit 103,
Myrtle Beach SC 29579

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

Dear Ms. Teslenko:

Chief Judge Williams received your emails regarding the status of your case. We are responding on behalf of Chief Judge Williams because he cannot respond to your ex parte communication. From our review of your file, it appears that all pending motions have been ruled upon. As stated in today's letter being sent simultaneously with this one, you must file an amended appellant's initial brief on or before September 17, 2025, to prevent dismissal of your appeal. We will not take any further action on your emails.

Very truly yours,


CLERK

cc: Carpet King & Flooring

Joe Kocsis

EXHIBIT S

**Appellant's Email, Courtesy Copy of
Renewed Motion to Compel
Transmission,
filed August 25, 2025.**

From: [Williams, H. Bruce](#)
To: [Kitchings, Jenny](#)
Subject: FW: Courtesy Copy – Mis-Docketed Rule 240 Motion (App. No. 2024 001734).
Date: Tuesday, August 26, 2025 1:10:08 PM
Attachments: [Gmail - Letter filing Appellant's Rule 240 Motion and Exhibits; Appellate Case No. 2024-001734.pdf](#)
[Teslenko v. Kocsis - Motion to Compel.pdf](#)
[Screenprint 2024-001734 Case View.pdf](#)

From: O. T. <osenochen@gmail.com>
Sent: Monday, August 25, 2025 2:58 PM
To: Williams, H. Bruce <hwilliams@sccourts.org>; Williams, H. Bruce <hwilliams@sccourts.org>
Subject: Courtesy Copy – Mis-Docketed Rule 240 Motion (App. No. 2024 001734).

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. *******

LETTER TO THE CHIEF JUDGE OF THE SOUTH CAROLINA COURT OF APPEALS
PROVIDING A COURTESY COPY – APPELLANT’S MIS-DOCKETED RULE 240 MOTION

August 25, 2025

The Honorable Chief Judge H. Bruce Williams
South Carolina Court of Appeals
Email: hwilliamsj@sccourts.org
Email: hwilliams@sccourts.org

RE: Teslenko v. Kocsis, Appellate Case No. 2024-001734

Dear Chief Judge Williams,

For courtesy, I am forwarding a copy of my letter to the Clerk requesting correction of the mis-docketing of my Rule 240 motion.

The filing letter accompanying my submission expressly identified it as a Rule 240 motion, and the motion itself was titled Appellant’s Renewed Motion to Compel Transmission of Original Exhibits (Rule 240, SCACR), requesting adjudication by a judge. However, the Clerk’s office docketed it instead as an “Amended Motion to Reconsider.” This mis-docketing appears calculated to stall and administratively deny the motion, rather than allow it to be presented to the Court, despite its direct bearing on the evidentiary record and underlying fraud in the lower courts.

Enclosed for clarity are:

1. Gmail printout of the Filing Letter dated August 23, 2025, identifying the motion

as filed under Rule 240;

2. Clocked copy of the Rule 240 motion as filed;
3. Screenshot of the docket entry showing the inaccurate title.

Respectfully submitted

s/ Olga Teslenko

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

----- Forwarded message -----

From: **O. T.** <osenochen@gmail.com>

Date: Mon, Aug 25, 2025 at 2:51 PM

Subject: Letter Requesting Correction – Appellant's RULE 240 Motion Mis-docketed;
Appellate Case No. 2024-001734.

To: Court Of Appeals Filings <ctappfilings@sccourts.org>

**LETTER TO THE APPELLATE COURT CLERK
REQUESTING CORRECTION – APPELLANT’S RULE 240 MOTION MIS-DOCKETED**

August 25, 2025

The Honorable Jenny Abbott Kitchings
Clerk of Court,
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

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

Dear Clerk Kitchings,

On August 23, 2025, I filed Appellant’s Renewed Motion to Compel Transmission of Original Exhibits, submitted pursuant to Rule 240, SCACR. The formal filing letter accompanying my submission expressly identified it as a Rule 240 motion and requested adjudication by a judge rather than administrative disposition by the Clerk.

Today, I observed that the docket entry for this filing inaccurately describes it as “Appellant’s Amended Motion to Reconsider”. My motion is not a reconsideration motion; it is a Rule 240 motion, properly filed and accompanied by Proof of Service and exhibits.

For clarity and accuracy of the record, I respectfully request that the docket be corrected to reflect the title and nature of the motion as filed—Appellant’s Renewed Motion to Compel Transmission of Original Exhibits (Rule 240, SCACR)—and that the motion be referred to the panel for adjudication, as it concerns Appellant’s right of access to the evidentiary record.

Enclosed for ease of reference are:

1. Gmail printout of the Filing Letter dated August 23, 2025, identifying the motion as filed under Rule 240;
2. Clocked copy of the Rule 240 motion as filed;
3. Screenshot of the current docket entry reflecting the inaccurate title.

Thank you for your prompt attention to this correction.

Respectfully submitted,

/s/ Olga Teslenko

Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com

Tel: (510) 388-2780

EXHIBIT T

**Appellant's Third Motion to Compel
Transmission of Original Exhibits
(without enclosures), filed August 28,
2025.**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring,
Respondents.

APPELLANT'S MOTION UNDER RULE 240, SCACR, TO COMPEL TRANSMISSION OF ORIGINAL
EXHIBITS

Appellant, appearing pro se, respectfully moves this Court pursuant to Rule 240, SCACR,
for an order compelling transmission of the original exhibits filed in the trial court.

GROUND'S FOR RELIEF.

1. At trial in magistrate court, Appellant introduced a package of exhibits, including paper exhibits and a flashdrive containing video evidence. These exhibits were reviewed, authenticated, and admitted into evidence without objection.
2. Upon appeal to the circuit court, the magistrate's return omitted these exhibits. On July 22, 2024, pursuant to the county clerk's instruction, Appellant submitted a corrective package of identical copies of the omitted exhibits, both paper and flashdrive. See Exhibit B – Letter Submitting Exhibits Omitted in Lower Court's Return (July 22, 2024).
3. At the circuit court hearing, Appellant confirmed under oath that the exhibits she re-filed on July 22, 2024 were identical to those admitted at trial. There were no objections. See Exhibit A – Transcript of Circuit Court Hearing (Aug. 21, 2024), title page and pp. 5–10 (highlighted).

4. The circuit court scanned the paper exhibits in a manner that rendered them illegible and excluded the flashdrive entirely.
5. Rule 240, SCACR, requires that this Court be provided with all matters material to the appeal. The original exhibits are essential; their omission completely denies meaningful appellate review.

RELIEF REQUESTED.

For the foregoing reasons, Appellant respectfully requests that this Court grant this Rule 240 motion and:

- A. Order the Clerk of Court for Horry County to transmit the original paper exhibits and the original flashdrive filed July 22, 2024; or, in the alternative,
- B. Permit Appellant to substitute her copies, including the flashdrive, to be received into the record as of July 22, 2024; and
- C. Grant such other and further relief as may be just and proper to ensure that this appeal is decided on a complete and accurate record.

Respectfully submitted,

Dated: August 28, 2025

/s/ Olga Teslenko

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

Enclosures:

Exhibit A – Transcript of Circuit Court Hearing (excerpt, Aug. 21, 2024, pp. 5–10).

Exhibit B – Letter Submitting Exhibits Omitted in Lower Court’s Return (July 22, 2024).

EXHIBIT U

**Clerk's Letter, No Action,
filed September 3, 2025.**



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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

September 03, 2025

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

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

Dear Ms. Teslenko:

The Court is in receipt of your motion to compel transmission of the original exhibits dated August 28, 2025. This motion has been construed as a motion requesting reconsideration of decisions previously issued by this Court. Pursuant to Rule 221(c) of the South Carolina Appellate Court Rules (SCACR), the appellate court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal. Therefore, this Court declines to consider your motion for reconsideration dated August 28, 2025, and no further action will be taken.

Very truly yours,

Catherine S. Harrison, deputy
CLERK

cc: Carpet King & Flooring
Joe Kocsis

EXHIBIT Z

**Magistrate's Summary, backfiled
on August 22, 2024 into the May 29, 2024
docket entry for magistrate's return.**

MAGISTRATE RETURN ON APPEAL

CASE NUMBERS: 2023CV261093695
2024CP2602983

PLAINTIFF: OLGA TESLENTE

DEFENDANT: CARPET KING AND FLOORING

CASE TYPE: SUMMONS AND COMPLAINT

FILED
Horry County
2024 MAY 23 PM 4:16
RENEE N. ELMS
CLERK OF COURT
HORRY COUNTY, SC

ORIGINAL

On November 22nd, 2023 the plaintiff filed a COMPLAINT against the defendant at the Myrtle Beach Magistrate Office. The defendant was personally served notice of said complaint on December 4th, 2023. The defendant notified the Court with his ANSWER on December 21st, 2023, denying the plaintiffs claims. The plaintiff claimed \$3,394.75 in damages against the defendant. All parties appeared at the Myrtle Beach Magistrate Office on March 27th, 2024. The parties were Pro Se, the Court swore all parties, the Court received all evidence and testimony offered.

The plaintiff stated she entered into a contract with the defendant on or around October 31st, 2023 where the defendant would take out her carpet and replace it with shaw prime plank. The plaintiff stated she paid \$1,700.00 on November 2nd, 2023 to the defendant, and the remaining balance upon completion, totaling \$3,394.75. The plaintiff stated the installed flooring was not done to industry standards, and began to peel up 10 days after installation. The plaintiff stated she could peel the flooring up with her bare hands. The plaintiff stated she has a 1-year warrant given to her by the defendant on the installation of her floor. The plaintiff stated she contacted another flooring company, and they stated the defendant installed the flooring incorrectly. The plaintiff stated the defendant admitted to installing her floor incorrectly and agreed to refund her money.

The defendant stated his company did install flooring for the plaintiff at her residence. The defendant stated the contracted price for the install was \$3,394.75. The defendant stated once the installation was complete, the plaintiff was very happy and paid the remainder of the balance. The defendant stated he was contacted by the plaintiff a few days later, who stated the floor was peeling up and wanted him to come and inspect the newly installed floor. The defendant stated when he arrived at the plaintiff's residence, it was very obvious the plaintiff had intentionally pulled up multiple floor planks. The defendant stated he attempted to correct the issue, however the plaintiff would not allow his company access to her residence. The defendant stated the only prep-work his company did before installation was scrap and sweep the slab.

FINDING OF FACT BY THE COURT:

- 1) The plaintiff and the defendant entered into a contract where the plaintiff would pay the defendant \$3,354.75 and the defendant would remove the plaintiffs carpet and replace the carpet with shaw prime plank.
- 2) The defendant performed and completed the agreed upon work and was fully paid by the plaintiff.

- 3) The plaintiff contacted the defendant and complained about the performance of his work due to some of the planks not adhering to the subfloor. The plaintiff pulled multiple planks up before notifying the defendant, possibly causing more damage than was necessary.
- 4) The defendant responded to the plaintiff's complaint, however was not fully allowed by the plaintiff to perform warranty work.
- 5) The evidence the plaintiff entered into evidence was largely hearsay, and could not be considered by the Court.
- 6) The Court believes the flooring product was not installed 100% correct, however the plaintiff did not allow the defendant to perform or cure the issue as the contractual warranty dictates.
- 7) The Court calculated the total cost to the plaintiff to include all materials, Court cost and taxes to be \$2,000.00.

In conclusion it is the Court's beliefs the plaintiff did not get a properly installed floor. However, the plaintiff did not give the defendant an opportunity to perform under the full contract by denying him access, and not allowing him to complete repair work covered by the warranty.

Respectfully Submitted By,

Chris Arakas,
Myrtle Beach Magistrate

05/21/24

 ORIGINAL

FILED
HORRY COUNTY
2024 MAY 23 P 4:16
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

RECEIVED

Sep 04 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring,
Respondents.

PROOF OF SERVICE OF APPELLANT'S EXPEDITED MOTION
TO TRANSMIT FLASHDRIVE AND ORIGINAL EXHIBITS, AND TO HOLD APPEAL IN ABEYANCE

Appellant hereby certifies that she has served her Expedited Motion to Transmit Flashdrive and Original Exhibits, and to Hold Appeal in Abeyance upon Respondent, Mr. Joe Kocsis, who at all relevant times represented himself to be the owner of Carpet King & Flooring. Service was made by depositing a true copy thereof with Federal Express, postage prepaid, on September 4 2025, addressed to: Mr. Joe Kocsis, Carpet King & Flooring, 532 Broadway Street, Myrtle Beach, SC 29577.

Respectfully submitted,

/s/ Olga Teslenko

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

Dated: September 4, 2025