

STATE OF SOUTH CAROLINA)	Appeal Case No: _____
)	
COURT OF APPEALS)	Original Case no: 2025-CP-46-02210
)	
Alexis Carberry et al.)	
)	
)	Notice of Appeal by Plaintiff
Plaintiff)	Oral Arguments Requested
)	
vs.)	
)	
)	RECEIVED
Amy Maziarz)	OCT 10 2025
)	
Defendant)	SC Court of Appeals

In appeals from lower courts, the notice of appeal shall contain the following information:

(A) The name of the court, judge, and county from which the appeal is taken.

*Court of Common Pleas of 16th circuit York County, Assigned 5th Circuit Judge
Daniel Coble two orders issued on September 25, 2025, attached.*

(B) The docket number of the case in the lower court.

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(C) The date of the order, judgment, or sentence from which the appeal is taken; and if appropriate for the determination of the timeliness of the appeal, a statement of when the appealing party received notice of the order or judgment from which the appeal is taken, or, if a cross-appeal, when the respondent received appellant's notice of appeal.

Certificate of Service Attached

(D) The name of the party taking the appeal.

Plaintiff, Alexis Carberry

(E) The names, mailing addresses, and telephone numbers of all attorneys of record and the names of the party or parties represented by each.

*Amy Maziarz unlawfully represented by
Meredith Siebert Esq. and David Duff Esq.*

Duff Freeman Seibert LLC
PO Box 1486 Columbia, SC 29202
dduff@dfs-lawfirm.com
mseibert@dfs-lawfirm.com

Statement and Summary of Procedural Events:

1. On September 18, 2025 a hearing was held in the 16th circuit, York County, SC.
Judge Coble, who is currently assigned to the 5th circuit in Richland county, resided.
2. The Judge heard a Motion to Dismiss from the defendant, and Motions to Strike, Amend and Disqualify Counsel from the Plaintiff.
3. After their case had commenced and the Judge called up the number for the next case, IN BETWEEN CASES, the Plaintiff whispered a comment to the Defendants Attorney as she was walking out of the court room, "It looks like you gained some weight".
4. Though a truthful statement, the Plaintiff admits it was rude, unkind and not necessary and sent an apology email to Meredith Seibert esq. that same day. However, it is not illegal or grounds to hold and or rule a plaintiff or attorney in direct contempt of court.
5. The comment is protected under the 1st amendment. It was not disruptive to the proceedings, not unruly to the Judge or Court.
6. The Judge did not hear fully what was said as the plaintiff was walking out and whispered it. Judge Coble asked "what did she say?", and asked the Deputy to ask me to come back in, so I did. He then asked me directly, " What did you say?". I stated it again.

7. Judge Coble then ordered the Deputy to “Cuff her”. The plaintiff asked if she was being arrested and under what grounds. Judge Coble stated “you are being detained in contempt of court”, The plaintiff asked, “contempt for what?” He did not answer.
8. The plaintiff cooperated as she walked to a conference room just outside the courtroom.
9. The plaintiff asked the reason she was being detained and the deputy would not respond. I explained that he would need to have articulable reasons to do so, and that I was exercising my 1st amendment right to speech. It is the deputy's job and OATH to uphold the constitution not a judges order.
10. The plaintiff asked for the deputy's name and badge number. The deputy refused to respond.
11. The plaintiff requested the deputy's supervisor. At first he did not comply but after some time did call for the lieutenant to come. By that time Judge Coble had called the plaintiff back into the courtroom.
12. During that time in the conference room , as I went to grab my phone out of my bag the deputy denied me access to my belongings. This is unlawful to do unless there is a fear for his safety. There was none. He proceeded to SEIZE my purse and my phone without my permission and without a warrant and held them next to him.
13. Upon entering the courtroom, the Judge ordered the deputy to take the handcuffs off of the plaintiff. The Judge made a few statements as to his Ruling for Holding the plaintiff in contempt of court and did not impose a fine.

14. The plaintiff asked how that secures the plaintiffs rights to freedom of speech? The Judge dismissed her stating he had already made his ruling and told her she could leave.

Plaintiff makes this objection for the following reasons:

1. The action taken was retaliatory and biased in nature based on the Plaintiff Opening remarks which were as follows:

"Your honor I am here today to seek justice through my constitutional right to impartial due process that is guaranteed in the 5 th and 14 th amendment. Although I know that the judicial system of South Carolina is in need of intense reform, I am hopeful that your honor will rule with integrity, honesty and in accordance with your oath to the constitution.

For the record, and with all the respect, I humbly and in good faith share my objection to your honor coming from Richland County when you're honor is currently assigned to the fifth circuit and not the 16th. The 5th circuit, just so happens to be Richland County where the state capital Columbia is located. This is also where Duff Freeman Siebert has been located for 35 plus years. One of the only 2 firms to represent every school district in the entire state.

That coincidence is certainly not overlooked.

To my understanding the reasoning behind court assignment and rotations is to ensure that these types of procedures and protocols are in place to ensure proper checks and balances to ensure Constitutional impartial due process. With that said I plead to your

honorable humanity, to your consciousness, and to your soul, to listen to these facts today and make a decision based on your oath to the Constitution of the United States of America.

When judges begin to do that in the state of South Carolina and across the country that is when we will see the country take a turn for the better because without truth, fairness and justice, freedom, we have only chaos.

Look around.

No matter what happens today, I feel called to continue to document and to put in legal writing All of the injustice, collusion, corruption, manipulation, And even embezzlement of taxpayer funds by Duff Freeman Seibert. This is so that one day, Justice will be served, looking back at all of the court records over the years.

No matter how quickly or how far in the future that will happen..... God wins."

Bias arises when the judge becomes "personally embroiled" with the contemnor, *Offutt v. United States*, 348 U.S. 11, 17 (1954), when he necessarily becomes embroiled in a running controversy with the contemnor so that he might naturally be expected to harbor "marked personal feelings," *Taylor v. Hayes*, 418 U.S. 488, 503 (1974); *Mayberry v. Pennsylvania*, 400 U.S. 455, 464 (1971), or when he is in adversary posture with the contemnor, even if he has not been personally attacked. *Johnson v. Mississippi*, 403 U.S. 212, 215-16 (1971). It should be noted that it is not the contemnor's conduct alone which determines whether bias exists, but rather the character of the judge's response to such conduct. *Taylor*, 418 U.S. at 503 n. 10.

2. There are no grounds for direct contempt. Contempt of court arises when an individual willfully disobeys a court order, disrupts legal proceedings, or obstructs the administration of justice. None of those things occurred.

As a matter of law, whispering a personal comment to the opposing party or counsel after the hearing had commenced does not disobey, disrupt or obstruct the proceeding of the court in any way. The disruption only came after the Judge had called the plaintiff back into the courtroom.

3. Judge Coble is not Impartial thus Decision to Dismiss this case is Null and Void
 - a. Defendant has several personal cases as well as clients with complaints against the South Carolina Department of education located in Columbia , Richland County, where Judge Coble resides, has spent his entire career (and his father and grandfather), and currently serves. With discovery I am certain to find communications of collusion to stop this case.
 - b. Barbara Drayton spent almost 40 years in Columbia as the SCDOE Lead Council, with the Coble Family. Again with discovery, I am certain to find collusion to stop this case.
 - c. Duff Freeman Seibert almost 40 years in Columbia and only 1 of 2 firms in SC who represent all districts state wide. There is a Monopoly and Conflicts of interest without proper checks and balances.
 - d. Defense attorneys in the legislative branch vote for Judges(not the people) to become the youngest judge in the history of SC, thus he is indebted to those defence attorneys rather than to his OATH. Sounds more like he is a plant as a groomed and obedient servant to the Judicial Mafia of Good old Boys.

- e. The plaintiff should have been afforded proper checks and balances for impartial due process with the **ASSIGNED circuit judge**. Why did Judge Coble come for the 1ST TIME to York County to hear cases? Was he sent there on purpose? I'm certain with discovery we will find collusion to stop this case.
- f. Plaintiff has personal and client Special Education related complaints against/with the SCBAR itself and particular licensed counsel. One is currently pending, where Judge Coble miraculously also holds an ethics leadership position. This is most certainly questionable as well

Other Appeal items

- 1. Motion to Disqualify Counsel or provide Retainer Agreement with Duff Freeman Seibert.
 - a. Council is a Conflict of Interest for FMSD and SCDOE Rule 1.8 Conflict of Interest: Current Clients; Specific Rules
 - (a) A lawyer shall not enter into a business transaction with a client or knowingly acquire an ownership, possessory, security or other pecuniary interest adverse to a client unless:*
 - (1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed and transmitted in writing in a manner that can be reasonably understood by the client;*
 - (2) the client is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel on the transaction; and*

(3) the client gives informed consent, in a writing signed by the client, to the essential terms of the transaction and the lawyer's role in the transaction, including whether the lawyer is representing the client in the transaction.

RULE 1.7: CONFLICT OF INTEREST: CURRENT CLIENTS

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

(1) the representation of one client will be directly adverse to another client; or
(2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and

(4) each affected client gives informed consent, confirmed in writing.

b. Council admits to being represented using TAX payer funds by FMSD who counsel also represents. **There is NO WRITTEN RETAINER**

AGREEMENT on this PRIVATE CIVIL ACTION

c. Order from Judge Coble simply states, "Lacks Merit", however that is simply not reflected in the record nor is he able to state what evidence and arguments and rules presented failed to "lack merit". He did however request the defendants counsel to write the final order to come up with her own conclusions of the law.

2. Motion to Strike "*Motion to Dismiss*" should have been granted
 - a. No LEGAL WRITTEN establishment of personal/private representation (without a conflict of interest) outside of FMSD. Per RULE 1.7 and 1.8
 - b. Rule 11 (a) Signature. Every pleading, motion or other paper of a party represented by an attorney shall be signed in his individual name by at least one attorney of record who is admitted to practice law in South Carolina, and whose address and telephone number shall be stated. **The written or electronic signature** of an attorney or party constitutes a certificate by him that he has read the pleading, motion or other paper; that to the best of his knowledge, information and belief there is good ground to support it; and that it is not interposed for delay.

There is **No Written or Electronic Signature** per definition. Simply a typed name, Meredith Seibert twice in 2 different fonts.

(8) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

SECTION 26-6-80. Satisfying requirement that information be in writing; complying with manner of transmission and format requirements;

(A) law requires a person to provide, send, or deliver information in writing to another person, the requirement is satisfied if the information is provided, sent, or delivered in an electronic record capable of retention by the recipient at the time of receipt. An electronic record is not capable of retention by the recipient if the sender

or its information processing system inhibits the ability of the recipient to print or store the electronic record.

SECTION 26-6-90. Showing that electronic record or signature is attributable to a person; effect of electronic record or signature.

(A) An electronic record or electronic signature is attributable to a person if it is the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of a security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

(2) if electronic records must be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by, a third party used by a person filing a document to facilitate the process;

(Such as Docu sign)

- c. If a pleading, motion or other paper is not signed or does not comply with this Rule, **it shall be stricken** unless it is signed promptly after the omission is called to the attention of the pleader or movant.

3. Motion to Amend

Rule 15 - Plaintiffs Right to Amend was denied unlawfully, thus Judge Coble denying the plaintiffs 5th and 14th amendment rights to impartial due process.

RULE 15 AMENDED AND SUPPLEMENTAL PLEADINGS

(a) Amendments. A party may amend his pleading once as a matter of course at any time before or within 30 days after a responsive pleading is served or, if the pleading is one to which no responsive pleading is required and the action has not been placed

upon the trial roster, he may so amend it at any time within 30 days after it is served. Otherwise a party may amend his pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires and does not prejudice any other party. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within fifteen days after service of the named amended pleading, whichever period may be the longer, unless the court otherwise orders.

- a. Amended Complaint included details about the statement of claim defendants counsel claims was missing in the initial filing including an Notarized Affidavit. Even though it was not necessary pursuant to RULE 9 *Special Matters*
 - b. Defendant Counsel admits on record to the judge that the, “Plaintiff has the right to file an amendment but that the motion to dismiss was on the initial complaint only” and was only for failure to make a statement of claim.
4. Final order submission ORDERED to be written by defendant counsel not by Judge Coble.
- a. RULE 5 (b)(3) Any party providing a **proposed** order, **proposed findings** of fact or conclusions of law, or **proposed judgment** or other paper to the court for its consideration in any pending matter.....
 - b. Judge Coble fails to follow proper rules of procedure, fails to conduct his constitutional **PUBLIC SERVICE** to the people and Orders the Tax payer funded Counsel to write the **FINAL ORDER** for the court, not a proposed order. Why was the Plaintiff not given the opportunity to provide a proposed Order? This would be ex parte communication and certainly unconstitutional due process.

c. RULE 52 FINDINGS BY THE COURT

(a) Effect. In all actions tried upon the facts, the COURT shall find the facts specially and state separately its conclusions of law thereon, and judgment shall be entered pursuant to Rule 58; Findings of fact and conclusions of law are unnecessary on decisions of motions under Rules 12 or 56 or any other motion except as provided in Rule 41(b). Motion to Dismiss is neither 12, 56, or 41

Allowing Defendant Counsel to write the Final Order to Dismiss is a gross lack of ethics and constitutional judicial duty and Public Service to uphold IMPARTIAL due process.

For the above reasons the plaintiff objects to the Ruling of Contempt of Court.

Granting the Motion to Dismiss, and denying the Motion to Strike, Motion to Amend, Motion to Disqualify Counsel and provide the court notice of appeal. Nothing in this notice removes the Plaintiff right to include new and different information or arguments in the appeal brief.

Plaintiff makes the request for a 3rd time to allow e- filing access. The denial of any such access is discrimination and denies the plaintiffs right to impartial due process through the 5th and 14th amendments of the US constitution.

Signed this day the 6th of October, 2025

X

Alexis Carberry

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