

NEW CONSTITUTIONAL ADA REASONABLE ACCOMMATION DEMAND - CANCER ISSUES, KIDNEY DAMAGE DUE TO COURT ADA REFUSALS, FLUID COLLECTION, AND EXACERBATION/AGGREVATION.

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THE STATE OF SOUTH CAROLINA

In The Court of

Appeals

RECEIVED
FEB 12 2026
SC Court of Appeals

Appellate Case No. 2025-000859

Linda Kennedy and

Marsha Fink

Appellants

v.

Lake Hartwell Resort and Cabins, LLC, a/k/a Lake Hartwell Resort and Cabins, a/k/a Lake Hartwell Campers and Cabins, a/k/a Lake Hartwell Management, a/k/a Chris Vellanti, a/k/a Christopher Vellanti; Christopher Vellanti, as a Member and Personally; Yvonne Goldman, as a General Manager and Personally; Frank Pellegrini; Fritzie Maroto; Jennifer Burdette; Marsha Stamm; Allen Riha; Ray Grenier; Grant Ferrendelli; and Charles Carpenter,

Respondents.

MOTION FOR NEW CONSTITUTIONAL ADA REASONABLE ACCOMMATION DEMAND - CANCER ISSUES, KIDNEY DAMAGE DUE TO COURT ADA REFUSALS, FLUID COLLECTION, AND EXACERBATION/AGGREVATION.

COMES NOW Dr. Linda Kennedy and Dr. Marsha Fink, (hereinafter by last name or P-Appellants), under a **new** demand for **new** issues regarding P-Appellants' ADA qualifying injuries pursuant to South Carolina Constitution, Art. V, Sec. 9 and all South Carolina Constitution and U.S. Constitution regarding Due Process, Equal Protection and Access to the Courts, SCRPC 6(b)(1), SCACR 240 and 42 U.S.C, Sects. 12131-12134 and the entire Americans with Disabilities Act, Title II, 28 C.F.R. Part 35, the South Carolina Judicial

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Branch Administrative Offices of the Court on ADA Compliance and the South Carolina Court System Guidelines and Resources Summary. P-Appellants incorporate by reference all motions previously filed describing ADA Disabilities with proof, and ADA Advocate letters assisting the Court to know they MUST grant reasonable accommodations that P-Appellants have filed, as this is not discretionary but mandatory and brings up Constitutional issues if the State refuses to be compliant.

All activities related to this case had to cease last week and herein the great cause shown are described.

While working on P-Appellants' Appeal and submitting strong motions to distinguish an unlawful alleged and clearly not even slightly true ALLEGED reconsideration claim the extremely BIASED Court with financial interests was making, P-Appellants received a letter from the Court to try to avoid complying with the ADA laws, when P-Appellants are demanding a CONSTITUTIONAL CLARIFICATION of an EXTREMELY VAGUE ALLEGED ORDER that cannot be pointed to as the clear order, because THERE IS NO SUCH ORDER at all, which is ADA-related Fraud on the Court to deny Constitutional Rights. The ADA Order simply does not even exist or it would have already been provided and clarified without using Laffitte attorney with major conflicts of interest to be writing P-Appellants unenforceable letters of what the Court may be saying.

P-Appellants understand that this lack of ruling and side-stepping its nonruling in a gaslighting fashion is so this court can continue to protect its fellow Legal Machine Criminal Enterprise Judges at the trial, appeal and supreme levels, and deny ADA Reasonable Accommodations to ADA qualifying P-Appellants to make sure they do not

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receive their Constitutional Rights to present what these Courts do not want presented.

This is for their own financial and other unlawful interests, which is obvious Fraud on the Court by the Court, which then denies P-Appellants Constitutional meaningful due process of law and right to present a full Appeal to a Neutral Trier of Fact. This is not an abuse of Discretion issue. It raises Constitutional Concerns especially when it is combined with ADA violations that keep P-Appellants from their Equal Protections and Due Process/Access to the Courts and so forth. The Court refusing to file the Motions or misquoting and otherwise being extremely dishonest in its goal to stop P-Appellants from redressing grievances the self-interested Judges do not want heard is just adding to the claims against SC.

The Court's tricks to deny ADA Reasonable Accommodations that are least restrictive and address the individual needs of P-Appellants are many and documented in P-Appellants Constitutional Demands that are incorporated by reference here, and the Court's misuse and abuse of a conflicted Laffitte Lawyer to write P-Appellants' a letter telling them what the Appeals Court may have said that is not an Order nor signed by the Court, and is targeting and trying to intimidate P-Appellants, who have been exposing this entire Murdaugh scam the State is running, with many more tricks played within that letter to deny P-Appellants' Due Process, Equal Protection, a right of Access to the Courts, a right to redress grievances, and other Constitutional Rights already addressed elsewhere are incorporated by reference located in the Appeal Court record.

P-Appellants are waiting for that Clear, NOT VAGUE ORDER signed by Judges to the last Unconstitutional nonruling that needs to be produced for review by the Federal

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Authorities, (and elsewhere) for obvious SC violations of the ADA mandate that SC claims to be within Federal compliance but is obviously not. P-Appellants are waiting for that clear Order to be pointed out to them that is in the record that P-Appellants have mirrored to try to keep the record preserved in such a hostile environment as the SC Courts. And they need to see where this clear Order has clearly granted or denied P-Appellants prior ADA Reasonable Accommodations, with P-Appellants describing what they need and why, that is routinely granted to others without such ADA issues in a clear denial of Equal Protections and selective enforcement, and can be sent for review by the authorities and elsewhere as this is a mandate and not a mere abuse of discretion to deny same. It shows the appearance of and actual impropriety of the Courts in P-Appellants' matters.

BUT NOW P-Appellants are bringing up a NEW ADA Reasonable Accommodation DEMAND that was foreseeable by the Court if it cared about the physical health and safety of its litigants and that protects their Constitutional Rights.

The Supremes already showed they do not care and suggested P-Appellants give up if they are worried about their health due to being thrown to the Judicial wolves in the 10th Cir., who have proven financial interests in the case by their D-Appellee proxies they are also protecting for their own sake. We need this to be a Constitutionally CLEAR Order signed by Judges with opinion in a very obvious statement of granting or denying where this is a mandatory granting Constitutional demand and where the duties of the state to protect ADA Qualifying litigants is NOT discretionary. P-Appellants need an Order, opinion, if denied, and signatures of all Judges claiming they are neutral in an obviously biased case where Trial, Appeal and Supreme Judges are showing great impropriety, and not just the

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appearance thereof, where P-Appellants will be holding accountable those who are openly violating the Constitution on a very serious ADA/Constitutional matter that is not discretionary. By signing that Order, Judges are stating also that they have a right to make any Order or hear any part of this case, which P-Appellants know not to be true. That will also be challenged with the FEIGNED Murdaugh case also in mind.

The NEW and exacerbated/aggravated¹ Disabilities and situation P-Appellants are dealing with at the hands of SC Judges (and let P-Appellants know if you need an exhaustive list they can supply, although what they are providing is more than enough), that are harming P-Appellants health even more, as punishment, and have caused additional physical health conditions to worsen or become much more serious, with older issues not mentioned for ADA Disability sake, but are now NEW ADA Disability issues, are that P-Appellants, Dr. Kennedy and Dr. Fink are working on a much faster time table and minimum page limit than normal litigants would get if similarly situation, even without ADA issues (see Murdaugh). This alone violates the ADA and these punishments against P-Appellants, are Unconstitutional and are representing more biased, selectively prosecuting of P-Appellants and have further caused a worsening of Disabilities of P-Appellants that have caused more physical problems that are very serious. These physical health scars are

¹ Under the Americans with Disability Act (ADA, Amendments Act of 2008 ADAAAA), *exacerbations or aggravations* of an existing impairment is part of what makes a condition qualifying as a disability and as previously discussed in incorporated documents, the impairment meets the ADA definition of a disability and the exacerbation does substantially limit a major life activity or bodily function. Seeing, limb usage without major pain or numbness so the limbs cannot be used, Back, legs, hip/walking, Seizures, Cancer, Kidney functions, fluid collection due to same are all substantially limiting functions to major life activities, with the disability liberally construed for the Disabled.

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completely unnecessary, but for the punishment value they give to the Judges who are weaponizing them.

Both Dr. Kennedy and Dr. Fink have been sick, throwing up, showing all signs of intentional Sleep Deprivation that the Court knows are causing, and know these symptoms are true from reading P-Appellants' scientific findings cited on Sleep Deprivation symptoms that originally caused P-Appellants' key Disabilities that affected their performance on this case due to SC Trial, Appeal and Supreme Courts disabling P-Appellants in these ways, described and incorporated by reference, The Court then weaponized those created disabilities to where now both P-Appellants cannot stare at screens/print due to eye surgeries now needed (Dr. Kennedy) and Dr. Fink trying to stop the staring if at all possible before needing surgery also. P-Appellants also cannot type for long periods of time without breaks due to nerve damage, with Dr. Fink starting to show the same symptoms. Further, Dr. Fink is showing signs of and has had one seizure last week, due to such extreme sleep deprivation while trying to pick up the slack for Dr. Kennedy's physical health decline, who has been incapacitated for the most part, but with a few good days in between once rested.

Sleep Deprivation is inhumane Torture and against the law to submit People to such, especially older, Disabled people as Elder Abuse and Exploitation is actionable against Judges and all have already long ago lost their immunity from performing such acts. P-Appellants cited many laws/facts on such torture and also a case in SC that does not permit same.

This Elder Abuse and Exploitation to hide the RACKETEERING of the SC Legal Machine Criminal Enterprise that has been illustrated in P-Appellants case, and the

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Murdaugh cases, is classic RICO on a very large scale, but those financial interests, obviously illegal, also do not permit State Actors to physically disable victims whose awards are coveted by the State through Insurance Fraud/Insurance Reserve Fraud and other similar schemes, while overworking the victims to such a degree that they can no longer approach the case in good physical health. Reading and writing the documents without obstruction by the extremely biased Courts involved in the RACKETEERING has become extremely difficult and requires P-Appellants to frequently take breaks.

Recently, Dr. Kennedy had to cancel her surgery involving her cancer situation, because she was very sick this week and could not go into surgery vomiting and with vertigo and pass the physical required to have the surgery. This is all from rushing and trying to finish without reasonable accommodations necessary that also have not allowed anything close to normal sleep in order to comply with these weaponized and Unconstitutional acts of the Court to punish P-Appellants and to further hide the Judges and State Actors and agents RACKETEERING involved in this matter, where all the Judges must step down voluntarily and turn each other in for such acts.

Further, Dr. Kennedy has delayed treatment on so many kidney stones that her kidneys may have been destroyed or partially destroyed. She has collected a great amount of fluid in her body, a sign that kidney function is not working properly. Dr. Kennedy suffered hydronephrosis several times over the course of the last couple of years due to having to delay unclogging the kidneys of multiple, large stones, which can destroy the kidneys and make a patient go on dialysis for life. These are just some of the punishments P-Appellants have received from the Courts' abusing and ignoring ADA Accommodations,

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for punishment purposes and to force P-Appellants to give up and just accept their awards are stolen by the state. P-Appellants have said a loud NO and continue to say so.

This entire case, down to the State-proxies, who were the Defendants in the underlying case, spoke through intimidation and bullying, expecting P-Appellants to cower. The colluding lawyers and all the RACKETEER Judges, Allianz and others at the lower Court have expected the same as they bullied P-Appellants. The Supreme Court bullied P-Appellants in their incredibly outrageous writing on a writ of Mandamus, even allowing the trial court judges to refuse to allow P-Appellants to file documents showing the government collusion in P-Appellants case. .. destroying the record, and committing incredible amounts of Unconstitutional obstruction of justice by the Judges themselves. P-Appellants were not bullied and continued.

Dr. Fink has been fighting seizure symptoms a lot last week, while trying to make up for Dr. Kennedy's lack of physical health so P-Appellants do not fall further behind due to not receiving Reasonable Accommodations, while she tries to recovery herself and not get worse. Both Dr. Kennedy and Dr. Fink need to rest their eyes and limbs in between working on this matter, and get regular sleep, and have time for medical appointments they need, mostly due to the abuse they received in this case by your SC Judges with financial interests.

ARGUMENT

This is a **NEW** request for extensions of block time (90days) and pages (200) so that P-Appellants have time to recover from their Disabilities aggravated and worsened significantly by this Court playing tricks on genuine Motions and attempts of P-Appellants

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to receive meaningful Due Process and a full Right to present a full Appeal by law, and under the ADA/Constitutional mandates.

Once P-Appellants win their award and are made whole by all involved, they will be able to continue to rest until they get back to some sense of normalcy, although some of their injuries sustained have become unnecessary disabilities, or disabilities with delayed treatment that are not going away due to the mistreatment of these SC Judges. And this was all unnecessary but for the greed and ruthlessness of SC State Actors who are still insisting on presiding over P-Appellants case instead of ordering Allianz to pay what they owe, and the other perpetrators also. The facts are very obvious in this case, or the Courts wouldn't be so actively trying to circumvent the most basic of laws to make sure the facts do not come out.

While both P-Appellants are getting through the physical sickness created by the Courts that set the stage for extreme sleep deprivation AGAIN as a way to weaponize the Courts continued attempts to create a predetermined outcome in this matter, while these state actors work hard to never be shown in the light of day for performing Murdaugh Schemes in SC under color of law. . .and even using a Laffitte lawyer to attempt to fool and/or intimidate two older, physically handicapped ladies to try to force them to give up and allow their awards be stolen by State Actors, agents and Allianz Insurance just because the State insists and will continue to punish those who do not comply. P-Appellants still say NO!

P-Appellants are having to choose whether their cancer should be medically treated and screened, or perhaps go into end stage cancer instead, whether their limbs and joints

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are treated so they do not get even worse, or have great pain in trying to do something they cannot do without reasonable accommodations, with the latter caused and weaponized by SC Judges to get their predetermined victory through more illegal means. Obviously this is not in line with any Constitutional provision or rule, their intentional misstatement of rule, facts, law, or ignoring same all together and going with the gaslighting approach, or erasing Motions in combination with punishments and so forth, is bullying that P-Appellants refuse to accept.

Having dealt with the sister state, Virginia, which is the mirror image of SC like Murdaugh is the mirror image of P-Appellants case, P-Appellants are not surprised by any of what has happened and why they recorded the lawyers colluding once the case was initially filed. P-Appellants have seen this before and knew to have proof that cannot be challenged as the digital signatures are set. Even the doctored record at the Trial Court shows what happened with the lawyers and Judges. P-Appellants are not ignorant enough to believe that the ex parte communications stopped at the trial court when the same tactics they used are being used by the Appeal and Supremes now.

So, P-Appellants are now at the Appeals Court of SC, and again have been incredibly bullied, which is why the lower courts know they can get away with it as a SC enforcement mechanism to keep Constitutional Government from SC's old guard Oligarchy where the people must beg for a crumb of what they own. This Legal Machine Criminal Enterprise is close to its own collapse from the corruption many see, just because the Courts covet what others have, and think they are entitled to it, and believe there is nobody who is going to stop them because they are the law.

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Yes, SC government has surrounded itself with like-minded old guard aristocratic bloodlines, and their agents, that do not follow the law as their tradition of old world families of SC functioned also, where there is presently no accountability, integrity or transparency no matter what fake changes are made. P-Appellants understand that. But they will not cower to bullies and will be needing their entry of judgment entered and paid by Allianz in full and the other bullies need to make P-Appellants whole so they can heal and be on their way.

Until then there are new circumstances that will not allow P-Appellants meaningful Due Process to present a full presentation of their Appeal to be granted as demanded.

Plaintiffs make demand for a NEW Disability ADA Reasonable Accommodation for P-Appellants to get physically well from extreme sleep deprivation that has caused many of these disabilities to become far worse, and that they can take time to get their cancer, limbs/joints addressed to help them have a chance at good health and life in the future.

All laws and arguments are incorporated by reference from the Appeals record where the ADA has been of major concern to P-Appellants who cannot get due process and the right to a full presentation of their Appeal without reasonable accommodations, and now with the NEW SITUATION, THE NEW REQUESTS ARE EVEN MORE IMPORTANT SINCE THE COURT IGNORED THEIR ADA DISABILITIES AND WEAPONIZED THEM TO CREATE AN EVEN WORSE SET OF DISABILITIES. Plaintiffs cannot work if they cannot see computer screens or even print after a short while of staring at them and cannot type for long periods of time. Plaintiffs cannot work and organize if they are extremely sleep deprived beyond what the Geneva Convention would even allow, which requires more time to go through

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and synthesize down about 20,000 pages of documents plus recordings, images, and other evidence to have a chance to put it in a concise Appeal if possible, while suffering from signs and symptoms of extreme sleep deprivation that the medical community compares with being over the drinking limit with just one day of not sleeping, and the additional days give an exponentially cumulative affect thereafter, all previously written about and incorporated by reference.

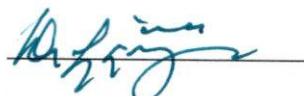
Plaintiffs cannot allow their cancers to become end stage just because Judges with financial interests want to hide their RICO acts under law, and keep P-Appellants and other awards, by keeping them tied up in litigation on short dates and limited pages, so they cannot tend to other ADA Disability issues or that weaponize the ones they already have.

When a Civil Case is turned into a punishment by the Courts against litigants for even daring to bring it into what is a Legal Machine Criminal Enterprise, and the litigants have to choose between escaping with their lives and maybe their physical health (maybe, if they give in early enough), or they have to choose to fight legally in a environment where the laws are not followed by alleged Constitutional State Actors, for what is legally theirs, at the hands of State Actors who further punish them ruthlessly, due to the financial interests, these State Actors unlawfully have in their case, to where they may not physically survive, or are under illegal torture for demanding their rights be protected, and if they make such demand, they most likely will suffer from potential blindness, nerve damages in their limbs, permanent seizures that have taken Dr. Fink's ability to drive away, back and hip disabilities to the point of being wheel chair bound, and in Dr. Fink's case, losing between 5-7 inches of height due to numerous compression fractures lifting these many boxes of

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evidence in minimum time over and over again, suffer from permanent vertigo, and other such permanent disabilities, and even have to choose whether they are willing to accept permanent kidney damage, and end stage cancer because they cannot stop to get treated or checked by their medical professionals, then something very drastic needs to be done to change the SC Court System to create a Constitutional Government that protects people, especially litigants who are being abused to this point. Because what is on display, is not a Constitutional System but an Oligarchy, and P-Appellants can prove it.

WHEREFORE, Plaintiffs demand an NEW ADA Reasonable Accommodation of 90 block of time and 200 page extension on a New and worsening physical health situation, including Cancer issues, to finish their Appeal Brief, with a review of these times later to make sure they are meeting the individual needs of P-Appellants already explained in previous ADA writings to the prior claims for those disabilities at that time, as required by the ADA that all needs of P-Appellants be met when reasonable and these are of the least restrictive variety that do not require the Court to alter its buildings or buy equipment, and changing Processes, Procedures and rules are not considered invasive requests and are generally freely granted to those without ADA Disabilities.



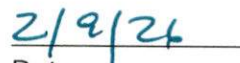
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Date



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Date

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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Respondents.

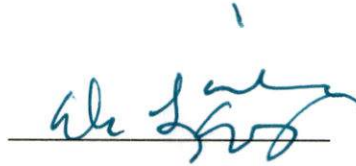
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PROOF OF SERVICE

Dr. Linda Kennedy, J.D., B.S., B.A. and Dr. Marsha Fink, J.D., B.A., *pro se*, certify that we have served copies of the **MOTION FOR NEW CONSTITUTIONAL ADA REASONABLE ACCOMMODATION DEMAND - CANCER ISSUES, KIDNEY DAMAGE DUE TO COURT ADA REFUSALS, FLUID COLLECTION, AND EXACERBATION/AGGREVATION** on Lake Hartwell RV Resort and Cabins, LLC, aka Lake Hartwell Resort and Cabins, LLC, Lake Hartwell Resort and Cabins, Lake Hartwell Resort and Cabins, Lake Hartwell Campers and Cabins, Lake Hartwell Management, Christopher Vellanti, Other, Christopher Vellanti, Corporately, as the Sole Member, Manager Employee and Individually, Yvonne Goldman, as General Manager, Employee and Individually, Jennifer Burdette, as Employee and Individually, Frank Pellegrini, as Employee and Individually, Fritzie Maroto (Moroto, other, Pellegrini) as Employee and Individually, Ray Grenier, as Independent Contractor and Individually, Grant Ferrendelli, as Independent Contractor and Individually and Charles Carpenter, as Employee and Individually, who are represented by Michael Neubauer, Esquire and Robert Mebane, Esquire of McAngus, Goudelock and Courie, LLC, 201 West McBee Avenue, 2nd Floor, Greenville, SC 29601 and on Marsha Stamm, as Co-Assistant Manager and Individually, Allen Riha, as Co-Assistant Manager and Individually, who are represented by James Cox, III, and Trevor Hughey, Grier, Cox and Cranshaw, LLC, 2001

Assembly Street, Suite 204, Columbia, SC 29201 by depositing copies of it in the United States Mail, first class postage prepaid to their respective attorneys on February 9, 2026.

DATE: February 9, 2026

A handwritten signature in blue ink, appearing to read "Linda Kennedy", written over a horizontal line.

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A handwritten signature in blue ink, appearing to read "Marsha Fink", written over a horizontal line.

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