

**IN THE SOUTH CAROLINA COURT OF APPEALS**

**NOTICE OF APPEAL**

Pursuant to Rule 203, South Carolina Appellate Court Rules

**RECEIVED**  
**Mar 31 2026**  
**SC Court of Appeals**

**1. Court From Which Appeal Is Taken:**

Court of Common Pleas, Sixteenth Judicial Circuit  
York County, South Carolina

**2. Name of the Judge:**

The Honorable Daniel D. Hall (who signed the Form 4 Order)  
The Honorable V. Dunbar (who presided over the March 3, 2026 hearing)

**3. Lower Court Docket Number:**

Circuit Court Case No.: 2025CP4604727  
Magistrate Citation No.: 20252351259324

**4. Date of the Order Being Appealed:**

March 6, 2026 (Form 4 — Judgment in a Civil Case, affirming the Magistrate’s Court conviction)

**5. Date Appellant Received Notice of the Order:**

Approximately March 17, 2026. The Form 4 Order was electronically filed on March 6, 2026, but Appellant, a pro se litigant not registered in the Electronic Filing System, did not receive a mailed copy until on or about March 17, 2026. This delay is documented in the record.

**6. Name of the Appealing Party (Appellant):**

Yehonatan Kapach (Pro Se)  
13929 Daltrey Ln  
Charlotte, NC 28277  
Phone: 980-422-2322  
Email: info@edna.news

**7. Names, Addresses, and Telephone Numbers of All Parties:**

**Appellant:**

Yehonatan Kapach (Pro Se, self-represented)  
13929 Daltrey Ln, Charlotte, NC 28277  
Phone: 980-422-2322 | Email: info@edna.news

**Respondent:**

State of South Carolina  
Represented by: Kevin S. Brackett, Solicitor  
16th Circuit Solicitor's Office  
206 South Main Street  
York, SC 29745  
Phone: (803) 628-3076

**8. Copy of the Order Being Appealed:**

A true and correct copy of the Form 4 Order dated March 6, 2026 (Judgment in a Civil Case, affirming the Magistrate's Court conviction) is attached hereto as Exhibit A.

## 9. Issues Presented for Appeal:

- a. Whether the Circuit Court erred in affirming a conviction entered without sufficient evidence, where the entire evidentiary record consisted of a single leading question and a one-word answer, with no proof of any statutory element of S.C. Code § 56-5-1538;
- b. Whether the denial of a court interpreter to a Hebrew-speaking defendant with limited English proficiency, despite four written requests and an oral request at the hearing, constitutes structural error requiring automatic reversal;
- c. Whether the complete absence of any recording or transcript of the March 3, 2026 Circuit Court hearing renders meaningful appellate review impossible and requires reversal;
- d. Whether the Circuit Court denied Appellant a meaningful opportunity to be heard, in violation of the Due Process Clause of the Fourteenth Amendment;
- e. Whether the Form 4 Order signed by Judge Hall, who did not preside over the hearing and issued a one-sentence affirmance without findings and without a record, constitutes an abuse of discretion;
- f. Whether the systematic suppression of all evidence by law enforcement and the court's failure to rule on Appellant's pending motions violated Appellant's due process rights;
- g. Whether the cumulative effect of the above errors rendered the proceedings fundamentally unfair and requires dismissal with prejudice.

## 10. Filing Fee: EXEMPT — Criminal Appeal

No filing fee is due. Pursuant to Rule 203(d)(1), SCACR, “*the filing fee shall not apply to criminal appeals.*” This is a criminal matter: the State of South Carolina prosecuted Appellant for a traffic offense (violation of S.C. Code § 56-5-1538), resulting in a criminal conviction and a fine of \$1,062.50. The caption of the case is *State of South Carolina v. Yehonatan Kapach*. The proceeding originated as a criminal citation (No. 20252351259324) issued by the South Carolina Highway Patrol, was tried in Magistrate Court as a criminal matter, and was appealed to the Court of Common Pleas under the court's appellate jurisdiction over criminal matters from summary courts.

Although the Form 4 Order bears the heading “Judgment in a Civil Case,” the nature of the underlying proceeding is unambiguously criminal: a prosecution by the State, a criminal citation, a finding of guilt, and the imposition of a fine. The use of a civil form does not transform a criminal prosecution into a civil action. Accordingly, Appellant is exempt from the \$250.00 filing fee under Rule 203(d)(1).

## 11. Note Regarding Pro Se Access to the Appellate Process:

Appellant respectfully calls this Court's attention to a troubling pattern. Throughout this case, Appellant—a self-represented litigant with limited English proficiency—has

encountered repeated procedural obstacles at every level of the judicial system: interpreter requests ignored, evidence withheld, recordings denied, court staff providing incorrect guidance about appeal rights, and delayed mailing of orders. Appellant's initial filing with this Court was returned without any opportunity to cure deficiencies, despite containing the substantive grounds for appeal and all relevant case information.

The South Carolina Appellate Court Rules exist to ensure orderly procedure—not to create insurmountable barriers for pro se litigants exercising their constitutional right to appeal a criminal conviction. Appellant has now complied with every requirement of Rule 203. He respectfully requests that this Court accept this filing, open the appeal, and refrain from imposing further procedural obstacles that have the practical effect of denying access to justice.

## **12. Timeliness of This Appeal:**

The Form 4 Order was entered on March 6, 2026. Appellant received notice of the order on or about March 17, 2026. This Notice of Appeal is filed within thirty (30) days of receipt, in compliance with Rule 203(b)(1), SCACR. Appellant additionally notes that the delay in receipt was caused by the Clerk's failure to timely mail the order to Appellant, a pro se party not registered in the Electronic Filing System, in potential violation of Rule 77(d), SCRCR.

Respectfully submitted,

*/s/ Yehonatan Kapach*

**Yehonatan Kapach, Appellant (Pro Se)**

13929 Daltrey Ln

Charlotte, NC 28277

Phone: 980-422-2322

Email: info@edna.news

Date: March 31, 2026

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Notice of Appeal, together with a copy of the Form 4 Order (Exhibit A), was served on this date by the following methods:

**Served upon Respondent:**

Kevin S. Brackett, Solicitor  
16th Circuit Solicitor's Office  
206 South Main Street  
York, SC 29745  
Method: FedEx Overnight / Email

**RECEIVED**  
**Mar 31 2026**  
**SC Court of Appeals**

**Filed with:**

Clerk of the South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
Email: ctappfilings@sccourts.org  
Method: Email (filing fee exempt — criminal appeal)

**Filed with Lower Court:**

Clerk of Court, York County Court of Common Pleas  
1675 York Hwy  
York, SC 29745  
Method: Email / US Mail

*/s/ Yehonatan Kapach*

**Yehonatan Kapach**

Date: March 31, 2026