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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

Linda Kennedy and Marsha Fink, Appellants,

v.

"PETITION"

"RECONSIDERATION/REHEARING AND EN BANC RECONSIDERATION/ REHEARING, AND ORAL ARGUMENT,

ADA REASONABLE ACCOMMODATIONS" (AS WE CANNOT SEE SCREENS, NOR TYPE ON COMPUTER AND ARE USING PROGRAMS, MICS, AND MEMORY ONLY TO PRODUCE AND ORGANIZE THIS DOCUMENT), and Withdraw 3/25/26 erroneously filed prematurely which will be Amended and refiled.

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; Marsh Stamm; Allen Riha; Ray Grenier; Grant Ferrendelli; and Charles Carpenter, Respondents.

Appellate Case No. 2025-000859

Dr. Linda Kennedy and Dr. Marsha Fink Object to the erroneous style of the case that is not the Record filing for the legally related back motion.

Not proofread or organized by human hand, or eyes, due to ADA Qualifying Disabilities Being Discriminated Against by the Courts who have intentionally and maliciously caused and weaponized P-Appellants disabilities by the SC Judges with financial and other interests in P-Appellants predetermined loss on court created wrongs.

"PETITION"

RECONSIDERATION/REHEARING AND

EN BANC RECONSIDERATION/REHEARING, AND ORAL ARGUMENT,

And ADA REASONABLE ACCOMMODATIONS for 30 days/50 pages with all other due dates, extended so P-Appellants can have meaningful due process and full reconsideration petition

and oral argument, and withdrawal of erroneously filed Motion 3/25/26, to be slightly amended and refiled.

COMES NOW Dr. Linda Kennedy and Dr. Marsha Fink, ("Dr. Kennedy, Dr. Fink," or "P-Appellants"), Pro se, Filing Jointly, per Rule 221(a), SCACR; Rehearing; 221(b) SCACR to recall/vacate remittitur; Rule 215, SCACR, Oral Argument, ADA Reasonable Accommodations of 30 days/50 pages with all deadlines extended in the appeal and cert process, and FINALLY . . .Rule 221(c) and Rule 241, SCACR, rehearing en banc. Further P-Appellants come, including, but not limited to, Rules 1.2, 2.11, 2.11(A), SC Code of Judicial Conduct, on Integrity and Impartiality; Mandatory Recusal, and Rule 2.2, on the Judges Duty to uphold the law and U.S. Const. amend XIV, § 1 on Due Process.[1] Issues include, but are not limited to its order dismissing this matter (simultaneous with SMJ/Recusal Dismissal Footnotes), which is Unconstitutional and improper, and sites the Constitution, SC Code of Judicial Conduct, the Rules of the Appeals Court and Rule of Court, S.C. App. Ct. R. 501 (2024), the "Canons" and other relevant law, Rules and Ethics citing when

[1] Rules of SC Code of Judicial Conduct: 1.2, 2.11, 2.11(A), SC Code of Judicial Conduct, on Integrity and Impartiality; Mandatory Recusal, and Rule 2.2, on the Judges Duty to uphold the law. . . Rule 1.2

2.11(A): "A judge shall disqualify himself or herself in any proceeding in which the Judges impartiality might reasonably be questioned. . . " S.C. Code of Jud. Conduct r. 211(A)(S.C. Sup. Ct. 2024), with Rule 2.11 giving a Illustrative and NOT exhaustive list of reasons to exclude, including but not limited to, some of the highlights herein and below. The Rule 2.11 is decided on a reasonably questions standard and is applied broadly, and not limited to enumerated circumstances, but expressly extending to any situation that creates an objective appearance or probability of bias. Id. r. 2.11(A). See Due Process at U.S. Const. amend XIV, § 1.
Rule 2.2; S.C. Code Jud. Conduct R. 2.4(B), Rule 501, SCACR **Rule 2.4(B):** "A judge shall not allow family, social, political, financial, or other interests or relationships to influence judicial conduct." The standard is **objective appearance not proof of actual bias.** "The Question is whether a reasonable person would question the judge's impartiality." *State V Bryant* 372 S.C. 305, 312, 642 S.E.2d 582. 586, (2007).
Mandatory Recusals: In *re Murchinson*, 349 U.S. 133, 136 (1955), No man is allowed to be a judge in his own cause." . . . "Our system of law has always endeavored to prevent even the probability of unfairness." Id. A fair trial in a fair tribunal is a basic requirement of due process." Id. *Caperton v. A. T. Massey Coal Co.*, 556 U.S. 868, 883 (2009), "The Due Process Clause may sometimes demand recusal even when a judge has no actual bias." And Recusal is required where there is a "serious risk of actual bias." Id. at 884. "The probability is too high [to not recuse] where the same person serves as the accuser and the adjudicator." *Withrow v. Larkin,* 421 U.S. 35, 47 (1975).

appropriate, including, but not limited to emphasis on Canon 3 - South Carolina Judicial Branch, and commentary.[2]

P-Appellants support is as follows:

P-Appellants present the following as proven facts supported by their record materials that were never allowed to be submitted by the Trial Court, nor now by this limited appeal by the Appeals Court due to time/pages, ADA Disabilities not honored and the continued narrowing of P-Appellants issues, from a meritorious case being hi-jacked in the Trial Court that led ultimately to a fraudulent evidentiary hearing when it could not happen then, and not for the purpose it was used, on documents that were not challenged by the Defense, nor sanctioned for three years, and no specific reason was given for why each document was suddenly sanctionable, causing a punishment dismissal on Court/Lawyer/Allianz/other RACKETEERING and predetermined outcome (but would include documents, recordings, and other evidence if P-Appellants were not hi-jacked at the trial level and now purposely limited on Appeal into another punishment dismissal caused by the Court not P-Appellants). Supporting authorities referenced by footnotes.

[2] Court Rules, S.C. App. Ct. R. 501 (2024: (Canon 3), (B)(2) "A judge shall be faithful to the law . . ."; (B)(5) "A judge shall perform judicial duties without bias or prejudice;" (B)(5) "A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, including but not limited to bias or prejudice based upon race, sex, religion, national origin, disability or age;" (B)(7) "A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard *according to law (emphasis added)*. A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties concerning a pending or impending proceeding;" (D) Disciplinary Responsibilities. (1) "A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this Code should take appropriate action. A judge having knowledge that another judge has committed a violation of this Code that raises a substantial question as to the other judge's fitness for office shall inform the appropriate authority;"
(E) Disqualification. E(1) "A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned;" E(1)(a) "the judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of disputed evidentiary facts concerning the proceeding;" E(1)(c) "the judge knows that he or she, individually or as a fiduciary, or the judge's spouse, parent or child wherever residing, or any other member of the judge's family residing in the judge's household, has an economic interest in the subject matter in controversy or in a party to the proceeding or has any other more than de minimis interest that could be substantially affected by the proceeding;" E(1)(d) "the judge or the judge's spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:" (E)(1)(d)(iv) "is to the judge's knowledge* likely to be a material witness [and Defendant] in the proceeding;"

This summary has greatly condensed what the real facts and law are, and again, P-Appellants case has never been heard on the merits or in winning procedure altered by the Court and its fellow RACKETEERS. So P-Appellants are using all tools available because they cannot do this without ADA Reasonable Accommodations that the Court has denied and ignored, and even lied about. P-Appellants are doing their best to preserve the core timeline, named actors, and the asserted pattern across proceedings while Disabilities greatly limit their ability without the reasonable accommodations ignored and denied, through Court Discrimination of the Disabled and Elderly.

As per 221(b), Remittur must be recalled/vacated for clerical mistake, Due Process Violations, Lack of SMJ, Fraud on the Court. P-Appellants intend to fight this injustice and what they do inside the Courtroom into the Federal Courts after exhausting efforts with results already known herein, and then outside, need to be done by the law, and by the courts inherent power.

This petition is filed to address Key facts overlooked, and facts have been misapprehended and Misapplication or failure to apply controlling law is evident, and because P-Appellants have had no opportunity to address the merits in spite of them being very meritorious and all procedure has been followed and won by P-Appellants at both levels, and the Controlling law has not been followed and which is not being reargued, and to preserve the record which is the biggest prize for P-Appellants, and protect the rights of innocent litigants, including, but not limited to P-Appellants, **and ensure justice against structural systemic and plan/pattern crimes** manipulating the Court process that the State and its Legal Machine Criminal Enterprise (LMCE) for tax-free exponential profits for its predators under color of law.

Key Terms and Overlooked and Misapprehended Facts in some contexts as examples

Evidentiary is not able to be provided when Discrimination against Disabilities does not give fair opportunity to P-Appellants to be hard. Key facts have been overlooked, and facts have been misapprehended and Misapplication or failure to apply controlling law occurred in all entries in this section.

- **P-Appellants**: Were/Are Legal Reformers/whistleblowers and former Virginia attorneys targeted for retaliation and silencing for over 20 years.

- **"Proxies" / defendants**: Individuals who **admit in writing and recorded** interviews as recruited by Judge Maddox, Mcintosh, Sprouse, State Actor Wagner, Allianz, and others to cause catastrophic injury or wrongful death to create IF/IRF claims for the State LMCE and for vengeance also. Key facts have been overlooked, and facts have been misapprehended and Misapplication or failure to apply controlling law occurred.

- **LMCE**: "SC Legal Machine Criminal Enterprise," an entrenched Aristocrat/Groom Elite false SC Government, tax-free, for profit structure, exploiting the Public needs for Court as Cash Cows.

- **IF/IRF**: "Insurance Fraud/Insurance Reserve Fraud," involving creating or finding catastrophic injury or wrongful death, filing a claim and separating the victim from the claim, then stealing the Allianz Award, and money laundering this Award and other State Dark Money through Allianz Reserves, with Allianz steering and controlling high-value claims to enable reserve-account use, laundering/redistribution of wealth, and diversion of awards to the RACKETEERS herein and those LMCE predators outside of P-Appellants case, leaving P-Appellants with fake and frivolous dismissals on issues not involving their case that was hijacked.

- **Hegelian Dialectic / 'Order out of Chaos'**: Procedural strategy used by RACKETEEIRNG JUDGES AND LAWYERS, that generates confusion, disabilities and exhaustion in the litigant, that intends and does hijacks merits review, and obtains dismissals through manufactured disputes and constraints usually on procedure and the abuse of false proceedings, creating a Court Chaos problem----P-Appellants react to save the case---Courts Solution to punish P-Appellants for what the Court caused . . .through evidentiary sanctions in this case---that dismisses the case and erases the record. . . the Appeals Court did likewise, by creating an ADA problem---P-Appellants react through writing with Appeals Court hiding the ball and evern hiring a Laffitte Lawyer to trick P-Appellants---Appeals Court provides the solution by dismissing P-Appellants blaming their

chaos on P-Appellants who are trying to get their rights and make their case possible to appeal in the pages/time restrictions ignoring the ADA Mandates. This is known as problem, reaction, solution that helps the perpetrators win, by hijacking the case and finding the innocent victim sanctionable for trying to logically react to the chaos. This happened in the Asbestos cases also, with a Discovery-Sanction to dismiss the victim and appoint their own Receiver over the company who takes control of it, through this process.

2. Summary of some Underlying Events (June–September 2021): Between June 29, 2021 and September 16, 2021, the record and Sheriff reports show escalating threats, harassment, and violence the Court proxies later identified as defendants once a suit was filed. During that period, the origin of the attacks and the role of government-connected "proxies" was not yet known to P-Appellants as they were focused on their attackers.

Between June 29, 2021 and September 16, 2021, Judges, State Actors and others met with and were in contact with these State hired proxies secretly and unilaterally, to hire them to create catastrophic injury or wrong death against P-Appellants, long before P-Appellants ever thought of filing a suit for harms done to them by proxies executing a murder-for-hire operation, making the Judges, State Actors and others part of the underlying causes of action. This is according to Defendant/Proxies own written admissions and recorded statements and other evidence. . .they admitted it.

Sept. 7–14, 2021 (planning meeting): Certain 10th Cir., judges and other state/legal actors (without P-Appellants knowledge), met with future defendants and current proxies to discuss the "finality" of P-Appellants' lives or catastrophic injury that would make them unable to contest these State Actions against them.

Night of Sept. 15, 2021 (fireworks incident): After several attempts to kill P-Appellants, using several different poisons over several months, trying to isolate them and choke the life out of them, hiring M-13 gang members to kill them and so forth, the defendants/proxies learned P-Appellants were leaving the next morning and attempted to burn their camper down with them in it, using fireworks "fireballs" aimed from roughly 50 feet away for approximately two hours, while P-Appellants and Dr. Kennedy's beloved dogs

were inside. They state a neighbor's security cameras recorded the incident and that rainfall prevented ignition. The Deputies showing up to their distress call said they needed to record incidents, which they had done so and the Sheriff called everything Civil matters, including trying to "Kidnap" (Defendants own words), a friend watching the camper, assaulting the friend and breaking in and stealing close to 100K of tech P-Appellants were using on other projects. This type of behavior happened for this entire period of time with no help from law enforcement who was told to stand down according the some Deputies and others.

Morning of Sept. 16, 2021 (departure): P-Appellants survived because of the hard rain and escaped from the site the next morning, and left the location without anyone's knowledge of where they went.

Law enforcement response: Anderson Sheriff's Department repeatedly characterized reported acts as "civil matters," and they attribute this to influence by racketeering actors, because some good deputies stated that they were ordered to stand down and not assist, in spite of many of the Defendant proxies being violent felons and running many illegal, and hard core criminal operations out of that location that the Sheriff's office knew about.

3. Filing the Lawsuit and Early Litigation (March–April 2022): P-Appellants filed suit on **March 17, 2022, Pro Se,** in the 10th Circuit, Anderson County Court of Common Pleas against the defendants they could identify at that time. They did not yet include the full IF/IRF and LMCE structure, and the Judges and other RACKETEERS until attempts were made later when they received about 2,000 pages of Defendant Group Texts admitting to their crimes and torts including meeting with the judges and so forth, and what happened, in written and recorded statements to P-Appellants, long before attorneys were involved. Other evidence was also collected that was very damaging to the State, Judges, Allianz, MGC, Proxy/Defendants, Wagner and others, described in that and other information that became known to them after filing. The Judges presiding over the case were the missing Defendants not known at the time of filing, they would not recuse and were in total control over their own guilt or liability.

P-Appellants served discovery requests **pro se on April 12, 2022**, shortly before retaining counsel later that day on April 12, 2022. They state that no discovery, depositions, subpoenas, or subpoenas duces tecum were permitted during the life of the case, (3 years) despite their efforts to obtain them through Dodd and after firing Dodd for colluding with Defense and later RACKETEERING with the Judges.

P-Appellants retained attorney **Michael Dodd** on **April 12, 2022** under a documented agreement (texts/emails, writing, recording, performance, other communications, and subsequent actions). They state that after they later documented and legally record Dodd since early in the case because something smell very wrong, Dodd was caught in collusion between with defense, in agreeing to not pursue Discovery, while lying to P-Appellants about trying to get it, giving P-Appellants amended complaint duties to Defense to ghost write Defense-Friendly complaints while Dodd would claim he wrote them, turning over attorney client and work product privilege to Defense without telling P-Appellants and without even a Discovery request by Defense in the full 3 years of the case, stonewalling and fake fighting with no one motion by Dodd until the very end of his employment when he tried to default and P-Appellants forced him to file or they would do so and release the tapes showing what was actually going on with this collusion and stonewalling, and other attempts by Dodd/Defense like them working together to try to create fake evidence to move the effective retention date of Dodd, to a later time to deny that early collusion could have occurred if Dodd wasn't even representing P-Appellants which was ridiculous.

4. Evidence and Record Materials

P-Appellants some of their key evidentiary materials as "after-acquired" and self-collected because discovery was totally stonewalled by Dodd/Defense and the Courts. P-Appellants could never use, other than in their own 2nd and 3rd Amended Complaints they had tried to prepare, but only the long drafts could be filed as they had a lot of quotes of admissions in the documents, but the Courts would not provide reasonable accommodations requested to further punish and weaken the targets, and so they could not receive meaningful due process. The record materials include:

- **Group text messages and written statements**: Approximately 2,000 pages of group texts and communications that P-Appellants characterize as admissions by proxies/defendants and others, and other writings by key witness and Defendants, speak no evil bribes from Allianz/Defense to some Defendants that wanted to sue other Defendants where they were all blackmailing each other. Allianz needed that to stop and for Defendants to stop helping P-Appellants even if right.
- **Recorded interviews/statements**: Recordings as voluntary statements by proxies/Defendants and witnesses, and should be Defendants, and others, made before lawyers were involved.

- **Audio recordings of counsel communications**: P-Appellants legal recorded conversations with their attorney (Dodd) who they believed did not have their best interests at heart and was actually taped talking about how he had to do what the opposition said, and later similarly claims, along with dropping people and claims to make Defense happy, and not joining cases because Allianz didn't want to, that P-Appellants needed to drop Defendants/Causes of action because there is no case, when in fact those Attorneys defaulted on the case and Dodd was trying to help them, by getting us to drop them without knowledge of the defaults, and P-Appellants rely on these and other recordings to support the documented collusion and misrepresentations described in the record. P-Appellants filed the entries of Judgment on the defaults, and Dodd fought that even after fired or having abandoned the case because caught.

- **Video/security footage**: P-Appellants reference neighbor security camera footage (re: the September 15, 2021 fireworks incident and other "events") and other video/audio documentation methods used in these and later periods of proxy harassment and attempts to greatly harm/kill P-Appellants by drug addict and felon friend of Mcintosh.

5. IF/IRF Structure and the Role of Allianz/Defense Counsel

P-Appellants are aware of Insurance operations as Dr. Kennedy trained claims adjusters at various carriers as a part of her practice and independent work. IF/IRF was a specialty of hers as she could easily spot potential predators doing such things to fabricate or

capitalize on catastrophic-injury/death-r(elated claims. The LMCE, Judges/lawyers/Allianz, etc., required insurer participation, although in the Asbestos cases, they use this same structure and actually sue the carrier and use Delaware as the money laundering tool). In this case, Allianz has aligned with MGC for all SC cases, so they each know what they need to do in these cases. MGC has relationships with Judges all the way up to the Supremes and are one of the firms that get favored status in these Asbestos Docket feigned and sham cases, SC is internationally infamous for. Defense counsel cooperates with the IF/IRF scam in which high-value cases, received or created by proxies, are forced into court even if a reasonable or even a nuisance settlement could be reached, and the case is kept alive longer than usual with no real action taken on the case, to enable reserve-account money laundering of State Dark Money and the theft of the litigants Award and also money laundering through the reserve account. The litigant is eventually separated from their claim with chaotic hi-jacking of the meritorious case, making it into some procedural morass that does not resemble anything close to real litigation and is extremely fraudulent and frivolous with all parties but the victim playing along, including the judges, lawyers, firms, and sometimes even Allianz, like in P-Appellants case, when these tricks were only making P-Appellants learn more about the system, the Aristocratic/Groomed Elite involved, the mirror image of their case which was the Murdaugh case, with all types of feigning going on in both cases, but one was to help Murdaugh and the other was to ruin P-Appellants and their case. Eventually a chaotic series of fake problems are used by a Sua Sponte Judge to force P-Appellants to keep reacting to save their case, and then the Sua Sponte judges filed a show cause evidentiary hearing that is not permitted by law at that time or for that purpose, to sanction and punish P-Appellant for reacting to save their case. . .referred to as the Court's solution to dismiss the case on false ground and without the attorneys doing anything as the Court plays Judge and Prosecutor, and fact finder, and jury and so forth, through dismissal or other means. They describe this as an IF/IRF structure operating within a broader LMCE environment. (FN6). This same "problem, reaction, solution" scheme called the Hegelian Dialect, was used in the Appeal case also, limiting the case to a chaos create by the Court to not honor the ADA Mandates required, P-Appellants fight for

it because without it they can't Appeal, and the Court then finds they did not comply and punishes by Dismissal . . .Problem, reaction, solution and both limit time/pages to impossible numbers so no compliance can happen.

P-Appellants offered a written early joint settlement of **$100,000** primarily to cover damages and obtain protective relief. That was $50K each, for a multi-million dollar settlement before they knew about the proxy situation. The rejection of that offer, paired with prolonged litigation and stonewalling, is consistent with an IF/IRF incentive model rather than ordinary insurer cost-minimization behavior, where the carrier denies, and then quickly gets the case dismissed by their friends at MGC who have friend in the Court and the LMCE makes money that way, but mere peanuts to what occurs in IF/IRF..

6. Collusion and Procedural "Chaos" Tactics in the Case

P-Appellants state the litigation was diverted from the merits through coordinated misconduct by defense counsel, their own counsel, and judges presiding over the matter, including:

- **Discovery suppression**: Repeated prevention of discovery, depositions, subpoenas, and document production, leaving P-Appellants limited to self-obtained evidence, with Dodd secretly agreeing to never get Discovery answers, while lying to P-Appellants.
- **Attorney collusion**: Dodd collaborated with the defense from the outset, including misrepresentations about pursuing discovery and sharing privileged materials without knowledge and consent of P-Appellants.
- **Defaults and withholding information**: Defense clients defaulted under applicable deadlines, and filings that P-Appellants "won" certain procedural positions early, and that Dodd allegedly concealed defaults and urged dropping key defendants who defaulted without telling P-Appellants that they defaulted.
- **Motion practice confusion**: Dispute over a defense filing characterized as both a motion to dismiss and a responsive pleading; this was used to create confusion, block amendments, and steer the case toward dismissal all at the same time. (FN1)

- **Ghost-writing / defense-friendly pleadings**: Further, Dodd turned over amended pleadings, ghost-written by Defense in ways that weakened P-Appellants' claims, while Dodd claimed them to be written by him and were good, when the facts were not even right, coupled with court encouraging such criminal activity of such practices because the lawyers were also covering for the Judges who were all RACKETERING together.
- **Ex parte influence and predetermined outcomes**: Hearings and rulings were orchestrated to reach a predetermined dismissal outcome regardless of rules, evidence, law and especially Constitutional law which was nonexistent.

7. 2023–2025 Escalation: Sua Sponte Hearings, Sanctions, and Appeal Limits

7A. ADA / Disability-Access Violations and Appellate-Court Irregularities

The record shows that the appellate proceedings, including ADA/disability-access issues, denied meaningful access and prevented full presentation of the issues. (FN5) The appellate court used procedural mechanisms in a punitive or impossible-to-comply-with manner that repeated the same "order out of chaos" pattern described herein. The record points include:

- **ADA-related constraints used to foreclose presentation**: Disability accommodations were denied, misapplied, or addressed with rulings that were false, resulting in inability to prepare or present a complete record and argument. The Court cannot give partial accommodations, ignore the special needs of the Disabled who has explained them and so forth as was done by the Appeal and Trial Courts. Courts cannot bargain and say you can either protect your health by giving up or you can ruin your health more by continuing as said by the Supremes as a bullying tactic which itself is proof of extreme bias and a nefarious interest in this predetermined outcome.
- **Manufactured or "feigned" motion-Order practice**: Proper or conforming filings by P-Appellants were ignored (including incomplete Orders or nonOrders or no Opinion Orders or mislabeled or out of context Orders or letters from Laffitte attorney letters claiming to be orders, mis-captioned/misappropriated Orders, or Orders used for purposes not authorized by the rules or vague Orders claiming to have addressed ADA, but never did

while P-Appellants continued to try to get clarification and the Court kept misusing Rule 221(C) to claim P-Appellants were demanding a rehearing and denying it, knowing the court never addressed the ADA. This was then used as P-Appellants had enough time and dismissed the case over their own chaos (Problem-reaction-solution).

- **Misuse of rules and deadlines**: Page/time limits and compressed schedules were imposed such that compliance was not feasible, setting up sanctions/dismissal rather than adjudication. P-Appellants were always rushing because they knew the Court could give a 10 day or no day deadline like this last time with the dismissal not rescheduled as it must be.
- **Improper order-generation process**: A lawyer-drafting letters was claimed to be an order giving directives and default date directive, bypassing neutral judicial decision-making with no appealable deceit and intimidation because a Laffitte partner was sending it and the Murdaugh/Laffitte case is very relevant, and involves murders, along with the IF/IRF scam P-Appellants are exposing.
- **Outcome-driven sanctions/dismissal**: Sanctions, procedural defaults, and gatekeeping rulings were twisted and then used to ensure the merits and constitutional/procedural violations were never heard and discovery never made with both Courts using the chaos of the Hegelian Dialectic they created to steal the meritorious case and the Awards away for processing in the Allianz IF/IRF Reserve for redistribution of wealth.

The record shows that by 2023, the IF/IRF dimensions and judicial involvement were clear, and as those facts were presented in October, 2023 Motion, the court's handling became more aggressive and more overtly focused on ending the case without discovery or merits review using any ground, including completely unconstitutional grounds and changing Orders of others using Sua Sponte notice of hearing, to prosecute the case themselves, that didn't comply with the Order or the Constitution.

- **Nov. 28, 2023 ("take-it-all" hearing)**: A Sua sponte hearing violated prior scheduling/administrative constraints by Order of June 9, 2023, and forced P-Appellants to

defend a record their attorney controlled and concealed and who was still the attorney of record and was letting the case be defaulted. P-Appellants were also noticed to defend and they had a right under the Order of June 9, 2023 to file on why Dodd was colluding in the case through a fake withdrawal attempted in secret, but the facts were record and Dodd/Defense were caught lying which made this a longer process than desired. P-Appellants beat Defense, but not in a good way as they had pulled so many all nighters in that 30 day window, that they both had nerve damage of eyes, limbs and Fink was suffering seizures from tremendous sleep deprivation and had a seizure at Mcintosh's feet and was taken by ambulance and put on anti-seizure medication but still no Reasonable Accommodations were granted. Nobody but P-Appellants objected to this 11/28/23 hearing as extremely obviously Unconstitutional because the preterminal outcome was planned.

- **Jan. 11, 2024 (attempt to use counsel as witness with Allianz and making up an entirely new reason that P-Appellants must be dismissed that had nothing to do with the case or procedure)**: A planned hearing focused on a defense-driven narrative that relied on Dodd as a fake witness, despite the prohibition on such testimony, was attempted. The entire case revolved around how Dodd and P-Appellants were sharing duties of representation, when in fact Dodd abandoned the case, and the June 9, 2023 Order gave P-Appellants Constitutional Power to show how Dodd was not honestly providing withdrawal information as P-Appellants had recorded Dodd and his actions and Defenses Actions had ruined P-Appellants case through their constant collusion and attempts to throw the case. Sua Sponte Mcintosh even notice P-Appellants to defend their case, over their own objections that the June 9, 2023 Order said no other hearing could occur until the Dodd matter was heard alone, and only after giving P-Appellants another 45 days depending on what happened, could any other matter be heard in this case. Sua Sponte Mcintosh broke that Order through a Sua Sponte Ambush Motion that required P-Appellants participation. There was no working together with Dodd, unless he admits that he is helping P-Appellants prove he was colluding with Defense and now the Judges, because that is what the last several months were about. Dodd had not talked to P-

Appellants since June 2023, after he was caught with Defense and the tape recordings of Dodd were revealed where he was caught in many lies and deceptions with Defense. P-Appellants forced the judge to accept their firing of Dodd and not waiving collusion claims which he did after much argument and hostility because the plan was a preterminal dismissal on this date, and P-Appellants were willing to be arrested and held in contempt to stop it as they would just become martyrs if that happened anyway. They were over the Court corruption thing.

- **Feb. 16, 2024 (hearing before an out-of-circuit judge)**: An externally appearing judge, Heath P. Taylor, attempted to adopt the defense position on the "motion vs. responsive pleading" which defies the Rules 7, 12, 1nd 15, and is common knowledge not to be the same, and Defense Default issues among others even though they were admitted to being 3 months late. P-Appellants nevertheless obtained approval of a further amended complaint which they did and its style is different than what is being used, which actually helps Sua Sponte Mcintosh's fake evidentiary hearing more which is too long to describe herein. The Amended Complaint related back an was not motion/answered which is another default. Interestingly, Neubauer could not even get himself to say the right word. ..motion. . .responsive pleading because it was all a gas light to convince P-Appellants of something they already knew to be a lie.

- **Jan. 2025 (evidentiary/sanction ambush)**: P-Appellants were served with an ambush, expedited, Sua Sponte restrictive evidentiary-hearing/sanction approach that was impossible to satisfy given the 10 active days to be ready/20 pages including exhibits on 162 items with no reason why they were sanctionable after three years, That was about 8 motions per page with no exhibits. P-Appellants had to produce their own personal evidence acquired since no discovery, depositions, and subpoenas and Tecums were permitted even by the Supremes when all of this cannot happen right after a 12b6 failure, and no Discovery resulting in a section and dismissal. . . evidentiary hearings cannot be used that way. and, the number of disputed filings, and the lack of discovery. This was a perfect Hegelian Dialectic, Problem, reaction, solution dismissal with the problem and solutions being feigned based on fake chaos and impassivity to respond within the

parameters. The Appeals court wants to make this a big deal somehow against P-Appellants when 1st year law students know this is not a way that an evidentiary hearing can be used, and especially when a scintilla of evidence was all that was required at that stage. This was a sua sponte hearing, with all attorneys missing but Neubauer who could not even take on such matter. This was run and prosecuted by Mcintosh, and he was the jury too, which is not permitted by law. the only way to read this Sua Sponte Show cause correctly since Sua Sponte Mcintosh was not taking questions, was to assume he meant 20 pages per doc, which would make sense rather than 162 docs all in 20 pages plus exhibits. P-Appellants did that or they could say the Judges are so corrupt that they are doing what P-Appellants are describing here.

- **Appeal constraints**: The same chaos pattern continued on appeal through strict page/time limits inspire of the ADA mandates where the court openly Discriminated against P-Appellants as Disabled litigants, especially those caused by the Judges themselves as punishment and to weaken the targets, which are weaponized now do just that and dismiss P-Appellants based on Discrimination against Disabilities. . rulings that prevented full presentation of constitutional and procedural issues. Problem, Reaction, Solution, the Hegelian Dialect used again and again by Courts who can deny anyone based on this process of stealing the merits, the Discovery, making this a procedural battle by predetermined outcomes and finally creating enough chaos that a Sua Sponte, evidentiary trial/sanction, dismissal is used with an impossible set of parameters used to limit any response, and a Discovery Sanction Dismissal is used in the Asbestos cases, to put a Court receiver in place to rape the company.

8. South Carolina Entrenchment, Historical Backdrop, and Recusal Conflicts

The events in this case arise within a long-running South Carolina governance pattern in which an "aristocracy" and "groomed elite" have remained continuously in control from the colony-era framework described as the "Grand Model of Government of 1669" through this modern state Oligarchy using a LMCE as a business run under color of law to benefit these Aristocrats/Groomed Elite at the exploitation of the People as described herein. The

controlling networks adapted to different lingo of the day, over time, but did not change their internal framework and entrenchment to control government: the same social, family, professional, and political pipelines, within in Aristocrat families and the Groomed Elite, continue to control who holds authority, how power is exercised, and how accountability is avoided, through placement of their own like-minded and goal directed puppets.

These entrenchment where the Government and courts are infested with, created and still create Unconstitutional structural violations in trial, appellate, and supreme courts rulings that favor their own entrenchment and LMCE, including relationship-based (family/kinship and professional overlap) entrenchment and status-based signaling that reinforces insider protection (such as joining exclusive clubs or being close to the St. Cillia Group, the secret Masons, and certain secret Fraternal Orders who swear oaths to protect each other, as the Appeals and Supremes have done. This entrenchment explains why recusals were not granted, why discovery was blocked, and why decisions issued with predetermined outcomes protected judges and aligned participants rather than applying neutral rules. (FN4) **"A judge shall act . . . and shall avoid impropriety and the appearance of impropriety."** (FN1).

Kinship between Macintosh, Murdaugh, Maddox, Mullen, Becky Hill, Debouche, Varn, Calhoun, and so forth give great insider privileges to these aristocrats and their Groomed Elite. Others like the McMaster line whose related to Laffitte's who are related to Deloach and who have social contacts all around the state and beyond, and were even involved in the receivership in the Murdaugh case, which is a total conflict of interest, which Kittridge well knew about these conflicts that hid Aristocrat Murdaugh money, through Dr. Maddox testimony (wife of Maddox), are the privileges given to these Aristocrats/Groomed Elite who are not held to any law or rule in both the Lafitte and the Murdaugh feigned cases. These individuals have been given feigned trials and appeals by a judge who knowing broke the Canons, by talking to jurors, and State Actor Becky Hiers Hill whose grandfather helped Buster Murdaugh get off the hook on public corruption charges, talked to jurors, knowing she could not do so, who is also Kin to Murdaugh and a fellow Aristocrat, and gave him the same appealable issues the federal judge gave Laffitte. Aristocratic Family members who

are entrenched in the state, are helping their Aristocratic criminals undo jury trials and other fellow state actors/Groomed Elite, are helping these criminals get reduced punishments after they win their appeal to overturn the conviction, based on favors from Aristocrats and Groomed Elite. SC Justice is absolutely feigned, and ridiculous and the Courts are filled with this criminal Entrenchment and this is what happens in South Carolina when aristocrats and their groomed elite are free to create criminal schemes like Insurance Fraud/Insurance Reserve Fraud business using the carriers to steal injured litigants awards, money launder the dark money from Aristocratic crimes all over the state and this theft of this award, through the carrier reserves accounts and then use the Hegelian Dialectic to create so much chaos in a meritorious case that these Sua sponte judges then can dismiss the litigant for any reason or no reason at all using these made-up evidentiary hearing/sanction/dismissal strategies with no recourse against the judges or the appeals court which are made-up of the same signaling Aristocrats/Groomed Elite, such as McDonald and Thomas, often through the mother's line, that are infested in the trial court as mentioned above, and the Supreme Court, such as Few who's aristocracy runs through both lines, but mainly the mothers line, and in the legislature, like the Limehouse's who are close to the McMasters but prosecuted his kin, Laffitte, with a sweetheart deal, and in the Aristocratic Governor's office as described.

SC is an Oligarchy, disguised as a Constitutional Republic running illegal operations through their Legal Machine Criminal Enterprise exploiting the public just like they exploited the slaves and litigants cannot get a fair trial or a fair appeal when the entrenchment is overseeing the case, the disciplinary action, the accountability arm, and it's totally Unconstitutional that allows criminals to run businesses out of the Courthouse, disguised as Constitutional Courts. These Entrenchments must be recused, in this case, but overall, they must be ousted, which if P-Appellants cannot get justice here, they will help SC oust by all legal, nonviolent means. The song has already been written!

When an entire court system is implicated, recusal must extend broadly. (see, *Offutt, and Caperton).*[3] *The Couts are participants in underlying misconduct; The Courts acted to shield prior and present rulings and ACTORS; Have refused ADA Compliance while controlling procures, are feigning cases and using deceitful trickery to create chaos and win through fraudulent procedure and so forth. This is institutional self-interests, which is constitutionally intolerable. This is Conduct self-evident of Recusal. The Court doesn't like to admit matter they prefer to keep private, but this is the law and what is being done in SC is Unconstitutional.* Evidentiary is not able to be provided when Discrimination against Disabilities does not give fair opportunity to P-Appellants to be hard. Key facts have been overlooked, and facts have been misapprehended and Misapplication or failure to apply controlling law occurred.

8A. Plan-and-Pattern Parallels: Murdaugh Matter and Asbestos Litigation

This case is part of a broader plan-and-pattern visible across multiple high-stakes South Carolina matters, including the Murdaugh-related proceedings and asbestos litigation. The same features recur: entrenched relationships among influential actors, run by corrupt Judge Toal/Groomed Elite; insurer/financial mechanisms (not cooperative in this case) that benefit insiders; and procedural manipulation that prevents transparent merits determinations. Repetition of these features—together with overlapping named individuals and institutions—meets enterprise-pattern standards. The same Hegelians Dialect and IF/IRF structure with modifications exists. Judge and lawyer Chaos---fraud claims on Discovery chaos--- Sanctions----Dismissal----Receiver takes over the business.

9. Ongoing Harm and Continued Threat Activity

Threats and stalking continued by proxies, after the 2021 departure and intensified again during 2024 through April 1, 2025, involving some of the same proxies with renew relationship with Mcintosh, and additional proxies. The episodes included dangerous

[3] "Justice must satisfy the appearance of justice." *Offutt v. United States*, 348 U. S. 11, 14 (1954). "Even probability of bias violates due process." *Caperton*, 556 U. S. AT-833-84.

confrontations and attempts to engineer circumstances leading to catastrophic injury or wrongful death, documented through audio/video and security-camera recordings. P-Appellants also referred to the later violent suicide where the leader blew his head off his shoulders, as the leader proxy as further context for the volatility and danger of the individuals involved. They used Guns, razors, steel pipes and other attacks against P-Appellants.

10. Overall Theory and RICO-Pattern Framing

The record shows a two-track strategy: (1) an IF/IRF structure in which insurer participation and prolonged litigation enable financial benefit and diversion of recovery; and (2) an "order out of chaos" method that overwhelms and disabling the innocent litigants, blocking discovery, and takes the meritorious claim and turns it into a procedural morass on fake and twisted grounds and rules, which are then going to be dismissed by predetermined outcome, and terminates the case through manufactured disputes from this chaos they created, often in feigned Sua sponte hearings, sanctions, and restrictive time/page limits rather than a merits-based process allowing for meaningful due process. The same approach carried into the appellate process through ADA/disability-access violations and gatekeeping rulings that prevented full presentation of constitutional and procedural violations using the chaos they created as the excuse for the dismissal. **"A fair trial in a fair tribunal is a basic requirement of due process."** (FN2) The due-process recusal framework applies where a serious risk of actual bias exists. (FN3) These combined facts establish an enterprise plan-and-pattern in P-Appellants case with all Judges and others involved, and between cases in Murdaugh, Laffitte, and the Asbestos cases, that show the plan-and-pattern and that is systemic in SC, and reach RICO-style standards by several different means. In this matter, immunity is waived on several grounds.

11. In the above listed examples, Evidentiary is not able to be provided when Discrimination against Disabilities does not give fair opportunity to P-Appellants to be heard, in the trial, Appellant and Supreme Courts. Key facts have been overlooked, and

facts have been misapprehended and Misapplication or failure to apply controlling law occurred.

B. Additional, Key Facts overlooked and facts misapprehended and Misapplication or failure to apply controlling law and within the inherent powers of the Court to determine.

When Sua Sponte Mcintosh sanctioned P-Appellants, he was violating *Withrow*, **"The probability is too high [to not recuse] where the same person serves as the accuser and the adjudicator."** *Withrow v. Larkin*, 421 U.S. 35, 47 (1975). Mcintosh did his most damage to P-Appellants almost ALWAYS working off Sua Sponte actions without even waiting for an objection. This was his way to create chaos in the problem-reaction-solution strategy that led to the evidence-sanction totally misused and misapplied that this Court want to give credence to, because he is an Aristocratic entrenched judge in the LMCE. **Rule 2.4(B), FN 1, 2.**

for what allegedly doing outside the Courts, this is frankly none of his business, even though P-Appellants have no idea what that means. Dr. Kennedy occasionally visits other troubling cases for support and because her biography is writing a book and interviews P-Appellants on various thoughts and meanings and P-Appellants must stay current to make this book her best, even though she is not personally writing it. P-Appellants is sometimes interviewed by reporters, and does radio guest appearances and sometimes You-tub and other interviews. Otherwise P-Appellants are working to try to stop the predetermined outcomes that started in 2022 with proofs that have not been presented due to the Hegelian Dialectic strategies they are often fighting, as now, to save their meritorious case from being destroyed and the record clean as it is part of the book and proofs. P-Appellants have 1st amendment alleged rights to speak freely, associate with whom they please, and receive redress of grievance without being sanctioned and punished for demanding rights and justice, where Mcintosh is so arrogant and mentally unstable that he thinks his extremely biased and partial in fact, Order, is acceptable when it breaks MANY Canons, and shows his complete bias and RACKETEERING within the writing.

Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238, 246 (1944) (**fraud on the court requires nullification of judgment**). This Appeal and the underlying case are a nullity, and P-Appellants need to have their Entry of Judgement entered against all, with other findings also. Discrimination based on Disability and Age, are Due Process Violations and immunity is waived, and **Key Facts are being overlooked here and facts are misapprehended and Misapplication or failure to apply controlling law and within the inherent powers of the Court to determine, where Judges must follow the law.** Court Rules, S.C. App. Ct. R. 501 (2024: (Canon 3), (B)(2) **"A judge shall be faithful to the law . . ."**; (B)(5) **"A judge shall perform judicial duties without bias or prejudice;"** (B)(5) **"A judge shall not**, in the performance of judicial duties, **by words or conduct manifest bias or prejudice**, including but not limited to bias or prejudice based upon race, sex, religion, national origin, **disability or age;"**

On appeal, the Appeals court created that same Problem, reaction solution to dismiss and punish P-Appellant for what the Appeals Court caused. ADA Reasonable Accommodations are mandatory not discretionary. P-Appellants submitted claims and medical reports. There was no question as to Disabilities raised. P-Appellants also explained their special needs of block time, not 30 day increments as P-Appellants were always in a rush and were staying up late, not seeing computer screens/reading, not able to type long and just doing more damage, if they didn't know if another 30 days was coming. . .and often it was not and they had to fight for it. . .staying up all night over and over again, typing for too long, and not able to see screens for a long time, due to continuous beating the clock. With 90 day blocks they could plan out their work and rest schedules. Do non computer work without having to rush to carry 20,000 documents to and from various locations to work on them, separate them, file them, pull what was necessary, copy, and so forth, and not constantly life in a hurry, or type and stare at screens constantly.

The Couts repeatedly denied the block, even though Murdaugh got at least 2 blocks of 90 days plus . . .without having disabilities. P-Appellants also need at least 200 pages because they were having a hard time focusing and condensing due to all the Torture they

endures with unnatural amounts of forced Sleep Deprivation, which has a cumulative effect. When the Courts were first doing this, Dr. Kennedy got into a head on collision where she was not moving, but had no reaction time to get out of harm's way. Her head went through the side passenger closed window as she was knocked out of her seatbelt, and shattered the window, went unconscious, had a concussion, collapsed lung, and other injuries. The trial court in this case, told Dr. Fink that if Dr. Kennedy could speak she could argue the case that day. . .she could not even remember her name or medical history. The doctor told them absolutely no. They had the hearing anyway, but the "Communication Unit went offline, when the Most-High sees injustice and ruthlessness helping those who care about others against those cold souls who do not.

The Appeals Court mislabeled the Motions, took out of context and example in the Motion that showed how anything other than 90 days would not be a reasonable accommodations and made that the accommodation to make it look ridiculous, they decided to file, not to , they called it a reconsideration under the wrong rule 221(c) repeatedly when it was not a reconsideration nor under 221(c), but a request for clarification saying they ruled when they did not rule and refused to point the ruling. They ignored many pages of law and gave a two sentence Order with one saying comply or dismissed in 30 days and so forth. They finally hired a Laffitte lawyer partner to fake being a judge and doing judge duties while sending a letter to P-Appellants about the laws, what she was going to and not do, and that this was an order (in the letter itself) and gave a 10 day deadline or dismiss/default. This of course is non-appealable as an Order, which was the plan to see if the Courts could deceive us or intimidate us with a Laffitte schemer with a

friend who is also a murderer trying to leverage P-Appellants into not caring about the law and just doing what they were ordered by an outsider. The Court later tried to make up a cover story that she worked at the Clerk's office as a clerk, but P-Appellants already meta tags and copied code of the December and January Appeals Court websites and Jasmin Smith was not listed as a "deputy clerk' until long after that letter. Further, Smith was a deputy clerk and a attorney clerk for the Court of Appeals back in 2013-2015, and has been a full partner with the firm of Laffitte thereafter according to her own records, and articles of Robinson, Gray, Stepp, & Laffitte, LLC. This is clear deceit by the Appeals Court and a very cozy relationship with RGSL that is being used to trick and intimidate P-Appellants into accepting limits that will not allow them to get a full Appeal Presentation as a part of due process. This means that the Appeals Court has an nefarious interest in this case and is not bias but needs a predetermined outcome, even using obstruction by justice Smith to do so. **This is a Due Process violation structural error and not harmless**, (see, *Mathews v. Eldridge*,[4]) and these behaviors **are evidence of Bias.**

The point is, that just missing one night of sleep can cause one to drive like a drunk person. ..and this add up to where they are not correctable if one stays in bed for the next 24 hours. They have a cumulative effect. Beyond forces issues to condense, from the Torture of the Courts, P-Appellants have a very complex and voluminous case that alone would get these request, like Murdaugh did with several hundred pages added to their bottom line Appeal, Answer and Reply. By limited P-Appellants time block/pages the Appeals court was breaking their mandate to grant such reasonable requests of least restriction, but if they did . . .they would give P-Appellants more of a chance to discuss

[4] Due Process requires the opportunity to be heard at a meaningful time and in a meaningful manner." *Mathews v. Eldrige*, 424 U.S., 319, 333 (1976).

meris of their case, Constitutional Violations and LMCE/RACKETEERING in the case including the Judges making a deal with these Criminal Proxies long before their was a case for a murder-for-hire so they could run a Murdaugh IF/IRF scheme with Allianz and others for financial and vengeful interest, thus bringing along the VSB to enjoy it, according to Proxies written and recorded admissions.

P-Appellants' SMJ and recusal challenges were ignored, constituting the denial of due process.

F. **Parallel Feigned Trial/Appeals and Structural Schemes**

P-Appellants, Murdaugh and Asbestos cases all have IF/IRF structure in common, as described above, with Asbestos cases using Delaware and suiting the carrier rather than using the carrier to money launder and splitting money with the carrier. But the structure is the same.

All three cases are feigned. . .Murdaugh feigning was to ultimately help Murdaugh, while staging a case to convince the public the Courts were on it, and the appeal giving by Kin Becky Hiers Hall to get Murdaugh off the Murder charges by giving him appealable issues that the court has to act like they hate they have to given Murdaugh a fair trial again, when they are helping him get out of the Murdaugh Murder conviction. If this goes as planned, the State will then do a "Laffitte Strategy" with Murdaugh and not charge him again or give him a slap on the wrist to allegedly, save the tax payer money by not trying him again or given him a concurrent sentence on a plea deal. They may then find other ways to continue to reduce the time and time served and good behavior with the wrong calculations of the release date like with Laffitte.

In the P-Appellants and Asbestos cases, the cases are feigned to hurt the litigants. Asbestos cases are big international money and SC doesn't care how much they get shamed. . .their aristocratic past killed and raped slaves and used them for profit with no accountability. Their offspring entrenched into SC Government with their Groomed Elite only care about profit, not who needs to be maimed or killed to get it.

P-Appellants are two elderly, physically disable ladies. To Exploit the Elderingly and Disabled is normally something looked down up in society. These LMCE predators do not care. They wanted to create and steal and Award using P-Appellants as cash-cow chattel just like the slavery days. They wanted the money and the vengeance and a way to money launder money for the entire State dark money collecting somewhere. . .maybe in those government billions of dollars nobody ever knows about, in spite of a hired prostitute accounting firm saying nothing to see here. Allianz was more than willing as that is what they do. IF/IRF schemes are part of the dark side of these businesses, and they would split a large award and money launder that and many other dark accounts waiting for money laundering by the reserves that hold a lot of money. So P-Appellants case was feigned from the start, what the lawyers stonewalling with no questions asked or answered long enough to steal the funds and funnel much money through the reserves. Once P-Appellants caught the collusion between Dodd/Defense, then it was about trying to hi-jack P-Appellants case so they could never tell the story of the underlying RACKETERING with these judges and other State actors and Allianz and how the IF/IRF operations works with the LMCE. They spent the rest of their time using the Hegelian Dialectic to dismiss the case on other grounds while making it look legal and very confusing to an onlooker.

Asbestos case ends with a Judge/lawyer Chaos-Discovery violation-Sanction-Dismissal of the owner representing his company while the court appointed receiver (Protopapas) runs the show and sue the carrier with the proceeds laundered through Delaware and other places after, like university donations and so forth, using the IF/IRF structure.

P-Appellants underlying case ends with a Sua Sponte Judge Chaos-Evidentiary Hearing without Discovery etc. and sanction-Dismissal on impossible terms for P-Appellants to comply using very limited page and time limits. This was assisted by the Supremes who knew that one cannot have an evidentiary hearing at this time nor for this purpose.

P-Appellants appeal ends with a Sua Sponte ADA refusal-Punishment-Dismissal for not complying with impossibilities. During the Court refusal phase they cheat and lie in everyway they can to deny reasonable accommodations without admitting it, trying to force P-Appellants to respond to the 30 day/50 pages limit to stop the full appeal presentation.

All three cases were used as as tools to manipulate outcomes and hide misconduct. P-Appellants case was telling on the Courts through their exposure of the LMCE, IF/IRF, and the Hegelian Dialect combinations to create predetermined outcomes not on the merits and later not on the Constitutional issues and Fraud on the Court by the Court and others also. They had to rid themselves of P-Appellants feigned appeal happening at the same time as Murdaugh and Asbestos feigned appeals for different reasons all happening in the same building.

Courts coordinated to delay, suppress, and obstruct Plaintiffs' rights, consistent with civil RICO patterns (Sedima, S.P.R.L. v. Imrex Co., 473 U.S. 479 (1985)). These alone are grounds for recusal. So many of the schemes could not occur without orchestration. P-Appellants have recorded many of them when legal to do so.

G. **Sanctions and Defaults**

Doctrine that innocent litigants should not be punished while wrongdoers face Consequences like void and voidable cases must be instituted here as P-Appellants have been victims from the start, who would never give in to crooks and bullies: Southern Bank & Trust Co. v. Hall, 297 S.C. 93, 99 (1989).

Entry of judgment on defendants' defaults is proper as sanctions for orchestrated procedural misconduct, along with other ruling that stay suits to be filed to get the rest of the LMCE perpetrators to pay damages and investigations started on them.

H. Your favorite, but when used properly, Rule 221(c) and Appellate Procedure Compliance

Petition complies with SC Appellate Rule 221(c) (motion for rehearing must be filed within 15 days with no remittitur until after). Plaintiffs make demand for their 15 day time period and that any remittitur sent to the lower court be recalled or vacated as a matter of right.

Petition cites all relevant orders, motions, and mislabeling by courts to preserve the record. P-Appellants site the entire record of Orders, Opinions, SMJ Challenge/Mandatory Recusal/Fraud on the Court; Motions with exhibits, Objections, Letters to and from the Court, its alleged agents or otherwise, including, but not limited to a letter from Jasmin Smith claiming it was an order, and Record/Docket Titles entered that will show the misapplied SCARC Rule 221(c) to motions that are not rehearing's but clarification of vagueness that require a Constitutionally compliant, clear Order, mislabeling and lack of filings Order by the Court or a Laffitte Lawyer acting as a Judge illegally.

Please preserve the entire file for Appeal and Certs to the Supremes and the U.S. Supreme Court on Federal Questions that tare very important to the public and P-Appellants regarding SC running of an Oligarchy using a LMCE to fleece the public, and that their decisions are focused on this, by using an Entrenched Aristocracy/Groomed Elite that has never left SC Branches of Government being one unified Branch to including the Judiciary that oversees all case, accountability and Discipline of the Courts and lawyers in a total conflict of interest, making all the legal portion of the branches needing to please the Supremes with no real oversight of the Supremes.

I. Oral Argument, per SCRAC 215, Plaintiffs request oral argument pursuant to SC Appellate Rule 241, emphasizing factual complexity, ADA impact, Constitutional Issues, and evidentiary impossibilities, that affect all people in SC if these matters are not corrected and practiced in the future to protect the People's guaranteed rights, including, but not limited to:

I. Plaintiffs state that the Court abused its discretion and even worse created frauds on the court by the court and others.

II. The case involved Complex Constitutional and other issues, and a large volume of evidence that could not be packaged in the limited space, and time, especially with the specific ADA issues and special needs described but ignored or gas lighting and other tricks were perpetrated on P-Appellants to convince or intimidate P-Appellants into ignoring their rights by mandate and just limiting what they could say and find in the documents, with the limited time and give a presentation that had no chance to win because it could not represent the full Appeal presentation needed to win or Appeal further into the Federal Courts or file with the Federal Trial Court with a well-established and set record.

III. There are constitutional and Subject Matter Jurisdictional challenges involved that were ignored, and void and voidable issues, and there are very serious Constitutional structural concerns, mandatory recusal issues,

IV. The entire issue of an Oligarchy created court where the Constitutional guarantees are treated as mere suggestions that cannot never happen in a state of laws not of men. Aristocratic/Groomed Elite have been shown to be entrenched in these cases, that P-Appellants have named by name in the SMJ Challenge incorporated by reference herein, that that has created predetermined outcomes in a LMCE RICO operation under color of law that needs to be addressed. Example of the LMCE operation is the IF/IRF scam run in the 10th and 14th Cir. and it appears even state, nationally and Internationally, through the same IF/IRF structure used in feigned P-Appellants case and feigned Murdaugh's case.

V. Further, there is the issue of the Courts tag teaming to run P-Appellants out of appeals using the **Hegelian Dialect** as the tool of choice, which is a bad faith and fraudulent act by the Courts with biased and proprietary interests which cannot happen in a republic.

VI. Feigned cases, Collusion cases and others of this type are nonjusticiable in SC, yet this is being ignored, where the findings are void and a nullity against the offending parties.

VII. ADA Reasonable Accommodations are mandatory, and even under the Courts claim of abiding by the law, they tell on themselves for not doing so. Because these ADA violations are a part of a Constitutional argument they are not taken lightly and must be addressed.

VIII. The Court acted as Judge, Prosecutor and Investigator in the same case which is not permitted and makes the Court biased at least, and the Defendants having defaulted on all matters. This practice is unconstitutional, against fairness, and due process.

IX. Finally, there were factual misapprehensions and violations of the Canons on lack of fairness (3), lack of Integrity (1), Lack of Honesty/propriety (3), Bias or criminal and other misconduct (2 & 3), that cannot be permitted to be a a part of any case as they establish due process issues.

IV. RELIEF

Plaintiffs request the Court to:

1. Grant rehearing and rehearing en banc,

2. Recall/Vacate the appellate court's dismissal of P-Appeals' appeal, as P-Appellants have 15 days to respond as of right,

3. Restore all meritorious claims and constitutional challenges,

4. Entry of judgment on defendants' defaults as appropriate sanctions with P-Appellant preserving other rights to sue and appeal by staying any time limits on Statutes of limitations so P-Appellants can recovery physically from all the Elder and Disability Abuse and Exploitation, they have suffered and get their surgeries to try to repair intentional and malicious damages to their bodies by the Judges.

5. Ensure ADA-compliant deadlines and page limits for this rehearing and preparation of briefs and Filings are made with appropriate review of block time/pages as the time gets closer with good faith assistance to receive meaningful Due Process and a full Right to Appeal.

6. Provide oral argument to address the complexity of issues,
7. Mandatorily recuse and have neutral judges review the SMJ/Recusal/Fraud on the Court by the Court and others Challenge/motions, and recuse for the duration of this matter, and only neutral Judges selected by other neutral judges, and a neutral investigator be assigned to P-Appellants case and underlying case to investigate the Trail Court Judges and proceedings, Allianz, the Defense and firms, the P-Appellants lawyer, and so forth for prosecution purposes, so the public can be safe from Clearing House Justice and Teflon Judges who perform in the LMCE as predators, under color of law.
8. Evidentiary is not able to be provided when Discrimination against Disabilities does not give fair opportunity to P-Appellants to be heard, in the trial, Appellant and Supreme Courts. Key facts have been overlooked, and facts have been misapprehended and Misapplication or failure to apply controlling law occurred.

V. **CONCLUSION**

For all the reasons stated, Plaintiffs request this Court grant the petition for rehearing and rehearing en banc to provide justice, preserve Plaintiffs' rights, and prevent courts from using procedural impossibilities, ADA manipulation, and sua sponte sanctions, Hegelian style, to erase constitutional and meritorious claims.

Dr. Marsha Fink, J.D., B.A
P.O. Box 433
Townville, SC 29689, 954-279-3785

Date: April 8, 2026

PLEASE USE EMAIL FOR EASE AND TO GET THE ATTENTION OF P-APPELLANTS AND HARD COPY AS A COPY OF THE EMAIL. Sosofunny1959@gmail.com, and please keep the tricks of mailing elsewhere to obstruct justice away from this case and P-Appellants, who know these tricks occur in SC government. This applies for both P-Appellants.

Dr. Linda Kennedy, J.D., B.S., B.A.
P.O. Box 433
Townville, SC 29689, 954-279-3785

Date: April 8, 2026

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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.

Appellate Case No. 2025-000859

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 **Petition for Reconsideration/Rehearing and En Banc Reconsideration/Rehearing and Oral Argument** 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 April 8, 2026.

DATE: April 8, 2026

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