IN THE SUPREME COURT OF SOUTH CAROLINA

Linda Kennedy and Marsha Fink, Petitioners, v. Lake Hartwell Resort and Cabins, LLC, et al., Respondents

Appellate Case No.: 2025-000859

Trial Court Case No.: 2022-CP-04-00592

PETITION FOR WRIT OF CERTIORARI

(Rule 242, SCACR)

NOTE REGARDING ADA / ACCESSIBILITY

Petitioners submit this filing under severe ADA-qualifying visual and other physical disabilities that were intentionally caused, exacerbated, and weaponized by State actors and SC courts in this case. Petitioners require least-restrictive reasonable accommodation (including 60 block time and 200 expanded pages) and time to review records, with recovery time, to provide a meaningful and full presentation, and that denial of such accommodations has repeatedly been used to engineer dismissals.

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CERTIFICATION OF ORDER RECEIPT / FINALITY / TIMELINE (RULE 242 AND EXHAUSTION)

Petitioners certify that to the best of their knowledge, the Appeal is closed, by **constructive dismissal** as the following timeline and uncertainty issues, have been created by the Appeals Court, directly affect when deadlines begin to run for Rule 242 certiorari, rehearing, and later federal exhaustion. Petitioners allege the appellate court subverted clarity of dates through dismissal while threshold motions were pending, and through remittitur timing that created uncertainty about when the clock starts.

Petitioner filed a Subject Matter Jurisdiction challenge (SMJ) and mandatory recusal since the issues involved in SMJ were about the judges lack of neutrality and fraud on the Court by the Court and so forth, on 4/23/26, the Appeal's Court filed immediately (4/24/26) a dismissal of the Appeal and two footnoted dismissals of the SMJ and Recusal documents that required independent review and a real Order and opinion not by this court. The Appeal had to be stayed and rescheduled not dismissed simultaneously.

The Appeals Court then immediately sent a remittitur with the Trial Court to attempt to block and steal Petitioners right to rehearing/rehearing on banc, and creating a purposefully unclear timeline of the due date for all other appeals/preservations,

including the SC Supremes, to check that box of exhausting their opportunities, so they could begin the Federal court process with Federal Questions raised and other actions needing this box checking exercise completed.

Petitioners responded the next day, 4/25/26 with a Motion for Neutral Tribunals/judges to Review all Structural and other Constitutional issues, and recusal, SMJ Challenge, and Fraud on the Court, Dismissal and herein and otherwise listed. No response. Plaintiffs within the 15 days filed for a Rehearing and Rehearing en Banc, with Oral Argument and ADA Reasonable Accommodations, and to recall and vacate the remitter, further weaking Petitioners with unnecessary work, harm to physical Disabilities, expense for continual filings with no results at $50/each, and still no response from anyone.

Petitioners further certify that this uncertainty forced Petitioners to expend the entire rehearing window to preserve rights under disability constraints while still lacking clarity of when finality begins for higher review, and this uncertainty was fits into all the other sabotage and feigned proceedings these courts have been involved in including in this case, to create a roadblock while further weaponizing their disabilities that the Court intentionally and maliciously created and exacerbated, by design to obstruct exhaustion. This is a serious issue as the People of SC are looking into federal intervention for the 4th time in history, to stop this treasonous and Unconstitutional action of the Courts, with no accountability, working with the other Branches of Government with no accountability are using the SC People as an exploited cash cow for their own profits in their Legal Machine Criminal Enterprise they have created and serve.

I. QUESTIONS PRESENTED (Rule 242(d)(1), SCACR)

1. Whether dismissal without a stay, while threshold motions (subject matter jurisdiction, mandatory recusal/neutral tribunal, and ADA accommodations) remained pending and controlled compliance, violates due process, Equal Protection, and Access to the Courts.

2. Whether denial/obscuring of ADA accommodations and selective enforcement of procedural limits violate ADA Title II, Due Process, Equal Protection, and access to courts and remove immunity from the Judges in addition to other ways it is removed.

3. Whether the Court of Appeals' handling of dismissal, remittitur, and unresolved rehearing created a deliberately unclear date of finality, further subverting the Petitioners case, by playing with the timeline for Rule 242 certiorari and federal exhaustion.

4. Whether Problem–Reaction–Solution (Hegelian Dialectic) engineering progressively narrowed a meritorious case filed in Trial Court, into a procedural shell, stripping merits review and judgment entry by time it got to the Appeals Court, and then the Appeals court stripped it further by making it an ADA issue they deny occurred in spite of the record and law, which is the Plan and Pattern used in SC Courts. .

5. Whether structural entrenchment and conflicts—spanning trial, appellate, and supreme levels, and across the other two branches of SC who are supposed to be checks and balances for each other, required mandatory recusal and independent review, and removal of those entrenched and a aprt of this LMCE, and secret societies that swear oaths to protect each other rather than the Constitution, which many of the entrenched belong to, where Petitioners identify overlapping networks and relationships to the three comparative and very troubling cases to SC, Petitioners case, Murdaugh/Laffitte, and Asbestos Docket cases where the same scams are being run for different reasons, but all are being used by the LMCE, and all are feigned cases from inception, which are void, nonjusticiable, and collusions of Judges and Lawyers and others, where the innocent litigants must be protected and their entries of Judgement honored as earned or as sanctions to be paid in full by Defendants and Allianz, jointly and severely.

6. Whether judges and court actors have no judicial immunity for non-judicial acts (e.g., being involved in the underlying causes of action, Appeals and Supreme Courts assisting the Trial Court's lack of immunity, by acting as prosecutor/investigator/architect of procedural barriers and so forth to try to get a predetermined outcome) and where they proceed in the clear

absence of all Subject Matter Jurisdiction Adjudication jurisdiction and refusal to mandatorily recuse.

7. Whether the proper disposition is to declare the challenged proceedings void ab initio and a nullity as to wrongdoers, while expressly saving and protecting the innocent Petitioners by ordering entry of Petitioners' last earned Entries of Judgment, requiring joint-and-several payment in full, and convening a neutral jury to determine additional damages including, but not limited to, uncapped punitive and noneconomic damages.

8. Whether the Trial Courts and other State Actors, MGC, proxies and others, having secret, unilateral meetings with 10th Circuit Judges in order to hire these former felons and other proxies (future defendants) to create catastrophic injury or wrongful death against Petitioners, to create a claim with fellow colluding Allianz carrier that they could steal, and money launder that and other State dark money through Allianz Insurance Reserve Accounts to redistribute after washing, referred to as Insurance Fraud/Insurance Reserve Fraud (IF/IRF). This is the scam Murdaugh was running and the scam the State is running against Petitioners, and the same structure of the Asbestos victims including the corporations being taken over by the state, in hostility without supporting law, using the same dismissal-

sanction or dismissal-punishment that the courts used on Petitions as a plan and practice in this state to rid the case, and keep the funds.

9. Is it proper for those Trial Court judges who were part of the underlying case, to then preside over the case, and predetermine the outcomes until they finally had for the judges to sua sponte call an evidentiary hearing right after the defendant lawyers could not get a 12b6, with no discovery, depositions, subpoenas, nor subpoenas allowed, by the ultimately by Supreme Court, ignoring the ADA reasonable accommodations and creating rules that limit pages, and time making it impossible for Petitioners to even try, even tough the evidentiary hearig at that time is improper just to dismiss Petitioners case and keep the money they stole with the help of Allianz and lawyers, other state actors and so forth as a part of the LMCE.

10. Is it proper for a Lawyer Legislator like Jusin Bamberg, to steer a judge from another circuit to step in to hear a case in a different circuit and find against Petitioners no matter what, by making up laws, and rules and ignoring facts that do not apply? And is that rulng(s) enforceable?

II. INTRODUCTION

This case presents extremely troubling structural constitutional violations requiring review without narrowing the record. The courts converted a

merits case into procedure; denied ADA accommodations required for meaningful participation; and then converted the procedures into claims that were not permitted to raise Constitutional issues before dismissing while threshold Constitutional motions were footnoted denied with no opinion or recusal as the motions and challenges were against these same judges, and all done simultaneously so the case was dismissed as well as punishment because Petitioners could not comply without reasonable accommodations the court would not provide (with the case requiring a stay not an Ambush dismissal), creating the dismissal as a part of the plan and pattern in SC to rid itself of troubling cases while stealing the funds, through the Hegelian Dialectic, and then used remittitur/finality devices to sabotage rehearing/certiorari timing. Further that the lack of a clear, reviewable order and the lack of a clear date of finality were used as a procedural weapon to block appeal rights and exhaustion ad infinitum.

III. STATEMENT OF THE CASE

A. Meritorious Case and Evidence (Troubling Facts)

The underlying case was very dangerous and deadly to the Petitioners. Where former felons and others went on the attack against two elderly ladies trying to recover from cancer (Petitioners) from June 29, 2021-September

15, 2021 and thereafter through March 31, 2026. After finally filing suit against he attacker Defendnts (11), they obtained approximately 2,000 pages of Defendant group-text messages and other evidence described as admissions and other after-acquired evidence on their own as discovery, depositions, subpoenas, and subpoenas duces tecum were not permitted by Trial or Supreme Court.

These admissions described secret and unilateral meetngs between10th Cir. Judges, State Actors, Lawyers, Allianz, proxies (future Defendants) and other where the Judges and these others were hiring these former felon proxies to create catastrophic injury or wrongful death against Petitioners, former Legal Reform Lawyers in Virginia who helped expose the same type of corruption there. The plan was to retaliate against these Legal Reformers with Virginia actors also joining, and to injury/death and file claims with Allianz insurance who would then money launder this hefty award, with other dark money in SC through their Insurance Reserve Account, creating a scam commonly used in SC among the Aristocratic/Groomed Elite of SC belonging to the LMCE.

To separate a litigant from his award, like Petitioners who escaped the violence, they convert merits adjudication with engineered procedure and Sua sponte mechanisms that created its own reasons to dismiss the case, not

based on the merits, normal procedure, or any other legal way to do so, when the Defense could not get a 12b6 dismissal with the help of the Court and the Plaintiffs own attorney. This was an Ambushed, Sua Sponte evidentiary hearing right after the 12b6 attempts didn't work, when all that is needed is a scintilla of evidence. This was basically converting a meritorious case that past 12b6 into a summary judgment for Defense and themselves, without ever allowing discovery that would tell on the culprits.

After this dismissal of Petitioners, they appeals and the same strategies and bad faith tactics occurred there and in the Supreme Court also on some other matters, related to the case (SMJ, Fraud on the Court, Writ of Mandamus, etc.), where the unrecognizable procedural appeal on an unlawful Sua sponte evidentiary hearing on 162 issues, not properly identified or ever challenge were challenge by the judge, with all but one attorney having run away due ot exposure as a part of these crimes just like the Murdaugh mirror case, with some of the same Aristocratic family involved..

B. At trial, Defaults / Entries of Judgment Won but Not Entered

Petitioners fired their attorney for colluding wth defense, and realized their attorney was hiding multiple defaults by defense he was helping to win while protecting the court also. Plaintiffs entered Default Judgmetns that the

court would not hear or enter, until Lawyer-Legislator Bamberg got involved, a Murdaugh victim attorney not involved in this case or this circuit and steering another Judge, Taylor, involved in the Laffitte and Becky Hill portion of the Murdaugh case to "fix" this case to save the Judges and other State acctors and so forth. Taylor later attempted to eliminate those wins through engineered procedure called gaslighting where 3 months late was not a default, and a Motion and a Responsive Pleading are the same in spite of SCRCP Rule 7, 12, and 15 saying otherwise.

C. Entrenchment, Conflicts, and Named Networks (Recusal)

Petitioners thoroughly investigated their case to figure out what was really happening as no laws were being followed, in a mocking way, where the attorneys knew they cold do anything they want and the victory was secure. They found incredible Aristocratic and Groomed Elite structural entrenchment in the Courts, and other two branches, where those involved in Petitioner's case, were also involved in the Murdaugh case, or trained with him, was a family member of his and so forth. Laffitte had similar results. These were way too many coincidences, and the Stage knew but was hiding these very severe conflicts. These and similar conflicts of interest were a part of Petitioners, trial, appeal, and supreme level dealings, including overlapping relationships and influence networks requiring mandatory

recusal and independent review and a clean up of SC who had been so single minded within these networks/families that they created an unaccountable Oligarchy, where there was no law but what these Kings granted..

Named actors and entities (condensed list): **Maddox; McIntosh; Sprouse; Wagner; Heath P. Taylor; Allianz; McAngus, Goudelock & Courie, LLC; Grier Cox & Cranshaw, LLC; attorney Deloach; attorney Neubauer; Michael Dodd; Lawyer-Legislator Justin Bamberg;** and public-case pattern references including **Murdaugh**, **Laffitte,** Becky Hill, **McMaster**, Limehouse, Toal, Mullen, and others listed as interconnected in Petitioners' record. Those in bold are directly linked to Petitioners case.

Named interconnections identified by Petitioners (as alleged): Judge **Maddox**/Dr. Maddox/Mullen; **McMaster/Laffitte**/Limehouse/ **Murdaugh/McDonald**/Boulware; **Mcintosh/Murdaugh/Maddox/Wagner/ Varn**/Hiers-Hill, **Deloach,** Calhoun/ Lay/**Bamberg**/ Tinsley/ Bland/Toal/**Kittredge; Kittredge/Murdaugh, Laffitte**/ Lay/Buster Sr.; **Kittredge, Sprouse/Murdaugh/Maddox/ Wagner/ Cooley/Campbell/ Sosebee/Thomason/ McCurley/ Burdette**; **Kittredge**/Toal/Protopapas/ Rice/**MGC**/GWB/M. Smith/**Jasmin Smith, JMSC. Those in bold directly involved in Petitioners case.**

IV. ARGUMENT

A. Neutral Tribunal; Procedural Traps; Court-Created Impossibility

"A fair trial in a fair tribunal is a basic requirement of due process."

— In re Murchison, 349 U.S. 133, 136 (1955)

The tribunals, as the record shows for itself, (See Appeals ADA filings with P-Appellants Motions, and the finality, and look at almost any proceeding with the Judges in the Trial court and the finality of the Sua Sponte evidentiary hearing, the Writ of Mandamus, the response of Petitioners on time, and the reconsiderations and responses, and Mcintoshs most incredibly ignorant and hateful Order making fun of Petitioner disabilities, gloating about how he won, his punishing Petitioners for some sort of outside activity and so forth, and see all filings by Defendants making up claims, and ridiculous excuses for not winning even with help, Dodd on 11/28/23 choosing what he would argue to make sure he defaulted, and so forth) ceased to be neutral by acting as adversaries: creating procedural barriers, denying ADA accommodations, and then punishing Petitioners for court-created impossibility.

B. ADA Title II / Equal Protection / Access to Courts

"no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

— 42 U.S.C. § 12132

"A public entity shall take appropriate steps to ensure that communications with ... individuals with disabilities are as effective as communications with others."

— 28 C.F.R. § 35.160(a)(1)

"...a public entity shall give primary consideration to the requests of individuals with disabilities."

— 28 C.F.R. § 35.160(b)(2)

The Trial and Appeals courts would not hear individual needs and denied by create confusion to not allow these reasonable accommodations of (90 days/200 pages to submit the 1st Appelas brief in appeals court) . Both Courts denied or obscured necessary accommodations, aggravate the disabilities repeatedly, and then further weaponized them and used them

resulting in impossibility, where they could then dismiss the case, violating ADA Title II, due process, access to the Courts, and equal protection.

C. Stay as Independent Due Process Violation

The stay by the appeals court on 3/24/26, was mandatory because threshold motions (subject matter jurisdiction, recusal/neutral tribunal, and ADA) controlled compliance and the ability to file; but the Appeals court were in a desperate situation for some reason, and dismissed all simultaneously without a stay while those issues were pending is a standalone due-process violation. There can also be no trials by Ambush, a plan and pattern of SC Courts.

D. Remittitur and Finality Sabotage (Rule 221)

Rule 221(b), SCACR:

> *"Where a petition for rehearing has been denied, the Court of Appeals shall not send the remittitur ... until the time to petition for a writ of certiorari under Rule 242(c) has expired," Rule 221(b), SCACR*

In Petitioners case, remittitur/finality handling was used by the Appeals Court in orchestrion with the Supreme Court, to obstruct rehearing and

create uncertainty about when higher-review timelines begin. Petitioners are rushing to file and inferior product just to preserve their check the box exhaustion of opportunities.

E. No Judicial Immunity for Non-Judicial Acts / Clear Absence of Jurisdiction

> *"Judges acting as Prosecutors or investigators have no judicial immunity as neither are performing judicial acts."*
>
> *Judges who are a part of the underlying case, have no judicial immunity as they are involved in the case/causes of action.*
>
> *Petitioners' record citation to In re Murchison.* "No man can be a judge in his own case. . ." In re Murchinson. *"The Immunity Doctrine is not absolute, and it does not apply when a judge act in the clear absence of all jurisdiction." Petitioners' record citation to Stump v. Sparkman. Adjudication SMJ is based on the Judges oath to defend the Constitution, which is filled with the People's guaranteed rights that cannot be abridge or infringed upon by government. . .therefore protecting those rights as a condition precedent as a part of that oath must be present before a Judges can take a case, and if rights are not*

protected, and still used as mere suggestions on review, then that case is void, unless the judge quickly corrected his own misstep. .

Petitioners preserve all these issues in this document as federal questions because Petitioners allege the tribunals were running feigned cases like petitioners, Murdaugh/Laffitte and Asbestos cases, and were engineering barriers to create the very chaos they would then use to dismiss the Petitioner and others, and also proceeded while subject matter jurisdiction and mandatory recusal were challenged, and that SC has created a complete entrenchment of the government, including the Courts who do not have to follow the law, and through this, they have built a huge LMCE where those entrenched, make tax-free, high volume profits by exploiting litigants as expendable cash cows. All these cases are void ab initio, and Petitioners must be protected as they did not create and hide the void, but exposed it, and must receive their award where they filed their entry of judgement son multiple Defense defaults, that the courts would not hear, until an unauthorized steered judge by Bamberg obstructed Petitioner's case further to try to save the colluders, and dispose of Petitioners case. Feigned and colluded cases are not justiciable in SC. . .allegedly. This case is void, and Petitioners rights must be protected.

V. VOID AB INITIO / NULLITY — SAVING AND PROTECTING THE INNOCENT PARTY

Petitioners request that the challenged dispositive proceedings and resulting orders be declared void ab initio and a nullity as to wrongdoers, because (as alleged) the tribunals proceeded without lawful authority and without neutrality and engineered dismissal through ADA-based impossibility and procedural traps.

Critically, Petitioners expressly request saving and protecting the innocent party: Petitioners must not be forced to start over. Petitioners request protective and sanction-based relief that (1) orders entry of Petitioners' last-filed Entries of Judgment; (2) requires Defendants to pay the judgment in full jointly and severally, leaving contribution disputes among Defendants; and (3) convenes a neutral jury to determine additional damages including uncapped punitive and noneconomic damages.

VI. REASONS FOR GRANTING THE WRIT (Rule 242(b))

Petitioners contend special and important reasons exist for review because the case raises constitutional and federal questions, presents procedural-integrity issues affecting appellate review (including date/finality manipulation), and involves alleged structural conflicts and entrenchment

that threaten public confidence and the safety of citizens' rights, awards, property and declare voidness while protecting the innocent so they do not have to seek outside pressure points to force SC change its Oligarchy into a Constitution Republic by all legal and nonviolent ways, and demanding the Feds come back into SC to restore justice and presently rid itself of these same defiant Aristocrat/Groomed Elite that have haunted SC stating at least with the 1669, Grand Model design for classes/cast to rule under the Devine Right of Kings.

VII. CONCLUSION / RELIEF REQUESTED

For the foregoing reasons, Petitioners request that this Court grant certiorari; vacate dismissal; declare the challenged proceedings void ab initio and a nullity as to wrongdoers while saving and protecting Petitioners; order entry of Petitioners' last-filed Entries of Judgment paid by joint and several liability and other jury findings; impose joint-and-several payment in full; and convene a neutral jury to determine additional damages including uncapped punitive and noneconomic damages.

PETITIONERS HAVE STOPPED SHORT OF FINISHING, BECAUSE THEIR DISABILTIIES WITHOUT REASONABLE ACCOMDATIONS WITH SPEACIAL NEEDS INCLUDED ARE STOPPING THEM FROM

DONG SO OR LOOKING AT THE RECORD. ALL IS DONE BY MEMORRY AND PETITIONERS INCORPORATE THEIR ENTIRE RECORD IN THE APPEALS COURT, INCLUDING BUT NOT LIMITED TO THE SMJ CHALLENGE, RECUSAL, MOTION FOR A NEUTRAL TRIBULAN. .. , RECONSERATION, ORDERS, ALL ADA MOTIONS, LETTERS TO AND FROM, INCLUDNG, BUT NOT LIMITED TO JASMINE SMITH'S FAKE ORDER, AND THE STYLE OF THE CASE OBJECTION IGORNED BY THE COURT BECAUSE IT WS A FALSE PIECE OF EVIDENCE TO HELP THE OPPOSITION. Petitiners also INCORPORATE ALL THE TRIAL COURT RECORD, INDLUCIGN BUT NOT LIMITING TO THE LAST WEEKS OF DECEMBER 2025, AND THE BEGGING OF JANUARY THROUGH APRIL 2025, AS THAT RECORD HAS BEEN TERRIBLY ALTERED IN AMNY AREAS.

Submitted,

Dr. Linda Kennedy, J.D., B.S., B.A. (pro se)

Dr. Marsha Fink, J.D., B.A. (pro se)

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 Writ of Certiorari 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 23, 2026.

DATE: April 23, 2026

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