

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

108552

APPEAL FROM HORRY COUNTY

Court of Common Pleas, Honorable David P. Caraker

Appellate Case No. 2026-000049

Case No. 2020-CP-26-05267

RECEIVED

JUN 29 2026

SC Court of Appeals

25th Avenue, LLC,

Respondent,

v.

Carol Ann Honeycutt,

Appellant.

**APPELLANT'S PETITION FOR REHEARING THE
MEMORANDUM DISPROVING MOOTNESS**

Pursuant to SCAC Rule 221(a), this Petition for Rehearing states in the sections below "the points supposed to have been overlooked or misapprehended by the court." Additionally, this rule states, "No return to a petition for rehearing may be filed unless requested by the appellate court. Ordinarily, however, rehearing will not be granted in the absence of such a request." This rule seems to state that the appellate court, without Rehearing my Petition, can deny my Petition for Rehearing simply by not asking the Respondent to file a return. The Respondent has been in default (not participating in the case) for two years. So, this provides a second reason why the appellate court may not ask the Respondent to file a return.

Based on the above statements, it appears that Appellant has the right to file a Petition for Rehearing pursuant to SCAC Rule 221, but the court can negate this right simply by not asking the Respondent to file a return or not asking Respondent to file a return because it is in default.

Rule SCAC 240(l) overrules the above provisions and states, "The court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal." Based on Rule 240(l), the appellate court must rehear my petition because its decision may have the effect of not only dismissing my appeal, but also the effect of dismissing the underlying case permanently.

I. Request for Three Judges to Rehear the Memorandum

As stated above, the decision on this Petition could have the effect of dismissing this appeal as well as the underlying case. Appellant believes that a panel of three judges is necessary for a fair determination of the issues. This is Pursuant to SCACR Rule 219(b) Suggestion of a Party for Hearing or Rehearing En Banc. The Appellant is not asking for a full panel but believes three are required due to the finality of this decision. On that basis, Appellant requests that three appellate court judges be appointed, excluding the first judge who ruled on this and Judge Kristi Curtis who is involved in this case, to consider and rule that this appeal is not moot. Please see and thoroughly review **Exhibit 2**, Motion to Recuse Appellate Court Judge Curtis. As a result of Judge Curtis' orders, beginning June 30, 2022, this exhibit provides extensive case details which prove that the Appellant as Defendant in this case received no trial and no justice. The case has been in process six years and Appellant as Defendant never received a trial. All of the actions taken against the Defendant required a trial. Yet, Appellant/Defendant lost her property and all her rights without a trial. The Appellant/Defendant was deprived of every right and every privilege to the laws of South Carolina and to the laws of the United States and to their Constitution.

II. The MEMORANDUM DISPROVING MOOTNESS

is incorporated into this PETITION

The entire MEMORANDUM with all the Exhibits is incorporated into this Petition as thought it is part of this Petition.

III. Introduction: Justice was Overlooked (SCACR 221(a).)

Justice is the point, the bottom line, and the end goal of the Judicial Branch of South Carolina government. If it is not, then the South Carolina Judicial Branch is a network of private individuals set in motion to secure and protect their private interests.

The appellate court justices who review this petition and the underlying Memorandum Disproving Mootness will see that justice has been absent (overlooked) from this case from its inception. Appellant prays that the judges who review this appeal reverse the single judge who ruled it as "moot" by the Order of June 11, 2026, **Exhibit 1**, when it is not moot.

Appellant requests that a panel of judges as requested above carefully and thoroughly read the Petition for Rehearing, the original Memorandum Disproving Mootness, and the Exhibits. Exhibits are submitted with the Petition for Rehearing which add support to or clarify the points relevant to the Petition and Memorandum. The Appellant submits this Petition for a Rehearing making the following request:

IV. Rescind the Order of June 11, 2026, if

Judge Curtis conferred with Judge who wrote the Order.

Appellant indicated in her letter to the court that Judge Curtis should be recused from participating in hearing this Memorandum. If Judge Curtis discussed this case and/or appeal with the judge who wrote the Order, this introduced obvious bias into the decision. If this happened, the judge who read the Memorandum and wrote the Order of June 11, 2026, should rescind the order. The

review of the Memorandum needs to be done by appellate court judges who have no knowledge of this case or appeal other than the information provided in Appellant's Memorandum and Petition.

V. Rescind the Order of June 11, 2026: the judge reviewed "memoranda."

Quoting from the Order of June 11, 2026, "After careful consideration of the memoranda" Memoranda is plural: the judge states that more than one memorandum was reviewed. Appellant was not given the additional memorandum/a to which to respond before the Memorandum Disproving Mootness was heard. Therefore, the order must be rescinded and the Appellant needs to be given the additional memorandum/a to respond and to supplement the Memorandum Disproving Mootness before it is reviewed.

**VI. The "Precedent" "supporting" the Order of June 11, 2026,
is not relevant to this Appeal.**

There is no precedent cited in the Order which supports the judgment to find the appeal "moot." The precedent cited in the Order is not applicable to this appeal nor to the underlying case. The precedent cited in the Order of June 11, 2026, cannot be applied to this case for two reasons. First, not one minute detail of Appellant's appeal or the underlying case bears any resemblance to the cited *Sloan V. Greenville Cnty.*, 380 S.C. 528, 535, 670 S.E.2d 663, 667 (Ct. App. 2009) and, therefore, cannot be applied as the reason to find this appeal moot. **Exhibit 3** is a copy of that case. The *Sloan v. Greenville County* case was about a conflict between Greenville County code of procurement and Section 11-35-50 of the South Carolina Code. While that appeal was in process, the Greenville County code was changed to conform to the State Code, so obviously the dispute was resolved and the appeal was no longer needed. Therefore, that appeal was dismissed as moot. So, the Greenville case bears absolutely no resemblance to my case as presented in the Memorandum, the Petition for Rehearing, and the supporting exhibits. Conclusion: this leaves the Order of June 11,

2026, without a precedent to support it.

VII. The reverse of the quote in the Order applies to this appeal.

The Order quotes from *Sloan v. Greenville County*: "A case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy." If this is the standard to find a case moot, it is also the standard to find this appeal not moot. For this appeal and the underlying case, the reverse is true: The case is not moot and the appellate court must rule that the appeal is granted because in this appeal, there are at least four practical legal effects which can be accomplished upon the existing controversy:

A. The judge writing the Order of June 11, 2026, overlooked the Appellant/Defendant's
Right to be Heard.

(1) Appellant believes that when the Appellate Court reviews this case, the Issues on Appeal will be ruled in favor of the Appellant. The circuit court case dismissal will be reversed and the Defendant will have her motion for a jury trial heard as well as the other open motions on this case. The Appellant/Defendant has a constitutional right to be heard. That legal right is a legal effect. This right to be heard is given in the procedural Due Process Clauses of the Fifth and Fourteenth Amendments of the U.S. Constitution.

(2) If this panel of judges rules the appeal "moot" they are speculating that the Defendant has nothing to say worth hearing.

(3) If this panel blocks the Appellant/Defendant from being heard, this is a clear and biased ruling protecting the Respondent/Plaintiff which is in default.

Appellant's legal right to be heard will be granted when the Appellate Court rules on the Appeal, not on "mootness." If the Appellate Court reverses the lower court, the case is not moot.

B. Appellant believes that the Appellate court is trying to moot this appeal so that the

remaining issues with real legal consequences will not be heard. The two Motions denoted in "C" below are believed to be a key reason this appeal is being mooted.

C. Numerous additional motions identifying controversies in the case are still "live." Foremost among these issues are the two Motions for the Defendant to receive the The Complete Transcript of the motions hearing of April 24, 2023, held before Judge Debra McCaslin. They have been filed but have not been heard nor ordered. Two recent motions (March and April, 2026) on this case ask Judge McCaslin to require the court reporter to produce and deliver the Complete Transcript of the Motions Hearing held in her court on April 24, 2023, to the Defendant. That transcript, called the Complete Transcript, will show that the Plaintiff's attorneys removed information from the transcript before having the Incomplete Transcript sent to the Defendant. The Incomplete Transcript is just one example of all the illegal actions taken against the Appellant/Defendant in the six years of this case. These are filed on the case public index and they are discussed in the Memorandum Disproving Mootness, Section IX, pages 11-12, and are included in full in **Exhibit 12** of the Memorandum. Should this panel of appellate judges rule that this appeal is moot, it will be denying the Defendant her Constitutional right to receive the evidence of her own case.

D. Numerous other motions and issues in the case public index are still open and unheard, and therefore "live" issues are open in this case. (See Memorandum, Section IX, pages 12-15.) There are still open motions on the underlying case which are motions for the Appellant to receive some of the rights of which she has been deprived. Both the Complete Transcript and the jury trial are rights which have been requested through multiple motions and appeals over the past six years. If the Appellate Court rules that the case is moot, it is ruling against the rights of the Appellant/Defendant without her case ever being heard. Appellant as Defendant was deprived of her rights given in the Fifth, Sixth, Seventh, and Fourteenth Amendments.

**VIII. The judge writing the order of June 11, 2026, overlooked the
Collateral Consequences, an Exception to Mootness.**

The Appellant/Defendant suffered losses of her property and all her rights without a trial. The Appellant/Defendant was deprived of every right and every privilege to the laws of South Carolina and to the laws of the United States and to their Constitution. The Plaintiff through the help of illegal actions of its attorneys destroyed the Defendant's property and rights to the contract and then went into default.

The article, "Exceptions to the Mootness Doctrine," lists three exceptions to mootness. "The Supreme Court has determined several instances where the mootness doctrine does not apply." Only the third exception applies to this appeal and negates the possibility that the case could be ruled moot. The exception which applies to this case is labeled "Collateral Consequences. . . . These exceptions to the mootness doctrine are crucial for ensuring that courts . . . maintain judicial oversight and protect the rights of individuals in various legal contexts. (Findlaw, *ibid.*)"

Finally, "Even if a case becomes moot during an appeal, the Supreme Court has identified many choices in ruling on the lower court judgment including to affirm, reverse, vacate, or remand the case to the lower court for further hearings." (Black's Law Dictionary, and *Eakins v. Monaghan*, 484 U.S. 193, 200 (1988).

For this case, which is not moot, but in the event that it is wrongfully ruled moot, there is an exception which could be applied and allow this appeal and the case to be adjudicated. If a matter is wrongfully ruled moot, the fact that the defendant has suffered collateral consequences would qualify the case to be adjudicated. (See Memorandum page 2, Issues to be Adjudicated, 1-8.) The precedent is in *Powell v. McCormack* (1969). ("Exceptions to the Mootness Doctrine," Findlaw, by Samuel Strom, J.D., August 2, 2024, online.)

**IX. The judge writing the order of June 11, 2026, overlooked the
Right of the Defendant to Recover Costs of the Litigation.**

A Pro Se litigant may recover out-of-pocket litigation costs when they prevail. The Appellant/Defendant has a right to file a motion to recover these costs. In order to do so, the appeal

and case must remain open.

**X. The judge writing the Order of June 11, 2026, overlooked the importance
of the bias which effected Judge Caraker's Orders.**

Bias requires a judge to recuse himself by SCAC Rule 501, Canon 3(C)(1)(a). See *Roper v. Dynamique Concepts, Inc.* (1994) 316 S.C. 131, 139.) The Memorandum, pages 7 -10, and **Exhibit 10**, clearly shows the extrajudicial relationship between Judge Caraker and Judge Hyman. The significance of the bias of Judge Hyman was documented by **Exhibit 11**, letter to the Appellate Court, which documented the surreptitious return to me by a clerk of the Appellate Court of the two transcripts of Judge Hyman's motions hearings. These transcripts show the seriousness of Judge Hyman's bias against the Defendant. Judge Hyman ruled against my Constitutional rights to receive evidence, the Complete Transcript, of my own motions hearing before Judge McCaslin. Appellant believes that this egregious behavior was instigated by Plaintiff's attorney Golding who had perpetrated extensive and numerous incidents of fraud on the court in this litigation. These two transcripts are added to this Petition as **Exhibits 4 and 5** in support of this Petition to show the egregious bias exhibited by Judge Hyman against the Defendant. Appellant prays that this panel will read these relatively short transcripts which show Hyman's support for Plaintiff's attorney Golding and the Plaintiff in default. Appellant believes that Judge Hyman's bias and his relationship with Judge Caraker led to Judge Caraker's decision to dismiss the case when Defendant was out of state. The actions Judge Caraker took benefited the Plaintiff which has been in default since May 14, 2024, at the appellate level and since July 30, 2024, at the state level.

. The Defendant's Motion for Continuance was wrongly denied when it would by normal standards be approved. The Defendant has a right to be heard. The Defendant had a right to have the unheard motions heard, and a right to a jury trial. When this panel finds that this appeal is not moot,

and the appellate court judges reverse the lower court, the defendant will be heard.

**XI. Did the judge writing the Order of June 11, 2026, overlooked
the implications of finding the appeal moot?**

By finding the appeal moot, the judge actually ruled in favor of the non-responding Respondent. This Appellate Court action to find the appeal "moot" is one more example of the court protecting the Respondent/Plaintiff, now at the Appellate Level in addition to the Circuit Court Level. The Appellant/Defendant was deprived of every right and every privilege to the laws of South Carolina and to the laws of the United States and to their Constitutions at the Circuit Court level. The deprivation was not by process of law but by insider actions which circumvented the law, by the illegal actions of the Plaintiff's attorneys in collusion with judges, one after another, brought in to cover up each preceding illegal action perpetrated by Plaintiff's attorney Golding. See the Memorandum Disproving Mootness, pages 1-2, The Answer to Mootness. and Memorandum Exhibit 4. Section VIII, pages 4-6.

XII. The Appellate Court will Reverse the Lower Court's Orders.

There is one simple requirement to find a case not moot as described in the following quotes:

"When a case is moot, it must by necessity be dismissed. However, in order to do this, a court has to reach the conclusion that the case is moot on all issues." ("Moot," Wex, US Law, LII: Cornell Legal Information Institute, online.)

"Significantly, however, a case does not necessarily become moot simply because intervening events make it impossible for a federal court to issue the *exact* form of relief that the plaintiff* requests." "[E]ven the availability of a partial remedy is sufficient to prevent a case from being moot." (See *Chafin*, 568 U.S. at 177; *Calderon*, 518 U.S. at 150; and, *Church of Scientology of Cal. v. United States*, 506 U.S. 9, 12-13 (1992). (* A Plaintiff, a third-party plaintiff, a party who has pleaded a cross-claim or counterclaim can be used interchangeably to refer to a party seeking relief from damages inflicted by the other party.)

There are numerous issues remaining that the Circuit Court must hear. Therefore, the Appellant feels certain that the Appellate Court will reverse the Circuit Courts orders. The Appellant has a right to get this done through this appeal. The panel deciding this should allow the Appellant that opportunity.

At the end of this Petition is Appendix A, a checklist to be used by the judges who read this Petition and the Memorandum Disproving Mootness. If only one judge finds only one issue which is still open for the lower court to decide, then, THIS APPEAL IS NOT MOOT.

XIII. Back to Justice: The Purpose of the Judicial System.

Theoretically and philosophically, the mission of the Judicial Branch of government is to established and to administer justice. Is justice not blind in South Carolina? If the Appellate Court rules that this case is moot, it is ruling against justice. The Judicial Branch was not established as a system for its officers and friends to rob the people of South Carolina. But, in this case, it has been exactly that. This panel holds the next step in the process to let this case be heard.

Since the time that the Plaintiff went into default, Attorney Golding has been working behind the scenes at both the Circuit Court level and the Appellate Court level to protect the Plaintiff as well as Plaintiff's attorneys and officers of the court who have entangled themselves in this case.

Everything has been done illegally.

The Plaintiff as Respondent has taken no action to reply to this Appeal. The Appellate Court, by initiating the Doctrine of Mootness into this appeal is now defending the Plaintiff/Respondent while it is in default. This is absolutely contrary to the all of the Doctrines of Justice.

WHEREFORE,

Appellant prays that this Panel of Appellate Court Judges finds this appeal not moot and allows the process of justice to reach a just end.

June 25, 2026
Myrtle Beach, South Carolina



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APPENDIX A: CHECKLIST FOR THE COURT
(next page)

APPENDIX A: CHECKLIST

APPELLANT'S PETITION FOR REHEARING THE MEMORANDUM DISPROVING MOOTNESS

1. _____ In accordance with Rule SCAC 240(1):

The court will entertain this petition for rehearing because "the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal." Based on Rule 240(1), the appellate court must rehear my petition because its decision may have the effect of not only dismissing my appeal, but also the effect of dismissing the underlying case permanently.

2. _____ Justice has been overlooked in this case and the case must remain open for justice to be done. Therefore, the Court finds this case not moot.

3. _____ The judge who wrote the first order may need to recused herself and rescinded the Order of June 11, 2026.

4. _____ The judge who wrote the first order did not provide the apparent additional "memoranda" to the Appellant for Appellant's reply.

5. _____ The court finds the "Precedent" "supporting" the Order of June 11, 2026, is not relevant to this Appeal nor to the underlying case.

6. _____ For this appeal and the underlying case, the reverse is true of the statement quoted in the Order: "A case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy." This case is not moot because there are at least four practical legal effects which will result from reversing the Circuit Courts orders.

7. _____ This appeal is not moot because the Appellant/Defendant has the S.C. and U.S. Constitutional right to be heard in court decisions that affects her.

8. _____ This Court finds that the Motions Appellant/Defendant has filed with the Circuit Court to Compel the court reporter to provide The Complete Transcript to the Appellant/Defendant are open, "live" and unheard. Defendant has the Constitutional right to receive that Transcript, evidence in her own case. Therefore, this appeal cannot be dismissed as moot.

9. _____ This Court finds that numerous additional motions identifying controversies in the case are still "live." They have been filed but have not been heard nor ruled. Therefore, this appeal is not moot.

10. _____ This Court finds that this case is not moot because the Appellant as Defendant has suffered collateral consequences from this action which have not been heard and which qualify for the underlying case to be adjudicated. Therefore, the appeal is not moot.
11. _____ This Court finds that when a Plaintiff files a case that causes expenses to be suffered by the Defendant, and then the Plaintiff defaults on the case, the Defendant has a right to recover the costs caused by the Plaintiff in default.
12. _____ This Court finds that the Appellant has shown sufficient information to determine that there was a high probability that Judge Caraker was biased and should have recused himself according to the standards of Canon 3(C)(1)(a). Therefore, his orders should be reviewed in this appeal.
13. _____ This Court finds that the Respondent/Plaintiff did not ask this court to find the appeal moot. Therefore, the appeal by the Appellant/Defendant should be allowed and not ruled moot.
14. _____ This Court finds that there are adequate applicable laws and evidence to rule that this appeal should go forward to be reviewed by the Appellate Court. Therefore, it is not moot.
15. _____ It is the mission of this Court to support the theoretical and philosophical statement that the Judicial Branch of government is established to administer justice. Therefore, to ensure justice, this Court finds the appeal is not moot.

By Order of this Panel of Appellate Judges we find this appeal is not moot and may proceed to the appellate process.

Date

Columbia, South Carolina

The South Carolina Court of Appeals

25th Avenue, LLC, Respondent,

v.

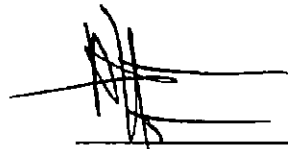
Carol Ann Honeycutt, Appellant.

Appellate Case No. 2026-000049

ORDER

On January 5, 2026, Defendant/Appellant filed a notice of appeal from a circuit court order dismissing the Plaintiff/Respondent's case for failure to prosecute and finding moot Defendant/Appellant's motion for continuance and to move to a jury trial roster. Appellant also appealed the circuit court's order denying her motion to reconsider and re-open the case. On April 28, 2026, this court requested Appellant serve and file a memorandum explaining how the case was not moot in light of the dismissal in her favor by the lower court. Appellant responded on May 8, 2026 and May 26, 2026. No returns were filed.

After careful consideration of the memoranda, the appeal is dismissed as moot. *See Sloan v. Greenville Cnty.*, 380 S.C. 528, 535, 670 S.E.2d 663, 667 (Ct. App. 2009) ("A case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy."). Remittitur will be sent as required by Rule 221(b) of the South Carolina Appellate Court Rules.



_____. J.
FOR THE COURT

Columbia, South Carolina

cc:

Carol Ann Honeycutt
25th Avenue LLC

FILED
Jun 11 2026

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY

Court of Common Pleas, Honorable David P. Caraker

Appellate Case No. 2026-000049

Horry County Case Number

Case No. 2020-CP-26-05267

25th Avenue, LLC,

v.

Respondent,

Carol Ann Honeycutt,

Appellant.

**APPELLANT'S MOTION TO RECUSE APPELLATE COURT
JUDGE KRISTI F. CURTIS FROM THIS APPEAL AND ALL OTHER APPEALS
IN WHICH CAROL ANN HONEYCUTT IS A PARTY**

This Motion to Recuse Judge Kristi F. Curtis can be explained simply by the fact that she does not follow the U.S. Constitution, the S.C. Constitution, the Statutes of South Carolina, the S.C. Code of Judicial Conduct, the South Carolina Judge's Oath., nor the ABA Model Code of Judicial Conduct. To quote Judge Curtis in her sworn testimony to the South Carolina Legislative Judicial Merit Selection Commission, "Many times I wish that, you know, I could just make Kristi Curtis law and I could make a ruling that is what I think best." (Transcript of Judge Curtis' testimony to the JMSC, page 23, lines 18 through 24, given on November 18, 2024.

Pursuant to SCAC Rules 501 and 502.1 this motion requests the Recusal of Appellate Judge Kristi F. Curtis from any and all appeals or cases in which Appellant/Defendant Carol

Ann Honeycutt is a party. Additionally, this motion requests the recusal of any and all other S.C. Appellate Court Judges, S.C. Supreme Court Judges, Chief Justice Beatty (retired), S.C. Circuit Court Judges, and all others with whom Judge Curtis or any other officers of the Court and employees of the Court who are connected to or have discussed the Appellant/Defendant, this appeal, any other appeal, and/or the underlying case in which Carol Ann Honeycutt is a party. **Exhibit 1** lists all officers and employees of the Court who have been involved with the underlying case, this appeal, and other appeals in which Carol Ann Honeycutt is a party.

**THE RECORDS OF THIS CASE ARE OFFERED
TO SUPPORT THIS RECUSAL MOTION**

Five documents, exhibits to this motion, support this Motion to Recuse Appellate Judge Curtis, and are presented and discussed in the following sections. In each of the following five sections, II through VI, the details supporting the recusal of Judge Curtis are drawn from case documents and are explained. In section I, below, Judge Curtis' prior experience in this case is documented.

I. Judge Curtis Has Prior (Negative) Experience with This Case.

First, Appellate Judge Curtis has engaged in the hearings and orders of the underlying case from Horry County, Case Number 2020-CP-05276. Therefore, she has previous knowledge and prejudice with the case in that she was the first judge to rule illegally against the Appellant/Defendant Carol Ann Honeycutt. Judge Curtis has been involved in the underlying Horry County Circuit Court Case since May 31, 2022. Her experiences were negative in that she was asked twice to recuse herself, twice she denied recusal, and twice her rulings were appealed. (The two appeals were incomplete for two different reasons.)

**II. Judge Curtis Ruled on a Motion She did NOT Hear; and,
She Ruled Against the Law and the Facts of the Case.**

This is covered in the Second Motion for Recusal: see paragraphs sixteen through twenty-

eight, pages 3-5, **Exhibit 7a**.

**A. Judge McCaslin Ruled on a Motion Which Did
Not Exist and She Did Not Hear.**

On June 30, 2022, after taking a proposed order written by Plaintiff's attorney Henrietta Golding, under advisement for 30 days, Judge Curtis signed the "Illegal Impossible Order," written by Henrietta Golding. See **Exhibit 2a**. It took a full month for Judge Curtis to yield to sign the illegal order. Judge Curtis signed an order on a motion which did not exist and which she never heard! Did Henriette Golding convince her that it would be beneficial to her career? In two short years, Judge Curtis landed on the Appellate Court of South Carolina! The facts of this action violate SCAC 501, Canon 2. B. A judge **shall** not lend the prestige of judicial office to advance the private interest of the judge or others It appeared that by advancing the private interest of Attorney Golding, Judge Curtis advanced rapidly along her career path.

The Defendant submitted two documents to Judge Curtis stating the law and the facts of the case which proved that this order was illegal and impossible. See **Exhibit 3**, Defendant's Answer to Motion to Amend Petition for Ejectment and Amended Complaint, filed May 31, 2022, 8:42 a.m., and **Exhibit 4**, the Defendant's proposed order submitted to Judge Curtis on June 1, 2022. Judge Curtis ignored the documents submitted by the Defendant, and signed the "Illegal Impossible Order."

Exhibit 2a., the Illegal Impossible Order, signed by Judge Curtis was an order for a motion she did not hear. This is documented in **Exhibit 2a.**, Line 1 which states, "During a non-jury term of court held via Webex, the Court heard, on May 31, 2022, **two motions**: Plaintiff's Motion for Ejectment Hearing filed October 20, 2020, and Plaintiff's Motion to Amend Petition for Ejectment filed September 17, 2021. See Exhibit 2b: The Webex Roster of Judge Curtis for May 31, 2022. There is only one line and one motion printed on that roster for this case. Additionally, the letter, **Exhibit 2c.**,

from Plaintiff's paralegal, Sheila Evans, gives notice of the hearing of only one motion to be heard on May 31, 2022, the Motion to Amend.

This "Illegal Impossible Order," **Exhibit 2a**., violated the following laws. First, the Order was illegal for the above reason that Judge Curtis did not hear it. Second, it was illegal because Defendant was not given notice that such a motion would be heard, a violation of SCRCR Rule 5. Third, the Order was illegal because it violates the following law:

SCRCR Rule 43(l) states: "Subsequent Applications for Order After Refusal. If any motion be made to any judge and be denied, in whole or in part, or be granted conditionally, no subsequent motion upon the same state of facts shall be made to any other judge in that action."

Judge Curtis' Order was illegal because Plaintiff's Motion filed October 20, 2020, had already been heard and denied. This motion was heard and ruled on June 7, 2021, by Judge Steven H. John who wrote the Order of June 8, 2021, which DENIED the motion and ENDED THE CASE, 2020-CP-26-05267. See **Exhibit 5a**, Judge John's Order, and **Exhibit 5b**., letter from Plaintiff's paralegal Sheila Evans which announced the hearing of the Motion of October 20, 2020, on June 7, 2021, and the Order of June 8, 2021. Fourth, the Order was illegal because the doctrine of settled law had been fulfilled. Plaintiff's attorney did not appeal Judge John's Order of June 8, 2021, nor did she file a Motion to reopen the case. Fifth, paragraphs 2 and 3 of the Order are filled with numerous falsified (perjured) statements which bear little resemblance to the true facts of the case. Paragraphs 4, 5, and 6 are excerpts of the law which omitted the requirement of S.C. Code 27-37-60 which requires a Trial of the Issues before the penalties are applied.

Judge Curtis' Order was impossible because there was no open "Motion for Ejectment Hearing" to hear and none to amend. **Exhibit 3** is Defendant's Answer to "[Plaintiff's] Motion to Amend Motion for Ejectment and the Amended Complaint." This Motion for an Ejectment Hearing could not be amended because it had already been heard, ruled on, denied, and the case was closed.

B. Judge Curtis Ruled Against the Law and the Facts of the Case.

Exhibit 3, Defendant's Answer, filed May 31, 2022, stated these facts in the Second Answer. The Third Answer reiterates this and points out that the Plaintiff's attorney perjured the motion and lied to the Court in stating that Magistrate Arakas ordered Defendant to pay \$14,000.00 for a bond and to pay rent. This is the sixth reason the the Order is illegal. Magistrate Arakas never wrote such an Order. The seventh reason is stated in the Fourth Answer. The original RULE TO VACATE filed in magistrate's court on February 11, 2020, was falsified because the defendant did not owe rent to the Plaintiff as alleged in the Complaint. Therefore, the original Complaint was filed in bad faith, and, additionally, the Complaint was not served on the Defendant. The Fifth, Sixth, and Seventh Answers enumerate the breeches of contract by the Plaintiff prior to serving the Rule to Vacate. In summary, the seven reasons that this Order was illegal goes back to the fact that no trial was held to adjudicate the law and the facts of this case.

Exhibit 4, Defendant's Proposed Findings and Order, was emailed to Judge Curtis on June 1, 2022. Additionally, this "Illegal Impossible Order," **Exhibit 2a.**, was both illegal and impossible because no "Ejectment Hearing" was scheduled, no "Ejectment Hearing" appeared on the roster, and therefore, no notice was given for an "Ejectment Hearing." (This violated the Fifth and Fourteenth Amendments which guarantee that no person will be deprived of life, liberty or property without due process of law; and, it violated SCRCF Rule 5: Any motion to be heard must appear on the roster and the Defendant must be given notice.) Defendant was ejected without any of these procedures being followed. Defendant was ejected without a trial required by S.C. 27-37-60. Defendant's findings restated the fact that only one motion was scheduled on the roster, and only one motion could be heard on May 31, 2022, and that was Plaintiff's Motion to "Amend Motion for Ejectment Hearing." This WEBEX hearing was not an ejectment hearing, not a breach of contract hearing, not a bond hearing. Defendant's documents stated that the Webex hearing violated the Defendant's U.S. Constitutional

rights to due process, and U.S. Constitutional rights to a trial, and South Carolina's Statutory Rights to a Trial, Statute 27-37-60 Trial of Issue. Defendant was deprived of her rights "to due process . . . and [her] property as stated in the Fifth Amendment to the U.S. Constitution. Defendant was deprived of her Seventh Amendments rights to a trial by jury in cases where the value in question exceeds twenty dollars. When Defendant was illegally evicted, she lost about eighty-five per cent of her property, a value estimated at approximately one million dollars in August, 2022.

III. DEFENDANT'S TWO MOTIONS TO RECUSE JUDGE CURTIS

As a result of Judge Curtis' illegal rulings, Appellant/Defendant Carol Ann Honeycutt wrote two motions to have Judge Curtis recused from the Circuit Court case 2020-26-05267. **Exhibit 6a.** is the Motion to Recuse Honorable Kristi Curtis filed on August 2, 2022. **Exhibit 7a.** is the Motion to Demand Disqualification and Recusal of Judge Kristi Curtis from Case Number 2020-CP-26-05267, filed on January 5, 2023.

A. August 2, 2022, Defendant's Motion, "Demand to Recuse the Honorable Kristi Curtis."

Exhibit 5.a. is the first motion for recusal, the Motion to Demand to Recuse Honorable Kristi Curtis. This was Denied on August 19, 2022. The Order Exhibit 5.b. states, "Honeycutt's Motion requesting recusal is hereby DENIED. Honeycutt has failed to set forth any . . . legally sufficient grounds in support of her motion for recusal."

It appears from the above order that Judge Curtis denied the Motion for Recusal because the Motion did not name or give the numbers for the the laws broken by her order. At that point in time, Defendant was trying to learn how to defend herself, Pro Se, and had not learned about the inclusion of the numbers of the laws. There are two categories of laws that are relevant to the recusals: the Canons of The Code of Judicial Conduct and the "laws" as defined in the Terminology section of The

Code of Judicial Conduct. Detailed below is an explanation of the Canons of the Code of Judicial Conduct which cover the laws that Judge Curtis violated. And, detailed in the next section are the statutory laws broken by Judge Curtis' orders.

SCAC Rules 501 and 502: The Code of Judicial Conduct

In the first motion to recuse Judge Curtis, the Defendant did not cite the canons of the Code of Judicial Conduct. However, the analysis of the laws Judge Curtis broke, provide proof of the violations of these cannons.

The first categories of laws, the Canons, are listed in SCACR Rule 501: The Code of Judicial Conduct. SCACR 502 is The Judge's Oath. Perhaps, Judge Curtis was looking for mention of these canons in the recusal when she wrote: "Honeycutt has failed to set forth any . . . legally sufficient grounds in support of her motion for recusal."

The following Canons from SCACR 501 and 502 describe Judge Curtis' violations of this Code. Canons 2. A. and 3. B (2) state that a judge **shall** "respect and comply" with the law . . . and . . . "be faithful to the law." The laws Judge Curtis broke, enumerated above, are so egregious, they fulfill the requirements of violations of several canons. Additionally, her rulings are so egregious, that they can only be understood in light of some underlying bias and partiality. Thus, the order meets the criteria of "evidence of judicial prejudice or bias. (See *Simpson v. Simpson* (2008) 377 S.C. 519, 524.) Certainly, her rulings question "the integrity and independence" of her decisions. The laws she broke indicate the violations of CANON 1. A. "A judge **shall** uphold the integrity and independence of the judiciary," Canon 2. B. ". . . a judge **shall not** . . . advance the private interest of the judge or others . . . , Canon 3. B. (2) ". . . a judge **shall not** be swayed by partisan interests, public clamor or fear of criticism . . . , and, Canon 3. B. (5) A judge **shall** perform judicial duties without bias or prejudice." If Judge Curtis denies that the above four statements apply to her rulings, then

there is only one explanation left. Canon 3. B. (2) states, "A judge **shall** be faithful to the law* and maintain professional competence in it." It is obvious that Judge Curtis was not faithful to the law. Therefore, the only remaining explanations of her unlawful rulings are a lack of "professional competence," or a lack of ethical fortitude.

Two key words in this Code are defined within the Code. The word **shall** is a key word in these canons. The Preamble of the Code of Judicial Conduct states: "When the text uses "shall" or "shall not," it is intended to impose binding obligations the violation of which can result in disciplinary action [emphasis added].'" The word **law*** is another key word defined in the Terminology section of this Code: "Law" denotes court rules as well as statutes, constitutional provisions, and decisional law. See Sections 2A, 3A, 3B(2), 3B(6), 4B, 4C, 4D(5), 4F, 4I, 5A(2), 5A(3), 5B(2), 5C(1), 5C(3) and 5D.'

The list below are the canons which apply to the Curtis recusals.

SCACR 501: CANON 1. A. A judge **shall** uphold the integrity and independence of the judiciary.

CANON 2. A. A judge **shall** respect and comply with the law

CANON 2. B. A judge **shall** not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment. . . . A judge **shall** not lend the prestige of judicial office to advance the private interest of the judge or others;

CANON 3. B. (2) A judge **shall** be faithful to the law* and maintain professional competence in it. A judge shall not be swayed by partisan interests, public clamor or fear of criticism.

CANON 3. B. (5) A judge **shall** perform judicial duties without bias or prejudice.

A judge must not independently investigate facts in a case and must consider only the evidence presented.

CANON 3. B. (7) A judge **shall** accord every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to the law. A judge **shall not** initiate, permit, or consider ex parte communications

CANON 3. B. (8) A judge **shall** dispose of all judicial matters promptly, efficiently and fairly.

The second category of laws are those to which the Defendant referred in the first motion to

recuse Judge Curtis. The Defendant did not name and give the number of the laws, but each law broken was described and each relevant fact of the case was documented. Surely Judge Curtis should have recognized a law when it was described! Instead, she feigned ignorance: Honeycutt has failed to set forth any . . . legally sufficient grounds in support of her motion for recusal." She chose to say that because Defendant did not give the numbers of the laws that she did not have to recognize the numerous laws she broke. Defendant specified some sources of laws violated by Curtis' orders: Specifically, Defendant listed the rights granted by the U.S. Constitution. It is confounding that Judge Curtis didn't notice a resemblance of rights she was violating egregiously to the rights granted by the U.S. Constitution.

Plaintiff's attorney wrote the Order of June 30, 2022. This order was filled with numerous examples of falsified information and violations of law. The Order listed three excerpts from S.C. Statute 27-37-150, 155(A)(1), and 155 (B)(3), but these were out of context of the entire statute which requires Code 27-37-60, Trial of Issue, prior to the application these. The Illegal Impossible Order of June 30, 2022, violated the Defendant's U.S. Constitutional rights to due process, and U.S. Constitutional rights to a trial, and South Carolina's Statute 27-37-60. Did Judge Curtis forget the laws she covered in the real estate seminar she gave? In her answer to the Personal Data Questionnaire 2024 for her Application for Seat Two on The South Carolina Court of Appeals, submitted to the Legislative Judicial Merit Selection Commission, question 2', Judge Curtis states, 'I have spoken on the topics "Real Estate & Landlord/Tenant Law."' (See Exhibit 9, page 2, (ii).)

Finally, how did Plaintiff's attorney Henriette Golding manage to induce Judge Curtis to sign this Illegal Impossible Order? Could the answer lie in CANON 2. B. A judge **shall** not lend the prestige of judicial office to advance the private interest of the judge or others . . . ? Just two short years after Judge Curtis signed this Illegal Impossible Order she advanced to her current position as

South Carolina Appellate Court Judge.

Continued on next part. III.B.

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Court of Appeals of South Carolina Cases

Sloan v. Greenville County

670 S.E.2d 663, 380 S.C. 528, 2009 S.C. App. LEXIS 90 • 2009-01-07

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CITATION **670 S.E.2d 663, 380 S.C. 528, 2009 S.C. App. LEXIS 90**

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Full Opinion (html_with_citations)

 [Jump to Section](#)

- Opinion Start
PIEPER, J.:

Greenville County appeals the trial court's order striking down a portion of the previous county procurement code for being inconsistent with Section 11-35-50 of the South Carolina Code (2007). We vacate the trial court's order and dismiss this case as moot.

FACTS

The relevant facts of this case are largely undisputed. The trial court consolidated four cases by Edward A. Sloan (Sloan) challenging procurements made by Greenville County (County) between August 2002 and March 2004, which utilized the competitive sealed proposal (Proposal) procurement method rather than the competitive sealed bidding (Bidding) method. The gravamen of Sloan's action was to declare sections of the former Greenville County Procurement Code (GCPC) unlawful for allowing the determination to use Proposals as an alternative to the preferred procurement method of Bidding without *532 memorializing or justifying the decision in writing, regardless of whether the GCPC includes such a writing requirement.

The previous GCPC provided in part as follows:

§ 7-304 Methods of Source Selection.

Unless otherwise required by law, all County contracts shall be awarded by competitive sealed bidding, pursuant to § 7-305 (Competitive Sealed Bidding), except as provided herein:

(2) Section 7-307 (Competitive Sealed Proposals).

§ 7-305 Competitive Sealed Bidding.

(1) Conditions for Use. Contracts amounting to \$25,000 or more shall be awarded by competitive bidding except as otherwise provided in § 7-304 (Methods of Source Selection).

§ 7-307 Competitive Sealed Proposals.

(1) Conditions for use. When the Purchasing Manager determines that the use of competitive sealed bidding is either not practicable or not advantageous to the County, a contract may be entered into by use of the competitive sealed proposals method.

Unlike the South Carolina Procurement Code or the South Carolina Local Model Procurement Code, the GCPC did not require the procurement officer's determination to use Proposals rather than Bidding to be in writing.

Section 11-35-50 of the South Carolina Code (2007) states in part as follows:

Political subdivisions required to develop and adopt procurement laws.

*All political subdivisions of the State shall adopt ordinances or procedures embodying sound principles of appropriately competitive procurement no later than July 1, 1983. The Budget and Control Board, in cooperation with the Procurement Policy Committee and subdivisions concerned, shall create a task force to draft model ordinances, regula *533 tions, and manuals for consideration by the political subdivisions*

S.C.Code Ann. § 11-35-50 (2007).

On November 18, 2004, the parties stipulated to consolidation of all four claims to be decided on the following two issues:

(1) Whether the County's Procurement Code requires a written determination in order for the County to use the [Proposal] procurement method, and by extension, whether the lack of a written determination for these projects in which the County used the [Proposal] method violated the County's procurement Code; and

(2) If the County's Procurement Code does not require a written determination in order to use the [Proposal] procurement method, does it violate State law, and in particular, South Carolina Code Ann. § 11-35-50?

After the trial court hearing on December 3, 2004, but before the order was issued on January 8, 2007, the County amended the GCPC on October 17, 2006. The new GCPC section titled "Methods of Source Selection" now reads in part as follows:

Unless otherwise required by law, all County contracts amounting to \$25,000 or more shall be awarded by competitive sealed bidding, pursuant to § 3-202 (Competitive Sealed Bidding), or by competitive sealed proposals, pursuant to § 3-204 (Competitive Sealed Proposals), whichever is determined to be more advantageous to the County_____

As such, the amended GCPC differs from the previous version because, among other things, it now has two equally preferred methods of procurement for source selection, Bidding and Proposals.

On January 8, 2007, the trial court found that the claims were moot on the basis that all of the contracts involved were either completed or cancelled; however, citing the public interest exception to the mootness doctrine, the trial court proceeded to rule on whether the former GCPC embodied sound principles of appropriately competitive procurement by not requiring a determination to be in writing before using the Proposal method rather than the preferred method of Bidding. The court concluded that the former version of the GCPC did *534 not “embody sound principles of appropriately competitive” procurement because it failed to require a determination in writing before the use of Proposals rather than the preferred method of Bidding. This appeal followed.

ISSUES ON APPEAL

I. Did the Greenville County Procurement Code violate § 11-35-50 when the GCPC’s sealed proposal method of procurement set forth a procedure that even the plaintiff acknowledged was appropriately competitive, but did not require a written determination to document why this method was chosen?

II. Whether the trial court was correct to decide the issue above “for future guidance” under the public importance exception to mootness, when the preference for sealed bids that necessarily forms the basis of the written determination requirement no longer exists?

STANDARD OF REVIEW

“A suit for declaratory judgment is neither legal nor equitable, but is determined by the nature of the underlying issue.” *Doe v. South Carolina Med. Malpractice Liab. Joint Underwriting Ass’n*, 347 S.C. 642, 645, 557 S.E.2d 670, 672 (2001) (internal citation omitted). To make this determination, an appellate court must look to the essential character of the cause of action. *Barnacle Broad., Inc. v. Baker Broad., Inc.*, 343 S.C. 140, 146, 538 S.E.2d 672, 675 (Ct.App.2000). The character of the action is generally ascertained from the body of the complaint, but when necessary, resort may also be had to the prayer for relief and any other facts and circumstances which throw light upon the main purpose of the action. *Lowcountry Open Land Trust v. Charleston S. Univ.*, 376 S.C. 399, 406, 656 S.E.2d 775, 779 (Ct.App.2008). The issue of statutory interpretation is a question of law for the court. *Catawba Indian Tribe of South Carolina v. State*, 372 S.C. 519, 524, 642 S.E.2d 751, 753 (2007). We are free to decide questions of law with no deference to the trial court. *Id.*

DISCUSSION

We first address the issue of mootness since this issue necessarily affects our disposition of this case.

*535 The court does not concern itself with moot or speculative questions. *Sloan v. South Carolina Dep't of Transp.*, 379 S.C. 160, 167-68, 666 S.E.2d 236, 239-40 (2008). An appellate court will not pass judgment on moot and academic questions; it will not adjudicate a matter when no actual controversy capable of specific relief exists. *Curtis v. State*, 345 S.C. 557, 567, 549 S.E.2d 591, 596 (2001). A case becomes moot when judgment, if rendered, will have no practical legal effect upon the existing controversy. *Id.* Mootness also arises when some event occurs making it impossible for the reviewing court to grant effectual relief. *Id.*

However, there are three exceptions to the mootness doctrine. *Id.* at 568, 549 S.E.2d at 596. First, if the issue raised is capable of repetition but generally will evade review, the appellate court can take jurisdiction. *Id.*; see also *Sloan v. South Carolina Dep't of Transp.*, 365 S.C. 299, 303, 618 S.E.2d 876, 878 (2005); *Byrd v. Irmo High Sch.*, 321 S.C. 426, 431, 468 S.E.2d 861, 864 (1996). "Second, an appellate court may decide questions of imperative and manifest urgency to establish a rule for future conduct in matters of important public interest." *Curtis*, 345 S.C. at 568, 549 S.E.2d at 596 (emphasis added). Application of the public interest exception requires the question at issue to be (1) of "public importance," and (2) of "imperative and manifest urgency." See *Sloan v. Greenville County*, 361 S.C. 568, 570-71, 606 S.E.2d 464, 465-66 (2004). Third, "if a decision by the trial court may affect future events, or have collateral consequences for the parties, an appeal from that decision is not moot, even though the appellate court cannot give effective relief in the present case." *Curtis*, 345 S.C. at 568, 549 S.E.2d at 596; accord *Sloan*, 365 S.C. at 303, 618 S.E.2d at 878. The utilization of an exception under the mootness doctrine is flexible and discretionary pursuant to South Carolina jurisprudence, not a mechanical rule that is automatically invoked.¹ Compare, e.g., *Sloan v. Greenville County*, 356 S.C. 531, 553-55, 590 S.E.2d 338, 350-51, with *Sloan*, 361 S.C. at 571-72, 606 S.E.2d at 468; cf. 1A C.J.S. *Actions* § 78 (2008).

*536 Neither party has challenged the court's preliminary conclusion that these cases are moot since the contracts were already completed or cancelled.² Therefore that conclusion, right or wrong, is the law of the case. See *Sloan*, 365 S.C. at 307, 618 S.E.2d at 880 ("[A]n unappealed ruling becomes the law of the case, and the appellate court must assume the ruling was correct.") (quoting *Town of Mt. Pleasant v. Jones*, 335 S.C. 295, 298-99, 516 S.E.2d 468, 470 (Ct.App.1999)). Thus, the next question before us is whether this case is suitable for discretionary review of the issue presented under the public interest exception to the mootness doctrine.³

County contends that since the GCPC no longer contains the preference for sealed bids that necessarily formed the basis of the trial court's order, the trial court erred in determining that the case should be decided under the public interest exception to mootness. We agree.

The trial court found the case moot for the initial reason that the contracts at issue had already been performed or cancelled; it then found the public interest exception applied to that point of mootness. However, the court did not fully address the public interest exception of the mootness doctrine to the suit after the change in the GCPC was brought to its attention; specifically, the trial court failed to address whether the suit remained one of "imperative and manifest urgency" after passage of the amended ordinance. See *Sloan v. Friends of the Hunley, Inc.*, 369 S.C. 20, 27, 630 S.E.2d 474, 478 (2006) ("[T]he issue must present a question of imperative and manifest urgency requiring the establishment of a rule for future guidance in 'matters of important public interest.' This evaluation must be made based on the facts of each individual situation.") (internal citation omitted). Here, after opining in a footnote that its analysis of the "public importance" exception

would not change due to passage of the amended ordinance, the trial court “[found] it necessary to go ahead and rule on the issue of whether such a determination must be in writing under the *former* version of the code.” (emphasis *537 added). Therefore, the second prong of the public interest exception was never satisfied; the trial court failed to consider the impact of the amended ordinance on the suit through the lens of “imperative and manifest urgency,” and erred in utilizing that exception to review the issue presented under the previous ordinance.⁴

Sloan also argues there is an imperative and manifest urgency compelling this court to find § 11-35-50 requires a written determination whenever a political subdivision selects the Proposal method over Bidding, regardless of whether the political subdivision designates the two methods as equally preferable, in order for the procurement to be “appropriately competitive.” As previously indicated, although the trial court briefly acknowledged this supplementary argument in a footnote of its opinion, it specifically refused to rule upon the issue in regard to the amended version of the GCPC. We find the record before us insufficiently developed to exercise our discretion under a mootness exception to address Sloan’s ancillary argument regarding co-preferred methods of procurement. Moreover, we take judicial notice of our own docket and note that this very issue is currently on appeal in *Sloan v. Greenville Hospital System, et al.*, Case Nos. 03-CP-23-3785, 04-CP-23-5223, and 05-CP-23-0586 (appeal filed June 12, 2008). Sloan acknowledges this fact in his appellate brief. In that case, one of the main issues litigated and *ruled* upon was whether a written determination is required to select Proposals over Bidding when both are co-preferred procurement methods; as such, that case, as opposed to this case, is *538 arguably more suitable for review and adjudication of the issue.

CONCLUSION

Due to the significant change in the ordinance, we find it unnecessary to decide the issue presented to the trial court of whether the County’s former procurement code was valid; passing judgment upon this matter would only result in an advisory opinion on the application of an obsolete procurement ordinance to completed or cancelled contracts. We also decline to address Sloan’s alternate argument under the amended ordinance since the trial court never addressed the effect of the amended ordinance.

Accordingly, the trial court’s order is vacated and the case is dismissed as moot.

VACATED AND DISMISSED.

SHORT and THOMAS, JJ., concur.

STATE OF SOUTH CAROLINA TRANSCRIPT OF RECORD

COUNTY OF HORRY CASE NO.: 2020-CP-26-05267

**** TRANSCRIPTION OF WEBEX RECORDING ****

February 21, 2024

BEFORE: The Honorable Alex Hyman

25th AVENUE, LLC,

Plaintiff,

vs.

CAROL ANN HONEYCUTT,

Defendant.

RECEIVED
DEC 27 2024
SC Court of Appeals

APPEARANCES:

Henrietta Golding, Esq.
Appearing for the Plaintiff.

Carol Ann Honeycutt,
Appearing Pro Se.

Recorded by: Webex Video Courtroom

Transcriber: Natalie Dahl, RPR
SC Official Court Reporter

NOTE: Pursuant to Rule 607 (H)(1)(B), SCACR "A Court REPORTER SHALL RECEIVE THE FEE OF \$1.00 PER PAGE FOR FURNISHING A COPY OF A PREVIOUSLY PREPARED TRANSCRIPT." All requests for a copy of the enclosed transcript shall be sent to: Natalie Dahl, RPR, P.O. Box 762, Conway, SC 29526

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(None)

EXHIBITS

(None)

Transcript Legend

Dash (--)	Indicates an interruption in speech
Ellipses (...)	Indicates trailing off in speech
Phonetic (ph)	Indicates a phonetic word
(Inaudible)	Indicates word(s) are not discernable due to audio recording quality

P R O C E E D I N G S

THE COURT: No. 3 and 4, 25th Avenue, LLC,
v. Carol Ann Honeycutt. All right.

THE LAW CLERK: Ms. Bailey -- I think the
plan was for Ms. Honeycutt to come in, but she just
messed me and said that she hasn't. Should I
bring her in so we can ask her?

THE COURT: Yeah. It looks like there is a
Carol Ann Honeycutt in the attendees.

I see Ms. Golding. Ms. Golding, can you hear
me?

MS. GOLDING: Yes, sir, Your Honor. Good
morning.

THE COURT: Good morning. How are you?

MS. GOLDING: I'm well. I hope the Court is
doing well.

THE COURT: Doing well. Doing well.

Ms. Honeycutt, can you hear me?

MS. HONEYCUTT: I can.

THE COURT: Ms. Honeycutt, down in the middle
of your screen at the bottom there should be a
button that says "start video."

MS. HONEYCUTT: Okay.

THE COURT: If you can, press that so I can
see you.

1 MS. HONEYCUTT: Okay.

2 THE COURT: There you are.

3 Ms. Golding and Ms. Honeycutt, are we
4 expecting anyone else as far as this hearing?

5 MS. GOLDING: No, sir, Your Honor.

6 THE COURT: Ms. Honeycutt, I understand you
7 made some requests that this hearing be in person,
8 and I think you filed or sent a request for a
9 continuance; is that right?

10 MS. HONEYCUTT: Yes, Your Honor, that is
11 correct.

12 THE COURT: Ms. Honeycutt, the Supreme Court
13 of South Carolina has made certain changes in
14 non-jury motions. Your motions that you have made
15 are non-jury in nature, and we don't have court
16 reporters, which is why they do these via Webex. A
17 court reporter is the recording mechanism for this
18 video, so we can't do it in person. If we did it
19 in person, it would be just like we're doing here,
20 there would be no court reporter and it would be
21 recorded just like this. So as far as that
22 request, unfortunately, I can't help you with that
23 one.

24 MS. HONEYCUTT: Okay.

25 THE COURT: But it's my understanding there

1 was a motion for a temporary injunction, as well as
2 a motion to compel. Am I correct that your motion
3 to compel dealt with the sheriff's department in
4 the county and a FOIA request?

5 MS. HONEYCUTT: The motion to compel was for
6 the sheriff and for his sergeant, Jeff Benton. And
7 then the second part of that was for Julie Kevish,
8 the court reporter on a hearing that happened
9 April 24th last year and -- do you want me to go
10 ahead and explain those?

11 THE COURT: Well, generally speaking, when
12 you file a FOIA request against a county agency, it
13 has to go through the Public Information
14 Department. Is that the channel you used to obtain
15 that?

16 MS. HONEYCUTT: Oh, I did everything. I
17 wrote probably three spiral-bound notebooks. I
18 just went over and over trying to get the
19 information I wanted.

20 Finally, my primary information desire was
21 the video recordings. There were three officers on
22 the property on the day there was the move-out.
23 Every officer there had a video cam. And I started
24 within a few days after that event to try to get
25 the video cams recording, and one year later I

1 finally found out from the sheriff -- they we're
2 evasive, at best -- I finally found out from the
3 sheriff that the video cams had been destroyed, and
4 then I sent back letters to him. I think it's all
5 in the notes there.

6 THE COURT: I see it. And I see the
7 letter from the sheriff's department saying that
8 the recordings no longer exist and cannot be
9 produced.

10 MS. HONEYCUTT: Right. This morning I had
11 sent in some additional exhibits for the sheriff,
12 and that was scanned in about probably 9 o'clock
13 this morning. And it is called Sheriff Exhibit 1A,
14 because it updates from the -- from the Exhibit 1
15 that was the top --

16 THE COURT: Well, Ms. Honeycutt, we don't
17 have a representative from the sheriff's department
18 here. My assumption is that the representative for
19 the sheriff's department would probably be David
20 Jordan, who is the county attorney. I don't
21 believe that Mr. Jordan -- at least I don't see
22 where he was put on notice of this hearing. So in
23 that regard, I'm going to continue your motion to
24 compel as to the sheriff's department, because we
25 don't have a representative here.

1 But as to your -- your other motion in
2 regards to the motion for temporary injunction,
3 I'm happy to hear you. I do have your motion
4 here.

5 MS. HONEYCUTT: Okay. Excuse me, Judge.
6 Now, the second part of that motion to compel was
7 for the court reporter named Julie Kevish, who was
8 an in-person court reporter on April 24th, 2023
9 at a hearing, of course, with Ms. Golding and Judge
10 McCaslin. And I took all of the official steps to
11 get the transcript. She sent -- she was evasive in
12 many of her e-mails to me, but finally she sent me
13 the form for it. And I said, Well, I should have
14 had this the first day. She sent me the form to
15 fill out. I filled it out and sent it back to her.
16 I think I went through the transcript filings of
17 the appellant court, that form, Form 800. When I
18 got the transcript back from her, about half of the
19 information was left out.

20 Hang on one second, I want to show you the
21 document.

22 MS. GOLDING: Your Honor, may I? I don't
23 like to interrupt, but I think the Court needs
24 to know that, essentially, this lawsuit is over
25 with.

1 THE COURT: Well -- and, Ms. Golding, I was
2 taking a look at that, and I don't -- the only
3 issue that I still see that is even pending is the
4 plaintiff's cause of action, I think, for back
5 rent. I think that was the only thing that wasn't
6 granted summary judgment.

7 MS. GOLDING: That's it. All of her
8 counterclaims have been dismissed. Currently,
9 she's got an appeal and notice of appeal. The
10 court of appeals dismissed her appeal for not
11 timely filing some information. She's tried to
12 reinstate that appeal, and that matter is before
13 the court. So from a technical perspective, this
14 matter is on appeal.

15 And then the second matter is that all of her
16 claims have been dismissed. She has no basis -- no
17 legal basis to seek any discovery anymore. It's
18 over with.

19 MS. HONEYCUTT: Okay. Your Honor, may I --
20 may we get back to my presentation?

21 THE COURT: Well, Ms. Honeycutt, Ms. Golding
22 is correct. I went back and looked at the record
23 in this and I see that Ms. McCaslin -- excuse me,
24 Judge McCaslin and also Judge Curtis have
25 previously had findings in regards to your

1 counterclaims, as well as the actual causes of
2 action of the plaintiff. I'm bound by their
3 findings. I have no authority to change anything
4 that they have previously ruled on. We stand
5 equal.

6 So I understand also that the court of
7 appeals dismissed your appeal because a transcript
8 had not been timely ordered and provided. So as to
9 what Ms. Golding is saying, she's correct.

10 MS. HONEYCUTT: Your Honor, may I respond to
11 those?

12 THE COURT: Briefly.

13 MS. HONEYCUTT: Okay. To start out, I want
14 to say that my two motions today, the motion for a
15 temporary injunction and the motion to compel
16 discovery, relate to the main theme of this
17 lawsuit. Everything done in this lawsuit was done
18 by fraud or obstruction of justice. The two
19 appeals that I have before the appellant court --

20 THE COURT: And, Ms. Honeycutt, hang on. Let
21 me just stop you. Again, your claims for fraud
22 have already been dismissed previously by another
23 judge. I can't hear any merits on that.

24 MS. HONEYCUTT: Okay.

25 THE COURT: That's not before me. But let me

1 ask you this -- all right. The only outstanding
2 cause of action that is still pending is the
3 plaintiff's cause of action for back rent. In what
4 way is the information that you are trying to get
5 related to that cause of action?

6 MS. HONEYCUTT: Okay. As Judge McCaslin
7 stated -- now, I wanted to show you this. This
8 transcript is only half done (indicates). This is
9 part of the fraud.

10 Judge McCaslin stated that I haven't had a
11 hearing. I have a right to a hearing. A million
12 dollars' worth of my property was destroyed by a
13 fraudulent order. That order is -- Judge McCaslin
14 -- I'm sorry Judge Curtis, and that order is before
15 the appellant court.

16 My second filing with the appellant court
17 was on Judge McCaslin, who dismissed the claims
18 that Ms. Golding say are dismissed, but they are
19 not dismissed yet because -- nothing is settled
20 yet because everything is before the appellant
21 court.

22 THE COURT: Well, I don't believe that that
23 is accurate, and it was Judge Curtis who made those
24 findings as far as the most recent dismissals.
25 Just because something is under appeal -- and I

1 think the only thing you have under appeal right
2 now is Judge Curtis' order.

3 Is that correct, Ms. Golding?

4 MS. GOLDING: That's correct, Your Honor.

5 MS. HONEYCUTT: No, I have two, Your Honor,
6 two appeals.

7 THE COURT: Well, it's my understanding that
8 your appeal as to Judge McCaslin's orders was
9 dismissed by the court of appeals for failure to
10 obtain a transcript.

11 MS. HONEYCUTT: No, that is incorrect. That
12 was just filed the 25th of January, and that has
13 -- that part of it just has gotten started because
14 starting the hearing back -- we're back to the
15 hearing of -- I'm sorry, April 24, 2023.

16 Judge McCaslin made an order on the 27th.
17 I appealed that order, as did Ms. Golding. Then,
18 Judge McCaslin said that she was -- in her answer
19 to that, which would have been about May 25th --
20 I appealed her decision -- well, Ms. Golding
21 appealed, and so the decision of May 25th was --
22 or May 24th, I believe, was considered null and
23 void.

24 Well, I appealed that, and that sat with an
25 appeal on it. I appealed that back to McCaslin.

1 That sat until January 11th of this year, until
2 the clerk of court reminded her that nothing had
3 been done on it.

4 On January 11th, she denied my appeal, and
5 then that's when I put in the appeal to the
6 appellant court.

7 THE COURT: Well -- and I'm not seeing that
8 in this. What I'm seeing is that there was an
9 order from Judge McCaslin. And after that, there
10 was another order from Judge Curtis. And in Judge
11 Curtis' order, she specifically made findings based
12 on Judge McCaslin's previous order, as well as the
13 court of appeals' denial.

14 MS. HONEYCUTT: Well, it's not denied yet.
15 That was a -- attempted dismissal of McCaslin's
16 order was actually -- it needs to be rescinded
17 because it was falsely -- a claim falsely made.
18 That, and I requested and I gave probably 45 pages
19 of documents that that was not true, that that
20 needed to be rescinded.

21 When Judge McCaslin's appeal went into the
22 court, that was given a different number. And then
23 someone without the authority of the court slipped
24 it in under McCaslin -- or Curtis' appeal to get it
25 dismissed.

1 THE COURT: Ms. Honeycutt -- Ms. Honeycutt,
2 I'm basing my decision on two previous circuit
3 judges. I understand your argument, but I'm
4 denying your motion as to the motion to compel on
5 both counts, because I do find that you have no
6 outstanding causes of action.

7 You also have filed a motion for temporary
8 injunction, which I will now hear -- I will now
9 hear. But I'm -- again, I'm just reminding you
10 that this is not a time to try your case. There
11 are certain parameters for a motion for temporary
12 injunction under Rule 65 of the South Carolina
13 Rules of Civil Procedure.

14 So I'll let you proceed, but, again, this is
15 not a time to try and tell me about all of these
16 other issues that two prior judges have already
17 decided.

18 MS. HONEYCUTT: Well, forgive me for
19 repeating. I'm doing my best here. But the two
20 main orders by Curtis and McCaslin are under
21 appeal. They are currently under appeal. I
22 believe that they will be reversed, and that puts
23 me back to needing the -- the discovery --

24 THE COURT: All right. Again, I'm going to
25 let you make an argument as to the temporary

1 injunction motion you've filed. We are done with
2 the discovery motions.

3 MS. HONEYCUTT: Okay. For the temporary
4 injunction that was made, of course, back in, I
5 think, July 27th. At that point in time, the --
6 I have to talk about this to explain this.
7 McCaslin made an order that the contract was null
8 and void. I appealed that. That was under appeal
9 back to McCaslin. The contract was not null and
10 void because it was under appeal. That appeal
11 lasted until January 11th of this year --

12 THE COURT: All right. Ma'am, I need you to
13 make your argument as to the temporary injunction
14 blocking the plaintiff from destroying the
15 building. That is what is before me now.

16 Again, this is the third time I've asked you.
17 I'm going to give you a chance to make your
18 argument on that, but I don't need a historical, I
19 guess, refresher on everything that has happened.
20 I understand what has happened. I've read the
21 previous orders.

22 So, Ms. Honeycutt, again, as to Rule 65?

23 MS. HONEYCUTT: All right, Your Honor.
24 Please be patient with me.

25 THE COURT: I understand.

1 MS. HONEYCUTT: The building was destroyed on
2 July 27th, even though that order was under
3 appeal. The building was sold on -- or the land --
4 the building was flattened around July 27th. The
5 day when I took that temporary injunction request
6 to the property, the building was on the ground.

7 The property was sold August -- I think
8 August 8th, right around August 8th. The money
9 is -- I guess the plaintiffs still have the money.
10 So the injunction can't be an injunction not to
11 destroy the building, because Ms. Golding told them
12 to go ahead and destroy the building.

13 THE COURT: Well, as far as that goes, again,
14 if there's no building that I need to even
15 contemplate enjoining being destroyed, it is a moot
16 point.

17 MS. HONEYCUTT: Well, it's moot except for
18 the fact that I'm concerned that before this is
19 over -- I don't -- I don't want the plaintiffs to
20 dissolve their business, and I think the money
21 should be kept -- from the building should be kept
22 -- should be held by 25th Avenue, LLC, until all
23 of this is over.

24 THE COURT: Well, again, Ms. Honeycutt, I
25 just remind you that you have no active causes of

1 action pending before this Court. But because the
2 building has been destroyed, I am -- I find it is a
3 moot point, so I'm going to deny your motion for
4 temporary injunction blocking the destruction of
5 the building.

6 MS. HONEYCUTT: Right. Right.

7 THE COURT: All right. And I believe that
8 that is all that I have before me today.

9 MS. GOLDING: Yes, sir.

10 THE COURT: Ms. Golding, anything else?

11 MS. GOLDING: No, sir. Thank you, Your
12 Honor. If you could -- would the Court mind
13 issuing form orders?

14 THE COURT: I'll do Form 4's on all of these.
15 Thank you.

16 MS. HONEYCUTT: Okay. Your Honor, would you
17 tell me how to order the recording of this Webex
18 hearing?

19 THE COURT: You do it through the clerk of
20 court's office.

21 MS. HONEYCUTT: Okay. The Horry County Clerk
22 of Court?

23 THE COURT: That's correct. And they'll do a
24 request.

25 MS. HONEYCUTT: Thank you so much.

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THE COURT: Thank you.

(Whereupon, the Webex hearing concluded.)

1 **CERTIFICATE OF TRANSCRIBER**

2 Case Name: 25th Avenue, LLC v. Carol Ann
3 Honeycutt

4 Case No.: 2020-CP-26-05267

5 Date of Hearing: February 21, 2024

6 * * * * *

7
8 I, Natalie Dahl, do hereby certify that the
9 foregoing transcript is a true and correct record
10 of the recorded proceedings; that said proceedings
11 were transcribed to the best of my ability from the
12 audio recording.

13 I do further certify that I am neither of
14 kin, counsel, nor have interest to any party
15 hereto.

16
17 *Natalie Dahl, RPR*

18 _____
19 Natalie Dahl, Registered Professional
20 Reporter and transcriber for the State of
21 South Carolina
22
23
24
25

STATE OF SOUTH CAROLINA) SOUTH CAROLINA CIRCUIT
COUNTY OF HORRY) 15
DOCKET NO. 2020-CP-26-05267

25TH AVENUE, LLC,
Plaintiff,
versus
CAROL ANN HONEYCUTT,
Defendant.

RECEIVED

DEC 27 2024

H E A R I N G SC Court of Appeals
BEFORE THE HONORABLE B. ALEX HYMAN

DATE: July 24, 2024
TIME:
LOCATION: South Carolina Circuit Court 15
TRANSCRIBED BY: Mary Ragsdale

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EXHIBITS

(None marked)

(THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH MATERIAL
IS REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

1 THE COURT: Good afternoon, Ms. Honeycutt. Good
2 afternoon, Ms. Golding. How are you all?

3 MS. HONEYCUTT: Good afternoon.

4 MS. GOLDING: I'm well, thank you. I hope you're doing
5 well.

6 THE COURT: Doing good. All right, Ms. Golding, I -- I
7 understand we have a -- a motion from the plaintiff in this
8 and also a motion from the defense. I've had an opportunity
9 to view these motions as well as multiple exhibits. I'm
10 going to ask that we do the second motion first, and then Ms.
11 Golding, I'll hear your motion. Okay?

12 MS. GOLDING: Thank you, Your Honor.

13 THE COURT: Ms. Honeycutt.

14 MS. HONEYCUTT: Hey, Your Honor I brought exhibits with
15 me and the clerk here is saying that I thought I could give
16 them to you ---

17 THE COURT: Are they the exhibits that you -- you
18 emailed me?

19 MS. HONEYCUTT: Those are kind of the outline, but I
20 have the exhibits referred to in the emails that I brought to
21 hand to you.

22 THE COURT: Are they the same exhibits that you have
23 provided to the court of appeals?

24 MS. HONEYCUTT: There's a various exhibits, kind of a --
25 a combination of things.

1 THE COURT: Well, let me ask you this, you, your motion
2 is -- is somewhat two-part. You have a motion saying that I
3 was wrong and -- and not granting your motion for an
4 injunction. And then you also have a motion requesting me to
5 allow you to compel the court reporter to attend and answer
6 some kind of interrogatories that you have. Is that correct?

7 MS. HONEYCUTT: Well, the court reporter needs to -- may
8 I get some water? My throat's really dry. The court
9 reporter needs to finish the transcript.

10 THE COURT: And -- and what is it that you're saying she
11 hasn't done? I -- I went through the exhibits with the Court
12 of Appeals, and I noticed that you had attached the full
13 transcript that Ms. Cleven gave you to that. And I'm asking
14 you, what -- what do you think is missing?

15 MS. HONEYCUTT: Not sure. I don't know who Ms. Cleven
16 is.

17 THE COURT: It's Cleven, Julie Cleven. She's the court
18 reporter.

19 MS. HONEYCUTT: Not on this case. It was Julie Kavish.

20 THE COURT: That -- that's who I'm talking about. You,
21 you, you provided the Court of Appeals, the full copy of
22 that. She gave you were in fact, where she has signed that
23 it's a true and accurate copy. Correct.

24 MS. HONEYCUTT: And that is not true. And I -- I wrote,
25 I -- I had to write, and if you went through the court

1 appeals document, I had to write 180 page document that
2 included exhibits. The incomplete transcript was at the end
3 of that.

4 THE COURT: And -- and I saw that, I read the entire
5 transcript, and I also saw your email where you emailed and
6 received a response from Ms. Holmes and where Ms. Holmes,
7 whose overall of the court reporters indicated that there
8 were no changes to the transcript that would need to be made.

9 MS. HONEYCUTT: Your Honor, Ms. Holmes, that was not an
10 -- she has -- thank you. Ms. Holmes has no authority to make
11 that decision. She did it to ---

12 THE COURT: Why did you respond to her?

13 MS. HONEYCUTT: She did it to cover up for the court
14 reporter. I gave-- I have with me today all the things that
15 are missing from that transcript, that hearing before Judge
16 McCaslin, and that's the one I'm looking for. That hearing
17 before Judge McCaslin lasted over an hour, maybe an hour and
18 20 minutes. That transcript should be at least 50 pages long
19 or maybe 50 to 60 pages long. I have in my -- in an exhibit
20 today, exactly what she left out of that transcript.

21 THE COURT: Well, just tell me what it is, because it
22 was 34 pages long and there was also a somewhat long recess
23 that was taken during the middle of it.

24 MS. HONEYCUTT: No, there was no -- well ---

25 THE COURT: Yeah, there was.

1 MS. HONEYCUTT: See, I don't have that in the
2 transcript. That's not in the transcript.

3 THE COURT: It's in the transcript that you provided.
4 Transcript that you sent to the Court of Appeals has where it
5 has a recess in it. Let's continue on.

6 MS. HONEYCUTT: Kind of an outline here. I have a
7 question, though. First, Ms. McCaslin never -- does not work
8 for 25th Avenue, LLC right now. Does she?'

9 THE COURT: Who? Judge McCaslin.

10 MS. HONEYCUTT: Ms. Golding.

11 THE COURT: I'm going to ask that you change computers.
12 I don't know why we've got you on this computer. I thought
13 we were changing you to the other one. I can't hear you.

14 THE CLERK: That better if I turn it up? Can you hear
15 now?

16 THE COURT: Yeah, I can hear her now. Maybe it's the
17 fact, maybe she's just quiet, but I need to be able to hear
18 her. Did you ask me Judge McCaslin worked for 25th Avenue,
19 LLC?

20 MS. HONEYCUTT: No, Your Honor. I'm tired. I'm met Ms.
21 Golding. I'm trying to ---

22 THE COURT: Is she currently still working for 25th
23 Avenue LLC? As of right now, yes. For this case, she's been
24 removed from the appellate case, but as for this case, she is
25 still on it. I have not relieved her.

1 MS. HONEYCUTT: I would like to just -- I would like to
2 do my opening remarks.

3 THE COURT: Okay.

4 MS. HONEYCUTT: And my thing in order (inaudible)
5 because my understanding is that Ms. Golding was not
6 representing them.

7 THE COURT: Ms. Golding is still representing them in
8 their state case right now. She has not been relieved.

9 MS. HONEYCUTT: Exhibits to Ms. -- Mr. Williams. Not
10 Ms. Golding.

11 THE COURT: Okay.

12 MS. HONEYCUTT: Do you have in front of you the
13 7/24/2024 updated defendant's opening remarks?

14 THE COURT: I do.

15 MS. HONEYCUTT: I'm going to work from that.

16 THE COURT: Okay.

17 MS. HONEYCUTT: Because I tried to put it in logical
18 order. Okay. The orders from both judges are still under
19 appeal, therefore, all causes of action of the defendant are
20 still active. I've tried to simplify this because in the
21 document I sent you excerpts of transcript annotated; I've
22 labeled that Exhibit 2. And in that -- in that transcript, I
23 brought an entire transcript of our hearing -- our last
24 hearing, if you want to verify the excerpts. Okay.

25 Because in that transcript, a lot of things got mixed

1 up. Which judge did what, when, and who was first and who
2 was last and who affirmed one -- one order over another.
3 Okay. So the first one, judge Curtis's hearing of May 31st,
4 2022, was on Webex.

5 In our last meeting, Ms. Golding said that let -- let's
6 go to Exhibit 2, which is that the excerpts of the
7 transcripts, okay, Ms. Golding said that the case was over
8 because I was not going to be reinstated. It was incorrect.
9 And I, in this exhibit, I marked it with different type, what
10 was a lie and what was the truth and what was confused
11 because the orders and the -- and the hearings got confused.
12 Okay? The hearing was May 31, 2022.

13 I received the transcript from that on September 6,
14 2023, and I filed it with the Appellate Court on November
15 22nd. It was falsely stated by Ms. Golding that my appeal
16 was dismissed because I didn't have in file the transcript.
17 I did have it, and I did file it, and we know the case was
18 reinstated. The order of April 9th from the judge was the
19 reinstatement of the case on the, appellate court index on
20 April 9th.

21 For some reason, the clerk of the court put in a
22 non-dispositional order, which was incorrect. You -- it
23 would be easy to miss it, but that was the order, that
24 reinstated my case. So everything Ms. Golding said about my
25 case not being reinstated and the causes of action not

1 existing are not true because the case was reinstated.

2 Now, the second part, Judge McCaslin's hearing of April
3 24th, the court reporter, Ms. Kavish -- I've been trying to
4 get that transcript a complete transcript since July 31,
5 2023. In fact, I ordered on -- on May 14. I paid for it on
6 June 9th. On July 3rd, she sent me a partial transcript. I
7 have an exhibit here which says what was left out of it. You
8 mentioned that Ms. Holmes looked at that. She looked at it
9 to cover up for Julie Kavish.

10 And I can tell you that is an incomplete transcript. I
11 have exact details here on, I have an exhibit -- I have an
12 exhibit out here called Exhibit number 8, I attached the
13 entire report of what was missing to the subpoena that I sent
14 to Ms. -- to Julie Kavish. And -- and that was just copies
15 of things I'd asked her for before. And once -- once I sent
16 her that July 31st letter, she never responded to me.

17 Now, it's her job. It's her job description. If
18 someone challenges your transcript, you have to -- you have
19 to write back to them. You have to provide the information
20 asked for. You have to be copied in on every communication
21 she has with the clerk of court and the other party. Now,
22 none of that was done, and that's what was in the subpoena
23 that I served on Julie Kavish.

24 THE COURT: And that's the subpoena that has been
25 quashed by the Supreme Court.

1 MS. HONEYCUTT: That's right. And I think there's a
2 story to that. I wrote that 180 page document because the
3 clerks of court were not providing. They were supposed to
4 connect me to a court reporter who would finish that or have
5 Julie finish it. And what they did is they just blocked all
6 my efforts. Okay, I'm on page 2 today.

7 Now, many of -- as you saw from my exhibit to the
8 excerpts, I went through there, and a lot of that was
9 misinformation. You made a decision on last time, on August
10 30th last year, I asked you to grant an order for Ms. Kavish
11 to finish that transcript. And you denied it because you
12 said the case was over, but it wasn't over, it was
13 reinstated. I pointed in my remarks for areas where there
14 were absolute incorrect statements made best way to see it is
15 looking at Exhibit 2. It goes through and it says what was
16 true and what was not true. On Exhibit 2, page 2, Ms.
17 Golding said that -- that my case was dismissed for not
18 timely filing some information.

19 THE COURT: But -- but I want you to -- I want you to
20 answer me a question. You -- you would admit that your case
21 has been dismissed with the Court of Appeals multiple times
22 for not filing timely.

23 MS. HONEYCUTT: The very first time that I filed it I
24 got COVID.

25 THE COURT: It was dismissed, and a remittitur was done.

1 And then you refilled again with a new case number that goes
2 along with Judge McCaslin's orders as well. So it's Judge
3 Curtis's and Judge McCaslin's orders.

4 MS. HONEYCUTT: This time I got COVID. The court was
5 not emailing me, so I did not know what was going on. That
6 -- but then Judge Christie came up with some other -- I filed
7 a -- a motion for her to repeat or to her recuse herself, and
8 she denied that. And so I put -- I appealed that. So that
9 was the number that we're working with now, 2023-00-1023.

10 And then McCaslin and Curtis worked back and forth.
11 McCaslin ruled on Curtis's order, and then Curtis waited
12 until McCaslin ruled before she answered my -- before she
13 answered my motion, that she recused, she waited till
14 McCaslin covered her before she answered. And then when
15 McCaslin gave her orders, I appealed them back to her and she
16 somehow forgot about them or something.

17 And it wasn't until January 11th of this year that the
18 clerk said, Hey, these orders are still open. And when she
19 denied my appeal, that's when I appealed on McCaslin.
20 McCaslin let's see -- let me see what else I want to tell
21 you. Okay. I have an Exhibit 4 here in front of me that I
22 was going to give to you that proves that ---

23 THE COURT: Have you provided opposing counsel with any
24 of these exhibits?

25 MS. HONEYCUTT: Well, they -- I would've given them to

1 Ms. Golding, but I didn't know she would. I -- I gave them -
2 -I gave a lot of things to Mr. Williams. I sent them to him,
3 but I would've handed them to Ms. Golding if she had -- if I
4 known that she wasn't off the case. But I do have copies,
5 you know, I have plenty of copies here for everyone. But
6 Exhibit 4, where she says the ---

7 THE COURT: Ms. Golding, do you have any objection to me
8 having somebody from the clerk's office bringing me these
9 exhibits?

10 MS. GOLDING: Oh, none at all. Thank you, Your Honor.

11 THE COURT: Ms. (Inaudible), if you can hear me, will
12 you please step back here and bring me the exhibits that
13 she's referring to?

14 MS. HONEYCUTT: Your Honor, So I'm going to give you the
15 exhibits. Is someone going to take them to Ms. Golding?

16 THE COURT: Ms. Golding is not objecting to me viewing
17 the exhibits, even though she has not seen them.

18 MS. HONEYCUTT: Well, they're -- they're just things
19 pulled out of the case. Okay. And here's, yeah, he's going
20 to take ---

21 THE CLERK: He agreed for what (inaudible) one second.

22 MS. HONEYCUTT: I received a -- an email from Ms.
23 Golding's legal paralegal, and she said, don't send us
24 anything more.

25 THE COURT: And Ms. Golding, am I correct that you have

1 been removed from the appellate course, appellate case?

2 Excuse me.

3 MS. GOLDING: That's correct, Your Honor.

4 THE COURT: That's what I thought. Thank you.

5 MS. HONEYCUTT: I'm sorry, what? Repeat that please.

6 THE COURT: What? I'm sorry?

7 MS. HONEYCUTT: I missed what you said.

8 THE COURT: Ms. Golding said -- that I asked her if she
9 has been removed from the appellate case and she said yes.

10 MS. HONEYCUTT: I -- when Sheila said, don't send us
11 anything more than, I assumed that she was not acting on this
12 case either.

13 THE COURT: All right. As to the exhibit that you're I
14 guess introducing what exhibit is that now? Is that number
15 four or is that number ---

16 MS. HONEYCUTT: Yes -- yes, we're on page two of my
17 opening remarks. So Ms. Golding said that I had not filed
18 the right dismissed my appeal for not timely filing some
19 information. Exhibit 4 shows that I served it on Taylor
20 Bogle. I filed it on the 20th of June a year ago. The
21 exhibits on there, it shows the document 800 and it shows
22 that Ms. Golding should have known about it because she
23 received all the correspondence that's attached to this.

24 She received the letter of November 22nd. She received
25 the letter of December 5th, and she has access to the port a

1 CMS index that has all that on there. So she made the
2 statement that I was dismissed for not timely filing some
3 information, and I did file it.

4 THE COURT: Okay.

5 MS. HONEYCUTT: Okay. So let's see. All right. Thank
6 you, Your Honor, for accepting those. Okay. So the
7 transcript related to Curtis was completed. The clerks in
8 the court's office would not they would not help me. I even
9 sent a certified letter to the clerk Kitchens the chief --
10 the head clerk, Kitchens. I sent a certified letter. I
11 said, please help me get the Curtis transcript, and no one
12 would answer me.

13 So I called the court reporter that had worked for me
14 before named Bobby Fisher. And Bobby Fisher got in touch
15 with Tammy Holmes and Tammy Holmes helped me get the Curtis
16 transcript. Okay. So now I think actually Tammy Holmes got
17 in trouble for helping me because this last time she didn't
18 help me. She just rubber stamped what Julie Kavish did.

19 THE COURT: All right, well, let's -- let's -- let's get
20 back on track. How do these relate to your motion? You have
21 a motion to compel that's essentially a motion to reconsider
22 my prior decision in your motion to compel.

23 MS. HONEYCUTT: What I have put in my -- in my statement
24 here is that you were -- the information was misrepresented
25 to you for your -- the first time you made this decision.

1 THE COURT: That -- that information being, that your
2 appeal was dismissed, correct?

3 MS. HONEYCUTT: Well, yes, and that I didn't follow
4 through with what I was supposed to do.

5 THE COURT: Okay. But there's still -- and there was a
6 June 24th of 2024 where they're again sending you deficiency
7 notices.

8 MS. HONEYCUTT: That's correct. And that's -- that's
9 because I don't have a complete transcript from Julie Kavish,
10 and I'm here today to ask you to order her to provide that
11 transcript. And ---

12 THE COURT: You said there was an exhibit here that had
13 the things that you believed are missing from the transcript,
14 which -- which exhibit is that?

15 MS. HONEYCUTT: Eight -- eight. And these are all
16 things they were attached to her subpoena.

17 THE COURT: But you do understand that a subpoena is not
18 for -- for questioning. It is for inspecting. You -- you --
19 what you sent was a series of questions that you wanted her
20 to answer. That's -- that's in improper for a subpoena. You
21 understand that? And that -- and that's what the court, and
22 I can't hear you.

23 MS. HONEYCUTT: Now -- now that you've told me that.
24 But I had -- I had sent -- I had sent her these.

25 THE COURT: Supreme Court told you that.

1 23, she typed dot, dot, dot, but Judge McCaslin, this was
2 left out of the transcript. Judge McCaslin clearly stated
3 that witnesses are not called in motion hearings. That was
4 left out of the transcript. And so I asked her to please
5 supply the statements that she had omitted. And I had sent a
6 follow-up memorandum to Judge McCaslin after the hearing.
7 And I quoted that in my memorandum, but it was left out of
8 the transcript.

9 THE COURT: I'm going through this. Page 3, the Court
10 says this is a motions hearing. And what I'm hearing, this
11 isn't a trial to date -- trial date. That's what Judge
12 McCaslin says.

13 MS. HONEYCUTT: Well, I hadn't had -- she -- what was
14 left out of that transcript is that Judge McCaslin said, you
15 haven't had -- you haven't had a complete, I guess she used
16 trial. I said, I went before Judge Arrakis and he did not
17 find that I had done anything wrong. I went before Judge
18 John and Judge John sent it back to ---

19 THE COURT: Well but let's be honest now, what you just
20 told the court that Judge Arrakis said you hadn't done
21 anything wrong. That's not accurate. Judge Arrakis
22 transferring ---

23 MS. HONEYCUTT: I'm sorry -- I'm sorry. I'm so tired.
24 I'm not doing a good job. I you are right. Judge Arrakis
25 said Ms. Golding brought it to the wrong -- to the wrong

1 court.

2 THE COURT: And then I believe it was sent back down to
3 Judge Arrakis again for further hearing to because he -- I
4 don't believe he put in his order why it was being sent up
5 and then it was sent back up. And that's when Judge Curtis
6 heard it.

7 MS. HONEYCUTT: Judge Arrakis didn't write that order.
8 Ms. Golding wrote that order to send it to Circuit Court.
9 Judge Arrakis just signed it.

10 THE COURT: I mean, you -- you have things in here like
11 lines 13 and 14 are a quote from plaintiff's documents, and
12 they should be put in quotes. So again, you're not -- you're
13 not stating something that is not included. You're just
14 saying that maybe it's not grammatically correct the way that
15 it was punctualised.

16 MS. HONEYCUTT: Okay. What very important point that
17 was left out of the transcript is under number 7(e) and
18 that's that Judge McCaslin made a statement that I had had
19 two hearings and neither of them was completed. So she'd
20 sent -- so she meant that I have not had a hearing. She
21 said, I have not had a hearing on the case. So all this was
22 done to me with no hearing. And Judge Curtis ruled on a
23 motion that she didn't even hear.

24 THE COURT: And I -- I saw your arguments on that and
25 Judge Caslin ruled on that. Judge McCaslin ruled on that

1 argument.

2 MS. HONEYCUTT: Right. And exhibit in here, let's see,
3 Exhibit number 11, which I came across right after our last
4 hearing. Judge McCaslin was brought in as the friend of
5 Taylor Vogel. She was brought from Lexington to hear this
6 case for Ms. ---

7 THE COURT: Hang on one second. Stop talking just for a
8 second. Let me explain to you, when judges are assigned, it
9 is done six months in advance. It's not done the week
10 before. It's done six months in advance. I received my --
11 my assignments and I have to travel. But I'm given those
12 schedules for six months. You've made multiple comments
13 throughout this afternoon in this hearing about people doing
14 things that are, I would deem as unethical.

15 But now you're talking about judges covering for other
16 judges and judges being brought in on that. That's not how
17 it worked. That is absolute -- Judge McCaslin was assigned
18 to this court week, six months prior to that. Okay? So
19 let's go ahead and clear that up.

20 MS. HONEYCUTT: Well, Your Honor, I do know how to look
21 at those schedules and in terms of court, and ---

22 THE COURT: But you understand that Ms. ---

23 MS. HONEYCUTT: I don't think ---

24 THE COURT: Ms. Golding and Ms. Vogel don't schedule
25 these. The clerk does.

1 MS. HONEYCUTT: Let's just say Ms. -- Judge McCaslin
2 should have recused herself because she had, her interests
3 are very much in serving Taylor Vogel's interests and Mr.
4 (inaudible).

5 THE COURT: And tell, please tell me why that is.

6 MS. HONEYCUTT: Why is it? Because they're good
7 friends.

8 THE COURT: What does Taylor Vogel have to do with 25th
9 Avenue LLC other than being their attorney? Does -- does
10 McCaslin have anything to do with it?

11 MS. HONEYCUTT: No, it's not -- it's not what she has to
12 do with 25th Avenue, LLC. It's that Taylor Vogel was the
13 clerk for Judge McCaslin. And if you read this, you'll see
14 that she has very good things to say about how much she
15 appreciates Judge McCaslin. So Judge McCaslin should have
16 recused herself, but she was there to help out Ms. Golding
17 and Ms. -- you know, Ms. Vogel acted as the attorney that
18 day. Ms. Golding didn't say anything because there was a
19 motion that where I was asking to dismiss her from the case.

20 THE COURT: So it would've been improper for Ms. Golding
21 to be arguing a motion that you had to dismiss her.

22 MS. HONEYCUTT: Well, there were two other -- two other
23 motions that we dealt with that day, but she didn't say
24 anything that day. Only Ms. Vogel talked.

25 THE COURT: Okay. All right. And again, what does,

1 what does this have to do with my motion in, in regards to
2 the transcript?

3 MS. HONEYCUTT: Regards to the -- so the court, the
4 reasons that I have been blocked from getting a complete
5 transcript. I have worked -- I'm -- I have 180 pages of
6 writing and documents where I tried to get that transcript.
7 I have a 100 percent right to that transcript. There is no
8 ifs, ands, or buts about it. And if I had been able to get
9 the transcript from you February 21st, I would not be in a
10 point of having a motion to reinstate again because I didn't
11 have the transcript to do the initial brief.

12 And, you know, and the designation of matter. I didn't
13 have the transcript. Appellate Court Rule 208 says you have
14 -- you don't start the transcript or you don't start the --
15 the initial brief and the designation of matter, the date
16 starts when you have the complete transcript. I don't have
17 the complete transcript.

18 THE COURT: Well, I am making a finding on the record.
19 I've read through the transcript. Julie Kavish, as an
20 officer of the court has signed that it is a complete and
21 accurate representation of the evidence that was presented.
22 So I am finding that it is a complete transcript for these
23 proceedings, and I'm going to deny your motion.

24 MS. HONEYCUTT: Your Honor, may I point out one thing
25 about the transcript?

1 THE COURT: Yes.

2 MS. HONEYCUTT: Okay. I believe that Ms. Kavish was
3 very upset by what was going on.

4 THE COURT: And again, that's pure speculation and I'm
5 not allowed to consider speculation. Okay?

6 MS. HONEYCUTT: If you look at the last page of that
7 transcript, here's -- you're not allowed to look at
8 speculation. Ms. Kavish, in the emails that I had with her,
9 was avoiding giving me the transcript. The first email I
10 sent was May 9th. I had an incorrect thing in her email
11 address. But Ms. Golding and Ms. -- Ms. Vogel got that email
12 by the time I had a return on that, but she didn't get it.
13 That was May 14th. I sent her the request again. Ms. Kavish
14 made -- well, she would never respond. She's required by the
15 court to respond to me when I challenge her transcript. And
16 she has never responded to me. If you look at the last page
17 of that transcript, will you do that, please? Where she
18 signed on.

19 THE COURT: What -- what court rule?

20 MS. HONEYCUTT: This is important.

21 THE COURT: Hang on, let -- let me ask the question.
22 Rule 607 is what governs court reporters. And there's
23 nothing in there about her having to respond to your
24 challenge. She is ---

25 MS. HONEYCUTT: There is in the court ---

1 THE COURT: --- fair and accurate transcription of what
2 occurred that day, and she has signed that.

3 MS. HONEYCUTT: Look at the page where she signed it.

4 THE COURT: I -- I'm looking at it right now.

5 MS. HONEYCUTT: It says, what date does it say on there?

6 THE COURT: April 24, 2023.

7 MS. HONEYCUTT: That's the date of the hearing. She's
8 supposed to put the date that she completed the transcript on
9 there. That's in the court reporter manual. She -- she's
10 supposed to answer me and respond to me when I challenge her
11 transcript. She did not do that.

12 THE COURT: Okay. Well, again, I'm going to deny your
13 motion respectfully. I do believe that she has provided you
14 a full transcript. The Supreme Court has squashed your
15 subpoena and I'm denying your motion. What other motion do
16 you have today, ma'am?

17 MS. HONEYCUTT: Your Honor, that is not -- that is not a
18 complete transcript. There were many areas of solid evidence
19 left out.

20 THE COURT: Ma'am, I've ruled. You understand me? All
21 right, what is your next motion?

22 MS. HONEYCUTT: Goal today is to try to get a full
23 transcript. I had put one point on here ---

24 THE COURT: I believe your other motion was that I was
25 wrong in denying your motion for an injunction.

1 MS. HONEYCUTT: No, that was not right. I -- I'm okay
2 with that ruling, I was just asking if it could be put in the
3 record as moot rather than denied.

4 THE COURT: No, ma'am. I think it's a -- a denial is
5 proper. I understand that. I may have said that it's really
6 a moot point because the building has been torn down, but I
7 found no merit to your argument for a -- an injunction. So
8 I'm denying your motion, which I've previously already done.

9 MS. HONEYCUTT: I did not get to present all the laws
10 and all the reasons that I should have that a complete
11 transcript.

12 THE COURT: I have all of your exhibits here and you
13 have emailed them to me along with Judge Seals. What you
14 provided me here today is actually what you've already
15 previously emailed me, which I had seen. So unless there's
16 anything else that's outside of these exhibits, I don't have
17 anything else that I need to see.

18 MS. HONEYCUTT: Well, (inaudible) me a full right to the
19 transcript.

20 THE COURT: I'm sorry. I (inaudible).

21 MS. HONEYCUTT: The -- the law is undeniable. I have a
22 right to the full transcript

23 THE COURT: And I -- and I believe you've received the
24 full transcript.

25 MS. HONEYCUTT: You haven't listened to the audio.

1 THE COURT: Ma'am, you didn't even remember that there
2 was a recess?

3 MS. HONEYCUTT: Well, that's because I was focused on
4 the content, not the recess. I was focused on the content
5 missing and not that we took a potty break.

6 THE COURT: All right. Well, ma'am, I'm denying your
7 motion. I've given my reasons you've put your -- the
8 exhibits that you've had, you've provided them to the court.
9 I've looked through those, but respectfully, I'm denying your
10 motion. Okay. I don't believe we have any other motions
11 from Ms. Honeycutt. So we'll go on.

12 Ms. Golding your motion?

13 MS. GOLDING: Yes, sir. Your Honor, I filed a motion on
14 April 24th, 2024 to be relieved as counsel, my client has
15 dismissed me as no longer requires my assistance in this
16 matter, and therefore I request to be dismissed. I have been
17 dismissed by the Court of Appeals from the Appellate matters
18 and that was May 24, 2027. Excuse me. May 14, 2024.

19 THE COURT: And Ms. Golding, if I'm not mistaken,
20 (inaudible) by consent, by all parties. Is that correct? As
21 far as your front (inaudible).

22 MS. GOLDING: Yes. As far as from my-- my -- my
23 current, excuse me, Your Honor, I apologize. My counsel has
24 agreed by consent and it is on the motion that they consent
25 to my dismissal.

1 THE COURT: All right, Ms. Golding, I will dismiss you
2 and grant the motion dismissing you from this case or -- or
3 relieving you as counsel from this case. Excuse me. Would
4 the Form 4 be sufficient for that?

5 MS. GOLDING: Yes, sir. Thank you, Your Honor.

6 THE COURT: Okay. All right. All right. Thank you Ms.
7 Honeycutt. Thank you Ms. Golding?

8 MS. HONEYCUTT: Your Honor ---

9 MS. GOLDING: Thank you, Your Honor.

10 MS. HONEYCUTT: I -- I did have one question for Ms.
11 Golding.

12 THE COURT: She can't rep -- I mean, she's no longer
13 representing them.

14 MS. HONEYCUTT: It's really about -- it's about her
15 Exhibit 13 (inaudible).

16 MS. GOLDING: I don't have a documentation.

17 THE COURT: Right. Why don't we do ---

18 MS. HONEYCUTT: It's -- it's the public end --- it's
19 writing the public end.

20 THE COURT: That's not part of what we're here for.
21 I've already relieved her as counsel. If you want to call
22 her office and speak with her about it, you can do that then.
23 But this doesn't need to be part of this record. All right,
24 thank you. Payne will be back tomorrow morning. I think we
25 are have -- have Georgetown hearings tomorrow. Thank you.

1 MR. PAYNE: Yes, bye.

2 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED)

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I, MARY RAGSDALE, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 15 of Horry County, South Carolina, on the 24th Day of July, 2024.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

July 30, 2024

Mary Ragsdale

Transcriber

FORM 7
PROOF OF SERVICE OF PETITION FOR REHEARING
MEMORANDUM DISPROVING MOOTNESS

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appellate Case Number 2026-000049

APPEAL FROM HORRY COUNTY

Court of Common Pleas

David P. Caraker, Jr., Circuit Court Judge

Case No. 2020-CP-2605267

25th Avenue LLC,

v.

Carol Ann Honeycutt,

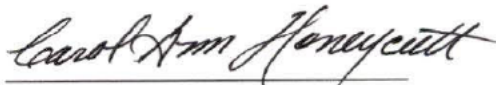
Respondent,

Appellant

PROOF OF SERVICE

I certify that I have served this APPELLANT'S PETITION FOR REHEARING THE MEMORANDUM DISPROVING MOOTNESS on 25th Avenue LLC by placing a copy into the USPS mail to Respondent 25th Avenue Llc., Pro Se, Richard F. Williams, Agent of Record, at 309 North Highland Way, Myrtle Beach, South Carolina 29572, on June 26, 2026. The Plaintiff has no attorney upon whom to serve this Petition.

June 26, 2026
Myrtle Beach, South Carolina


Carol Ann Honeycutt
Post Office Box 8574
Myrtle Beach, South Carolina 29578
(843) 254-5951
Appellant Pro Se
auso2@southcarolina.usa.com

June 26, 2026
VIA USPS & EMAIL

RECEIVED

JUN 29 2026

SC Court of Appeals

Re: Appellate Case No. 2026-00049
25th Avenue LLC, Respondent, v.
Carol Ann Honeycutt, Appellant
Appeal on Horry County Case No. 2020-CP-2605267

Ms. Jasmine D. Smith, Deputy Clerk
Appellate Court Judges
Court Administration
The South Carolina Court of Appeals
Court Administration
1220 Senate Street
Columbia, South Carolina
29201

Content of This Letter
Transmittal of PETITION FOR
REHEARING MEMORANDUM
DISPROVING MOOTNESS
Proof of Service
\$50 Fee by Money Order

Dear Ms. Smith and Appellate Court Judges,

Please submit this letter with the Petition to the judges who will review this.

This is the letter of transmittal sending to the above recipients the PETITION FOR REHEARING THE MEMORANDUM DISPROVING MOOTNESS. This is sent in response to the Order of June 11, 2026, which dismissed this appeal as moot. This Petition meets the requirements of SCAC Rule 221(a) by identifying and explaining "the points supposed to have been overlooked or misapprehended by the court." Appellant believes that this appeal is not moot and that the lower court rulings will be reversed by the ruling of the Appellate Court.

Furthermore, Appellant believes that the motivation for this questioning mootness was motivated by my Motions of March 18, 2026, and April 24, 2026, to Judge Debra R. McCaslin. These Motions requested that Judge McCaslin order the court reporter to provide to me as Defendant The Complete Transcript of the Motions Hearing of April 24, 2023 and the audio recording of that hearing. The court reporter produced for me what I call The Incomplete Transcript which had a significant amount of evidence removed from it by Plaintiff's attorneys.

I. The Appellant's Brief will prove the appeal is not moot.

I am restating that the Appellant's Brief will make it obvious this case is not moot, and that the Appellant/ Defendant's Constitutional rights were denied by the orders of the lower court.

III. Please answer the questions from the letter of May 8, 2026.

In my letter to you of May 8, 2026, I asked the questions which are copied below. I would very much appreciate and honest, complete, and prompt answer to these questions.

A. The timing of this demand is very curious.

It is curious that on April 27, 2026, you wrote a letter setting the appellant's brief due date as thirty (30) days from the date of that letter, and, a day later, you challenged the

appeal by instructing me to write and file a memorandum with the court proving that the case is not moot.

B. What prompted you to write a letter one day later that requires the Appellant to prove her appeal is not moot?

It appears there is an outside interference, an invisible respondent(s), to this case who are officer(s) of the court who are not party to this case but who would be damaged by information which will come out if this case is not dismissed.

There is one party who will be directly damaged when this appeal is completed. That party, Judge Debra R. McCaslin, is part of a group of attorneys and judicial officers who colluded and conspired to obstruct justice from the Appellant/Defendant in the underlying circuit court case.

The timing of your letter of April 28, 2026, fits the timing of the delivery of a second motion to Judge McCaslin. On April 28, 2026, at 9:58 A.M. a second Motion was delivered to Judge Debra R. McCaslin at her office in the Lexington County Court House asking her to order that The Complete Transcript and the Audio Recording of the motions hearing of April 24, 2023, be delivered to the Defendant/aAppellant Carol Ann Honeycutt. The first motion was mailed to Judge McCaslin on March 18, 2026. The two motions together clearly confirm the law and the facts that Judge McCaslin is responsible to order that defendant be given The Complete Transcript and the Audio Recording of the motions hearing of April 24, 2023, held before her.

The defendant has been blocked illegally from receiving the full transcript since June 6, 2023. Is it possible that Judge McCaslin wanted the appeal to be considered moot to attempt to evade her duty to order the full transcript and audio recording?

If Judge McCaslin did not call the Appellate Court to "handle" this, perhaps, another official from the group mentioned above (who are trying to protect their own interests) may have called. The "invisible respondents," judicial officers, non-parties, include Henrietta Golding and Taylor Voegel, the former attorneys for the Plaintiff/Respondent, and possibly other judges (Judge Kristi Curtis, now an Appellate Court judge, Judge Hyman, or retired Supreme Court Chief Justice Beatty). These officers of the court are connected to this case along with clerks of the Appellate Court who have aided those attorneys, and all of whom have colluded to obstruct justice from the defendant.

Appellate Judge Kristi Curtis could have contacted you to write the letter of April 28 2026. If so, she is acting to defend her own interests and those of this group who do not want the facts and truth of the case to be brought to day light. She was part of the Horry County case and absolutely obstructed justice from the Appellant. I will submit a Motion to Recuse her to prevent her from participating as a judge in this appeal and any that may follow.

C. Appellant requests that you provide a response to the following question:

What influence prompted you, Deputy Smith, to write the letter demanding that Appellant "serve and file a memorandum explaining to the Court how this case is not moot"? Please write a letter explaining who or what prompted you to make this demand.

Your attention to the details of this letter are most appreciated.

Sincerely,



Carol Ann Honeycutt
Appellant, Pro Se
P. O. Box 8574
Myrtle Beach, SC 29578
auso2@southcarolina.usa.com

cc: by USPS & email
Mr. Richard F. Williams, Pro Se
Agent of Record, 25th Avenue LLC.
309 N. Highland Way
Myrtle Beach, South Carolina 29572
rfwms5006@gmail.com

enc.: USPS: PETITION EXHIBITS

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SC Court of Appeals

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