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S.C. SUPREME COURT

IN THE SUPREME COURT OF SOUTH CAROLINA

Linda Kennedy and Marsha Fink,
Petitioners,

v.

Lake Hartwell Resort and Cabins, LLC, et al.,
Respondents.

Supreme Court No.: 2026-001282
Appellate Case No.: 2025-000859
Trial Court Case No.: 2022-CP-04-00592

REPLY TO RETURN for PETITION FOR WRIT OF CERTIORARI
(Rule 242, SCACR)

NOTE REGARDING ADA / ACCESSIBILITY
Petitioners submitted the Cert filing under severe ADA-qualifying visual, limb, structural, neurological, cancer, and many other physical disabilities with the most relevant being intentionally caused, exacerbated, and weaponized by State actors and all SC courts in this case, to include the Supremes. Petitioners require least-restrictive reasonable accommodation (including 60 block time and 200 expanded pages to cover the facts of the underlying case never heard, through Fraud on the Court by the Court and Void ab initio Trial, Appeal and Supreme Court lack of Subject Matter Jurisdiction) and time to review records, with recovery time, to provide a meaningful and full presentation, and that denial of such accommodations has repeatedly been used to engineer procedural dismissals to hide substantive facts that involve corruption in SC Government/Courts. Petitioners need more pages for this as they are both nearly blind at this stage of writing and trying to write with one eye open and other such mechanism to over come the intentional and malicious acts of the SC State Court Judges and their lawyers. This doc needs to be included in ADA Reasonable Accommodation expansion and note all has been rewritten from memory due to eye and limb issues and Dr. Fink dealing with losing half of her hip bone due to these attacks by the Court and neither can continue to be sleep deprived over this or overworked any longer as this aggravates the disability more.

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***USE EMAIL FOR ALL COMMUNICATIONS**

REASONABLE ACCOMMODATIONS DEMAND, already made on all documents. Needed 60 Block Days, 200 PAGES, for initial Brief already Noticed, already requested with filing and no Order Received, and 40 Block Days, and 100 Pages, for Reply that must be ordered before this matter goes past the ADA Demand, and Same with the Rehearing Denials, that demand was made for the very documents filed due to ADA Disabilities that the SC Courts thus far have never honored and often not even given a clear order, which makes the Return Moot. The following has been written with many aids and mics and not proofed for accuracy or spelling/grammar/organization due to ADA Reasonable Accommodations needed and Noticed to all Courts repeatedly. Please see ADA Motion which states conditions. Petitioners were not able to write the last 20 pages as they cannot see the screen any longer and are haging a hard time typing and need this to be included in the ADA Reasonable Accommodations.

TABLE OF CONTENTS

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TABLE OF AUTHORITIES

Cases

Rules

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INTRODUCTION

Respondents' Return does not answer the Petition. It answers a different document, a narrative of page counts and calendar entries, while leaving untouched the central questions the Petition actually raises: whether any court below ever possessed subject matter jurisdiction, whether the repeated refusal to rule on Petitioners' ADA accommodation requests can lawfully produce a dismissal, and whether documented, named conflicts of interest required recusal that never occurred. Respondents' own recitation of the procedural history confirms the core factual predicate of the Petition rather than rebutting it. This Reply is limited to what the Return gets wrong, what it concedes without realizing it, and what it omits entirely. Further, the Respondents did not address the Subject Matter Jurisdiction, Fraud on the Court by the Court, and Mandatory Recusal (SMJ Bundle), filed that was dismissed simultaneous with the Appeal with no stay or neutral judges reviewing the SMJ Bundle, in two footnotes with no real review by neutral fact finders. And the Respondents did not respond to the 40 voids, the shame case that was feigned from the start according to witnesses, the State's own proxies and others not yet mentioned for their safety. Please See, Today's ADA Motion and relation to the Trial Court's sham and void ab initio feigned case being prosecuted by the Judges to bring forth a Unconstitutional Evidentiary Ambushed Hearing not warranted by the SCRCP to dispose of a troubling case.

I. THE RETURN CONFIRMS, IN ITS OWN WORDS, THAT THE ADA MOTIONS WERE NEVER RULED ON, AND THE MARCH 24, 2026 ORDER DISMISSING THE APPEAL MISREPRESENTS THE RECORD.

Respondents' own Statement of the Case establishes the fact Petitioners rely on. Respondents concede that Petitioners filed ADA accommodation motions on January 30, 2026, and February 9, 2026, the second raising cancer, kidney damage, fluid collection, and aggravation of existing conditions. Respondents further concede that "[o]n March 6, 2026, the Court of Appeals noted the two recent filings and indicated it would not take action on either filing." (Return at 4.) in a letter not an Order. Six days later, on March 12, 2026, the Court of Appeals issued a ten-day dismissal deadline. Respondents do not dispute this sequence because they cannot; it is drawn from their own Statement of the Case. The entire correspondence of the Motions and Orders and Letters not approving the Reasonable Accommodations with special needs, and the Orders were not in line with any ADA law. Ex 1, Appeals ADA MOTIONS AND ORDERS/LETTERS, indexed from the Record of the Appeals Court.

The March 24, 2026 dismissal order compounds this failure rather than curing it. That order affirmatively represents that Petitioners' ADA accommodation requests were granted and construed in the light most favorable to Petitioners. No order granting block time, expanded pages, or any other substantive accommodation requested with special needs listed exists anywhere in the record and the Court refused to show where it had approved any reasonable accommodations and/or special needs. This is not an ambiguous or incomplete ruling, it is a specific factual claim, made in the operative dismissal order itself, that is contradicted by the record the Return's own Statement of the Case establishes. A dismissal order cannot rest on a representation of relief granted that was never in fact granted nor can it create the very crisis that it then relies on to dismiss. *Boddie v. Connecticut*, 401 U.S. 371, 377, 91 S.Ct. 780, 786, 28L. Ed. 2d 113 (1971), states that when a state has a monopoly over the means of resolving a dispute through its courts, it cannot arbitrarily deny meaningful judicial process. Further, a court cannot create the crisis and then dismiss because it cannot be met, and in, *Logan v. Zimmerman Brush Co.* 455 U.S. 422, 102 S.Ct. 1148, 71 L. Ed. 2d 265 (1982).

Hagy v. Pruitt, 339 S.C. 425, 429-31, 529 S.E.2d 714, 716-17 (2000), Relief is granted for extrinsic fraud on the theory that because the many extrinsic frauds of the Trial Court, Appeals Court and the Supreme Court have prevented a Petitioners from fully exhibiting and trying their case, and there has never been a real contest before the court on the subject matter, starting with the feigned case where the Judges and others were involved in the underlying causes of action and then presided over the case (witnesses by some of their proxies who became Defendants in written admissions and otherwise). Extrinsic fraud that prevents a party from having a fair opportunity to present their case. It affects the judicial process itself rather than simply the evidence, and it goes for the trial court feigned proceedings also.

This failure recurred another time after his first reference, with a second, independent set of disabilities that are real and documented medically. Approximately one month before dismissal, Petitioners filed a New accommodation request concerning longstanding disabilities independent of any condition caused by the litigation itself. That filing was met with a letter by a clerk indicating no action taken, not a judicial order. Two separate disability groups of motions and orders (and letters); two separate non-responses; neither resolved by actual order and opinion granting the ADA Reasonable Accommodation Demand or addressing the special needs listed; one buried under an affirmatively false claim of the Courts granting and favorable treatment of the Demands in the dismissal order itself that never happened, and in fact the Courts would not even clarify the vague Orders, so that Petitioners could see the granting or denial. The Court repeatedly refused and claimed it was a reconsideration demand under SCRAC 221, when that was the wrong rule and Petitioners clearly demanded repeated Clarification of the Order if it was granted or denied.

II. THE RECORD SHOWS A STRUCTURAL PATTERN, NOT ISOLATED DELAY: ADA RELIEF WAS DENIED ON EVERY GROUND, AT EVERY LEVEL, BY A DIFFERENT MECHANISM EACH TIME

At the Circuit Court, after Respondents' Rule 12(b)(6) motion failed and all but one of Petitioners' successive counsel had unofficially withdrawn from the case, but were still clearly working with the Judges to manipulate the outcome, the Circuit Court's sua sponte evidentiary Ambush hearing gave Petitioners ten active days and twenty pages, including exhibits, to address matters spanning three years of litigation that were not issues at any time around the filings and not objected to. Respondents did not engage the merits of what was filed. The scheduler declined to calendar separate hearing time for Petitioners' accommodation requests even when Petitioners attempted to attach those requests to other scheduled matters, a necessity for disabled litigants who cannot present every issue simultaneously. No ADA accommodation was ever granted at this stage, nor even a continuance.

At the Court of Appeals, Petitioners faced rolling thirty-day windows against a fifty-page limit, and explained in writing that the merits could not be presented within those constraints especially with Petitioners many disabilities that made typing and reading very difficult and back and later hip issues now needing surgery, and crushed vertebrae and seizures from pulling all nighters lifting, starting at screens, typing, and so forth at a very fast and uninterrupted rate to try to continuously save their case rather than going through and organizing and flagging documents to use and so forth. Petitioners have had to write from memory and find what little of the 20,000 pages of evidence they acquired without Discovery/Depositions due to the Courts blocking any chance of Petitioners bringing their case forward. The resulting denials of Petitioners motions did not so much as mention ADA as the purpose for the Ruling/Order as the Courts were playing a game of denial but where they could claim they granted them later. . .just as they did in a very deceptive way to make sure Petitioners never had a chance to presenting meaningful and full Appeal presentation that demanded De Novo review and notice to the Courts of the incredible amount of criminal activity the Judges and lawyers, Allianz, Solicitor General and others were involved in with Petitioners being repeatedly attacked from before the case was ever filed by the States' proxies, that became the Defendants.. Silence, and deception, not engagement, was the response of the Courts taking up Petitioners full time playing this bait and switch legal, extrinsic fraud on the court and Petitioners.

At this Supreme Court, Petitioners embedded ADA accommodation requests throughout the Petition itself, in the body and margins, precisely because Petitioners had no time to prepare a separate, freestanding ADA motion and were having great vision problems. Fifteen days available to prepare this filing were consumed in substantial part by the rehearing petition that had to be completed first in the Court of Appeals. Respondents now argue the Petition should be denied because of its length and the time taken to file it, the very constraint that made separate, compliant ADA filing impossible in the first place, and which was never accommodated. And the filing was not late. Further, when Petitioners moved to a writ of Mandamus, the Court stated they were just filing because they lost, when in fact, the Petitioners had not lost, and were under siege from Mcintosh and his Sua Sponte Evidentiary Ambush in an extrinsic fraud on the court by the court and others, that was not permissible by law (See filed ADA Motion in the Supreme Court on this same day which writing itself shows why Petitioners need proper days and pages to even have a chance at equal access to the Courts and equal protection to file grievances). Further the Supreme Court claimed that if Petitioners were so worried about their health they would not be subpoenaing therefore by not subpoenaing Petitioners would and should lose. This is the assistance the Supreme's gave when Petitioners were suffering from Disabilities that their Judges caused to weaken the target and then Petitioners lack of ability to write a full mandamus was hindered so they were denied? This is the Courts causing the crisis they then use to dismiss the claim which obviously does not involve Neutrality and the allegations raised in Petitioners Amended Complaint said by the proxies in their own quoted statements including about secret and unilateral meetings with the same judges that were involved in the violent causes of action descriptions, and then insisted to preside over the case, is extrinsic fraud on the court by the court, at its finest. And the Case is void ab intio as a feigned case, that never had a chance for a fair trial because the guilty were hearing the case.

Three courts; three different mechanisms of denial — refusal to schedule, silent non-acknowledgment, and structural time compression and coercion— and the same outcome each time for the courts to create the drama and then dismiss because of the drama that could not be satisfied by Disabled litigants or often no other also. This is not the record of a litigant who failed to pursue accommodation. It is the record of a litigant who requested it, demanded it, did so in writing, repeatedly, at every level, and continued to ask for clarification when the Orders were purposely vague or Orders written as letters and even a Laffitte Letter, and received NO reasonable accommodations nowhere. And continuances on a 30-day basis, IF granted, could end at any time keeping Petitioners in a state where they could not organize, get the right documents to use, and write a well thought out argument that MUST overturn such a shocking and Unconstitutional charade of a case at the Trial and Appeals Court level and in the Mandamus also. This led to Petitioners always having to go back and correct the sloppy rushed writing under the prior 30-days, again knowing that this 30 days could be their last, and with regular threats from the Courts and their staff of this being the last continuance and the case would be dismissed if not completed in that time, totally ignoring the ADA and using an Extraordinary standard that violates the ADA Laws on its face. This further pushed Disabled Petitioners beyond their physical capabilities further aggravated these Disabilities listed, already caused by the judges, when they knew they could not complete this work, under these Orders and had to perform more all-nighters, heaving and repeated quick lifting, and creating more injuries and disabilities, refusing ADA Reasonable Accommodations demanded with special needs explained. And the courts absolutely refused more than the minimum 50 pages to make sure Petitioners could not fit the absurdity of the extensive and extrinsic fraud on the court by the court to make sure this case never got passed initial stages, no matter how meritorious and blocking all Discovery to make sure their proxies/Defendants could never be asked under oath about their written omissions and recorded interviews and other evidence that proved and authenticated that the Judges and State Actors were involved in the underlying causes of action against Petitioners to create their Insurance Fraud/Insurance Reserve Fraud Murdaugh-Style scheme in the 10th Cir with Allianz, which required Petitioners be catastrophically harmed or they created a "wrongful death" to initiate the process. ***These admissions are not Petitioners but of those the State hired to do their dirty work for them.***

III. THE RECORD ALSO SHOWS THAT THE ACCOMMODATION PETITIONERS SOUGHT, BLOCK TIME, WAS AVAILABLE TO OTHER LITIGANTS IN THIS COURT SYSTEM WITHOUT ANY SHOWING OF DISABILITY AS WELL AS LARGER BLOCKS OF PAGES AND THE COURT OPEN TO INCREASES ALSO

Petitioners did not request an unlimited or open-ended extension. Petitioners specifically requested a defined block of time sufficient to work at a sustainable pace consistent with documented disability, explaining in writing that repeated short, rolling deadlines — each of which could terminate the case at any moment — forced Petitioners into a chronic state of rush and sleep deprivation that itself worsened the underlying conditions the accommodation was meant to address. That specific request, block time, was never granted at any level, notwithstanding the medical documentation provided.

By contrast, in the related Murdaugh jury-tampering appeal arising from the same circuit, both parties received substantial blocks of extension time, including one extension of ninety days and another of one hundred twenty days, without any showing of disability and without invoking the ADA at all. Both parties' merits briefs also substantially exceeded the applicable page limits under Rule 208(b)(5), SCACR: the appellant's initial brief by eighty-two pages, the respondent's brief by one hundred thirteen pages, and the appellant's reply brief by thirty-eight pages, all without objection or sanction from any court. In contrast, the relief Petitioners specifically requested and were specifically denied, while leaving the wording vague enough for the Court to later say they granted the ADA Reasonable Accommodations, but for Petitioners continually trying to get clarification because they knew they would not have a meaningful appeal without those extensions. Petitioners were demanding meaningful block time and adequate pages, tailored to demonstrated need, where they gave and demonstrated the need, and asked for specific numbers and that the Court be open to evaluate this again as Portioners got close to the due date, just like in Murdaugh and Murdaugh was routinely granted these requests available in this same court system to litigants who did not need to ask for it on disability grounds at all.

And for example, on December 10, 2024, an initial brief was filed after many long continence's granted, of 132 pages rather than 50. A motion for leave to extend, was filed that same day and granted six days later. With ADA matters, a NOTICE is all that is required, and these were listed right on and in the documents filed at the Appeals and Supreme Court because that is all that Petitioners could do after being so beating down physically by the Supreme Court's supervised Judges/lawyers. Notice was given to all of the Courts so denying a mandated ADA Disability reasonable accommodation is the issue again, not going over in pages, and the time that it was filed was on time each time, even when the Appeals Court tried to trick Petitioners into not filing that is in the record with the Supreme Court on why Petitioners filed once and then waited and filed again based on their response to Appeals Court inaction. Do not blame the victim for the extrinsic fraud played against them for years now in these SC Courts.

IV. ALTHOUGH ONLY FOR COMPARISON AS THE ADA LAWS WERE SUFFICIENT FOR THE REASONABLE ACCOMMODATIONS, BUT THE VOLUME AND COMPLEXITY OF PETITIONERS' RECORD WAS EXTENSIVE, AND IS A DIRECT CONSEQUENCE OF THE UNDERLYING FACTS, AND THE ATTORNEYS AND JUDGES VOID AB INITIO CONDUCT, TO HIDE THESE FACTS, NOT A DEFECT IN THE PRESENTATION OF THEM, AND THE COURTS' RESPONSE WAS TO COMPRESS TIME AND PAGES RATHER THAN THE SCHEME BE EXPOSED

When a case is troubling to a court, Petitioners have repeatedly experienced the strategy for the opposition to make it even more complex and outrageous to where it is too hard to break down into appealable issues because there is so much absurdity involved by them. For example, Petitioners had all the evidence a lawyer would dram of to win a case. Written admissions, recordings, witnesses from the State who were willing to testify, and so forth. So the case became complex by absurdity. One absurdity was that Defense actually wrote a motion to dismiss that included a claim that Petitioners didn't comply with Virgin Island Custom as the reason to dismiss the case. And the Court allowed it to stand without sanctions. There were no islanders on the case, the case occurred in Townville, SC, and these were not laws but alleged customs. Obviously, a first year law student would know not to file this, but the lawyers were protected by the Courts who needed this case dismissed without Discovery, as they all were protected the judges, state actors, Allianz, themselves and the Murdaugh scheme implemented, from this case ever seeing the light of day or discovery. Take the Virgin Island absurdity, make it much more complicated than this example, and then multiply this by 20 or 50 or 100, or more, and that is what Petitioner faced where they are now having to Defend and summarize the events, and how this case is extrinsically fraudulent on the court by the court and others and is void ab intio and a sham and feigned proceeding needing Petitioners entries of their last judgments and a NEUTRAL jury called to hear uncapped punitive damages and noneconomic damages and whatever else the jury grants, and that all is joint and several liability no matter the alleged limits and improper spending of the award by bad faith attorneys, judges and Allianz.

Petitioners' record is voluminous because the underlying facts are voluminous, and the proceedings are voluminous, not because Petitioners have failed to organize a simple case that happens to have 24 Causes of Action, not one or two, including the poisoning of Petitioners, the attempts to steal and burn down their camper with them in it, the assault and "Kidnapping" which is the Defendants own words, of the house and dog sitter while trying to steal the camper, and so much more hearing to RICO actions by all involved.

What began as a 24 Count single action against 11 Defendants grew, through Petitioners' own investigations and through documents voluntarily produced by certain Defendants after suit was filed, and before attorneys were involved, which made this case into a substantially larger set of interrelated causes of action, uncovered without the benefit of any formal discovery, depositions, subpoenas, or subpoenas duces tecum at any stage, which is why Petitioners had to investigate so thoroughly, which being thorough and acquiring damaging evidence against the defendants, their handler State Actors, the lawyers colluding with recordings of their Attorneys' conversations and so forth is hard work to have evidence in spite of the stonewalling by lawyers and judges, not reason for sanctions. In fact, in two years, Petitioners attorney filed no motions except one at the end of his representation where the Petitioners forced him to or they would default which is what his plan was to do in collusion with Defense, that will be shown in Federal Court as those hearing and representing are Defendants and material witnesses, because this could not be resolved honestly.

Each layer Petitioners uncovered, over time with admissions embedded in Defendants' own communications, evidence of collusion by Petitioners' own then-counsel and the opposition attorneys legally recorded, and the financial mechanics underlying the claims, generated further, legitimately related claims rather than surplus pages. This became a clear Murdaugh-style thief by the 10th Cir State actors who trained with an some related to fellow Aristocrats, all performing and being covered by the state which has formed its own tax-free Legal Machine Criminal Enterprise (LMCE) at the people's expense. A litigant who uncovers a broader scheme through diligence and attention to detail, by the State Actors and their agents presiding and participating in the case in spite of their collusion and conflicts where they are trying to hide their guilt by blaming the Petitioner for fighting their schemes, is not the those dealing with this sham, thereby disqualified from presenting their evidence the schemers' tried to withhold under normal legal process that they blocked; the volume is evidence of the scheme's scope, not of Petitioners' failure to narrow their case. The case was narrowed to 24 Cause of Action. . .no throw-ins and many others that they chose to not add that are significant and proven from the Defendants Group Texts Admissions. Further, due to the amount of fraud and extrinsic fraud involved, particularity and specificity was often necessary and cutting through the deceptions of the Court and its agents is not usually accomplished with a smoking gun, but putting pieces together to build that case just like any other case, as Defense well knows. The Courts and obviously this colluding law firm and its lawyers who are participating when the entire Firm and its colluding lawyers are being sued on these issues, are obviously from this Return NOT going to say, "yes we colluded, yes we had the case fixing and ex parte orchestrating with Judges, State Actors," and so forth.

When Defense purposely do not answer Discovery Requests for three years and Petitioners attorney admits this in writing once caught and on recording once caught, that is the type of evidence that Petitioners had to collect and organize among many other documents showing same. Paper, recordings, transcripts, motions, and so forth should all build up over 3 years of stonewalling where Petitioners had to find their own evidence to still win the case without the Discovery, Depositions and other rights they have to bring forth their case, not to cower to colluders unlawfully stonewalling and filing frivolous motions that the Court will rule on because of their financial interests and criminality involved in the case, that they need to go away. Filing Motions to Compel and so forth are not sanctionable offenses in a neutral court, those withholding it are. This sometimes is honored when it helps the legal machine like the Discovery-Sanction given to owners of companies in order for Toal to appoint Peter Protopapas to the Receivership. The state cannot have it both ways.

When Defendants were caught ghost-wiring Petitioners own amended complaints while Dodd was claiming he wrote the defense-friendly amendments and they needed filing, then Petitioners must be on guard and be recording to protect their case and their interests when the lies start coming out to defend against such criminal conduct. When Defense defaults, and files void filings on 4/15/22, and all the other lawyers adopt these instead of their own writings, where Attorney, now claims adjuster, Alan Jones from MGC was not even representing some of the Defendants yet filed for them (see Trial Court Record, in a letter from two alleged clients who were not, dated April 19, 2022), and then Petitioners newly hired attorney Dodd (hired on 4/12/22) doesn't tell Petitioners about the voids and defaults, and covers for Defense and tries to get Petitioners to drop these Defendants and causes of action that were defaulted or voided out, claiming Petitioners do not have a case against them when they were two major Defendants that could not be empty chairs, and Petitioners have to go through the entire case quickly to find all these extrinsic frauds that the Court and lawyers were hiding from Petitioners also, and fired Dodd and try to get entries of judgment entered when the Court and Scheduler refused to file or hear the entries of judgment, then there is going to be a lot of paper, even though the Judges and Lawyers, and others don't want that to happen. For Petitioners this was an adversarial case and became outright hostile with the Judges and Lawyers teaming up together to dismiss under any ground, real or imagined, and that is going to cause paper to be filed. When a Bamberg steered judge, Taylor suddenly enters the case by surprise, to try to gaslight Petitioners with the help of Defense, that a Motion is the same as a Responsive Pleading to use the benefits of both and avoid the responsibilities and limitations of either, where there is no such filing as a dual filing by Motion, and Petitioners had to spend time filing and arguing these types of shenanigans from these protected, immoral men taking advantage of little old physically disabled ladies as part of a free for all executed to dismiss their case on any possible grounds, so they could steal the award and hide their crimes. . .then there is going to be paper, investigations into all, interviews with the FBI, calls to the perpetrators and asking questions when deemed needed, legal tape recordings, legal research and writings without the benefit of ADA Reasonable Accommodations. And how about when Dodd and defense tried to move Dodd's hiring date from 4/12/22, into as late as June 27, 2022, to try to prove their could have been no collusion because Dodd wasn't even hired yet. The legal recordings, writings, email confirmations, the texts of Dodd performing under the contract, within two days of signing the agreement, the communications between Dodd and Defense that

Dodd discussed, the promises to enter an appearance when he continued not to, and so forth, make it beyond question when he was hired and when he started the specific duties to amend, discuss the options with the other side on joinder, and so forth. This is as frivolous and fraudulent as an argument can be, and proves they needed to move the hiring date because they were colluding and much but not nearly all was clear and easily proven by the evidence that Petitioners collected, which is why this bad faith Defense argument even exists at all, and must be sanctioned, and all of these attorneys from MGC disqualified as now this newest attorney is part of the Collusion to be stating things he knows or should know are absolutely false, as if he just got hired??? Why is that? Is it because Petitioners have raised the Unconstitutionality, of Judges acting as hostile prosecutors and not following the law and then lying about it as seen in this very Return and Reply clearly show in this appeal?

Appearance dates and hiring dates are not the same as every judge and lawyer knows, and MGC and GCC's time spent on trying to move the hiring date starting just months after Dodd was hired, and hid the defaults and void ab initio filings, that made petitioners spend filings, researching, and writing on this extrinsic fraud on the court protected by these Judges is shameful and not an excuse the Return can use as Defense. The hiring date is the hiring date, and the appearance date Petitioners can do nothing about except try to get Dodd to enter it, which he continually delayed while being in contact with Defense the entire time, so this is a known fraud on the court to present the issues presented thus far.

Further, the Defense also tried to make a clerk's own filing error that was clearly an erro and admitted by the Clerk's office as an error, means that Petitioners should not have to fight this argument in the lower court nor here and now, but they do, as an example of wasting more time and paper that goes into the evidence files for Federal Court. The Defense tried to treat that as an Amended Complaint, to try to erase their defaults and void ab initio filings and adoptions of the void filing as their own. Alleged amended complaints that looked exactly the same as the original complaint and didn't say amended complaint on it, are not Amended Complaints and certainly not filed by Petitioners, but an admitted wrongful filing by the clerk when making more certified copies of the complaint for service to many different states, since the Defendants were actively dodging service, even traveling to other states where bully hunters become to cowardly hunted when called to answer for their abuses. That set of service along cost much more time, papers, energy, video to record all services when the Defense was claiming they were not served repeatedly, and took more time to defend and investigate and write motions about these bad faith acts organized by Defense, as part of the strategy the courts and these lawyers used to tie Petitioners up in bad faith procedure and costs, and then get the case dismissed on Petitioners needing to address these continued bad faith procedure by Defense by allegedly Petitioners were writing too much. Since the FBI has already admitted transcripts have been changed in Petitioners cases, and it happened on 1/11/24, where it didn't even agree with the fake Order the Defense filed, Petitioners always make sure anything they are going to argue is in a Motion, to memorialize the argument no matter what happens with the SC State controlled transcripts, and anyone who thinks that a state should control the transcripts when they are an issue in the matter is ignoring obvious conflicts of interest and neutrality rules that do not even have to be proven, but seen from an objective person view.

When the "wrong" side is going to win on the merits and the law in a case that is not favored to win by the State, the opposition will create an unrelated crisis/chaos to divert the case from law and facts, to some outside matters to stay away from the winning case and find a way to dismiss anyway. This is particularly true under these facts, where Judges and Lawyers are completely ignoring facts and law and creating procedures that have no basis in law or rules to dismiss by any means necessary. This is a Hegelian Dialectic strategy of the disinformers creating a problem (chaos and crisis that does not involve the merits), making Petitioners react and respond to the fraudulent Defense presentations that are frivolous like the Virgin Island fraudulent argument, and that the Court lets stay without sanction, and then the court and lawyers provide the solution by claiming Petitioners filings are too numerous and it is Petitioners fault for trying to save their case from fraudulent procedures used by the Court and lawyers, as reasons why they should be dismissed. This also ignores, even under their own frivolous argument that this is why ADA Reasonable accommodations are necessary, and still not have presented a real argument in good faith.

The Sua Sponte Mcintosh Ambush, and the Appeals Court dismissal, was a part of that strategy, where merits are lost on nonsense that is permitted by the colluding judge, or presented by the Appeals judges acting as hostile prosecution to create the ADA problem then dismiss the case for Petitioners fighting for their right to ADA and to force the Apepals Court to show them where the ADA Order existed that they claimed existed. As for the letter of March 6, 2026, that dealt with the new ADA qualifying Disabilities that hammered home that the Courts were not going to give Petitioners a fair and impartial hearing by providing time blocks necessary and pages needed for Petitioners to outline and provide evidence to these writings, which cannot happen in 30 days and certainly not in 15 days which is why Petitioners noted on all documenta they filed in this matter, notice of reasonable accommodations needs with those filings and after which is all that is required. That request was again denied on rehearing by the Appeals Court totally ignoring a MANDATE, not a discretionary act.

So the same tricks keep being played at the Trial Court, Appeals Court, and at the Supreme Court (not all supreme court tricks are documented in these pages), and the lawyers who participated in this case. . .all of them. . . are taking part in this also with some of the narrative presented here with limited time and space. And now it is before the Supreme Court who denied any assistance to Petitioners when Sua Sponte Mcintosh was ambushing their case totally Constitutionally, on its face, and claims it is responsible for the supervision of all this as these are employees, and some under its Bar agency, and itself has been caught hiding filings, ignoring SMJ Bundles to hear and decide the Murdaugh case anyway, coercing Petitioners to give up and so forth.

These are all sick lawyer and judges games, but not new games and since Petitioners knows of most, these have been written about by Dr. Kennedy in her book, Holodeck Law, and in song on the LMCE site under songs. . .called "Erasure, Reprobate, Grand Model's Ghost, Election by Selection Hoedown and many others posted, and not yet posted" And the hiring date of Dodd is proven to be 4/12/22, three days before Alan Jones filed a void and defaulting Motion to Dismiss he and all attorneys were calling and using as a Responsive Pleading to block Amended Complaints. Petitioners have to stay on top of these matters and contest them to save their case from these crimes and tricks to win over the feigned, predetermined outcome planned intended to protect the Judges and State Actors working with Allianz, so the LMCE can steal the award and money launder through the Insurance Reserve Fraud Account of Allianz, like the Murdaugh case, where some of the Aristocrat bloodline, state actors are related by kin and/or old world networks to same that sit in governing seats or in the bar to all assist other Aristocrats like Murdaugh and Laffitte. This takes time to investigate and write about, especially when Murdaugh and this case are mirror images of each other needing different predetermined results in two feigned cases FROM THE START.

Dealing with such outrageous fraud, that takes our limited time and energy due to disabilities already, to have to deal with matters and schemes to prove the full nature of the suit, and where Petitioners should have won their case by May 18, 2022, if Dodd were really representing Petitioners and is why all the Defense attention and the Courts attention is on that period of time, to try to erase it. A fair and neutral court would have never allowed this.

Blaming the victims, when Dodd and Defense never once went to court and instead stonewalled the case for two years, and promised that no Discovery would ever be exchanged when Discovery was filed just before hiring Dodd on 4/12/22, and having to deal with criminal behavior of lawyers secretly ghost-writing Petitioners amended complaints Petitioners would never approve while Dodd was pressuring them to agree even when the facts were wrong saying the Defense agreed to let that be amended if they file the ghost written amended complaint which would be perjury, and the Defense would also dismiss as none of these lawyers are good for their word and Petitioners would not commit perjury. Additionally, they and the judges and carriers have not acting in any kind of good faith in the writing, "creating" or hearing of the legal arguments because the SC government is involved in the LMCE, and they know the Petitioners can prove it given time and a neutral court and jury.

So, Petitioners do their best to prepare for the next steps that will be much louder than trying to get the perpetrators to do what is right, <u>finally</u>. But first, if the Court ever decides that the best way to deal with this is the fair way, the constant lying and deception have got to stop.

The volume and complexity of the case is not at issue except to describe the hard work Petitioners put in and had to manage in a case where lawyers and judges were not going to comply with any rule or law or rule of ethics, and hijack this case so far away from the troubling merits that they case would never be heard. When Judges are colluders or worse, that can easily happen with predetermined outcomes already written in stone and greed is the payoff.

The legal issues is the ADA law was absolutely not followed and the crisis the courts used, forcing the Petitioner to react to save their case, was then the reason for the dismissal. The volume and complexity is more a description of the work done and having to be sifted through because of the absurd nature of the Defendants, Defense and their protection of and by the Judges to make sure the case never got to discovery, while Petitioners were learning the case was far worse then originally pled and was amending, trying to file suit, trying to consolidate, all blocked by the Courts when it had to do with the RACKETEERING and Collusion discovered and admitted to by the State's own proxies involved, that because the original Defendants. And their actions never stopped until the case was dismissed by Mcintosh, with one being a close friend of Mcintosh himself.

And the work put in to protect their case and move it forward in spite of the stonewalling is not to be a negative and is the proof of Petitioners working hard to catch their case up from the attorney two year collusion where Dodd filed no motions, got no discovery back, and helped Defense stonewall the case, and hide the default sand voids of Defense. Petitioners were busy finding evidence and writing motions for scheduling which was blocked by the scheduler and Mcintosh, since none were given over in discovery with the Courts protection. Petitioner cannot be judge on how much they had to do to protect their case in this environment except to say bravo for going forward in the face of such illegal adversarial conduct. Petitioners were moving their case forward as best they could under the circumstances, and in fact, MGC attorneys listed on the RETURN actually accused Petitioners of NOT prosecuting their case, in a throw all fake accusations at the wall to see which one the judge likes attempt. Filed in August 2024 at the Trial Court under Motion to dismiss, when Allianz was complaining against the attorneys still showing up to argue the case, for dropping the ball against two old ladies.

Faced with that volume and complexity, and with Petitioners' explicit, written explanation of why block time and expanded pages were necessary to present it, and making sure all positioners were in writing, since the courts were banning open court observers, and changing transcripts, and the courts below did not allow the engaging of the substance. They imposed short, rolling deadlines and fixed page limits calibrated to make coherent presentation of the merits impossible, then dismissed for noncompliance with the very limits that made compliance impossible. Physcial Disparities they created plus others and with the compounding of Complexity as described herein, wer met with compression of time and pages, not accommodation.

So any diversion strategy to make the robbers the victim because MGC and GCC got embarrassed by two old ladies with physical health issues, using a cell phone to legal research, and really blocked the robbers trigger finger, is bogus and made in bad faith an fraudulent arguments that MUST BE SANCTIONED as this is all in the record that Petitioners cannot site with limited time and pages. The fact that Petitioners did have to work so hard for denials that were rights and not supposed to be fought over like Discovery, Depositions, Neutral judges, jury trial, etc., is a part of the extrinsic fraud Petitioners have shown repeatedly in the case, in the SMJ Bundles, of which the Supreme Court refused to accept by certified mail to protect from more record manipulation, and otherwise. The issue is that no ADA Reasonable Accommodations were granted and that is proven no matter how much lying any court or attorney continues to do and a reason why, long ago, Dr. Kennedy told the Virginia Supreme Court to please disbar her because there was no way she could honestly tell her clients to come into these courts when this is going on. And that is on recording! Honest lawyers and Judges would have a very hard time justifying working in this environment.

V. RESPONDENTS' CLAIMED CONFUSION ABOUT THE STRUCTURAL-CONFLICT ARGUMENT IS NOT CREDIBLE

Has the attorney read any of the materials or spoken with the attorneys, judges, soliiroy general, two clerks (Reena Thomason, and Elizabeth Beasley), and each other so he can understand why so many Aristocrats and Groomed Elite in the legal system, entrenched and protecting self and each other over the public, who hold all seats of accountability and all pick each other for offices, so that there is no law that matters but what the king grants us.

This is a perfect case to show how the Murdaugh's and the McIntosh's families are related aristocrats along with many others related or Groomed Elite. Showing that in the Murdaugh case, which is the mirror image of **this Murdaugh 2.0** case, the Aristocratic Clerk of Courts, Becky Hier Hill is Kin with Murdaugh and gave him appealable issues on purpose acting on the State's orders, to get him out of a jury conviction on procedure. How the IF/IRF scheme Murdaugh was running was also the same scheme that kin and Groomed Elite trained in Murdaugh Country, in these same fields, were running in the 10th Cir and one additional reason why Petitioners case had to be buried became it shows the broader scope of the crimes and numbers of criminals involved, that the State LMCE is hiding, to include hiding in the Murdaugh feigned case the many others and scope involved by their state appointed investigator's, receiver, and so forth. Respondents represent to this Court that they cannot discern what argument Petitioners are making regarding entrenched conflicts of interest among the judiciary, counsel, legislators (See Bamberg in many of the writings and in the ADA filing on this same date), and other connected actors in this case including Attorney from GCC, G. R. Deloach who put forth such frivolous filings and arguments that disbarment is in order (for all of them). This claimed confusion, does not withstand the record that he claims is intentionally voluminous, but doesn't bother to review it to find that all of this information is covered in Trial Court and Appeals Court filings and many SMJ Bundles filed.

Petitioners have documented specific relationships among named judges, named attorneys — including personnel from Respondents' own retained firm, and GCC, and other named actors since the trial court proceedings, in writing, on the record, at every level of this case, including personnel changes among counsel connected to this litigation as those relationships came under scrutiny due to Petitioners research that the LMCE doesn't like and will not ever rule that the LMCE exists even in settlement, which reasons why are obvious. . Respondents' own counsel and this Court have had notice of these specific, named allegations throughout.

A party's attorney and firm involved as Defendants and Material witnesses, cannot credibly claim inability to understand an argument that is repeatedly made, causing almost all parties and attorneys/judges to flee the case once exposed, and has been on written notice of, naming specific individuals and specific relationships, since the Murdaugh mirror image was exposed in late January 2024. The lawyers who are actually not conflicted out, need to review the case, which is too complex for this attorney to want to put in that work. . .due to the complexity and the volume of the research needed to bring this forth. Those manipulating the system don't like it and want to blame those who have dug for the truth and found it. That is not the standard, but truth is.

Recusal under Caperton v. A.T. Massey Coal Co., 556 U.S. 868, 872 (2009), is not a discretionary courtesy extended when convenient. Where a documented, specific conflict is raised and never addressed by recusal or independent review, the resulting orders are void for the reasons stated in the Petition. Respondents' professed inability to follow this argument does not excuse the failure to address it.

VI. THE RETURN DOES NOT ADDRESS THE SUBJECT MATTER JURISDICTION CHALLENGE AT ANY LEVEL — BECAUSE NO COURT EVER HAVE ADDRESSED IT BUT HID IT, IGNORED IT, LABELED UNDER A DIFFERENT NAME AND DISMISSED IT UNDER THA NAME, AND EVEN HEARD THE MURDUAGH CASE AND OVERTURNED IT AND CLOSE THE FILE, WHILE THE SMJ BUNDLE REMAINS OPEN.

Respondents' Statement of the Case acknowledges that on March 23, 2026, Petitioners filed a subject matter jurisdiction and fraud-on-the-court challenge. Respondents' own account then jumps directly to the March 24, 2026 dismissal order, the next day, without ever describing what the Court of Appeals said about that filing, because the dismissal order addressed it only in an unexplained footnote, without independent review, without stay, and without opinion. Respondents' Argument section does not engage the substance of the SMJ challenge at all; it is folded into the phrase "numerous and lengthy screeds concerning conspiracies and other nonsense." (Return at 6.) That is not a rebuttal. It is a refusal to respond, mirrored at every level of this case: the trial court never docketed the SMJ filing sent to Judge McIntosh; the Court of Appeals dismissed it by unexplained footnote the day after it was filed; and this Court's copy — sent by certified mail specifically because filings sent through ordinary channels had already gone unfiled below — was returned with the sender's address obscured.

Subject matter jurisdiction is not an argument a court may decline to reach because it is inconvenient or voluminous. It is the threshold, non-waivable predicate for the exercise of any judicial power at all. *Thomas & Howard Co. v. T.W. Graham & Co.*, 318 S.C. 286, 291, 457 S.E.2d 340, 343 (1995) ("A judgment of a court without subject matter jurisdiction is void."). A court cannot lawfully dismiss an appeal while an unresolved challenge to its own jurisdiction to do so remains pending, unaddressed, before it.

VII. RESPONDENTS' "SIX EXTENSIONS, THREE HUNDRED DAYS" NARRATIVE OMITS WHAT EVERY ONE OF THOSE FILINGS ACTUALLY SAID, AND OMITS PETITIONERS' OWN COUNSEL'S ROLE

Respondents characterize Petitioners' filings as a pattern of noncompliance. Their own Statement of the Case shows the opposite: every filing Respondents cite was a request for the specific ADA accommodation Petitioners had already explained was medically necessary, repeated because the Court of Appeals repeatedly declined to grant it, correct it, or rule on it in a real order. A portion of the underlying delay is further attributable not to Petitioners but to Petitioners' own then-retained appellate counsel, later discovered to be acting in collusion with Defense, who failed to advance the positions Petitioners had instructed him to raise before he was terminated. Under settled principle, an innocent party cannot be bound by the misconduct of wrongdoer, including their own counsel acting adverse to their interests. The Appeal and Trial Courts errored severely and completely staging a feigned case with the State Actors own proxies admitting in writing that they were planning to Cause of Action with the State (Judges in question and others) long before they happened and long before Petitioners even filed suit in the 10th Cir, where these same Judges insisted on presiding over the case, and their lawyers friends insisted on not removing themselves, including the Petitioners own attorney until they fired him in Court. But even beyond these open extrinsic frauds on the court by the court and others, the Trial and Appeals Court have ignored all law relating to Due Process including the ADA mandates that are not discretionary and then manipulated and outright lied in their order unlawfully dismissing the appeal with SMJ Bundel not properly addressed in the same Order in footnotes with no opinion and no neutral reviewer.

CONCLUSION

For the foregoing reasons, and for the reasons stated in the Petition. ADA Motion filed today, the SMJ Bundles and all the records of the Trial, Appeal, Suprme and Murdugh/Asbestos cases that are related, this Court should grant the first rule this case is null and void due to sham/feigned proceedings and award the entry of judgment and jury findings on all matters not already listed in the judgment entry, and take further action against all those who participated in these void, extrinsic fraud proceeding, sand notify its state employer to enter into good faith negotiations to finally resolve this case and leave Petitioners alone. If the Writ of Certiorari is coming, then the Defense lost the argument already and the Court should again do the above to end this matter finally. If the Court really thinks the Defense put on legitimate arguments which are fraudulent on their face, then grant the cert,, vacate the dismissal, and remand with instructions to enter judgment for Petioiners as filed by them in the last filing and go forth from there to a jury for damages not listed and other injuries they deem worth of additional award, without limits by Allianz and jointly and severally applied to all defendants and sanctions against attorneys and firm and Judges, and that the subject matter jurisdiction challenge dismiss the perpetrators right to continue and vacate and void all of their proceedings to make Petioners absolutely whole, and judges making any other decisions as described must be the recusal issues, including ADA accommodation must be made by neutral judges as all must recuse, and all lawyers disqualify form MGC or GCC and all judges involved must recuse, with demand to be heard and decided by neutral order and opinion of an before any further proceedings on the merits and substantive issues can proceed, if any needed after this Order. Reasonable accommodation demand includes this document.

Submitted,

Dr. Linda Kennedy, J.D., B.S., B.A. (pro se) 7/16/26
Dr. Marsha Fink, J.D., B.A. (pro se) filing jointly, 7/16/26

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***USE EMAIL FOR ALL COMMUNICATIONS**

REASONABLE ACCOMMODATIONS DEMAND, already made on all documents. Needed 60 Block Days, 200 PAGES, for initial Brief already Noticed, already requested with filing and no Order Received, and 40 Block Days, and 100 Pages, for Reply that must be ordered before this matter goes past the ADA Demand, and Same with the Rehearing Denials, that demand was made for the very documents filed due to ADA Disabilities that the SC Courts thus far have never honored and often not even given a clear order, which makes the Return Moot. The following has been written with many aids and mics and not proofed for accuracy or spelling/grammar/organization due to ADA Reasonable Accommodations needed and Noticed to all Courts repeatedly. Please see ADA Motion which states conditions.

Include are all records and the SMJ Bundles filed in all courts, the ADA Recusal and Evidentiary hearing and SMJ Bundle further discussed, filed this same day in the Supreme Court.