RECEIVED
Aug 07 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

IN THE SUPREME COURT'S ORIGINAL JURISDICTION

Court of Appeals Case No. 2024-001734

Olga Teslenko, Petitioner,

v.

Jenny A. Kitchings, in her official capacity as Clerk of the South Carolina Court of Appeals, Respondent.

VERIFIED PETITION FOR WRIT OF MANDAMUS, EMERGENCY MOTION FOR INTERIM STAY, AND REQUEST FOR EXPEDITED CONSIDERATION

Olga Teslenko, Petitioner Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
osenochen@gmail.com
(510) 388-2780

August 7, 2026.

TABLE OF CONTENTS

TABLE OF AUTHORITIES 3
STATEMENT OF THE ISSUE PRESENTED 3
PETITION FOR WRIT OF MANDAMUS AND INTERIM STAY 3
CONSTITUTIONAL PROVISIONS AND JURISDICTION 4
STATEMENT OF THE CASE AND RELEVANT FACTS 5
I. The Parties. 5
II. The Relevant Facts. 5
ARGUMENT 6
I. Petitioner Has a Specific Legal Right to Have Her Amended Petition for Rehearing Judicially Adjudicated. 6
II. Respondent Clerk Has a Mandatory, Non-Discretionary Ministerial Duty to Docket and Transmit Substantive Pleadings for Judicial Adjudication. 8
III. Respondent Clerk Breached Her Ministerial Duty by Intercepting Petitioner's Filing and Unlawfully Exercising Ultra Vires Judicial Power. 10
IV. Petitioner Has No Other Adequate Legal Remedy and Has Exhausted All Available Lower Court Procedures. 11
V. Writ of Mandamus Is the Sole Remaining Remedy to Enforce Petitioner's Fundamental Rights to Due Process and Access to Courts. 13
VI. Emergency Statement and Request for Immediate Interim Stay. 13
CONCLUSION AND PRAYER FOR RELIEF 15
VERIFICATION / RULE 245 AFFIDAVIT OF OLGA TESLENKO 16
CERTIFICATE OF SERVICE 18
APPENDIX ..... (Filed as a separate PDF document, App. pp. 1–99)

TABLE OF AUTHORITIES

Constitutional Provisions:
U.S. Constitution, Amend. XIV, § 1
S.C. Constitution, Art. I, § 3
S.C. Constitution, Art. I, § 9
S.C. Constitution, Art. V, § 1

Statutes:
42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)
S.C. Code Ann. § 14-3-310
S.C. Code Ann. § 14-17-210 et seq

Rules:
Rule 221, SCACR
Rule 240, SCACR
Rule 245, SCACR
Rule 208, SCACR
Rule 501, SCACR

Case Law:
Barnes v. State, 433 S.C. 400, 858 S.E.2d 809 (S.C. 2021)
Miller v. State, 377 S.C. 99, 659 S.E.2d 492 (S.C. 2008)
Redmond v. Lexington Cty. Sch. Dist. Four, 314 S.C. 431, 437, 445 S.E.2d 441, 445 (1994)

STATEMENT OF THE ISSUE PRESENTED

Whether Petitioner is entitled to a Writ of Mandamus and Emergency Interim Stay where Respondent Clerk of Court breached her mandatory, non-discretionary ministerial duty under *Barnes v. State* and *Miller v. State* to docket Petitioner's Amended Petition for Rehearing of the April 21, 2026 Order with Suggestion for Rehearing En Banc under its lawful procedural classification and transmit it to the appellate court for judicial determination, and instead reclassified the pleading as "correspondence," issued an administrative "No Action" letter, and ordered the incomplete Record on Appeal and unsupported Final Brief submitted by August 20, 2026, thereby intercepting the filing before it reached the bench and depriving Petitioner of her constitutional rights to due process and access to courts.

PETITION FOR WRIT OF MANDAMUS AND INTERIM STAY

To the Honorable Chief Justice and Justices of the Supreme Court of South Carolina:

Petitioner respectfully requests expedited consideration of this Verified Petition for Writ of Mandamus and Emergency Motion for Interim Stay in this Court's original jurisdiction pursuant to Rule 245(b), SCACR. The facts giving rise to this Petition are undisputed.

Petitioner respectfully requests that this Court: (1) Accept this proceeding in its original jurisdiction pursuant to Rule 245(b), SCACR; (2) Issue an immediate interim stay halting Respondent Clerk's July 21, 2026 directive requiring the Record on Appeal and Final Brief by August 20, 2026; and (3) Issue a Writ of Mandamus directing Respondent Clerk to docket as a substantive pleading Petitioner's May 21, 2026 Amended Petition for Rehearing of the April 21, 2026 Order with Suggestion for Rehearing En Banc ("Amended Petition for Rehearing") and transmit it to the Court of Appeals for judicial determination and entry of a written judicial order.

Petitioner's May 21, 2026 Amended Petition for Rehearing demonstrated critical errors in the Court of Appeals' April 21, 2026 Order. By refusing to transmit the petition for judicial adjudication, Respondent Clerk prevented the Court of Appeals panel from ruling on issues that directly impact the completeness and accuracy of the Record on Appeal. By administratively dismissing the petition in a letter, Respondent Clerk has effectively foreclosed the appeal, preventing any judicial review of its merits.

An extraordinary Writ of Mandamus is necessary to compel Respondent Clerk to perform her mandatory ministerial duty to docket the Amended Petition for Rehearing under its lawful procedural classification and immediately transmit it to the Court of Appeals Panel for determination on the merits and entry of a written judicial order. An interim stay is necessary to preserve Petitioner's right of access to courts and due process, preventing Petitioner from being forced to submit an unsupported Final Brief and incomplete Record on Appeal before her petition for rehearing has received judicial adjudication.

CONSTITUTIONAL PROVISIONS AND JURISDICTION

This matter directly implicates the following constitutional guarantees:

1. U.S. Const. amend. XIV, § 1 (Guaranteeing Due Process of Law and Equal Protection under the laws);
2. S.C. Const. art. I, § 3 (Guaranteeing Due Process and Equal Protection);
3. S.C. Const. art. I, § 9 (Mandating that all courts shall be open and remedies administered by due course of law).

This Court has authority to issue the requested Writ of Mandamus pursuant to Article V, Section 5 of the South Carolina Constitution; South Carolina Code Ann. § 14-3-310; and Rule 245(b), SCACR.

Petitioner invokes this Court's original jurisdiction because she has exhausted all available avenues in the Court of Appeals. Respondent Clerk docketed Petitioner's timely filed

May 5, 2026 Petition for Rehearing as "correspondence", compelling Petitioner to file an amended petition. After Petitioner timely filed her May 21, 2026 Amended Petition for Rehearing, Respondent Clerk again docketed the pleading as "correspondence" and dismissed it in an administrative "No Action" letter, blocking the filing from judicial review and denying Petitioner's right to due process and access to the court. Respondent Clerk then issued an administrative order requiring submission of the incomplete Record on Appeal and unsupported Final Brief by August 20, 2026.

Because the underlying facts are undisputed and this matter presents purely legal questions regarding a clerk's mandatory ministerial duties under *Barnes v. State*, 433 S.C. 400 (2021) and *Miller v. State*, 377 S.C. 99 (2008), exercise of this Court's original jurisdiction is appropriate.

Under South Carolina law, a clerk of court possesses no statutory or constitutional authority to evaluate the legal merits of a pleading, reclassify substantive filings as "correspondence," decline to transmit pleadings to the bench, or dismiss them in a letter. When a clerk fails or refuses to perform a non-discretionary ministerial duty—such as docketing a properly served pleading under its lawful procedural classification rather than reclassifying it as administrative correspondence—a Writ of Mandamus is the proper remedy to compel performance and restore the matter to the Court.

STATEMENT OF THE CASE AND RELEVANT FACTS

I. The Parties.

Petitioner Olga Teslenko ("Petitioner") is the Appellant in South Carolina Court of Appeals Case No. 2024-001734.

Respondent Jenny A. Kitchings ("Respondent Clerk") is the Clerk of the South Carolina Court of Appeals, sued in her official capacity.

II. The Relevant Facts.

On April 21, 2026, an Order titled "Appellant's Motions" was issued in Appellate Case No. 2024-001734, docketed as "non-dispositional" (App. pp. 4–7). Among other rulings, the Order effectively denied Petitioner's unopposed motion to compel transmission of trial evidence, excluding critical trial evidence from appellate review (App. pp. 16–28).

On May 5, 2026, Petitioner timely filed a Petition for Rehearing En Banc of the April 21, 2026 Order demonstrating that, although labeled "non-dispositional," the Order fatally

foreclosed the appeal (App. pp. 8–9). Respondent Clerk reclassified and docketed this substantive pleading as "correspondence" (App. pp. 10–14).

To ensure strict literal compliance with court rules, on May 21, 2026, Petitioner filed an Amended Petition for Rehearing of the April 21, 2026 Order with Suggestion for Rehearing En Banc ("Amended Petition for Rehearing") (App. pp. 15–90). Respondent Clerk again reclassified and docketed this substantive pleading as "correspondence" (App. pp. 10–14).

On June 24, 2026, without transmitting the filing to the bench for judicial determination on the merits, Respondent Clerk administratively rejected the filing via a "No Action" letter (App. pp. 91–92).

On July 21, 2026, Respondent Clerk issued directives ordering Petitioner to submit the incomplete Record on Appeal, devoid of key trial evidence, and unsupported Final Brief by August 20, 2026 (App. pp. 93–97).

Throughout the appellate proceedings for nearly two years, Petitioner has repeatedly sought to ensure a complete record but her unopposed motions to compel transmission have been systematically blocked from judicial review (App. pp. 20–27; 80–90).

Because Respondent Clerk continues to administratively intercept and reject substantive filings, further requests to the Court of Appeals are futile, leaving Petitioner with no adequate remedy at law other than invoking this Court's original writ jurisdiction (App. pp. 16–28; 81–85).

ARGUMENT

I. Petitioner Has a Specific Legal Right to Have Her Amended Petition for Rehearing Judicially Adjudicated.

To obtain a Writ of Mandamus, a petitioner must demonstrate a clear, specific legal right to the performance of the act requested. Petitioner meets this threshold because both the South Carolina Constitution and the South Carolina Appellate Court Rules guarantee every litigant the right to have properly filed, substantive pleadings adjudicated by a judge or appellate panel rather than summarily disposed of by administrative personnel.

A. Constitutional Right of Access to Courts and Due Process

Article I, Section 9 of the South Carolina Constitution explicitly commands that "[a]ll courts shall be open, and every person, for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law." This fundamental Open Courts Clause, alongside the guarantees of Due Process under Article I, Section 3 of the South Carolina

Constitution and the Fourteenth Amendment to the United States Constitution, secures more than a physical right to enter a courtroom—it guarantees the right to meaningful judicial process.

Central to due process is the right to have legal controversies and dispositive procedural orders evaluated and decided by the judiciary. Article V, Section 1 of the South Carolina Constitution vests the judicial power of this State exclusively in the Judicial System. Administrative court personnel possess no independent judicial power. Furthermore, the Preamble to the South Carolina Code of Judicial Conduct confirms that "our legal system is based on the principle that an independent, fair and competent judiciary will interpret and apply the laws that govern us" (Rule 501, SCACR). When a litigant files a timely substantive pleading seeking relief from an order that forecloses key trial evidence, the Constitution creates a clear legal right to have that pleading placed before a judicial officer for decision.

B. Procedural Right to Seek Rehearing under the Appellate Court Rules

This constitutional guarantee is operationalized through the South Carolina Appellate Court Rules. Rule 221, SCACR, expressly establishes the procedural mechanism for a party to file a petition for rehearing to correct points of law or fact overlooked or misapprehended by the court. Similarly, Rule 240, SCACR, governs suggestions for rehearing en banc.

Here, Petitioner timely filed her Amended Petition for Rehearing on May 21, 2026, challenging the Court of Appeals' April 21, 2026 Order (App. pp. 15–90). Although Respondent Clerk labeled that Order "non-dispositional," the Order in practical operation acted as a constructive dismissal by excluding foundational trial evidence and rendering the appeal unreviewable on its merits (App. pp. 4–7). Because the April 21 Order directly impaired Petitioner's substantive rights, Petitioner had a clear, procedural right under Rule 221 and Rule 240 to petition the Court of Appeals for rehearing and to receive a judicial determination on that petition.

C. The Absolute Constitutional and Procedural Right to a Judicial Adjudication on the Merits and a Written Judicial Order

Petitioner does not seek through this mandamus to dictate the substantive outcome of her Amended Petition for Rehearing. Whether the Court of Appeals ultimately grants rehearing, modifies its April 21, 2026 Order, or denies the petition in its entirety, Petitioner has an absolute, enforceable legal right to an actual written judicial order entered by an appellate judge or panel.

Under South Carolina law, administrative personnel cannot substitute an informal "No Action" letter for a formal judicial ruling. A clerk's administrative rejection does not constitute

judicial adjudication. By reclassifying Petitioner's Amended Petition for Rehearing as "correspondence" and issuing an administrative rejection letter, Respondent Clerk intercepted the pleading before it reached the bench, depriving Petitioner of her clear legal right to judicial review.

A written judicial order—regardless of whether it grants or denies relief—is a mandatory prerequisite for creating a clear, reviewable appellate record. Without a written judicial order from the Court of Appeals panel, Petitioner is trapped in a procedural nullity: unable to seek further appellate review or certiorari in this Court because there is no judicial order to appeal, yet forced by Respondent Clerk to submit an incomplete Record on Appeal under threat of administrative dismissal.

Under established South Carolina jurisprudence, substance governs over label. Even if a filing is titled a "Petition for Rehearing" regarding an order labeled "non-dispositional", an appellate court possesses inherent judicial power to reconsider, clarify, or vacate its interlocutory directives when a party demonstrates that an order operates as a constructive dismissal by excluding foundational trial evidence. Whether a pleading validly invokes that inherent power or falls under Rule 221, SCACR, is a legal question reserved exclusively for the judicial panel, not administrative staff.

Because the fundamental right to judicial review of properly filed appellate petitions is guaranteed by the Constitution and court rules, Petitioner has satisfied the first prerequisite for a Writ of Mandamus.

II. Respondent Clerk Has a Mandatory, Non-Discretionary Ministerial Duty to Docket and Transmit Substantive Pleadings for Judicial Adjudication.

The second prerequisite for a Writ of Mandamus is the existence of a mandatory, non-discretionary ministerial duty resting upon the respondent. Under long-standing South Carolina law, a clerk of court is a purely ministerial officer devoid of discretionary judicial authority. When a litigant submits a substantive pleading for filing, the clerk's duty to docket and transmit that pleading to the bench is absolute, imperative, and non-discretionary.

A. The Nature of a Ministerial Duty Under South Carolina Law

The South Carolina Supreme Court has defined a ministerial duty as one that is "absolute, certain, and imperative, involving merely the execution of a specific duty arising from fixed and designated facts." *Redmond v. Lexington Cty. Sch. Dist. Four*, 314 S.C. 431, 437, 445 S.E.2d 441, 445 (1994).

A clerk of court operates strictly within these ministerial bounds. See S.C. Code Ann. § 14-17-210 et seq. A clerk possesses no judicial authority to evaluate the legal merits or procedural classification of a document delivered for filing. When a pleading is timely served to the clerk's office, the law leaves the clerk no discretion to refuse, reclassify, or administratively dispose of the filing.

B. Binding Precedent Strictly Prohibits Clerks from Making Legal Determinations or Acting as Gatekeepers

The South Carolina Supreme Court has repeatedly and unequivocally held that clerks of court possess zero legal authority to evaluate the validity, applicability, or legal merit of a pleading delivered for filing and may not act as gatekeepers to the judiciary.

In *Miller v. State*, 377 S.C. 99, 659 S.E.2d 492 (2008), this Court established the strict constitutional boundary separating administrative function from judicial power:

> Although a... petition may be flawed on a number of procedural and substantive grounds, it is not within the Clerk of Court's authority to refuse to perform her duty based on her opinion that a filing lacks legal merit or is untimely... A clerk of court does not have the authority to reject a filing based on ostensible or perceived failures.

Id. at 102, 659 S.E.2d at 493–94.

The Court explicitly held that a clerk's duty is strictly confined to administrative verification and forwarding the pleading to the court: "[t]he Clerk of Court has the ministerial duty to verify the petition contains a case caption, a proper county designation, and the signature of the filing party, and to forward a copy of the petition to the [appropriate] office". Id. at 102, 659 S.E.2d at 493–94. Because "the Clerk of Court's duty is not discretionary," a pleading cannot fail to conform in a way that empowers a clerk to block it from reaching the bench. Id.

This core principle was explicitly reaffirmed in *Barnes v. State*, 433 S.C. 400, 858 S.E.2d 809 (2021), where this Court reminded "clerks of courts of their ministerial duty to docket filings irrespective of potential procedural flaws that may exist." Id. at 404 n.2, 858 S.E.2d at 811 n.2. Under *Barnes* and *Miller*, the determination of whether a pleading is procedurally proper or legally meritorious belongs exclusively to the court, not to the clerk.

Respondent Clerk cannot evade *Miller* and *Barnes* by claiming that Rule 221(c), SCACR, does not apply to "non-dispositional" orders when Petitioner's pleading asserted the Order's fatal, constructive dispositive effect (App. pp. 8–9; 15–90). Under Miller, a clerk possesses zero discretion to make that legal determination.

Determining whether Rule 221 applies or whether an order operates as a dispositional ruling is an exercise of judicial power vested exclusively in the bench under Article V, Section 1 of the South Carolina Constitution. When Respondent Clerk evaluated Petitioner's May 21, 2026 filing, determined it fell outside Rule 221, reclassified it as "correspondence", and issued a "No Action" letter, Respondent Clerk unlawfully usurped judicial authority and directly violated the mandatory commands of *Miller* and *Barnes*.

Because Respondent Clerk's duty to docket and transmit substantive filings for judicial adjudication is absolute and non-discretionary, the second prerequisite for a Writ of Mandamus is satisfied.

III. Respondent Clerk Breached Her Ministerial Duty by Intercepting Petitioner's Filing and Unlawfully Exercising Ultra Vires Judicial Power.

The third prerequisite for a Writ of Mandamus is the respondent's failure or refusal to perform a mandatory, ministerial duty. Here, Respondent Clerk breached her duty when she received Petitioner's timely filed May 21, 2026 Amended Petition for Rehearing [App. pp. 15–90]. Rather than performing the mechanical duty of formally docketing the pleading and transmitting it to the appellate panel for review, Respondent Clerk:

1. Reclassified and docketed the substantive pleading as "correspondence";
2. Intercepted the pleading before it reached the bench; and
3. Administratively rejected and dismissed the pleading via a "No Action" letter on June 24, 2026 (App. pp. 91–92).

A. Reclassifying and Rejecting a Substantive Pleading Is an Ultra Vires Act

In her June 24, 2026 "No Action" letter, Respondent Clerk cited Rule 221(c), SCACR, as the basis for administratively rejecting Petitioner's filing (App. pp. 91–92). By doing so, Respondent Clerk exceeded her statutory authority and engaged in an ultra vires act.

Under Article V, Section 1 of the South Carolina Constitution, judicial power is vested exclusively in the court system, not in administrative court personnel. Determining whether an order is "dispositional" or "non-dispositional," or whether an order operates as a constructive dismissal that forecloses a party's appeal, is an inherently judicial inquiry. Evaluating a petition for rehearing that asserts an order has a constructive dispositive effect requires legal interpretation—a function reserved solely for the appellate panel.

If a petition for rehearing asserts that an order has the practical effect of a final disposition, it is for the panel of judges—not the clerk—to evaluate the pleading and issue a

judicial order stating whether the petition is entertained under Rule 221(c), SCACR. A clerk cannot substitute an administrative letter for a judicial ruling.

B. Respondent Clerk's Gatekeeping Violates *Miller* and *Barnes*

By reclassifying Petitioner's May 21, 2026 Amended Petition for Rehearing as "correspondence" and issuing a "No Action" letter, Respondent Clerk evaluated the legal character of the pleading and unilaterally barred it from judicial review.

This administrative dismissal directly violates the mandates of *Miller v. State*, 377 S.C. 99, 659 S.E.2d 492 (2008) and *Barnes v. State*, 433 S.C. 400, 858 S.E.2d 809 (2021). Under established precedent, a clerk of court possesses no authority to refuse to place a filing before the bench based on an administrative opinion. A clerk may not exercise pseudo-judicial gatekeeping to prevent a litigant from obtaining a judicial ruling from a panel of judges.

Because Respondent Clerk failed to perform her mandatory ministerial duty to docket and submit Petitioner's May 21, 2026 Amended Petition for Rehearing to the bench, and instead unilaterally disposed of it via an administrative letter, Respondent Clerk violated her clear legal duty, satisfying the third element for a Writ of Mandamus.

C. This Mandamus Action Does Not Seek to Control Judicial Discretion or Interfere with Bench Rulings

To be clear, this Petition for Writ of Mandamus does not ask this Court to direct how the Court of Appeals panel should rule on the merits of Petitioner's May 21, 2026 Amended Petition for Rehearing. Nor does it ask this Court to compel the lower court judges to grant substantive relief requested.

Rather, this action strictly targets the administrative obstruction created by Respondent Clerk. Mandamus is directed solely to Respondent Clerk's non-discretionary ministerial duty to remove the administrative gate, docket the substantive pleading under its lawful procedural classification, and place it before the Court of Appeals for judicial determination and entry of a written judicial order.

IV. Petitioner Has No Other Adequate Legal Remedy and Has Exhausted All Available Lower Court Procedures.

The fourth prerequisite for a Writ of Mandamus is the absence of any other adequate, specific legal remedy. Mandamus is an extraordinary remedy appropriate when standard judicial channels are foreclosed or rendered ineffective by administrative action. Petitioner meets this final requirement because Respondent Clerk's administrative interception has created an

absolute procedural impasse, leaving Petitioner with no remaining legal mechanism within the Court of Appeals to compel judicial review of her filing.

A. An Administrative "No Action" Letter Is Non-Appealable and Forecloses Standard Judicial Channels.

Under the South Carolina Appellate Court Rules, appellate review and motion practice require a judicial order or ruling. When a judicial panel issues an order, a litigant may seek rehearing or petition higher court review under established procedural rules.

Here, however, Respondent Clerk did not transmit Petitioner's May 21, 2026 Amended Petition for Rehearing to a judicial panel for disposition; instead, Respondent Clerk issued an administrative "No Action" letter on June 24, 2026 (App. pp. 91–92). An administrative letter issued by a court clerk is not a judicial order, is not entered on the court's official record as an adjudication, and cannot be directly appealed through standard appellate procedure. Because Respondent Clerk refused to allow a judicial order to be generated, Petitioner is legally barred from pursuing ordinary appellate remedies to challenge the Clerk's administrative action.

B. Further Filings in the Court of Appeals Are Demonstrably Futile

Petitioner has exhausted every reasonable avenue within the lower court to cure any perceived procedural defect:

1. On May 5, 2026, Petitioner filed her initial Petition for Rehearing En Banc (App. pp. 8–9).

2. When Respondent Clerk reclassified that pleading as "correspondence" (App. pp. 10–14), Petitioner did not abandon lower court remedies; rather, on May 21, 2026, Petitioner filed an Amended Petition for Rehearing of the April 21, 2026 Order with Suggestion for Rehearing En Banc to ensure strict literal compliance with court rules (App. pp. 15–90).

3. Respondent Clerk again intercepted and reclassified the amended substantive filing as "correspondence" and issued an administrative rejection on June 24, 2026 (App. pp. 10–14; 91–92).

This sequence demonstrates that any further filings or motions submitted to Respondent Clerk would be intercepted, reclassified, and rejected in the exact same administrative manner. South Carolina law does not require a litigant to engage in futile, repetitive efforts when the administrative authority continuously blocks access to the bench.

Because Petitioner has no appealable order, no further administrative recourse, and no

other adequate remedy at law to compel Respondent Clerk to perform her mandatory duty, Petitioner has satisfied the fourth and final prerequisite for a Writ of Mandamus.

V. Writ of Mandamus Is the Sole Remaining Remedy to Enforce Petitioner's Fundamental Rights to Due Process and Access to Courts.

"Mandamus is the highest judicial writ and is issued to compel a public official to perform a ministerial duty, not a discretionary duty, and only when there is a specific right to be enforced, a positive duty to be performed, and no other available legal remedy". *Miller v. State*, 377 S.C. 99, 102, 659 S.E.2d 492, 493 (S.C. 2008).

Petitioner meets every prerequisite established by this Court's jurisprudence:

1. Specific Right: Petitioner possesses a clear right under the South Carolina Constitution and Appellate Court Rules to have her timely May 21, 2026 Amended Petition for Rehearing judicially adjudicated by a panel of the Court of Appeals.

2. Positive Ministerial Duty: Respondent Clerk owes an absolute, non-discretionary ministerial duty to docket and transmit served substantive pleadings to the bench for judicial decision.

3. Breach: Respondent Clerk failed and refused to perform this duty by reclassifying the pleading as "correspondence" and issuing an administrative "No Action" rejection letter.

4. Absence of Other Remedy: Because an administrative letter is non-appealable and Respondent Clerk continuously intercepts substantive filings, Petitioner has no other legal avenue to compel judicial review.

Beyond satisfying these four technical requirements, Mandamus is constitutionally imperative here. By administratively blocking Petitioner's pleading from reaching the bench, Respondent Clerk has effectively insulated an order that forecloses appellate review from judicial scrutiny. Mandamus is necessary to vindicate Article I, Section 9 of the South Carolina Constitution and prevent a complete breakdown of due process.

VI. Emergency Statement and Request for Immediate Interim Stay.

A. Respondent Clerk's Directives Create an Unresolvable Jurisdictional and Procedural Trap.

The necessity for an immediate interim stay under Rule 245(b), SCACR, is imperative because Respondent Clerk's directives setting an August 20, 2026 deadline create an immediate threat to this Court's jurisdiction and Petitioner's constitutional rights.

Following her administrative rejection of the Amended Petition for Rehearing,

Respondent Clerk issued directives setting an August 20 deadline to submit the incomplete Record on Appeal and unsupported Final Brief by August 20, 2026 (App. pp. 93–97):

1. Forced Waver: If Petitioner complies with the directives by submitting the incomplete Record on Appeal in its current state—which excludes critical trial evidence pursuant to the April 21 Order—she faces the argument that she has acquiesced to an incomplete record, thereby waiving her evidentiary objections and foreclosing her equitable claims.
2. Administrative Default: If Petitioner refuses to file the incomplete Record while her rehearing petition remains administratively intercepted, Respondent Clerk will administratively dismiss the entire appeal for failure to comply with court directives under Rule 208, SCACR.

This administrative trap directly threatens this Court's original jurisdiction and effectively forecloses the appeal before any appellate panel has ever ruled upon Petitioner's timely May 21, 2026 Amended Petition for Rehearing.

An immediate interim stay of all Court of Appeals deadlines in Case No. 2024-001734 is necessary to preserve the status quo, prevent a constructive administrative forfeiture of Petitioner's direct appeal, and ensure that this mandamus proceeding is not rendered moot by an administrative dismissal in the lower court.

B. Immediate Stay Is Necessary to Prevent Irreparable Harm and Preserve Jurisdiction

Unless this Court issues an immediate Order staying Respondent Clerk's July 21, 2026 directives pending the final disposition of this Petition for Writ of Mandamus, Petitioner will suffer immediate and irreparable harm: her constitutional right to appellate review will be permanently foreclosed on August 20, 2026, without a single judicial officer ever evaluating her rehearing petition.

Furthermore, forcing Petitioner to navigate this administrative obstruction—while her motion for ADA accommodations has been left unadjudicated pursuant to the April 21 Order—imposes untenable physical and ongoing prejudice.

To prevent a constructive administrative forfeiture of Petitioner's appeal, Petitioner respectfully requests that this Court issue an immediate interim stay of all appellate deadlines in Case No. 2024-001734, specifically staying Respondent Clerk's July 21, 2026 directives pending resolution of this Mandamus proceeding.

CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, Petitioner has established a clear legal right to judicial review, a mandatory non-discretionary duty resting upon Respondent Clerk, the ultra vires refusal to perform that duty, and the absence of any other adequate legal remedy.

WHEREFORE, Petitioner respectfully prays that this Honorable Court:

1. Accept original jurisdiction of this Mandamus proceeding pursuant to Rule 245(b), SCACR;
2. Issue an immediate interim stay of all appellate deadlines in South Carolina Court of Appeals Case No. 2024-001734, specifically staying Respondent Clerk's July 21, 2026 directives, pending final resolution of this Petition;
3. Issue a Writ of Mandamus compelling Respondent Clerk to formally docket Petitioner's May 21, 2026 Amended Petition for Rehearing as a substantive pleading and transmit it to the Court of Appeals panel for judicial adjudication and entry of a written judicial order; and
4. Grant such other and further relief as this Court deems just and proper to preserve Petitioner's constitutional rights and guarantee meaningful access to the courts.

Respectfully submitted,
s/ Olga Teslenko
Olga Teslenko, Petitioner, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: August 7, 2026

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

IN THE SUPREME COURT'S ORIGINAL JURISDICTION

Appellate Case No. 2024-001734

Olga Teslenko, Petitioner,

v.

Jenny A. Kitchings, in her official capacity as Clerk of the South Carolina Court of Appeals,
Respondent.

VERIFICATION / RULE 245 AFFIDAVIT OF OLGA TESLENKO

PERSONALLY APPEARED before me the undersigned, who, being duly sworn, deposes and states as follows:

1. I am the Petitioner Pro Se in the above-captioned matter and the Appellant in Appellate Case No. 2024-001734 currently pending before the South Carolina Court of Appeals. I have personal knowledge of the facts set forth herein.

2. I execute this Affidavit pursuant to Rule 245, SCACR, to establish under oath the extraordinary circumstances, severe disability barriers, and immediate threat of irreparable harm necessitating this Court's original jurisdiction, a Writ of Mandamus, and an interim stay.

3. I suffer from progressive neurological disability and severe health impairments. I am presently out of state pursuing specialized medical treatment, physically incapacitated, and indigent.

4. On May 5, 2026, I timely submitted a Petition for Rehearing En Banc of the Court of Appeals' April 21, 2026 Order. After that Petition was docketed as "correspondence," on May 21, 2026, I submitted an Amended Petition for Rehearing of the April 21, 2026 Order with Suggestion for Rehearing En Banc ("Amended Petition for Rehearing") to ensure strict compliance with court rules. The Amended Petition was also reclassified and docketed as "correspondence." My Amended Petition for Rehearing demonstrated that the April 21 Order excluded critical trial evidence from review, arbitrarily altered the equitable claims raised, denied necessary page limits and ADA accommodations, and formalized the dismissal of the properly filed Record and Protective Final Brief—proving to be constructively dispositive of the appeal.

5. Both petitions were timely received by the Clerk along with filing fee payments and certificates of service, yet both were reclassified and docketed as "correspondence", preventing them from being transmitted to the appellate panel for judicial adjudication.

6. On June 24, 2026, Respondent Clerk issued an administrative "No Action" letter, citing Rule 221(c), SCACR, and declaring that the Court of Appeals "will not entertain" my May 21, 2026 Amended Petition for Rehearing, thereby completely intercepting the pleading from judicial review.

7. On July 21, 2026, Respondent Clerk issued administrative directives requiring me to submit by August 20, 2026, a bound paper copy of the incomplete Record on Appeal—which excludes critical trial evidence pursuant to the April 21 Order—and the Final Brief, which cannot be supported without the excluded trial evidence.

8. An immediate procedural emergency exists because the August 20, 2026 deadline forces an unresolvable procedural trap: if I comply by filing the incomplete Record currently on file, I am forced to submit a record systematically stripped of essential trial evidence, facing arguments of waiver and acquiescence; if I do not comply, my appeal faces administrative dismissal for failure to prosecute under Rule 208, SCACR.

9. Unless this Court issues an interim Order staying Respondent Clerk's July 21 directives pending the determination of this Mandamus Petition, my constitutional rights to appellate review, due process, and equal access to the courts will be permanently foreclosed on August 20, 2026, without ever receiving a judicial ruling on my May 21, 2026 Amended Petition for Rehearing.

10. I further declare under penalty of perjury that all Exhibits attached to the Appendix in this matter are true and correct copies of the official records of Appellate Case No. 2024-001734.

I declare under penalty of perjury under the laws of the State of South Carolina and the United States of America that the foregoing is true and correct.

Executed on this 5 day of August, 2026, at Vilnius, Lithuania.

Olga Teslenko, Petitioner Pro Se

JURAT FOR U.S. EMBASSY / CONSULAR OFFICER

REPUBLIC OF LITHUANIA)
CITY OF VILNIUS) SS:
EMBASSY OF UNITED STATES OF AMERICA)

EMBASSY OF THE UNITED STATES OF AMERICA
CONSULAR SECTION
CITY OF VILNIUS, REPUBLIC OF LITHUANIA
Subscribed and sworn to before me on this 5 day of August, 2026,
by Olga Teslenko, who proved to me on the basis of satisfactory evidence
to be the person who appeared before me.

Dane J. Rohrer
Vice Consul of the United States of America

(SEAL)
Signature of Consular Officer / Notary Public
Consular Officer of the United States of America
(22 U.S.C. § 4221)

EMBASSY OF THE UNITED STATES OF AMERICA VILNIUS

RECEIVED
Aug 07 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

IN THE SUPREME COURT'S ORIGINAL JURISDICTION

Court of Appeals Case No. 2024-001734

Olga Teslenko, Petitioner,

v.

Jenny A. Kitchings, in her official capacity as Clerk of the South Carolina Court of Appeals, Respondent.

CERTIFICATE OF SERVICE

I, Olga Teslenko, hereby certify that a true and correct copy of the foregoing Verified Petition for Writ of Mandamus, together with the accompanying Appendix, was served upon the following parties by the methods and on the dates indicated below:

VIA ELECTRONIC MAIL TRANSMISSION (Served August 7, 2026):

1. Respondent Jenny A. Kitchings, Clerk of Court
   South Carolina Court of Appeals
   Email: ctappfilings@sccourts.org

2. Office of the Attorney General of South Carolina
   Email: info@scag.gov

VIA COMMERCIAL CARRIER / DHL EXPRESS (Deposited August 7, 2026):

3. Joe Kocsis and Carpet King & Flooring, Respondents Pro Se
   532 Broadway St.
   Myrtle Beach, SC 29577

Respectfully submitted,
/s/ Olga Teslenko
Olga Teslenko, Petitioner Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, SC 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: August 7, 2026.

APPENDIX
to
South Carolina Supreme Court Petition for Writ of Mandamus, Emergency Motion for Interim Stay, and Request for Expedited Consideration, filed on August 7, 2026

INDEX

TAB	Exhibit		Appendix Page No.
I	Court of Appeals' Order ("Appellant's Motions"), filed on April 21, 2026		App. pp. 4–7
II	Petitioner's Petition for Rehearing En Banc of the April 21, 2026 Order (First Page only), filed on May 5, 2026 and docketed as "Correspondence"		App. pp. 8–9
III	Petitioner's Exhibit: Court of Appeals Case Docket Screenprint and Certification		App. pp. 10–14
IV	Petitioner's Amended Petition for Rehearing of the April 21, 2026 Order with Suggestion for Rehearing En Banc (Complete, with attached Exhibits 1–14), filed May 21, 2026 and docketed as "Correspondence"		App. pp. 15–90
	Exhibit 1.	Appellant's Amended Initial Brief (pages 1–4), filed February 12, 2026	App. pp. 31–35
	Exhibit 2.	Appellant's Protective Final Brief (pages 1–6), filed April 10, 2026	App. pp. 36–42
	Exhibit 3.	Appellant's Emergency Motion to Supplement (without exhibits), filed February 3, 2026	App. pp. 43–46
	Exhibit 4.	Screenprint E2 (Rec. pp. 324–325), filed on April 9, 2026, originally filed September 20, 2024	App. pp. 47–49
	Exhibit 5.	Screenprint E4 (Rec. pp. 340–342), filed on April 9, 2026, originally filed September 20, 2024	App. pp. 50–53
	Exhibit 6.	Appellant's Third Motion to Compel Transmission (without exhibits), filed August 28, 2025	App. pp. 54–56
	Exhibit 7.	Court of Appeals Order ("Appellant's Motion to Compel Transmission of Original Exhibits - Granted"), filed Nov 26, 2025	App. pp. 57–58
	Exhibit 8.	Trial Evidence Transmission Cover Letter, without exhibits, filed on December 1, 2025	App. pp. 59–61
	Exhibit 9.	Appellant's Circuit Court Request to Remove "DV" from docket entry with Appellant's Motion to Reconsider, filed October 4, 2024	App. pp. 62–63
	Exhibit 10.	Circuit Court Order removing 'DV', filed October 10, 2024	App. pp. 64–65

Exhibit 11. Appellant's Emergency Motion to Exceed Page Limit, for Rulings on Pending Motions, and to Correct the Administrative Record, filed April 8, 2026 ..... App. pp. 66–71

Exhibit 12. Appellant's Motion for Reasonable ADA Accommodation, filed April 8, 2026 ..... App. pp. 72–77

Exhibit 13. Court of Appeals Administrative Letter ("No Action"), filed September 3, 2025 ..... App. pp. 78–79

Exhibit 14. Appellant's Fourth Motion to Compel Transmission (without exhibits), filed September 4, 2025 ..... App. pp. 80–90

V Court of Appeals' Administrative Letter ("No Action"), filed on June 24, 2026 ..... App. pp. 91–92

VI Court of Appeals' Directive Letter ("Bound Copy Required"), filed on July 21, 2026 ..... App. pp. 93–95

VII Court of Appeals' Administrative Order Setting August 20, 2026 deadline for Record on Appeal and Final Brief, filed on July 21, 2026 ..... App. pp. 96–97

VIII Certificate of Petitioner ..... App. pp. 98–99

WRIT of MANDAMUS EXHIBIT I

Court of Appeals
April 21, 2026 ORDER
(“Appellant’s Motions”)

The South Carolina Court of Appeals

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring, Respondents.

Appellate Case No. 2024-001734

ORDER

This appeal arises out of an order of the circuit court affirming the magistrate's decision regarding the installation of flooring in Appellant's home. The appeal is currently held in abeyance to allow the Court time to consider numerous motions filed by Appellant.

On January 28, 2026, Appellant filed a motion seeking a 30-day extension of time to file an amended initial brief and designation of matter. The motion is granted and Appellant's amended initial brief and designation of matter filed on February 12, 2026, are accepted as filed.

On February 3, 2026, Appellant also filed a motion seeking permission to supplement the record on appeal with a transcript of audio from videos submitted into evidence. The videos were provided to the Court on December 1, 2025, for consideration as part of the record on appeal. After careful consideration, the motion to transcribe the videos is denied.[1] To the extent Appellant wishes to supplement the record with matters not presented below, the motion is denied.

---

[1] On February 23, 2026, Appellant filed a motion to supplement her motion for an extension of time to file an amended initial brief and designation of matter and to supplement her motion seeking permission to supplement the record. Appellant filed another motion on April 6, 2026, with additional supplemental material regarding the January 28 and February 3 motions. The motions to supplement are granted, and the supplemental material was considered as a part of the January 28 and February 3 motions.

On February 27, 2026, Appellant filed a document entitled "Appellant's Notice of Extraordinary Interference and Witness Tampering" regarding her medical chart at McLeod Health. We decline to take action on this notice because it does not meet the requirements of Rule 240, SCACR.

On March 31, 2026, Appellant requested instructions regarding the submission of the record on appeal. On April 9, 2026, she filed the record on appeal. On April 10, 2026, she filed the appellant's final brief and another copy of the record on appeal. Now is not the time for filing the record on appeal and final brief because Respondents have not had an opportunity to serve and file their initial brief and designation of matter. We are returning the record on appeal and Appellant's final brief as prematurely filed.

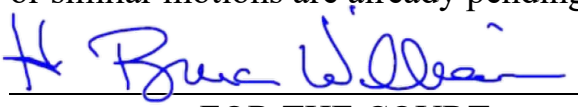
On April 6, 2026, Appellant filed a motion to exceed page limits. We decline to rehear this motion pursuant to Rule 221(c), SCACR, because the Court issued an order denying Appellant's motion to exceed page limits on August 18, 2025.

On April 7, 2026, Appellant filed a motion to correct docket entries in this matter. After careful consideration, this motion is granted, and the relevant docket entries have been updated.

On April 8, 2026, Appellant filed a motion pursuant to the Americans with Disabilities Act seeking an extension of time to perfect her appeal due to the number of pending motions in this case. This motion is granted, and as noted above, Appellant's amended initial brief and designation of matter filed on February 12, 2026, are accepted as filed.

At this time, Respondents have 30 days from the date of this order to serve and file their initial brief and designation of matter. If Respondents choose not to file a brief, the Court will send another letter setting the next timeline for perfecting the appeal.

We take this opportunity to caution Appellant that the Court may decide to impose sanctions pursuant to Rule 269, SCACR, up to and including the refusal to accept any further filings without the signature of an attorney, if she continues to file frivolous motions when the same or similar motions are already pending review.


_____, C.J.
FOR THE COURT

Columbia, South Carolina

FILED
Apr 21 2026

cc:
Olga Teslenko
Carpet King & Flooring
Joe Kocsis

WRIT of MANDAMUS EXHIBIT II

Petitioner's
Petition for Rehearing En Banc of the April 21, 2026 Order
(First page only),
filed May 5, 2026 and docketed as "Correspondence"

RECEIVED
May 05 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,
v.
Joe Kocsis,
Carpet King & Flooring, Respondents.

APPELLANT'S PETITION FOR REHEARING EN BANC OF THE APRIL 21, 2026 ORDER,

---

Appellant, appearing pro se, respectfully petitions this Court for rehearing of its April 21, 2026 Order pursuant to Rule 221(a) and 240, SCACR. Although docketed as "non-dispositional," the Order has the actual legal effect of a constructive dismissal by obliterating key Record evidence and constricting the Final Brief to an impossible page limit.

Appellant submits that the Order is demonstrably erroneous, discriminatory, and unconstitutional. The Court failed to adjudicate the pending motions on their merits, violated the Americans with Disabilities Act (ADA), and breached Appellant's state and federal Constitutional rights.

Appellant further submits that the Court's decision to reject the timely filed Record on Appeal and Protective Final Brief is an unprecedented procedural obstruction that violates the South Carolina Constitution and the United States Constitution.

Appellant respectfully moves for Rehearing En Banc to maintain uniformity of the Court's decisions and to address the questions of exceptional importance regarding the systemic denial of due process and access to courts.

In support, Appellant shows the following:

WRIT of MANDAMUS EXHIBIT III

Court of Appeals Case Docket Screenprint and Certification

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

IN THE SUPREME COURT'S ORIGINAL JURISDICTION

Appellate Case No. 2024-001734

Olga Teslenko, Petitioner,

v.

Jenny A. Kitchings, in her official capacity as Clerk of the South Carolina Court of Appeals, Respondent.

CERTIFICATE OF AUTHENTICITY

I, Olga Teslenko, hereby declare under penalty of perjury as follows:

1. I am the Petitioner in the above-captioned matter, appearing pro se.

2. The following document attached hereto as Tab III / Exhibit III (Court of Appeals Case Docket Screenprint) is a true, accurate, and complete screenprint of the official public court docket for Appellate Case No. 2024-001734.

3. I personally accessed, captured, and saved this docket screenprint directly from the official South Carolina Judicial Branch Public Index website on August 6, 2026.

I declare under penalty of perjury under the laws of the State of South Carolina and the United States of America that the foregoing is true and correct.

Executed on August 6, 2026, at Vilnius, Lithuania.

Respectfully submitted,
/s/ Olga Teslenko
Olga Teslenko, Petitioner, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: August 6, 2026.

South Carolina Appellate Case Management System

CLERK'S OFFICE
SUPREME COURT
COURT OF APPEALS

C-Track, the browser based CMS for Appellate Courts

Appellate Case No. ...

Disclaimer: The information and documents available here should not be relied upon as an official record of action.
Only filed documents can be viewed. Some documents received in a case may not be available for viewing.
Some documents originating from a lower court, including records and appendices, may not be available for viewing.

Case Information: 2024-001734

Court:	Court of Appeals	**Classification:**	Appeal - Common Pleas - Civil Appeal from Summary Ct.
Short Title:	Olga Teslenko v. Joe Kocsis	**Case Status:**	Initial Briefing
	View Full Title		
Consolidated:			
Filed Date:	10/11/2024	**Oral Argument Date:**	
Disposition Date:		**Disposition Type:**	
Remittitur Date:			
Lower Court or Tribunal:	Horry (2024CP2602983)		

- Party Information

Appellate Role	Party Name	Former	Attorney(s)
Appellant	Olga Teslenko	N	Self Represented
Respondent	Carpet King & Flooring	N	Self Represented
Respondent	Joe Kocsis	N	Self Represented

Views

Display: Descending Go!

Event Information

Filed Date	Event Information	Doc
07/21/2026	Correspondence - Outgoing- No Consideration Letter	
07/21/2026	Correspondence - Outgoing- 1 Bound Copy Letter	
07/17/2026	Correspondence - Outgoing- Returning Filing Fee Letter	
06/24/2026	Correspondence - Outgoing- Request Refund Letter	
06/24/2026	Correspondence - Outgoing- No Action Letter	
05/21/2026	Correspondence - Incoming- Appellant's Amended Petition for Rehearing (En Banc)	
05/08/2026	Correspondence - Incoming- Appellant's of Motion for Certification Filed With Supreme Court	
05/05/2026	Correspondence - Incoming- Appellant's Petition for Rehearing (En Banc)	
04/21/2026	Non-Dispositional Decision - Order- Appellant's Motions	
04/10/2026	Correspondence - Incoming- Copy of Original Record on Appeal	
04/10/2026	Correspondence - Incoming- Appellant's Protective Final Brief	
04/09/2026	Correspondence - Incoming- Record on Appeal- Part 1-3	
04/08/2026	Motion - Appellant's Motion for Reasonable Accommodation Pursuant to the Americans With Disabilities Act	
04/07/2026	Correspondence - Incoming- Appellant's Letter and Proof of Filings	
04/07/2026	Correspondence - Outgoing- Held in Abeyance Letter	
04/07/2026	Motion - Appellant's Motion to Correct Docket and Ensure Accurate Record on Appeal	
04/06/2026	Motion - Appellant's Motion to Exceed Page Limits	
03/31/2026	Correspondence - Incoming- Appellant's Letter Requiring Instruction on Filing Record On Appeal	
03/11/2026	Motion - No Return- Appellant's Emergency Motion to Supplement 1st Emergency Motion	
03/04/2026	Correspondence - Incoming- Appellant's Notice of Filing Fee Delivery	
03/03/2026	Correspondence - Incoming- Appellant's Status Update Inquiry	

02/27/2026	Correspondence - Incoming- Appellant's Notice of Extraordinary Interference and Witness Tampering	
02/23/2026	Motion - Appellant's Emergency Motion to Supplement 1st Emergency Motion	
02/20/2026	Motion - No Return- Appellant's 1st Emergency Motion to Supplement Record on Appeal	
02/20/2026	Motion - No Return- 6th Extension of Time- Appellant's 4th Amended Initial Brief and Designation of Matter	
02/12/2026	Designation of Matter- 3rd Amended Designation of Matter Filed- Appellant	
02/12/2026	Initial Brief - 3rd Appellant's Amended Initial Brief	
02/09/2026	Correspondence - Incoming- Appellant's Notice of Intent to Rely on Pending Emergency Motions and Notice of Procedural Duress	
02/03/2026	Motion - Appellant's 1st Emergency Motion to Supplement Record on Appeal	
01/28/2026	Motion - Extension of Time- Appellant's 4th Amended Initial Brief and Designation of Matter	
01/13/2026	Non-Dispositional Decision - Order- Appellant's Motion to Amend- Appellant's Initial Brief and Designation of Matter	
01/12/2026	Motion - No Return- Appellant's Motion to Amend- Appellant's Initial Brief and Designation of Matter	
12/10/2025	Motion - Appellant's Motion to Amend- Appellant's Initial Brief and Designation of Matter	
12/04/2025	Correspondence - Incoming- Appellant's Status Update Request	
12/01/2025	Exhibit - Received	
11/26/2025	Non-Dispositional Decision - Order (Appellant's Motion to Compel Transmission of Original Exhibits - Granted)	
10/29/2025	Correspondence - Outgoing- Held in Abeyance Letter	
10/17/2025	Correspondence - Incoming- Appellant's Letter	
10/14/2025	Correspondence - Outgoing- Respondents Overdue Letter	
10/03/2025	Non-Dispositional Decision - Order- Appellant's Motion to Allow Late Filing	
10/03/2025	Motion - No Return- Appellant's Motion to Allow Late Filing	
09/23/2025	Deficiency - Correction	
09/22/2025	Deficiency - Deficiency Letter Sent- Appellant's Motion to Allow Late Filing	
09/22/2025	Motion - Appellant's Motion to Allow Late Filing	
09/18/2025	Designation of Matter - 2nd Amended Designation of Matter Filed- Appellant	
09/18/2025	Initial Brief- 2nd Appellant's Amended Initial Brief	
09/17/2025	Motion - No Return - Appellant's Expedited Motion to Transmit Flash Drive, Original Exhibits, and Hold Appeal in Abeyance	
09/12/2025	Correspondence - Incoming- Appellant's Urgent Notice to 09/04/25 Motion	
09/04/2025	Motion - Appellant's Expedited Motion to Transmit Flash Drive, Original Exhibits, and Hold Appeal in Abeyance	
09/03/2025	Correspondence - Outgoing- No Action Letter	
08/28/2025	Motion - Appellant's Motion to Compel Transmission of Original Exhibits	
08/28/2025	Correspondence - Outgoing- Letter Regarding Appellant's Motions	
08/28/2025	Correspondence - Outgoing- Ex Parte Communication Letter	
08/25/2025	Correspondence - Incoming (Email Addressed to Chief Judge Williams)	
08/25/2025	Motion - Appellant's Motion to Reconsider 1/14/25 Order	
08/25/2025	Correspondence - Incoming- Appellant's Letter	
08/20/2025	Motion - Appellant's Motion to Reconsider 8/18/25 Order	
08/18/2025	Non-Dispositional Decision - Order (Motion to Exceed Page Limit - Denied; Amended Motion to Exceed Page Limit - Denied; Motion to Amend Designation - Granted)	
08/15/2025	Designation of Matter - 1st Amended Designation of Matter Filed- Appellant	
08/15/2025	Initial Brief - 1st Amended Appellant (STRICKEN) Initial Brief	
08/14/2025	Correspondence - Incoming (Email Addressed to Chief Judge Williams)	
08/14/2025	Correspondence - Incoming- Appellant's Letter	
08/13/2025	Correspondence - Incoming - Appellant's 2nd Exceed Page Limit	
08/13/2025	Motion - Appellant's Amended Motion Exceed Page Limit	
08/11/2025	Correspondence - Incoming- Appellant's Letter	
08/07/2025	Motion - No Return- Appellant's Motion to Amend Designation of Matter	
08/07/2025	Motion - No Return - Appellant's Exceed Page Limit	
07/28/2025	Motion - Appellant's Motion to Amend Designation of Matter	

07/28/2025	Motion - Appellant's Exceed Page Limit	
07/15/2025	Non-Dispositional Decision - Order- Appellant's Motion to Amend	
07/15/2025	Motion - No Return- Appellant's Motion to Amend Initial Brief	
07/01/2025	Motion - Appellant's Motion to Amend Initial Brief	
06/30/2025	Non-Dispositional Decision - Order- Appellant's Motion to Allow Late Filing	
06/26/2025	Correspondence - Incoming- Appellant's Letter	
06/16/2025	Designation of Matter - Designation of Matter Filed- Appellant	
06/16/2025	Initial Brief - Appellant	
06/16/2025	Motion - Appellant's Motion to Allow Late Filing	
06/04/2025	Correspondence - Incoming- Copy of Supreme Court Order- Motion to Certify- Denied	
05/15/2025	Non-Dispositional Decision - Extension Granted (4th)- Appellant's Initial Brief	
05/06/2025	Motion - Extension of Time (4th)- Appellant's Initial Brief	
02/18/2025	Non-Dispositional Decision - Extension Granted (3rd)- Appellant's Initial Brief	
02/12/2025	Deficiency - Correction- Appellant's Initial Brief Extension	
02/11/2025	Deficiency - Deficiency Letter Sent- Appellant's Initial Brief Extension	
02/11/2025	Motion - Extension of Time (3rd)- Appellant's Initial Brief	
01/16/2025	Correspondence - Outgoing- No Action Letter	
01/15/2025	Correspondence - Incoming- Appellant's Letter	
01/15/2025	Correspondence - Incoming- Appellant's Letter Requesting Clarification	
01/14/2025	Non-Dispositional Decision - Order- Appellant's Motions	
01/09/2025	Motion - No Return- Appellant's Motion to Hold in Abeyance	
01/09/2025	Motion - No Return- (Appellants Motion to Release & Transfer Original Exhibits)	
01/06/2025	Correspondence - Incoming- Appellant's Attachments	
12/10/2024	Correspondence - Outgoing (Held in Abeyance Letter)	
12/06/2024	Correspondence - Incoming (Appellant's Letter)	
12/05/2024	Motion - Appellant's Motion to Hold in Abeyance	
12/03/2024	Non-Dispositional Decision - Extension Granted- (Appellants Initial Brief)	
12/02/2024	Motion - Extension of Time (2nd- Appellants Initial Brief)	
11/25/2024	Deficiency - Correction- (Appellants Motion to Release & Transfer Original Exhibits)	
11/25/2024	Deficiency - Deficiency Letter Sent- (Appellants Motion to Release & Transfer Original Exhibits)	
11/25/2024	Correspondence - Outgoing (Response to Appellants Letter)	
11/21/2024	Deficiency - Correction- (Appellants Motion to Release & Transfer Original Exhibits)	
11/21/2024	Deficiency - Deficiency Letter Sent- (Appellants Motion to Release & Transfer Original Exhibits)	
11/20/2024	Correspondence - Incoming (Appellants Letter)	
11/12/2024	Non-Dispositional Decision - Extension Granted- (1st Appellants Initial Brief)	
11/12/2024	Motion - (Appellants Motion to Release & Transfer Original Exhibits)	
11/08/2024	Correspondence - Outgoing (Response to Appellants Letter)	
11/07/2024	Deficiency - Correction- (1st- Motion for Ext Appellants Initial Brief)	
11/05/2024	Deficiency - Deficiency Letter Sent (1st- Motion for Ext Appellants Initial Brief)	
11/04/2024	Correspondence - Incoming (Appellants Letter)	
10/29/2024	Motion - Extension of Time (1st Appellants Initial Brief)	
10/16/2024	Correspondence - Outgoing (Notice of Appeal Initial Letter)	
10/11/2024	Transcript Documents - Transcript Delivered - Direct Appeal	
10/11/2024	Notice of Appeal (Civil) - Initial	

WRIT of MANDAMUS EXHIBIT IV

Petitioner's Amended Petition for Rehearing of the April 21, 2026 Order with Suggestion for Rehearing En Banc (Complete, with attached Exhibits 1–14), filed May 21, 2026 and docketed as "Correspondence"

RECEIVED
May 21 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,
v.
Joe Kocsis,
Carpet King & Flooring, Respondents.

APPELLANT'S AMENDED PETITION FOR REHEARING OF THE APRIL 21, 2026 ORDER, AND SUGGESTION FOR REHEARING EN BANC

Appellant, appearing pro se, respectfully files this Amended Petition for Rehearing pursuant to Rules 221, 240(j), and 240(c), SCACR, to clarify and correct the procedural designation of Appellant's timely filed May 5, 2026 petition. Appellant petitions this Court for a rehearing of its April 21, 2026 Order. Although docketed as "non-dispositional," the Order has the actual legal effect of a constructive dismissal by obliterating key Record evidence and constricting the Final Brief to an impossible page limit.

Appellant further includes a Suggestion for Rehearing En Banc pursuant to Rule 219(b), SCACR, to maintain uniformity of the Court's decisions and to address questions of exceptional importance regarding the systemic denial of due process and access to courts.

Appellant submits that the Order is demonstrably erroneous, discriminatory, and unconstitutional. The Court failed to adjudicate the pending motions on their merits, violated the Americans with Disabilities Act (ADA), and breached Appellant's state and federal Constitutional rights.

Appellant further submits that the Court's decision to reject the timely filed Record on Appeal and Protective Final Brief is an unprecedented procedural obstruction that violates the South Carolina Constitution and the United States Constitution.

In support of this Amended Petition and Suggestion for Rehearing En Banc, Appellant shows the following:

TABLE OF CONTENTS

MAIN QUESTION PRESENTED 3
CONSTITUTIONAL PROVISIONS INVOLVED 3
I. THE COURT MISREPRESENTED THE EQUITABLE NATURE OF THIS APPEAL AND DISREGARDED THE ALLEGATIONS OF FRAUD UPON THE COURT. 3
1. The Court's redefinition of the appeal as a contract dispute is irreconcilable with the established record. 3
2. By misrepresenting the equitable nature of the appeal, the Court divested itself from the constitutionally mandated De Novo review. 4
3. By divesting itself from the constitutionally mandated De Novo review, the Court created a pretext to deny review of trial evidence 4
4. The misrepresentation is unconstitutional and fatally prejudicial. 4
II. THE COURT'S DENIAL OF THE FEBRUARY 3, 2026 MOTION TO SUPPLEMENT WAS BASED ON MATERIAL MISREPRESENTATIONS AND A STRATEGICALLY ENGINEERED PROCEDURAL TRAP. 5
1. The December 1, 2025 transmission was the Original Trail Record. 5
2. THE NOVEMBER 26, 2025 ORDER ENGINEERED A PROCEDURAL TRAP TO STRIP TRIAL EVIDENCE OF ITS EVIDENTIARY STATUS. 5
3. THE COURT MUST CORRECT THE RECORD. 6
4. The supplements requested on February 3, 2026 are ministerial aids for evidence already in the Record. 7
5. Deprivation of Rights Under Color of Law. 7
III. THE COURT ERRED IN DENYING THE APRIL 6, 2026 MOTION TO EXCEED PAGE LIMIT. 8
1. The denial is based on an unrelated order. 8
2. The denial disregarded the fundamentally changed Record. 8
3. The denial effectively dismissed the appeal and denied Constitutional rights. 9
IV. THE DE FACTO REJECTION OF THE RECORD ON APPEAL AND PROTECTIVE FINAL BRIEF IS UNPRECEDENTED AND UNCONSTITUTIONAL 9
1. The Court has substituted its own advocacy for Respondents' default. 9
2. The Rejection of the April 9–10 Filings as "Premature" is Unconstitutional. 9
3. The Court struck the timely filings without issuing an appealable order. 10
V. THE COURT DE FACTO DENIED MANDATORY ADA ACCOMMODATION AND CREATED A BARRIER TO JUSTICE. 10
1. The Court feigned granting accommodation while effectively denying it. 10
2. The Court has Breached its Mandatory Duty under Title II of the ADA. 11
3. The Improper Threat of Sanctions as a Tool of Disability-Based Intimidation. 11
CONCLUSION AND PRAYER FOR RELIEF 12
EXHIBITS 13
CERTIFICATE OF SERVICE 13

MAIN QUESTION PRESENTED

Whether the Court violated Appellant's fundamental constitutional rights by laundering the Trial Record to strip original evidence of its evidentiary status; by misrepresenting the equitable nature of the appeal and rejecting the timely filed Record and Protective Final Brief; by granting extensions to defaulted Respondents; by denying Appellant's motions to supplement and exceed page limits based on material misrepresentations of the Record; by refusing to provide mandated reasonable accommodations under the Americans with Disabilities Act; and by subjecting Appellant to months of procedural delay while issuing improper threats of sanctions intended to justify a constructive dismissal.

CONSTITUTIONAL PROVISIONS INVOLVED

The April 21 Court's Order involves Appellant's right of access to a fair trial; the right to be free from discrimination; the right to due process, including the right to be heard at a meaningful time in the context of all the circumstances, the right to appellate review, and the right to present trial evidence necessary to prove her case. These rights are secured by both the United States Constitution amendment XIV, § 1 and the South Carolina Constitution article I, § 3 and 9, and article 5, § 5.

Furthermore, the Order involves Appellant's right to a reasonable accommodation of her disability secured by the Americans with Disabilities Act (ADA).

I. THE COURT MISREPRESENTED THE EQUITABLE NATURE OF THIS APPEAL AND DISREGARDED THE ALLEGATIONS OF FRAUD UPON THE COURT.

1. The Court's redefinition of the appeal as a contract dispute is irreconcilable with the established record.

The April 21, 2026 Order misrepresented the nature of the appeal as a contract dispute. This is a fatal departure from the Record. Appellant has consistently defined this matter as a suit in equity to set aside judgments for alleged fraud upon the court. The equitable nature of the appeal was explicitly stipulated on every page of both the amended Initial Brief, filed on February 12, 2026, and Protective Final Brief, filed on April 10, 2026 (Exhibits 1 & 2). Appellant's Initial Brief stated on the very first page: "This appeal is a suit in equity to set aside the magistrate's judgment and circuit court orders for extrinsic fraud, raising due process violations and systematic denial of access to courts" (Exhibit 1).

2. **By misrepresenting the equitable nature of the appeal, the Court divested itself from the constitutionally mandated De Novo review.**

The legal difference is categorical. A suit in equity raises issues of law and this Court reviews questions of law de novo. As the Protective Final Brief states on page 5, "because this is a suit in equity seeking relief from fraudulently obtained judgment and orders, both the findings of fact and the law must be reviewed de novo, as mandated by Article 5, § 5 of the South Carolina Constitution" (Exhibit 2). By misrepresenting the equitable nature of the appeal and disregarding the allegations of fraud, the Court shifted the matter to a weaker standard of review legally insufficient to address the alleged fraud, and divested itself from the constitutionally mandated De Novo review.

3. **By divesting itself from the constitutionally mandated De Novo review, the Court created a pretext to deny review of trial evidence.**

Two materials necessary to enable the review of key trial evidence already in the Record were improperly suppressed below, and Appellant moved to supplement the Record with these ministerial aids (Exhibits 3, 4, 5). By divesting itself from the constitutionally mandated de novo review, the Court has created a pretext to deny the requested supplementation, and has denied it, thereby refusing to review the trial evidence. Had the Court acknowledged the equitable nature of the appeal and the allegations of fraud, it could not have denied the requested supplements and would have to review the entire Record de novo. Furthermore, The Court's April 21 Order completed the obliteration of Appellant's trial evidence initiated by the Court's November 26, 2025 order, strongly suggesting deliberate obstruction to insulate the judicial fraud alleged from scrutiny.

4. **The misrepresentation is unconstitutional and fatally prejudicial.**

The Court's misrepresentation of the appeal's equitable nature, despite the filed motions and briefs, is a violation of the South Carolina Constitution and the United States Constitution. By shifting the appeal to a weaker standard of review, legally insufficient to address the alleged fraud, the Court foreclosed the appeal and barred Appellant's access to appellate review.

II. THE COURT'S DENIAL OF THE FEBRUARY 3, 2026 MOTION TO SUPPLEMENT WAS BASED ON MATERIAL MISREPRESENTATIONS AND A STRATEGICALLY ENGINEERED PROCEDURAL TRAP.

1. The December 1, 2025 transmission was the Original Trial Record.

The Court failed to adjudicate the motion on its actual merits. The Court's assertion that the trial videos were "submitted into evidence...on December 1, 2025" is a material misrepresentation of the Record.

1. On August 28, 2025, Appellant moved for the third time to compel transmission of trial evidence: original paper exhibits and flashdrive, admitted at trial, omitted in the return to the lower court, refiled with the lower court on July 22, 2024, and admitted in evidence at the hearing, specifically requesting to compel transmission of this trial evidence "to be received into the record as of July 22, 2024" (Exhibit 6).
2. On November 26, 2025, this Court granted the August 28 motion, specifically ordering Appellant to provide her copies of the paper exhibits and flashdrive refiled on July 22, 2024 with the lower court (Exhibit 7).
3. On December 1, 2025, pursuant to the order, Appellant transmitted her copies of the original trial exhibits as admitted at trial and refiled on July 22, 2024 with the lower court (Exhibit 8).

The Court's misrepresentation of this trial evidence as if originated on December 1, 2025 is therefore demonstrably false. The misrepresentation is fatally prejudicial—by redefining this transmission as "new evidence," the Court has effectively excluded essential trial evidence from review and facilitated a constructive dismissal of the appeal.

2. THE NOVEMBER 26, 2025 ORDER ENGINEERED A PROCEDURAL TRAP TO STRIP TRIAL EVIDENCE OF ITS EVIDENTIARY STATUS.

The Court's own November 26, 2025 Order engineered the basis for this redefinition by granting the August 28 motion for the transmission of the original July 22, 2024 exhibits—while strategically omitting the requested stipulation that the exhibits "be received into the record as of July 22, 2024" and replacing it with the notion that the exhibits "be transmitted for consideration as part of her appeal" (Exhibits 6 & 7). The Court's phrasing of the order induced Appellant's reasonable reliance that her August 28 motion was granted—when in fact it was, again, denied, in a way that was impossible to notice and to appeal.

This patent misrepresentation in the order is irreconcilable with the motion it purported to grant, in which Appellant demonstrated that the exhibits were original 2023 trial evidence, refiled a year later with the circuit court and admitted into the record at the hearing (Exhibits 6). A court can't grant a request while not granting it. Pro se Appellant failed to notice the order's strategically engineered trap, and reasonably relied on the transmission to have been received into the Record as requested (Exhibits 8).

By manufacturing a false narrative for the transmitted exhibits, the November 26, 2025 order has falsified the trial record and prepared the basis for its complete obliteration. This obliteration was completed in the current Order, which asserted that Appellant's trial evidence, admitted at 2023 trial and readmitted into the record in 2024, was "videos submitted into evidence on December 1, 2025, for consideration as part of the record on appeal". In its November 26, 2025 and April 21, 2026 orders, the Court actively redefined established trial evidence stripping it of its evidentiary status, foreclosed the appeal, and denied Appellant substantive constitutional rights.

3. THE COURT MUST CORRECT THE RECORD.

Because the November 26, 2025 order had failed to grant the relief it purported to have granted, to restore the integrity of this appeal and prevent the total obliteration of the trial record, the Court should exercise its inherent authority to receive the transmitted exhibits into the record as of July 22, 2024 Nunc Pro Tunc.

The August 28, 2025 motion was Appellant's third motion to compel transmission of her original trial evidence, held hostage in the lower court's custody. This Court first denied it in its September 3 letter and then strategically "granted" in its November 26 order—after Appellant moved to compel transmission for the fourth time, citing the history of the Court's obstruction (Exhibits 13 & 14). Appellant's fourth motion to compel, filed on September 4, 2025, remains pending on the docket for more than eight months, unopposed (Exhibits 14). By ignoring an unopposed motion for eight months to favor a 'trapped' order, the Court has departed from the standard of neutral adjudication.

Because the Court's November 26, 2025 order failed to provide the relief it purported to have granted and because the Court's failure to adjudicate the September 4, 2025 Motion to Compel for over eight months constitutes a prejudicial delay and a refusal to exercise jurisdiction, the Court should vacate the defective November 26 Order and substantively resolve the pending September 4 Motion to restore the Record.

Because this Court's November 26, 2025 order failed to receive the transmitted exhibits into the Record as of July 22, 2024, the Record remains legally and factually incomplete, entirely devoid of Appellant's trial evidence. Appellant hereby moves for the immediate resolution of the unadjudicated, unopposed September 4, 2025 motion and gives notice of her intent to rely upon a complete and accurate Record for the remainder of this appeal.

4. The supplements requested on February 3, 2026 are ministerial aids for evidence already in the Record.

The Court's characterization of the requested supplements as "matters not presented below" is a patent falsification of the Record designed to facilitate the exclusion of key trial evidence. The requested materials are mandatory ministerial aids required to enable the review of trial evidence already in the Record:

- The audio of Respondent's inspection is stored on the trial flashdrive (Record on Appeal, filed 4/9/2026, Flashdrive: Folder '4. Mr. Kocsis inspecting, Nov 16, 2023', files). Appellate review requires a transcription of this audio. Such a transcript is not new evidence but a ministerial aid for reviewing the trial evidence already in the Record (Record on Appeal, Rec. pp. 50–76, Exhibit 3).
- Screenprints E2 and E4 were included in the circuit court motion for reconsideration (Exhibits 4 & 5, see also Record on Appeal, Rec. pp. 324–325; 340–342). The timely filed motion was improperly denied review (Exhibits 9 & 10, see also Record on Appeal, Rec. p. 362, 364, 366). Supplementing the Record with the foundational testimony for these prints is required because this testimony was improperly suppressed below and because it is a ministerial aid to enable the review of evidence already in the Record (Exhibits 4 & 5, Record on Appeal at Rec. pp. 45–97; see also Appellant's Emergency Motion for Leave to Supplement, filed 02/03/2026 on the docket).

The Court's denial of these ministerial aids is a de facto suppression of the trial audio and screenprints.

5. Deprivation of Rights Under Color of Law.

The audio and screenprints within the Record on Appeal are the evidentiary pillars of this case, establishing the alleged fraud conclusively (Exhibits 1 & 2, Record on Appeal, Flashdrive). By denying the ministerial aids necessary to review this key evidence, the Court has effectively

refused to review the evidence itself, which effectively dismissed the appeal, insulating the fraud from scrutiny.

The February 3 motion was adjudicated solely on the basis of material misrepresentations and a previously engineered procedural trap. The Court failed to adjudicate the motion on its actual merits. The motion remains effectively pending, unreviewed on the docket.

In its November 26, 2025 and April 21, 2026 orders, the Court actively redefined established trial record stripping it of its evidentiary basis, which effectively foreclosed the appeal denying Appellant substantive constitutional rights. The Court has abdicated its jurisdictional duty as a neutral arbiter and violated its constitutional mandate. It not only refused to consider the trial record; it actively obliterated it. The Court exercised its procedural power to bar a citizen from the courts.

III. THE COURT ERRED IN DENYING THE APRIL 6, 2026 MOTION TO EXCEED PAGE LIMIT.

1. The denial is based on an unrelated order.

The April 21 Order characterized the April 6 motion as a "request for rehearing" of an August 18, 2025 order. This is a patent misrepresentation of the motion and record. The August 2025 order applied to the Initial Brief; the April 2026 motion specifically addressed the Final Brief (Exhibit 11). The Court summarily denied the current motion without adjudication and on the basis of an unrelated order.

2. The denial disregarded the fundamentally changed Record.

On December 1, 2025, the original trial evidence was transmitted pursuant to this Court's November 26 order (Exhibits 6 & 7). The newly completed Record supported the Constitutional claims raised, including fraud on the court, judicial obstruction, deprivation of rights, and the collapse of the judicial process, and contained multiple pages of trial documents lacking line numbering (Record on Appeal, filed 04/10/2026). Briefing each claim requires specific and precise citations to this Record (Record on Appeal, Rec. pp. 425–426). To prepare a compliant final brief, Appellant requested leave to file a final brief not exceeding eighty-five pages (Exhibit 11). The request was meritorious as demonstrated by the Protective Final Brief, filed on April 10, which already exceeded the standard page limit after updating only one section with record citations (Appellant's Protective Final Brief, filed 4/10/2026).

The Court disregarded the fundamentally changed record and denied the motion on the basis of an obsolete and unrelated order, effectively denying Appellant the right to be heard.

3. The denial effectively dismissed the appeal and denied Constitutional rights.

The denial made it impossible to prepare a compliant brief. Because the Protective Final Brief has already exceeded the standard limit, the Court's denial ensured that the Final Brief is doomed to exceed it even with insufficient citations (Appellant's Protective Final Brief, filed 4/10/2026). After replacing the appeal's equitable nature, the Court has imposed an impossible page limit and completed the obliteration of the trial record that exposed judicial fraud below, effectively dismissing the appeal.

The April 6 motion was adjudicated solely on the basis of an unrelated order. The Court failed to adjudicate the motion on its actual merits. The motion remains effectively pending, unreviewed on the docket.

IV. THE DE FACTO REJECTION OF THE RECORD ON APPEAL AND PROTECTIVE FINAL BRIEF IS UNPRECEDENTED AND UNCONSTITUTIONAL

1. The Court has substituted its own advocacy for Respondents' default.

In its April 21 Order, the Court asserted that "Respondents have not had an opportunity" to brief and granted Respondents thirty days to do so. This is a patent falsification of the procedural history.

The Court's own October 14, 2025, Letter titled 'Respondents Overdue' noted Respondents' default and granted an extension, after which Respondents again defaulted. On February 12, 2026, pursuant to the Court's January 13 order, Appellant served and filed her third Amended Initial Brief. Thirty days "after service of appellant's brief", Respondents defaulted. As of the April 21 Order, Respondents have been in default for over five months having failed to file a single pleading or brief. By retroactively reviving Respondents' rights *sua sponte*, the Court has abandoned its neutrality and acted as an advocate for the defaulted party.

2. The Rejection of the April 9–10 Filings as "Premature" is Unconstitutional.

The April 21 Order accepted Appellant's February 12 Initial Brief, rejected the timely filed Record and Protective Final Brief, and permitted defaulted Respondents another thirty days to brief intending to set the final briefing deadline in a letter. The Court's failure to timely accept Appellant's February 12 Initial Brief does not stop the legal clock or override the mandatory deadlines set by the SCACR.

Appellant's timely filed February 12 Initial Brief was already de facto accepted by the Court's failure to strike it. Following the mandatory jurisdictional deadlines triggered by that

filing, Appellant served and filed the Record on Appeal and Protective Final Brief on April 9 and 10. These filings were legally live and timely under the jurisdictional mandate set forth by the SCACR.

The Court's rejection of the Record and Brief was an unprecedented obstruction that jeopardized Appellant's health and ignored the limitations of her disability, making it physically impossible to proceed.

3. The Court struck timely filings without issuing an appealable order.

By labeling jurisdictional pleadings as "Correspondence," the Court has effectively struck the filings while shielding its actions from appellate review—an unprecedented denial of Due Process.

This procedural obstruction—combined with the stripping of evidentiary status from trial evidence and the imposition of an impossible page limit—aims to resolve the appeal biologically, thereby burying the evidence of fraud. This hostile environment constitutes an ultimate barrier to entry, denying Appellant the equal protection of the law and violating the constitutional mandate that justice be administered fairly and without prejudice.

V. THE COURT DE FACTO DENIED MANDATORY ADA ACCOMMODATION AND CREATED A BARRIER TO JUSTICE.

1. The Court feigned granting accommodation while effectively denying it.

The April 21 Order feigned "granting" the April 8 request for reasonable ADA accommodation while effectively denying it. In the April 8 motion, Appellant requested an "extension of time, commencing upon entry of orders resolving the January 28, February 3, and April 6 pending motions and continuing for 30 days thereafter, to allow preparation of a compliant [final] brief" (Exhibit 12). In its April 21 Order, the Court stated that the "motion is granted, and as noted above, Appellant's amended initial brief and designation of matter filed on February 12, 2026, are accepted as filed".

It is difficult to find legal terms to qualify this denial to accommodate a litigant's disability.

Instead of ensuring a clearly defined final briefing context by providing comprehensive rulings on critical pending motions, the Court denied the motions wholesale on the basis of material misrepresentations—and redefined transmitted trial evidence as "new evidence", to boot. The Court purported to grant the January 28 motion—a motion that was already moot because the initial brief, for which it requested an extension of time, had been de facto accepted on the docket

since February 12. This procedural absurdity masked a substantive denial of relief.

Instead of providing the requested extension of time, after the final briefing context has been clearly defined, to prepare a compliant final brief, the Court provided that extension to defaulted Respondents to attempt initial briefing.

The Court refused to provide every element of the requested accommodation, which was necessary to allow disabled pro se Appellant to manage the workload necessary to prepare a compliant final brief, and disguised it as a "grant". This false "grant" did not only fail to provide any accommodation, it unduly increased the workload required to proceed, forcing Appellant in a state of biological impossibility. By combining the blanket dispositional denials with empty grants and obliteration of trial record, the Court has made the appeal impossible to manage for disabled Appellant, effectively foreclosing it.

By refusing to engage in the mandatory interactive process and instead unilaterally dictating 'relief' that Appellant did not seek, the Court has disregarded its obligations under Title II of the ADA and created a discriminatory barrier to the judicial process itself.

2. The Court has Breached its Mandatory Duty under Title II of the ADA.

The Court has fundamentally altered deadlines, rejected live filings, covertly excluded trial record, and imposed an impossible page limit while simultaneously denying reasonable disability accommodation.

Under Title II of the ADA, the Court has a mandatory duty to provide meaningful access. By engineering unprecedented procedural traps while refusing the specific rulings and time extension necessitated by Appellant's neurological disability, the Court is litigating on behalf of Respondents against a citizen with a disability. This pattern of procedural traps and obstruction is inherently inaccessible to a disabled litigant, thereby violating the equal protection of the law.

3. The Improper Threat of Sanctions, Denial of Speedy Trial, Due Process and Access.

In the same Order where it masks the denial of ADA accommodation, completes evidence laundering and rejects timely filings, the Court threatened Rule 269 sanctions. The threat of sanctions, issued against a disabled litigant for filing motions necessitated by the Court's own months-long silence, constitutes a hostile judicial environment designed to silence constitutional challenges through intimidation.

For over a year, the Court denied Appellant's requests for the transmission of trial record, forcing her to file four motions requesting that transmission and extensions of time (Exhibits 1).

The court ultimately granted Appellant's third motion on November 26, 2025. Yet the order's language engendered a covert false narrative which redefined the transmitted record as "new evidence" while inducing Appellant's reasonable reliance the transmission was properly received as requested. Appellant's fourth motion to compel, filed on September 4, 2025, is still pending on the docket for more than eight months (Exhibits 14).

Appellants motions asserted her right to a speedy trial and the fatal prejudice of delay. The Court's months-long delays in ruling on critical motions combined with the administrative ambiguity of the docket, denied Appellant the right to a speedy trial and created a procedural barrier that prevents Appellant from presenting a full argument grounded in the trial evidence. Appellant is physically unable to comply with briefing requirements without the requested accommodation and in such a hostile environment of procedural obstruction (Exhibits 2).

Divorced from the Record, the Court's allegation of "frivolous" motions serves only to intimidate and silence disabled Appellant attempting to protect her constitutional rights under extreme physical duress. By creating a systematically hostile environment, the Court has transformed the appellate process into a weapon of retaliation and a barrier to courts.

CONCLUSION AND PRAYER FOR RELIEF

Appellant respectfully moves this Court for Rehearing En Banc to correct the structural and constitutional errors of its April 21, 2026 Order. The integrity of the judicial process demands that the Court correct the evidence laundering initiated in its November 26, 2025 order. Appellant prays that this Court:

1. VACATE the April 21, 2026 Order in its entirety;
2. RECEIVE the exhibits, transmitted on December 1, 2025, into the Record as of July 22, 2024, Nunc Pro Tunc, as requested in the August 28, 2025 motion which the Court granted on November 26, 2025;
3. ADJUDICATE the unopposed September 4, 2025 Expedited Motion to Compel Transmission on its actual merits and GRANT the relief requested;
4. RESTORE the Record on Appeal and Protective Final Brief, filed on April 9 and 10, 2026, to their proper status as timely filed Jurisdictional Pleadings;
5. ADJUDICATE the unopposed February 3 emergency motion to supplement on its actual merits and GRANT the relief requested;

6. ADJUDICATE the unopposed April 6 emergency motion to exceed on its actual merits and GRANT the relief requested;
7. STRIKE the unlawful threat of sanctions issued against a disabled litigant for seeking meaningful access to the courts.
8. ADJUDICATE the unopposed April 8 motion for Reasonable ADA Accommodation and GRANT the requested 30-day extension to prepare a Final Brief commencing only after the above requests have been granted;
9. STAY the case until the reasonable accommodation has been granted.

Failure to grant this relief will result in the permanent obliteration of the Trial Record and the physical exhaustion of Appellant's ability to participate, leading to the final foreclosure of this appeal in violation of the South Carolina and United States Constitutions.

EXHIBITS

Exhibit 1 – Appellant's Amended Initial Brief, pages 1–4, filed February 12, 2026;
Exhibit 2 – Appellant's Protective Final Brief, pages 1–6, filed April 10, 2026;
Exhibit 3 – Appellant's Emergency Motion to Supplement, filed February 3, 2026, w/o exhibits;
Exhibit 4 – Screenprint E2, (Record on Appeal, filed 04/09/2026, Rec. pp. 324–325);
Exhibit 5 – Screenprint E4; (Record on Appeal, filed 04/09/2026, Rec. pp. 340–342);
Exhibit 6 – Appellant's 3rd Motion to Compel Transmission, filed August 28, 2025, w/o exhibits;
Exhibit 7 – Court of Appeals Order: Appellant's August 28 motion Granted, filed Nov 26, 2025;
Exhibit 8 – Appellant's Transmission Cover Letter, filed December 1, 2025, without exhibits;
Exhibit 9 – Appellant's Request to Remove "DV", filed October 4, 2024;
Exhibit 10 – Circuit Court Order removing 'DV', filed October 10, 2024;
Exhibit 11 – Appellant's Emergency Motion for Leave to Exceed, filed April 6, 2026, w/o exhibits;
Exhibit 12 – Appellant's Motion for Reasonable Accommodation, filed April 8, 2026, w/o exhibits;
Exhibit 13 – Court of Appeals Letter: Appellant's August 28 motion Denied, filed Sep 3, 2025;
Exhibit 14 – Appellant's 4th Motion to Compel Transmission, filed Sep 4, 2025, w/o exhibits;

Respectfully submitted,

s/ Olga Teslenko
Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: May 21, 2026.

RECEIVED
May 21 2026
SC Court of Appeals

CERTIFICATE OF SERVICE

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,
v.
Joe Kocsis,
Carpet King & Flooring, Respondents.

PROOF OF SERVICE OF APPELLANT'S AMENDED PETITION FOR REHEARING OF THE APRIL 21, 2026 ORDER, AND SUGGESTION FOR REHEARING EN BANC

Appellant hereby certifies that she has served her Amended Petition of Rehearing of the April 21, 2026 Order, and Suggestion for Rehearing En Banc on Respondent Mr. Joe Kocsis, who at all relevant times represented himself the owner of Carpet King & Flooring. Service was made by depositing a true copy thereof with Federal Express, postage prepaid, on May 21, 2026, addressed to: Mr. Joe Kocsis, Carpet King & Flooring, 532 Broadway Street, Myrtle Beach, SC 29577.

Respectfully submitted,
/s/ Olga Teslenko
Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: May 21, 2026

EXHIBITS

TO

PETITION for REHEARING of the COURT OF APPEALS APRIL 21, 2026 ORDER with SUGGESTION for REHEARING EN BANC, filed on May 21, 2026

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 1

Pages 1–4 of Appellant's Amended Initial Brief,
filed February 12, 2026,
stipulating equitable nature of appeal to set aside judgments for alleged fraud upon the court.

RECEIVED
Feb 12 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring,
Respondents.

APPELLANT'S AMENDED INITIAL BRIEF

Appellant respectfully submits this Amended Initial Brief pursuant to Rule 208, SCACR, in support of her appeal from the judgment of the magistrate court and affirming orders of the circuit court. This appeal is a suit in equity to set aside the magistrate's judgment and circuit court orders for extrinsic fraud, raising due process violations and systematic denial of access to courts.

For over a year, this Court denied Appellant's requests for the transmission of the trial record, before ultimately permitting her to transmit her copies of the original paper exhibits and flashdrive. The completion of the record necessitated its supplementation with a transcript and Appellant's testimony, which had been suppressed from review below. However, Appellant's Emergency Motion to Supplement remains unjudged, providing a pretext for excluding, again, key evidence of fraud, already in the record.

Appellant submits this brief under continuing extreme duress and under protest. This Court's effective refusal to consider evidence of judicial fraud—timely filed below but barred from the record by the very actors who committed the fraud—has resulted in an impaired and fundamentally obstructed briefing process, inflicting extraordinary ongoing harm.

TABLE OF CONTENTS

CONSTITUTIONAL PROVISIONS INVOLVED 2
TABLE OF AUTHORITIES 2
INTRODUCTION 3
FACTUAL BACKGROUND 4
STANDARD OF REVIEW 12
ISSUES ON APPEAL 12
ARGUMENT 13
I. THE MAGISTRATE'S JUDGMENT WAS BASED ON FABRICATED FINDINGS AND MUTILATED RECORD. 13
II. THE CIRCUIT COURT AFFIRMANCE WAS BASED ON COORDINATED JUDICIAL FRAUD AND OBSTRUCTION. 25
III. APPELLANT WAS DENIED ACCESS TO COURTS AND EXCLUDED FROM PROTECTION OF LAW. 46
CONCLUSION 49

CONSTITUTIONAL PROVISIONS INVOLVED

This appeal involves the following constitutional guarantees:

- **U.S. Const. amend. XIV, § 1:** ". . . nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."
- **S.C. Const. art. I, § 3:** ". . . nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws."
- **S.C. Const. art. I, § 9:** "All courts shall be public, and every person shall have speedy remedy therein for wrongs sustained."

TABLE OF AUTHORITIES

Constitution

S.C. Const., art. I, § 3
S.C. Const., art. 5, § 5
S.C. Const., art. I, § 9

Statutes

SCACR 210.
S.C. Code § 18-7-130
S.C. Code § 18-7-170
S.C. Code § 18-7-80
S.C. Code § 18-1-140

CJC, Preamble, Rule 501, SCACR
CJC, Canon 3, Rule 501, SCACR

Cases

Tennessee v. Lane, 541 U.S. 509 (2004)
Richardson v. Town of Eastover, 922 F.2d 1152 (4th Cir. 1991)
S.C. Dep't of Soc. Servs. v. Wells, Op. No. 2019-UP-350, (S.C. App. 2019)
Goldberg v. Kelly, 397 U.S. 254 (1970)
Brady v. Maryland (1963)
Tumey v. Ohio, 273 U.S. 522 (1927)
McNally v. United States, 483 U.S. 350 (1987)
Lawson v. Citizens & S. Nat'l Bank of S.C., 259 S.C. 477, 481-82, 193 S.E.2d 124, 126 (1972)
Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)
Hagy v. Pruitt, 339 S.C. 625 (2000)
Chewning v. Ford Motor Co., 354 S.C. 1 (2003)
Gucci America, Inc. v. Weixing Li, 768 F.3d 122 (2d Cir. 2014) ("a party cannot be deemed to have waived objections…which were not known…at the time")
Music Company v. Glymph, 100 S.C. 200, 84 S.E. 715 (S.C. 1915)

INTRODUCTION

When a simple contract dispute in the magistrate court resulted in a judgment contrary to the admitted trial evidence, this appeal evolved to expose the lack of integrity of the judicial process itself. The process, which began with the magistrate's judgment based on the altered record and fabricated findings, culminated in the circuit court's obstruction of Appellant's trial evidence and affirmance based on extrinsic fraud. For over one year, this Court's initial refusal to transmit Appellant's admitted trial exhibits compelled Appellant to proceed under extreme duress, attempting to brief her claims on a fabricated record devoid of her trial evidence. While this Court eventually permitted transmission of the exhibits, it continued to obstruct critical supplemental records, made necessary by the constitutional violations below.

The magistrate's return omitted and altered admitted trial evidence, circuit court clerk withheld the magistrate's summary from the docket and covertly backfiled it after the hearing, law clerk dismissed Appellant's corrective filing and affirmed the unrebutted judgment based on the fabricated findings and manufactured return. At every stage, Appellant was systematically denied due process and the opportunity to be heard on the merits.

This appeal presents fundamental questions of procedural and substantive fairness under the South Carolina and United States Constitutions. Because the documented pattern of misconduct

constitutes extrinsic judicial fraud, Appellant seeks de novo review and equitable relief. Appellant respectfully submits that the trial evidence, once fully considered, demonstrates a systematic deprivation of rights under color of law, warranting reversal and a new trial.

FACTUAL BACKGROUND

In November 2023, Appellant contracted with Respondent to install glue-down luxury vinyl plank flooring. The contract specified this method of installation (DOM 13). Immediately after completion, Appellant observed widespread lifting of the planks (DOM 5, 20, 30: Flashdrive, Folder 1, 2). Within ten days, the majority of the flooring had detached from the subfloor (DOM 7: p. 25, line 2-13; DOM 15, 30).

Respondent inspected the failed installation in person, confirmed omitting critical installation requirements, and expressly intended to omit them again when offered to cure (DOM 5, 6, 30, 30: Flashdrive, Folder 4, Supp.1). Appellant declined the proposed plan to violate required protocols and Respondent agreed to issue a full refund, but later rescinded and requested that Appellant negotiate fixes with his father (DOM 5,6,9, 30: Flashdrive, Folder 4, Supp.1). Appellant declined to negotiate with Respondent's father, whom she never met, and retained an independent, industry-certified inspector, recommended by the flooring manufacturer (DOM 13, 9, DOM 7: R. p. 11–14; 17; p. 23, lines 3–13). The inspection report confirmed that Respondent's work failed to comply with published installation protocols, documenting systemic failure and noncompliance (DOM 7: R. p. 13–14; p. 24, lines 7-14; DOM 30).

Unable to engage counsel, Appellant filed a narrowly-tailored pro se complaint in the magistrate court seeking recovery for material breach of contract (DOM 2, E7, 19). At March 2024 trial, Appellant entered paper documents and a flashdrive, and proffered them with specificity in her opening statement (DOM 5, 7: p. 24, line 13–15). The magistrate reviewed, authenticated and fully admitted each of her trial exhibits, including the flashdrive (DOM 2,5,7). Throughout the circuit court proceedings, prior to the discovery of the covertly backfiled summary, Appellant reasonably believed all of her admitted exhibits were properly in evidence (DOM 2, 7).

Appellant's flashdrive contained digital copies of her paper exhibits and critical video evidence of the widespread fundamental failure within days of installation (DOM 30: Flashdrive). The flashdrive also contained the complete audio recording of Respondent's inspection, his admissions of pervasive noncompliance with required protocols, and express intention to violate them again when

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 2

Pages 1–6 of Appellant's Protective Final Brief,
filed April 10, 2026,
stipulating equitable nature of appeal to set aside judgments for alleged fraud upon the court.

RECEIVED
Apr 10 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring,
Respondents.

PROTECTIVE FINAL BRIEF OF APPELLANT
Filed under protest pending rulings on Motion for ADA Accommodation, Motion to Supplement, Motion for Extension of Time, and Motion for leave to Exceed Page Limit

---

Olga Teslenko (Appellant, Pro Se)
100 Fountain Pointe Ln Unit 103
Myrtle Beach, SC 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

APPELLANT PRO SE

April 10, 2026

TABLE OF CONTENTS

TABLE OF AUTHORITIES 2
CONSTITUTIONAL PROVISIONS INVOLVED 3
PRELIMINARY STATEMENT AND NOTICE OF PROTECTIVE FILING 3
STATEMENT OF ISSUES ON APPEAL 4
STATEMENT OF THE CASE 5
STANDARD OF REVIEW 5
INTRODUCTION 5
FACTUAL BACKGROUND 6
ARGUMENT 16
I. THE MAGISTRATE'S JUDGMENT WAS BASED ON FABRICATED FINDINGS AND MUTILATED RECORD. 16
II. THE CIRCUIT COURT AFFIRMANCE WAS BASED ON COORDINATED FRAUD AND OBSTRUCTION. 28
III. APPELLANT WAS DENIED ACCESS TO COURTS AND EXCLUDED FROM PROTECTION OF LAW. 48
CONCLUSION 51
CERTIFICATE OF SERVICE 53

TABLE OF AUTHORITIES

Constitution
S.C. Const., art. I, § 3
S.C. Const., art. 5, § 5
S.C. Const., art. I, § 9

Statutes and Rules
SCACR 210. 208
S.C. Code § 18-7-130
S.C. Code § 18-7-170
S.C. Code § 18-7-80
S.C. Code § 18-1-140
CJC, Preamble, Rule 501, SCACR
CJC, Canon 3, Rule 501, SCACR

Cases
Tennessee v. Lane, 541 U.S. 509 (2004)
Richardson v. Town of Eastover, 922 F.2d 1152 (4th Cir. 1991)
S.C. Dep't of Soc. Servs. v. Wells, Op. No. 2019-UP-350, (S.C. App. 2019)

Goldberg v. Kelly, 397 U.S. 254 (1970)
Brady v. Maryland (1963)
Tumey v. Ohio, 273 U.S. 522 (1927)
McNally v. United States, 483 U.S. 350 (1987)
Lawson v. Citizens & S. Nat'l Bank of S.C., 259 S.C. 477, 481-82, 193 S.E.2d 124, 126 (1972)
Hazel-Atlas Glass Co. v. Hartford-Empire Co., 33 2 U.S. 238 (1944)
Hagy v. Pruitt, 339 S.C. 625 (2000)
Chewning v. Ford Motor Co., 354 S.C. 1 (2003), where the "judicial machinery itself has been tainted".
Gucci America, Inc. v. Weixing Li, 768 F.3d 122 (2d Cir. 2014) ("a party cannot be deemed to have waived objections…which were not known…at the time")
Music Company v. Glymph, 100 S.C. 200, 84 S.E. 715 (S.C. 1915)

CONSTITUTIONAL PROVISIONS INVOLVED

This appeal involves the following constitutional guarantees:

- **U.S. Const. amend. XIV, § 1:** ". . . nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."
- **S.C. Const. art. I, § 3:** ". . . nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws."
- **S.C. Const. art. I, § 9:** "All courts shall be public, and every person shall have speedy remedy therein for wrongs sustained."

PRELIMINARY STATEMENT AND NOTICE OF PROTECTIVE FILING

Appellant submits this Protective Final Brief to meet the April 13, 2026 deadline, avoid dismissal, and preserve the right to appeal under Rule 208(a)(4). This filing is made solely to avoid procedural default and should not be construed as a complete or final presentation of Appellant's arguments. This filing is made under protest as the following critical motions that directly affect her ability to prepare a compliant brief, remain pending without a ruling:

1. Motion for Extension of Time (Jan 28, 2026): No return filed by Respondent; motion remains stalled.
2. Motion to Supplement the Record (Feb 3, 2026): No return filed by Respondent; motion remains stalled.
3. Emergency Motion for Leave to Exceed Page Limit (April 6, 2026): Currently miscaptioned on the docket; remains pending.
4. Motion for ADA Accommodation (April 8, 2026): Filed and stamped; but still awaiting docketing.

For over a year, this Court denied Appellant's requests for the transmission of the trial record, before ultimately permitting her to transmit her copies of the original paper exhibits and

flashdrive. The completion of the record necessitated its supplementation with a transcript and Appellant's testimony, which had been suppressed from review below. However, Appellant's Emergency Motion to Supplement, filed in February and unprotested, remains unjudged, providing a pretext for excluding, again, key evidence already in the record.

Appellant's health deteriorated over the course of this year, compounding the limitations of her neurological disability. However, Appellant's Motion for Extension of Time, filed in January and unprotested, remain unjudged, compelling her to attempt to prepare the brief under conditions that exceed her functional capacity, effectively denying meaningful access to the appellate process.

Appellant's case raises multiple claims of deprivation of rights under color of law and involves an extensive Record, requiring more space than the standard page limit. Yet Appellant's Emergency Motion to Exceed, filed on April 6, remains unjudged, effectively compelling her to forfeit her constitutional claims.

The unexplained delay in ruling on Appellant's January 28 and February 3 motions—despite no return being filed by Respondent—combined with the current administrative ambiguity of the docket, creates a procedural barrier that prevents Appellant from presenting a full and fair argument grounded in the evidence already in the Record before the Court.

Due to these unresolved critical motions and Appellant's disability, Appellant is physically unable to comply with standard briefing requirements without the requested accommodations, and this brief is necessarily incomplete. Appellant reserves the right to file a substituted, compliant final brief once the Court rules on the pending requests for accommodation, record supplementation, and page limit.

While the Clerk issued a letter on April 7, 2026, stating that the case is 'held in abeyance,' no formal order has been entered modifying the April 13, 2026 briefing deadline. Consequently, Appellant files this brief under protest, to ensure compliance with the existing schedule and to preserve all rights, as the underlying pending motions are effectively dispositive and remain without a formal ruling.

Appellant submits this brief under continuing extreme duress and under protest. This Court's effective refusal to consider evidence of judicial fraud—timely filed below but barred from the record by the very actors who committed the fraud—has resulted in an impaired and fundamentally obstructed briefing process, inflicting extraordinary ongoing harm.

STATEMENT OF ISSUES ON APPEAL

I. Was the magistrate's judgment based on fabricated findings and mutilated record?

II. Was the Circuit Court affirmance based on coordinated judicial fraud and clerical obstruction?

III. Was Appellant denied Access to Courts and excluded from the Protection of Law?

STATEMENT OF THE CASE

Appellant incorporates the procedural history detailed in the Preliminary Statement and the Factual Background. A comprehensive Statement of the Case will be provided in the substituted brief pending the Court's ruling on Appellant's Motion for Extension of Time and ADA accommodation.

STANDARD OF REVIEW

This Court reviews all questions of law *de novo*. Furthermore, because this is a suit in equity seeking relief from fraudulently obtained judgment and orders, both the findings of fact and the law must be reviewed *de novo*, as mandated by Article V, § 5 of the South Carolina Constitution: "The Court shall have appellate jurisdiction only in cases of equity, and in such appeals, they shall review the findings of fact as well as the law, except in cases where the facts are settled by a jury."

Where judicial fraud or misconduct is alleged—such as the spoliation of the trial record, fabrication of findings, docket tampering, and denial of due process and access to courts—a heightened standard of scrutiny is applied to ensure integrity of the Judicial Process. The subsequent obstruction by the appellate court itself, through its initial refusal to transmit trial evidence, is an independent due process violation that further compels a thorough *de novo* review of the entire matter.

Because Appellant's constitutional rights to due process and access to courts have been systematically denied by a pattern of misconduct at multiple judicial levels, the proper standard of review is *de novo* for all legal conclusions and for the factual findings underlying the equitable claim of fraud.

INTRODUCTION

When a simple contract dispute in the magistrate court resulted in a judgment contrary to the admitted trial evidence, this appeal evolved to expose the lack of integrity of the judicial process itself. The process, which began with the magistrate's judgment based on the altered record and fabricated findings, culminated in the circuit court's obstruction of Appellant's trial evidence and affirmance based on extrinsic fraud. For over one year, this Court's initial refusal to transmit

Appellant's admitted trial exhibits compelled Appellant to proceed under extreme duress, attempting to brief her claims on a fabricated record devoid of her trial evidence. While this Court eventually permitted transmission of the exhibits, it continued to obstruct critical supplemental records, made necessary by the constitutional violations below.

The magistrate's return omitted and altered admitted trial evidence, circuit court clerk withheld the magistrate's summary from the docket and covertly back-filed it after the hearing, law clerk dismissed Appellant's corrective filing and affirmed the unrebutted judgment based on the fabricated findings and manufactured return. At every stage, Appellant was systematically denied due process and the opportunity to be heard on the merits.

This appeal presents fundamental questions of procedural and substantive fairness under the South Carolina and United States Constitutions. Because the documented pattern of misconduct constitutes extrinsic judicial fraud, Appellant seeks de novo review and equitable relief. Appellant respectfully submits that the trial evidence, once fully considered, demonstrates a systematic deprivation of rights under color of law, warranting reversal and a new trial.

FACTUAL BACKGROUND

In November 2023, Appellant contracted with Respondent to install glue-down luxury vinyl plank flooring. The contract specified this method of installation (Rec. pp. 100–101; 278–280). Immediately after completion, Appellant observed widespread lifting of the planks (Rec. pp. 135–179 [as returned]; 466–510 [as entered]; 21–25; Rec. p. 535, Flashdrive: Folder '2. LVP, first ten days', subfolders). Within ten days, the majority of the flooring had detached from the subfloor (Flashdrive: Folder '2. LVP, first ten days', subfolder '1. Lifting VIDEOS and PHOTOS'; Rec. p. 38, lines 2–13; Rec. pp. 319–320; 135–179 [as returned]; 466–510 [as entered]; 130–132 [as returned]; 530–532 [as entered]).

Respondent inspected the failed installation in person, confirmed omitting critical installation requirements, and expressed intent to omit them again when offered the opportunity to cure (Rec. pp. 52–75; 21–25; 27–29; Flashdrive: Folder '4. Mr. Kocsis inspecting, Nov 16, 2023', files). Appellant declined the proposed plan to violate required protocols, and Respondent agreed to issue a full refund (Rec. p. 68–75; Flashdrive: Folder "4. Mr. Kocsis inspecting, Nov 16, 2023", "11. I would like my money back—OK. I'll go get your money and return tomorrow"). The following day, Respondent rescinded and requested that Appellant negotiate fixes with his father (Rec. pp. 130–132 [as returned]; 530–532 [as entered]; 21, 24; 27, 29). Appellant declined to negotiate with Respondent's father, whom she had never met, and retained an independent, industry-certified

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 3

Appellant's Emergency Motion to Supplement Record on Appeal (without exhibits), filed February 3, 2026

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,
v.
Joe Kocsis,
Carpet King & Flooring, Respondents.

APPELLANT'S EMERGENCY MOTION TO SUPPLEMENT THE RECORD ON APPEAL, AND REQUEST FOR IMMEDIATE CONSIDERATION

NOW COMES Appellant, acting pro se, and respectfully moves this Honorable Court, pursuant to Rules 210 and 212, SCACR**,** for leave to supplement the Record on Appeal with critical materials necessary for briefing and appellate review. Appellant asserts that these materials were excluded below from the record through violations of Appellant's right to due process. The denial of this motion would be **dispositional in nature**, effectively depriving Appellant of a meaningful appeal.

This motion invokes the Court's inherent power to control its docket and fulfill its duty under S.C. Code Ann. § 18-7-130, which mandates that appellate courts hear appeals based on all essential exhibits. Appellant seeks **Panel Review** and **Immediate Consideration** in light of the February 12, 2026, briefing deadline and the pending motion for extension filed January 28, 2026.

In support of this Motion, Appellant states the following:

1. **Official Transcript of Trial Audio (Exhibit 2):**
    - **Procedural History**: This Court granted transmission of trial exhibits on November 26, 2025. These exhibits (filed Dec. 1, 2025) were transmitted as a raw flash drive, consistent with the form admitted at trial.

- **Need for Supplement:** Proper appellate review and briefing necessitate an official transcript of the audio recording on said drive. This transcript is essential to establish the factual basis, central to the appeal, which was rendered inaccessible through procedural irregularities in the lower court.

2. **Evidence of Docket Tampering (Exhibit 3):**
    - **Procedural History:** On September 20, 2024, Appellant filed a Motion for Reconsideration citing constitutional violations and including Screenprints E2 and E4 as newly discovered evidence of docket tampering. Through clerical obstruction, this motion was denied judicial review, and Appellant was denied the opportunity to lay a proper foundation for this evidence.
    - **Need for Supplement:** To ensure this Court can review the evidence of tampering embedded in these screenprints, Appellant seeks to supplement the record with the necessary legal foundations and hyperlink analysis that were timely filed but suppressed below.
3. **Evidence of Improper Captioning (Exhibit 4):**
    - **Procedural History**: Appellant's Motion for Reconsideration, timely filed below, was improperly re-captioned as a 'Domestic Violence' motion and placed on an incorrect roster, effectively excluding it from judicial review.
    - **Need for Supplement**: Appellant seeks to supplement the record with a screenprint of the circuit court docket showing this re-captioning, which will directly demonstrate the obstruction that prevented a fair hearing.
4. **Extraordinary Circumstances:**

    Appellant suffers from a documented progressive neurological disability and acute illness, which have significantly hindered her ability to address these complex record deficiencies. Supplementing the record now is the only way to ensure the Amended Initial Brief is built upon a truthful and complete trial record.
5. **Dispositional Nature of Motion**:
    - Denial of this motion would be dispositional, effectively dismissing the appeal by excluding critical trial evidence barred below via due process violations.

- A delay in adjudication would constitute a *de facto* denial, as the current February 12 deadline approaches while the January 28 motion for extension remains unruled.

WHEREFORE, Appellant respectfully requests that this Court grant leave to supplement the Record on Appeal with the aforementioned materials (Exhibits 2, 3, and 4) to ensure a just and constitutional review of this matter.

Respectfully submitted,

s/ Olga Teslenko
Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: February 3, 2026.

Enclosed:
Exhibit 1 – Appellant's affidavit;
Exhibit 2 – Official Transcript of Joe Kocsis' November 16, 2023 inspection;
Exhibit 3 – Legal Foundation and Hyperlink Analysis (Screenprints E2 and E4), Appellant's sworn testimony;
Exhibit 4 – Screenprint "Motion Miscaptioned 'DV'.pdf".

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 4

Screenprint E2 submitted within Appellant's circuit court Motion for Reconsideration, filed September 20, 2025 but denied review, capturing circuit court docket before the hearing.

Horry County
Fifteenth Judicial Circuit
Public Index

E2

Horry County Home Page South Carolina Judicial Department Home Page SC.GOV Home Page

Switch View

Olga Teslenko VS Carpet King & Flooring , defendant, et al

Case Number:	2024CP2602983	Court Agency:	Common Pleas	Filed Date:	04/29/2024
Case Type:	Appeal	Case Sub Type:	Magistrate Civil 910	File Type:	Non-Jury
Status:	Appeal	Assigned Judge:	Clerk Of Court C P, G S, And Family Court		
Disposition:		Disposition Date:		Disposition Judge:	
Original Source Doc:		Original Case #:			
Judgment Number:		Court Roster:			

Case Parties

Click the icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
Carpet King & Flooring	532 Broadway St Myrtle Beach SC 29577				Respondent		05/02/2024
Carpet King & Flooring	532 Broadway St Myrtle Beach SC 29577				Respondent Pro Se		05/02/2024
Kocsis, Joe	532 Broadway St Myrtle Beach SC 29577				Respondent Pro Se		05/02/2024
Kocsis, Joe	532 Broadway St Myrtle Beach SC 29577				Respondent		05/02/2024
Teslenko, Olga	100 Fountain Pointe Lane Unit 103 Myrtle Beach SC 29579				Appellant Pro Se		05/02/2024
Teslenko, Olga	100 Fountain Pointe Lane Unit 103 Myrtle Beach SC 29579				Appellant		05/02/2024

Actions

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Teslenko, Olga	Service/Affidavit Of Service on MB Magistrate Court	Filing		07/05/2024-16:17		
Teslenko, Olga	Appeal/Appeal Returned Received	Action		05/29/2024-13:32		
Teslenko, Olga	Appeal/Notice of Civil Appeal (Workflow)	Action		05/09/2024-15:27	05/25/2024-15:27	

Teslenko, Olga	Email Confirmation of Appeal Received	Filing		05/03/2024-09:34		
Teslenko, Olga	Motion/Appeal	Motion		04/29/2024-15:27		
Teslenko, Olga	Appeal/Notice of Civil Appeal	Filing		04/29/2024-15:26		

Financials

Summary

Fine/Costs:	$150.00	Total Paid for fine/costs:	$150.00	Balance Due:	$0.00

Costs

Description	Cost Code	Amount	Charge Action	Disbursed Amount
Civil Filing Fee State 56%	CVFFST	$56.00		$56.00
Civil Filing Fee County 44%/100%	CVFFCN	$44.00		$44.00
SCJD Filing Fee Proviso $50 / $25	SCJDPV	$50.00		$50.00

Payments

Payment Date	Receipt Number	Entered By	Transaction Type Code	Payment Amount
04/29/2024	1104524	c26hbellam	PY	$150.00

CMSWeb 7.2 © 2024 South Carolina Judicial Branch • All rights reserved

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 5

Screenprint E4 submitted within Appellant's circuit court Motion for Reconsideration, filed September 20, 2025 but denied review, capturing circuit court docket after the hearing.

Horry County
Fifteenth Judicial Circuit
Public Index

Horry County Home Page South Carolina Judicial Department Home Page SC.GOV Home Page

E4

Switch View

Olga Teslenko VS Carpet King & Flooring , defendant, et al

Case Number:	2024CP2602983	Court Agency:	Common Pleas	Filed Date:	04/29/2024
Case Type:	Appeal	Case Sub Type:	Magistrate Civil 910	File Type:	Non-Jury
Status:	Appeal	Assigned Judge:	Clerk Of Court C P, G S, And Family Court		
Disposition:		Disposition Date:		Disposition Judge:	
Original Source Doc:		Original Case #:			
Judgment Number:		Court Roster:			

Case Parties

Click the icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
Carpet King & Flooring	532 Broadway St Myrtle Beach SC 29577				Respondent		05/02/2024
Carpet King & Flooring	532 Broadway St Myrtle Beach SC 29577				Respondent Pro Se		05/02/2024
Kocsis, Joe	532 Broadway St Myrtle Beach SC 29577				Respondent Pro Se		05/02/2024
Kocsis, Joe	532 Broadway St Myrtle Beach SC 29577				Respondent		05/02/2024
Teslenko, Olga	100 Fountain Pointe Lane Unit 103 Myrtle Beach SC 29579				Appellant Pro Se		05/02/2024
Teslenko, Olga	100 Fountain Pointe Lane Unit 103 Myrtle Beach SC 29579				Appellant		05/02/2024

Actions

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Teslenko, Olga	Certificate/COC Mailing Copies of Court Orders - Form 4	Action		08/27/2024-11:33		
Teslenko, Olga	Order/Electronic Form 4-Motion for Appeal is Under	Order		08/27/2024-09:11		

Teslenko, Olga	Data Entry/Response to Correct Data Entry Error	Filing		08/16/2024-10:51		
Teslenko, Olga	Data Entry/Request to Correct Data Entry Error	Filing		08/14/2024-14:47		
Kocsis, Joe	8/19/2024_MOTION_Roster/ Notice of Motions Roster Publication	Action		08/09/2024-15:26		
Teslenko, Olga	8/19/2024_MOTION_Roster/ Notice of Motions Roster Publication	Action		08/09/2024-15:26		
Carpet King & Flooring	8/19/2024_MOTION_Roster/ Notice of Motions Roster Publication	Action		08/09/2024-15:26		
Teslenko, Olga	Letter Submitting Exhibits Omitted in Lower Court's Return	Filing		07/22/2024-14:16		
Teslenko, Olga	Letter to Clerk of Court About Appellants Disability	Filing		07/22/2024-14:12		
Carpet King & Flooring	Notice/Notice of Hearing and Service	Filing		07/17/2024-11:17		
Kocsis, Joe	Notice/Notice of Hearing and Service	Filing		07/17/2024-11:16		
Teslenko, Olga	Notice/Notice of Hearing and Service	Filing		07/17/2024-11:16		
Kocsis, Joe	8/19/2024_MOTION_Roster/ Notice of Motions Roster Publication	Action		07/17/2024-09:44		
Carpet King & Flooring	8/19/2024_MOTION_Roster/ Notice of Motions Roster Publication	Action		07/17/2024-09:44		
Teslenko, Olga	8/19/2024_MOTION_Roster/ Notice of Motions Roster Publication	Action		07/17/2024-09:44		
Teslenko, Olga	Service/Affidavit Of Service on MB Magistrate Court	Filing		07/05/2024-16:17		
Teslenko, Olga	Return from Magistrate Court	Action		05/29/2024-13:32		
Teslenko, Olga	Appeal/Notice of Civil Appeal (Workflow)	Action		05/09/2024-15:27	05/25/2024-15:27	
Teslenko, Olga	Email Confirmation of Appeal Received	Filing		05/03/2024-09:34		
Teslenko, Olga	Motion/Appeal	Motion		04/29/2024-15:27	08/21/2024-15:27	
Teslenko, Olga	Appeal/Notice of Civil Appeal	Filing		04/29/2024-15:26		

Financials

Summary					
Fine/Costs:	$150.00	Total Paid for fine/costs:	$150.00	Balance Due:	$0.00

Costs

Description	Cost Code	Amount	Charge Action	Disbursed Amount
SCJD Filing Fee Proviso $50 / $25	SCJDPV	$50.00		$50.00
Civil Filing Fee County 44%/100%	CVFFCN	$44.00		$44.00
Civil Filing Fee State 56%	CVFFST	$56.00		$56.00

Payments

Payment Date	Receipt Number	Entered By	Transaction Type Code	Payment Amount
04/29/2024	1104524	c26hbellam	PY	$150.00

CMSWeb 7.2 © 2024 South Carolina Judicial Branch • All rights reserved

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 6

Appellant's Third Motion to Compel Transmission of Trial Evidence (without exhibits), filed August 28, 2025

RECEIVED
Aug 28 2025
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring,
Respondents.

APPELLANT'S MOTION UNDER RULE 240, SCACR, TO COMPEL TRANSMISSION OF ORIGINAL EXHIBITS

Appellant, appearing pro se, respectfully moves this Court pursuant to Rule 240, SCACR, for an order compelling transmission of the original exhibits filed in the trial court.

GROUNDS FOR RELIEF.

1. At trial in magistrate court, Appellant introduced a package of exhibits, including paper exhibits and a flashdrive containing video evidence. These exhibits were reviewed, authenticated, and admitted into evidence without objection.
2. Upon appeal to the circuit court, the magistrate's return omitted these exhibits. On July 22, 2024, pursuant to the county clerk's instruction, Appellant submitted a corrective package of identical copies of the omitted exhibits, both paper and flashdrive. See Exhibit B – Letter Submitting Exhibits Omitted in Lower Court's Return (July 22, 2024).
3. At the circuit court hearing, Appellant confirmed under oath that the exhibits she re-filed on July 22, 2024 were identical to those admitted at trial. There were no objections. See Exhibit A – Transcript of Circuit Court Hearing (Aug. 21, 2024), title page and pp. 5–10 (highlighted).

4. The circuit court scanned the paper exhibits in a manner that rendered them illegible and excluded the flashdrive entirely.
5. Rule 240, SCACR, requires that this Court be provided with all matters material to the appeal. The original exhibits are essential; their omission completely denies meaningful appellate review.

RELIEF REQUESTED.

For the foregoing reasons, Appellant respectfully requests that this Court grant this Rule 240 motion and:

A. Order the Clerk of Court for Horry County to transmit the original paper exhibits and the original flashdrive filed July 22, 2024; or, in the alternative,

B. Permit Appellant to substitute her copies, including the flashdrive, to be received into the record as of July 22, 2024; and

C. Grant such other and further relief as may be just and proper to ensure that this appeal is decided on a complete and accurate record.

Respectfully submitted,

Dated: August 28, 2025

/s/ Olga Teslenko
Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Enclosures:

Exhibit A – Transcript of Circuit Court Hearing (excerpt, Aug. 21, 2024, pp. 5–10).

Exhibit B – Letter Submitting Exhibits Omitted in Lower Court's Return (July 22, 2024).

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 7

Court of Appeals November 26, 2025 Order - Appellant's Third Motion to Compel Transmission of Original Exhibits GRANTED

The South Carolina Court of Appeals

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring, Respondents.

Appellate Case No. 2024-001734

ORDER

On August 28, 2025, Appellant filed a motion "to compel transmission of original exhibits." Specifically, Appellant moved this court to compel the transmission of original documents and a flash drive that she filed with the circuit court on July 22, 2024, to this court for consideration as part of her appeal. Appellant stated the circuit court scanned the paper documents in a manner that rendered them illegible; thus, Appellant asserted the original paper documents are necessary. Alternatively, Appellant moved to allow her "to substitute her copies, including the flash drive." No return was filed. After careful consideration, we grant Appellant's motion for alternative relief. Within ten days of the date of this order, Appellant shall provide this court with copies of the paper exhibits and flash drive that she provided to the circuit court on July 22, 2024.

_____ J.
FOR THE COURT

Columbia, South Carolina

FILED
Nov 26 2025

cc:
Olga Teslenko
Carpet King & Flooring
Joe Kocsis

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 8

Appellant's Cover Letter Transmitting Original Trial Evidence (without exhibits), filed December 1, 2025

RECEIVED
DEC 01 2025
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,
v.
Joe Kocsis and Carpet King & Flooring,
Respondents.

LETTER TO THE APPELLATE COURT CLERK FILING APPELLANT'S TRIAL EXHIBITS AS REFILED WITH THE CIRCUIT COURT ON 7/22/2024

December 2, 2025

TO THE HONORABLE JENNY ABBOTT KITCHINGS, CLERK OF COURT
SOUTH CAROLINA COURT OF APPEALS
1220 Senate St.
Columbia, SC 29201
(803) 734-1890

RE: Olga Teslenko v. Joe Kocsis, Appellate Case No. 2024-001734

Appellant Olga Teslenko, appearing pro se and in compliance with **this Court's Order dated November 26, 2025,** hereby submits the following physical copies of her original trial paper exhibits and flashdrive, which she filed with the circuit court on July 22, 2024 to correct the omissions in the magistrate's return.

This filing is in compliance with this Court's Order, which granted Appellant's August 28th Motion for the alternative relief.

The enclosed exhibits are true copies of Appellant's trial paper exhibits and flashdrive, admitted into evidence at trial on March 27, 2024, and subsequently filed with the circuit court

on July 22, 2024, according to the given instruction. According to that instruction, they were filed unnumbered at the circuit court.

In accordance with court rules, these exhibits are now numbered with a tag affixed to each exhibit. This way, each exhibit is an exact match to the docketed circuit court scan, only legible. Exhibit 1 is included as part of the circuit court filing:

1. Exhibit 1 – Letter filing Exhibits Omitted in Lower Court's Return, 7/22/2024 (1 page);
2. Exhibit 2 – PLAINTIFF'S STATEMENT, filed at trial (5 pages);
3. Exhibit 3 – RESILIENT FLOORING STANDARDS, Excerpted Chapter (7 pages).
4. Exhibit 4 – INSPECTION REPORT (2 pages);
5. Exhibit 5 – INSPECTION PHOTOGRAPHS (45 pages);
6. Exhibit 6 – SHAW FLOORS: What to Expect and How to Prepare (1 page);
7. Exhibit 7 – All Instructions, summation document (3 pages);
8. Exhibit 8 – SHAW FLOORS: Installation Guidelines for Resilient Direct Glue (7 pages);
9. Exhibit 9 – SHAW 200 TPS Adhesive Specification (5 pages);
10. Exhibit 10 – SHAW 200 bucket label, photograph (1 page);
11. Exhibit 11 – SHAW 200 Recommended Trowels, photograph (1 page);
12. Exhibit 12 – SHAW 200 Installation, Roll and Cross Roll, photograph (1 page);
13. Exhibit 13 – Gmail: Bullying, Misrepresenting, printout (3 pages);
14. Exhibit 14 – NFCA Reference Manual, Concrete Preparation, photograph (1 page);
15. Exhibit 15 – NFCA Reference Manual, Inadequate Transfer, photograph (1 page);
16. Exhibit 16 – PLAINTIFF'S FLASHDRIVE (physical flashdrive);

Enclosed please find:

1. 84 pages of Appellant's original trial paper exhibits.
2. Appellant's original trial flashdrive.

The **Certificate of Service** of these exhibits on Respondent is included after this letter.

Thank you for your attention to this matter,

Respectfully submitted,

s/ Olga Teslenko
Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: December 2, 2025

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 9

Appellant's circuit court Request to Correct the Caption of Circuit Court Motion for Reconsideration by removing improper 'Domestic Violence' notation, filed October 4, 2024

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF HORRY	)	THE FIFTEENTH JUDICIAL CIRCUIT
	)	
Olga Teslenko	)	Civil Action No.: 2024-CP-26-02983
Appellant	)	
v.	)	**REQUEST TO CORRECT DATA ENTRY ERROR (Motion to Reconsider is not DV)**
Carpet King & Flooring,	)	
Joe Kocsis	)	
Respondents	)	

Appellant hereby requests the electronic data in this matter be corrected because there is an error in the electronic data maintained by the clerk of court.

1. The data entry error is the description of the motion Appellant filed on September 20, 2024, as "Motion / Reconsider (DV)". This appeal case does not involve any domestic violence, which is why when this motion for reconsideration was originally filed on 9/20/2024, it was filed correctly as "Motion / Reconsider". A few days later this correct caption was modified to read "Motion / Reconsider (DV)", which is an error.

2. Appellant hereby requests the following correction to the data:
Appellant's motion filed on 09/20/2024 described as " Motion / Reconsider ".

Date: October 02, 2024

s/ Olga Teslenko
Appellant's Signature

Olga Teslenko,
100 Fountain Pointe Ln,
Unit 103,
Myrtle Beach, SC, 28578
(510) 388-2780
osenochen@gmail.com
Appellant

FILED
HORRY COUNTY
2024 OCT -4 P 3:41
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

SCCA/295 (10/2015)

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 10

Circuit Court Order Removing ‘Domestic Violence’ notation, filed October 10, 2024

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS OF THE FIFTEENTH JUDICIAL CIRCUIT
Olga Teslenko PLAINTIFF(S)	)	CASE NO. 2024-CP-26-2983
VS.	)	**DATA ENTRY ERROR ORDER**
Carpet King & Flooring, et al DEFENDANT(S)	)	

☐ Leave is granted for the requested correction to be made.

☐ Leave is denied for the requested correction to be made.

Date: October 8, 2024

Renee N. Elvis
Clerk of Court

Additional Information: The Motion to Reconsider filed on 9-20-2024 was entered in the system as "Motion/Reconsider" and then changed to reflect "Motion/Reconsider (DV)". The "DV" stands for the judge's initials, Dale Van Slambrook. He is the judge who entered the order on 9-9-2024, which you are asking to be reconsidered. We put the judge's initials next to the motion so we know who it has to be heard by when scheduling. I have changed this entry to reflect "Motion/Reconsider (Van Slambrook)". Please let me know if you have any questions or concerns.

SCCA/297 (10/2015)

ELECTRONICALLY FILED - 2024 Oct 10 4:30 PM - HORRY - COMMON PLEAS - CASE#2024CP2602983

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 11

Appellant's Emergency Motion for Leave to Exceed Page Limit, For Rulings on Pending Motions, and To Correct Administrative Record, filed April 6, 2026

RECEIVED
Apr 06 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring, Respondents.

APPELLANT'S EMERGENCY MOTION FOR LEAVE TO EXCEED PAGE LIMIT, FOR RULINGS ON PENDING MOTIONS, AND TO CORRECT THE ADMINISTRATIVE RECORD.

Appellant, appearing *pro se*, respectfully moves this Court pursuant to Rule 208(b)(1), Rule 211(b), and Rule 263(b) SCACR**,** for (1) leave to exceed the page limit for her Final Brief, (2) rulings on her pending Motion to Supplement the Record on Appeal and pending Motion for Extension of Time, and (3) correction of the administrative record..

This motion is filed on an emergency basis in light of the April 13, 2026 filing deadline.

I. LEAVE TO EXCEED PAGE LIMIT.

1. **Size and Structure of the Record.** The Record on Appeal consists of 562 pages, in addition to a physical flashdrive containing multiple evidentiary files.
2. **Necessity of Precise Record Citations.** The record includes numerous multi-page documents without line numbering. As a result, citation by page number alone does not identify the specific factual material at issue. Without limited direct quotations, the Court would be required to search through dense text documents and guess at the intended evidence.
3. **Inability to Comply with Page Limit While Maintaining Record Support**. To comply with Rule 208, Appellant must provide accurate citations to the Record. In this case, that requires limited verbatim quotations to identify specific material facts within dense text documents. Without leave to exceed the page limit, Appellant must either:

- omit necessary record support, or
- provide citations that are insufficiently specific to permit meaningful review.

Either result would impair the Court's ability to evaluate the issues presented and fatally prejudice Appellant's appeal.

4. **Requested Relief.** Appellant seeks leave to file a Final Brief not exceeding 85 pages. This request is narrowly tailored to allow limited accurate citations to the Record and does not include unnecessary citations.

II. CORRECTION OF ADMINISTRATIVE RECORD.

Appellant's pending Motion for Extension of Time, filed January 28, 2026, was characterized as a "6th" request on the docket.

That characterization is incorrect. The January 28 motion constitutes the fifth request for extension—and the first request made after the trial record was transmitted to this Court. The prior extensions were necessitated by the absence of the trial record and occurred before the record was transmitted. Correction of this designation is necessary to accurately reflect Appellant's procedural posture.

III. REQUEST FOR RULING ON PENDING MOTIONS.

1. **Unresolved Motions Prejudicing the Brief.** The following motions directly affect the content and structure of the Final Brief yet remain pending today with the current deadline imminent:
    - January 28, 2026 Motion for Extension of Time;
    - February 3, 2026 Motion to Supplement the Record on Appeal;
2. **Inability to Finalize Brief Without Rulings**. Appellant cannot finalize a compliant brief while these motions remain unresolved. In particular:
    - The **Motion to Supplement** determines whether critical Record evidence will be reviewable;
    - The **Motion for Extension of Time** determines whether Appellant, a disabled pro se litigant, will have a meaningful opportunity to prepare a compliant brief properly supported by the Record.
3. **Substantial Prejudice**. The identified pending motions remaining unresolved today compel Appellant to proceed under conditions that prevent the preparation of a compliant brief fully supported by the Record. Barring the necessary supplementation

and direct quotations would result in the exclusion of material issues from consideration, which would effectively deny meaningful review.

4. **Issue Preservation.** To the extent this Court declines to rule on, or denies, the pending motions identified herein, Appellant respectfully preserves for further appellate review all issues arising from such rulings or omissions, including any resulting limitation on access to Record evidence and the impairment of meaningful appellate review.
5. **Requested Relief.** Appellant respectfully requests that the Court rule on these motions prior to requiring final submission of the brief, to ensure that the Final Brief is supported by and considered on a complete Record. Appellant renews her requests as follows:

A. Request for Ruling on Pending Motion to Supplement.

i. **Appellant's February 3, 2026 Motion to Supplement the Record on Appeal** remains pending today, two months after filing and a week prior to the current final briefing deadline.

ii. **The Necessity of the Supplemental Materials.** The requested supplementation arose from the need to ensure that critical evidence already contained in the Record is reviewable. These materials do not introduce new evidence but provide transcription and foundational context for evidence already in the Record, the presentation of which was not permitted in the proceedings below and therefore does not appear within the Record as transmitted. Appellant has requested this supplementation to preserve her claims and ensure that all Record evidence is fully considered by the Court. Without such supplementation, the existing Record would not permit meaningful review of her claims.

iii. **No Return Filed**. No return has been filed in opposition to Appellant's motion.

iv. **Requested Relief**. Because the requested supplementation directly determines whether the existing Record will be reviewed in its entirety, Appellant respectfully requests that the Court rule on her pending Motion to Supplement prior to requiring final submission of the brief.

B. Request for Ruling on Pending Motion for Extension of Time

i. **Appellant's January 28, 2026 Motion for Extension of Time** to serve and file the Final Brief and Record on Appeal remains pending today, more than two months

after filing and a week prior to the current deadline.

ii. **First Extension After Transmission of Trial Record.** The motion is the **first** request for extension made after the trial record was transmitted to this Court.

iii. **Practical Necessity of Extension**. Absent rulings on the identified pending motions, Appellant cannot prepare a final brief that complies with the Rules and accurately reflects the Record. In order to ensure that the Final Brief is fully supported by the Record, Appellant must have time to incorporate limited quotations and proper references after the Court has ruled on the pending motions.

iv. **Medical Considerations**. Appellant is a disabled pro se litigant with a neurological disability affecting vision. After the pending motions have been ruled on, Appellant requires additional time to incorporate proper references and quotations, and respectfully requests this extension as an accommodation for her disability.

v. **No Return Filed**. No return has been filed in opposition to Appellant's motion.

vi. **Requested Relief**. Appellant respectfully requests an additional thirty (30) days from the Court's ruling on the above-identified motions, to serve and file her Final Brief and Record on Appeal.

IV. PRAYER FOR RELIEF.

WHEREFORE, Appellant respectfully submits that:

Absent a timely ruling on the present Motion to Exceed, she will be required to omit necessary record support or provide insufficiently specific citations, which would impair the Court's ability to review the issues presented and substantially prejudice Appellant's appeal.

Absent a timely ruling on the pending Motion to Supplement, critical evidence already in the Record will remain functionally inaccessible for review and Appellant will be required to proceed without access to this evidence, creating a substantial risk that central claims—despite being in the Record—will be excluded from review.

Absent a timely ruling on the pending Motion for Extension of Time, Appellant will be required to file a brief that cannot fully and accurately present the Record.

Appellant therefore seeks relief sufficient to ensure that the Final Brief is supported by and considered on a complete Record already before this Court.

To the extent any issue raised herein is not expressly addressed, Appellant respectfully preserves all such issues for further appellate review.

Appellant respectfully requests that this Court:

1. Grant leave to exceed the page limit and permit a Final Brief not exceeding 85 pages;
2. Rule upon the pending Motion to Supplement the Record on Appeal;
3. Grant an extension of thirty (30) days from the date of those rulings to serve and file the Final Brief and Record on Appeal;
4. Correct the administrative record to reflect that the January 28, 2026 motion is Appellant's fifth request for extension.

Respectfully submitted,

s/ Olga Teslenko
Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln Unit 103
Myrtle Beach, SC 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: April 6, 2026.

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 12

Appellant's Motion for Reasonable Accommodation pursuant to the ADA, filed April 8, 2026

RECEIVED
Apr 08 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring, Respondents.

APPELLANT'S MOTION FOR REASONABLE ACCOMMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT

Appellant, Olga Teslenko, appearing pro se, respectfully moves this Court for reasonable accommodation pursuant to the Americans with Disabilities Act.

In support of this motion, Appellant submits the attached Declaration (Exhibit 1) describing her neurological disability and resulting functional limitations that substantially impair her ability to prepare legal filings.

This motion is submitted in light of the imminent April 13, 2026 briefing deadline. Absent a ruling on this request for accommodation, Appellant will be unable to prepare and file a compliant brief due to the functional limitations described in the attached Declaration. Appellant respectfully requests prompt consideration of this motion.

1. Appellant's neurological disability limits her ability to engage in document preparation, impairs her vision and overall functioning, and significantly limits her ability to sustain the visual focus, reading, typing, and editing, necessary to prepare a properly supported brief within standard time constraints (Exhibit 1).
2. These limitations are further compounded by unresolved pending motions that directly relate to Appellant's disability and affect the content and structure of the Final Brief:
    - Motion for Extension of Time, filed on January 28, 2026;
    - Motion to Supplement the Record on Appeal, filed on February 3, 2026;

- Emergency Motion for Leave to Exceed Page Limit and for Rulings on Pending Motions, filed on April 6, 2026.

3. These pending motions are outcome-determinative and effectively dispositive because they directly impact Appellant's ability to prepare a compliant brief by determining whether critical Record evidence will be reviewable and whether Appellant will be permitted sufficient time to prepare a fully compliant brief.
4. Because these motions remain unresolved on the eve of the April 13, 2026 deadline, and in light of Appellant's neurological disability, strict adherence to existing briefing deadlines would prevent Appellant from preparing a compliant brief and would effectively deny meaningful access to the appellate process.
5. Due to the combined limitations of Appellant's disability and the current procedural posture, Appellant is physically unable to prepare and file a fully compliant brief by the current deadline of April 13, 2026.

REQUEST FOR ADA ACCOMMODATION:

Appellant respectfully requests, pursuant to the Americans with Disabilities Act, a reasonable accommodation in the form of a modified briefing schedule, specifically:

A. An extension of time, commencing upon entry of orders resolving the identified pending motions and continuing for 30 days thereafter, to allow preparation of a compliant brief.

Without such accommodation, Appellant is placed in the untenable position of attempting to prepare a brief under conditions that exceed her functional capacity and will necessarily result in the submission of a noncompliant and incomplete brief.

Respectfully submitted,

s/ Olga Teslenko

Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Enclosed:
Exhibit 1: Olga Teslenko's Declaration of Disability;
Exhibit 2: 2010 Kaiser Permanente Neurology Letter;
Exhibit 3: Appellant's Medicare Card;

Dated: April 8, 2026.

Exhibit 1
Olga Teslenko's Declaration of Disability.

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

Appellate Case No. 2024-001734

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring, Respondents.

OLGA TESLENKO'S DECLARATION OF DISABILITY

I, Olga Teslenko, appearing pro se, declare the following under penalty of perjury:

1. I have a documented neurological disability, cerebellar degeneration (See Exhibit 1). Cerebellar degeneration is a federally recognized disability (See Exhibit 2).
2. Cerebellar degeneration yields progressively disabling results and causes persistent intermittent symptoms that impair my vision and overall functioning, including my ability to sustain reading, typing, maintaining an upright posture, and focused gaze. As a result, I am markedly limited in my ability to:
    a) Read text for extended periods;
    b) Remain upright for extended periods;
    c) Effectively participate in any activity for extended periods.
3. I am unable to effectively perform activities such as reading, writing, and drafting for more than approximately one hour at a time. While I am not totally precluded from performing a function or activity, I am unable to effectively type, edit, or draft for extended periods.
4. My condition has been further compounded by recent health complications requiring emergency treatment and specialist referral.

5. My disability substantially impairs my ability to prepare legal filings, which require sustained visual focus, detailed review of a large record, and precise cross-referencing.
6. My disability substantially limits my ability to prepare a compliant, properly supported brief within standard time constraints.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 8, 2026 by Olga Teslenko.

Respectfully submitted,

s/ Olga Teslenko

Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: April 8, 2026

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 13

Court of Appeals Sep 3, 2025 'No Action' Letter Denying Appellant's Third Motion to Compel Transmission

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

September 03, 2025

Olga Teslenko
100 Fountain Pointe Ln, Unit 103,
Myrtle Beach SC 29579

Re: Olga Teslenko v. Joe Kocsis
Appellate Case No. 2024-001734

Dear Ms. Teslenko:

The Court is in receipt of your motion to compel transmission of the original exhibits dated August 28, 2025. This motion has been construed as a motion requesting reconsideration of decisions previously issued by this Court. Pursuant to Rule 221(c) of the South Carolina Appellate Court Rules (SCACR), the appellate 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. Therefore, this Court declines to consider your motion for reconsideration dated August 28, 2025, and no further action will be taken.

Very truly yours,

Catherine Harrison, deputy

CLERK

cc: Carpet King & Flooring
Joe Kocsis

Petition for Rehearing of the April 21, 2026 Order

EXHIBIT 14

Appellant's Fourth Motion to Compel Transmission (without exhibits), filed November 26, 2025

RECEIVED
Sep 04 2025
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

_____

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Dale Van Slambrook, Circuit Court Judge

_____

Appellate Case No. 2024-001734

_____

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring,
Respondents.

_____

EXPEDITED MOTION TO TRANSMIT FLASHDRIVE AND ORIGINAL EXHIBITS, AND TO HOLD APPEAL IN ABEYANCE

_____

NOW COMES Olga Teslenko, Appellant, acting pro se, and respectfully moves this Honorable Court pursuant to SCACR Rule 210(c) and (f) for an Order requiring the Clerk of the Horry County Circuit Court to transmit the physical flashdrive and original paper exhibits filed on July 22, 2024, and to hold this appeal in abeyance until the requested trial materials have been transmitted. Appellant asserts that a denial of this motion would be dispositional, effectively dismissing the appeal in violation of due process. **This motion invokes the Court's duty under Rule 210, SCACR, to transmit the filed trial exhibits for review, and is not a motion for transportation or reconsideration.** This motion seeks panel review to preserve due process.

In support of this motion, Appellant states the following:

I. FACTS.

A. Integrity of Trial Exhibits.

1. **Admitted Trial Exhibits**. At the magistrate court trial, Appellant entered a package of exhibits, including paper documents and a flashdrive with critical video and audio evidence. The magistrate reviewed, authenticated, and admitted these exhibits into evidence without objection. The magistrate's summary, while otherwise fraudulent, contains no record of any objection, deficiency, or ruling to strike. **See exhibit Z.**
2. **Omitted Exhibits Refiled**. The magistrate's return to the circuit court omitted these trial exhibits. On July 22, 2024, pursuant to the county clerk's instruction, Appellant re-filed the omitted exhibits, both paper and flashdrive, emphasizing that they were critical to the appeal and constituted the original trial record: "Without this evidence, the matter of my appeal cannot be ascertained. **See exhibit A.**
3. **Correcting Court's Mischaracterization**. When the clerk miscaptioned the filing, Appellant corrected it, certifying that the exhibits were properly reviewed, authenticated, and admitted at trial: "Appellant filed evidence which has been omitted in the returned documents… [at trial], this evidence was in fact reviewed in court". **See exhibit B**.
4. **Re-filed Exhibits Undisputed**. At the circuit court hearing, Appellant confirmed under oath that the re-filed exhibits were identical to those admitted at trial. There were no objections. the presiding judge acknowledged the exhibits, stating an intent to review them. **See exhibit C,** p. 4 through 10.
5. **Authenticity Confirmed by Necessity.** In a motion for reconsideration, Appellant demonstrated that the re-filed exhibits were, by necessity, identical to those admitted at trial, as they consisted of official state documents and digital evidence already corroborated by the record. **See Appellant's motion for reconsideration on the Horry County Circuit Court docket, civil case No. 2024CP2602983, filed on 9/20/2024, pp. 7–13.**
6. **Compromised Record.** The circuit court's scanning of the paper exhibits rendered them illegible, and the court excluded the flashdrive entirely, as documented in Appellant's first motion for release and transfer, enclosed here as **Exhibit D.**

B. Constitutional Nature and Prejudice.

1. **Nature of the Appeal.** This appeal is a suit in equity to set aside the magistrate's judgment and circuit court orders for extrinsic fraud, raising due process violations and a denial of access to courts.
2. **Essential Evidence.** The flashdrive and paper exhibits contain direct evidence of this fraud. Without them, Appellant cannot establish her case, and attempts to brief using the defective record have proven futile. **See Exhibits J, L, M, and P.**
3. **Futile Briefing Attempts and Procedural Trap.** Appellant's attempts to brief the case without the original evidence resulted in an oversized brief, as documented in the July 28 motion to exceed page limit and August 13 supplement. In those filings, she cited the existence of numerous constitutional issues, arguing that further reduction of argumentation would eliminate essential claims. With the briefing deadline looming and no ruling on her motion, Appellant was compelled to email a courtesy copy of the August 13 Supplement directly to the Chief Judge, explaining the procedural trap. Emailing a courtesy copy was compelled by procedural necessity to prevent the appeal from being effectively dismissed by inaction, not as an attempt at ex parte communication. Still with no ruling on her motion to exceed, Appellant filed her oversized initial brief conditionally. The brief exposed a coordinated structure of judicial fraud across multiple courts. Her motion to exceed was denied on August 18 without explanation, her initial brief was stricken, and her motion to reconsider was dismissed by the Clerk on August 28 in a letter. **See Appellant's amended initial brief (stricken) on the Court of Appeals docket, Appellate Case No. 2024-001734, filed on August 15, 2025, and Exhibits J, K, L, M, and P.**
4. **Excluding Evidence Guarantees Appeal Failure.** The materially incomplete and illegible Record on Appeal, due to the omission of the flashdrive and the illegibility of scanned documents, guarantees Appellant's brief is unsupported. This effectively erases her constitutional claims and forces her appeal to fail, regardless of its merits.
5. **Deprivation of Rights Under Color of Law.** This obstruction effectively denies Appellant due process and access to the protection of the law. Continued denial of access to trial evidence severely prejudices Appellant and raises a major public interest question regarding the court's refusal to review critical evidence that exposes potential coordinated judicial fraud. A denial of this motion is dispositional, foreclosing

the appeal in violation of due process.

C. The Pattern of Obstruction.

1. **First Motion (Nov 12, 2024):** The Clerk improperly re-branded Appellant's motion for Release and Transfer of Original Exhibits as a "motion for transportation". The motion was ultimately denied on January 14, 2025 by a judicial order signed by the Chief Judge, based on the improper pretext of unnumbered exhibits: "Although Appellant provided a detailed list of the items she wishes to have transported to this court, she did not provide any specific exhibit numbers… to have item 16 [flashdrive] transported to this Court for review, she must provide the exhibit number from the circuit court". Appellant filed objections and demonstrated that the denial was dispositional. The Clerk disregarded Appellant's objections, asserted that transmission was impossible, and actively discouraged rehearing. **See Exhibits D, G, H, and I.**
2. **Second Motion (Aug 25, 2025):** The Clerk again improperly re-branded the renewed motion to compel transmission of original exhibits as a "motion for reconsideration". Appellant attempted to rectify the rebranding by providing a courtesy copy to the Chief Judge showing that this was an evidentiary motion. This was a good-faith effort driven by necessity, not an attempt at ex parte communication. The courtesy copy made no difference. The Clerk dismissed the motion in a letter on August 28, 2025, using Rule 221, inapplicable to dispositional orders. **See Exhibits O, P, R, and S.**
3. **Third Motion (Aug 28, 2025):** The Clerk dismissed the third motion to compel transmission of original exhibits by construing it as a request for reconsideration, and dismissing in a No Action letter on September 3, 2025, further demonstrating the pattern of procedural obstruction. **See Exhibits T and U.**
4. **Fourth, Current, Motion (September 3, 2025):** This current motion is a good-faith attempt to provide a full procedural history in order to rectify the continued denial of due process. **Appellant is not adding new evidence, but seeking the transmission of the filed trial exhibits.**

D. Appellant's Limitations and Good Faith.

1. **Disability and Illness:** Appellant has a hereditary neurological disability which impairs function, along with a recent severe illness. These conditions, acknowledged in a previous motion, objectively impede Appellant's ability to manage legal proceedings and explain the necessity of using extensions of time. **See Exhibit N**.
2. **Denial of Legal Representation:** Despite diligent and continuous efforts, Appellant has been categorically unable to retain legal representation. Around 70 firms have declined engagement after learning Appellant's name and address. This forced pro se status, coupled with her health conditions, underscores that any procedural deficiencies are the result of objective impairments outside of her control and not a lack of good faith. **See Exhibit N.**

F. Itemized List of Original Trial Exhibits.

The trial exhibits, re-filed with the Horry County Circuit Court on July 22, 2024, are identified by the title on each document and the scanned copy of the filed flashdrive:

1. Plaintiff's Exhibit: paper document (two pages total, pp. 1–2) showing the title **South Carolina Residential Construction Standards**: the first two pages of the official South Carolina Residential Construction Standards document, adopted by commission on February 18, 1998; the Official Seal page and the Table of Contents page;
2. Plaintiff's Exhibit: paper document (five pages total, pp. 36–40) showing the title **RESILIENT FLOORING STANDARDS**: the complete Resilient Flooring Standards chapter excerpted for the official South Carolina Residential Construction Standards document;
3. Plaintiff's Exhibit: paper document (two pages total, not paginated) showing the title **Tony Jones Flooring Inspections, company address, report caption, findings, and signature**: the first two pages of the 01/29/24 Tony Jones Flooring Inspections report containing the company's title, the report caption, findings, and Tony Jones' signature, attributed to F.C.I.T.S. Inspection Agency;
4. Plaintiff's Exhibit: paper photographs (forty-five pages total, not paginated) showing the flooring and measurements: the forty-five photographs taken by Tony Jones

during his inspection and enclosed with the **Tony Jones Flooring Inspections** report, as referenced in the findings;

5. Plaintiff's Exhibit: paper document (one page total, not paginated) showing the title **SHAW FLOORS**, **What to Expect and How to Prepare for Resilient Flooring**: a screenprint of the official Shaw Floors website: https://shawfloors.com/flooring/how-to/vinyl/installation/what-to-expect-and-how-to-prepare, saved in simplified printing mode (with no images);
6. Plaintiff's Exhibit: document (three pages total, not paginated) showing the top title **SHAW FLOORS**: Appellant's own self-made summation document, also stored on the flashdrive as 'All Instructions.pdf', proffered in the opening statement for convenience of reference;
7. Plaintiff's Exhibit: paper document (seven pages total, pp. 1–7) showing the title **SHAW FLOORS INSTALLATION**, **INSTALLATION GUIDELINES FOR RESIDENTIAL RESILIENT DIRECT GLUE**: the official instructions document downloaded off the official Shaw Floors website shawfloors.com. Revision No. 04012022;
8. Plaintiff's Exhibit: paper document (five pages total, pp. 1–5) showing the title **PHILADELPHIA COMMERCIAL SPECIFICATION**, **SHAW 200 RESILIENT ADHESIVE**: the official adhesive specification document downloaded off the official website philadelphiacommercial.com. Revision No. 09052023.
9. Plaintiff's Exhibit: paper photograph (one page total) showing **CARPET KING AND FLOORING, LLC, Shaw 200 TPS 4G**: the photograph of the shipping label off the top of the glue bucket;
10. Plaintiff's Exhibit: paper photograph (one page total) showing **RECOMMENDED TROWELS**: the photograph of the manufacturer label off the back of the glue bucket;
11. Plaintiff's Exhibit: paper photograph (one page total) showing **LUXURY VINYL ADHESIVE**: the photograph of the manufacturer label off the back of the glue bucket;
12. Plaintiff's Exhibit: paper printout (three pages total) showing **Carpet Kind and flooring. Fri, Nov 17, 2023 at 2:36 PM:** a standard Gmail printout of the Carpet King and flooring email communication;

13. Plaintiff's Exhibit: paper photograph (one page total) showing concrete slab and a carpenter's ruler: the photograph of a properly prepared concrete slab, downloaded off of the National Floor Covering Association (NFCA) manual (full manual is included in Plaintiff's flashdrive);
14. Plaintiff's Exhibit: paper photograph (one page total) showing detached vinyl flooring: the photograph of inadequate adhesive transfer, downloaded off of the National Floor Covering Association, NFCA, manual (full manual is included in Plaintiff's flashdrive);
15. Plaintiff's Exhibit: **one (1) physical flashdrive as scanned at filing (Exhibit A):** Plaintiff's trial flash drive containing critical digital evidence, including video and audio exhibits.

II. LEGAL BASIS.

This motion is based upon the following South Carolina Appellate Court Rules and the constitutional right to due process guaranteed by both state and federal law:

U.S. Const. amend. XIV, § 1: The Due Process Clause.

S.C. Const. art. I, § 3: The Due Process Clause.

Rule 210(c), SCACR: Governing the content of the Record on Appeal.

Rule 210(f), SCACR: Governing the transmission of exhibits that do not lend themselves to accurate reproduction.

Rule 606(b), SCACR: Authorizing the release of exhibits upon a court order.

III. ARGUMENT.

A. The Flawed Record Violates Due Process and S.C. Appellate Court Rules, s, Requiring Expedited Processing and Panel Review.

1. The incomplete and illegible record violates Appellant's fundamental right to due process and contravenes Rules 210(c) and 210(f), which mandate a complete record and require the transmission of exhibits that do not accurately reproduce.
2. Due to the imminent **September 17, 2025 briefing deadline**, Appellant requires expedited processing to prevent the forfeiture of her appeal. A delay in ruling on this motion causes irreparable harm by ensuring Appellant has no access to her trial

evidence, effectively terminating her appeal.

3. Given the exceptional circumstances, including the pattern of procedural irregularities, the constitutional nature of the issues, and the potential for a detrimental precedent, review by a **panel of judges** is warranted to ensure due process.

B. Denial of this Motion is Dispositional and Subject to Challenge. Any denial of this motion would effectively terminate Appellant's appeal. Previous mischaracterizations of similar denials as "non-dispositional" are legally incorrect. This denial would be a dispositional act subject to challenge under **Rule 221(c), SCACR**, and constitutional due process**.**

C. The Pattern of Procedural Obstruction Deprives Appellant of Due Process. As documented in the attached exhibits, the Court's repeated and procedurally improper actions have systematically obstructed the review of Appellant's trial evidence, constituting a pattern of due process deprivation. Appellant's provision of courtesy copies was forced by this due process deprivation, and was not an attempt to circumvent Respondent**.**

D. **The Court's Continued Refusal to Consider Properly Filed Exhibits Threatens the Integrity of the Appellate Process.** Endorsing the denial of properly filed exhibits based on invalid procedural pretexts sets a dangerous precedent that undermines the integrity of the judiciary.

E. **Pre-Deadline Abeyance is a Necessary and Urgent Remedy.** To prevent a miscarriage of justice and the effective dismissal of Appellant's appeal, an order for abeyance is required before the September 17, 2025 briefing deadline. Holding the appeal in abeyance until the evidence is transmitted will ensure Appellant has a fair opportunity to prepare a brief based on the complete and accurate trial record.

IV. RELIEF REQUESTED.

WHEREFORE, Appellant respectfully requests that this Honorable Court enter an Order:

1. Granting expedited review and processing of this motion.
2. Granting review by a panel of judges.

3. Acknowledging that any denial of this motion would constitute a final and dispositional order.
4. Directing the Clerk of the Horry County Circuit Court to immediately transmit the original flashdrive and paper exhibits filed on July 22, 2024.
5. In the alternative, permitting Appellant to substitute legible, verified copies of her trial paper exhibits and flashdrive, and formally accepting them into the record.
6. Holding the appeal in abeyance, and tolling all briefing deadlines, until the requested evidence has been transmitted.
7. Granting such other relief as is just and proper to ensure the integrity of the appellate process and protect Appellant's constitutional rights**.**

Respectfully submitted,

Dated: September 4, 2025

/s/ Olga Teslenko
Olga Teslenko, Appellant, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Enclosed:

EXHIBITS A – Z.

EXHIBITS TO APPELLANT'S EXPEDITED MOTION TO TRANSMIT FLASHDRIVE AND ORIGINAL EXHIBITS, AND TO HOLD APPEAL IN ABEYANCE

_____

EXHIBIT INDEX

Exhibit A	Appellant's flashdrive, scanned when filed within Letter Submitting Exhibits Omitted in Lower Court's Return, filed July 22, 2024.	Page 1
Exhibit B	Appellant's Correction Request: Exhibits Reviewed at Trial, filed August 14, 2024.	Page 2
Exhibit C	Official Transcript of the 8/21/2024 Circuit Court Hearing	Pages 3 – 15
Exhibit D	Appellant's First Motion for Release and Transfer of Original Exhibits, filed November 12, 2024.	Pages 16 – 39
Exhibits E, F	Deficiency Notices, filed November 21, 2024 and November 25, 2024.	Page 40, 41
Exhibit G	Court of Appeals Order Denying Motion for Exhibits, filed January 14, 2025.	Pages 42 – 43
Exhibit H	Appellant's Request for Clarification, filed January 15, 2025.	Pages 44 – 65
Exhibit I	Appellant's Follow Up and Clerk's response, filed January 15, 2025	Pages 66 – 67
Exhibit J	Appellant's Supplement to Motion to Exceed, filed August 13, 2025.	Pages 68 – 69
Exhibit K	Appellant's Email, Courtesy Copy of Supplement to Motion to Exceed, filed August 14, 2025.	Pages 70 – 71
Exhibit L	Court of Appeals Order Denying Motion to Exceed, filed August 18, 2025.	Pages 72 – 73
Exhibit M	Appellant's Motion to Reconsider Denial to Exceed, filed August 20, 2025.	Pages 74 – 76
Exhibit N	Appellant's Motion for Extension of Time, filed October 29, 2024.	Pages 78 – 85
Exhibit O	Appellant's Second, Renewed Motion to Compel Transmission of Original Exhibits, filed August 25, 2025.	Pages 86 – 89
Exhibit P	Clerk's Letter, Dismissing Appellant's Motions, filed August 28,2025.	Pages 90 – 91
Exhibit R	Clerk's Letter, Ex-Parte Communication, filed august 28, 2025.	Page 92
Exhibit S	Appellant's Email, Courtesy Copy of Renewed Motion to Compel Transmission, filed August 25, 2025.	Pages 93 – 95
Exhibit T	Appellant's Third Motion to Compel Transmission of Original Exhibits, filed August 28, 2025.	Pages 96 – 97
Exhibit U	Clerk's Letter, No Action, filed September 3, 2025.	Page 98
Exhibit Z	Magistrate's Summary, backfiled on August 22, 2024 into the May 29, 2024 docket entry for magistrate's return.	Pages 99–100

WRIT of MANDAMUS EXHIBIT V

Court of Appeals Administrative Letter
(“No Action”),
filed on June 24, 2026.

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 24, 2026

Olga Teslenko
100 Fountain Pointe Ln, Unit 103,
Myrtle Beach SC 29579

Re: Olga Teslenko v. Joe Kocsis
Appellate Case No. 2024-001734

Dear Ms. Teslenko:

The Court is in receipt of your petition for rehearing with suggestion for rehearing en banc dated May 5, 2026, and your amended petition for rehearing with suggestion for rehearing en banc dated May 21, 2026. Pursuant to Rule 221(c) of the South Carolina Appellate Court Rules (SCACR), the appellate court will not entertain petitions for rehearing unless the action of the court has the effect of dismissing or finally deciding a party's appeal.

Therefore, no further action will be taken on your petition for rehearing with suggestion for rehearing en banc and amended petition for rehearing with suggestion for rehearing en banc.

Very truly yours,

Jenny A. Kitchings

CLERK

cc: Carpet King & Flooring
Joe Kocsis

WRIT of MANDAMUS EXHIBIT VI

Court of Appeals Directive Latter
“Bound Copy Required”,
filed on July 21, 2026

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 21, 2026

Olga Teslenko
100 Fountain Pointe Ln, Unit 103,
Myrtle Beach SC 29579

Re: Olga Teslenko v. Joe Kocsis
Appellate Case No. 2024-001734

Dear Counsel:

The Court has determined a need exists for one (1) bound copy of the record on appeal and all final briefs. The additional copies must comply with the binding and cover color requirements specified by Rule 267 of the South Carolina Appellate Court Rules (SCACR).

Accordingly, the appellant(s) must file an original record on appeal and final brief(s), in either electronic or unbound paper form, as well as one (1) bound paper copy of each. All other parties must file an original final brief and one (1) bound paper copy. **The bound copies are due to be served and filed at the same time as the original record on appeal and final briefs.**

The correct caption for this appeal should read as follows on the record on appeal and all final briefs:

Olga Teslenko, Appellant,

v.

Joe Kocsis and Carpet King & Flooring, Respondents.

We request large parcels such as bound paper copies of the record on appeal and all final briefs be sent directly to the Court via the street address: **1220 Senate Street, Columbia, SC 29201.**

Very truly yours,

CLERK

cc: Carpet King & Flooring
Joe Kocsis

WRIT of MANDAMUS EXHIBIT VII

Court of Appeals Administrative Order Setting August 20, 2026 deadline for Record on Appeal and Final Brief, filed on July 21, 2026

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 21, 2026

Olga Teslenko
100 Fountain Pointe Ln, Unit 103,
Myrtle Beach SC 29579

Carpet King & Flooring
532 Broadway Street,
Myrtle Beach SC 29577

Joe Kocsis
532 Broadway Street,
Myrtle Beach SC 29577

Re: Olga Teslenko v. Joe Kocsis
Appellate Case No. 2024-001734

Dear Ms. Teslenko and Counsel:

As of today's date, this Court has not received the respondents' initial brief and designation if matter. Therefore, this appeal will proceed without consideration of the respondents' initial brief and designation if matter.

Within thirty (30) days from the date of this letter, the appellant must serve and file his final brief and record on appeal.

Very truly yours,

Jenny A. Kitchings

CLERK

WRIT of MANDAMUS EXHIBIT VIII

Certificate of Petitioner

RECEIVED
Aug 07 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

IN THE SUPREME COURT'S ORIGINAL JURISDICTION

Court of Appeals Case No. 2024-001734

Olga Teslenko, Petitioner,

v.

Jenny A. Kitchings, in her official capacity as Clerk of the South Carolina Court of Appeals, Respondent.

CERTIFICATE OF PETITIONER

I, Olga Teslenko, Petitioner Pro Se, hereby certify under penalty of perjury that the documents contained in this Appendix are true, accurate, and faithful copies of the official pleadings, orders, dockets, and administrative communications on file in Appellate Case No. 2024-001734 and the underlying proceedings.

Respectfully submitted,
s/ Olga Teslenko
Olga Teslenko, Petitioner, Pro Se
100 Fountain Pointe Ln, Unit 103
Myrtle Beach, South Carolina 29579
Email: osenochen@gmail.com
Tel: (510) 388-2780

Dated: August 7, 2026.