

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

71518

APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS

HONORABLE R. MARKLEY DENNIS, JR.  
CIRCUIT COURT JUDGE

RECEIVED

MAR 10 2014

SC Court of Appeals

CIVIL ACTION NO. 2013-CP-10-00088

COURT OF APPEALS CASE NO. 2013-10-001673

BEVERLY C. MOORE-ROWE,..... Plaintiff/Appellant,

vs.

BON SECOURS-ST. FRANCIS XAVIER HOSPITAL, INC., D/B/A BON  
SECOURS ST. FRANCIS XAVIER HOSPITAL, BON SECOURS ST. FRANCIS  
HOSPITAL AND ROPER ST. FRANCIS HEALTHCARE; BON SECOURS ST. FRANCIS  
HEALTH SYSTEM, INC., D/B/A BON SECOURS ST. FRANCIS XAVIER  
HOSPITAL, BON SECOURS ST. FRANCIS HOSPITAL AND ROPER ST. FRANCIS  
HEALTHCARE; BON SECOURS HEALTH SYSTEM, INC., D/B/A BON SECOURS  
ST. FRANCIS HOSPITAL AND ROPER ST. FRANCIS HEALTHCARE; ROPER ST.  
FRANCIS FOUNDATION, D/B/A ROPER ST. FRANCIS HEALTHCARE; BON  
SECOURS-ST FRANCIS HEALTH SYSTEM FOUNDATION, INC., D/B/A ROPER  
ST. FRANCIS HEALTHCARE; ROPER HOSPITAL, INC., D/B/A ROPER ST.  
FRANCIS HEALTHCARE; BYRON N. BAILEY, M.D.; CHRISTINE C.  
THOMPSON, M.D., A/K/A CHRISTINE THOMPSON, M.D.; CHARLESTON  
NEUROSURGICAL ASSOCIATES, LLC; MT. PLEASANT ANESTHESIA  
ASSOCIATES, PA; CHARLESTON SURGERY CENTER LIMITED  
PARTNERSHIP, D/B/A CHARLESTON SURGERY CENTER; TAMMY MCGRAW,  
CRNA, ALSO KNOWN AS TAMMY MCGRAW SPEICHER, CRNA; NURSE  
ANESTHESIA OF SOUTH CAROLINA, LLC; JEFFERY S. WAGER, CRNA;  
TRICOASTAL HEALTHCARE BILLING AND MANAGEMENT, INC.; AND  
STEVEN HEATH COBB, ..... Defendants/Respondents,

## MEMORANDUM IN SUPPORT OF MOTION

The U S Constitution provides a truly great statement in supporting the request for an (ADA) American with Disability Act Accommodation, because the Fourteenth Amendment sets guidelines for the protection of its citizens through the Equal Protection Clause and the Due Process Clause. The Civil Rights Act provides a means of vindication for Citizens of the USA. We the People are guaranteed the full and equal benefits of all laws and proceedings for the security of the person. According to section 1 no state shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the UNITED STATES. The law is to provide equal protection to all.

SOUTH CAROLINA COURT OF APPEALS

March 8, 2014

MOTION FOR AMERICAN WITH DISABILITY ACCOMODATION AND  
EXTENSION OF TIME FOR CORRECTING FILING DEFICIT

Now comes the plaintiff Beverly Moore -Rowe Pro Se requesting an (ADA) American With Disability Accommodation and an extension of time for correcting deficits in documentation sent to the court in error, by this writer.

The Plaintiff, respectfully requests that this Honorable Court grant additional time until May 1, 2014, for the plaintiff to make these corrections, which the court requires.

Beverly Moore-Rowe, request these special accommodations, due to her health problems, cognitive deficits, with short term memory loss, and limitations due to physical disability. Note that this writer has recently had pneumonia and has not been well for over a month. ( see attached letter for further clarification) ( Note that medical document will be provided upon request.)

Beverly Moore-Rowe

A handwritten signature in cursive script that reads "Beverly Moore-Rowe". The signature is written in black ink and is positioned below the typed name.

Beverly Moore-Rowe  
52 Chadwick Drive  
Charleston SC. 29407  
phone (843) 737-0733  
March 7, 2014

South Carolina Court of Appeals  
1015 Sumter street, suite 200,  
Columbia SC., 29201.

2013-10-001673  
Case no. ~~2013-CP-10-0088~~ LWR BOMR

Dear Clerks of the SC court of Appeals,

I am writing this letter to the court, as a request for an (ADA) American with Disabilities Accommodation due to my cognitive problems, physical limitations, and the fact that I am recovering from recent Pneumonia, that I had through February 2014.

Please consider this as a motion to the court to extend the time for the correction of errors, documented by court in their letters dated February 21, 2014 and in response to my filings, and the continued problems I am experiencing in the Pro Se handling of this case.

One example of the problems, I am experiencing is in understanding letters from the court. When I telephone the court for clarification, the verbal communication becomes so jumbled, that I can not write down the explanations that are provided, leaving me frustrated and stressed out and still not knowing and understanding, what I need to do to meet the requirements of the court. Also I am having difficulty keeping the case numbers strait.

I am requesting an extension of time for making all the required corrections till May 1, 2014.

I also request that the court extend the request for the ADA accommodation, through the remainder of time that this case remains in the Court system, as my cognitive issues are likely not to change, since they have now continued for the past four years.

I do not have an attorney to take charge of my case and I can not obtain one. I did everything I knew to do, in an attempt to obtain legal representation, without success to include contacting about forty attorneys.

When the case was filed to the SC Court of Appeals, appellate court attorneys were also

contacted and all declined, because the case had been filed Pro Se.

I am a person, with multiple disabilities. I have a documented brain injury, which causes me great difficulty with short-term memory and with reading, and remembering, what I have read and, with the processing complex information quickly. I did not have any of these problems prior to the January 2010 surgery, which led me to file this suit against the named defendants.

I was deemed totally and permanently disabled by Social Security Disability many years ago. I had physical disabilities, but no cognitive deficits. I have had Diabetes at least since 1983. I have been on crutches for degenerative joint disease in both my hips, since 1995. My hip problems along with multiple Cervical Spine problems have resulted in me being on crutches since 1995, which slow me down physically and which make it difficult for me to accomplish physical tasks like standing and printing and putting multiple copies of documents together for mailing to multiple people. The surgery from 2010 left me with cognitive problems, which I never had before this surgery, and I had been able to do just about anything.


I would be glad to provide, documentation to confirm my cognitive problems should you require them and I would be glad to send you proof of disability.

I graduated, from College in 1974 with a double major, in Biology and Behavioral Science, and I obtained a MA degree in Counseling in 1991.

I have done the very best that I can, with the handling of this case and I do not want my case to be dismissed due to my cognitive deficits and physical limitations.

In the event that you are unable to provide the requested, ADA accommodations, please provide written notice of the same, and please allow me the same amount of time, initially given, for making the corrections, without holding me in default.

Thank you kindly for your assistance and consideration in this matter and for any help that you can provide.

Sincerely,  
  
Beverly Moore-Rowe  
(843) 737-0733

The undersigned says that on the 8<sup>th</sup> day of March, 2013, a copy of the attached document was placed in an envelope, with first class postage prepaid, and addressed and mailed to the following addresses:

Daren Kent Sanders Esq.  
Buyck & Sanders Law Firm LLC  
P O Box 2424  
Mount Pleasant Sc. 29465-2424

*The South Carolina Court of Appeals  
1015 Sumter St, Suite 200,  
Columbia SC., 29201*

Fred W. Suggs. III, Esq.  
Ogletree, Deakeins, Nash, Smoal, Stewart, P.C.  
PO Box 10529  
Greenville SC. 29603

*Clerk of Court  
The South Carolina Court of Appeals  
1015 Sumter St, Suite 200  
Columbia SC., 29201  
Att: Dianne*

Jack Gordon Gresh, Esq  
Hall, Booth, Smith & Slever, P.C.  
40 Calhoon Street, Suite 550  
Charleston SC. 29401

Andrew Steven Halio, Esq.  
Halio & Halio, PA  
PO Box 747  
Charleston SC. 29402-0747

Jonathan Hopkins Dunlap, Esq.  
Batten & Lee, PLLC  
4141 Parklake Ave. Suite 350  
Raleigh, NC. 276120

James Bernard Hood, Esq.  
Hood Law Firm, LLC  
PO Box 1508  
Charleston SC. 29402-1508  
Christine Kent Toporek, Esq.

*Beverly Moore-Rowe*

Beverly C. Moore-Rowe

52 Chadwick Drive  
*Charleston SC 29407*

Beverly Moore Rowe 3/8/14

Beverly Moore-Rowe  
52 Chadwick Drive  
Charleston SC 29407  
telephone (843) 737-0733