

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2008-CP-40-6656

John R. Rakowsky, Respondent,

v.

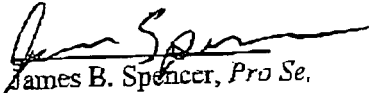
Adrian L. Falgione, James Spencer, Estate of Doris Holt, Irene Santacroce,  
Rodney Lail, Horry County, South Carolina, Defendants,  
of whom James Spencer *Pro Se* and the Estate of Doris Holt, Irene Santacroce,  
Rodney Lail are Appellants.

NOTICE OF APPEAL

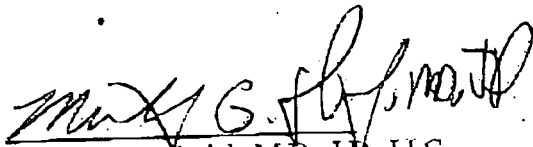
James Spencer, on a *Pro Se basis*, and the Estate of Doris Holt, Rodney Lail, Irene Santacroce through the undersigned counsel, appeal the Order of the Honorable Judge Doyet Early, dated December 18, 2014, filed with the Clerk of Court on December 23, 2014 and December 29, 2014. The appeal is centered on the process of litigation that led to the ruling being a clear violation of the Appellants' fundamental rights to due process and equal protection guaranteed both by the United States Constitution under the 14<sup>th</sup> and 5<sup>th</sup> Amendments and also the South Carolina Constitution, under Article One. This order was drafted *ex parte* without any notice or input to or by the Appellants. It was issued on December 18, 2014. However, the Order was not known to be even under consideration until it was received by the *Pro Se* Appellant and the represented Appellants on January 3, 2015, through the U.S. Mail sent by Respondent's counsel.

January 20, 2015

By:



James B. Spencer, *Pro Se*,  
Suite 183  
7001 Saint Andrews Road,  
Columbia, SC 29212, (803)414-0889



Michael G. Sribnick, M.D., J.D., LLC  
3 Kenilworth Avenue  
Charleston, S.C. 29403  
Phone: (843) 789-3504, Fax: (843) 720-8907  
Email: Michael.g.sribnickmdjdllc@gmail.com

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SC Court of Appeals

**CERTIFICATE OF SERVICE**

I, James Spencer, *Pro Se*, do hereby certify that the foregoing **NOTICE OF APPEAL** was this day January 20, 2015 been served on the following person(s) by either mail, fax or electronic transfer a true and correct copy, as follows:

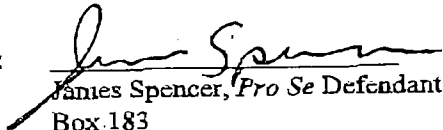
Andrew F. Lindemann, for Horry County  
Davidson & Lindemann, P.A.  
PO Box 8568  
Columbia, SC 29202

Desa Ballard, Esquire, for John Rakowsky  
Ballard Watson Weissenstein  
PO Box 6338  
West Columbia, SC 29171

Benjamin Bruner, Esquire, for Adrian Falgione  
Bruner, Powel, Wall & Mullins, LLC  
1735 St. Julian Place, Suite 200  
Post Office Box 61110  
Columbia, South Carolina 29260-111

This 20<sup>th</sup> day of January, 2015.

By:

  
James Spencer, *Pro Se* Defendant  
Box 183  
7001 Saint Andrews Road  
Columbia, SC 29212

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SC Court of Appeal

Michael G. Sribnick, M.D., J.D., LLC  
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Charleston, S.C. 29403  
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January 30, 2015

FAX COVERSHEET

TO: 803-734-1496

Including coversheet this fax has 3 pages.

To: Ms. Monica

Re: Telephone Conversation with Virginia with your office regarding following procedure of faxing this notice in to be followed on Monday with original and motion to proceed *in forma pauperis* mailed to the clerk of court,

Respectfully,



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FEB 02 2015

SC Court of Appeals