

3

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.

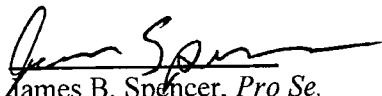
Adrian L. Falgione, James Spencer, Estate of Doris Holt, Irene Santacroce,
Rodney Lail, Horry County, South Carolina, Defendants,
of whom James Spencer *Pro Se* and the Estate of Doris Holt, Irene Santacroce,
Rodney Lail are Appellants.

NOTICE OF APPEAL

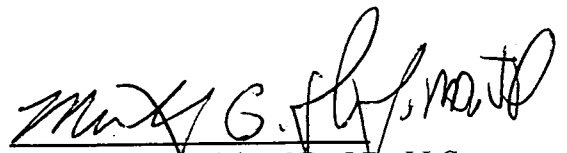
James Spencer, on a *Pro Se* basis, and the Estate of Doris Holt, Rodney Lail, Irene Santacroce through the undersigned counsel, appeal the Order of the Honorable Judge Doyet Early, dated December 18, 2014, filed with the Clerk of Court on December 23, 2014 and December 29, 2014. The appeal is centered 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 14th and 5th 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.sribnickmdjdlc@gmail.com

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:

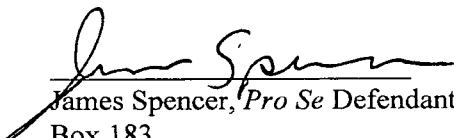
Andrew F. Lindemann, for Horry County
Davidson & Lindemann, P.A.
PO Box 8568
Columbia, SC 29202

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 20th day of January, 2015.

By:


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

RECEIVED

FEB 09 2015

SC Court of Appeals

RECEIVED

FEB 09 2015

CERTIFICATE OF SERVICE

SC COURT OF APPEALS

The undersigned hereby certifies that on February 2, 2015, the document described below, was (were) served on all parties of record in this case by mailing a copy, by US mail.

Documents served: MOTION FOR APPELLANTS TO PROCEED,
IN FORMA PAUPERIS

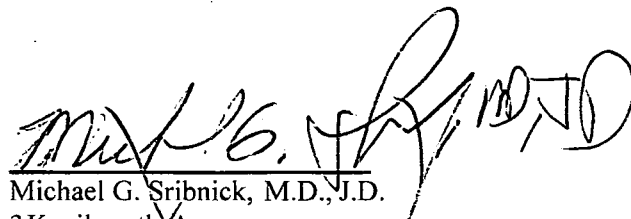
Parties Served:

Desa Ballard, Esquire
Ballard and Watson, Attorneys at Law
PO Box 6338
West Columbia, SC 29171

Bruner, Powel, Wall & Mullins, LLC
1735 St. Julian Place, Suite 200
Post Office Box 61110
Columbia, South Carolina 29260-1110

Andrew F. Lindemann
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
TEL: (803) 806-8222
FAX: (803) 806-8855
E-MAIL: alindemnn@dmi-law.com

By:

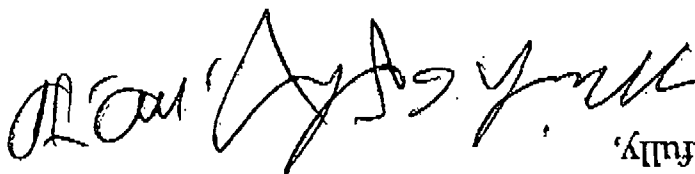


Michael G. Sribnick, M.D., J.D.
3 Kenilworth Avenue
Charleston, SC 29403
Phone: (843) 789-3504
Fax: (843) 720-8907
Michael.g.sribnickmdjdlc@gmail.com

TRANSMISSION VERIFICATION REPORT

TIME : 01/18/2015 18:31
NAME : MGSMDJDLLC
FAX : 8437208907
TEL : 8437893504
SER. # : U62702L2N750494

DATE, TIME	01/18 18:30
FAX NO./NAME	18037341496
DURATION	00:01:05
PAGE(S)	03
RESULT	OK
MODE	STANDARD



Respectfully,

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,

To: Ms. Monica

Including coversheet this fax has 3 pages.

TO: 803-734-1496

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

RECEIVED
FEB 09 2015
SC Court of Appeals

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,





Michael G. Sribnick, M.D., J.D., LLC



3 Kenilworth Avenue
Charleston, S.C. 29403-4305

CHARLESTON, SC

05 FEB



UNITED STATES
POSTAL SERVICE

1000



29201

U.S. POSTAGE
PAID
CHARLESTON, SC
29403
FEB 05, 15

AMOUNT

\$0.49

00100576-20

RECEIVED

FEB 09 2015

SC Court of Appeals

South Carolina Court of Appeals
1205 Pendleton Street
Columbia, S.C. 29201

Attn: Clerk of Court

29201-83758

