

MARE BARACCO
1006 Madrid Avenue
Port Royal, South Carolina 29935
(843) 592-1062
maremailmmm@yahoo.com

RECEIVED
MAY 14 2015
SC Court of Appeals

May 13, 2015

Ms. V. Claire Allen
Deputy Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
FAX: 803-734-1839

RE: Mare Baracco v. Beaufort County, Case No. 2013-CP-07-00918
Appellate Case No.: 2014-000636 (Original Case Number 2012CV0710401536)

Dear Ms. Allen:

I am in receipt of the attached letter from Mary Bass Lohr, the Respondent in this matter.

As I understand the rules pertaining to this issue, SCRCF Rule 241, a-d, the General Rule (a) of an "automatic stay" is in effect, unless certain conditions are met. I am not aware of any procedures or processes followed by the Respondent, pursuant to SCRCF Rule 241 (prior to issuing to me a "Rule to Show Cause" for a hearing April 8, 2015) of parts b, c or d of Rule 241 requesting a "lifting of the stay", a request for an Order to "lift the stay", filing of any petition, pursuant to these rules, or any documentation copied to me from the Respondent that they were seeking to "lift the automatic stay".

Given that I did not receive any notification nor anything in writing from this Court to indicate a petition was filed by the Respondent, and was ruled upon in their favor, "lifting the automatic stay" and allowing the Respondent to issue a "Rule to Show Cause" for a hearing April 8, 2015, pursuant to the conditions required by Rule 241 a-d, I was bewildered to receive paperwork from the Respondent that a "Rule to Show Cause" hearing had been scheduled before the originating Magistrate in the Beaufort Magistrate Court.

Therefore, I filed a "Motion for a Continuance", with the lower court (attached) April 1, 2015, advising the Magistrate Court this case is on appeal before this Court, with reference to the Case Number, and cc'd the Respondent.

At that point, a continuance could have been granted, to allow the Respondent to petition this Court pursuant to SCRCF 241, and the proper process followed, in order to insure my rights in this process were regarded. Or, the Respondent could have been postponed this hearing pending the outcome of this appeal.

It would seem to me that by scheduling a hearing against me in the lower court, without following the

provisions of Rule 241, and then arguing that *I* have not followed the rules by my petition to this Court protesting their action, is simply a way for the Respondent to have it both ways. If hearings can be scheduled against Appellants at any time in the appeals process, without adherence to the strict guidelines of Rule 241, then the net result would appear to render the requirements of Rule 241 moot.

Given the circumstances that gave rise to this Magistrate hearing of April 8, 2015, I believe I followed the proper procedure before this Court, and that I filed my "*Petition for an Expedited Hearing, for a Motion to Reverse/Dismiss the Magistrate Court Order of April 8, 2015 from a "Rule to Show Cause* correctly. Because I did not receive any notification pursuant to a "lifting of a stay" it is my belief this April 8 hearing is not actually a new hearing, but rather, an illegal/void hearing and falls under the category of my original appeal.

Also, for the record in this matter, I still have not received any written "Order" from the April 8, 2015 hearing before the Magistrate Court.

Sincerely,



Mate Baracco, *Pro Se*
1006 Madrid Avenue
Port Royal, South Carolina 29935

cc: Other Counsel of Record:
Mary Bass Lohr
Allison Coppage
Joshua Gruber

RECEIVED

MAY 14 2015

SC Court of Appeals

25 RUE DU BOIS
LADY'S ISLAND
BEAUFORT, SOUTH CAROLINA 29907

TELEPHONE: 843 - 522-2400
FAX NUMBER: 843 - 522-2429
E-Mail: hghpa@islc.net
WRITER'S DIRECT: 843 - 522-2428

HOWELL, GIBSON AND HUGHES, P.A.
ATTORNEYS AT LAW
Post Office Box 40
Beaufort, South Carolina 29901-0040
www.hghpa.com

STEPHEN P. HUGHES
PATRICK M. HIGGINS *
ROBERT W. ACHURCH III *
DAVID S. BLACK
MARY BASS LOHR
THOMAS A. BENDLE, JR.

J. ANDREW YOHO
STEVEN A. JORDAN, JR.

JAMES S. GIBSON, JR *
Of Counsel

* Certified Mediator

May 11, 2015

Ms. V. Claire Allen
Deputy Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Mare Baracco vs. Beaufort County, South Carolina
Civil Action No.: 2014-000636
Our File No: 11369 MBL

Dear Ms. Allen:

Please be advised that I am in receipt of the Appellant's *Petition for an Expedited Hearing, for a Motion to Reverse/Dismiss the Magistrate Court Order of April 8, 2015 from a "Rule to Show Cause" dated May 5, 2015* in connection with the above referenced matter. Please note that the Order referenced in this Petition is not on appeal with the South Carolina Court of Appeals, and the Respondent has received no Notice of Intent to Appeal this Order. Therefore, it is my understanding that no reply is required from the Respondent. If this is incorrect please let me know and I will file a formal reply.

Please do not hesitate to contact me should you have any question or comment with regards to this matter.

With kindest regards, I am

Yours truly,

HOWELL, GIBSON & HUGHES, P.A.

Mary Bass Lohr
MBL/ad

cc: Ms. Mare Baracco ✓
Joshua A. Gruber
Allison Collins Coppage

C
O
P
Y

Mare Baracco
1006 Madrid Avenue
Port Royal, South Carolina 29935
(843) 592-1062

RECEIVED

MAY 14 2015

SC Court of Appeals

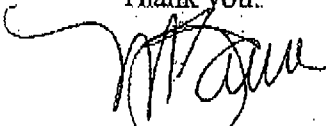
April 1, 2015

Ms. Stephanie Garst
Clerk of Court
The Beaufort County Magistrate Court
PO Box 2207
Beaufort SC 29901

Dear Ms. Garst:

I am requesting a continuance of Case Number 2012CV0710401536, pursuant to SCRPC Rule 241(a), as this matter is on appeal before the South Carolina Court of Appeals. (SC court of appeals case # 2014-000636)

Thank you.



Mare Baracco

Enc.

cc: Josh Gruber

BEAUFORT CO MAGISTRATE COURT
CENTRAL COURT ROOM
2015 APR -1 AM 11:27



RECEIVED
MAY 14 2015
SC Court of Appeals

05/13/2015 18:59

STAPLES

0865

PAGE 01

STAPLES

copy&print

Complimentary
Self-Serve Fax Cover Sheet

To: MS. V. Claire Allen, Deputy clerk

From: MARE BRUCE

Fax #: 803 734 1039

Phone #: 843-592 1062

Date: MAY 13, 2015

Reply Fax #: coral maremail-mmme@yahoo.com

Number of Pages (Including Cover): 5

Urgent Confidential Confirm Receipt

Dear Ms. Allen,

Please see the attached in reply to
the respondents letter of May 11, 2015. THANK
YOU-

We'll do it right the first time - guaranteed. MARE BRUCE

Black & white copies • Color copies • Custom printing • Binding • Folding • Wide-format copying • Custom stamps • UPS shipping and more



7/13 bizsvr
that was easy.