

THE STATE OF SOUTH CAROLINA  
SOUTH CAROLINA COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY  
COURT OF COMMON PLEAS

MARVIN H. DUKES, III, MASTER-IN-EQUITY

CASE NO.: 2013-CP-07-000918  
APPELLATE CASE NO.: 2014-000636

RECEIVED  
AUG 21 2015  
SC Court of Appeals

BEAUFORT COUNTY


Respondent,

vs.

MARE BARACCO,

Appellant.

REPLY

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

Date: August 18, 2015

Mare Baracco, the Appellant herein, replies. As the Appellant has stated in her Motion, she was (whether intentionally or unintentionally) designated, July 18, 2012, as a criminal defendant by the Agency, Beaufort County Sheriff's Office (BCSO), in a bench trial captioned "*The State vs Mare Baracco*" and **charged** (with) "Dangerous Animal Notice" (Exhibit 1) from an incident that occurred in the Town of Port Royal July 4, 2012 (even though the Appellant requested to appeal this "*Notice*".) As previously related, the Magistrate upheld the "*Notice*", the Appellant appealed it, and subsequently it was overturned and remanded by the Master in Equity December 28, 2012.

At the same time that BCSO established "*The State vs. Mare Baracco*", with the Appellant as a criminal defendant in *their* Magistrate Court, the Appellant was *also* designated, by the Town of Port Royal, as a criminal defendant in *their* Municipal Court, for the same incident July 4, 2012, and she was acquitted November 8, 2012 (Exhibit 2).

After her acquittal, the Appellant found herself again summoned, now by Beaufort County, for a "Rule to Show Cause" March 12, 2013, for the same incident that occurred July 4, 2012. This hearing was again captioned "*The State vs. Mare Baracco*" with the Appellant summoned as the Defendant (Exhibit 3).

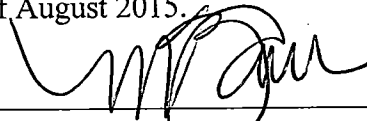
After this March 12, 2013 hearing, these actions against the Appellant, first by BCSO, then Beaufort County, have become (mis)represented to the higher courts as an "*appeal*" of the "*Notice*" and thus labeled an '*appeal of an administrative determination*'.

The Appellant's contends if this matter had initially been designated as an *appeal* of the "*Notice*" by BCSO, then this case would have been captioned "*Mare Baracco vs Beaufort County*" throughout its pendency. It was not. Rather, the Appellant was, and has always been,

the Defendant during the prosecution of this matter and the documents presented herein serve as confirmation.

The Appellant is in the process of preparing her Reply to the Respondent's Initial Brief and thereafter will be preparing her Final Brief for submission. In the interest of presenting this matter properly before the full Court, the Appellant respectfully requests the Court take into account the documents submitted by the Appellant in this Motion and rule in her favor to correct the designation of the parties and caption.

Respectfully submitted, this the 18 day of August 2015.



---

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

**STATE OF SOUTH CAROLINA  
COUNTY/CITY OF BEAUFORT**

Mare Baracco  
1006 Madrid Avenue  
Port Royal, SC 29935

**SUMMARY COURT SUMMONS**

STATE VS. Mare Baracco  
CASE #(S) 20120709-508  
CHARGE Dangerous Animal Notice

Please be advised that a Bench Trial has been scheduled to be heard on **August 8, 2012** at **9:00 AM** in the above referenced case.

You are hereby summoned to appear in the Beaufort Magistrate, 104 Ribaut Road, Beaufort, SC on that date.


**HEREIN FAIL NOT, ON PAIN OF FORFEITING THE LAWFUL PENALTY IN SUCH CASES MADE AND PROVIDED.**

  
JUDGE

Beaufort Magistrate  
104 Ribaut Road Post Office Box 2207  
Beaufort, SC 29901  
Phone: (843) 255-5700 Fax: (843) 255-9427

July 18, 2012

I state that this is a true and  
Certified copy of the original record  
on file with Beaufort County  
Magistrate Court.

 5/10/14

**PORT ROYAL MUNICIPAL COURT**

P.O. DRAWER 9  
PORT ROYAL, SC 29935

**DISPOSITION SHEET**

---

**Date Printed:** 10/07/2014

**Case Type:** Traffic Ticket      39533FY

**Case #:** 39533FY

**Name:** MARIE BARACCO  
1006 MADRID AVE  
PORT ROYAL, SC 29935

**Violation:** NT 00-00-0000 / 3-53  
ANIMALS AT LARGE

**Trial Date:** 11/08/2012

**Offense Date:** 07/04/2012

**Disposition:** 5      NOT GUILTY JURY TRIAL

**Total Fine:**

**Total Paid:**

**Sentence:**

*Certified to be a True Copy*  
*[Signature]*  
Notary Public South Carolina  
Commission expires: 09-27-2023

**STATE OF SOUTH CAROLINA  
COUNTY OF BEAUFORT  
RULE TO SHOW CAUSE HEARING**

**RECEIVED**

AUG 21 2015  
SC Court of Appeals

Mare Baracco  
1006 Madrid Avenue  
Port Royal, SC 29935

**MAGISTRATE SUMMONS**

You are hereby summoned to be and appear personally in the Court of the  
Beaufort Magistrate, located at 104 Ribaut Road Post Office Box 2207 Beaufort, SC  
29901 on March 12, 2013 at 9:00 AM to serve as a party in a Bench Trial in the case  
of:


RE: State Of South Carolina Vs Mare Baracco

PLAINTIFF(S)

DEFENDANT(S)

Civil Case Number: 2012CV0710401536, Petition.

**HEREIN FAIL NOT, ON PAIN OF FORFEITING THE LAWFUL PENALTY IN  
SUCH CASE MADE AND PROVIDED.**

  
JUDGE

Beaufort Magistrate  
104 Ribaut Road Post Office Box 2207  
Beaufort, SC 29901  
Phone: (843) 255-5700 Fax: (843) 255-9516

February 5, 2013

THE STATE OF SOUTH CAROLINA  
SOUTH CAROLINA COURT OF APPEALS

**RECEIVED**

AUG 21 2015

SC Court of Appeals

---

APPEAL FROM BEAUFORT COUNTY  
COURT OF COMMON PLEAS

---

MARVIN H. DUKES, III, MASTER-IN-EQUITY,  
BEAUFORT COUNTY  
TRIAL COURT CASE NO.: 2013CP0700918

---

APPELLATE CASE NO.: 2014-000636

---

BEAUFORT COUNTY,

Respondent,

v.

MARE BARACCO,

Appellant.

**PROOF OF SERVICE**

I certify I have served the Reply on the Respondents by depositing copies in the United States  
Mail, postage prepaid, August 18, 2015, addressed as follows:

Mary Bass Lohr  
Post Office Box 40  
Beaufort, South Carolina 29901-0040

Allison Coppage  
Joshua Gruber  
Post Office Box 1228  
Beaufort SC 29901  
Attorneys for Respondent.



---

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

Date: August 18, 2015

MARE BARACCO  
1006 Madrid Avenue  
Port Royal, South Carolina 29935  
(843) 592-1062

RECEIVED

AUG 21 2015

SC Court of Appeals

August 18, 2015

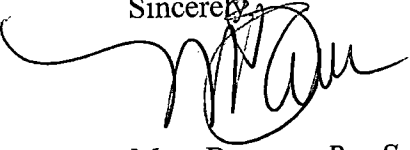
The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Beaufort County v. Mare Baracco, Case No. 2013-CP-07-00918  
Appellate Case No.: 2014-000636

Dear Ms. Kitchings:

Enclosed for filing is my "Reply" and six copies, in regard to my motion of August 7, 2015 to "correct the caption". I've enclosed Proof of Service of the same upon the Respondent.

Sincerely,



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

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

PLEASE PRESS FIRMLY

PLEASE

UNITED STATES POSTAL SERVICE

Retail

P

US POSTAGE PAID  
\$5.75

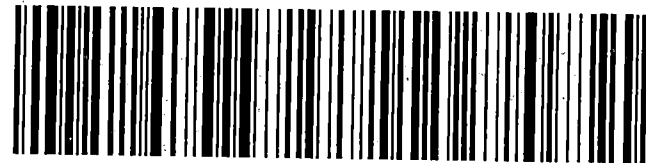
Origin: 29910  
0 Lb 12.20 Oz  
08/18/2015  
4508000863-18

1006

PRIORITY MAIL <sup>®</sup>2-Day

Expected Delivery Day: 08/20/2015

USPS TRACKING NUMBER



9505 5107 1443 5230 0585 39

**PRIORITY MAIL**

UNITED STATES POSTAL SERVICE

RECEIVED

AUG 21 2015

SC Court of Appeals

te Mailing Envelope

t usps.com

**PRIORITY MAIL**

UNITED STATES POSTAL SERVICE

VISIT US AT USPS.COM<sup>®</sup>  
ORDER FREE SUPPLIES ONLINE

ADDITIONAL RESTRICTIONS APPLY:

Restrictions are required. Consult the  
Postage and Fees Manual (IMM) at [pe.usps.com](http://pe.usps.com)  
for details.

FROM: *Barocco*  
*1006 modd ave*  
*Port Royal SC 29935*

TO: *MS Jenny Abbott Kitching*  
*Clerk of Court - SC Court of Appeals*  
*PO BOX 11629*  
*Columbia SC 29211*



Please Recycle

This packaging is the property of the U.S. Postal Service<sup>®</sup> and is provided solely for use in sending Priority Mail<sup>®</sup> shipments. Misuse may be a violation of federal law. This packaging is not for resale. EP14F-P-PP © U.S. Postal Service; June 2012; All rights reserved.

Label 228, July 2013

FOR DOMESTIC AND INTERNATIONAL USE

