

IN THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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AUG 17 2015
SC Court of Appeals

APPEAL FROM PICKENS COUNTY

In The Court of Common Pleas

Lee S. Alford , Circuit Court Judge

Case No. 2014-CP-39-00259

Mark Ostendorff,.....Appellant,

v.

School District of Pickens County,
Board of Trustees, School District of Pickens County,
Alex Saitta, Judy Edwards, Jimmy Gillespie,
Herbert Cooper, Jim Shelton, Ben Trotter,
Kelly Pew, Henry Hunt, Robert Folkman,.....Respondents.

APPELLANT'S RETURN TO RESPONDENTS'

MOTION TO CONSOLIDATE APPEALS

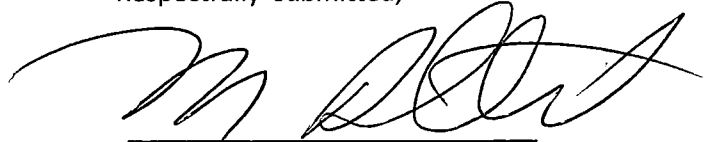
Appellant Ostendorff objects to Respondents' Motion pursuant to Rule 240 (e) .
Ostendorff objects to the Motion on the grounds that:

- (1) A reasonable jury will find that the Defendants did not act within the scope of their official duty and thus not protected under The Tort Claims Act. That jury would find that the Defendants are to pay the cost of their own defense. As it stands now, the taxpayers of South Carolina are paying for the Defendants' defense. It is possible that the Defendant School District of Pickens County does have a percentage of liability due to the issue of strict liability, being Ostendorff's employer.
- (2) The case has been allowed to continue , with leave of Common Pleas Court, for particular issues. Ostendorff has Motions outstanding and probably will result in additional appeals. Ostendorff will likely move for other issues in which appeals are likely.
- (3) It is much easier and efficient to keep the issues separate with separate appeals. The appeals are for the same case in Common Pleas, however , the issues are very different and apply differently to each of the defendants.
- (4) Ostendorff expects there will be both issues of the U.S. Constitution and S.C. Constitution.

Appellant Ostendorff asks this Court to deny Respondents' Motion to consolidate the appeals.

August 13, 2015

Respectfully submitted,



Mark Ostendorff
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Appellant, Pro Se

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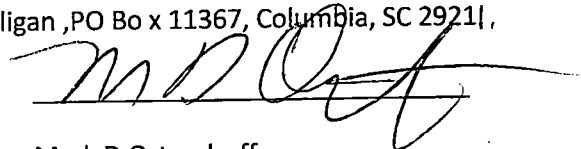
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CERTIFICATE OF MAILING

I, Mark Ostendorff, Appellant, certifies that I placed in the U.S. Postal Service, with proper postage paid, a copy of Appellant's Return To Respondents' Motion to Consolidate Appeals, to Defendants' attorney at : Thomas K. Barlow, Childs & Halligan ,PO Bo x 11367, Columbia, SC 29211,



August 13, 2015

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