

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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MAR 04 2016

SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Larry B. HYman, Jr., Circuit Court Judge (Recused)
Honorable Steven H. John, Circuit Court Judge (Final Order)

Appellate Case No.: 2015-001621

Retha Pierce Sturdivant Appellant

vs.

City of Conway Respondent

REPLY TO RESPONDENT'S REPLY TO MOTION OF APPELLANT

Retha Pierce (Sturdivant)
412 32nd Avenue South
Atlantic Beach, South Carolina 29582-4716
Phone: (843) 503-8752
Pro Se Appellant

REPLY TO RESPONDENT'S REPLY TO MOTION OF APPELLANT

The Appellant, Retha Pierce Sturdivant, presents a **REPLY TO RESPONDENT'S REPLY TO MOTION OF APPELLANT** for Appellate Case No. 2015-001621. She first received the **REPLY TO MOTION OF APPELLANT**, by the Respondent, O. Terry Beverly, on Monday, February 22, 2016, among her regular mail from the North Myrtle Beach Post Office in North Myrtle Beach, South Carolina. With the consideration that all information provided by the Appellant in her **RESPONSE TO AND COUNTER-MOTION FOR** the Respondent's **MOTION TO DISMISS** Appellate Case No.: 2015-001621 are factual and pertain to the case, for which the Respondent's reply addresses, the Appellant now gives a **REPLY TO RESPONDENT'S REPLY TO MOTION OF APPELLANT** aligned with each of his numbered replies as follows:

1. "Appellant's motion should be denied and her appeal dismissed for failure to comply with Rule 260 (a), SCACR ... A pro se litigant is held to the same standard as an attorney ... Appellant's willful failure to avail herself of the public resource available constitutes grounds for denial of the Appellant's motion and dismissal of this appeal." REPLY: THE APPELLANT HAS COMPLIED WITH RULE 260(a), SCACR. AS STIPULATED BY HAINES VS. KERNER, A PRO SE LITIGANT SHOULD NOT BE DEALT WITH AS STRINGENTLY AS A LAWYER. MOREOVER, A PRO SE LITIGANT'S ENDEAVOR FOR JUSTICE IN COURT SHOULD NOT BE OBSTRUCTED/HAMPERED BY NEOCHEATERS AND NEOCHEATING. FUNDAMENTAL FAIRNESS IS ESSENTIAL TO THE VERY CONCEPT OF JUSTICE, AND A WRONGFUL CONVICTION SHOULD NOT BE SUSTAINED THAT HAS EVOLVED IN SUCH A MANNER, NOR BY CONTEMPTUOUS BEHAVIOR, NOR BY THE PARTICIPATION OF A BIASED OR OTHERWISE PARTIAL JUROR. IN ADDITION, THE APPELLANT HAS NOT WILLFULLY FAILED " ... TO AVAIL HERSELF OF THE PUBLIC RESOURCE ..."

2. " ... should be ... dismissed for failure to comply with Rule 269, SCACR ... contains

various allegations of alleged injustices ... that fail to rise to the level of legal grounds ..."

REPLY: APPELLANT HAS COMPLIED WITH RULE 269, SCACR, AND ALL ALLEGED INJUSTICES DID INDEED OCCUR.

3, " ... dismissed for failure to comply with Rule 267 ... to comply with the requirements as to form of papers." REPLY: THE APPELLANT HAS COMPLIED WITH RULE 267.

4. "... did not file a timely return to Respondent's Motion to Dismiss which was delivered to the Appellant's address on January 16, 2016 as shown by the attached certified mail receipt and USPS Tracking (Exhibit A)." REPLY: THE RESPONDENT'S VERY OWN USPS TRACKING VALIDATES THAT THE APPELLANT RECEIVED HIS MOTION TO DISMISS ON JANUARY 30, 2016 AS STIPULATED BY APPELLANT IN HER DOCUMENT, AND SHE HAS CIRCLED ON RESPONDENT'S USPS TRACKING (EXHIBIT A).

5. " ... for failure to comply with Rule 208(a)(1), SCACR, ... did not timely file the initial brief within 30 days from receipt of the transcript ... attempts to raise a challenge to the transcript by asserting that Appellant received an "abridged" transcript. By letter dated January 21, 2016, the court reporter notified ... was provided the full, complete, unedited, original verbatim transcript ... unsupported allegations concerning the transcript fail to rise to the level of legal grounds for granting of Appellant's motion". REPLY: APPELLANT HAS COMPLIED UNDER THE CONDITIONS REQUIRED, BUT SHE STILL HAS NOT RECEIVED THE WORD-FOR-WORD TRANSCRIPT THAT SHE REQUESTED INITIALLY AND IN SPITE OF SEVERAL CORRESPONDENCES AS SHOWN BY THE ATTACHED EXAMPLES (EXHIBITS B, B1, B2, B3, B4). APPELLANT EVEN GAVE A FOIA REQUEST FOR THE AUDIO VERSION OF THE TRANSCRIPT, FOR WHICH SHE WAS WILLING TO PAY ADDITIONALLY AND HIRE ANOTHER TO TRANSCRIBE, BUT THE FOIA REQUEST WAS NEVER HONORED, AND APPELLANT STILL HAS THE INCOMPLETE INITIAL TRANSCRIPT GIVEN HER WHICH IS MISSING DATA CRUCIAL TO HER APPEAL.

6. " ... dismissed for failure to comply with 240(c), SCACR ... Appellant fails to state meritorious grounds ...". REPLY: THE APPELLANT COMPLIED WITH 240 (c), SCACR.

7. " ... for failure to comply with Rule 240(g) ... abandonment of the appeal". REPLY: THE APPELLANT COMPLIED, AND HAS NOT ABANDONED THE APPEAL".

8. " ...for failure to properly serve Respondent ... mailed letters ... to the Municipal Court of the City of Conway ...S mailing all correspondences to Respondent at 229 ... has received numerous letters on the letterhead with address clearly set forth thereon". REPLY: THE APPELLANT WAS INITIALLY ONLY GIVEN THE " 229" ADDRESS FOR THE RESPONDENT, AND SHE WAS GIVEN PROOF THAT HE WAS GETTING HIS MAIL , SO THAT'S WHERE SHE CONTINUED TO SEND IT AS EVIDENCED BY THE ATTACHED RETURNS FOR SOME MAIL SENT CERTIFIED INITIALLY (EXHIBIT C, C1). IN THE BEGINNING, THE RESPONDENT NEVER SENT ANY CORRESPONDENCE WITH ANOTHER ADDRESS, NOT EVEN THE " RETURN OF THE MUNICIPAL COURT", HEARD FOR THE FIRST TIME BY THE APPELLANT DURING THE APPEAL PROCEEDINGS IN COMMON PLEAS. APPELLANT ONLY SAW THE OTHER ADDRESS AFTER RESPONDENT SENT A COPY OF THE FINAL ORDER TO THE CIRCUIT JUDGE FOR CIVIL CASE NO.: 2014-CP-26-09311 UPHOLDING THE WRONGFUL FIRST OFFENSE DUI CONVICTION FOLLOWING THE OCTOBER 1, 2014 HEARING IN COMMON PLEAS. IT WAS ONLY AFTER THAT TIME THE APPELLANT RECEIVED MORE LETTERS SHOWING THE DIFFERENT ADDRESS TO THE APPELLANT, BUT STILL THE RESPONDENT NEVER INDICATED HE WANTED TO CHANGE HIS MAIL TO THAT ADDRESS. NOTE: INCONCEIVABLE CIRCUMSTANCES FOR THE APPELLANT LEADING TO TRIAL, DURING TRIAL, BEGINNING APPEAL, DURING APPEAL IN COMMON PLEAS, AND POST-COMMON PLEAS ACCOUNT FOR THE CONTINUED USE OF THE INITIAL ADDRESS, GIVEN TO THE APPELLANT FOR THE RESPONDENT, AS WELL AS OTHER DELIBERATE BEFUDDLEMENT FOR THE APPELLANT WHICH IS MORE DETAILED IN THE COUNTER-MOTION BY THE APPELLANT. NEOCHEATING

HELPED TO ESTABLISH AND MAINTAIN ANOTHER OUTLET FOR WRONGFUL USE.

9. " ... failure to comply with Rule 208(b)(1)(D)... Moreover, Appellant failed to include her Initial Brief which is admitted ..."REPLY: THE APPELLANT COMPLIED WITH RULE 208(B)(1)(D), AND TURNED IN HER INITIAL BRIEF, SHE NEVER ADMITTED NOT TURNING IN THE INITIAL BRIEF BUT THE DETECTION OF A DEFICIENCY COMPONENT OF THE DOCUMENT AFTER ITS TIMELY SUBMISSION A RESULT OF THE INCONCEIVABLE VARIABLES RUNNING SIMULTANEOUSLY AT THE TIME OF THE SUBMISSION. THE APPELLANT ONLY EXPRESSED THE DESIRE TO BE ABLE TO RECTIFY THE MISSING ELEMENT OF THE DOCUMENT WHICH WAS DUE TO THE INCONCEIVABLES RUNNING CONCURRENTLY WITH THE TASK. THE APPELLANT NEVER ADMITTED NOT SUBMITTING THE INITIAL BRIEF BECAUSE SHE DID SUBMIT IT.

10. " ... Appellant failed to file an Initial Brief ...". REPLY: THE APPELLANT DID FILE A TIMELY INITIAL BRIEF.

11. " ... Appellant failed to include Appellant's Initial Brief in her letter to the Court of Appeals ... admits in letter dated December 20, 2015, to the Court of Appeals ... Appellant again failed to include her Initial Brief in her copy of the correspondence to the Respondent".

REPLY: AFTER APPELLANT HAD SEALED THE LETTER TO THE COURT OF APPEALS, SHE DISCOVERED, DUE TO MULTIPLE DISTRACTIONS, THAT SHE HAD NOT ENCLOSED THE COURT'S COPY OF THE INITIAL BRIEF WITH THE DESIGNATIONS OF MATTER AND OTHER ITEMS. APPELLANT DISPATCHED ANOTHER LETTER TO THE COURT WITH EXPLANATION IMMEDIATELY, AFTER DETECTION, WHILE STILL WITHIN THE TIMELY STATUS AND COPIED LETTER TO THE COUNSEL OF RECORD AND COURT ADMINISTRATION AS ALL PREVIOUS ITEMS. BECAUSE APPELLANT HAD MADE SUCH A BLUNDER AND SEPARATED THAT COPY OF THE INITIAL BRIEF FROM THE DESIGNATIONS, SHE WAS DETERMINED TO TRIPLE CHECK TO

MAKE SURE BOTH THE INITIAL BRIEF AND THE DESIGNATIONS OF MATTER WERE INCLUDED IN THE ENVELOPES ADDRESSED TO O. TERRY BEVERLY, ESQUIRE, AND THE SOUTH CAROLINA COURT ADMINISTRATION ALONG WITH PROOF OF SERVICE AND OTHER CONTENTS. THERE IS NO DOUBT IN THE APPELLANT'S MIND THAT THE INITIAL BRIEF, DESIGNATION OF MATTER, AND ALL OTHER INTENDED ITEMS FOR THE ENVELOPES WERE MAILED TO THE ONLY COUNSEL ON RECORD, O. TERRY BEVERLY, AND THE SAME AS WERE INCLUDED FOR THE SOUTH CAROLINA COURT ADMINISTRATION. FOR APPELLANT TO NOW READ THAT THE RESPONDENT CLAIMS HE NEVER RECEIVED THE INITIAL BRIEF, WRONGFULLY USING KNOWLEDGE OF THE UNINTENDED MOMENTARY OVERSIGHT TO THE COURT OF APPEALS ONLY THEN, IS, AS DEBILITATING AS THE MEMORY OF HIS MISLEADING AN ALREADY AFFECTED JURY TO BELIEVE THE ARRESTING OFFICER TO BE AN EXPERT WHO COULD ACTUALLY LOOK INTO APPELLANT'S EYES AND COULD TELL THAT SHE HAD TAKEN MEDICATION NEVER SWALLOWED AS HE LED THEM TO WRONGFUL FIRST OFFENSE DUI CONVICTION FOR THE APPELLANT WITH A .00% BREATHALIZER AND NO POSITIVE CHEMICAL OR DRUG DATA WHO IS KNOWN BY FAMILY, FRIENDS, AND SOME DOCTORS AS A NATURAL HEALER.

In summary:

Wherefore, the Respondent has engaged in neocheating and has made a mockery of justice to render the Appellant, Retha Pierce Sturdivant, continually entrapped in the intricately woven web of deception driven by political/selfish motive(s) under the guise to maintain the wrongful First Offense Driving Under Influence (DUI) Conviction; and wherefore, the Appellant, a nearly seventy-year-old black woman, has experienced first hand a most inconceivable wrongness relentlessly for over a decade in the criminal justice system by a neocheater(s) with the allowing of injustice to raise its ugly head boldly and then

to spew legal ammunition, SCACR, with the primary objective of keeping innocent guilty in the State of South Carolina while simultaneously seeking to obliterate the trail of erring for such achievement by advocating dismissal to deter and circumvent the very inborn and constitutional rights of the Appellant, the Respondent's Motion to Dismiss Appellate Case No.: 2015-001621 should be denied. For these reasons, the aforementioned facts, and all previously remitted facts in the case, the Appellant reiterates that her Counter-motion For the Respondent's Motion to Dismiss Appellate Case 2015-001621 should be granted. The Appellant also implores this Honorable Court that she be allowed to rectify any deficiency component in the already timely submitted Initial Brief for Appellate Case No. 2015-001621 of which the Respondent on one hand declares having not received a copy, and then on the other, cites Rules, SCACR, to dismiss the case for alleged shortcomings of the very document(s) he claims to have not received. Appellate Case No.: 2015-001621 should, therefore, proceed in search of a remnant of truth, now immensely compromised, due to the genuine errings initially and that continued into the court of common pleas' proceedings to give birth to this level of the appellate matter.

February 29, 2016
North Myrtle Beach, S.C.

Respectfully submitted,
By: Retha Pierce Sturdivant 02/29/2016
Retha Pierce Sturdivant
412 32nd Avenue South
Atlantic Beach, South Carolina 29582-4716
(843) 503-8752
Pro Se Appellant

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
MAR 04 2016
SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Larry B. Hyman, Jr., Circuit Court Judge (Recused)
Honorable Steven H. John, Circuit Court Judge (Final Order)

Appellate Case No.: 2015-001621

Retha Pierce Sturdivant Appellant

vs.

City of Conway Respondent

PROOF OF SERVICE

I certify that I have served an Appellant's **REPLY TO RESPONDENT'S REPLY TO MOTION OF APPELLANT** by depositing a copy of it with the United States Post Office, postage prepaid, on the 01 day of March, 2016 to each of the following:

O. Terry Beverly, Esquire
1202 Third Avenue
Conway, South Carolina 29526-510

Natalie Dahl, Court Reporter
Post Office Box 762
Conway, South Carolina 29526

Honorable Clara V. Allen, Deputy Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

South Carolina Court Administration

1220 Senate Street, Suite 200
Columbia, South Carolina 29201

Retha Pierce Sturdivant 03/01/2016

Retha Pierce Sturdivant
412 32nd Avenue South
Atlantic Beach, South Carolina 29582-4716
Phone: (843) 503-8752
Pro Se Appellant

North Myrtle Beach, SC
March 01, 2016



USPS Tracking®



Customer Service ›
Have questions? We're here to help.

EXHIBIT A

Get Easy Tracking Updates ›
Sign up for My USPS.

Tracking Number: 7015152000080288432

Updated Delivery Day: Saturday, January 16, 2016

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
January 30, 2016, 10:36 am	Delivered	NORTH MYRTLE BEACH, SC 29582
Your item was delivered at 10:36 am on January 30, 2016 in NORTH MYRTLE BEACH, SC 29582.		
January 16, 2016, 4:08 pm	Notice Left	NORTH MYRTLE BEACH, SC 29582
January 16, 2016, 10:11 am	Out for Delivery	NORTH MYRTLE BEACH, SC 29582
January 16, 2016, 9:07 am	Sorting Complete	NORTH MYRTLE BEACH, SC 29582
January 16, 2016, 5:21 am	Arrived at Unit	NORTH MYRTLE BEACH, SC 29582
January 15, 2016, 4:09 pm	Departed USPS Facility	COLUMBIA, SC 29201
January 14, 2016, 10:35 pm	Arrived at USPS Facility	COLUMBIA, SC 29201

Track Another Package

Tracking (or receipt) number

7015152000080288432

Track It

Manage Incoming Packages

Track all your packages from a dashboard.
No tracking numbers necessary.

Sign up for My USPS ›



EXHIBIT B

Retha Pierce (Sturdivant)
412 32nd Avenue South
Atlantic Beach, South Carolina 29582-4716
January 27, 2016
(843) 503-8752

Natalie Dahl
Post Office Box 762
Conway, South Carolina 29526

Re: Response To Letter Dated January 21, 2016 On Case No.: 2014-CP-26-03911 Transcript

Dear Ms. Dahl:

In response to your letter dated January 21, 2016 which I received on Monday, January 25, 2016, I was indeed immensely set back to read: "I am in receipt of your most recent letter which was undated requesting ... "original document" ... for the October 1, 2014 hearing". The content further enlightened: "I had obtained the undated letter from Court Administration as I had not personally received it." Only someone who has experienced what this Appellant has undergone with some legal and judicial entities in Horry County for nearly a decade could remotely begin to identify with the debilitating effect that such statements render.

First, this Appellant was wondering why she had not received any kind of response relative to her last correspondence to you dated November 16, 2015 wherein she not only re-asked you for a word-for-word transcript of the proceedings for Civil Case No.: 2014-CP-26-03911; but, she also added '... a FOIA Request for the complete audio version of the Transcript' for Civil Case No.: 2014-CP-26-03911 for the October 1, 2014 proceedings. In addition, this Appellant stipulated anticipation of: '... the word-for-word Transcript and the cost of the FOIA Request for the audio version'. She was even compelled beyond her control with an urgency to relay some inconceivable events that make such a document most crucial to her general predicament and, hopefully, eventual exoneration. Pre-occupied with data relative to her upcoming January 26, 2016 Reconsideration Hearing for the wrongful Driving Under Suspension (DUS) Conviction [Civil Case No.: 2014-CP-26-5792] that evolved because of her wrongful First Offense Driving Under Influence (DUI) Conviction [Civil Case No.: 2014-26-CP-03911] timely appealed, however, the Appellant intended to follow-up with you after her Reconsideration Hearing for the wrongful DUS conviction slated on the Horry County Court Docket for Tuesday, January 26, 2016. Your letter received the day before that Hearing, of course, is Appellant's only communication from you since her letter dated November 16, 2015 was dispatched, with first class postage, to you at the same time three copies were also

mailed. One of the three copies was sent to the South Carolina Court Administration.

Secondly, you indicated in your letter that you only know about my last correspondence to you as a result of the copy of your letter that the Appellant duplicated to the South Carolina Court Administration. You also referenced the copy of your letter from Court Administration as "... undated ...". The Appellant was unable to visualize how a letter dated and addressed to you, copied to another party, returned to you undated. You also said : " ... I can be of no greater service for your request". Moreover, could you at least send me a copy of the undated letter you received from me via the South Carolina Court Administration? Please send me also any information on the procedure that the Appellant should follow in order to get her FOIA Request for the complete audio version of the transcript for Civil Case No.: 2014-CP-26-03911 for October 1, 2014 honored, as requested in the previous letter, if not through you.

In nearly sixty-seven years, and most especially in Horry County for several of them, the Appellant has experienced countless inconceivables, even as recently as on Tuesday while awaiting her DUS Conviction Reconsideration Hearing in the Fifteenth Judicial Circuit, when a lawyer discussing something relative to a case said right out loud in Court to the judge that the recorder might need to be shut off because he [the judge] might want what was about to be said to be "... off the record ...". Although the judge abruptly invited the lawyers to follow him to his chambers to further discuss the issue at that moment, never recessing court, it was very apparent to the Appellant that part of the business as usual in the system actually appears to include conscious efforts by cooperating neocheaters to control what is in the court transcript for the advantage of certain individuals/entities.

In conclusion, please find two enclosures: (1) Copy of last letter mailed to you dated November 16, 2016 and (2) Copy of your letter dated January 21, 2016 to the Appellant Relative to Civil Case No.: 2014-CP-26-03911 Transcript. Thank you again for your assistance, and any information that you can give on the procedure to be followed in order to get the FOIA Request filled for a copy of the audio transcript for Civil Case No.: 2014-CP-26-03911 will be greatly appreciated.

Sincerely,



Retha Pierce (Sturdivant)

Cc: O. Terry Beverly, Esquire; South Carolina Court of Appeals; South Carolina Court Administration

EXHIBIT B1

State of South Carolina



The Circuit Court of the Fifteenth Judicial Circuit

Natalie Dahl
COURT REPORTER

POST OFFICE BOX 762
CONWAY, SOUTH CAROLINA 29528
ndahl@sccourts.org

January 21, 2016

Retha Pierce (Sturdivant)
412 32nd Avenue South
Atlantic Beach, SC 29582

In Re: Case No: 2014-CP-26-03911

Dear Ms. Pierce,

I am in receipt of your most recent letter which was undated requesting again the "original document" (transcript) for the October 1, 2014 hearing. I had obtained the undated letter from Court Administration as I had not personally received it. This transcript was prepared per Rule 607, and as I had stated in my prior letter dated November 8, 2015, you have received the full, complete, unedited original transcript verbatim. There is no "unabridged copy" of this transcript. I regret to inform you that I can be of no greater service for your request. Thank you for your understanding.

Very truly yours,


Natalie Dahl, RPR
Court Reporter

cc: O. Terry Beverly, Esq.,
Desiree Allen, South Carolina Court Administration
Court of Appeals

EXHIBIT B₂

Retha Pierce (Sturdivant)
412 32nd Avenue South
Atlantic Beach, South Carolina 29582-4716
November 16, 2015
(843) 503-8752

Ms. Natalie Dahl
Post Office Box 762
Conway, South Carolina 29526

Re: Response to Request For "... Specific Page Numbers and Line Numbers of the Perceived Errors" for Civil Case No.: 2014-CP-26-03911

Dear Ms. Dahl:

I have received, as of November 12, 2015, your letter dated November 8, 2015 whereby you acknowledge having received my letter dated October 26, 2015 wherein I request a completely unabridged Transcript for all court proceedings relative to Case No.: 2014-CP-26-03911 and you remind the Appellant "... wherein you wish to challenge the Record in the above-referenced case". You further stipulate that: "... in order to comply with your request I will need specific page numbers and line numbers of the perceived errors."

As contained in the previous correspondence, however, the initial expectation is to get a copy of the "Original" document showing word-for-word the proceedings as thought recorded on October 1, 2014. The Appellant is, therefore, willing to pay you whatever the price is for the complete unadulterated transcription of the proceedings recorded relative to Civil Case No.: 2014-CP-26-03911.

Although the Appellant does have some specific gifts from the Higher Power that still enable her to remember even certain scenarios from as far back as to before she could crawl, and that also allow her to make some predictions with 100% accuracy across a variety of themes/subjects (including having mentioned to many, long before anyone ever announced intent for the position, that only a woman would follow Mark Sanford as the governor for South Carolina), she has not been shown with any precision all the pages or lines that may contain the author's errors in the Transcript under scrutiny. It is obvious to the Appellant upon commencing to read the document, however, that the Record labeled Original is missing certain questions/comments beyond a shadow of doubt because of her personal involvement in the proceedings. Too many curt remarks, biased and prejudicial delivery(ies) and preferential treatment for the prosecution foreshadow the proceedings from October 1, 2014 that don't properly align with some of the more cleaned up version. Much of this automatically detected missing data, that traumatized and stigmatized the Appellant, is what actually propelled her

to eventually require the recusal of the very Judge Larry E. Hyman, Jr. who presided over the Appeal in Common Pleas for Civil Case No.: 2014-CP-26-03911 for her wrongful First Offense DUI Conviction when it was discovered that he was slated also to preside over the Appeal for her wrongful First Offense DUS Conviction as a result of the wrongful First Offense DUI Conviction.

Moreover, the already referenced missing data is nowhere in the document like the "... sixth time..." in court remark; nor, is found certain questions like "... What did the other judge do wrong? ..." Instead of providing Appellant from the outset the opportunity to present her exceptions and arguments without intimidation as with the prosecutor, there was a kind of intervention by the judge with stabs and jabs of curt comments/questions and seemingly ridicule of her as a pro se litigant while providing preferential treatment for the prosecuting attorney that should be at least on Page One of the Transcript but can not be found anywhere. Frankly, the Appellant was shocked at the way, during the Appeal in the Horry County Court of Common Pleas, that she was not respected like the prosecutor; yet, in retrospect, it really complies with the level of treatment she has received for at least nearly a decade in Horry County relative to constant wrongful charges/ convictions that caused her to be jailed wrongly at least eight (8) times, to be relentlessly harassed/set up and to undergo irreversible character assassination. In addition, the Transcript is missing the threat that Judge Hyman made to the Appellant that made her cringe with anticipation of how he actually was going to complete his admonishment of her: "If you mention implied consent again ... I'll ..." Ironically, Ms. Dahl, the Appellant literally wondered at that moment, as well as others, if everything being said was being recorded and if indeed an eventually-ordered transcript would be summarized or word-for-word. In addition, another aspect of the proceedings containing instructions seemingly directed to push the Appellant to agree against one of her exceptions with prosecution relative to misrepresentations/ implied consent imposed in Magistrate Court to the jury that she refused a urine test that the Officer was going to give her after a .00% breathalyzer, which she had not refused but she only wanted part of her sample for independent testing, is also missing wherein Judge Hyman seemed to be pushing the Appellant to agree with the prosecutor's version. During that scenario, there was actually a period of silence in the Court as the Appellant stared at Judge Hyman's countenance trying desperately to maintain a respectful composure before he instructed her to answer whether she agreed with it or not. That is no where in the Record also.

As an endeavor to treat your issue relative to pages and lines, the Appellant does also note in the Transcript some ambiguities contrary to her command of standard English, suggestive fragmentations, some polished responses for the Court, and not-included items. For example, on page 14: lines 20 and 22 exhibit the first two aforementioned variables. On Page 2; Line 21, "implied of consent" was not cited that way by the Appellant, and part of what was said on the same page for Lines 20 - 21 is missing. Moreover, there is also no inclusion of the instructions Judge Hyman gave the prosecuting attorney, O. Terry Beverly, to prepare the Final Order for

Civil Case No.: 2014-CP-26-03911 after he abruptly dismissed the Appeal that should be at least on the last page. This also is not there. Finally, the Appellant also maintains that the many "—" represent missing data.

Please do not misconstrue the desire for an unabridged Transcript as any form of intended disrespect or personal attack on you. This is instead just a deeply battered Appellant who literally detests mediocrity and believes it is her constitutional right as a violated citizen in the United States of America to at least be able to get an authentic copy of what the court proceedings entail. During other wrongful hearings/trials for nearly ten years, even some Horry County judges have told the Appellant that some/part of court transactions relative to her case(s) were not being recorded when she would ask directly after seeing no evidence of any attempt to provide an accurate/any account of court proceedings. In December 2013, for example, one judge even responded to this Appellant's question of if the hearing relative to a false charge against her was being recorded and revealed not only no recording for her case in the main courtroom that day but for none of the cases in that section of court for that day while adding: "I am the judge..." Again on June 17, 2015, the Appellant was refused any Transcript for the New Trial for which the Clerk of Court said all information was immediately expunged and not available to date to Appellant even with a FOIA request a few days after Appellant was not allowed to see the judge as Pro Se on June 17 as summoned to Court for her New Trial regarding her false reckless driving conviction from 2008 that stemmed from her first false criminal allegation of reckless driving on December 25, 2007. That single set-up began the series of subsequent false allegations/convictions (to include the current wrongful First Offense DUI Conviction and the wrongful First Offense DUS Conviction via of the First Offense DUI Conviction) about one month after the Appellant first defeated the over three-term mayor of the Town of Atlantic Beach (the candidate for the neocheaters) in November 2007. Appellant has been denied access to all records of any of the court proceedings of the New Trial from June 17, 2015 in addition to after being denied opportunity to appear before the judge as a pro.se litigant like her subpoenaed witness and the prosecutor that finally dismissed the criminal allegation of reckless driving for which she was found guilty in 2008 and for which the Appellant had already been punished with a fine and six points off her license as a result of the wrongful reckless driving stop on December 25, 2007 as well as later falsely convicted for the resisting arrest charge that was alleged from the wrongful reckless driving stop on December 25, 2007 and for which Appellant paid steep fines as well as pulled eighteen months probation.

The Appellant realizes that on the surface it may appear that much that is shared in this letter may appear to have no bearing on our transaction. The intent, moreover, is merely an endeavor to shed more light that this is a desperate need to have a complete word-for-word Transcript for October 1, 2014.

Many who purport to protect and serve have been neocheating relative to ordinary man for

over 2000 years. Some today are able to continue to convict wrongly too many innocent victims by employing the very laws designed to render a person innocent until proven guilty because of the blindness rendered by mysticism of a trusting public that allows dishonest leaders to cheat legally due to greed, avarice, and the thirst for control and power — the seeds of corruption and evilness. The abuse and denial of justice for the Appellant has intensified for over a decade to include the works of at least four Horry County judges, certain prosecutors, some policemen, and others across entities intertwined on the local, county, state and federal level. Such dishonesty and violations of any of mankind's human rights from God the Creator has placed the galaxy in its current status and fast approaching further detriment.

In conclusion, all of the elements of this Response only endeavor to relay the importance of the Appellant to receive just an unabridged copy of the complete word-for-word Transcript as recorded. She would also now like to add a FOIA Request for the complete audio version of the Transcript for Civil Case No.: 2014-CP-26-03911, and she anticipates your stipulations regarding the cost of the word-for word Transcript and the cost of the FOIA Request for the audio version.

Thank you very much for your assistance in this endeavor.

Sincerely,



Retha Pierce (Sturdivant)
Pro Se Appellant

Cc: O. Terry Beverly, V. Claire Allen, South Carolina Court Administration

EXHIBIT B₃



State of South Carolina The Circuit Court of the Eleventh Judicial Circuit

Natalie Dahl, RPR
Court Reporter

P.O. Box 762
Conway, SC 29526
ndahl@sccourts.org

Date: November 8, 2015

Retha Pierce (Sturdivant)
412 32nd Avenue South
Atlantic Beach, SC 29582

RE: Case No.: 2014-CP-26-03911

Dear Ms. Pierce,

I have received your letter dated October 26, 2015 wherein you wish to challenge the Record in the above-referenced case. In order to comply with your request I will need specific page numbers and line numbers of the perceived errors. In my review of the record, I could not find such errors as stated in your letter.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Natalie Dahl".

Natalie Dahl, RPR
Court Reporter

nd

cc: O. Terry Beverly; Desiree Allen, Court Administration

EXHIBIT B4

Retha Pierce (Sturdivant)
412 32nd Avenue South
Atlantic Beach, South Carolina 29582-4716
October 26, 2015

Natalie Dahl
Post Office Box 762
Conway, South Carolina 29526

Re: Request Inclusion of Missing Data of Transcript for Case No.: 2014-CP-26-3911

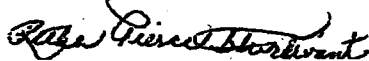
Dear Ms. Dahl:

Thank you for your TRANSCRIPT OF RECORD FOR CIVIL CASE NO.: 2014-CP-26-3911 which was received by the Appellant on October 22, 2015. After reading what is labeled "Original", however, some missing data have been noted. This includes some curt remarks made from the Bench during the proceedings on October 1, 2014 which traumatized and stigmatized the Appellant that also contained a reference to her prior appearances in Court of about "... six times...". Many comments which seemed part of a ridicule of the Pro Se litigant's presence, as a result of an initially forced position directly thrust upon her by the extensive Neocheating of many who purport "... to serve and protect ...", are missing. There are several "-"; and is, perhaps, some of the admonishment of the Appellant concealed therein? This correspondence serves, moreover, to request inclusion of all missing data of TRANSCRIPT for CASE NO.: 2014-CP-26-3911.

The expectation of the initial request for the TRANSCRIPT was to get a copy of the "Original" document word-for-word — void of any abridgment. The Appellant is, therefore, willing to pay the cost for an unabridged copy of the TRANSCRIPT OF RECORD FOR CIVIL CASE NO.: 2014-CP-26-3911 and will forward immediately the required fee for such an undertaking upon further stipulation(s) by you.

Thank you very much for your attention in this endeavor.

Sincerely,



Retha Pierce Sturdivant
Pro Se Appellant

Cc: O. Terry Beverly; V. Claire Allen; South Carolina Court Administration

EXHIBIT C

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

O. Terry Beverly Attorney
City of Conway
229 Main Street
Conway, SC 29526

2. Article Number
(Transfer from service label)

7014 0510 0000 2673 6123

PS Form 3811, July 2013

Domestic Return Receipt

1. Envelope

16/5/14

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

O. Terry Beverly Attorney
City of Conway
229 Main Street
Conway, SC 29526

2. Article Number
(Transfer from service label)

7013 0600 0000 2254 4954

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [Signature]

☐ Agent
☐ Address

B. Received by (Printed Name)

O. Terry Beverly

C. Date of Delivery

9-25-14

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

O. Terry Beverly Attorney
City of Conway
229 Main Street
Conway, SC 29526



9590 9403 0232 5146 7667 53

2. Article Number (Transfer from service label)

7015 1730 0001 6857 0652

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [Signature]

☐ Agent
☐ Address

B. Received by (Printed Name)

O. Terry Beverly

C. Date of Delivery

9/25/15

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery

PH 11 L
• Sender: Please print your name, address, and ZIP+4® in this box•

Retha Pierce
412 32nd Avenue South
Atlantic Beach, SC 29582-4716

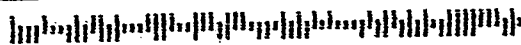


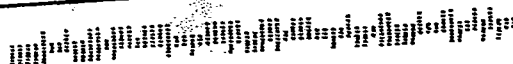
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/ 29582-4716



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SC 29901

31 AUG '15

PH 31



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USPS
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• Sender: Please print your name, address, and ZIP+4® in this box•

Retha Pierce
412 32nd Avenue South
Atlantic Beach, SC 29582-4716

USPS TRACKING#



9590 9403 0232 8146 7557 53

Retha Pierce (Sturdivant)
412 32nd Avenue South
Atlantic Beach, South Carolina 29582-4716
(843) 503-8752
February 29, 2016

RECEIVED

MAR 04 2016

SC Court of Appeals

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

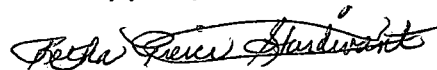
Re: *Retha Pierce Sturdivant v. City of Conway*, Appellate Case No.: 2015-001621
Appellant's **REPLY TO RESPONDENT'S REPLY TO MOTION OF APPELLANT**

Dear Ms. Allen:

Please find enclosed one (1) original and six copies of Appellant's **REPLY TO RESPONDENT'S REPLY TO MOTION OF APPELLANT** for Appellate Case No.: 2015-001621 which was first received by the Appellant on Monday, February 22, 2016 with regular first class mail from the North Myrtle Beach Post Office in North Myrtle Beach, South Carolina. Please also find a **PROOF OF SERVICE** to the only known counsel of record, O. Terry Beverly, the South Carolina Court Administration, and Natalie Dahl, Court Reporter.

Thank you for your attention in this matter.

Sincerely yours,



Retha Pierce (Sturdivant)

Cc: O. Terry Beverly
South Carolina Court Administration
Natalie Dahl

FROM:

Retha Prece
412 33rd Ave S.
Atlantic Beach, SC
29582-4516



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Deputy Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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