

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

9<sup>TH</sup> Judicial Circuit Court Judge

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Case No. 2007-CP-10-1444  
Appellate Case No. 2017-002403

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**RECEIVED**  
MAR 13 2018  
SC Court of Appeals

Cynthia Holmes, M.D.,

Appellant/Petitioner,

v.

Haynsworth Sinkler Boyd, P.A.,  
as successor to Sinkler & Boyd, P.A.,  
Manton Grier and James Y. Becker,

Respondents.

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**RESPONDENTS' RESPONSE TO HOLMES'  
'EXPEDITED MOTION'**

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Mary M. Caskey, SC Bar No. 76198  
Mary Cothonneau Eldridge, SC Bar No. 102698  
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*Attorneys for Respondents*

## INTRODUCTION

Respondents James Y. Becker, Manton Grier, and Haynsworth Sinkler Boyd, P.A., as successor to Sinkler & Boyd, P.A. (“Respondents”), file their Response to Appellant Cynthia Holmes’ (“Holmes”) ‘Expedited Motion,’ filed on March 5, 2018 (the “Motion”). For the reasons set forth below, this Court should deny Holmes’ Motion.

## ARGUMENT

As an initial matter, Respondents are not entirely sure that they understand the nature of Holmes’ Motion. It is styled as an “Expedited Motion,” but the only matter currently pending before this Court is Respondents’ Motion to Dismiss and Hold in Abeyance, which was filed on February 2, 2018 (“Respondents’ Motion”). In Respondents’ Motion, Respondents argue that Holmes’ appeal must be dismissed because the appeal violates the Supreme Court of South Carolina’s order issued in *Doe v. Duncan*, No. 2008-UP-596 (Dec. 2, 2009) (the “*Doe Order*”); the appeal is untimely, and the order on appeal is an un-appealable interlocutory order. (*See* Respondents’ Motion to Dismiss Appeal and to Hold Deadlines in Abeyance 3-5.) Holmes’ Motion does not respond to any of those arguments, or even acknowledge Respondents’ Motion, but instead asserts that Respondents Becker and Grier lack standing and that Respondents are improperly represented *pro se*. Neither of these arguments relates in any way to the issues currently before this Court, and this Court must disregard those arguments.

In any event, Holmes has once again signed the Motion herself, rather than retain an attorney—other than herself—who is licensed to practice law in South Carolina to sign the Motion. As Respondents thoroughly discuss in their motion, Holmes’ decision to sign any filings arising out of the litigation she initiated against East Cooper Community Hospital,

including the Motion at issue here, is a blatant violation of the *Doe* Order. (See Respondents' Motion 3-4.) Therefore, this Court must disregard Holmes' Motion.

**CONCLUSION**

For the reasons set forth above, Holmes' Motion must be disregarded.

Respectfully submitted,



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March 13, 2017  
Columbia, South Carolina

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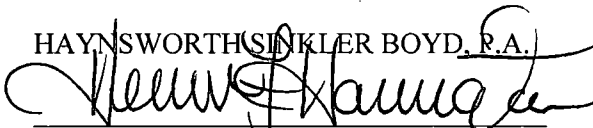
**CERTIFICATE OF SERVICE**

I, Helen F. Harrington, the undersigned employee of Haynsworth Sinkler Boyd, P.A., do hereby certify that I have caused a copy of the **Respondents' Response to Holmes' "Expedited Motion"** to be placed in the U.S. Mail, postage prepaid, addressed to Appellant and her counsel of record at their last known addresses, which addresses are as follows:

Cynthia Holmes, M.D.  
Post Office Box 187  
Sullivans Island, SC 29482

Chalmers C. Johnson, Esquire  
2695 Beach Drive, East  
Port Orchard, WA 98366

this 13<sup>th</sup> day of March, 2018.

HAYNSWORTH SINKLER BOYD, P.A.  
  
Helen F. Harrington  
Litigation Paralegal

Columbia, South Carolina

Haynsworth  
Sinkler Boyd, P.A.

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March 13, 2018

**VIA HAND DELIVERY**

The Honorable Jenny Abbot Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**  
MAR 13 2018  
SC Court of Appeals

Re: *C. Holmes, M.D. v. James Y. Becker, Manton Grier, and Haynsworth Sinkler Boyd, P.A., as successor to Sinkler & Boyd, P.A.*  
Case No. 2007-CP-10-1444  
Appellate Case No. 2017-001717  
HSB File No. 04625.1439

Dear Ms. Kitchings:

Enclosed in connection with the referenced matter is an original and (6) copies of the Respondents' Response to Holmes' "Expedited Motion", along with a Certificate of Service. We would appreciate your having the originals filed and returning one clocked copy to us via my courier.

Please let me know if you have any questions regarding the enclosures.

Thank you for your assistance in this matter.

Sincerely yours,



Mary Cothonneau Eldridge

MCE/hh

cc(w/encl.): Chalmers C. Johnson, Esquire  
Mary M. Caskey, Esquire