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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Case No: 2014-002029

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable Doyet Early, III, Circuit Court Judge

John R. Rakowsky, *Respondent*

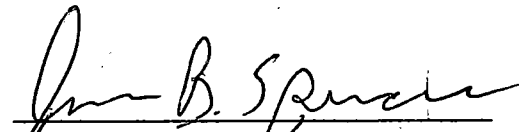
v.

James Spencer, *Pro Se, Appellant*

RECEIVED
AUG 10 2018
SC Court of Appeals

Rule 59(e) Motion to Amend Court Order
Issued on July 25, 2018

By:



James B. Spencer, *Pro Se*

Suite 183
7001 Saint Andrews Road
Columbia, SC 29212

APPELLANT'S MOTION FOR RECONSIDERATION

Pro Se Appellant James Spencer submits the following previously wrongfully concealed facts in Support of his Motion for Reconsideration under Rule 59(e) of the South Carolina Rules of Appellate Procedure ("SCRAP").

Background

Respondent commenced this Interpleader action against Appellant Spencer on September 12, 2008. (R., pgs., 42-50) This action took place when Appellant Spencer requested the remainder of the litigation funds which had been provided by Spencer through his own personal assets or through advances made solely to Spencer by third party financial organizations for litigation purposes. (R., pgs., 51-62).

Respondent Rakowsky clearly failed to keep the required records regarding the funds received for expenses in this case, otherwise he would have known that all the funds provided to Respondent Rakowsky were provided directly or on behalf of financial entities for Appellant Spencer. This is not a fault in any way of the Appellants.

Furthermore, the Court found appropriately in its July 25, 2018 decision that the executed engagement agreement cannot be circumvented by counsel and the contract clearly documented neither Respondent Rakowsky nor his co-counsel Adrian Falgione were entitled to any legal fees. The attorneys clearly failed to reach

the required “break point” of funds received in excess of expenses for there to be any compensation for the Respondents’ counsels. (R., pgs.,104-114)

Timeliness and Jurisdiction

The Court issued its opinion in this case on July 25, 2018. This Motion for Reconsideration is being filed within 10 days after the receipt of this ruling which was July 31, 2018, as required by Rule 59 of the SCRAP. The motion is timely, and this Court retains jurisdiction.

Basis for Reconsideration

Newly discovered evidence documents that officers of the Court, Ms. Desa Ballard, Esquire, Ms. Stephanie Weissenstein, Esquire, Ms. Amanda K. Dudgeon, Esquire, and Benjamin Bruner, Esquire were involved in concealing documents and committing numerous acts of perjury and fraud confirmed by the newly discovered evidence uncovered by the *Pro Se* Appellant within the last week. The nexus of this is the actual Court Order that was issued authorizing discovery by Appellant Spencer (**attached Exhibit B referred to hereinafter as the “shadow order”**) which the above-named counsels participated in by concealing its existence and by subornation of perjury in acts of fraud upon the Court. The shadow order was not even in the hard copy file kept by the Clerk of Court’s office it was located after a search of the Clerk of Courts computer records was performed. (See attached **Exhibit A and Exhibit C**).

Case law is clear on this as documented in **Chewing v. Ford Motor Company:**

"The subornation of perjury by an attorney and/or the intentional concealment of documents by an attorney are actions which constitute extrinsic fraud. Contrary to perjury by a witness or a party's failure to [**611] disclose requested materials, conduct which constitutes intrinsic fraud, where an attorney - an officer of the court - suborns perjury or intentionally conceals documents, he or she effectively precludes the opposing party from having his day in court. These actions by an attorney constitute extrinsic fraud. Moreover, we note that, [*83] while their analysis does not turn on the categorization of fraud as intrinsic or extrinsic, numerous jurisdictions hold an attorney's subornation of perjury and/or the intentional concealment of documents constitute fraud upon the court. See *Kupferman v. Consol. Research & Mfg. Corp.*, 459 F.2d 1072 (2d Cir. 1972) (institution of action by attorney who knew that there was complete defense to action might be fraud upon the court); *Great Coastal Express, Inc., v. Int'l Brotherhood of Teamsters*, 675 F.2d 1349, 1357 (4th Cir. 1982) [***15] ("Involvement of an attorney, as an officer of the court, in a scheme to suborn perjury would certainly be considered fraud on the court."); *Cleveland Demolition Co. v. Azcon Scrap Corp.*, 827 F.2d 984, 986 (4th Cir. 1987) ("A verdict may be set aside for fraud on the court if an attorney and a witness have conspired to present perjured testimony."); *Rozier v. Ford Motor Co.*, 573 F.2d 1332 (5th Cir. 1978) (fabrication of evidence where attorney is implicated is fraud upon the court); *H.K. Porter Co. v. Goodyear Tire & Rubber*, 536 F.2d 1115, 1119 (6th Cir. 1976) ("Since attorneys are officers of the court, their conduct, if dishonest, would constitute fraud on the court."); *Dixon v. Comm'n of Internal Revenue*, 2003 U.S. App. LEXIS 4843, 2003 WL 1216290 (9th Cir. 2003) (fraud on the court occurred where attorneys entered into secret settlement agreements with taxpayers in exchange for false testimony); *Synanon Found., Inc., v. Bernstein*, 503 A.2d 1254 (D.C. 1986) (attorney subornation of perjury and false statements to trial court constitute fraud upon the court); *Porcelli v. Joseph Schlitz Brewing Co.*, 78 F.R.D. 499 (E.D. Wis. 1978) [***16] (noting distinction between perjury involving officers of the court and witness or party); see 12 James Wm. Moore et al., *Moore's Federal Practice* P 60-21[4][b] (3d ed. 2002).

[***17] **HN10** Attorney fraud calls into question the integrity of the judiciary and erodes public confidence in the fairness of our [*84] system of justice. Accordingly, where an attorney embarks on a scheme to either suborn perjury or intentionally conceal documents, extrinsic fraud constituting a fraud upon the court occurs."

Chewing v. Ford Motor Co., 354 S.C. 72, 82-84, 579 S.E.2d 605, 610-11 (2003)

In **Raby Constr., v Orr** the South Carolina Supreme Court found that:

"There is no doubt that a court of equity has inherent power to grant relief from a judgment on the ground of fraud. However, not every fraud is sufficient to move a court of equity to grant relief from a judgment. Generally speaking, in order to secure equitable relief, it must appear that the fraud was extrinsic or collateral to the question examined and determined in the action in which the judgment was rendered; intrinsic fraud is not sufficient for equitable relief."

Raby Constr., L.L.P. v. Orr, 358 S.C. 10, 19, 594 S.E.2d 478, 482 (2004)

In the present case the Appellants were never allowed to secure the required (under SCACR Rule 407 1.8(g) and South Carolina Federal Local Rule 83.I.08) “informed consent agreement” that Respondent Rakowsky and his counsels claimed they had because Respondent’s counsels claimed discovery had not been authorized in writing. As an example, see **Exhibit A, page 1, Exhibit B, page 4, point 14 (which lists the attorneys who knew about the “shadow order” authorizing discovery), Exhibit C, page 1, and Exhibit D, page 47, lines 11-24. Exhibit D** documents how Respondent Counsels Amanda Dudgeon and Benjamin Bruner intentionally did not mention Judge Barber’s written order for discovery (the “shadow order”) as part of their complete listing of documents that were executed by Judge Barber before the Honorable Judge Addy. **Exhibit E** documents how this case requests for discovery was wrongfully litigated off the Court record under Order by Judge Early through email. **Exhibit E** is an attempt to put the email litigation back into documentation through the office of the Clerk of Court.

Applicability of SCAR 59 (e)

This issue involving the “shadow order” could not have been previously raised as it was totally unknown and concealed. The *Pro Se* Appellant is required to make a Rule 59 motion to preserve the newly discovered issue regarding a violation of due process for appeal if the Court of Appeals does not alter its ruling on this new issue.

In re Timmerman, 331 S.C. 455, 460, 502 S.E.2d 920, 922 (Ct.App. 1998).

SCACR 59 states “On a motion for a new trial in an action tried without a jury, the court may open the judgment if one has been entered, take additional testimony, amend findings of fact and conclusions of law or make new findings and conclusions, and direct the entry of a new judgment.”

Summary

Complete failure of procedural due process:

1. No discovery was allowed even though a judge had approved it. Attorneys in the case colluded against the *Pro Se* Appellant and kept the order allowing discovery by the Appellants covered up and refused all requests for production of the “informed consent agreement” to be produced. **(R., p., 544, lines 17-25; R., p., 545, lines 1-11 and lines 16-25; R., p., 546, lines 1-18.)**
2. The reason for filing the interpleader was because Rakowsky did not know how to distribute certain funds left in his trust account. If he had executed the required “informed consent agreement”¹ the Court and Rakowsky would have known how to handle the distribution of the \$55,000.00 awarded by the Federal Court. Because of the allegation that there was no required “informed consent agreement” the appeal of the settlement took place in Federal District Court. The question of the existence or nonexistence of the “informed consent

¹ The required “informed consent agreement” documents both the settlement of the Federal District Court case and the division of the \$55,000.00 in funds amongst the attorneys’ individual clients with distinct causes of action.

agreement” would have been answered by Appellants’ discovery. Thus, allowing discovery was the absolute key to solving the issues underlying the appeal in Federal District Court and the distribution of the \$55,000.00 in this interpleader action. Not allowing discovery through fraud by officers of the Court, is a clear failure of due process.

3. There were other significant breaches of due process presented in **Exhibit E** which are not the subject of this 59e motion. However, Judge Addy allowing Respondent’s counsel, Ballard, to originate and draft all the significant orders issued without allowing Appellants review, let alone comment on, the draft order is consistent with concealing the discovery order. Attorney Ballard proceeded to issue the orders that she wrote out of her private email. This was done without the Clerk of Court having any record of the orders issued by Ballard at that time nor opposition and reconsideration motions required to be done by email are other significant failures of due process.

Conclusion

The newly discovered evidence hidden by acts of fraud on the Court demonstrates the complete failure of due process that occurred at trial court and the fact that if the decision of this Court stands and there is in fact no written informed consent agreement, this Court will effectively reward Respondent for committing legal malpractice and fraud on this Court. This Court will encourage such actions

by financially rewarding not only Respondent Rakowsky and his co-counsel Adrian Falgione but financially rewarding Rakowsky's counsel Desa Ballard (\$33,000.00) for her actions that advanced the fraud and concealed documents which denied Appellants' discovery (*emphasis added*).

Appellants conducting discovery would have clearly revealed the inappropriate actions of using an interpleader action to conceal Respondent Rakowsky's legal malpractice and the interpleaders misuse of judicial process. Not allowing discovery through acts of fraud by officers of the Court clearly deprived the *Pro Se* Appellant of his due process rights.

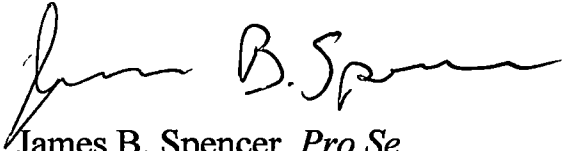
Remedy

The *Pro Se* Appellant based on the newly documented fraud on the Court by officers of the Court to deny discovery respectfully asks this Court to amend its decision regarding awarding attorney's fees of \$33,000.00 and remand this case back with instructions to the Court for (1) Respondent Rakowsky to produce the original "informed consent agreement" he and his legal counsels claim to have to the Appellants and (2) the return the sum of \$55,000.00 distributed in total to the *Pro Se* Appellant upon presentation of the agreement of the Appellants to repay the personal loans taken out by the *Pro Se* Appellant to pay the non-lawyer litigation expenses he incurred for the common litigation expenses which exceed \$55,000.00 in total.

SIGNATURE ON THE FOLLOWING PAGE

Submitted this 10th day of August 2018,

By,

A handwritten signature in black ink, appearing to read "James B. Spencer". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "Spencer".

James B. Spencer, *Pro Se*
Suite 183, 7001 Saint Andrews Road
Columbia, SC 29212

CERTIFICATE OF SERVICE

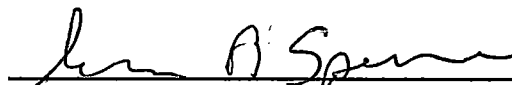
The undersigned hereby certifies that on August 10, 2018, the document described below, was(were) served on all parties of record in this case by mailing a copy, by US mail or by courier.

Documents Served: **Rule 59(e) Motion to Amend Court Order
Issued on July 25, 2018**

Parties Served:

Desa Ballard, Esquire
Ballard and Watson, Attorneys at Law
PO Box 6338
West Columbia, SC 29171

Michael G. Sribnick, M.D., J. D.
3 Kenilworth Avenue
Charleston, S.C. 29403



James B. Spencer, *Pro Se*
Suite 183
7001 Saint Andrews Road
Columbia, SC 29212

RECEIVED
AUG 10 2018
SC Court of Appeals

LAW OFFICES

CARLOCK, COPELAND & STAIR, LLP

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

AMANDA K. DUDGEON

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40 CALHOUN STREET, SUITE 400
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ATLANTA OFFICE

191 Peachtree Street, N.E.
Suite 3600
Atlanta, Georgia 30303-1235
(404) 522-8220

REPLY TO SC OFFICE

June 29, 2012

James Spencer
7001 St. Andrews Road, Suite 183
Columbia, SC 29212

Irene Santacroce
205 Deer Trace Circle
Myrtle Beach, SC 29588

Re: James Spencer, *et al.* v John R. Rakowsky, *et al.*
Case No.: 2011-CP-40-5384
File No.: 2283-35025

Dear Mr. Spencer and Ms. Santacroce:

Enclosed please the Form 4 and Order dated June 14, 2012, issued by James R. Barber, III, regarding the above captioned case which resulted from the April 3, 2012 hearing. Judge Barber refused to include the provisions regarding additional discovery being allowed that you submitted to him in your draft Order as is obvious from the enclosed executed Order.

As you have been advised in both this case and Case No. 2008-CP-6656, you are not entitled to copies of the informed consent agreement executed by the Plaintiffs that resulted in the settlement of South Carolina Federal District Court Case No.: 4:02-CV-01859-RBH. This document is protected from disclosure by Attorney Client Privilege.

Furthermore, Judge Barber has refused to put in writing your request for additional discovery in either case. Under South Carolina law to be valid an Order must be in writing. No such Order for discovery has ever been issued in either case in writing.

Please feel free to contact me if you have any questions.

Sincerely,

AMANDA K. DUDGEON

AKD/bjg

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2011CP4005384

James Spencer
Estate of Doris Holt
PLAINTIFF(S)

John R Rakowsky
Adrian L Falgione
DEFENDANT(S)

FILED
2012 JUN 28 PM 2: 55
CLERK OF COURT
RICHLAND COUNTY

Submitted by: _____ Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Pl. Non-suit); Rule 43(k), SCRPC (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):** Affirmed; Reversed; Remanded; Other _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 28th day of June, 2012 to attorneys of record or to parties (when appearing pro se) as follows:

James Spencer Irene Santacroce Andrew W. Countryman Benjamin C. Bruner
Amanda Kurzen Dudgeon

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court Jeanette W. McBride

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

James Spencer, individually and on behalf of)
the Estate of Doris Holt and on behalf of)
Southern Holdings, Inc.; and Irene Santacroce;)
)
Plaintiffs,)

C/A No. 2011-CP-40-5384

v.)

John R. Rakowsky; Adrian L. Falgione; and)
The Law Offices of Adrian Falgione, LLC;)
)
Defendants.)

ORDER

JEANETTE W. McBRIDE
C.C.P. & G.S.

2012 JUN 28 PM 2: 25

RICHLAND COUNTY
CLERK

THIS MATTER came before the undersigned by way of the Plaintiffs' motions for entry of default against the Defendants.¹ The Plaintiffs contend entry of default is proper because the Defendants failed to plead or otherwise defend within thirty days of being served with the summons and complaint. I disagree.

Entry of default is proper when a defendant has failed to plead or otherwise defend as provided by the South Carolina Rules of Civil Procedure. Rule 55(a), SCRPC. The Plaintiffs contend the Defendants were served on September 15, 2011, based upon Affidavits of Tammy Lail, and then again on December 15, based upon the Affidavits of Alden Wheeler. However, the Affidavits of Tammy Lail are not notarized and, therefore, are fatally defective. See Rule 11(c), SCRPC (defining affidavits as statements sworn to or affirmed before an officer authorized to administer oaths); see also 1 S.C. Jur. *Affidavits* § 12 ("An affidavit without the signature and certification of an officer authorized to administer oaths is fatally defective, and is


¹ On January 24, 2012, James Spencer, individually and on behalf of the Estate of Doris Holt and on behalf of Southern Holdings, Inc., filed two Requests for Entry of Clerk's Default, one as to Defendant Rakowsky, and one as to the Falgione Defendants. Plaintiff Irene Santacroce filed two similar Requests for Entry of Clerk's Default on January 25, 2012. These motions are construed as motions for entry of default pursuant to Rule 55(a), SCRPC.

SCANNED

not an affidavit at all.”). In addition, the record shows Defendant John Rakowsky filed a Motion to Dismiss on November 3, 2011, and Defendants Adrian Falgione and the Law Office of Adrian Falgione, LLC filed their Motion to Dismiss on November 4, 2011. These motions preclude an entry of default under Rule 12, SCRPC. Additionally, I find the Plaintiffs’ proofs of service fail to meet the requirements set forth in Rule 4(g), SCRPC. I therefore find the Plaintiffs have failed to establish that the Defendants failed to plead or otherwise defend as provided in the South Carolina Rules of Civil Procedure.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiffs’ motions for entry of default are denied.

AND IT IS SO ORDERED.



James R. Barber, III
Chief Administrative Judge
Fifth Judicial Circuit

JS
May 14, 2012

Columbia, South Carolina

EXHIBIT B
Page 1 of 5

FORM 4

JUDGMENT IN A CIVIL CASE

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

CASE NUMBER: 2011CP4005384

James Spencer

John R Rakowsky

Estate of Doris Holt

Adrian L Falgione

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____ Attorney for: Plaintiff Defendant or Self Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
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 Rule 43(k), SCRPC (Settled); Other _____
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- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

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Additional Information for the Clerk : _____

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Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order: _____

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on the 28th day of June, 2012 to attorneys of record or to parties (when appearing pro se) as follows:

James Spencer

Irene Santacroce

Andrew W. Countryman

Benjamin C. Bruner

Amanda Kurzen Dudgeon

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court Jeanette W. McBride

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
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 James Spencer, individually, on behalf of)
 the Estate of Doris Holt and on behalf of)
 Southern Holdings, Inc., and Irene)
 Santacroce,)
)
 Plaintiffs,)
)
 v.)
)
 John R. Rakowsky, Adrian L. Falgione, and)
 The Law Offices of Adrian Falgione, LLC,)
)
 Defendants.)
)

IN THE COURT OF COMMON PLEAS
 THE FIFTH JUDICIAL CIRCUIT
 CASE NO.: 2011-CP-40-5384

ORDER

JEANETTE W. McBRIDE
 C.C.P. & G.S.

2012 JUN 28 PM 2: 25

RICHLAND COUNTY
 FILED

This matter came before the Court on April 3, 2012, on Defendant John R. Rakowsky's (hereinafter "Defendant Rakowsky") Motion to Dismiss, Defendants Adrian L. Falgione and The Law Offices of Adrian Falgione, LLC's ("Defendant Falgione") Motion to Dismiss, and *Pro Se* Plaintiffs James Spencer and Irene Santacroce's (hereinafter "Plaintiffs") Motion to Disqualify.

BACKGROUND

1. Defendant Rakowsky filed a Motion to Dismiss the present Complaint on November 3, 2011.
2. Defendant Falgione filed a Motion to Dismiss the present Complaint on November 4, 2011.
3. The Court noticed Defendants' Motions to Dismiss for a hearing on January 31, 2012.
4. On January 25, 2012, Plaintiff Spencer filed a Motion for Continuance of the January 31, 2012 hearing. Plaintiff Spencer stated in his Motion that he had a medical

appointment scheduled for January 31, 2012. Plaintiff Spencer did not specify the nature or location of the appointment.

5. On January 30, 2012, the Court continued the motions scheduled for January 31, 2012, based upon Spencer's representations.

6. The Court rescheduled and noticed Defendants' Motions to Dismiss for a hearing on February 28, 2012.

7. On February 7, 2012, Plaintiff Spencer submitted to the Court correspondence dated February 1, 2012, from Sarah W. Book, MD, Associate Professor of Psychiatry and Behavioral Sciences at the Medical University of South Carolina. In that letter, Ms. Book stated "If possible, I believe it would be best for Mr. Spencer's health if any hearing that he is involved in is postponed for the next two months."

8. Based upon Dr. Book's letter, Spencer requested protection from appearing in Court until after April 1, 2012 due to health reasons.

9. Relying on Spencer's representations and Dr. Book's letter, the Court continued the February 28, 2012 hearing, granted Spencer protection from court until after April 1, 2012, and noticed the hearing for April 3, 2012.

10. On March 27, 2012, Plaintiffs (including Spencer) filed an Expedited Motion to Disqualify Defendant Rakowsky's attorneys Amanda Dudgeon and Andrew Countryman.

11. On March 29, 2012, a telephone status conference was held in which the following individuals participated: Judge James R. Barber, III; Benjamin C. Bruner, as counsel for Defendant Falgione; Amanda K. Dudgeon, as counsel for Defendant Rakowsky; Plaintiff Spencer; and Plaintiff Santacroce. In the telephone conference, the parties were advised that Plaintiffs' Motion to Disqualify would be heard, at Plaintiffs' request, on April 3, 2012, at 9:00

am and that Defendants' Motions to Dismiss would be heard as scheduled on the roster on April 3, 2012, at 11:00 am.

12. On April 2, 2012, at 5:17 pm, one day before the scheduled hearings, Plaintiff Spencer emailed the Court and stated he was not able to attend the hearings in the morning. He likewise provided what appeared to be an April 2, 2012, notice of Robert Holt's¹ appointment at the Medical University of South Carolina in Charleston, South Carolina, with Dr. Book for April 3, 2012. The notice did not include any time for the appointment, but did include "due to emergency" in handwriting.

13. Plaintiff Santacroce forwarded to the Court correspondence indicating she did not plan to attend the hearings. She did not request a continuance.

14. On April 3, 2012, attorneys Benjamin Bruner, Amanda Dudgeon, and Desa Ballard, along with their respective clients, appeared for the scheduled hearings. Neither Plaintiff appeared for the hearing.

15. The counsel and parties who were present proceeded to chambers to attempt to contact Plaintiff Spencer and Plaintiff Santacroce by telephone.

16. Plaintiff Spencer did not answer when called at the telephone number on file with the Court.

17. However, Plaintiff Spencer did answer the telephone when called at (803) 414-0889. The undersigned advised Plaintiff Spencer that he could not continue to request continuances of the hearings, which had been scheduled three times.

18. Plaintiff Spencer agreed that the Court may discuss Spencer's medical condition with his medical providers to determine a schedule for this action.

¹ Upon information and belief, Robert Holt is Plaintiff Spencer's alias.

RULINGS

1. Plaintiff Santacroce's Motion to Disqualify is denied.
2. The hearings on Plaintiff Spencer's Motion to Disqualify, Defendant Rakowsky's Motion to Dismiss, and Defendant Falgione's Motion to Dismiss are continued.

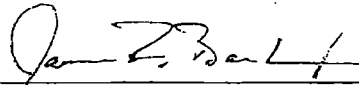
3. The continuances and other rulings by this Court shall have no effect on discovery in this case, which may proceed without delay.

4. Any future request for a continuance by any Plaintiff must be supported by a properly executed affidavit of a licensed medical professional unequivocally opining that the Plaintiff is not capable of attending the scheduled hearing or proceeding. If the Plaintiff's request for a continuance is not supported by such an affidavit, the request shall be denied.

5. If any Plaintiff shall again fail to appear at any hearing or proceeding in this action without good cause, that Plaintiff's claims shall be dismissed with prejudice.

6. In addition, if any Plaintiff unnecessarily delays this case further, Defendants may seek sanctions.

IT IS SO ORDERED.



James R. Barber, III
Chief Administrative Judge
Fifth Judicial Circuit

Columbia, South Carolina

This 14 day of JUNE, 2012.



**Ballard
Watson Weissenstein**
PERSISTENT. UNWAVERING.

Desa Ballard
Harvey M. Watson III
Stephanie Weissenstein
Attorneys at Law

Post Office Box 6338 | West Columbia, SC 29171
226 State Street | West Columbia, SC 29169 | ph 803.796.9299 | fx 803.796.1066 | desaballard.com

May 21, 2012

Via U.S. Mail
Irene Santacroce
205 Deer Trace Circle
Myrtle Beach, SC 29588

Re: Rakowsky v Falgione, et seq.
Case No: 2008-CP-40-6656

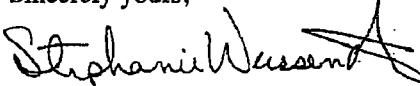
Dear Ms. Santacroce:

I am in receipt of your request for the executed consent agreement in writing you signed under Rule 407 1.8 (g) that resulted in the settlement of the Federal District Court Case No: 4:02-cv-01859-RBH. As you have previously been informed, this consent agreement is protected by attorney-client privilege and, therefore, both ethically and legally cannot be released. Furthermore, Judge Seal appropriately quashed the subpoena issued by Defendant Spencer which requested substantially similar information and pursuant to the oral ruling of Judge Barber, based on Judge Seal's decision, that discovery is both not necessary and also inappropriate for both this action and Case No.: 2011-CP-40-5384.

On April 3, 2012 and May 14, 2012, two status conferences were held at which Judge Barber ruled from the bench that both cases herein need to be quickly resolved. Judge Barber never issued a written order for discovery to be allowed to be conducted in either case and discovery has to be authorized in a written order which never happened.

Therefore, based on the above stated reasons, your request is both ethically and procedurally prohibited.

Sincerely yours,


Stephanie Weissenstein
stephanie@desaballard.com

c. James Spencer, Rodney Lail, Adrian Falgione, Esquire,
John Rakowsky, Esquire, Amanda Dudgeon, Esquire,
Benjamin Bruner, Esquire



James B. Spencer

From: Michael Sribnick [michael.g.sribnickmdjdlc@gmail.com]
Sent: Thursday, July 10, 2014 3:22 PM
To: Desa Ballard; Early, Doyet A. Law Clerk (Cassie M. Weathersbee); David L.
Cc: Beth Cogan; Andrew Lindemann; Ben Bruner; Mara Ballard
Subject: Re: Depositions and document production via subpoena.

Dear Ms. Weathersbee:

I have still not had my answer as to who drafted the litigation funds order.

Regards, I am

Dr. Michael G. Sribnick, Esq.

On Thu, Jul 10, 2014 at 10:40 AM, Desa Ballard <desab@desaballard.com> wrote:

Mr. Sribnick:

Let me clear. Neither Ms. Ballard nor Mr. Rakowsky will be producing documents or appearing at the depositions you have scheduled.

db

C: James Spencer, via U.S. mail only

Desa Ballard

Ballard & Watson

Attorneys at Law

Telephone 803.796.9299

Facsimile 803.796.1066

E-mail: desab@desaballard.com, copy to maraf@desaballard.com

STATE OF SOUTH CAROLINA
ISSUED BY THE CIRCUIT COURT IN THE COUNTY OF RICHLAND

JOHN RAKOWSKY, Plaintiff

v.

SUBPOENA IN A CIVIL CASE

ADRIAN FALGIONE, et al., Defendants

Case Number: 2008-CP-6656

Pending in RICHLAND County

TO: JOHN RAKOWSKY

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME , AM

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a **VIDEOTAPED** deposition in the above case.

PLACE OF DEPOSITION - VIDEOTAPED Irmo Public Library Conference Room, 6251 Saint Andrews Road Columbia, SC 29212 - applicable mileage rates will be paid to Mr. Rakowsky after the deposition.	DATE AND TIME July 25, 2014, 10:00 AM
---	---------------------------------------

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects:

See attached.

PLACE Box 183, 7001 Saint Andrews Road, Columbia, SC 29212.	DATE AND TIME July 14, 2014, 5:00 PM
--	--------------------------------------

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME , AM
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ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

	07/03/2014	Michael G. Scribnick
Attorney/Issuing Officer's Signature	Date	Print Name

Indicate if Attorney for Plaintiff or Defendant
Attorney's Address and Telephone Number:

Attorney for the Defendants, Lail, Santacroce, & Estate of Doris Holt, 3 Kenilworth Ave., Charleston, SC, 29403, 843-789-3504

Clerk of Court/Issuing Officer's Signature	Date	Print Name
Pro Se Litigant's Name, Address and Telephone Number:		

ATTACHMENT TO SUBPOENA DUCES TECUM

As a matter of law in this case as established by both the South Carolina Supreme Court, *South Carolina Court Rule 407, 1.8 (g)* and adopted by the South Carolina Federal District Court, *Federal District Court Local Rule 83.I.08*, in order for there to be a lawful settlement in the underlying case, a settlement claimed by Plaintiff John Rakowsky, there has to be a document of "informed consent" signed in writing by each of the seven individual clients who each had different interests and also different claims in the underlying proceeding. This document is required to show the participation of each client, who are defendants in the present case, in the aggregate settlement. This is a defining document in the present case, yet this document, which by law has to be in existence if there was a true settlement, has not been produced to date.

Therefore, please **provide the "document of informed consent" with the written signatures of all seven clients** that was the legally required basis for the alleged settlement agreement in the underlying case **CIVIL ACTION NO.: 4:02-1859-RBH, (Southern Holdings, Inc., et al. v. Horry County, et al.)**. A document which will show the agreed upon distribution of the aggregate settlement among the client-defendants in the present case, a key question currently before this court.

EXHIBIT C PAGE 5 OF 7



MICHAEL G SRIBNICK, M.D., J. D., LLC
 3 KENILWORTH AVE
 CHARLESTON, SC 29403-4305

1129
 87-604/639
 BRANCH 216

Date 7/3/13

Pay to the Order of Marc T. Bellard \$ 25.00
twenty-five dollars and 00/100 Dollars

For deposit with interest for Muffin & Co. MD, SC

First Citizens

⑆05390804⑆⑆07950 4865101⑆ 1129

GUARDIAN SAFETY YELLOW

MICHAEL G SRIBNICK, M.D., J. D., LLC
 3 KENILWORTH AVE
 CHARLESTON, SC 29403-4305

1128
 87-604/639
 BRANCH 216

Date 7/3/14

Pay to the Order of John Pukropski \$ 25.00
twenty-five dollars and 00/100 Dollars

For deposit with interest for Muffin & Co. MD, SC

First Citizens

⑆05390804⑆⑆07950 4865101⑆ 1128

EXHIBIT C PAGE 6 OF 7



STATE OF SOUTH CAROLINA

ISSUED BY THE CIRCUIT COURT IN THE COUNTY OF RICHLAND

JOHN RAKOWSKY, Plaintiff

v.

SUBPOENA IN A CIVIL CASE

ADRIAN FALGIONE, et al., Defendant

Case Number: 2008-CP-6656

Pending in RICHLAND County

TO: MARA T. BALLARD

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME , AM

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a **VIDEOTAPED** deposition in the above case.

PLACE OF DEPOSITION -VIDEOTAPED- Irmo Public Library Conference Room, 6251 Saint Andrews Road Columbia, SC 29212 - applicable mileage rates will be paid to Ms. Ballard after the deposition.	DATE AND TIME July 25, 2014, 3:00 PM
--	--------------------------------------

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects:
See attached.

PLACE Box 183, 7001 Saint Andrews Road, Columbia, SC 29212.	DATE AND TIME July 17, 2014, 5:00 PM
--	--------------------------------------

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME , AM
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ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Michael G. Sribnick 07/03/2014 Michael G. Sribnick
Attorney/Issuing Officer's Signature Date Print Name

Indicate if Attorney for Plaintiff or Defendant
Attorney's Address and Telephone Number:
Attorney for Defendants Lail, Santacrocce & Estate of Doris Holt, 3 Kenilworth Ave, Charleston, SC,
843-789-3504

ATTACHMENT TO SUBPOENA DUCES TECUM

Please produce any and all documents, primary and other, used by Mara Ballard to produce her expert's report submitted to this court, dated April 17, 2014. This request includes all Mara Ballard's notes, calculations, correspondence, bills, travel logs, work logs, annotations, notes pertaining to conversations, interviews, library materials, telephone calls, in any form electronic or otherwise including, but not limited to production of documents that were reviewed and discarded and previous drafts of or related to the work product that was presented to the court as MTB0001 through MTB0145.

Under Rule 26 of the South Carolina Rules of Civil Procedure Mara Ballard, who identifies herself as an expert in the present case and presents an expert report to the court, on behalf of Plaintiff Rakowsky, is subject to discovery and deposition regarding the basis of her report, her credentials, scope of examination and her knowledge concerning matters before the court.

State of South Carolina) In the Court of Common Pleas
) Eleventh Judicial Circuit
 County of Lexington) 2012-CP-32-3428

James Spencer, individually,)
 on behalf of the Estate)
 of Doris Holt and on behalf)
 of Southern Holdings, Inc.,)
 and Irene Santacroce,)

Plaintiffs,)

vs.)

Transcript of Record)

John R. Rakowsky, Adrian L.)
 Falgione, and The Law)
 Offices of Adrian Falgione,)
 LLC,)

Defendants.)

June 5, 2013
 Laurens, South Carolina

B E F O R E:

The Honorable Frank R. Addy, Jr., Judge

A P P E A R A N C E S:

James Spencer
 Plaintiff, Pro Se

Amanda K. Dudgeon, Esquire
 Attorney for Defendant Rakowsky

Benjamin C. Bruner, Esquire
 Attorney for Defendants Falgione and Law Offices
 of Adrian Falgione, LLC

Maryann S. Nevers, CVR-M-CM
 Circuit Court Reporter

1 I -- I want to also focus on this: Mr. Falgione never
2 held any of this money. The money's currently being held
3 in Desa Ballard's trust account, is my understanding, based
4 on that status conference, more than anything else.

5 So -- so to the extent there's some equitable argument
6 that -- that the contemporaneous-filing requirement doesn't
7 apply because the lawyers are holding money that would
8 allow them to hire an expert, I don't think that should
9 apply to Mr. Falgione.

10 THE COURT: All right.

11 MR. BRUNER: And my -- the best reading I can find on
12 -- on the enforceability of orders in this state leads me
13 to believe that -- that an order is final when it's written
14 and signed by the judge and submitted for filing, period.
15 And if you look at the orders that were filed in this case
16 after that -- that May 7th status conference, they are a
17 June -- an order signed June 14th by Judge Barber, denying
18 the plaintiffs' motion for entry of default against the
19 defendants.

20 There's an order signed June 14th, continuing the
21 motions to dismiss and Mr. Spencer's motion to disqualify,
22 denying Ms. Santacroce's motion to disqualify, filed, I
23 believe, June 28th. There's a July 30th, 2012, order that
24 granted me protection for a personal vacation.

25 Now -- now, after the status conference, there were --

am unable to respond knowledgeably to your request. I also read the proposed order of Dr. Sribnick regarding the disbursement of the undisputed litigation funds which I have no problem with the content of that draft order if that is in fact what was issued by Your Honor.

DISCUSSION

I read Mr. Bruner's email to you dated June 20, 2014, which I have attached to this filing marked as **Exhibit "A"**. Mr. Bruner's misrepresentations aside, the legal malpractice action is still being litigated despite Mr. Bruner's attempt to have it dismissed through an act of fraud. See attached hereto **Exhibit "B"**. **Exhibit B** is a filing in the legal malpractice action in the South Carolina Appellate Court. This filing documents that Mr. Bruner himself, submitted a sworn affidavit in which he falsely claimed that he had Plaintiff Spencer served with notice by a courier which caused a filing of Mr. Spencer's to be untimely and, therefore, Mr. Bruner moved for the action to be dismissed.

The problem as pointed out in **Exhibit B¹** (pages 4 – 6), the address Mr. Bruner swore under oath Mr. Spencer was personally served at was in fact a UPS mailbox which Mr. Bruner thought was Mr. Spencer's home address, an oversight which revealed his untruthfulness even in a sworn affidavit to the South Carolina Court of Appeals. The South Carolina Court of Appeals ruled against Mr.

¹ Exhibit B documents many other misstatements and outright dishonest claims by Mr. Bruner.

Bruner's motion to dismiss the case after receiving the documentation showing both his untruthfulness in that matter and the actual date of notification to Mr. Spencer verified by the Clerk of Court's office. However, undeterred by the facts, Mr. Bruner, then stated untruthfully to Your Honor in his email that the case was dismissed when in fact it was not. It was reinstated, based in large part, on Mr. Bruner's untruthful representations being conclusively exposed to the court.

In regard to Ms. Ballard's email to Your Honor dated June 17, 2014, a copy of which was mailed to Mr. Spencer by her office as she refuses to email Mr. Spencer. Mr. Spencer received the email copy on June 23, 2014, please see Ms. Ballard's email and letter attached hereto as **Exhibit "C"**.

Ms. Ballard wrongfully claimed the action in Federal District Court has been concluded. The Federal Court appeals process is not concluded and Ms. Ballard knows it or should know it. This is not the only instance Ms. Ballard misrepresented the facts. Ms. Ballard clearly misstated the facts regarding discovery and the purpose of discovery in this case. Ms. Ballard picks and chooses what she wishes to present to the court both ignoring the relevant facts and also ignoring the concept of truth. For example, see attached set of interrogatories which her client refused to answer in this case in its entirety dated October 12, 2011, attached hereto as **Exhibit "D"**. As you will see she based refusing to answer every question on the false assertion (*emphasis added*) that Judge Barber

gave an oral order denying discovery. Ms. Ballard knows quite well that no such oral or written order was ever issued (*emphasis added*) by the Honorable Judge Barber.

Your Honor has been presented with the transcripts of the May 7, 2012, hearing before Judge Barber during which Judge Barber issued oral orders ordering discovery to be conducted, including, but not limited to, the depositions of Mr. Rakowsky and Mr. Falgione, by Mr. Spencer. Ms. Ballard refuses to comply with the actual standing oral orders of Judge Barber and is now both trying to misrepresent the facts regarding discovery in this case as she cites an imaginary order by Judge Barber and also ignores the actual oral orders issued by Judge Barber (**See attached hereto Exhibit "E", the transcript portions of May 7, 2012, hearing during which both discovery and depositions of Mr. Rakowsky and Mr. Falgione were ordered by Judge Barber and acknowledged by Plaintiff Rakowsky and his counsels on that date**).

Further, Ms. Ballard is denying the very existence of the Federal Appeal process available to citizens of this country which is an insult to your office and to Your Honor.²

² In the second paragraph of Ms. Ballard's June 17, 2014, email she distorts an order issued by Judge Seals on August 3, 2011, claiming he denied the counter claims currently pending before the court. The pending counter claims allowed by order of Judge Barber, attached hereto Exhibit "E" were not even filed at the time of Judge Seals Order. Further also pending before this court is the motion for sanctions for Mr. Rakowsky's filing of ex-parte documents with Judge Seals, an act that is totally unethical and forbidden under South Carolina law. The South Carolina

Ridiculously, both Mr. Bruner and Ms. Ballard are now claiming there is no need for discovery because all issues are settled and in their emails allege that I personally seek discovery to harass John Rakowsky and Adrian Falgione through the discovery process. Please read the interrogatories submitted as stated in **(Exhibit D)**. Does any question seem to you to be anything but above board and professional discovery?

CONCLUSION

The undersigned is looking forward to responding to your office's request for what is needed to complete this case as soon as I receive your order regarding the release of the undisputed litigation funds. I and other defendants represented by Dr. Sribnick have been waiting for this order for over eight years releasing the undisputed litigation funds.

However, there remains a dispute over the total amount of litigation funds received by Mr. Rakowsky that has not been resolved. Such a dispute must be dealt with through legal due process conducted in accordance with the accepted rules of evidence.

Supreme Court ruled: "It is rarely possible to prove to the satisfaction of the party excluded from the communication that nothing prejudicial occurred. The protestations of the participants that the communication was entirely innocent may be true, but they have no way of showing it except by their own self-serving declaration. This is why the prohibition is not against "prejudicial" ex parte communications, but against ex parte communications." Burgess v. Stern, 311 S.C. 326, 330-331 (S.C. 1993)

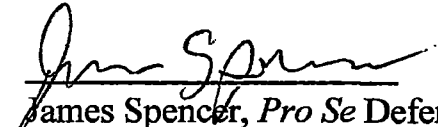
I ethically cannot and will not accept as a precondition of the release of undisputed litigation funds the defendants' acceptance of there not being a dispute over the total amount of litigation funds received by Mr. Rakowsky. I deserve the opportunity to question Mr. Rakowsky and the person who he solely hired, Mara T. Ballard, to put together documents in manner which is incomplete, self-serving and inconsistent with the requirements for such records under rule 417 of the South Carolina Appellate Rules of Financial Record Keeping. I believe I have a right to question the construction of these documents as to how the documents were produced by questioning the individuals who produced the documents. There is no question, based on what has presented so far, that being allowed to conduct discovery as ordered by Judge Barber, I can prove beyond any reasonable doubt the false nature of those financial statements and the misuse of judicial process regarding the interpleader action itself.

I have been asking for eight years for the opportunity for discovery in this proceeding, I have been granted such by Judge Barber's oral orders and yet I continue to be denied the right for discovery much less cross examination of witnesses who wrote documents presented to the court as evidence, litigate counter claims before a jury trial all of which was ordered by Judge Barber. I await receiving your order so I can properly respond as your office has requested via the attached email, **Exhibit F**.

There is no question the undersigned has a right to both due process and discovery, counter claims as well as for the jury trial properly requested by the defendants and ordered by Judge Barber. I look forward to receiving the order you sent out so I can respond intelligently to the email request from your office.

I have submitted this response to document on the record the litigation that is being carried on by email. There needs to be a record to document the emails and the misrepresentations contained in them communicated to Your Honor on the court record.

This 24th day of July, 2014,
Respectfully submitted,

By: 
James Spencer, *Pro Se* Defendant
Box 183
7001 Saint Andrews Road
Columbia, SC 29212

CERTIFICATE OF SERVICE

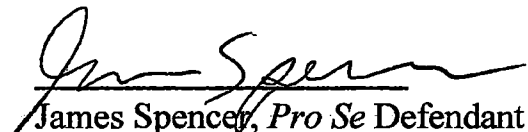
I, James Spencer, *Pro Se*, defendant do hereby certify that the foregoing **RESPONSE TO ATTACHED EMAIL LITIGATION** has this day been served on the following person(s) by either mail, fax or electronic transfer a true and correct copy, as follows:

Desa Ballard, Esquire
Ballard Watson Weissenstein
PO Box 6338
West Columbia, SC 29171

Andrew F. Lindemann
Davidson & Lindemann, P.A.
PO Box 8568
Columbia, SC 29202

Benjamin Bruner
Bruner, Powel, Wall & Mullins, LLC
1735 St. Julian Place, Suite 200
Post Office Box 61110
Columbia, South Carolina 29260-1110

Michael G. Sribnick, M.D., J.D., LLC
3 Kenilworth Avenue
Charleston, S.C. 29403
Telephone: (843) 789-3504
Fax: (843) 720-8907
michael.g.sribnickmdjdlc@gmail.com

By: 
James Spencer, *Pro Se* Defendant
Box 183
7001 Saint Andrews Road
Columbia, SC 29212

2014 JUN 25 AM 10:48
JEANNETTE W. McBRIDE
C.C.P. & G.S.
RICHLAND COUNTY
FILED

RECEIVED
AUG 10 2018
SC Court of Appeals