



**Ballard & Watson**  
Attorneys at Law  
PERSISTENT. UNWAVERING.

Desa Ballard  
Harvey M. Watson III

August 15, 2018

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](http://desaballard.com)

Via U.S. Mail

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

RECEIVED

AUG 17 2018

SC Court of Appeals

Re: *Rakowsky v. Falgione, et al.*  
Appellate Case No: 2014-002029

Dear Ms. Kitchings:

I am in receipt of copies of a "Rule 59(e) Motion to Amend Court Order issued on July 25, 2018" by *pro se* Appellant Spencer, as well as a "Petition for Rehearing" filed by Mr. Spencer and attorney Michael Sribnick.

The "Rule 59(e) motion" is clearly inappropriate and does not require a substantive response, although I would merely point out that the majority of pleadings attached to this motion relate to a separate case, in which Mr. Spencer sued Mr. Rakowsky and Mr. Falgione for malpractice, and which case was dismissed.

As to the Petition for Rehearing, since Rule 240(e) now prohibits the uninvited filing of a response to a Petition for Rehearing, Mr. Rakowsky will not file a response without the Court's request for such a response. Even so, please note Mr. Rakowsky's strenuous disagreement with the facts and argument presented, to the extent it can be understood. If you have any questions, please do not hesitate to contact my office.

With warm personal regards, I am,

Sincerely yours,

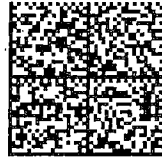
*Desa Ballard*

Desa Ballard  
[desab@desaballard.com](mailto:desab@desaballard.com)

cc: Via U.S. Mail  
Michael Sribnick, M.D., Esquire  
James Spencer, *pro se*  
John Rakowsky, Esquire (via email)

COLUMBIA  
SC 290  
15 AUG 2018  
PM 11

FIRST-CLASS



02 1P  
0001167900 AUG 15 2018  
MAILED FROM ZIP CODE 29169

\$ 000.47<sup>0</sup>

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

RECEIVED

AUG 17 2018

SC Court of Appeals

00011-162909

