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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

Appellate Case # 2017-001017

Lynne Van House, Appellant

v.

Colleton County, Respondent

PETITION FOR REHEARING

**RECEIVED**  
AUG 05 2019  
SC Court of Appeals

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THE STATE OF SOUTH CAROLINA

IN THE APPEALS COURT

Case # 2017-001017

Lynne Van House, Appellant

v.

Colleton County, Respondent

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**PETITION FOR REHEARING**

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**SUMMERY**

Pursuant to Rule 221, SCACR, Appellant respectfully petitions for rehearing of the Court's decision of July 24, 2019 . For purposes of the need for rehearing, I believe that the Court misapprehended the main argument of this Appeal, in that the time line of the raids, warrants, and seizures were not considered as to Due Process of Law; and, If these many laws, statutes, and ordinances as offered below had *not* been broken by law enforcement, *no legal action would have ensued.*

*(R.pp. 275-276) (Southern Pacific Transportation Co. v. Public Utilities Commission, 18 Cal. 3d, 309(1976) "Obviously, administrative agencies, like police officers ...must obey the Constitution and may not deprive persons of constitutional rights."*

The initial *misapprehension* was the obvious, simple assumption by Magistrate Court Judge Duffie that Animal Control Chief McNeil had actually *followed* the Animal Control Ordinances and South Carolina Codes of Law in his initial investigation and subsequent request for a search warrant-He did not. *To wit:*

On Friday, **May 13, 2016**—several armed Officers of the Court and numerous animal activists, (with Chief McNeil in the Lead) *raided* my posted, grandfathered, gated, secluded and private real property, *without* prior warning, *without* my knowledge, my consent, or my presence, *and without any search warrant, nor permissions of any kind, nor valid legal reason to be there.* From my Brief on the merits:

*(R.pp.277) (Trupiano v. United States, 334 U.S. 699, 700 1948) Citing case: "The agents engaged in this raid without securing a search warrant... we cannot agree that the seizure of the contraband property was made in conformity with the requirements of the fourth Amendment." (R.pp.208) Johnson v. United States, 333 U.S. 10, 333 U.S. 13-14 "Any assumption that evidence sufficient to support a*

Magistrate's disinterested determination to issue a search warrant will *justify* the officers in making a *search without a warrant* would reduce the Amendment to a nullity, and leave the people's homes secure only in the discretion of police officers."(US Const. Amend. 4) (R.pp.207) *Coolidge v. New Hampshire, 403 U.S. 443(1971)* "searches conducted outside the judicial process without prior approval by judge or magistrate, are, per se, unreasonable under the Fourth Amendment."

(SC 16-11-510 )Recognizing that animals are owned personal property) (SC 16-11-600) Forbidding entry onto another's pasture or other lands without a legal warrant or permission from the owner)

(SC. Const. Art. 1, Sect. 10) "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures and unreasonable invasions of privacy shall not be violated."

While there, they walked the entire length of my 1000 foot long, 9-acre property, *took pictures, and counted animals as evidence.* Appellant was coerced, threatened, browbeaten, and *ticketed* (R. pp. 91) misdemeanor tickets were written that Friday **dated 5/13/2016**) by these same officers, although they admitted that they "*saw no animals in danger*". (audio recording demanded by Discovery

*Motion—never turned over) (R.pp.407-409) (R.pp.351-354) civil misdemeanor tickets were later dropped.*

Chief McNeil failed to follow *(R.pp.323) (Colleton County Animal Control Ordinance 6-04-050 (D))* which clearly states “*The same complaint from any 3 or more persons within a twelve month period shall be prima facie evidence that a violation has occurred under this chapter.*” Appellant had *no known violations or complaints* in the entire 23 years she bred and sold puppies from this location.

Chief McNeil failed to observe *(R.pp.324)(Colleton County Animal Control Ordinance 6-04-050 (G))* which requires the Animal Control Officer to issue a “*Notice of Violation*” to the owner—“*the owner will then have 24 hours to correct it*”. *No notices of violation* were ever issued.

There were several other Animal Control violations by the officers, but—*the seizing and re-selling of my valuable purebred animals and putting a stop to my breeding operation without Due Process is alleged to be their main goals.* Since this was late Friday afternoon, Appellant had *no opportunity* over the weekend to

obtain legal counsel before seizing my animals. (*US Const. Amend. 5*) regarding Due Process.)

On Monday the 16<sup>th</sup>, they came back with a search warrant based on their photos and counts from the prior Friday afternoon. (**R.pp.421** copy of warrant) (**SC 17-13-140-141**) Regarding the exacting requirements of a legal search warrant, and the oath and affidavit that I should have received with it) These requirements were not met. This warrant was signed by Judge Duffie, who later also adjudged the Magistrate Court Hearings.. Chief McNeil also led this raid and seizure, and I was told I'd be arrested if I came within 50 feet of them when they were taking away my life's work. (**SC 16-11-640**) regarding entry into enclosed places (**SC 16-11-650**) regarding removing, destroying, or leaving down fences,) all of which they destructively did.

The errors of law asserted above are in relation to the unwarranted searches and seizures; having been based on tainted and inadmissible evidence, seizures without warrant; illegal entry; and possible armed theft, as detailed.

(**R.pp.177-178**) Opening statement and list of codes and laws) During the first Magistrate Court Hearing, I introduced much evidence of the many laws, codes, rules and ordinances that were violated during the searches and seizures—and although nearly all of the Principals were present--not one objection to

anything I said was raised. *In fact, virtually nothing I said under oath in any Court was objected to.*

As to the *errors of law* regarding the search warrants specifically: The first warrant listed *adult dogs only*, but they took *all* the animals, including a litter of 3 puppies born that morning, a 2-wk. old puppy being bottle fed, and 5 cats. The warrant was *improperly addressed* to the “trailer,” (19897) but the animals were kept at the “dog pens” address at the *far back* of the property. (19893) per separately addressed electric bills. (*R.pp.339-340*) Electric bills to both addresses) (*R.pp.363*) My mailbox with those posted addresses was directly in front of Chief McNeil as I was confronted at my gate, and separate electric service lines were obvious, but were either ignored or overlooked.

(*US Const.Amend. 5*) regards taking of property without Due Process, and selling it without compensation to the owner) (*R.pp.242*) *Waeschle v. Dragovic, 576 F.3d539, 544 (6<sup>th</sup> Circuit 2009)* “In order to establish a procedural due process claim, a plaintiff must show that 1) he had a life, liberty, or property interest protected by the Due Process Clause; 2) he was *deprived* of this protected interest, and 3) the state *did not* afford him adequate procedural rights prior to depriving him of the property interest. ”My right of Due Process of Law was violated because the officers *failed* to give me time to find an attorney (3 days over a weekend before the seizure.) and Immediately after the “seizure” Hearing, *despite*

Judge Duffie's Order to retain them intact locally; *all* were surrendered without my knowledge to local Animal Control *the next day*, and shipped to other facilities out of the County, beyond my reach; *although* they had become evidence for Court when seized. (*SCACR Rule 401*) retaining relevant evidence)

There was *no documentation of any wrong-doing or reasoning for the warrant* attached as required by (*SC 17-13-140, 141*). The warrant stated merely that they "aren't being taken care of." This assertion by the County was completely *disproven by their own initial Vet exams*, which documented that *all* the animals were *within normal weight range for their breed, and had normal vital signs.* (*R.pps.408-412*) *As shown on that chart grouped by breed,, none of my animals were malnourished, underweight .or becoming ill.*

(*SC Const. Art. 1 Sects. 13-14*)(*US Const. Amend. 5*) Regarding taking of personal property for sale to another *and* learning the nature of accusations and confronting the accuser) After *only 3 days* over a weekend from the initial invasion on the 13th, appellant's *55 year career*, as well as my life's work, secondary income, health, and national and local excellent reputation were *wiped out in 5 hours*. I had a stroke which paralyzed a vocal cord during the seizure, and (*SC 16-7-150*) AP notifications of the "rescue" showed up as far away as San Francisco and Seattle. Although Chief McNeil

claimed to “know” my original accuser, he said “I don’t need to tell (you) except in Court”. That *didn’t happen* despite numerous requests.

The zealously guarded champion bloodlines, genetically sound, healthy, long living animals, with the unique and rare colors and patterns, which I produced and maintained for most of my life were gone forever. I never saw my animals again.

The financial and reputational aspects of losing this supplemental income have been catastrophic—I have since lost guardianship of my disabled adult son, due to the negative publicity surrounding this operation (*SC 16-7-150*) (Regarding slander and libel) and have had to declare bankruptcy because of loss of income.

*(R.pp.215) (Frost, et al v, Railroad Commission, 271 US 583 46 S Ct., 605,70 I, 5d, 110 (1926) “The state has no authority to unreasonably burden the exercise of fundamental rights such that the burden compels the relinquishment of such rights in exchange for privileges” (R.pp.300) (Yick Vo v. Hopkins, Sheriff, 118 US 356 (1886) ...”*The very idea that one man may be compelled to hold his life or the means of his living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails” (*SC 47-4-20(7)* Regarding private property breeding livestock) from which I sold progeny for my secondary income.

As to Magistrate Court’s “agreement” that was Ordered because the animals were “already gone.” It appears that *neither* Judge considered the enormous actual

immediate *financial loss* of my extremely valuable animals that the several Officers of the Court caused, *nor* the incredible amount of collateral damage that resulted now *and* for the future, because of the sudden loss of this secondary income that was used to supplement my retirement. (*SC Const. Art. 7, Sect. 16* referencing libel.) The Appeal was simply “respectfully denied.” with no reasoning, explanation, or citations of law. (*R pp. 38*)

As to the *Magistrate's* Order which was based solely on the *Respondent's* Order, or “*settlement agreement*” purporting that my then-attorney, Mr. Sapp, was authorized to act as my *General* attorney, and *could* make decisions contrary to what he was hired to do, instead of as my *Special* attorney, hired to retrieve my animals intact.

(*R.pp.227*) **Hall v. Benefit Assn. of Railway Employees, 64 S.C.80, 161 S.E. 867 (1932)** ”Attorneys as such, *without express authority*, have no right to compromise or settle their client’s rights, to release a lien, or substitute one security for another, in matters not in court.” (*R.pp.233*) **King Construction Co. v. Mary Ellen Coal Corp., 194 Ky. 435, 239 S.W. 799(1922)** “The court said that it is a universal rule that a client is not bound by acts of his attorney without ratification, where the attorney has a personal interest in the subject matter involved, or *where there is a conflict of interest between the*

attorney and the client" (R.pp.289)(*United States v. Cravero*, 530F.2d 666 (5<sup>th</sup> circuit1976)(R.pp.281)(*United States v. Adams*, 422 F 2d 575 (10<sup>th</sup> circuit 1970)(R.pp. 269)(*State v. Hughes*, 22 Ariz. App 19, 522 p.2d 780 (1974) "Counsel's implied authority to make admissions and stipulations affecting his client's rights and interests must comply with the general limitation that the attorney's actions to settle claims is limited to the claims presented, and are based on implied authority related to procedure and remedies only, and *not* disrupt substantive rights or the cause of action." (R.pp.202) *Fessler v. Weiss*, 348 Ill. App.21, 107 N.E. 2d 795. "Only after express authority by consent of his client may the attorney compromise his client's course of action"(*Gorham v Gale*, 7 Cow 739, 744; *Gaillard v Smart*, 6 Cow 385, 388)." Equally rooted in the law is the principle that, without a grant of authority from the client, an attorney cannot compromise or settle a claim" (see *Kellogg v Gilbert*, 10 Johns 220); (*Jackson v Bartlett*, 8 Johns 361), "and settlements negotiated by attorneys without authority from their clients have *not* been binding" (see (*Countryman v Breen*, 241 App Div 392, *affd* 268 N.Y. 643); (*Spisto v Thompson*, 39 AD2d 598); (*Leslie v Van Vranken*, 24 AD2d 658) (*Mazzella v American Home Constr. Co.*, 12 AD2d 910).

Mr. Sapp's descriptions and opinions of me as made on the May 31<sup>st</sup> Court date, (*Mag Ct Audio*) were totally derogatory and inflammatory, and were *not* calculated to *defend* my right to have my animals returned, as he was hired to do. He made *no* attempts in that regard, but actually went *against* the Court Order (*R.pp.6*) which demanded that they *all* be *held* intact in this County until the next court date in July.

Mr. Sapp *claimed* a conversation with me that *never took place*, and gave the animals to the County via e-mail assertions of that conversation the *very next day*. (*R.pp.179-180*) *without* notification to the Court *nor* myself. *He* also refused to ask for an initial Hearing to retrieve my animals, and I had to ask for the May 31<sup>st</sup> Hearing myself. *No one* ever checked with *me* as to whether I actually accepted or knew of any of the agreements he perpetrated, and all the involved respondents had *all of my contact information available to them*. My (*R. pp.331-336*) "Response to be Read at the Seizure Hearing" (which was *not* read by Mr. Sapp as he claimed) lists my *unequivocal stance* to have all my animals returned intact, *on May 31, 2016*; the *day before* he gave them all to the County, I fired him immediately.

Mr. Sapp was *not* "*representing (me) and acting on (my) behalf*" as was "*undisputed*" as stated in (*Arnold v.*

*Yarborough, 316 S.E. 2d 416, 281S.C. 570 (1984)* “The principal of law relied on by Yarborough when the witness *not* called to testify is within the particular control *against* whom the principal is invoked.” Mr. Sapp’s actions were *not* “*absent fraud*” but rather purposely misleading, and aimed at hiding, or not admitting to, his negative actions toward my case. Although Mr. Thornton used the following citation in the *Respondent’s Brief*, he did *not* quote the portion most relevant to me, (*Sheldon v. Bressant, 439 S.E. 2d 833 (1993)*) “Sheldon and his attorney appeared in open court and advised the presiding judge that the case had been settled...moreover, the transcript of the agreement makes manifest that it was Sheldon himself, not his attorney, that agreed to it’s terms.” I was *not* present, and was *not* told about the “agreement.”

Mr. Sapp was hired to defend me, but instead. chose to help prosecute me, *and* to deprive me of my property, by his actions. Appellant points to prior and later statements and testimony in Court (*Mag Ct. Audio*) and actions (I.E: unauthorized e-mails sent the next day, and his refusal to ask for a seizure hearing)

that were clearly aimed at furthering the County's aims, not mine.

*(R.pp.229-231) (Hayes v. Eagle-Picher Industries, Inc., 513 F, 2d 892, 894 (10<sup>th</sup> Circuit, (1945) "So long as the client Unequivocally repudiates an unauthorized agreement immediately upon learning of it, there will have been no ratification."* I immediately did so in Open Court, to no avail. *(Mag. Ct. Audio) Mr. Sapp was acting as a General attorney, however, per (R.pp.259)(Montgomery v. Goldstein, 109 OR. 497, 220p, 565, 567(1923) "An attorney at law is a special agent, limited in duty and authority to the vigilant defense of the rights of his client... because the attorney serves as a special agent, the scope of his authority is confined to only those actions necessary to accomplish the specific purpose for which he was employed."*

He was hired to retrieve my breeding animals intact, not surrender them without my knowledge or agreement, as he did.

As to The Circuit Court's affirmance of the Magistrate's findings: The error of law occurred because of Judge Mullen's reasonable assumption that first, Magistrate Court Judge Duffie had checked behind Chief McNeil for his legality

of action before proceeding, and *that Chief McNeil had followed the laws* when he did the seizure operation, and *second*, that my then-attorney, Mr. Sapp *had actually made an attempt to defend me as to retrieving my animals*, rather than his acting on the County's behalf and surrendering them..

As to the Circuit Court's denial of appellant's Motion to Reverse all Orders: Appellant acknowledges that the Magistrate Court asked for and obtained an extension of time per *S.C. Ann.18-7-60 (2014) and SCRMC 18(b)* to file the Return. However, my request for Reversal was based on the fact that the letter copy from Judge Buckner *allowing* the extension of time (and also requiring the Magistrate Court to let Appellant know of the filing date) *was never received* by me. If the Hearing had been held on that date, I would have been completely unprepared *because of this omission by the Court*. In addition, *SCRCP Rule 5 (amended 2005)* states: "All major documents and papers...are to be served on every party of record." Although I was acting pro se, I was the Appellant.

As to Appellant's arguments about *no response* to her several Motions for Discovery, both written and verbal, and the *appearance* of a "deemed abandoned" issue in that regard: Appellant asserts, pursuant to *(SCACR 196.1)* that the Motions *(R.pp. 63-66)* were properly and timely presented to and argued before the Court, and complied with all basic requirements needed to afford access to the material and property demanded to be produced—but that Respondents had

destroyed or altered the Exculpatory evidence, both live and media based, (*R.pp. 81*) Letter from Mr. Thornton about dogs already being gone, and an inability to comply with the Order) and they *would not have had a case* if what was left had been produced. Consequently, my Motions of Discovery were simply ignored, and my animals “disposed of” per Mr. Bennett. *Both verbal and written citations* were presented in Court. The Demand to Produce included with the Circuit Court’s Appeal is related to (*Rule 200.1(b)(3) SCACR*) The Motions were supported by the authority of : (*R.pp.195*) (*Brady v. Maryland, 373, U.S. 83 (1963)*) “ it is a violation of constitutional Due Process for prosecution to withhold evidence...the prosecution must turn over all evidence that might exonerate the defendant (Exculpatory evidence) to the defense. ” (to me, the pro se Appellant in this action) All of these Motions, in any form, requested *Exculpatory* evidence, none of which could be considered work product for the *prosecution*—and as such, should have been handed over immediately. Requirements for the timely release of this Exculpatory evidence *were clearly already well understood by the Respondents, per (Brady v. Maryland, 373, U.S. 83 (1963) and*

*(R.pp. 219) (Giglio v. United States, 405 U.S. 150(1972 )*

*(R.pp. 195) (United States v. Agurs, (1976) No. 75-491 (d)*

*112-114) “The prosecution’s duty to disclose (under Brady)*

*does not require a request” (R.pp.235-236) (Kyles v. Whitley*

514 U.S. 419) "favorable evidence is material, and constitutional error results from its suppression by the government." and (R.pp.272-274)(*Stokes v. Spartanburg Reg'l Med. Cntr.* 368 515, 522, 629 .E. 2d 675, 679, Ct App.(2006) (regarding particularly, *spoliation* of the live evidence animals including my *service dog*)(R.pp.81) (Sect.47-3-940, 950) Referencing disabling, depriving of, or wrongfully obtaining a service animal)

## ARGUMENT

Certain "Animal Rights or Rescue" organizations, such as the ASPCA, HSUS, and PETA (R.pp.391-393) (all of which were closely involved in this raid on me) have the reputation of helping abused animals to escape horrible conditions. *They do not.* (R.pp.379-382) *Each* of these are listed by Homeland Security as a "domestic terrorist organization" and have no compunction against *kill*ing, *maim*ing, or *terroriz*ing animals (as they did mine) in the process of "rescuing" them to re-sell and benefit local animal "shelters" while getting donations from a sympathetic public about the "abused animals" to create huge budgets for lobbyists in Washington. They do not operate any shelters themselves,

immediately kill many of the less desirable or adoptable ones “rescued,” and *detest* anybody who breeds animals of any species. (like myself) If I’d been able to obtain the *photos* of the dogs as they were being loaded, (of which there were nearly 200 listed on the seizure papers) they would have clearly shown exactly what the initial Vet exams that they performed *proved*: There was *nothing wrong with my dogs*, but they and local Officers of the Court chose to break many laws in order to seize them for altering and resale—and believed that I would not (or could not afford to) fight to save my animals from predation.

If my operation had been a mechanic’s shop, and they took the tools of my lifetime trade without warning; and kept and sold them—and *then* tried to charge me for storage and ads to resell—without a thought as to how I was supposed to earn any supplemental income—it would be a shocking violation of my right to earn a living, but this is similar to what was done to me. Life as I knew it ceased to exist on May 13, 2016—the only way to get back *some* of what I lost is a suitable restitution for the hundreds of thousands of dollars worth of animals they actually seized, *and* the value of the progeny they would have had that could have been sold in the future. *(R.pp.415-417)(R.pp.51, line 6)(Circuit Ct. transcript, Mr. Thornton speaking as to the value of the animals seized)*

## CONCLUSIONS AND REQUEST FOR RELIEF

In conclusion, Appellant believes she has proffered evidence sufficient to rebut each of this Court's reasons for affirming the lower Courts' decisions and pleads with this Court to conduct a Re-Hearing of the evidence presented, and to arrive at a **Reversal** of your Opinion and an **Order to award suitable restitution** for the enormous collateral damages, financial loss, and personal suffering I have endured because of this sudden and irreversible disruption to my previously joyful, quiet and peaceful retirement. (R. pps. 415-417 )

*Signed August 2, 2019*

*/s/ Lynne Van House*

**Lynne Van House, Appellant, acting pro se**

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**Round O, SC 29474**

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## APPENDIX

### CITATIONS OF LAW ON RECORD:

*(Brady v. Maryland, 373, U.S. 83 (1963) (R.pp.195) Pg. 14*

*Coolidge v. New Hampshire, 403 U.S. 443(1971) (R.pp. 207) Pg. 3*

*(Frost, et al v, Railroad Commission, 271 US 583 46 S Ct., 605,701, 5d, 110 (1926) (R.pp.215) Pg. 8*

*(Fessler v. Weiss, 348 Ill. App 21, 107 N.E. 2d 795) Pg. 10*

*(Giglio v. United States, 405 U.S. 150(1972) (R.pp.219) Pg. 15*

*(Hall v. Benefit Assn. of Railway Employees, 64 S.E. 80,161 S.E. 867 (1932) Pg. 9*

*(Hayes v. Eagle-Picher Industries, Inc., 513 F. 2d 892, 894 (10<sup>th</sup> Circuit, (1945) (R.pp. 229-231) Pg. 12*

*(Johnson v. United States, 333 U.S. 10, 333 U.S. 13-14) (R.pp.208) Pg. 2*

*King Construction Co. v. Mary Ellen Coal Corp., 194 Ky. 435, 239*

*S.W. 801(1922) (R.pp.233) Pg. 9*

*(Kyles v. Whitley 514 U.S. 419) (R.pp.235-236) Pg. 15*

*(Montgomery v. Goldstein, 109 OR. 497, 220p, 565, 567(1923) (R.pp.259) Pg. 12*

*Southern Pacific Transportation Co. v. Public Utilities Commission, 18 Cal. 3d, 309(1976) (R.pp.275-276) Pg. 2*

*(State v. Hughes, 22 Ariz. App 19, 522 p.2d 780 (1974) (R.pp269) Pg. 10*

(*Stokes v. Spartanburg Reg'l Med. Cntr.* 368 515, 522, 629 .E. 2d 675, 679, Ct. App.(2006) **(R.pp.272-274) Pg. 15**

(*Trupiano v. United States*, 334 U.S. 699, 700 1948) **(R.pp.277) Pg. 2**

(*United States v. Adams*, 422 F 2d 575 (10<sup>th</sup> circuit 1970) **(R.pp.281) Pgs. 9-10**

(*United States v. Agurs*, (1976) No. 75-491 (d) 112-114**(R.pp. 195) Pg. 15**

(*United States v. Cravero*, 530F.2d 666 (5<sup>th</sup> circuit1976) **(R.pp. 289) Pg. 9**

(*Waeschle v. Dragovic*, 576 F.3d539, 544 (6<sup>th</sup> Circuit 2009) **(R.pp.242) Pg. 6**

*Yick Vo v. Hopkins, Sheriff*, 118 US 356 (1886) **(R.pp.300) Pg. 8**

#### **CITATIONS NOT ON RECORD**

(*Arnold v. Yarborough*, 316 S.E. 2d 416, 281S.C. 570 (1984) **Pg. 11**

(*Gorham v Gale*, 7 Cow 739, 744; *Gaillard v Smart*, 6 Cow 385, 388) **Pg. 10**

(*Jackson v Bartlett*, 8 Johns 361) **Pg. 10**

(*Sheldon v. Bressant*, 439 S.E.. 2d 833 (1993) **Pg. 11**

#### **LOCAL ORDINANCES ON RECORD**

*Colleton County Animal Control Ordinance 6-04-050 (D)* **(R.pp.323) Pg. 4**

*Colleton County Animal Control Ordinance 6-04-050 (G)* **(R.pp.324) Pg. 4**

***S.C. CODES OF LAW CITATIONS***

*SC 16-11-640* **Pg. 5**

*SC 16-11-650* **Pg. 5**

*SC 17-13-140, 141* **Pg. 5**

*(SC 16-7-150) (SC 47-4-20 (7))* **Pg. 8**

*(SC 16-11-510)* **Pg. 3**

*(SC 16-11-600)* **Pg. 3**

*(Sect. 47-3-940, 950)* **Pg. 15**

***US AND SC CONSTITUTIONAL AMENDMENTS***

*(US Const. Amend. 4)* **Pg. 3**

*(US Const. Amend. 5)* **Pg. 6**

*(US Amend. 6)*

*(SC. Const. Art. 1, Sect. 10)* **Pg. 3**

*(SC Const. Art. 1 Sects. 13-14)* **Pg. 7**

*(SC Cont, Art. 7, Sect. 16)* **Pg. 9**

***SCRMC-SCACR-SCRCP RULES CITED***

*S.C. Ann. 18-7-60 (2014)* **Pg. 13**

*SCRMC 18(b) Pg. 13*

*SCRCP Rule 5 (amended 2005 Pg. 13*

*SCACR 196.1 Pg. 13*

*SCACR) Rule 200.1(b) (3) Pg. 14*

*SCACR Rule 401 Pg. 7*

### ***VARIOUS DOCUMENTS ON RECORD***

Chief McNeil claiming he “didn’t need a warrant” for the Friday search.  
(newspaper) *(R.pp. 327 Lines 16-18)*

Initial Vet exams-- vital signs and weight by breed *(R.pps.408-412)*

Copy of warrant) *(R.pp.421)*

Magistrate Ct. Order giving temporary custody to Animal Control *(R.pp.6 )*

E-mails from Mr. Sapp claiming authority to surrender animals. *(R.pp.179-180)*

My “Response to be Read at the Seizure Hearing” document *(R. pp.331-336)*

Circuit Ct. Decision *(R pp. 38)*

Written Motions of Discovery *(R.pp.63-66)*

Letter from Mr. Thornton admitting most of dogs unavailable to be presented as  
evidence *(R.pp.81)*

Financial reports of animal rescue organizations *(R.pp.391-393)*

Animal Terrorist Organizations *(R.pp.379-382)*

Details of probable financial loss because of seizure (*R.pp.415-417*)

Circuit Ct. transcript, Mr. Thornton speaking as to the value of the animals seized *and* if I had *challenged* the “probable cause” that Mr. Sapp claimed I allowed (*R.pp.51, line 6-17*)

Electric bills to both addresses) (*R.pp.339-340*)

Copy of search warrant) (*R.pp.421*)

Photo of my mailbox with addresses (*R.pp.363*)

**I certify that a copy of this Request for Re-Hearing was served on the  
Respondent's attorney Sean P, Thornton, by placing a copy in the US mail  
Addressed to: P.O. Box 1880, Bluffton, SC 29910-1880 on August 2, 2019**

s/l/s *Lynne Van House*

**Lynne Van House**

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