

# The South Carolina Court of Appeals

John S. Stritzinger, Appellant,

v.

Bank of America Corporation, Andrea Smith, and  
Charles Holliday, Respondents.

Appellate Case No. 2020-000122

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## ORDER

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The appellant, John S. Stritzinger III, has filed a notice of appeal and numerous other documents with this Court. We have been provided with copies of probate court orders appointing James R. Stritzinger, Jr., as guardian and conservator for the appellant. Section 62-5-304A of the South Carolina Code (Supp. 2019) gives the probate court authority to remove certain rights and powers from a ward being placed under guardianship. The probate judge found the appellant incapacitated and removed certain statutory rights, including the right to bring or defend any action at law or equity, by court order dated July 5, 2019. Section 62-5-407 of the South Carolina Code (Supp. 2019) also authorizes the probate court to remove a protected person's rights, including the right to bring or defend any action at law or in equity. The probate court entered another order on July 5, 2019, removing this right from the appellant along with the following specific prohibition:

John S. Stritzinger III is not permitted to initiate any litigation independently. Any ongoing or pending litigation filed by John S. Stritzinger III shall be assessed by the Conservator to determine whether any such action(s) should continue. The Conservator has the authority to end any litigation that has been previously filed, after obtaining the necessary information to determine whether such a decision is in the best interests of John S. Stritzinger III. The Conservator also has the authority to request and direct of any courts in this state

and in the federal court district of The District of South Carolina, that they refuse any future filings from John S. Stritzinger III, as John S. Stritzinger has already been determined to be a "vexatious litigant" in the State of Texas and has been prohibited from further filings in one of the federal court districts of the State of Virginia.

Because the notice of appeal was filed after issuance of these orders, we decline to accept the appellant's pro se filings. Accordingly, the appeal is dismissed. The remittitur will be sent pursuant to Rule 221(b) of the South Carolina Appellate Court Rules.

  
FOR THE COURT

Columbia, South Carolina

cc:  
John S. Stritzinger  
Stacie Corbett Knight, Esquire  
James R. Stritzinger, Jr.

**FILED**

February 5, 2020