

The State Of South Carolina
In the Court of Appeals
(not in The Supreme Court)

APPEAL FROM BEAUFORT COUNTY
COURT OF COMMON PLEAS

RECEIVED
FEB 10 2020
SC Court of Appeals

Marvin H. Dukes III, Court Judge

Case NO 2019-CP-07-01326

South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc.,
Respondant,

v.

Zbigniew Marek Drzazgowski and Alicja Anna Drzazgowski, Defendants,

Of whom Zbigniew Marek Drzazgowski is the Appellant.

[INITIAL] BRIEF OF APPELLANT

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STATEMENT OF ISSUES ON APPEAL

1. I Zbigniew Marek Drzazgowski and my wife Alicja Anna Drzazgowski have never received Summons from The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. in the proper way. I and my wife never received the summons and never confirm obtain them.
2. The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. sent me a letter dated July 26, 2019 which I received on August 3, 2019. It was Saturday. Practically, I had only 3 days on sending request to postpone the Court with my Case. I never had chance to defense myself in this Case.
3. The South Beach Village Bluff Apartments Horizontal Property Regime No. 56. Inc. on February, 2016 broke in to my apartment Bluff Villa #1711 and make damages inside of the unit and programmable electronic lock.

STATEMENT OF THE CASE

1. The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. opened the Case 2019-CP-07-01326 in the Beaufort County, Court of Common Pleas against me, Zbigniew Marek Drzazgowski and me wife Alicja Anna Drzazgowski. The delivery of SUMMONS to me and my wife Alicja Anna Drzazgowski was delivered and left under my door-mat. I guess, they must have met my carpenter working on the roof before coming rain. After the rain, when I found those documents, their condition was so bad that even Beaufort Court Of Common Pleas did not recognize them. AFFIDAVIT OF SERVICE has never been signed by me or my wife. Thirty days later July 26, 2019 I received a latter from The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. in which they presented to me Affidavit of Service. It was August 3, 2019, five days before the HEARING in Court. In description, the Affidavit of Service does not present my person as they suggested I'm 5'10 not 5'4" which is in the description . To this day (January 22, 2020) we have not received the SUMMONS.

2. The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc., sent me only the Affidavit of Service, and documents like date of the Case. The letter dated July 26, 2019 which I received on August 3, 2019 Saturday (it normally takes 4 days for delivery). I had only 3 days to hearing and still no summons. In this situation, I was eliminated from self defense in this Case. I requested the summons from The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. twice: July 23, 2019 and August 5, 2019.
3. The entire story started in February 2016 during replacement of the panel doors. The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. broke in to my apartment without my knowledge , Bluff Villa #1711, and made a lot of damage inside of the unit as well as to the electronic lock which is programmable. The lock provides my guests with codes to access my apartment. Apartment is my rental business.
4. Within last 8 years of the possession of the apartment, the other Managements have never had problems with accessing my unit. They always had the keys. This time they destroyed the lock and destroyed all the codes in it and they did not inform me about that. The new key that I received 2 weeks later, after the Construction company finished the installation of the door panels, did not work (police statement). In addition to it, it looked as they used my unit during the installation of the panels. It took me 9 days to repair all the damages. This includes the repair of the lock by a specialist, buying new washer, replacing the lock box, two trips CT-SC to bring the new washer, leave for 9 days my Remodeling business. In addition, they did not have a permit to change the door in my apartment. These are the proofs that the door to mu unit was installed illegally.
5. Because this unit is my rental business I requested a detailed invoice for installation of the door, which I have never received (more then 10 requests).
6. During the entire process I found out that the panel door does not have the safety standards which are required in the hurricane and tornado areas. Plus, very important, this panel door doesn't have the fire standards required for public buildings. In this situation, when I have guests, their safety is jeopardized. For more than 3 years I requested to replace my panel door with the standards which are required in the area like Hilton Head Island . They completely disregarded my request. To this day, with around 50 letters with request to replace the panel door, I am still afraid about safety of my guests staying in my unit and survive any unexpected circumstances.

STANDARDS OF REVIEW

1. Based on existing facts, the Court of Common Pleas in Beaufort County in South Carolina accepted Affidavit of Service presented by The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. This document in existing form do not confirm receiving by Zbigniew Marek Drzazgowski and Alicja Anna Drzazgowski summons which supposed to allow me presents my arguments and defent my sell in the Court.
2. In all my contacts with The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc . by mail I never had a time and opportunity to present the existing problems related to the process of this Case. Lack of summons, lock of time to get all required information before the Hearing on August 8 2019 in Beaufort County Court of Common Pleas ,caused that the verdict was made without my presence in the Court .

FACTS

1. Atlantic States Management (which presents South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc.) February 3, 2016 statement about break in to my apartment.
2. Estimate of damages by Atlantic States Management presents by Stacy Keading which manage the Bluff Villas Complex which belong to South Village Bluff Apartments Horizontal Property Regime No. 56 Inc.
Letters requested detailed invoice for the panel door installation and request to replace door panel with a correct requirements regarding fire, impact and energy standards for this area.
 1. Door standards which was installed and Town Inspector statement regarding permit
 2. Cost of repairs after the break in
 3. Police Report stating that I did not have an access to my apartment because of the wrong key sent me by South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc.
 4. Requests for Summons from South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc.
 5. Affidavit of Service received from South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc.

6. Copy of my driving License and business Permit
7. Picture of the place where the Summons have been delivered and condition of the first page.
8. Door standards which was installed and Town Inspector statement regarding permit

ARGUMENTS

1. With fabricated AFFIDAVID OF SERVICE The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. planned to gain \$9583.71 and put my unit Bluff Villa #1711 apartment on foreclosure.

CONCLUSION

1. I request to cancel the amount of \$9583.71 suggested by South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. and of my unit foreclosure.
2. I request to reverse the judgment of the Court of Common Pleas.
3. I request a full compensation of my time loses that I suffered after their breaking to my apartment, the time that I had to use to bring my unit back to the original condition, writing and sending the letters and preparation of the documents regarding the Case.
4. I request compensation for my three times travel between CT and SC.
5. I request compensation for repairs of the damages which have been done by South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc. after they broke in my apartment Bluff Villa #1711 and losing 6 days Rental and 9 days in my Home Improvement business on the amount \$7102.52 .
6. I request compensation for sending and preparing of the documents regarding repairs of the damages in my apartment, sending almost 50 letters requesting to replace the installed door with an appropriate ones to ensure the safety of my guests and my own.
7. I also request a proper invoice for my rental business (I sent around 10 letters with this request), and an invoice for sending the letters regarding the case in the Common Pleas (including the time that used to found a right Court and request Summons). All together it accumulated to 87.5 hours. Each hour is \$160.00 which gives the total amount of \$21102.52.

8. The original charge for panel door without any safety standards was \$1000.00 although in Home Depot the same door costs \$162.00.

February 4, 2020

Sincerely,



Zbigniew Drzazgowski
9 West District Rd.
Unionville, CT, 06085
Appellate
860 675-4025

Jannine M. Mutterer
21 Promenade St. Suite 205
Bluffton, SC 29910
Respondant
843 640-5700

Honorable Marvin H. Dukes III
State of South Carolina
Court of Beaufort
The Court of Common Pleas
P.O. Drawer 1128
Beaufort, SC 29901

AFFIDAVIT OF SERVICE

State of SOUTH CAROLINA

County of BEAUFORT

Common Pleas Court

Case Number: 2019-CP-07-01326

Plaintiff:
SOUTH BEACH VILLAGE BLUFF APARTMENTS HORIZONTAL
PROPERTY REGIME NO 56, INC.

vs.
Defendant:
ZBIFNIEW MAREK DRZAZGOWSKI AND ALICJA ANNA DRZAZGOWSKI

For: Jannine Mutterer, Esquire
Mutterer Law Firm

Received by Hilton Head Investigations, Inc. to be served on Alicia Anna Drzazgowski, 9 West District Drive, Unionville, CT 06085. I, Jason Devalas, being duly sworn, depose and say that on the 13th day of June, 2019 at 9:30 a.m., executed service by delivering a true copy of the Summons and Notice, Complaint and Exhibits A through F totaling 81 pages in the above action in accordance with state statutes in the manner marked below:

- () INDIVIDUAL SERVICE: Served the within-named person.
- (x) SUBSTITUTE SERVICE: By delivering to: Zbifniew Marek Drzazgowski as Spouse, a person authorized to accept service and a person of discretion and appropriate age, residing at the residence of the within named person.
- () Based upon Observation, Inquiry and or the Individuals Age, we saw no evidence of the party being in the Military of the United States of America.
- () Non Service: Due to reason detailed in Comments below.

COMMENTS: white male 60's, about 5'4" 160, grey hair, beard with European accent

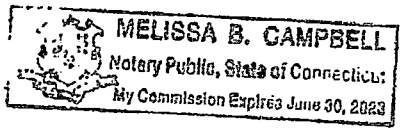
I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 15th day of June, 2019 by the affiant who is personally known to me.

Melissa B. Campbell
NOTARY PUBLIC

[Signature]
PROCESS SERVER # N/A
Appointed in accordance with State Statutes

Hilton Head Investigations, Inc.
1 Corpus Christie Place Ste#102
P.O. Box 5458 (29938)
Hilton Head Island, SC 29928
(843) 842-1234
Our Job Serial Number: 2019000739



AFFIDAVIT OF SERVICE

State of SOUTH CAROLINA

County of BEAUFORT

Common Pleas Court

Case Number: 2019-CP-07-01326

Plaintiff:
SOUTH BEACH VILLAGE BLUFF APARTMENTS HORIZONTAL
PROPERTY REGIME NO 56, INC.

vs.
Defendant:
ZBIGNIEW MAREK DRZAZGOWSKI AND ALICJA ANNA DRZAZGOWSKI

For: Jannine Mutterer, Esquire
Mutterer Law Firm

Received by Hilton Head Investigations, Inc. to be served on Zbigniew Drzazgowski, 9 West District Drive, Unionville, CT 06085. I, Jason Douglas, being duly sworn, depose and say that on the 15th day of June, 2019 at 9:30 am., executed service by delivering a true copy of the Summons and Notice, Complaint and Exhibits A through F totaling 81 pages in the above action in accordance with state statutes in the manner marked below:

- INDIVIDUAL SERVICE: Served the within-named person.
- SUBSTITUTE SERVICE: By delivering to: _____ as _____, a person authorized to accept service and a person of discretion and appropriate age, residing at the residence of the within named person.
- Based upon Observation, Inquiry and or the Individuals Age, we saw no evidence of the party being in the Military of the United States of America.
- Non Service: Due to reason detailed in Comments below.

COMMENTS: white male, 600, 5'4", 160, grey hair, beard
on European accent

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 15th day of June, 2019 by the affiant who is personally known to me.

Melissa B. Campbell
NOTARY PUBLIC

JD
PROCESS SERVER # N/A
Appointed in accordance with State Statutes

Hilton Head Investigations, Inc.
1 Corpus Christie Place Ste#102
P.O. Box 5458 (29933)
Hilton Head Island, SC 29928
(843) 842-1234
Our Job Serial Number: 2019000738

MELISSA B. CAMPBELL
Notary Public State of Connecticut
My Commission Expires June 30, 2023

**Atlantic
States
Management, INC** 

February 3, 2016

Zbiginiew Drzazgowski
9 West District Road
Farmington, CT 06085

Re: 1711 Bluff Villas

Hello Mr. Drzazgowski,

During the installation of the doors at Bluff Villas we tried to get in touch with you several times regarding access to your villa. We were unable to reach you for access and as such, we were forced to contact a locksmith. The new key to your villa is enclosed.

The cost for the locksmith as well as the cost for the door project will be invoiced to you shortly but we wanted to be sure to get the keys to you as soon as possible. Should you have any questions about this or any other regime matter, please do not hesitate to contact me.

Sincerely,



Katie Kabala
Assistant Property Manager

2

Stacy Keading
1536 Fording Island Rd., # 201
Hilton Head Island SC 29938

12/12/2016

Zbigniew Drzazgowski
Bluff Villa # 1711
262 South Sea Pines Dr.
Hilton Head Island SC 29928

According to your Letter dated February 16, 2016 you broke in to my apartment, that's my business as a rental property which already have been booked for entire March 2016 and I had in progress booking for the last week of February. The door has the electronic lock which is programmed separately for everyone guest. The lock had, in that time already 9 codes to use by guests. Yours illegal action with breaking my electronic lock door cause huge problems. After phone consultation with KABA lock management which doing all programming on my lock, they stated that existing codes on the lock have been destroy and entire electronic lock supposed to be reset by the technician on the Hilton Head Island because the codes are disable. This situation force to leave my business in CT block all the booking in Bluff Villa and drive fast how it was possible to eliminate disaster in my rental business and avoid all conservancies with penalties payment to my already booked guests. I drove on February 17 on Hilton Head Island and what I saw was really disaster. The key which you provide do not works with electronic lock. I was not able to open my own door to my apartment. I spend more than 1 hour to get to my apartment without any results. Finally I was able rich my son and he create on the computer at his home in Cleveland new code which works accidentally one time. It was beginning a lot of problems. The key box on the door was pull out and destroy, the washer was used and destroyed, the walls and the shower had been dirty. I lost my business in CT, I lost on Hilton Head Island, I spend a lot of money to repair damages to my business. You must to April 1, 2016 repaid all my losses, if not, I will take legal action to get all what I lost. Beloved you will find all details. All documents are attached.

I request to install my previous door fast how it is possible.

- \$469.93 - gas
- \$120.00 - lock repair
- \$45.00 -washer condition assessment
- \$37.09 - key box
- \$10.50 - 2 spear keys
- \$660.00 - lost rental income(web sides VRBO, AIRbnb, Flipkey)
- \$5760.00 - lost income from business in CT (9X\$640.00)

TOTAL losses \$7102.52 (seven thousand nine one hundred two dollars 52/100)

Zbigniew Drzazgowski
9 West District Rd.
Unionville CT, 06085

Sincerely
Zbigniew Drzazgowski

3

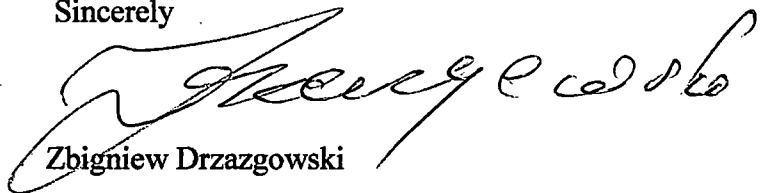
Bluffs Villas
C/O Atlantic States Management
P.O. BOX 7431
Hilton Head Island SC 29938

05/10/2019

Zbigniew Drzazgowski
9 West District Dr.
Unionville CT 06085
Owner Bluff Villa 1711

According to yours invoices regarding the door replacement I still require that you Presented me with the original invoice from the contractor who replaced the door plus and invoice with charges you provided him with out my knowledge. Additionally, according to my evidence, the door which you installed in my unit do not fulfill the SC state's requirements for the hurricane area. Therefor I demand that you replace the new door with the old one. The old door had the impact, energy and fire ratings. If you do not provide this changes I will take legal action.

Sincerely



Zbigniew Drzazgowski

If you will be more problems see you in the court. I sent them this request maybe 50 times.

3

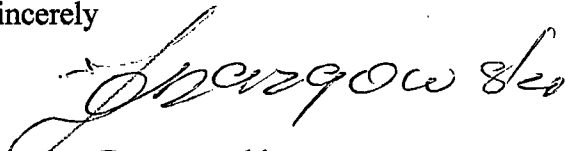
Bluffs Villas
C/O Atlantic States Management
P.O. BOX 7431
Hilton Head Island SC 29938

06/10/2018

Zbigniew Drzazgowski
9 West District Dr.
Unionville CT 06085
Owner Bluff Villa 1711

According to yours invoices regarding the door replacement I still require that you Presented me with the original invoice from the contractor who replaced the door plus and invoice with charges you provided him with out my knowledge. Additionally, according to my evidence, the door which you installed in my unit do not fulfill the SC state's requirements for the hurricane area. Therefor I demand that you replace the new door with the old one. The old door had the impact, energy and fire ratings. If you do not provide this changes I will take legal action.

Sincerely



Zbigniew Drzazgowski

Bluff Villas
Atlantic States Management
P.O. BOX 7431
Hilton Head Island, SC 29938

07/09/2017

Regarding to your last letter it seems that you don't understand what I am requesting from you. More than six months ago I requested the detailed INVOICES on amount of \$1167,91. In addition to it I am also requesting the invoice for the Attorney Fees for amount of \$389.50 I also need to have the name of the Attorney.
Only detailed invoices for what I have to pay will give me a chance to understand the charges.

Zbigniew Drzazgowski
owner Bluff Villa # 1711

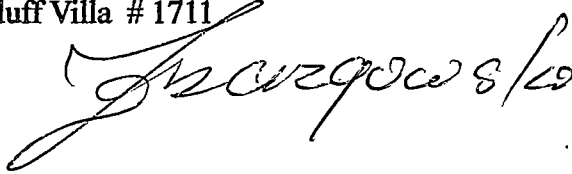
A handwritten signature in cursive script, appearing to read 'Zbigniew Drzazgowski', written in black ink.

Bluff Villas
Atlantic States Management
P.O. BOX 7431
Hilton Head Island, SC 29938

07/09/2017

Regarding to your last letter it seems that you don't understand what I am requesting from you. More than six months ago I requested the detailed INVOICES on amount of \$1167,91. In addition to it I am also requesting the invoice for the Attorney Fees for amount of \$389.50 I also need to have the name of the Attorney. Only detailed invoices for what I have to pay will give me a chance to understand the charges.

Zbigniew Drzazgowski
owner Bluff Villa # 1711



9549 246 3972 2000 0287 9106

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Extra Services & Fees (check box, add fee if appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.49

Total Postage and Fees \$3.84

Sent To
Bluff Villas Atlantic States Mgt
Street and Apt. No., or PO Box No.
PO Box 7431
City, State, ZIP+4®
Hilton Head Island SC 29929

07/10/2017

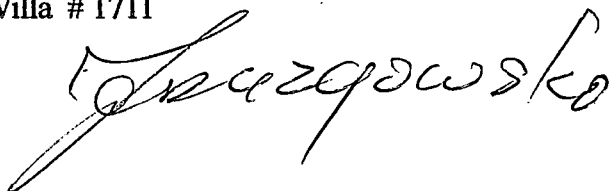
PS Form 3800, April 2016 PSN 7530-02-000-9047 See Reverse for Instructions

Bluff Villas
Atlantic States Management
P.O. BOX 7431
Hilton Head Island, SC 29938

06/21/2017

This is regarding to your last letter dated 05/31/2017. I have been waiting for more than 6 months to receive the detailed INVOICES.
Please provide me with these detailed invoices as soon as possible and the amounts of my fees I need to pay and specify the items that you charge me for.
Please send me a copy of the invoices base on which I will be able to find out what and where I had not paid.

Zbigniew Drzazgowski
owner Bluff Villa # 1711



116 1370 0002 3972 6781

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Extra Services & Fees (check box, add fee to postage)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$3.84

Postmark Here

06/21/2017

Sent to
Bluff Villas
Atlantic States Management

Zbigniew Drzazgowski
9 West District Rd.
Unionville CT 06085

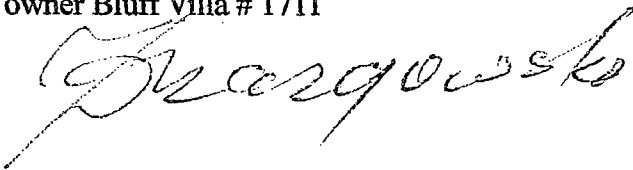
11/27/2016

Stacy Kae ding
Property Manager
Bluff Villas
Atlantic States Management
P.O. BOX 7431
Hilton Head Island SC 29938
842 785-3278

Regarding your Invoice 02/18/2016 "Door Assessment" for \$1167.91 please provided me a copy of the detailed invoices from Euro Construction and Locksmith .

Sincerely

Zbigniew Drzazgowski
owner Bluff Villa # 1711



7013 1090 0002 3826 8992

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
HILTON HEAD ISLAND, SC 29938	
OFFICIAL USE	
Postage	\$3.30
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$3.77

NOV 28 2016
UNIONVILLE CT 06085
Postmark

Sent To: Stacy Kae ding Apt. 17
Street, Apt. No. or PO Box No: PO Box 7431
City, State ZIP+4: Hilton Head Island SC 29938

PS Form 3800, August 2006 See Reverse for Instructions

Zbigniew Drzazgowski
9 West District Rd.
Unionville CT 06085

11/27/2016

Stacy Kaeding
Property Manager
Bluff Villas
Atlantic States Managment
P.O. BOX 7431
Hilton Head Island SC 29938

Regarding your Invoice 02/18/2016 "Door Assessment" for \$1167.91, please provided me a copy of the detailed invoices from Euro Construction and Locksmith.

Sincerely

A handwritten signature in cursive script, appearing to read "Zbigniew Drzazgowski".

Zbigniew Drzazgowski
owner Bluff Villa #1711

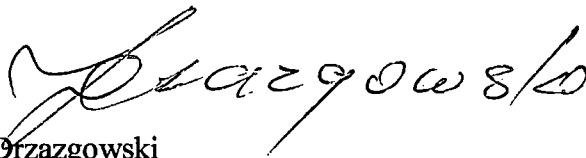
Zbigniew Drzazgowski
9 West District Rd.
Unionville CT 06085

11/27/2016

Stacy Kaeding
Property Manager
Bluff Villas
Atlantic States Managment
P.O. BOX 7431
Hilton Head Island SC 29938

Regarding your Invoice 02/18/2016 "Door Assessment" for \$1167.91, please provided me a copy of the detailed invoices from Euro Construction and Locksmith.

Sincerely

A handwritten signature in black ink, appearing to read 'Drzazgowski' with a stylized flourish at the end.

Zbigniew Drzazgowski
owner Bluff Villa #1711

The Home Depot Special Order Quote

Customer Agreement #: H6229-12291

Printed Date: 9/20/2016



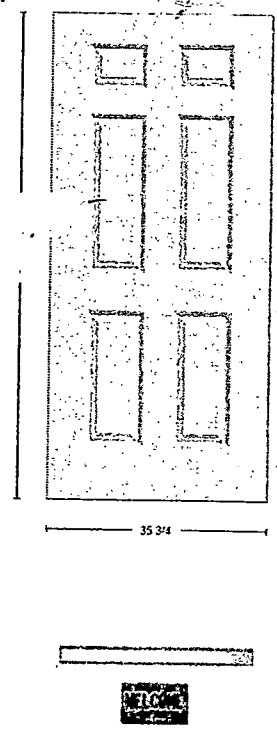
Customer Information		Store Information	
Name	ZIBBY DRZAZGOWSKI	Store Number	6229
Address	9 W DISTRICT RD FARMINGTON, CT 06032	Address	1149 FARMINGTON AVE BRISTOL, CT 06010
Primary Phone	860-675-4025	Associate	ERIC
Secondary Phone	860-675-4025		

Item #	Item Description	Room Location	Unit Price	Qty	Total
--------	------------------	---------------	------------	-----	-------

100-1	35.75x79 Steel Slab Only None	none	\$162.00	1	\$162.00
-------	-------------------------------	------	----------	---	----------



Call Width = 36
 Call Height = 80
 Unit Spec = All Products
 Building Code = Non-Certified
 Energy Star Needed = No
 Protection for Exterior Door Flyer = No
 Unit Type = Slab Only
 Handing & Swing = None
 Door Type = Panel Doors
 Door Thickness = 1 3/4"
 Door Style = 6-Panel
 Door Finish Type = None
 Door Order Method = Store Delivery
 Sweep = No
 Door Viewer/Knocker - Installed = No (Standard)
 Room Location = none
 Is This a Remake = No
 Specific Information =
 U-Factor = 0
 Solar Heat Gain Coefficient = 0
 SKU = 665683
 Vendor Name = S/O JELD-WEN DOOR SYSTMS
 Vendor Number = 60075920
 Manufacturer = JELD-WEN, North Springfield (UP)
 Customer Service = 1.800.246.9131
 Catalog Version Date = 08/10/2016



Pre-Tax Price: \$162.00

**All prices are subject to change
 **Customer is responsible for verifying product selections. The Home Depot will not accept returns for the above products
 **All graphics viewed from the exterior

Subject: RE: Bluff Villas doors
From: Yates Chris (chrisdy@hiltonheadislandsc.gov)
To: drzazgowski@sbcglobal.net;
Date: Tuesday, February 23, 2016 10:31 AM

Based on a search of permits, I was unable to locate any permits for a door replacement at your unit 1711. A permit is required for door replacements where the door and the frame/jambs/sill are being replaced. A new door would be required to meet the DP ratings/Energy ratings/(Fire ratings, garage doors, etc.). However, If the door itself was removed off of the hinges and a replacement door re-installed on the original frame/jambs/sill, then this is a repair and no permit is required.

Thank you,

Christopher D Yates

Town of Hilton Head Island

Building Division

Office number 843-341-4675

Cell number 843-247-2853

chrisdy@hiltonheadislandsc.gov

From: Zibby D [mailto:drzazgowski@sbcglobal.net]
Sent: Tuesday, February 23, 2016 9:04 AM
To: Yates Chris
Subject: Bluff Villas doors

Hi, thanks for you time will be great if you send me information

5

02/23/16

Zbigniew Drzazgowski
262 S Sea Pines Dr 1711
Hilton Head Island, Sc 29906

(860) 338-4846



Doctor Fixit Appliance Repair
Charleston/Beaufort/Savannah, South Carolina

Phone: (843) 810-6467
Email: dfipayments@gmail.com;
benjaminmares100@gmail.com

Payment Terms Due upon receipt
Invoice # 000129
Date 02/23/2016

Description	Total
Trip Fee	\$45.00
Arrival \$45	
Non Repair	\$0.00
Tub cracked new drain pump	

Subtotal	\$45.00
Total	\$45.00
Summary	
02/23/2016 Check 2256 Payment	\$45.00
Paid	\$45.00
Amount Due	\$0.00

Trip Fee \$45.00
Diagnostic \$85.00
Original Blue Book Value

Subject: Your invoice for eBay purchases: Haier HLP21N 1-Cu-Ft Portable Washer w/Electronic Controls & Stainless Steel Tub (182030148136#)

From: eBay (ebay@ebay.com)

To: drzazgowski@sbcglobal.net;

Date: Thursday, March 3, 2016 12:32 AM



eBay sent this message to Zbigniew Drzazgowski (zibby860).
Your registered name is included to show this message originated from eBay. Learn more.

Invoice

Dear zibby860,

Pay Now

Thank you for shopping on eBay! Your total amount due is \$284.99. More details about your purchase are included below.

Item #	Item Title	Quantity	Price	Amount
182030148136	Haier HLP21N 1-Cu-Ft Portable Washer w/Electronic Controls & Stainless Steel Tub	1	\$284.99	\$284.99

Subtotal: \$284.99

Shipping and handling via UPS Ground: \$0.00

Total: \$284.99

thank you very much for business..

Email reference id: [#1936a533f0e14a3cbd2a7c7af5f95595#]

Learn More to protect yourself from spoof (fake) emails.

eBay sent this email to you at drzazgowski@sbcglobal.net about your account registered on www.ebay.com.

eBay will periodically send you required emails about the site and your transactions. Visit our Privacy Notice and User Agreement if you have any questions.

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GRAYCO

GRAYCO HARDWARE - HILTON HEAD
 6 Bow Circle
 P.O. Box 5970
 HILTON HEAD, SC 29938
 843-785-5166
 Fax: 843-785-3624

CUSTOMER COPY



INVOICE

1602-194881 PAGE 1 OF 1

SOLD TO
Cash Sales

JOB ADDRESS
Cash Sales

ACCOUNT	JOB
CASH	0
SOLD ON	2/19/2016 10:40:56 AM
CUST PICKUP	
BRANCH	2400
CUSTOMER PO#	
STATION	HTR1
CASHIER	CLESKO
SALESPERSON	
ORDER ENTRY	

Quantity	UM	Item	Description	D	T	Price	Per	Amount
1	EA	6319040	1004 SLIM PUSH BUTTON KEY SAFE		Y	34.9900	EA	34.99

Payment Method(s)

Cash 37.09
 Tendered 37.25 Change Due 0.16

SC2 6.00%	SubTotal	34.99
	Sales Tax	2.10
	Deposit	
Please Pay This Amount		37.09

The recipient of the materials described herein agrees to hold Grayco harmless, indemnify and defend Grayco against any claims or actions brought as a result of incorrect or negligent installation. All refunds subject to approval; 15% restock fee may apply.



Signature Buyer: _____

PLAINTIFF'S EXHIBIT
 9

Date	Type	Description	
02/17/16	Name	ZBIGRIEW, DRZAQZGCWSKI	Complainant
02/17/16	Name	ZBIGRIEW, DRZAQZGCWSKI	Victim
02/17/16	Cad Call	19:07:38 02/17/16 Disturbance	Initiating Call

Certified to be a true and correct
copy of the original document on file
with the Office of Sheriff for Beaufort County.
Michael M. Hatfield
Chief Deputy, Beaufort County Sheriff's Office

Name Involvements:

Victim : 29502

Last: ZBIGRIEW

First: DRZAQZGCWS

Mid:

KI

DOB: [REDACTED]

Race: W

Sex: M

Phone: [REDACTED]

City: Farmington, CT 06032

Certified to be a true and correct
copy of the original document on file
with the Office of Sheriff for Beaufort County.
Michael M. Hatfield
Chief Deputy, Beaufort County Sheriff's Office

Narrative

Beaufort County Sheriff's Office
Investigation Narrative

Officer's Actions:

On 02/17/16 I met with the victim regarding a report of Suspicious Activity that occurred at 264 S. Sea Pines Dr. #1117, Hilton Head, SC.

Interview of Victim: (Zbigniew, Drzazgowski)

Mr. Zbigniew stated he is a part time resident of Hilton Head, and lives at the incident location when he is on the island. Mr. Zbigniew stated he was last at the incident location on 12/25/15, and nothing seemed to be out of place. Mr. Zbigniew stated he returned to the apartment on 02/17/15 at approximately 1800 hours and discovered that the keypad door lock had been disabled. Mr. Zbigniew stated he has occupied this apartment for 10 years and has never had any problems with the door locks. Mr. Zbigniew stated he is certain some unknown subject attempted to gain entry into the residence and disabled the door lock in the process.

Mr. Zbigniew stated nothing inside the home appeared to be disturbed or missing. Mr. Zbigniew stated he wanted this incident documented because he is not always in town and is afraid the subjects may return at some point. Mr. Zbigniew had no further information regarding this case.

Officer's Actions:

Upon arriving on scene I met with the victim and conducted the above interview. While interviewing the victim I noticed the incident location was neat and orderly, and nothing appeared out of place. While at the residence I inspected the door, but did not observe any signs of attempted forced entry. Both the door jam and locking mechanism appeared to be in good operating condition. Mr. Zbigniew was issued this case number and advised to contact BCSO if further assistance is needed.

Electronic Recording:

Burns Vehicle (38321) Not Activated

Certified to be a true and correct
copy of the original document on file
with the Office of Sheriff for Beaufort County.
Michael M. Hatfield
Chief Deputy, Beaufort County Sheriff's Office

7

ELECTRONICALLY FILED - 2019 JUL 26 1:46 PM - BEAUFORT - COMMON PLEAS - CASE#2019CP0701326

Zbigniew, Alicja Drzazgowski
9 West District Rd.
Unionville CT 06085

Jannine M. Mutterer
21 Promenade St. Suite 205
PO Box 29 SC 29910

07/23/2019

Regarding your letter of 07/17/2019, I received some documents from you regarding your complain. As I already described in the leatter to the court dated 07/07/2019 that I found outside of my house some documents and I was asking if these documents belong to Bluffton Magistrate. The answer I received was that it belonged to another court. The condition of these documents did not allow me to read their affiliation.

In your statement, you claim that I had received these documents by first class mail. The condition in which I received these papers certainly was not mailed first class mail.

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If you have any confirmation that you sent something to me by US POST OFFICE then I would like to get it to be sure in the court that you do not lie and fabricate documents.

I am adding copies of the description of how I came into possession of some papers, that I suspect may have been from you, and copies of the appearance of the first page.

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Zbigniew, Alicja Drzazgowski

A. Drzazgowski
Drzazgowski

cc:
State of South Carolina
County of Beaufort
Common of Pleas
for the 14 th Judicial Circuit
Civil Action #2019-CP-07-01326

Enclosed is your original document and a filed copy

Thank you
Missy

Wrong Court
- goes to
Common Pleas

Bluffton Magistrate
4819 Bluffton Parkway
Bluffton, SC 29910

07/07/2019

Zbigniew Drzazgowski
9 West District Rd.
Uninville Ct 06085


Hi, I got some documents that look like they belong to the SC court. Because I have vacation unit in this area I thought maybe it belongs to you.

I suspect that it was Saturday and my carpenter worked on the roof when I was not at home. After a few days where there was a lot of rain I got some papers that looked like yours. When I contacted the carpenter he told me that a man came and I was ask me if there is any person like that is living here. I confirmed but when I went down I told him that these papers are from SC and here we have CT. He does not care and threw these papers on the stairs of my house. There was a lot of rain between the times when I found these papers.

I am very surprised that I am permanently living in CT, I get some subpoena from SC. After contact with my lawyer, he stated that the place of permanent residence limits any subpoenas from another state. Now I will probably have to notify the eskimos that they can get a call to the court from SC.

Please, explain to me what kind of the law you are used and give me the legal basis for sending me subpoena from SC. I will send you only first pages in condition which I found them.

Sincerely


Zbigniew Drzazgowski

SOUTH CAROLINA)
 State of South Carolina)
 Village Bluff Apartments)
 Horizontal Property Regime No. 55, Inc.)
 PLAINTIFF,)
 vs.)
 Dr. [Name] and)
 [Name])
 DEFENDANT(S))

COURT OF COMMON PLEAS
 CIVIL ACTION # 2019- [Number]

SUMMONS

TO: THE DEFENDANT(S) ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to said Complaint upon the subscriber, [Name], at her office, [Address], LLC, 21 Promenade Street, Bluffton, South Carolina, 29910, or at the mailing address which is Post Office Box 29, Bluffton, South Carolina, 29910, within thirty (30) days after the service of this summons, exclusive of the day of such service, except that the United States of America, if named, shall have sixty (60) days to answer after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time specified, the Plaintiff herein, South Beach Village Bluff Apartments Horizontal Property Regime No. 55, Inc. (Plaintiff), will apply to the Court for the relief demanded in the Complaint and judgment rendered against you.

TO MINOR(S) OVER FOURTEEN YEARS OF AGE AND/OR TO MINOR(S) UNDER FOURTEEN YEARS OF AGE AND THE PERSON WITH WHOM THE MINOR(S) RESIDE, AND/OR TO PERSONS UNDER SOME LEGAL...

YOU ARE HERELY FURTHER SUMMONED and NOTIFIED to apply for the appointment of a guardian *ad litem*, within thirty (30) days of the service of this Summons and Notice upon you. If you fail to do so, the undersigned shall make application for such appointment.

8

AFFIDAVIT OF SERVICE

State of SOUTH CAROLINA

County of BEAUFORT

Common Pleas Court

Case Number: 2019-CP-07-01326

Plaintiff:
SOUTH BEACH VILLAGE BLUFF APARTMENTS HORIZONTAL
PROPERTY REGIME NO 56, INC.

vs.
Defendant:
ZBIFNIEW MAREK DRZAZGOWSKI AND ALICJA ANNA DRZAZGOWSKI

For: Jannine Mutterer, Esquire
Mutterer Law Firm

Received by Hilton Head Investigations, Inc. to be served on Alicia Anna Drzazgowski, 9 West District Drive, Unionville, CT 06085. I, Jessie Douglas, being duly sworn, depose and say that on the 13th day of June, 2019 at 9:30 a.m. executed service by delivering a true copy of the Summons and Notice, Complaint and Exhibits A through F totaling 81 pages in the above action in accordance with state statutes in the manner marked below:

- INDIVIDUAL SERVICE: Served the within-named person.
- SUBSTITUTE SERVICE: By delivering to: Zbifniew Marek Drzazgowski as spouse, a person authorized to accept service and a person of discretion and appropriate age, residing at the residence of the within named person.
- Based upon Observation, Inquiry and or the Individuals Age, we saw no evidence of the party being in the Military of the United States of America.
- Non Service: Due to reason detailed in Comments below.

COMMENTS: white male 60's, about 5'4" 160, grey hair, beard with European accent

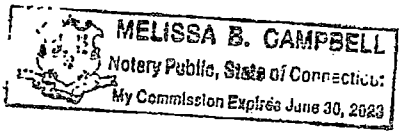
I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 15th day of June, 2019 by the affiant who is personally known to me.

Melissa B. Campbell
NOTARY PUBLIC

J. J.
PROCESS SERVER # N/A
Appointed in accordance with State Statutes

Hilton Head Investigations, Inc.
1 Corpus Christie Place Ste#102
P.O. Box 5458 (29938)
Hilton Head Island, SC 29928
(843) 842-1234
Our Job Serial Number: 2019000739



ELECTRONICALLY FILED - 2019 Jun 27 1:03 PM - BEAUFORT - COMMON PLEAS - CASE#20190CP0701326

ELECTRONICALLY FILED - 2019 Jun 27 1:03 PM - BEAUFORT - COMMON PLEAS - CASE#2019CP0701326

AFFIDAVIT OF SERVICE

State of SOUTH CAROLINA

County of BEAUFORT

Common Pleas Court

Case Number: 2019-CP-07-01326

Plaintiff:
SOUTH BEACH VILLAGE BLUFF APARTMENTS HORIZONTAL
PROPERTY REGIME NO 56, INC.

vs.
Defendant:
ZBIFNIEW MAREK DRZAZGOWSKI AND ALICJA ANNA DRZAZGOWSKI

For: Jannine Mutterer, Esquire
Mutterer Law Firm

Received by Hilton Head Investigations, Inc. to be served on Zbigniew Drzazgowski, 9 West District Drive, Unionville, CT 06085. I, Jason Douglas, being duly sworn, depose and say that on the 15th day of June, 2019 at 9:30 am., executed service by delivering a true copy of the Summons and Notice, Complaint and Exhibits A through F totaling 81 pages in the above action in accordance with state statutes in the manner marked below:

- INDIVIDUAL SERVICE: Served the within-named person.
- SUBSTITUTE SERVICE: By delivering to: _____ as _____, a person authorized to accept service and a person of discretion and appropriate age, residing at the residence of the within named person.
- Based upon Observation, Inquiry and or the Individuals Age, we saw no evidence of the party being in the Military of the United States of America. (
- Non Service: Due to reason detailed in Comments below.

COMMENTS: white male, 60's, about 5'4", 160, gray hair, beard
on European record

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 15th day of June, 2019 by the affiant who is personally known to me.

Melissa B. O'Neil
NOTARY PUBLIC

J Douglas
PROCESS SERVER # N/A
Appointed in accordance with State Statutes

Hilton Head Investigations, Inc.
1 Corpus Christie Place Ste#102
P.O. Box 5458 (29938)
Hilton Head Island, SC 29928
(843) 842-1234
Our Job Serial Number: 2019000738

MELISSA B. O'NEIL BELL
Notary Public, State of Connecticut
My Commission Expires June 30, 2023

DL *Connecticut*
Class: D USA

DRIVER LICENSE

NOT FOR FEDERAL IDENTIFICATION

0 Class: D 12 Restr: NONE 0a Endors: NONE

4a Lic #: 056284308 15 Sex: M
5 DOB: 05-30-1953 16 Ht: 70 in
4b Expires: 05-30-2023 16 Eyes: BLU

DRZAZGOWSKI
ZBIGNIEW
9 WEST DISTRICT RD
FARMINGTON CT 06032

4a Issued: 05-05-2017

276

← 7' 5" 10" ←
not 5' 4"

6

Department of Revenue Services
State of Connecticut
450 Columbus Blvd., Ste 1
Hartford CT 06103-1837

R603 (Rev. 06/18)

Sales and Use Tax Permit

License Number: 1362609



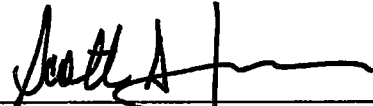
The person named below is licensed under the Sales and Use Tax Act. This permit is good **only** for the named permittee and at the location shown. If there is any change in ownership, the permit is null and void.

Date Issued	Expiration Date	Business Start Date	Connecticut Tax Registration Number
04/26/2019	05/31/2021	06/09/1998	9321373-000

Use Only at this Location:

DRZAZGOLISKI ZBIGNIELW
ZBIGNIFW DRZAGZGOWSKI PROFESSION
9 W DISTRICT RD
UNIONVILLE, CT 06085-1430

DRZAZGOLISKI ZBIGNIELW
ZBIGNIFW DRZAGZGOWSKI PROFESSION
9 W DISTRICT RD
UNIONVILLE, CT 06085-1430



Scott D. Jackson
Commissioner of Revenue Services

This license may not be transferred or assigned.

10


Zbigniew Drzazgowski shared 1 photo with you

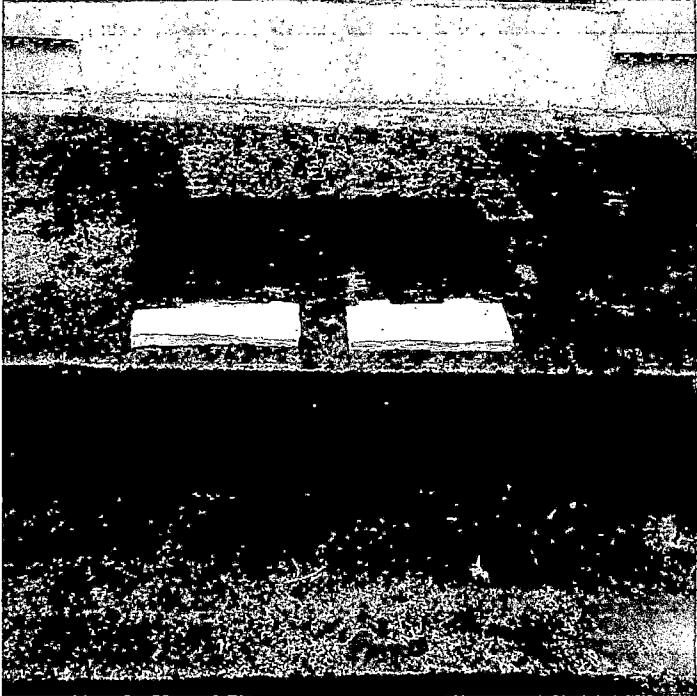
From: Zbigniew Drzazgowski (via Google Photos) (noreply-517789e443d586d8402d7175db0271e1@google.com)

To: drzazgowski@sbcglobal.net

Date: Saturday, August 17, 2019, 8:57 AM EDT



 Zbigniew Drzazgowski shared a photo with you



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Google LLC
1600 Amphitheatre Pkwy
Mountain View, CA 94043 USA


Zbigniew Drzazgowski shared 1 photo with you


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Date: Saturday, August 17, 2019, 8:58 AM EDT



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Google LLC
1600 Amphitheatre Pkwy
Mountain View, CA 94043 USA

Wrong Court
- goes to
Common Pleas

Bluffton Magistrate
4819 Bluffton Parkway
Bluffton, SC 29910

07/07/2019

Zbigniew Drzazgowski
9 West District Rd.
Uninville Ct 06085

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Zbigniew Drzazgowski

Zbigniew, Alicja Drzazgowski
9 West District Rd.
Unionville CT 06085

Jannine M. Mutterer
21 Promenade St. Suite 205
PO. Box 29 SC 29910

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Zbigniew, Alicja Drzazgowski

Alicja Drzazgowski
Drzazgowski

cc:
State of South Carolina
County of Beaufort
Common of Pleas
for the 14 th Judicial Circuit
Civil Action #2019-CP-07-01326

I have been given original documents

[Handwritten signature]

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EXHIBIT INDEX

Exhibits: Marked at Page
(Exhibits retained by Clerk of Court.)

NONE PROFFERED

* * * * *

♀

4

1 This hearing is conducted in
2 accordance with the South Carolina Rules of Civil
3 Procedure.

4 JUDGE DUKES: Good afternoon. We're
5 here in 2019-CP-07-01326. This is South Beach
6 Village Bluff versus Drzazgowski, which I
7 apologize --

8 MR. DRZAZGOWSKI: We have two names.

9 My wife is too on there.
10 JUDGE DUKES: Oh, okay. I just saw
11 yours on --
12 MR. DRZAZGOWSKI: No, my wife, too.
13 JUDGE DUKES: Okay. So --
14 MR. DRZAZGOWSKI: We have two person.
15 JUDGE DUKES: Drzazgowski and her
16 last name is the same as yours then.
17 MR. DRZAZGOWSKI: Alicja, yes.
18 JUDGE DUKES: Okay. Ordinarily, we
19 just refer to the first name, but I note that the
20 case --
21 MR. DRZAZGOWSKI: We have two
22 persons.
23 JUDGE DUKES: -- involves two of
24 them. Okay. So, thank you so much for that
25 correction, sir. This matter was the subject of an

♀

5

1 HOA foreclosure and was scheduled for sale. And
2 then, at some point, the party -- the Defendants
3 filed a notice of intent to appeal with the Court of
4 Appeals. That was filed very close to the sale
5 date.

6 And although no bond had been posted, out
7 of an abundance of caution and taking into account
8 the amount of judgment, which I understand to be a
9 first lien on this property, and the value of the
10 property itself, which I really have no idea of but
11 certainly know it to be, certainly, well in excess

12 of the judgment amount, I felt that equity dictated
13 that I pull that sale and -- to give us time to try
14 to work out, agree on or have the issue -- the
15 appropriate bond amount that is required in this
16 situation to stay the sale of the real estate
17 pending the appeal. And so in that regard, we are
18 here today.

19 So let me begin with Plaintiff. Does the
20 Plaintiff have a proposed -- the statute is
21 problematic. Sometimes it talks about rental value.
22 That's always difficult to do. It talks about --
23 depends on where you look. But I think wide
24 latitude is given to the court to set the bond. But
25 does the Plaintiff have a prayer or request for bond

♀

6

1 in this matter?

2 MS. MUTTERER: Your Honor, given the
3 amount that -- of the Plaintiff's judgment and the
4 amount of the fair market value that we believe the
5 property has and because it's unencumbered, I think
6 we are going to defer to the court in terms of
7 setting the bond.

8 We would simply request that the bond
9 amount be at least the judgment amount just to
10 protect their interest in that judgment. But we
11 will refer to the court to set what it feels is
12 appropriate.

13 JUDGE DUKES: Does the Plaintiff have
14 any idea what a fair monthly rental rate would be

15 100819 south final-1
for this particular unit?

16 MS. MUTTERER: It would be a
17 speculation as an attorney and not as a Realtor.
18 But I would anticipate that given the area and given
19 the proximity to the ocean and that location in
20 Hilton Head, it would probably be approximately
21 \$2,000 per month.

22 JUDGE DUKES: How much are the
23 ongoing HOA fees on this?

24 MS. MUTTERER: The assessments, Your
25 Honor, the normal regime fees -- for regime fees and

♀

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1 the cable fees are only \$206 per month. A fairly
2 small amount.

3 JUDGE DUKES: Okay. So, a whole year
4 of that would be times 12, obviously. But -- okay.
5 Not very much. You believe the market value, based
6 on sheer speculation, I understand, to be roughly
7 \$2,000 a month. Would that be during the high
8 season? I'm guessing the low season we're not
9 talking about that much around there.

10 MS. MUTTERER: I would agree with
11 that, Your Honor.

12 JUDGE DUKES: So, certainly for three
13 months maybe 2,000, but then balance of it, who the
14 heck knows. So, okay. Mr. Drzazowski, you are pro
15 se which means you're here without an attorney, of
16 course. Do you understand what we're doing here
17 today?

18 MR. DRZAZGOWSKI: Yes, sir, but let's
19 start from the beginning. This court -- this case
20 doesn't have to happen. I never got the summons,
21 and my wife. If you have any confirmation that I
22 got it and that I have it, that would be great. I
23 never got it. That's the stuff which I find on my
24 steps. Exterior of the steps of the house. I don't
25 know how long it was there. But this is affidavit

♀

8

1 of the services on two persons.

2 If you read carefully this stuff, you
3 don't have any confirmation that I got it or my
4 wife. Plus, in the description, he said, white
5 male, 60s. That's fine. Five' 4". That's me?
6 One-sixty centimeters. That's me, sir?

7 He met my carpenter which works on the
8 roof because I expect the rain which they said by
9 two next days. And he work on the roof to fix the
10 stuff because I had the leak on -- in the inside.
11 In this situation, he met my Carpenter, not me. And
12 he just left it stuck behind the doormat and left.

13 If you have any confirmation, let me know
14 because the person like from the other side is
15 supposed to be -- she bring the confirmation. She
16 supposed to send me by the mail, registered and
17 certified mail to be sure that I got summons.

18 JUDGE DUKES: Okay. well, let me --

19 MR. DRZAZGOWSKI: I never got them.
20 I mentioned twice to her that I don't have the

21 stuff. Nothing happened. No reaction. She
22 manipulate the time to let me last letter write to
23 you on August 5th. And she expected -- then this
24 letter came to you after this, your decision. Do
25 you understand this?

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1 JUDGE DUKES: Let me -- let me --

2 MR. DRZAZGOWSKI: This case doesn't
3 have to happen.

4 JUDGE DUKES: Hold on one second,
5 sir. So, the case already happened. Okay? And
6 you're -- you've appealed it.

7 MR. DRZAZGOWSKI: But --

8 JUDGE DUKES: I understand that you
9 have --

10 MR. DRZAZGOWSKI: But on the
11 fabricated documents.

12 JUDGE DUKES: Okay. Well --

13 MR. DRZAZGOWSKI: The fabrication
14 cause that she just got the money from me for
15 nothing. This is manipulation. This status right
16 now is a criminal case.

17 JUDGE DUKES: Okay. Hold on one
18 second, sir, because all we're really here today is
19 to figure out an appropriate amount of bond because
20 the law requires that if we're not going to sell the
21 property that I understand --

22 MR. DRZAZGOWSKI: Sir, you make the
23 wrong decision on the -- based on the wrong

24 information which are getting. This case doesn't
25 have to happen. How she fill out the case in your

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1 court without confirmation that she just delivered
2 the summons. This is -- this is base of the law.
3 Sir, this is base of the law. You want me to find
4 -- you want me to tell article about the law in the
5 state? Do you want it?

6 JUDGE DUKES: Sir, I'm really just
7 trying to figure out under the rules what the
8 bond --

9 MR. DRZAZGOWSKI: This case doesn't
10 have to happen.

11 JUDGE DUKES: All right. Well, the
12 case happened, past tense.

13 MR. DRZAZGOWSKI: That's not --
14 that's not my fault.

15 JUDGE DUKES: Okay. Well -- and I
16 see affidavits of service in here. I understand you
17 must be contesting the affidavits of service where,
18 if I'm reading this right, individual service, white
19 male, 60s, about 5'4", 160 pounds, gray hair,
20 beard --

21 MR. DRZAZGOWSKI: Yes.

22 JUDGE DUKES: -- with European
23 accent.

24 MR. DRZAZGOWSKI: Yes. Yes. That's
25 me. That's me.

1 JUDGE DUKES: Okay.
2 MR. DRZAZGOWSKI: That's me, sir.
3 JUDGE DUKES: Okay. well --
4 MR. DRZAZGOWSKI: You could go on the
5 street, 90 percent males in my age would fit this
6 description. Ninety percent.
7 JUDGE DUKES: Okay. well, here's --
8 MR. DRZAZGOWSKI: It proves -- first,
9 sir, find out the rest of it. She don't deliver to
10 my wife. It's separate. This -- all the Defendants
11 have to receive separate.
12 JUDGE DUKES: Okay.
13 MR. DRZAZGOWSKI: Not together.
14 JUDGE DUKES: Sir, I would love to
15 hear from you on --
16 MR. DRZAZGOWSKI: Sir, this case
17 doesn't have to happen.
18 JUDGE DUKES: Okay.
19 MR. DRZAZGOWSKI: It's happened. We
20 have to make cancellation.
21 JUDGE DUKES: I'm happy to hear from
22 you on what you believe an appropriate bond --
23 MR. DRZAZGOWSKI: Because you have --
24 you have the -- you have the publication documents.
25 On base of it, you make decision. You blame me for

1 it? You want me punished for it? sir --
Page 10

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JUDGE DUKES: No. I --

MR. DRZAZGOWSKI: -- this is law and logic.

JUDGE DUKES: Sir, sit down for me. The -- do you have any thoughts on bond amount?

MR. DRZAZGOWSKI: It's nonsense that I put the amounts is the case that it has to happen. That's my point. I came here to put the balance, but what it change?

JUDGE DUKES: Okay. I --

MR. DRZAZGOWSKI: You'll change decision? sir, you'll change decision?

JUDGE DUKES: Here's what I'm going to do. I think I'm going to require --

MR. DRZAZGOWSKI: That's -- they manipulated you. That's -- I'm sorry. Don't blame me for it. Don't punish me for it.

JUDGE DUKES: Okay. I'm really just asking you if you have a suggestion on what the bond might be to stay the sale pending appeal.

MR. DRZAZGOWSKI: Five hundred.

JUDGE DUKES: Five hundred.

MR. DRZAZGOWSKI: That's what it -- don't touch -- what I got. This is my only good

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gesture.

JUDGE DUKES: Okay.

MR. DRZAZGOWSKI: Because I'm not feel that I am guilty.

5 JUDGE DUKES: Okay.

6 MR. DRZAZGOWSKI: Because this case
7 goes by -- from 1970 when I sued them for breaking
8 to my apartment. This is very long case. Very long
9 case.

10 JUDGE DUKES: All right.

11 MR. DRZAZGOWSKI: They broke to my
12 apartment, make a lot of damage and I sued them in
13 Bluffton small court claims.

14 JUDGE DUKES: Okay.

15 MR. DRZAZGOWSKI: what happened over
16 there you can read the entire history in my appeal.
17 This is another (inaudible) of the law. But I
18 accept it. Okay? Fine. This is consequences of it
19 because a lot of stuff come up with it and they
20 didn't react to any of my questions and problems
21 which I had after that.

22 Sir, this is wrong stuff. This is not
23 what happened to yesterday. This is entire
24 manipulation that goes by two years to this point
25 which you have right now. And I promise you that I

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14

1 will sue them anyway. This is for me like a
2 criminal case.

3 JUDGE DUKES: Okay. well, here's
4 what I'm going to do. Somewhere between the more or
5 less speculated \$2,000 a month and your payment of
6 500 is some appropriate amount. I've got to come up
7 with some sort of an amount. I still feel like the

8 purpose of the bond --

9 MR. DRZAZGOWSKI: Five hundred fifty.

10 JUDGE DUKES: Hold on a second. Is
11 to protect the Plaintiff and their judgment. I
12 cannot imagine that there's not good solid
13 collateral to see this through the balance of the
14 appeal.

15 Obviously, if it is not sold, then the
16 property remains in the hands of and the name of the
17 Defendants and they would continue to be responsible
18 for costs including the ongoing --

19 MR. DRZAZGOWSKI: Sir, we have to
20 open another case.

21 JUDGE DUKES: I'm sorry?

22 MR. DRZAZGOWSKI: This is -- we have
23 to open another case. This is not over. Sir, you
24 understand this?

25 JUDGE DUKES: I hope --

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1 MR. DRZAZGOWSKI: I assume.

2 JUDGE DUKES: -- I understand it.

3 MR. DRZAZGOWSKI: I assume.

4 JUDGE DUKES: But anyway -- so, what
5 I'm going to do is set the bond at \$1,000. One time
6 payment of \$1,000.

7 MR. DRZAZGOWSKI: And I appreciate if
8 you open another case.

9 JUDGE DUKES: Okay. I can't just
10 open cases, sir. But -- so, do you understand --

11 MR. DRZAZGOWSKI: No. No. Sir, you
12 understand what happened. The case which was goes
13 to your court wasn't done properly.

14 JUDGE DUKES: I understand that is
15 your opinion.

16 MR. DRZAZGOWSKI: No. No.

17 JUDGE DUKES: I believe --

18 MR. DRZAZGOWSKI: Sir, I have -- I
19 have --

20 JUDGE DUKES: -- that you believe
21 that.

22 MR. DRZAZGOWSKI: I have evidence.

23 JUDGE DUKES: Okay.

24 MR. DRZAZGOWSKI: I don't have this
25 summons which are the base of the case. And you

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16

1 have to first send the summons, have the
2 confirmation that those Defendants got the summons.
3 After that she suppose to fill out the case in the
4 court.

5 JUDGE DUKES: Okay.

6 MR. DRZAZGOWSKI: That's the proper
7 way to start the case.

8 JUDGE DUKES: All right. Well, let
9 me do this.

10 MR. DRZAZGOWSKI: Correct?

11 JUDGE DUKES: What I'm going to do is
12 ask the Plaintiff's attorney to please draft an
13 order that says we came here together on the 8th at

14 3:00, that the Defendant was here, that the
15 parties -- the Plaintiff sought -- I'm not exactly
16 sure what you sought. But somewhere between \$2,000
17 a month and some other number as a bond, that based
18 on the fact that I believe based on an analysis of
19 the case that there is sufficient collateral to
20 protect the Plaintiffs with a minimal bond, that I
21 find that \$1,000 -- that the Defendant suggested 500
22 as a one time, that I believe that 1,000 as a one
23 time bond is appropriate, that he should post that
24 with the Beaufort County Clerk of Court within the
25 next 30 days.

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1 MR. DRZAZGOWSKI: Okay.

2 JUDGE DUKES: That if he fails to
3 post that bond with the Beaufort County Clerk of
4 Court then the Plaintiff may proceed with the sale
5 by presenting another notice of sale to the court.
6 And --

7 MR. DRZAZGOWSKI: Sir, did you plan
8 -- make consolation of your decision on the base of
9 the information which you got?

10 JUDGE DUKES: Sir, we're just here
11 about a bond. Okay? And you have --

12 MR. DRZAZGOWSKI: No.

13 JUDGE DUKES: -- filed an appeal.

14 MR. DRZAZGOWSKI: This is another
15 example. I ask you something.

16 JUDGE DUKES: So, all right. Is
Page 15

17 there anything else from the Plaintiff then?

18 MS. MUTTERER: No, Your Honor.

19 JUDGE DUKES: Okay. Sir, anything
20 else from you?

21 MR. DRZAZGOWSKI: Sir, I think you
22 have explained everything what we're supposed to do.
23 And I think that this next step is make the
24 cancellation of your decision and go to another case
25 in the proper way, the summons, everything like

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18

1 that. You -- it's supposed to be everyone
2 (inaudible). This is -- sir, that's the point.
3 Let's go with the law.

4 JUDGE DUKES: Well, in the interim, I
5 would encourage the parties to see if they can work
6 out a final resolution of this which would suit me
7 just fine. And if that happens, that would be
8 wonderful. So, I don't know if you all have a means
9 of communication by e-mail or otherwise.

10 MR. DRZAZGOWSKI: No. This is
11 official papers which they issue. Sorry. This is
12 official. And on base of it, you make decisions,
13 sir.

14 JUDGE DUKES: Okay. Thank you, sir.

15 MR. DRZAZGOWSKI: She manipulate the
16 time, everything to -- didn't allow me to be here
17 and defend myself.

18 JUDGE DUKES: Let's do this. If the
19 parties can resolve this by some form or fashion,

20 that would be wonderful. If not, please issue that
21 order -- please give me that order which I'll issue.
22 And then, sir, you understand that you have 30 days
23 to post the \$1,000 with the clerk of court that's
24 right across the hall.

25 MR. DRZAZGOWSKI: Okay. If I get the

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19

1 exact information what I suppose to do, yes, sir.

2 JUDGE DUKES: It will be in the order
3 that you'll get a copy of.

4 MR. DRZAZGOWSKI: Yes. And I sue
5 them. I opened another case.

6 JUDGE DUKES: Okay. But anyway, then
7 you take that order to the clerk of court with the
8 \$1,000 and they'll take care of it from there.
9 Okay?

10 MR. DRZAZGOWSKI: Okay.

11 JUDGE DUKES: Do you have any further
12 questions, sir?

13 MR. DRZAZGOWSKI: Not yet. Let's
14 wait, sir --

15 JUDGE DUKES: All right. Any further
16 questions from the Plaintiff?

17 MR. DRZAZGOWSKI: -- and see what
18 happens.

19 MS. MUTTERER: No, Your Honor. Thank
20 you.

21 MR. DRZAZGOWSKI: Thank you.

22 JUDGE DUKES: All right. Thank you
Page 17

23 so much and that will conclude the hearing.
24 (whereupon, the hearing was concluded
25 at 3:05 p.m.)

♀

20

1 Certificate of Reporter

2
3 I, Deborah S. Thomas, Certified Verbatim
4 Reporter and Notary Public in and for the State of
5 South Carolina, do hereby certify that I reported
6 the hearing of 2019-CP-07-01326, South Beach Village
7 Bluff Apartments Horizontal Property Regime No. 56,
8 Inc. v. Zbigniew Marek Drzazgowski, et al, on the
9 8th day of October, 2019; and that the foregoing
10 pages constitute a true and correct transcription of
11 the said hearing.

12
13 I further certify that I am neither
14 attorney nor counsel for, nor related to or employed
15 by, any of the parties connected with this action,
16 nor am I financially interested in said cause.

17
18 I further certify that the original of
19 said transcript shall be hereafter delivered to
20 Zbigniew Drzazgowski, 9 West District Road,
21 Unionville, Connecticut 06085.

22
23 In witness whereof, I set my hand and
24 sealed this 13th day of October, 2019.

25
My Commission
expires 2/7/28

Deborah S. Thomas, CVRM
and Notary Public for the
State of South Carolina

PROOF OF SERVICE OF NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
COURT OF COMMON PLEAS

Marvin H. Dukes III, Court Judge

Case NO 2019-CP-07-01326

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SC Court of Appeals

The South Beach Village Bluff Apartments Horizontal Property Regime No. 56 Inc., Respondent

v.

Zbigniew Marek Drzazgowski and Alicja Anna Drzazgowski, Defendants,

Of whom Zbigniew Marek Drzazgowski

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Jannine M. Mutterer which represent The South Beach village Bluff Apartments Horizontal Property Regime No. 56 Inc. by depositing a copy of it (Certified Mail) in the United States Mail, postage prepaid, on January 24, 2020. The copy was addressed to their attorney of record, Jannine M. Mutterer 21 Promenade St. Suite 205, Bluffton, South Carolina 29910 and copy sent by (Certified Mail) in the United States Mail, postage prepaid on January 24, 2020 to Honorable Marvin H. Dukes III, State of South Carolina, Court of Beaufort, The court of Common Pleas, P.O. Drawer 1128, Beaufort , South Carolina 29901.

February 2, 2020



s/ Zbigniew Marek Drzazgowski
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