

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SUMTER COUTY
Court of Common Pleas

Kristi Curtis, Circuit Court Judge

Case No.: 2018-CP-43-01583
Appellate Case No. 2019-000873

RECEIVED

Nov 25 2020

SC Court of Appeals

M. B. HutsonAppellant,

v.

A. Paul Weissenstein.....Respondent.

Appellant's Response to Respondent's Opposition to Motion to Reinstate Appeal

Comes now the Appellant who states the following:

Steve Kropski, Esq., on behalf of Respondent, A. Paul Weissenstein, promised Appellant that should Appellant place a lawsuit with a Expert Affidavit in his hand, he would agree to settle this case of malpractice by his client. Appellant borrowed the money to obtain an Expert Affidavit Attorney to review and prepare a written sworn affidavit stating the Respondent committed Malpractice.

After serving Respondent's attorney a copy of a complaint with a sworn affidavit, he *then* stated that he needed to "make a little money from the insurance company" before he would settle. Since then, Kropski, Esq. discovered that Appellant had lost

everything and was now indigent due to Respondent's Malpractice. Instead of settling, Respondent's Attorney, Kropski, has vigorously fought Appellant tooth and nail. This lawyer could care less, and in fact, attempts to take advantage of Appellant's financial status due to his client's malpractice.

Appellant filed his Record of Appeal in a timely manner. As a matter of fact, Appellant placed his record of appeal inside the lobby of the Appeal Court, as Kropski well knows.

Appellant has never before filed a record of appeal and did his best based on the information that he had from the Honorable Court understanding that the court would notice Appellant of any discrepancies in the record of appeal and allow Appellant a set time to correct or complete any such discrepancies. Appellant kept checking with the court regarding any items which the Appellate Court might identify as needing attention by Appellant, but Appellant did not discover, nor receive any notice from the Appeals Court of any deficiencies that needed to be addressed.

Appellant takes this case very seriously and has presented overwhelming evidence including the sworn affidavit by the expert witness. In addition, Appellant has submitted clear evidence that shows Respondent's own written statements to Appellant and others that prove Respondent did, in fact, commit malpractice.

Appellant has been fighting for his life since Respondent's malpractice. That malpractice has drug Appellate through undeserved court cases and left Appellant on an income of \$700.00 per month. Appellant has therefore no way to hire an attorney. Counsel for the Respondent is fully aware of Appellant's indigency, and is taking every opportunity to take advantage of this Appellant's situation. Counsel for Respondent is


trying his best to find any way possible to destroy this Appellant. Justice has not YET been a consideration by this Appellate Court nor this well-insured Respondent.

Appellant prays:

- that a notice by the court be mailed to Appellant itemizing and allowing any necessary corrections, clarifications, or additions, deemed necessary by the Appellate Court to be addressed/completed by this Appellant,
- that the Appellant Court recognize that Appellant is Pro SE and has never prepared a record of appeal before and has made a thorough and earnest effort to both comply with all of the guidelines in the preparation of his record of appeal. Furthermore, Appellant submitted all attachments that made his case, as well as those listed on Respondent's long list of documents. Additionally, Appellant prepared and filed his final brief in a timely manner.

Appellant cries out for understanding and mercy from this Appellate Court.

Respectfully submitted this 24th day of November, 2020.



M/B Hutson, Appellate
P. O. Box 2755
Orangeburg, SC 29116
(803) 308 – 2714

Proof of Service attached.

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PROOF OF SERVICE

I, M B Hutson, Appellant, certify that I served a copy of the “Appellate’s Response to Respondent’s Opposition to Motion to Reinstate Appeal”, by depositing a copy of it in the United States Postal Service, postage prepaid, on Wednesday, November 25th, 2020, addressed to Respondent’s Counsel, Steve Kropski, Esq., Earhart Overstreet, P. O. Box 22528, Charleston, SC 29413.

This 25th day of November, 2020.



M B Hutson, Appellant, Pro Se
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