

STATE OF SOUTH CAROLINA
In The Court Of Appeals

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SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2020-001477
Richland County Case No.: 2020-CP-40-01902

Paige M. Easley a/k/a Paige Easley and Macrina Easley.....Respondents

v.

Ann Easley a/k/a Ann Bryant.....Appellant

APPELLANT'S BRIEF REGARDING IMMEDIATE APPEALABILITY OF
ORDER GRANTING MOTION TO SEAL

Appellant Ann Easley Bryant does submit Appellant's
Brief Regarding Immediate Appealability of Order Granting
Motion to Seal. Although no correspondence from the Court
was received requesting this Brief, Appellant is informed
through receipt of the corresponding Brief submitted by the
Respondents with receipt of a copy of their Brief by U.S. Mail.

FACTUAL AND PROCEDURAL BACKGROUND

The Respondents Paige & Macrina Easley concurrently filed
a Complaint (for defamation, etc.) and Motion to Seal with
the Richland Court of Common Pleas on April 9, 2020. The
Complaint stemmed from two papers which I sent to Respondent
Paige Easley ^{'s three neighbors} regarding his Felony Criminal Conviction and
a manifesto regarding the welfare of my daughter Laureana

Easley (who has been forced to live at the house of her Uncle Preston Easley). The manifesto included a picture of Laureana. There was a total of two pages. I, the Appellant had contacted the Richland County Sheriff's Department with concerns for Laureana as she had told me that her uncles (Preston & Paige Easley) were planning for her to fly to to Columbia, S.C. to live with her uncle, Paige Easley. She did not wish to go, so I took action to try to prevent the trip from taking place. As well as being Laureana's mother I had Power of Attorney for her to protect her. I never contacted his employer, nor published anything. Upon communicating with the Richland County Sheriffs Department I conveyed real and true information to them by telephone.

The Complaint and Motion to Seal were served upon me while I was at the Torrance Court House(Los Angeles) on July 13, 2020 attempting to represent the rights of my daughter Laureana (with third party standing) in a Dependent Adult Protective Order against her uncle Preston Easley. I was served in the hallway. The Judge Gia Bosley refused to accept my third party standing and the case was not heard. My brother Preston Easley has a DV Restraining Order against me due to papers which I sent to his neighbors regarding my daughter Laureana and her mistreatment and desire to come home (with me). Although Laureana called 911 asking the police to help her go home her wishes were ignored and she was left at her Uncle Preston's house to suffer his anger and wrath for her having called 911. (This occurred on August 8, 2018).

Although Respondent Paige Easley cryptically stated that Laureana Easley was "in the custody and control of others" in the Respondents' Motion to Seal (page 2) (Exhibit 1) I ~~knew that this was very misleading.~~ Although there is no legal custody or conservatorship over Laureana and she always lived with me voluntarily once she became an adult I have been well aware that she has been "under the control of others" ^{since living with her uncle} which does not mean entirely her Uncle Preston. Since our father Preston W. Easley, Sr. (Air Force Lt. Col) now deceased, observed that a certain neighbor of Preston Easley was a member of the Italian "Mafia" there has been a marked change in Preston Easley's behavior. This has occurred over the course of several years. Being a sister to Preston and Paige Easley and knowing intimate details of our family it is apparent to me that Preston's neighbor and "others" are controlling my daughter through her uncle Preston Easley.

What with my one brother suing me in Los Angeles and the other suing me in South Carolina it has proved to be too costly for me. On July 10, 2020 the hearing for the Motion to Seal was held. I had mailed in a response, but was unable to "attend" by phone because I could not pay my cell phone bill.

ARGUMENT

The Respondents and their Counsel, Mr. Taylor Peace have argued several statutes against the immediate

appealability of the Order to Seal.

1. Arguing that the appeal should be dismissed the

Respondents cited:

- (a) Article V 5 of the South Carolina Constitution
- (b) S.C. Code Ann. 14-3-330(1976), as amended
- (c) Hagoed v. Sommerville, 362 S.C. 191, 196. 607 S.E. 2d 707, 709
- (d) Mid-State Distributors v. Century Importers, Inc., 310 S.C. 330, 426 S.E. 2d 777 (1993)
- (f) Good v. Hartford Accident & Indemnity Co., 201 S.C. 32, 41-42, 21 S.E. 2d 209, 212(1942)

There are more citations which can, of course, be found in the Respondent's Brief.

While the Respondents argue that, IV. The Order to Seal is interlocutory, does not affect a substantial right, does not involve the merits, and, as a result, is not immediately appealable," the Appellant cannot agree.

2. THE SEALING OF DOCUMENTS CONSTITUTES A FINAL ORDER

- (a) In context of closure orders, for example; The Third Circuit Court of Appeals could hear an appeal..of sealing the record. The Court noted that the order, "Constituted a final decision since it determined a matter independent of the issues to be resolved in the proceeding itself. United States v. Cianfrani 573 F 2d 835, 845(3d Cir 1978)
- (b) Immediate appeals should be granted from orders that are "final" in that they will not be subsequently changed by the trial court and will not be merged with the final judgement. Cohen v. Beneficial Industrial Loan Corporation 337U.S.541(1949) Id at 546.

The Appellant argues that if the law suit were to be dropped the documents would remain sealed, and as such the Order to Seal is a final and stand alone order.

CONCLUSION

For the forgoing reasons-(a) The sealing of a record is final, a final decision independent of the proceeding itself; and (b) The order to seal the record is not changed by the trial court nor merged with the final judgement. The Appellant Ann Easley Bryant argues that the Order Granting Motion to Seal is, in fact, immediately appealable.

SEALED DOCUMENTS

The Appellant is not at all sure what information, mailings or "documents" were put under seal. Is the felony conviction of the Respondent (Exhibit 2) put under seal? And what does the Respondent's affidavit say including any statements against her?

QUESTION OF TIME AND DELAY

The Appellant requests that the Appellate Court accept her Brief regarding the appealability of the Motion to Seal at this late date.. She requests that the Court accepts this Brief in the interests of justice in accordance with SCRCF 15(a)"...when justice so requires."

The Appellant along with her husband has had to live in a camper for months while trying to attend to legal issues on both coasts of the country. Often times there has not been enough money to cover the bare necessities of food and gasoline, or even money for stamps to mail a letter.

Date: February 24, 2021

Signed: Ann Easley Bryant
Ann Easley Bryant

EXHIBIT 1

daughter, Laurena Camila Easley ("L. Easley"), who does not reside with them and is in the custody and control of others. Despite their falsity, these allegations have a tendency to damage Plaintiffs' reputation, cause them embarrassment, humiliation, and other mental suffering. Also, leaving the documents and filing unsealed are likely to affect P. Easley's employment and his ability to make a living in the future as will be more fully explained at the hearing on this Motion. Unfortunately, there are no other alternatives to sealing the aforesaid documents as they are essential to Plaintiffs' case and the crux thereof. Redaction is also not available as the documents are replete with the allegations at issue. Without the documents and their contents, Plaintiffs' will be deprived of an opportunity to bring their case forward and are an essential tool needed to prosecute the same.

Concerning the factors set forth in Rule 41.1, Plaintiffs asset the following:

- 1) Sealing of the documents is needed to insure a fair trial so that the public and potential jurors will not be tainted by the false and outrageous allegations contained in the documents prior to a trial;
- 2) The need for witness cooperation factor is not relevant in this matter as the witnesses known to Plaintiffs are willing to testify even if the documents are left unsealed;
- 3) Plaintiffs expect the documents to be and remain confidential to the extent they can based on their offensive, outrageous and false nature;
- 4) There is little public significance of the lawsuit, but the documents and the allegations therein, if they are further published by being kept unsealed, have a high likelihood of damaging P. Easley's ability keep his employment and find employment in the future;
- 5) The disclosure of the documents have a high likelihood of harming Plaintiffs' in the form of embarrassment, public humiliation, and harm to their private and public reputations;
- 6) The documents that Plaintiffs seek to file are replete with the allegations at issue and redaction of the documents are not practical, and, as a result, there are no other alternatives; and

1 GARY T. YANCEY, District Attorney
2 Contra Costa County
3 Kirk Andrus, Deputy District Attorney
4 Bar No. 183756
5 Court House, Fourth Floor, Room 402
6 725 Court Street; P.O. Box 670
7 Martinez, California 94553-0150
8 Telephone: (925) 646-4500

9 Attorneys for Plaintiff

FILED

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BY: *[Signature]*
M. Correse, Deputy Clerk

10
11 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **IN AND FOR THE COUNTY OF CONTRA COSTA**

13 * * * * *

14 THE PEOPLE OF THE STATE OF CALIFORNIA,

15 Plaintiff,

16 v.

17 **PAIGE EASLEY,**

18 Defendant./

NO. 010151-9
DA No. X 00 000182-6
INDICTMENT
01) PC 243.4(a)
02) PC 289(a)(1)
03) PC 236/PC 237
04) PC 243.4(a)
05) PC 288a(2)/664
06) PC 209(b)(1)
07) PC 220

19 The Grand Jury of the County of Contra Costa hereby accuses

20 **PAIGE EASLEY**, Defendant, of the crime of felony, a violation of California Penal Code
21 section 243.4(a) (Sexual Battery by Restraint), committed as follows:

22 On or about May 14, 1999, at Danville, in Contra Costa County, State of
23 California, the Defendant, **PAIGE EASLEY**, for the purpose of sexual arousal, sexual
24 gratification, and sexual abuse, did unlawfully touch an intimate part of Jane Doe, who was
25 restrained by the Defendant and an accomplice, and the touching was against the will of
26 Jane Doe.

27 **COUNT TWO:**

28 The Grand Jury of the County of Contra Costa further accuses

PAIGE EASLEY, Defendant, of the crime of felony, a violation of California Penal Code
section 289(a)(1) (Forcible Foreign Object Genital Penetration), committed as follows

On or about May 14, 1999, at Danville, in Contra Costa County, State of California,

1 the Defendant, **PAIGE EASLEY**, by force, violence, duress, menace, and fear of immediate
2 and unlawful bodily injury on Jane Doe and another person, and for the purpose of sexual
3 arousal, gratification, and abuse, did unlawfully cause non-consensual penetration by a
4 foreign object, substance, instrument, device, and by an unknown object, of the genital
5 opening of Jane Doe.

6 **COUNT THREE:**

7 The Grand Jury of the County of Contra Costa further accuses
8 **PAIGE EASLEY**, Defendant, of the crime of felony, a violation of California Penal Code
9 section 236/237 (False Imprisonment by Violence), committed as follows:

10 On or about May 14, 1999, at Danville, in Contra Costa County, State of
11 California, the Defendant, **PAIGE EASLEY**, by means of violence, menace, fraud, and
12 deceit, did unlawfully violate the personal liberty of Jane doe.

13 **COUNT FOUR:**

14 The Grand Jury of the County of Contra Costa further accuses
15 **PAIGE EASLEY**, Defendant, of the crime of felony, a violation of California Penal Code
16 section 243.4(a) (Sexual Battery by Restraint), committed as follows:

17 On or about May 14, 1999, at Danville, in Contra Costa County, State of
18 California, the Defendant, **PAIGE EASLEY**, for the purpose of sexual arousal, sexual
19 gratification, and sexual abuse, did unlawfully touch an intimate part of Jane Doe, who was
20 restrained by the Defendant, and the touching was against the will of Jane Doe.

21 **COUNT FIVE:**

22 The Grand Jury of the County of Contra Costa further accuses
23 **PAIGE EASLEY**, Defendant, of the crime of felony, a violation of California Penal Code
24 section 288a(2)/664 (Attempted Forcible Oral Copulation), committed as follows:

25 On or about May 14, 1999, at Danville, in Contra Costa County, State of
26 California, the Defendant, **PAIGE EASLEY**, by force, violence, duress, menace, and fear of
27 immediate and unlawful bodily injury to the victim, did unlawfully attempt to participate in an
28 act of oral copulation with and against the will of Jane Doe.

AP/EHD
S A O

Superior Court of California, County of Contra Costa
FELONY ORDE OF PROBATION

CONCORD MARTINEZ PITTSBURG RICHMOND WALNUT CREEK

DEFENDANT PAIGE EASLEY DOCKET NO. 01-111945-2 DEPT: 4
The above named defendant having been convicted in this court of the offense(s) of violation PC 243.4

IT IS ORDERED THAT: imposition execution of sentence be suspended during period of probation with the following terms and conditions:

TERMS OF PROBATION: (Applicable Items Checked):

- 1. STATE PRISON - EXECUTION SUSPENDED - Fixed Term of: _____ yrs/months California Department of Corrections.
 - FORMAL PROBATION GRANTED: Conditional and revocable release in community with Probation supervision except as specified by the Court.
 - COURT PROBATION GRANTED: Conditional and revocable release in community without Probation supervision except as specified by the court.
- For a period of 3 months/yr from the date of this order.
- STANDARD TERMS (see reverse for standard terms and additional instructions)
 - REVIEW DATE: _____
 - Defendant must appear in Court.
 - Defendant need not appear unless directed by DPO.

JAIL/FINE/VOLUNTEER WORK/ RESTITUTION

- 3. Be IMPRISONED 180 hrs / days / months
- 6 hrs / days / months credit.
- _____ hrs / days / months suspended.
- Sentence to commence _____.
- Serve consecutive / concurrent with _____
 any imposed sentence.
- Other _____
- Main Jail Work Alternative Program in Long Beach
- Electronic Home Detention in _____ County allowed.
- Contact Custody Alternative Bureau (CAB) within 15 days
- Remain in custody in the Contra Costa County Jail pending possible release by the Probation Officer to a residential treatment program and balance of remaining jail sentence be suspended.
- Day for day No credit for time served in approved residential program unless successfully completed.
- OTHER: _____

- 4. Pay a FINE of \$ _____
- Pay RESTITUTION FINE of \$ 200
- Make monthly installments to Court Collections & Compliance Unit, Complete payments by _____.
- Pay to Clerk of Court by _____
- Probation to terminate upon payment of fine/completion of jail sent.
- _____ days jail concurrent / consecutive in lieu of fine.
- OTHER: _____

- 5. Perform _____ hrs VOLUNTEER COMMUNITY SERVICE
- In lieu of fine OTHER: _____
- Show proof of completion to Court or DPO by _____

- 6. Make RESTITUTION of \$ _____ to _____
- Make RESTITUTION as determined by the Probation Officer.
- Show proof of restitution to Court or DPO by mediated amt
- Honor any civil judgments as a result of this conviction.
- OTHER: _____

- 7. Submit your person, place of residence, storage locker or any vehicle under your control to search and seizure at any time of day or night, with or without warrant, to any peace officer.
- for alcoholic beverages _____

- 8. Not use or possess any dangerous drugs, narcotics or narcotic paraphernalia without prescription.

- 9. Not have checking or charge accounts, or possess, control or have custody of checks/credit cards except checks payable to you.
- 10. Do not own or possess or control any firearm or weapon.
- 11. Weapon ordered confiscated destroyed returned to _____
- 12. Do not annoy/harass/threaten/contact _____
- 13. Contact Probation Officer within 5 (five) days.
- 14. Cost of Probation \$ 50.00
- 15. Abstain from the use of alcoholic beverages.
- 16. Submit to drug/alcohol detection tests as directed by DPO or any peace officer and pay costs not to exceed \$10.00 _____
- 17. Not go places where alcoholic beverages are the chief item of sale.
- 18. Pay a laboratory analysis fee (H&S 11372.5) of \$ _____ and a drug education fee (H&S 11372.7) of \$ _____.
- 19. Not associate with _____ or with any individuals designated in writing by the Probation Officer.

PROGRAM TERMS

- 20. Register per H&S 11590 PC 457.1 PC 290
- 21. Submit to all tests and pay all fees as directed by DPO.
- 22a. Report to Post Conviction Drinking Driver's Program within 10 days and comply with its rules and fee requirements.
- 22b. Attend Domestic Violence Program.
- 23. Participate in counseling as directed by the Probation Officer and not leave or terminate program without permission.

24. OTHER: Not possess pornography

DRIVING TERMS

- 25. Driving privilege restricted for _____ to / during / from: Employment, treatment program School
- 26. Driving privilege suspended / revoked for _____
- 27. Not drive a motor vehicle unless properly licensed and insured.
- 28. Not drive vehicle with any measurable alcohol in blood.
- 29. If arrested for a violation of 23152 or 23153 CVC, not refuse a chemical test for the detection of alcohol.

ADDITIONAL TERMS

No contact with victim
Blood Saliva, palm 296 PC
HIV testing 1202.1 PC

Although not a condition of Probation, you are ordered to pay the following fees: \$25 Booking \$10 Cite CJA \$ _____
 Other fees \$ _____ Cost of Probation \$ _____ month

I HAVE READ AND RECEIVED A COPY OF THESE CONDITIONS OF PROBATION AND I UNDERSTAND AND AGREE TO PERFORM THEM AND UNDERSTAND THAT IF I FAIL TO DO SO, MY PROBATION MAY BE REVOKED AND I MAY BE SENTENCED TO JAIL OR SENTENCED AS OTHERWISE PROVIDED BY LAW.

DEFENDANT'S SIGNATURE [Signature]
SOC. SEC. # _____ DOB _____
ADDRESS _____
CITY _____ ZIP _____
HOME PH. _____ MSG. PH. 370 308-4112

COMMITMENT: TO THE SHERIFF: I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ENTRY OF JUDGMENT OR ORDER AND IS YOUR AUTHORITY FOR THE EXECUTION THEREOF.
Manly O'Malley 1-31-01
JUDGE DATED

RECEIVED
FEB 26 2021
SC Court of Appeals

February 21, 2021

Ann Easley Bryant
P. O. Box 1782
Columbus, NM 88029
Ph. 575.551-0208

The Honorable Jenny Abbett Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: Paige M. Easley a/k/a Paige Easley and Macrina Easley v.
Ann Easley Bryant

Appellate Case No.: 2020-001477
Case No. 2020-CP-40-01902

Dear Ms. Kitchings,

Please find enclosed a copy of the Appellant's Brief regarding Immediate Appealability of Order Granting Motion to Seal. Would you please file the same.

By copy of this letter, I am serving Taylor Peace, attorney for Paige & Macrina Easley a copy of the enclosed Brief.

Thank you for your time and attention.

Sincerely,

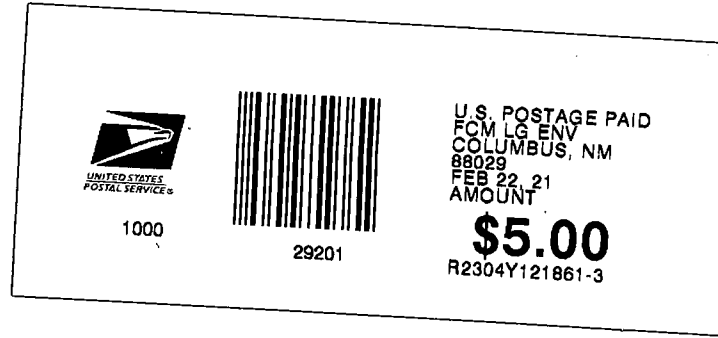
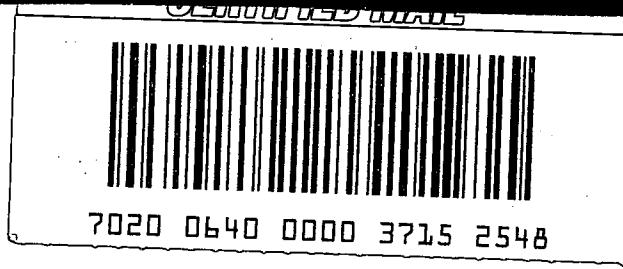


Ann Easley Bryant

Enclosures

cc: Taylor Peace (via 1st class mail)

A.E.B.
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