

From: [Janet Frisco](#)
To: [Stephan Futeral](#); [Stephanie Smith](#); [McCoy, Jennifer B. Law Clerk \(Victoria Tuten\)](#); [Court Of Appeals Filings](#)
Subject: Defendant's Request for a Continuance
Date: Tuesday, February 15, 2022 3:50:07 PM

RECEIVED

Feb 15 2022

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SC Court of Appeals

Dear Mr. Futeral,

I copied your email and am replying in bold italics after each paragraph. First of all the subject is my continuance request. I think you're the one who is having a problem understanding where we are at in this litigation so I'm going to try and explain it to you by replying to everything you said here as briefly as possible.

Ms. Frisco,

To help you understand why your appeal does not stay the case, you need to read Rule 225(b)(8) that provides an injunction or temporary restraining order is not stayed by an appeal. Also, you need to read Rule 225(a) that provides that the "lower court or administrative tribunal retains jurisdiction over matters not affected by the appeal including the authority to enforce any matters not stayed by the appeal."

I've read it all and I understand it.

Here, you appealed an injunction/restraining order. Under Rule 225(b)(8), the TRO/injunctive order is not stayed. Also, you appealed an order holding you in contempt, but the lower court still has jurisdiction over matters not affected by the appeal such as my client's motion for summary judgment.

I didn't appeal an injunction/restraining order so I'm not sure where "here" is or why you're saying that. If you mean my appeal to the S.C. Appellate Court, you need to read my Notice of Appeal again. It stays the issues mentioned in my appeal and I understand that, but I did request in my pleadings past and present.

I encourage you to speak with a lawyer about the interplay between the appellate and circuit court jurisdictions. Otherwise, I hope this email helps you understand the process and why the case moves forward despite your appeal.

You committed fraud upon the court and that makes all orders null and void until that is addressed in the upper court. I don't need to consult a lawyer because I have the Holy Spirit guiding me to all truth.

As a side note, when the court sends instructions for the virtual hearing, there will be a telephone number to call in just as there was for the other virtual hearings in this case.

I received the notice with directions from the clerk of court and the phone-in number is NOT included on the notice. Your client should not have any say in whether a continuance is granted as a party in a lawsuit. That decision is under the jurisdiction of the chief administrative judge of the Charleston County Court of Common Pleas. I have a legitimate reason to request it problems logging in. It was originally scheduled for a hearing on December 17, 2021 and at that time you requested a continuance without providing any reason at all and were granted it. I objected and was overruled. There is no reason not to grant my request for a continuance until it can be scheduled in an actual courtroom that I'm aware of.

**Janet L. Frisco,
FAMILY COURT CASE 2021-CP-10-2868
APPELLATE CASE 2022-000021**

Best wishes,

