

**RESPONSE TO RESPONDENT'S
"MOTION TO ALLOW LATE FILING AND MOTION TO STRIKE PETITIONER'S
REPLY BRIEF" DOCUMENT**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
[In the Supreme Court]

RECEIVED
Nov 21 2022
SC Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas
Roger M. Young, Sr.
Trial Court case No. 2020CP0800267

Case No. 2020-000629

Lisa Michelle Ray, Appellant

v.

Parkway Village Apartments, Respondent

**RESPONSE TO RESPONDENT'S
"MOTION TO ALLOW LATE FILING AND MOTION TO STRIKE PETITIONER'S
REPLY BRIEF" DOCUMENT**

November 21, 2022

Lisa Michelle Ray
775 Sangaree Parkway Blvd.
Apt 5C
Summerville, SC 29486
Cell Number – 843-964-9887
Appellant is Self-Represented

Paul B. Ferrara III
Ferrara Law Firm PLLC
8887 Old University BLVD., Ste. 200
North Charleston, SC 29406
Phone – 843-569-5511
Attorney for Parkway Village Apartments, Respondent

This return response is to the motion from the respondent, filed on 11/9/22.

1. Respondent request for the inclusion of the 12/23/21 brief and designation of matter information.
 - a. The respondent references a brief and designation of matter that they filed on 12/23/21 (filed past the required date of return). Because these documents were filed late, the courts sent a letter to the respondent on 1/5/22, requiring them to file a “motion to amend the respondent's initial brief and designation of matter” within ten (1) days of the 1/5/22 date (*a copy of that letter is included at the end of this document*). Then, on 2/2/22, the courts sent a letter to the respondent stating that since they did not receive a motion to amend, they would only consider the respondent’s initial brief (filed on 10/26/21), and that the 12/23/21 brief and designation of matter would not be considered (*a copy of that 2/2/22 letter is included at the end of this document*).
 - b. Because the court has already ruled that the 12/23/21 documents are not to be included in this case review, the content of those documents was not needed in the appellant “record on appeal”.
 - c. This point from the respondent is incorrect and should not be included.
2. Respondent comments about their computer program not providing them with the correct date for a response.
 - a. No real comment here, other than their computer program should have used the “record on appeal” dates that were originally met by the appellant.
3. Respondent mentions that the appellant final reply brief doesn’t comply and should be stricken.
 - a. Not much is stated here by the respondent, but the final reply brief is a reply to the original brief from the respondent, dated 10/26/21 (*copy of this brief is attached here*) and not the 12/23/21 brief that has already been rejected by the courts.
 - b. Based on this, there is nothing missing or mis-stated on the final reply brief, and it should be accepted as submitted.
4. Respondent mentions the appellant initial brief and specific sections
 - a. I don’t really think the respondent means the initial brief, but is actually talking about the final reply brief.
 - b. If the respondent is talking about my initial brief, then none of his references exist in that document.
 - c. If the respondent is actually talking about the final reply brief, then here is my response
 - i. (1)(a) and (1)(b) missing on R.O.A. – These are not actually documents, but are points of contention that I have repeatedly made (in CD of lower court appearance/transcript), thus are in the R.O.A, in the CD of the court transcript.
 - ii. (2)(a), (2)(b), (2)(c) is not in Initial Brief or the R.O.A. – More confusion from the respondent. These statements are in my final reply brief, which really has nothing to do with my initial brief. Furthermore, the parts 2.a and 2.b are in the R.O.A. (pages 27-32).

Based on the information I am providing above; I believe that the respondent is just attempting to delay this effort and does not really have any case against me staying in my apartment.

I believe his motion should be rejected.

November 21, 2022

Respectively submitted

Lisa Michelle Ray
775 Sangaree Parkway Blvd.
Apt 5C
Summerville, SC 29486



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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January 05, 2022

Mr. Paul B. Ferrara, III, Esquire
8887 Old University Blvd. Ste 201
N. Charleston SC 29406-9603

Re: Lisa Michelle Ray v. Parkway Village Apartments
Appellate Case No. 2020-000629

Dear Counsel:

We are in receipt of the respondent's initial brief and designation of matter filed on December 23, 2021. Please be advised that you must serve and file a motion to amend the respondent's initial brief and designation of matter. This motion must be served and filed within ten (10) days of the date of this letter or the amended respondent's initial brief and designation of matter will not be considered. The timeline for the appellant to serve and file an amended appellant's initial reply brief and designation of matter will be held in abeyance pending receipt of a motion to amend the respondent's initial brief and designation of matter. Therefore, by copy of this letter, the appellant is advised that no further action will be taken on the motion for an extension of time to serve and file an amended appellant's initial reply brief and designation of matter.

Very truly yours,

V. Claire Allen

CLERK

cc: Lisa Michelle Ray



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

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February 02, 2022

Mr. Paul B. Ferrara, III, Esquire
8887 Old University Blvd. Ste 201
N. Charleston SC 29406-9603

Re: Lisa Michelle Ray v. Parkway Village Apartments
Appellate Case No. 2020-000629

Dear Counsel:

As of the date of this letter we have not received a motion to amend the respondent's initial brief and designation of matter as requested in this Court's letter dated January 5, 2022. Therefore, this Court will consider the respondent's initial brief filed by your client and no further action will be taken on your amended respondent's initial brief and designation of matter.

Very truly yours,

V. Claire Allen

CLERK

cc: Lisa Michelle Ray

BRIEF OF THE RESPONDENT

RECEIVED

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
[In the Supreme Court]

OCT 28 2021
SC Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas
Honorable Roger M. Young, Sr.
Trial Court Case No.: 2020CP0800267

Case No.: 2020-000629

Jaquetta Elias, as representative
Of Parkway Village Apartments
775 Sangaree Parkway Blvd.
Summerville, SC 29486
Respondent,

Lisa Michelle Ray
(mailing address)
PO Box 62
Goose Creek, SC 29445
(physical address)
775 Sangaree Parkway Blvd., Apt. 5C
Summerville, SC 29486
Appellant,

TABLE OF CONTENTS

Brief of Respondent Cover Sheet	1
Table of Contents.....	2
Statement of Issues on Appeal.....	3
Statement of the Case.....	3
Arguments.....	3
Conclusion.....	4

STATEMENT OF ISSUES ON APPEAL

1. Ms. Ray was late payment in rent for the month of January 2020 in the amount of \$160.00 including the late fees (rent is normally \$147.00).
2. Ms. Ray lost the first appeal on March 9, 2020 therefore she is appealing that decision.

STATEMENT OF THE CASE

Ms. Ray was late on paying her rent for the month of January 2020. Ms. Ray was given a late notice that she needed to pay her rent that was due on the 1st of the month and late after the 5th of the month. Ms. Ray did not pay her rent therefore an Eviction notice was taken out on January 14, 2020. Once Ms. Ray was served with the Eviction notice, she requested a Rule to Show Cause hearing which was scheduled and heard on January 23, 2020 in front of the Honorable Rad S. Deaton. Ms. Ray admitted that she did not pay her rent and that it was Christmas time and that she wanted her grandkids to have a good Christmas so she brought them presents so that they would have a good Christmas. Judge Deaton, upheld the Eviction and a Writ of Ejectment was issued on January 27, 2020.

Once Ms. Ray received the Writ of Ejectment on January 28, 2020, she filed an appeal and the Bond to Stay was heard on January 30, 2020 whereas Judge Rad S. Deaton required her to pay within five (5) days the amount of \$147.00 and that the amount must be paid on time no later than the 5th of the month. Ms. Ray paid the amount that was required of her to pay.

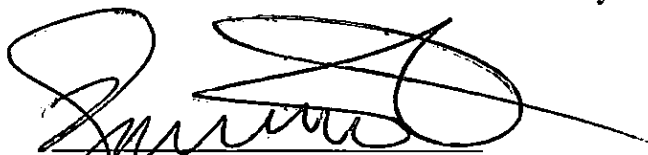
On March 9, 2020, the appeal case was heard in front of the Honorable Roger M. Young, Sr. where Judge Young denied Ms. Ray's appeal stating that the Magistrate did not make any errors in law and that since Ms. Ray has paid the month of March that Ms. Ray would need to vacate on March 31, 2020. When March 31, 2020 came and Ms. Ray had not vacated the unit, I preceded to let her know that she would have to and I went to the Magistrate's Office to obtain the Warrant of Ejectment. Once Ms. Ray received the Warrant of Ejectment, she filed an Appeal in Columbia so that she would not have to vacate the property. Ms. Ray has been told that she needed to vacate and that a lease would not be reissued to her.

ARGUMENTS

Since Ms. Ray filed an appeal in the Court of Appeals stating that Judge Deaton erred in law and Judge Young denied her appeal stating that the Magistrate did not make any errors of law and Ms. Ray needed to vacate on March 31, 2020, I feel that the appeal should be denied and that Ms. Ray needs to vacate the premises.

CONCLUSION

Ms. Ray needs to vacate the said premises. Parkway Village has not accepted any rental monies from Ms. Ray so that there would not be any Landlord/Tenant Relationship with Ms. Ray. Ms. Ray has been notified that a new lease would not be given. This case has been going on for over a year and it needs to be resolved. Parkway Village has not accepted any monies from Ms. Ray therefore Ms. Ray should have monies saved to allow her to find accommodations for herself. Ms. Ray states that she is disabled and I am not stating that she is not but she rides her bike any time she wants to and walks anywhere she wants to. Ms. Ray can't use her disabilities as a crutch to suit her needs when necessary.

A handwritten signature in black ink, appearing to read 'Jaquetta Elias', written over a horizontal line.

Jaquetta Elias, as representative
Of Parkway Village Apartments
775 Sangaree Village Apartments
Summerville, SC 29486

October 26, 2021

PROOF OF SERVICE OF RESPONSE TO RESPONDENT MOTION
THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

RECEIVED

Nov 21 2022

SC Court of Appeals

APPEAL FROM BERKELEY COUNTY
South Carolina Court of Common Pleas
Berkeley County Summary Magistrate Court
Honorable Judge Roger M. Young
Berkeley County, SC
Appellate case number 2020 000 6 2 9

Lisa Michelle Ray, Appellant,

v.

Parkway Village Apartments, Respondent

PROOF OF SERVICE OF RESPONSE TO RESPONDENT MOTION

I certify that I have served a copy of the Response to the Respondent's Motion to allow late filing and motion to strike petitioner's reply brief to all respondents by serving a copy via email to paul@ferraralawfirm.net and by depositing a copy via USPS, postage prepaid, on November 21, 2022, addressed to:

(Representative for the Respondent)
Ferrara Law Firm,
Paul B. Ferrara III,
8887 Old University Blvd.,
Ste. 200
North Charleston, SC 29406

Lisa Michelle Ray
Apt 5C
775 Sangaree Parkway Blvd.
Summerville, SC 29486