

June 03, 2013

Mell Woods
P.O. Box 2603
Lancaster, SC 29721

Moses Koon & Brackett PC
Mr. B. Michael Brackett
P.O. Box 100261
Columbia, SC 29202

Re: Court of Appeals Case Number 2012 212318
Circuit Court Number 2011-CP-12-0291

RECEIVED

JUN 06 2013

SC Court of Appeals

Dear Mr. Brackett:

Enclosed is your service copy of the appellant Final Brief which is being filed today (June 03) in the Court of Appeals.

Also attached are three pages of the verified answer filed in this case. The answer is dated March 24, 2011, and is one of the items which you designated to be included for the Record on Appeal. The three pages occur in the Record between pages 603, and 604. The reason that these pages are missing out of your service copy for the Record on Appeal is that I used a certified copy from the magistrate court when I built the Record, and these pages were missing in the certified copy.

However, I do know that you are in possession of the three missing pages, because (1) the magistrate court sent a full copy of the answer to you to start with, and (2) I found the missing pages in the material you served on me while this case was pending in the Supreme Court.

In all events, I do apologize for all inconvenience the missing pages will cause to you and your clients. The missing pages have been labeled, "603-A" "603-B" "603-C" with "603-D" being used as a spacer page; copies of the missing pages are attached to this letter.

Sincerely,

Mell Woods

Copy to: Clerk's Office Court of Appeals, South Carolina.

properly served;

The South Carolina Supreme Court has ruled that a court, (any court), can acquire jurisdiction of a defendant **ONLY AFTER** a summons and complaint is filed and served, BB&T v. Taylor, 369 S.C. 548, (2006);

THIRD DEFENSE:

Defendant comes now in a special appearance, and DENIES the following paragraphs of the plaintiff complaint:

Note: Defendant's denials are made upon personal knowledge after having examined each and every page of the court records and are therefore made upon personal knowledge, and sworn to as the truth; plaintiff allegations are only made upon "information and belief", and in the end, only the "beliefs" of affiant Robert Breakfield, and as such are not worthy of belief;

Response to allegation one:

Number one is false; Mrs. Hinson held a fee estate, and full ownership estate, not a "Life Estate" as stated;

Record:

603-A

Response to allegation two:

Number two is not responded to;

Response to Number three:

It is not true that the will in question created a "Life Estate"; the will granted a fee simple estate (read the will), ANY words added after fee simple are simply "super-added" words, and do not mean anything;

Response to Number four:

Early during year 2007, defendant notified the Chester County Probate Court that defendant had an interest in the Hinson Estate and wanted to be notified of any proceedings; defendant was not notified, and thus any order entered in the estate is a nullity.

Record:

603- B

Response to Number five:

As stated earlier, Mrs. Hinson had full ownership of all of the property formerly owned by her husband, Mr. Levie Hoyt Hinson; the agreement defendant had with Mrs. Hinson was a type of land contract, and when fulfilled, defendant will be the owner of the land where the building sits;

Response to Number six:

Number six is not true either, the court order plaintiffs refer to in Exhibit A was obtained by fraud;

Response to Number seven:

Number seven is a false assertion of the true facts; Mrs. Hinson's will needs to be probated, and at that time the true owners will emerge;

Record:

603- C

This page is BLANK the next page is 604

Record:

603- D