

**RECEIVED**

JAN 24 2023

**AMENDED INITIAL REPLY BRIEF**

**SC Court of Appeals**

The Appellant filed a Summons and Complaint on January 7, 2022. The Appellant should have received an answer to the complaint by/within 30 days per Summons and the Appellant did not. See Affidavit of service was sent. Letter from Respondent was received February 10, 2022, "LATE", RESPONDENT IS NOW IN Default. E-filing is backup for existing paperwork used to make changes. The county did not file the complaint, the Appellant did. The Honorable Judge Benjamin, did not follow the civil procedures which is stated on the original paper work the "Summons". The Honorable Judge Benjamin said she was not up on the paperwork procedures for <sup>PAPER</sup> [REDACTED] filing, and she would look into it (September 21, 2022) see transcript reference Honorable Judge Benjamin's statement. Respondent did not answer brief, the respondent did in fact use a lot of false narratives. The cases, statues, and rules they presented has nothing to do with this case. The appellant will provide a summary of each case, statues and rules.

**STANDARD OF REVIEW**

There was no letter presented to the Appellant asking for an extension from Richland County or Respondent. Stark Truss Co, Superior Const. Corp., 360 S.C. 503, 602 S.E. 2d 99. This ruling is referencing default, anything else enhances Appellant claim. The Respondent is in Default. The letter was not received by the Appellant until after the 30-day period which makes the Respondent in default. Filing to the county is not getting the information to the Appellant. The legal procedure to the Summons said they had 30-days; the Respondent did not meet the deadline.

## ARGUMENT

The Appellant could not file an appeal until both cases had final order. Lancaster v. Fielder, 305, S.C. 418, 409, S.E. 2d 375 (1991) has nothing to do with a default case, the case results states “a change of venue”. Link v Sch Dist of Pickens Cnty. S.C. 1, 393 S.E. 2d 176 (1991), this case has nothing to do with the appellant case 2022-001512. The appellant could not file an appeal until both cases were finalized. The summons is the legal procedure it is absolute and they sign and received it along with instructions. Once a Default Motion is filed and proved, Respondent is in default, and to dismiss the case is not applicable. Lancaster, 305 S.C. at 421, 409 S.E. 2d at 377, this has nothing to do with the appellant this is also NON-APPLICABLE. The Motion to dismiss did not get to the appellant until February 10, 2022, which is late and “NON APPLICABLE.” The Respondent is repeating the same point and not admitting the fact, that they had to answer the complaint to the Appellant by February 7, 2022, that is the paperwork not an e-file of such to the appellant....and the respondent did not respond, they were in default. And again, mailing a letter on the 7<sup>th</sup> is not getting the letter to the appellant on February 7, 2022. In the letter they said they did not have the responsibility to send the appellant any correspondence, so their arrogance got the best of them by not respecting the time factor in sending the letter which was late. So, the respondent is in default again. At this time the appellant is asking the Court of Appeals that Judgment be rendered to the Appellant for \$100 Million Dollars.

## CONCLUSION

E-filing is a back-up system for existing paperwork, used to make changes. The respondent by law had to respond to the appellant within 30 days by letter or be in default. The appellant has

### **CONCLUSION (CONTINUED)**

proof that the Respondent is in default. The appellant is asking that the Court of Appeals to grant judgement for appellant in the amount of \$100 Million Dollars. The Summons says:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

AMENDED PROOF OF SERVICE  
THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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JAN 24 2023  
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

DeAndrea Gist Benjamin, Circuit Court Judge

Appellate Case No. 2022-001512

Rachell Moore Hutchens, Esquire  
Monteith Powell Todd, Esquire  
As Representatives for Dean, University of South Carolina

Respondent,

V

Edward Tyrone Hills

Appellant,

AMENDED PROOF OF SERVICE

I certify that I have served an Amended Proof of Service and Amended Designation of Matter to Rachel M. Hutchens; Monteith P. Todd, Robinson Gray, Litigation & Business, by depositing a copy of it in the United States Mail, Postage prepaid (certified mail, on January 24, 2023 to the address of: P. O. Box 11449, Columbia, SC 29211, Attorneys for Respondent.

January 24, 2023

/s/ Edward Tyrone Hills  
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