

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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MAY 15 2023

APPEAL FROM GREENVILLE COUNTY
Greenville County Family Court

SC Court of Appeals

Katherine H. Tiffany, Family Court Judge

Case No.: 2020-CP-23-01450
Appellate Case No.: 2022-001432

Robin Cary Maples Respondent,

v.

Michael Gene Putnam..... Appellant.

**RESPONDENT’S MOTION TO STRIKE APPELLANTS
INITIAL BRIEF AND DESIGNATION OF MATTER**

s/Robin Cary Maples
Robin Cary Maples-Respondent
1450 Crane Creek Drive
Charleston, South Carolina 29466
Phone: (843)822-6501
Email: maples.rob.lyn@gmail.com
Respondent - *Pro Se Litigant*

Mt. Pleasant, South Carolina

May 7, 2023

Respondent, Robin Cary Maples, (hereinafter “Respondent”) submits this Memorandum in Opposition to Appellant, Michael Gene Putnam’s (hereinafter “Appellant”) Initial Brief and Designation of Matter. Appellant has not, and cannot, show that the Court erred in granting Respondents Motion for Summary Judgment. Instead, Appellant merely expresses dissatisfaction with the Court’s ruling, which is an insufficient ground for relief under Rule 59(e).

Respondent will proceed Pro Se in this matter to reserve financial stability to provide the Appellant’s daughter (E) with a college education, beginning Fall of 2024. It should be noted that Appellant has filed over 75 motions in Family Court as a pro se litigant making himself judgment proof. This civil case also involves Respondent’s father-in-law (Robert Henry Purkerson, Sr.) who is 84 years of age and was rightfully granted Summary Judgment in this case, July 8, 2022, and should not be subjected to continued frivolous filings. I pray the court will recognize the frivolous nature of Appellant’s repetitive civil motions and abuse of the legal system to harass and financially distress those supporting his biological daughter.

LEGAL STANDARD

Rule 59(e), SCRCP, allows a court to alter or amend a judgment upon a party’s timely motion. Under South Carolina law, a motion to reconsider is appropriate in two basic situations. First, “[a] party *may* wish to file such a motion when [he] believes the court has misunderstood, failed to fully consider, or perhaps failed to rule on an argument or issue, and the party wishes for the court to reconsider or rule on it.” *Elam v. S.C. Dept. of Transp.*, 361 S.C. 9, 24, 602 S.E.2d 772, 780 (2004). Second, “[a] party *must* file such a motion when an issue or argument has been raised, but not ruled on, in order to preserve it for appellate review.” *Id.* **A party’s dissatisfaction with the outcome of the underlying litigation and the instant action is not grounds for relief under Rule 59. *Id.***

ARGUMENT

I. Appellant Initial Brief and Designation of Matter Is Improper Under Rule 59.

As an initial matter, Appellant's Initial Brief and Designation of Matter does not identify any point of law or fact that the Court misunderstood, did not fully consider, or failed to rule upon in granting Respondent Motion for Summary Judgment. Rather, Appellant's Initial Brief and Designation of Matter illustrates that this is nothing more than a situation in which the Appellant is unhappy with the Court's ruling. Appellant's dissatisfaction with the outcome of this action is not grounds for relief under **Rule 59. See *Elam*, 361 S.C. at 24, 602 S.E.2d at 780.** Thus, Appellant's Initial Brief and Designation of Matter must be denied.

II. The Court Properly Granted Maples Motion for Summary Judgment. Alleged new discovery was not provided to the lower court Under Rule 210C

The Court properly granted Respondent Motion for Summary Judgment based on well-established principles of law in South Carolina. The Court's Order presents a thorough review and ruling that allowed Appellant multiple opportunities to provide names and supporting affidavits of alleged defamation. Appellant now comes forward with alleged emails that the Greenville County Circuit Court mandated a **clear process (by Honorable Judge Letitia H. Vertin) for the court to review**. However, Appellant was unwilling to accept the courts review process and declined to enter said emails to the lower court. These emails to the Appellant's sister were not presented to the lower court which is a **violation of Rule 210C** nor did he obtain an affidavit from his sister supporting such claims. Arguments of an unredacted sex crime investigation report on the public index has been heard, with no new indications by Appellant's Initial Brief or Designation of Matter. This report was attached by this Respondent's former council as appropriate response to Appellant's interrogatories to defend respondent of such accusations. Appellant's dissatisfaction with the outcome of this action is not grounds for relief under **Rule 59. See *Elam*, 361 S.C. at 24, 602 S.E.2d at 780.**

CONCLUSION

Appellant has not demonstrated that the Court erred in granting Respondent Summary Judgment by Honorable Judge Perry Gravely “without prejudice” on December 6, 2021. Appellant’s dissatisfaction with the Court’s ruling, which is an insufficient ground for relief under Rule 59(e). The points raised in Appellant’s Initial Brief and Designation of Matter have been fully considered by the Court. Therefore, Respondent respectfully requests that Appellant’s Initial Brief and Designation of Matter for reversal of Summary Judgment be denied.

May 7, 2023,

s/Robin Cary Maples
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Respondent - *Pro Se Litigant*

Other Counsel of Record:
Michael Gene Putnam,
Wes Shul, Robert H. Purkerson, Sr.
T. Jeff Goodwyn, Jr.

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PROOF OF SERVICE

I hereby certify that I have served the following:

**1. RESPONDENT’S MOTION OF OPPOSITION TO APPELLANT’S
INITIAL BRIEF AND DESIGNATION OF MATTER**

This Proof of Service on May 8, 2023, by email and by depositing a copy in the U.S. Mail, postage prepaid, addressed to the following parties of record below. A check for \$50.00 for motion filing has been included in the mailed documents to the Honorable Court.

Other Parties of Record:

- Michael Gene Putnam -Appellant
- Wes Schull – Attorney on Record for Robert Henry Purkerson, Sr.
- T. Jeff Goodwynn, Jr.- Attorney on Record for Micheal Gene Putnam
- Robert Henry Purkerson, Sr.

Mt. Pleasant, South Carolina
May 7, 2023

s/Robin Cary Maples
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Respondent-Pro Se Litigant

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SC Court of Appeals

May 7, 2023

The Honorable Jenny A. Kitchings
Clerk of Court, Court of Appeals of South Carolina
1220 Senate St.
Columbia, South Carolina 29201

Filed by E-mail

SC Court of Appeals
MAY 15 2023

Re: Robin Cary Maples v. Michael Gene Putnam
Appellate Case No. 2022-001432

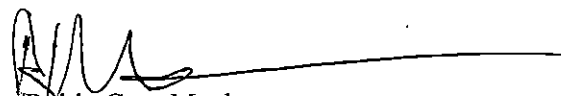
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Dear Ms. Kitchings:

Please find attached my RESPONDENT'S MOTION TO STRIKE APPELLANT'S INITIAL BRIEF AND DESIGNATION OF MATTER . A PROOF OF SERVICE via my mailing via the US Postal Service is also attached.

Please file these documents and return a file stamped copy to me at the address below my signature. If you or your staff have any questions, please do not hesitate to contact me. The \$50.00 filing fee is in the mail to the court.

With Kindest Regards,



s/Robin Cary Maples

Robin Cary Maples - Respondent
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Charleston, South Carolina, 29466
Phone: (843) 822-6501
Email: maples.rob.lyn@gmail.com
Respondent-Pro Se Litigant

Mt. Pleasant, South Carolina
May 7, 2023

Other Parties of Record:

Michael Gene Putnam -Appellant
Wes Schull – Attorney on Record for Robert Henry Purkerson, Sr.
T. Jeff Goodwynn, Jr.- Attorney on Record for Micheal Gene Putnam
Robert Henry Purkerson, Sr.

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