

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable? George McFaddin

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MAY 11 2023

SC Court of Appeals

Case No.: 2020-CP-40-06054

Appellate Case No. 2023-??????

Alan G. Nix

Appellant,

v.

Churchill Park Homeowners' Association, Inc.
and
"Churchill Park"

Respondents,

**APPELLANT'S MOTION TO REMAND TO CIRCUIT COURT TO ALLOW ALL
ISSUES WITH APPEAL 2022-001155 AND UNRULED UPON MOTIONS IN THIS
CASE TO BE FULLY RESOLVED**

Alan Nix files this motion to remand case 2020-CP-40-06054 back to the circuit court until
the numerous issues with case 2020-CP-40-5255 / appeal 2022-001155 are fully resolved and to

allow the 28 Dec 2022 motion in this case to be properly managed and ruled on. In support of this motion, the Appellant raises three principal issues:

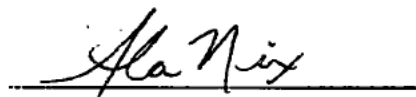
1. Given the 3 Mar 2022 motion in case 2020-CP-40-05255 sought the disqualification of McCabe Trotter from case 2020-CP-40-05255, and consequently also appeal 2022-001155, which still has not been rule on or the status of closed properly corrected, the basis for that same disqualification would operate to disqualify McCabe Trotter from this underlying case and appeal as well.
2. Motion dated 27 Dec 2022 in this case raised several very important issues including, but not limited to, requiring McCabe Trotter to clarify which one of the "Churchill Park"'s they represent and calling for the disqualification of McCabe Trotter. (copy of motion attached as Exhibit 1) Disqualification of McCabe Trotter from this case would nullify all defense motions and orders in the underlying case leaving nothing to appeal.
3. An independent and unconflicted judge and / or investigators needs to investigate, correct, and take all other appropriate actions necessary to fully address the intentionally fraudulent misrepresentation in this case that McFaddin's dismissal applied to both defendants (Churchill Park Homeowners' Association, Inc. and "Churchill Park") instead of just "Churchill Park". It is indisputable that Churchill Park Homeowners' Association, Inc. has been in default in this case since July 2021. This ongoing obstruction of justice is causing ongoing irreversible harm to appellant and his honest association members.

Appellant Alan Nix requests the Court of Appeals to:

1. Remand this case back to the Richland County Circuit Court so the motion dated 27 Dec 2022 can be properly managed and ruled on as well as allow for the necessary investigations and corrections related to Churchill Park Homeowners' Association, Inc., McCabe Trotter and McFaddin.
2. any other and further relief as the Court deems just, prudent and proper.

May 8, 2023

Respectfully submitted,



A handwritten signature in cursive script, appearing to read "Alan Nix", is written over a horizontal line.

Alan G. Nix
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991-4170

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and

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Respondents,

PROOF OF SERVICE

The undersigned certifies that a copy of Appellant Alan Nix's motion to remand case to circuit court was served upon the individuals listed below by mailing or hand delivering a copy of the same, postage prepaid, in the United States Mail, addressed as shown, this 8th day of May 2023 to:

Stephanie Trotter
"Churchill Park"
4500 Fort Jackson Blvd.
Columbia, SC 29209

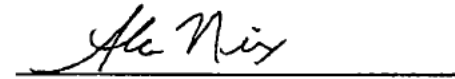
Lee Janseen
Churchill Park Homeowners Assoc, Inc.
1132 Willoughby Ln.
Mt. Pleasant, SC 29466

Jeanette McBride
Clerk of Court, Richland County
1701 Main St.
Columbia, SC 29201

Dated: May 8, 2023

Respectfully submitted,

By:



Alan G. Nix
1401 Densmore Circle
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SC Court of Appeals

ALAN NIX

1401 DENSMORE CIR.

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