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SC Court of Appeals

In The Court of Appeals

RE: APPEAL FROM GREENVILLE COUNTY, Court of Common Pleas

Hon. Charles B. Simmons Jr. M.I.E

C.A. No: 2020-CP-23-001699

Appellate Case No. 2020-001-001699

Kenneth Curtis, Respondent

v.

Cynthia Glenn, Appellant

MOTION :

As set forth in Respondent's Final Brief, South Carolina Supreme Court Justice Honorable Donald W. Beatty issued a Binding Order (February 23, 2018) and Check List for all South Carolina Magistrates and Municipal Judges, (see both Order and Form SCCA/681).

The entire purpose of both this ORDER and FORM was to prevent the wasteful and unwarranted court progression of cases exactly like this case where "ACCESS TO CEMETARIES ON PRIVATE PROPERTY" (as covered under SC Code Section 27-43-310) was the subject of the case.

No Form SCCA/681 has ever been completed or forwarded with this case and consequentially Property Owner / Respondent Kenneth Curtis has never been properly afforded the lawful and required opportunity to set forth access conditions for Appellant Cynthia Glenn before the courts intervention or jurisdiction.

There is now no evidence presented, or even argument given by Appellant Glenn against the fact that Saluda Rest Properties are indeed PRIVATE PROPERTY, or that she has ever submitted a written request, as is her legal obligation, to Saluda Rest for access as set forth in SC Code Section 27-43-310. Appellant Glenn was clearly aware of this provision in SC Code 27-43-310 before filing her court actions but has repeatedly refused to acknowledge or comply with the statutes directives.

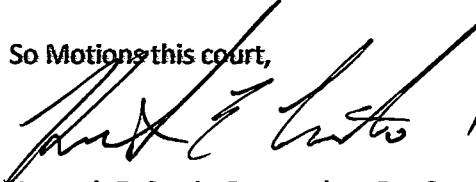
This flagrant abuse of process by a clearly informed and vexatious Appellant has caused enormous irreparable harm to the Respondent in this case and denied him due process. This clear due process

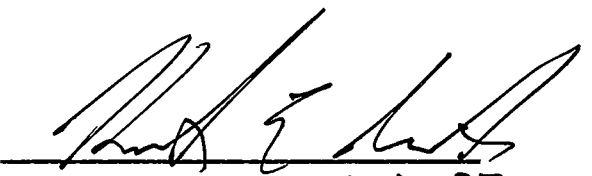
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violation should not and indeed cannot be ignored by this court without causing further irreparable harm to Respondent Curtis and nullifying both the intent of SC Code 27-43-310 as well as the Order of South Carolina Chief Justice Donald W. Beatty (see above).

Therefore for these reasons, Respondent Kenneth Curtis moves this court to immediately dismiss this case or alternatively issue a proposed remedy to Respondent for the abuse of process that has been the result of both the failure of the Magistrate court, and Appellant Cynthia Glenn presenting Pro Se, in refusing to follow both South Carolina Statute and directly violating the applicable recent Supreme Court Order cited here within.

So Motion this court,

 11-17-23
Kenneth E. Curtis, Respondent Pro Se


11-17-23
Kenneth E. Curtis

Kenprivacypro@gmail .com

113 Edwards Rd., Marietta, S.C, 29661

(864) 884-9503

**FORM 7
PROOF OF SERVICE**

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Hon. Charles B. Simmons
C.A No. 2020-CP-23-00939

Kenneth E. Curtis

Respondent,

v.

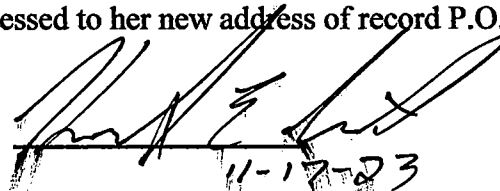
Cynthia Glenn

Appellant.

PROOF OF SERVICE

I certify that I have served Respondents Motion to Dismiss dated November 17, 2023 on Cynthia Glenn (Appellant) by depositing a copy of it in the United States Mail, Certified/postage prepaid, on November 17, 2023, addressed to her new address of record P.O. Box 87, Grey Court, SC, 29645

October 19, 2023



11-17-23

Kenneth E. Curtis
Pro Se
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Marietta, SC,
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(864) 884-9503

MOTION OF RESPONDENT THE STATE OF SOUTH CAROLINA

In The Court Of Appeals

APPEAL FROM GREENVILLE COUNTY, COURT OF COMMON PLEAS

The Hon. Charles B. Simmons Jr.

Master In Equity

C.A No. 2020-CP-23-00939

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Appellate Case No.2020-001699


Kenneth Curtis, Respondent

v.

Cynthia Glenn, Appellant

Motion: Requesting Permission to Serve and File Respondent's Motion dated November 17, 2023 outside of filing deadlines {ref. Rule 208 and 209 S.C Appellate Court Rules.

Whereas, Respondent's attorney of record Michael Dodd Esq. has resigned representation of Respondent Kenneth Curtis in this case therein causing unavoidable preparation delays, Respondent Kenneth Curtis moves this court to extend Respondent's Motion to Dismiss dated November 17, 2023 outside of filing deadline and except this Respondent's Motion to Dismiss outside of any applicable deadlines.


Kenneth E. Curtis, 11-17-23

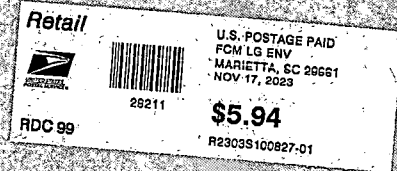
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MARIETTA SC 29661



ATTN: JENNY ABBOTT KITCHINGS, CLERK
SOUTH CAROLINA COURT OF APPEALS
P.O. Box 11629
COLUMBIA, SC

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