

The South Carolina Court of Appeals

Jenny Abbott Kitchings
Clerk
V. Claire Allen
Deputy Clerk

06/20/2013

Post Office Box 11629
Columbia, SC 29211
1015 Sumter Street
Columbia, SC 29201
Telephone (803) 734-1890
FAX (803) 734-1839
www.sccourts.org

Re: Carolyn T. Smith v. Isaac Frazier
Appellate Case No. 2013-008248

RECEIVED

JUL 08 2013

The Clerk of Court, Jenny Abbott Kitchings:

After or following a motion of denial of my motion for a rehearing, Plaintiff, Carolyn T. Smith, requesting the setting aside of Plaintiff's hasty-coerced agreement to an insatiable settlement, Plaintiff did the following: ① Plaintiff filed A Return To - Motion to Withdraw, filed March 26, 2013, 10:35 AM, with the Clerk of Court, Julie J. Armstrong, Charleston, SC.

② Plaintiff then continued to seek new counsel. Non-success in Plaintiff's efforts has been no final decision in the withdrawal of counsel until Plaintiff's return to court with former counsel, Attorney Margie Pizarro in and about April/May 2013. ^{My 15, 2013}

③ Plaintiff contacted other counsel unwilling to enter a case not initiated by the counsel sought.

④ Plaintiff still acting Pro Se sat with Attorney Clark, 39 Broad Street, Tuesday, June 18, 2013. Plaintiff was for the first time advised that a Brief must be entered into the Court of Appeals timely.

⑤ Plaintiff, still without counsel begs the mercy of the Court as Plaintiff is totally incompetent in legal matters. It is suggested that in this situation, it goes to, "More Than The Law Allows."

⑥ Plaintiff understands that the Judge that heard the Settlement agreement in Plaintiff's case acted according to the law. In addition, said judge acted legally in denying my motion to set aside the terribly inadequate settlement agreement.

⑦ Notwithstanding the judge's legal actions, my urgent request that my case be remanded to the lower court for trial is worthy and necessary for the sake of satisfying costly, permanent injury to my spine and numerous related medical conditions that manifest themselves in increasing numbers.

⑧ Only a trial with counsel that will observe the fiduciary relationship destroyed and required will and can yield justice. Said justice would compensate the victim, me, the Plaintiff and remove reward from the side of the guilty Defendant.

⑨ A return to court for a well prepared trial will uncover the proof of the total absence of any fiduciary relation of attorney to Client which made attorney coercion tantamount to placing a gun to the head of the Client, then giving said client the ultimatum "do or die," as far as receiving any compensation at all.

⑩ Plaintiff, acting Pro Se, asks if the Appellate Court appoints attorneys to civil cases wherein an American citizen, victim is unable to prepare his own case which in the absence of legal assistance can cause forfeiture to in-

terrupt and halt a travesty of justice that is egregious. ⑪ I pray the Court's mercy.

Carolyn T. Smith
338 Fifth Ave
Mt Pleasant, SC 29464
Tel. 1-843-216-6960
C-1-786-325-2704
06/20/2013 M/mc-CJdmi

State of South Carolina
County of Charleston

South Carolina Court of Appeals
CASE NO. 2013-00248

Carolyn T. Smith,

Appellant,

Certificate of Service

v
Isaac Frasier And West Motor
Freight of Pitt, D/B/A Stubborn
Motor Transportation, LLC

Respondent.

I hereby certify that on this 24th day of June 2013, I serve a copy of this appeal to have the referenced case CASE NO. 2013-00248 remanded to the Court of Common Pleas Judicial Circuit, State of SC, County of Charleston for jury trial, that further I beg the mercy of the Court of Appeals in light of Plaintiff's incompetence acting Pro Se at this time in this matter; that if the Court of Appeals for SC appoints attorneys for appellants needing an attorney that an Appeals attorney be appointed to take my case. I serve copies of the appeal(s) herein on Attorney Benjamin Traywick, Esq., by depositing same in the United States Mail, postage paid, for delivery to the party's address listed below:

Benjamin Traywick, Esq.,
Young, Clement, Rivers, LLP
P.O. Box 993
Charleston, SC 29402

Carolyn T. Smith
Carolyn Tolbert Smith

Notarize

State of South Carolina
County of Charleston
Carolyn T. Smith

State Of South Carolina
County Of Charleston

Carolyn Smith

Plaintiff,

v.

Isaac Frazier And West Motor
Freight Of PA D/B/A Stubborn
Mule Transportation, LLC

Defendants,

Motion To Withdraw Counsel - To The Circuit Court.

I, Carolyn Tolbert Smith, Plaintiff, in the above
Captioned (Styled) case, do hereby request that the Court
or such entity so qualified, withdraw Counsel, Margie
Pizarro Thompson and Walter S. Ameika, Jr, attorneys
at law, from Plaintiff's case, CASE No: 2010-CP/~~DR~~-
10-6227, upon receipt of this motion.
With high regard for this Court, I so move.

Carolyn Tolbert Smith, Pro Se
338 Fifth Avenue
Mt. Pleasant, SC 29464
Tel. H-843-216-6960
C-786-325-2704

January 25, 2013
Date: 01/25/2013

In The Court Of Common Pleas
Case No: 2010-CP-10-6127
A.K.A. 2010-~~DR~~-10 6127

BY _____

2013 JAN 25 PM 4:32
JULIE J ARMSTRONG
CLERK OF COURT

FILED

CSmith

Common Pleas
Charleston County Judicial Center
100 Broad Street - Suite 106
Charleston, SC 29401-9401

STATE OF
SOUTH CAROLINA



Carolyn T Smith
338 Fifth Avenue

Mount Pleasant, SC 29464

NOTICE OF MOTION SCHEDULING

April 02, 2013

Motion "MWITHD - Motion/Withdraw Counsel by plaintiff" for Case: 2010CP1006127 - Carolyn T Smith VS Isaac Frazier , defendant, et al has been added to the following

Motions Roster:

77 - MOTIONS ROSTER - JUDGE NICHOLSON

This hearing of this motion has been scheduled for 5/15/2013 at 9:30 AM.

MOTIONS WILL BE HEARD IN COURTROOM 3B WITH JUDGE NICHOLSON. IF YOU HAVE QUESTIONS, PLEASE CONTACT CAROLINE LEONARD AT [ccleonard@charlestoncounty.org](mailto:cleonard@charlestoncounty.org).

Mail Notice To:

Carolyn T Smith
338 Fifth Avenue

Mount Pleasant, SC 29464

Court Info:

Common Pleas
Charleston County Judicial Center
100 Broad Street - Suite 106
Charleston, SC 29401-9401

If you have any questions regarding the scheduling of this motion, please contact the courts at:

(843)958-5000

Respectfully,

Julie Armstrong
Clerk of Court

The South Carolina Court of Apper'

Jenny Abbott Kitchings
Clerk
V. Claire Allen
Deputy Clerk

Post Office Box 11629
Columbia, SC 29211
1015 Sumter Street
Columbia, SC 29201

2013 FILED
MAR 26 AM 10:35
JULIE J. ARMSTRONG
CLERK OF COURT

A Return To- Motion To Withdraw

Comes now Cardyn T. Smith, Plaintiff in the Appellate Matter, regarding-Case No. 2013-000248, Cardyn T. Smith v. Isaac Frazier. I, the Plaintiff, do support and am in agreement with, The Motion To Withdraw filed by Attorney Walter S. Ameika, Jr. and Attorney Margie A. Pizarro.

2013 MAR 26 AM 10:25
JULIE J. ARMSTRONG
CLERK OF COURT
Clocked in date canceled
FILED

March 2013
This 26 day of March 2013

Carolyn T. Smith, Pro Se
338 Fifth Avenue
Mt. Pleasant, SC 29464
1-843-216-6960-H
1-786-325-2704-C

Carolyn T. Smith
Walter S. Ameika, Jr.
Margie A. Pizarro

STATE OF SOUTH CAROLINA)

COUNTY OF Chas.)

Carolyn Smith)
Plaintiff,)

Isaac Frazier vs. West Motor Freight of S.P.A. D/B/A Stubborn Mule Transportation, LLC)
Defendant.)

IN THE COURT OF COMMON PLEAS
_____ JUDICIAL CIRCUIT

CASE NO.: 2010-CP-10--6127

**MOTION AND ORDER INFORMATION
FORM AND COVERSHEET**

Plaintiff's Attorney: <u>Pro Se</u> _____, Bar No. _____ Address: <u>338 Fifth Ave, Mt Pleasant SC 29414</u> Phone: <u>803-696-316</u> Fax _____ E-mail: <u>None</u> Other: <u>C-1-786-325-2704</u>	Defendant's Attorney: <u>Ben Traywick</u> _____, Bar No. _____ Address: <u>Calhoun Street Box 993 Chas, SC 29402</u> Phone: <u>?</u> Fax <u>?</u> E-mail: <u>?</u> Other: <u>?</u>
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MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
 FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
 PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information
Nature of Motion: Form Motion?
Estimated Time Needed: ? Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type
 Written motion attached
 Form Motion/Order
I hereby move for relief or action by the court as set forth in the attached proposed order.
Signature of Attorney for Plaintiff / Defendant Date submitted _____

SECTION III: Motion Fee
 PAID - AMOUNT: \$ 25.00
 EXEMPT: (check reason) Rule to Show Cause in Child or Spousal Support
 Domestic Abuse or Abuse and Neglect
 Indigent Status State Agency v. Indigent Party
 Sexually Violent Predator Act Post-Conviction Relief
 Motion for Stay in Bankruptcy
 Motion for Publication Motion for Execution (Rule 69, SCRPC)
 Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions
Name of Court Reporter: _____
 Other: _____

JUDGE'S SECTION <input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____
--	---------------------------------

CLERK'S VERIFICATION
Collected by: _____ Date Filed: _____
 MOTION FEE COLLECTED: \$ _____
 CONTESTED - AMOUNT DUE: \$ _____

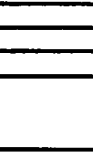
JULIE J. ARMSTRONG

CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2258

RETURN SERVICE REQUESTED



www3.charlestoncounty.org



45



MARGIE A. PIZARRO
110 N MAIN ST
SUMMERVILLE SC 29483-6414

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC

Order/Rule 59 & 60 motion is denied ✓

CASE NO: 2010CP1006127

Carolyn T Smith VS Isaac Frazier , defendant, et al

This judgment was entered on the 15th day of January, 2013, and a copy mailed first class on Thursday, January 17, 2013, to all counsel of record and/or all parties entitled to receive notice.

You may view and download this document at www3.charlestoncounty.org.

*Please note:
I received
the documents
herin noted, on
01/24/2013*

Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

Walter Ameika Jr.

Margie A. Pizarro Thompson

ATTORNEY(S) FOR THE PLAINTIFF(S)

Benjamin A. Traywick

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

Common Pleas
Clerk : Julie Armstrong
Charleston County Judicial Center
Charleston, SC 29401
(843) 958-5000

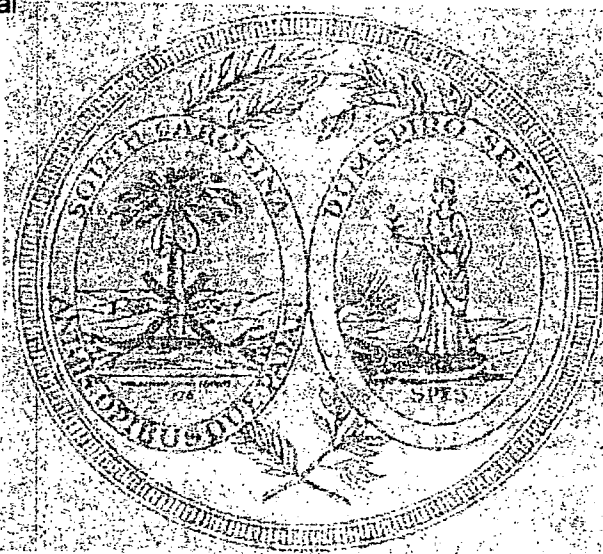
Received From: Smith, Carolyn T
 338 5Th Ave
 Mount Pleasant, SC 29464

Date: 1/25/2013
 Receipt #: 508381
 Clerk: COCSLB

Paying for: Self
 Transaction Type: Payment

Reference #: 2191
 Comment: Motion to Withdraw Counsel
 Non-Refundable

Payment Type: Check \$25.00
 Total Paid: \$25.00

Case #	Caption	Previous Balance	Amount Paid	Balance Due
2010CP1006127	Carolyn T Smith VS Isaac Frazier , defendant, et al	\$25.00	\$25.00	\$0.00
				
Total Cases: 1		\$25.00	\$25.00	\$0.00

Charleston County Judicial Center
100 Broad Street - Suite 106
Charleston, SC 29401-9401

STATE OF
SOUTH CAROLINA



*Ben Traywick
25 Calhoun Street
Ste 400
Char, SC 29401
720-3459*

Carolyn T Smith
338 5Th Ave

Mount Pleasant, SC 29464

NOTICE OF MOTION SCHEDULING

April 02, 2013

Motion "MWITHD - Motion/Withdraw Counsel by plaintiff" for Case: 2010CP1006127 - Carolyn T Smith VS Isaac Frazier , defendant, et al has been added to the following Motions Roster:

77 - MOTIONS ROSTER - JUDGE NICHOLSON

This hearing of this motion has been scheduled for 5/15/2013 at 9:30 AM.

MOTIONS WILL BE HEARD IN COURTROOM 3B WITH JUDGE NICHOLSON. IF YOU HAVE QUESTIONS, PLEASE CONTACT CAROLINE LEONARD AT cleonard@charlestoncounty.org.

- 346-5592

Call Rm 3B www.scbar.org/LRS

Mail Notice To:	
	Carolyn T Smith 338 5Th Ave Mount Pleasant, SC 29464

Court Info:	
	Common Pleas Charleston County Judicial Center 100 Broad Street - Suite 106 Charleston, SC 29401-9401

If you have any questions regarding the scheduling of this motion, please contact the courts at:

(843)958-5000

Respectfully,

958-5000

Julie Armstrong
Clerk of Court



110 North Main Street, Summerville, SC 29483 | Office: (843) 285-7100 | Fax: (843) 285-7199

February 13, 2013

V. Claire Allen
Deputy Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

**RE: Carolyn T. Smith v. Isaac Frazier and West Motor Freight of PA, d/b/a
Stubborn Mule Transportation, LLC
Case No.: 2013-000248**

Dear Sir/Madam:

You will find enclosed the original and six (6) copies each of the Petition to be Relieved as Counsel and Certificate of Service in the above-referenced matter along with my firm check in the amount of Twenty-Five (\$25.00) Dollars. Please file the originals and return the stamped copies to me using the enclosed envelope.

As a convenience to the Court, I have also enclosed a draft of the Order on Petition to be Relieved as Counsel. If the Order meets the Court's approval, please return the signed Order to me using the enclosed envelope.

With kind regards, I remain.

Sincerely,


Margie Pizarro Thompson

Enclosures as stated.

cc: Walter S. Ameika, Jr., Esq.
Carolyn T. Smith (w/enclosures)
Benjamin A. Traywick (w/enclosures)