

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE COURT OF COMMON PLEAS

Honorable G.D. Morgan Jr.

Appellate Case No. 2023-001839

**RECEIVED**

JAN 30 2024

SC Court of Appeals

William Glenn Yarborough III, Esquire;  
Lisa Cherry, John Doe, Contract  
Attorney; John Doe, Paralegal,

Respondents,

v.

John Alexander, #194748,

Appellant.

RESPONSE TO MOTION TO DISMISS AND MOTION TO STRIKE

COMES, John Alexander, appellant above with a Response To Motion To Dismiss And Motion To Strike and will show:

That the appellant asserts that in his Statement Of The Case page 5 lines 15 through 25 as well as Record On Appeal pages 97 through 101 by way and through words and legal documents the Record clearly demonstrates the Honorable Court of Appeals Orders dated November 29, 2023 and December 18, 2023 stayed or cured any lapse of time to file Notice of Appeal per appellant timely correcting noted deficiencies.

Because no question exist as to whether the appellant timely filed the Amended Notice of Appeal or Amendment To Notice of Appeal, the respondent's Motion To Dismiss fails to raise any meaningful or meritorious basis for the Court to entertain the motion. In the present case, all the facts and evidence of the case establishes that appellant's Notice of Appeal is timely file.

Wherefore, it is prayed that the respondent's Motion To Dismiss is denied. And the case is Ordered to move forward.

Further, because the respondent's Motion To Dismiss is fatally inactive and irreparable, and because the appellant has humbly met all requirements pursuant to the South Carolina Appellate Court Rules as well as all this Court's short Orders in a timely manner the respondent's Motion To Strike lacks any grounds for relief. The appellant's 14th Amendment of the United States Constitution applied through Article 1 Section 3 of the South Carolina Constitution as well as Rule 201, SCACR affords the appellant the right to move forward in this appeal and annihilates the respondent's Motion To Strike.

Wherefore, it is prayed that the respondent's Motion To Strike is denied. And the case is Ordered to move forward.

Dated 1/26/2023.

Respectfully Submitted,  
John Alexander

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PROOF OF SERVICE

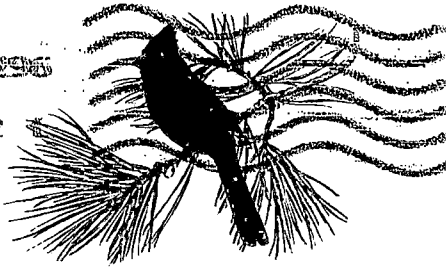
I, John Alexander, certify that on this 26 day of January, 2023 that I sent the Response To Motion To Dismiss And Motion To Strike United States Postal Service, prepaid, to William Glenn Yarborough III, Esquire, Counsel for All Defendant's, 308 West Stone Avenue, Greenville, South Carolina 29609. And the same to South Carolina Court of Appeals, Clerk's Office, Post Office Box 11629, Columbia, South Carolina 29211.

Respectfully Submitted,  
John Alexander

Sworn and Subscribed  
this 26 day of JAN., 2024  
Abdul Osman  
Notary Public For South Carolina  
My Commission Expires Dec. 10, 2024

John Alexander, #144148  
Tyger River Correctional Institution  
200 Prison Road, U6-15  
Enoree, South Carolina 29335

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