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Jun 24 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM YORK COUNTY
COURT OF COMMON PLEAS

William A. McKinnon, #2761 Circuit Court Judge

Appellate Case No. 2024-000279

Rock Point II,

Respondent

vs.

Ashley Williamson,

Appellant.

**MOTION TO FILE RETURN OUT OF TIME AND
RETURN TO MOTION TO RECONSIDER TO REINSTATE
APPEAL OF ASHLEY WILLIAMSON**

The Respondent, Rock Point II, by and through its undersigned counsel, James Marshall Biddle, hereby Moves to File a Return Out of Time in accordance with the SCRAP and hereby files its Return to Appellant's Motion to Reconsider to Reinstate Appeal of Ashley Williamson.

At every level of the appeal process regarding this matter from Magistrate Court to Circuit Court to this Honorable Appellate Court, the Appellant has failed to follow the requirements for the process. I understand that the Appellant is appearing "Pro Se" but the rules for procedure are set forth for both parties to ensure that justice is fairly administered at each level of the proceedings and to ensure that neither party gets an advantage over the other party for not following the appropriate procedure. This Honorable Court and every court directly related to this matter has given the Appellant the benefit of the doubt for procedural rules and requirements. This benefit of the doubt has been provided to the Appellant at the detriment of the

Respondent and, in fairness, the breakdown of the Appellant's case has been no one's fault but her own. She has failed and refused at each and every step in the process to abide by the requirements set forth by the Courts and the Law. When the Court makes a decision that does not appear to be favorable to her, she simply reiterates facts that, according to her, have been purposely manipulated to prevent her from the justice that she is seeking to overturn her eviction for failing to abide by the terms and conditions of her lease agreement, the rules and regulations for the apartment complex and the laws of the State of South Carolina and refuses to abide by the requirements and instructions of the York County Police Department and other law enforcement agencies. This matter has been escalated time and time again in an effort to obfuscate her actions that have manipulated the eviction process resulting in the Appellant remaining in the premises for several months. The Appellant has been given significant notice and understanding in order to vacate the premises for failing to abide by the low-income requirements to maintain residence at the Respondent's apartment complex. Additionally, she has created a financial hardship to the Respondent by causing the entire building or the entire development to fall out of compliance with the qualification requirements which would jeopardize their ability to provide low-income housing for the remainder of their tenants.

BASED UPON THE FOREGOING, the Respondent requests that this Honorable Court deny Appellant's Motion to Reconsider to Reinstate the Appeal and allow Respondent to move forward with its legal proceedings in York County.

Biddle Law Firm, LLC


/s/ James Marshall Biddle

James Marshall Biddle

South Carolina Bar No. 69471

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Attorney for Respondent Rock Point II

Conway, South Carolina
June 24, 2024

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Rock Point II,

Respondent

vs.

Ashley Williamson,

Appellant.

PROOF OF SERVICE

I certify that I have served the Motion to File Return Out of Time and Return to the Motion to Reconsider to Reinstate the Appeal of Ashley Williamson the following by depositing a copy of it in the United States Mail, postage prepaid on June 24, 2024 and addressed as follows:

Ms. Ashley Williamson
2344 Ridgerock Lane, Apt. B107
Rock Hill, SC 29732



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VIA EMAIL

The Honorable Jenny Abbott Kitchings
Clerk, The South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org


Re: Ashley Williamson v. Rock Point II
Appellate Case No. 2024-000279

Dear Ms. Kitchings:

Please find enclosed here in the Respondent's Motion to File Return Out of Time and Return to Motion to Reconsider to Reinstate filed by Ms. Williamson on or about June 4, 2024 which was emailed to me on or about June 11, 2024 without further explanation or certificate of service. I have enclosed my firm's check in the amount of \$50.00 for the Motion to File Return Out of Time.

Should you have any questions or need any additional information regarding the enclosed, please do not hesitate to contact me. Thank you for your assistance with this matter.

Yours very truly,
Biddle Law Firm, LLC


James Marshall Biddle

JMB:mb

Enclosure as stated

cc: Ms. Ashley Williamson w/enclosures