

In The Court of Appeals  
THE STATE OF SOUTH CAROLINA

Cornerstone Ventures International, LLC	)	Appellate Case No. 2024-002001
	)	
Respondent,	)	
	)	<b>Appellant's Motion for Relief from Judgment</b>
	)	
v.	)	
	)	
Alvin E. Burch, Sr.	)	
	)	
Appellant.	)	
_____	)	

TO: THE HONORABLE SOUTH CAROLINA COURT OF APPEALS

COMES NOW, Alvin E. Burch, Sr., the Appellant, through the undersigned pro se counsel and pursuant to Rule 60(b)(4) of the South Carolian Rules of Civil Procedure moves the Court to set aside the Judgment filed against him on October 2, 2023, in the Court of Common Pleas 1<sup>st</sup> Judicial Court, Case No. 2023-CP-18-00658.

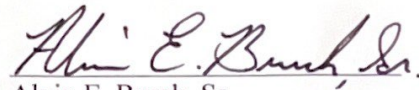
**LEGAL STANDARD AND ARGUMENT**

In determining whether to grant relief under Rule 60(b)(4), the court must consider whether the judgment is void. Furthermore, as it pertains to the time limitation of filing this motion, the Rule provides that the motion shall be made within a reasonable time and 60(b)(4) specifically falls outside the one-year limitation. In this present matter, the Appellant seeks relief of judgment on the basis of Rule 60(b)(4), the judgment is void. The Appellant cites extrinsic fraud as the basis for relief sought because the judgment deprived the Appellant of the opportunity to be heard. Relief is sought because the fraud prevented the Appellant from fully exhibiting and trying his case and, therefore, there has never been a true contest before the Court on the subject matter of the action. The Appellant was coerced into filing a confession of judgment. Furthermore, on April 25, 2024, the Appellant filed a Motion for Protective Order and Stay of Discovery Deadlines with the Master-In-Equity to whom the case was transferred. Although the Motion was filed with a request for the Court to hear the Appellant's defense, the motion was recorded as "completed" in the First Judicial Circuit Court Public Index without the Appellant being heard.

WHEREFORE, Alvin E. Burch, Sr., Appellant, respectfully requests that this Court set aside the aforementioned Judgment.

December 4, 2024

Respectfully requested,



Alvin E. Burch, Sr.  
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Pro Se

Other counsel of record:  
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(843) 829-2022  
Attorney for Respondent

**RECEIVED**

**Dec 04 2024**

**SC Court of Appeals**

CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2024, I served a copy of the foregoing Motion for Relief from Judgment on opposing counsel via Certified U.S. Mail, addressed as follows:

Attorney Lawrence Hershon  
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