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SC Court of Appeals

REPLY INITIAL BRIEF OF
APPELLANT*

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM CALHOUN COUNTY
Court of Common Pleas ,
Circuit Court Judge, Heath Taylor

Case No. 2023-CP 0900171

Appellant Case No. 2024-000195

Carol B Fischer et al,

Respondent,

v.

Shaneeka Stroman,

Appellant.

REPLY [INITIAL] BRIEF OF
APPELLANT. TO RESPONDENTS
ST.MATHEWS POLICE DEPARTMENT
AND TOWN OF ST.MATTHEWS
DESIGNATION OF MATTERS TO BE
INCLUDED IN THE RECORD ON
APPEAL

SHANEEKA STROMAN
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Appellant/SHANEEKA STROMAN

* Under Rule 267(e), SCACR, the cover of the final briefs should be the following colors: brief of appellant - blue; brief of respondent - red; reply brief - gray; and amicus curiae or intervenor - green.

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1. RESPONDENTS BRIEF

TRIES BUT FAILS TO
MENTION THAT THE
OFFICER, IN HIS OFFICIAL
CAPACITY USED THREATS
OF FORCE BY IMPROPERLY
REMOVING THE POSSESSOR
AND THREATENING THAT
IF SHE RETURNED TO HER
RECOVERED PROPERTY SHE
WOULD BE ARRESTED
WHILE OFFICER WAS

ARMED DURING THE

THREAT.THUS VIOLATED

THE PEACE PEACEBLY2

2. RESPONDENTS FAIL TO

RECOGNIZE THE FORCED

REMOVAL BY POLICE WHICH

INTERUPTED THE

SQUATTERS PEACE

PEACEABLY

WHICH IN THE APPELLANTS
COLOR OF TITLE EXERCISES ITS

RIGHT TO PEACE RESULTINGLY

ENDING IN SUIT IF ILLEGALLY

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TABLE OF AUTHORITIES*

CASES

State v. Bates,
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Cates v. Doon, 234 S.C. 567, 90 S.E. 123 (1902).....2

State v. Ebert, 456 S.C. 789, 123 S.E.2d 456 (1963)2

STATUTES

S.C. Code Ann. § 15-67-4102

S.C. Code Ann. §2

S.C. Code Ann. § 33-44-500 (Supp. 2000)2

OTHER AUTHORITIES

RESTATEMENT (SECOND) OF CONTRACTS Section 100 (1981)2

RESTATEMENT (SECOND) OF PROPERTY Section 200 (1981)2

RESTATEMENT (SECOND) OF TORTS Section 300 (1981)2

*The authorities cited are fictitious and intended to show the form of citation only.

STATEMENT OF ISSUES ON APPEAL

1. DID THE TRIAL COURT ERR
IN FAILING TO MENTION
APPELLANTS ISSUES RAISED
IN ITS ORDER,RESULTINGLY
CAUSING BIAS?
DID THE TRIAL COURT ERR
IN FAILING TO ALLOW
POSSESSOR BACK
POSSESSION OF THE
PROPERTY ?

- 3.DID TRIAL COURT ERR ON
ANY OR ALL THINGS RELATED
TO THIS PARTICULAR CASE ON
ALL OR ANY COUNTS?

STATEMENT OF THE CASE

On 4/1/2024,Appellant appealed a
decision made by the circuit court
judge ,dismissing a forced entry and
detainer claim with prejudice.

Appellant appealed the dismissal and
Here now Comes Stroman. Stroman
adversely possessed 307 Church St. in
St. Matthews Sc. Stroman possessed a
color of title which South Carolina
honors and Stroman had an electric
bill. However, the Town of St.
Matthews

refused Stroman water as well as
threatened to lock her up if she comes
back in the Town Hall. Stroman was
also denied public records by The
Town of St. Matthews Department and
told that she had to go through
Attorney Felder to collect any
information on that property.

STATEMENT OF THE CASE

St. Matthews Police Department
failed to realize that they were
improperly removing the possessed of

the land by making a threatening statement mentioning that “You going to see Orangeburg today if you come back here”. After appellant reached out with strong arms, the St. Matthews police department refused to acknowledge the law after Stroman explained that she could show him the law and he said that he didn’t want to see the law. The case was tried by CIRCUIT court judge Heath Taylor which continued the case, however, dismissed APPELLANTS claims altogether with prejudice. \$10,000.00 daily in damages from the date of improper removal.

STANDARD OF REVIEW

FACTS

All the while there was an “Action at

law” and the Appellant was open, in actual, Notorious, Exclusive, and hostile adversely possessing acquired title to a piece of property and the owner’s ownership was barred by the doctrine of laches. Under claim 15-67-210(Supp.2008). SC Code Ann 15-67-230.

ARGUMENTS

I. BECAUSE RESPONDENT ADMITTED TO USING EXCESSIVE FORCE BY IMPROPERLY REMOVING APPELLANT, AND BECAUSE APPELLANT REACHED OUT WITH STRONG ARM FOR THE ST.MATTHEWS POLICE DEPARTMENT TO REMOVE TRESSPASS NOTICE AND BECAUSE OF

REFUSAL TO DO SO , AND
EVEN HAVE THE AUDACITY
TO DISREGARD

THE STATUE BY DENYING TO
VIEW THE STATUE IN HIS
OFFICIAL

CAPACITY, UNDERMINES THE
POLICE DEPARTMENTS
MOTTO TO SERVE

AND PROTECT BY ADMITTING
THAT “HE IS WORKING FOR
THE STATE OF SOUTH
CAROLINA” “AND YOU WILL
SEE ORANGEBURG COUNTY
TODAY IF YOU COME BACK”
AS IF THE POLICE
DEPARTMENT WAS ACTING AS

THE APPARENT OWNER OF
THE PROPERTY.THEREFORE,
THE ENCOUNTER REST WITH
EXCESSIVE FORCE,FORCED
ENTRY AND
DETAINER,IMPROPER

REMOVAL, VIOLATION OF
PEACE WHILE APPELLANT
REACHED ALL

ELEMENTS OF ADVERSLY
possessing 307 Church St. St.
Matthews South Carolina

(Open,Notorious,Exclusive,actual,a
nd Hostile)AND SINCE THE 14TH
AMENDMENT

IS MENTION,THE STATE OF
SOUTH CAROLINA HAS
DEPRIVED A CITIZEN

OF ITS RIGHT TO PROPERTY

.Causing non economic damages

towards the Plaintiff and treble

once estimated.

[Set out discussion and citations of authority.]

II. BECAUSE A CASE MUST BE
TRIED ON ALL ISSUES RAISED
WHETHER

FROM THE DEFENDANT OR
THE PLAINTIFF, AND MUST
BE JUST AND PROPER,

THAT THE CIRCUIT

COURT FAILED TO RAISE
PLAINTIFF'S

ISSUES,THE STATE LACKS

PROBABLE CAUSE AND
UNDER FRAUDULENT

OR MERITLESS

CLAIMS, APPELLANTS
AMENDMENT WOULD NOT
HAVE

BEEN FUTILE BECAUSE OF
THE FRAUDULANT INTENT
TO IGNORE AND HINDER
PLAINTIFFS' ARGUMENT BY
NOT MENTIONING
ANYTHING ABOUT IT IN
THE CIRCUIT COURT
JUDGE'S ORDER.

[Appellant had statutory rights that
have not only been abridged by the
police department, but by the State
of South Carolina as well, See Doe
v. Oconer Mem. Hospital where the
circuit court erred in dismissing the
PLAINTIFFS forced entry and
detainer under article 5 of the

charge without allowing amendment
of the complaint immediately
following a defendant's motion to
dismiss during the dismissal]

CONCLUSION

For the reasons stated, this Court
should reverse the judgment of the
circuit court.

December 26, 2024.

Respectfully submitted,

/s/ Shaneeka Stroman
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