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S.C. SUPREME COURT

PETITION FOR A WRIT OF CERTIORARI TO THE

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

Appeal from Horry County SC
Common Pleas Court

Judge Culbertson – Circuit Court Judge

Timothy Meyers, Appellant,

v.

Affordable Concrete & Masonry, Respondent

Appellate Case No. 2024-000657

PETITION FOR WRIT OF CERTIORARI

PRO SE FILING
TIMOTHY MEYERS
7712 HUNTING SWAMP RD
CONWAY SC 29527

3-18-2025

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Arguments

- 1. THE COURT OF APPEALS SHOULD HAVE REVIEWED THE EARLIER CASE/S IN THEIR ENTIRETY – CORAM NOBIS
- 2. THE APPEALS COURT SHOULD HAVE FOLLOWED THE LEGAL PRINCIPLE THAT COURTS SHOULD FOLLOW THE PRECEDENT SET BY HIGHER COURTS – STARE DECISIS
- 3. THE APPEALS COURT SHOULD HAVE RULED THAT THIS CASE SHOULD HAVE BEEN REMANDED TO THE PRIOR COURT TO BE HEARD/RE-HEARD
- 4. THE APPEALS COURT SHOULD HAVE REMANDED THIS CASE TO THE LOWER COURTS BASED ON NO PROOF OF SERVICE, AND NO DECLARATION OF NON SERVICE

CERTIFICATE OF COUNSEL/APPELLANT

TIMOTHY MEYERS CERTIFIES THAT THE PETITION FOR HEARING WAS RULED ON BY THE SOUTH CAROLINA COURT OF APPEALS ON FEBRUARY 12, 2025. AND THIS FILING IS WELL WITHIN 30 BUSINESS DAYS OF PRIOR COURTS DECISION.

QUESTIONS PRESENTED

1. DID THE COURT OF APPEALS ERR IN NOT HEARING EARLIER CASES IN THEIR ENTIRETY.
2. DID THE COURT OF APPEALS ERR IN KNOWING HIGHER COURTS HAVE RULED IN FAVOR OF THE APPELLANT IN REGARD TO NO PROOF OF SERVICE OF LOWER COURT, AND NO DECLARATION OF NON SERVICE BEING PROVIDED.
3. DID THE COURT OF APPEALS ERR IN NOT SENDING THIS CASE BACK TO LOWER COURTS TO BE HEARD AT THE COMMON PLEAS LEVEL BASED ON NUMEROUS EX-PARTE CONVERSATION THAT WERE HAD AT A LOWER LEVEL DECISION.

STATEMENT OF THE CASE

THIS CASE WAS INITIALLY HEARD AT A MAGISTRATE IN HORRY COUNTY IN WHICH MULTIPLE EX-PARTE CONVERSATIONS WERE MADE BETWEEN THE MAGISTRATE AND THE RESPONDENT, AND WERE MADE DUE TO THE FACT THE APPELLANT IN THIS MATTER HAS MASSIVE PHYSICAL CONSTRAINTS.

AFTER THE MAGISTRATES DECISION WAS APPEALED, NO PROOF OF SERVICE OF COMMON PLEAS HEARING DATE WAS OFFERED, NOR WAS A DECLARATION OF NON SERVICE PRESENTED.

CASE WAS THEN APPEALED TO SOUTH CAROLINA COURT OF APPEALS, WHERE THE COURTS NEVER CONCLUDED OR AFFIRMED ANY OF THE PREVIOUS QUESTIONS, AND DENIED/DISMISSED THE APPELLANTS FILING.

ARGUMENT/S

1. THE SC COURT OF APPEALS SHOULD HAVE FOUND THAT THE APPELLANT WAS NEVER GIVEN AN OPPORTUNITY TO KNOW WHEN THE COMMON PLEASE CASE WAS, AND/OR NEVER HAD AN OPPORTUNITY TO PRESENT A CASE AT THE COMMON PLEAS LEVEL AT ALL.

2. THE SC COURT OF APPEALS SHOULD HAVE REMANDED THIS CASE FOR TRIAL/RE-TRIAL BASED ON THE FACT THAT AT THE LOWEST LEVEL OF COURTS IN SC, THAT THERE WERE MULTIPLE EX-PARTE CONVERSATIONS BETWEEN THE JUDGE AND THE RESPONDENT, CONVERSTAIONS WHICH SHOULD HAVE NEVER BEEN ALLOWED.
3. THE SC COURT OF APPEALS NEVER CONSIDERED EVIDENCE WHICH WOULD HAVE REBUFFED THE REpondENTS TESTIMONY AND AFFIRMED THAT ON SEVERAL OCCASIONS THE RESPONDENT PERJURED HIMSELF.
4. THE SC COURT OF APPEALS NEVER CONSIDERED THAT AT THE MAGISTRATE LEVEL, THE REpondENT WAS 48 MINUTES LATE FOR COURT, AND THE 15 MINUTE RULE SHOULD HAVE BEEN IN AFFECT, AND THE CASE DISMISSED IN FAVOR OF THE APPELLANT.

CONCLUSION

For the reasons stated, petitioner asks the Court to grant the petition for a writ of certiorari.

RESPECTFULLY SUBMITTED BY

TIMOTHY MEYERS
7712 HUNTING SWAMP RD
CONWAY SC 29527
3-18-2025



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