THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
The Honorable L. Casey Manning

Supreme Court Case No. 2025-000312
Ct. App. Case No. 2021-00898
Opinion No. 2024-UP-277

Jimmy Helms .....Respondent,

v.

Debbie Willing.....Petitioner.

REPLY IN SUPPORT OF PETITION FOR A WRIT OF CERTIORARI

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The Court of Appeals should have vacated each and every one of the trial court's decisions for its lack of subject matter jurisdiction, *ab initio*. That is at the crux of this Petition, and it may be the sole statement that needs to be made in Reply to Respondent's Return. However, within his Return, Mr. Helms makes numerous incorrect claims, which have no basis in the Record or in the law,[1] which this Reply seeks to address.

REPLY TO RESPONDENT'S STATEMENT OF THE CASE AND FACTS

Mr. Helms' discussion of the facts seems superficially credible—until compared to the actual evidence and Record. He writes broadly about a convenience store business, and how the parties allegedly worked together in the convenience store, "jointly" controlling its day-to-day operations, and making "mutual decisions" about the store's name, and its scope of operations, and a lawsuit that it filed over gas tanks. And then—neatly—Mr. Helms proclaims that this business was a "partnership" between Ms. Willing and Mr. Helms. **But the convenience store business was never a "partnership." . . . it was a *limited liability company*.** (R. pp. 508; R. p. 568 L&D Complaint). Mr. Helms briefly acknowledges this reality but otherwise ignores the corporate form of L&D Enterprises LLC in the hope that this Court will be fooled—as the lower courts were—by a legal sleight of hand.

Petitioner urges this Court to read back through Mr. Helms' statement of the facts and substitute "L&D Enterprises **LLC**" for every generalized reference to the "store" or "convenience store" or "Jimmy's Mini Mart" or "business." A limited liability company

[1] The Return cites four cases – none of which have to do with the questions presented. Three pertain to the standard in Rule 242, SCACR, and the fourth case involves issue preservation. The Return cites no law in support of its arguments on jurisdiction, partnership, or the legitimacy of *ex parte*, post-trial discovery by the trial judge and Mr. Helms.

is not a partnership . . . it's a limited liability company. LLC law is what applies, not partnership law.

In many other instances throughout his Return, Mr. Helms mischaracterizes the Record. As important examples:

- Ms. Willing in her answers to the family court complaint and the civil complaint ***alternatively*** denied that the family court and the circuit court had jurisdiction, which is precisely what a party ought to do when confronted with the same case, consecutively filed in two separate forums.[2] (R. pp. 21, 31).

- The trial court **did not** appoint a "court forensic examiner" "prior to the first witness being called." (Return pp. 2-3). The Record reflects that the trial judge first *mentioned* that he *might* appoint a forensic accountant **after both the plaintiff and the defendant had rested** (R. p. 408), but he did not actually appoint Mr. Hodge until more than two months after conclusion of the trial. (Order, R. p. 6).

    - Importantly, neither party moved for the appointment of a forensic examiner—it was erroneously ordered *sua sponte* by the trial court, after trial, in an interlocutory discovery order that was not immediately appealable. Ms. Willing properly awaited the trial court's final order, at which point she appealed.

- Ms. Willing did not "accept" Mr. Hodge's report as proper or legitimate. **Notably, the report was never filed as an exhibit at all.**[3] Instead, Ms. Willing waited for the court's final order, and then she appealed it.

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[2] Incredibly—shortly after this Petition was filed—Mr. Helms filed a third lawsuit, in yet another forum, pertaining to the same facts and law at issue here. *See* Lexington County Case No. 2025-CP-32-02205.

[3] This Court can take judicial notice of the circuit court docket, which is devoid of any filing of the forensic report. Oddly, there is a belated order (filed by the trial judge *sua sponte*, **not in response to any motion**) that vaguely "seals" some vaguely-described documents (the documents "utilized by Mark Hodge"). This order, issued simultaneously with the order denying Ms. Willing's Motion to Reconsider, is contrary to Rule 41.1, SCRCP, which has a specific process for sealing documents designed "to insure that the rules of court are fairly applied." Rule 41.1(a), SCRCP. Here, the rules were not fairly applied at all.

- There was no requirement that Ms. Willing raise in her motion for reconsideration those items that had already been ruled upon by the trial court, as they were preserved for appellate review.

Much more could be said about Mr. Helms' version of the facts of this case; this Court should carefully review his citations to the Record and take note of the many "facts" which are asserted without citation. However, the facts are not paramount in the face of the jurisdictional error and errors of law made by the lower courts, which Ms. Willing urges this Court to consider, vacate, and reverse. *Seels v. Smalls*, 437 S.C. 167, 877 S.E.2d 351 (2022)("A judgment from a court that does not have subject matter jurisdiction is void *ab initio*.").

REPLY TO RESPONDENT'S ARGUMENTS

1. The circuit court lacked subject matter jurisdiction over this marital litigation.

Respondent Mr. Helms was the architect of this litigation, and he elected to file this suit first in family court as an action to determine the validity of an alleged common law marriage and for equitable division of alleged marital property. (R. p. 14, Family Court Complaint). At that moment, jurisdiction ***vested*** in the family court.[4] *Seels,* 437 S.C. at 174 ("The family court's exclusive jurisdiction over equitable apportionment extends to marital property . . . subject to apportionment 'by the family courts of this State'—at the moment the marital litigation is filed.") (emphasis added). Ms. Willing filed an answer and denials to the Family Court Complaint, which prompted Mr. Helms to engage in belated forum-shopping. Mr. Helms' second Complaint—filed in civil

[4] Moreover, the family court already had exclusive jurisdiction to determine the validity of the alleged marriage and to determine the alleged rights of parties in alleged marital property. S.C. Code § 63-3-530(A)(2).

circuit court while the family court case was pending—alleged the same factual basis and sought the same relief pertaining to the same property (*i.e.*, a determination of whether the parties had a common law marriage, as well as "an accounting requiring the Defendant to appear and to account for the **marital assets**"). (R. p. 25 (emphasis added)).[5]

The circuit court action was void *ab initi*o for lack of subject matter jurisdiction. *Thomas & Howard Co., Inc. v. T.W. Graham and Co.*, 457 S.E.2d 340, 318 S.C. 286 (1995) ("a judgment is void . . . if a court acts without jurisdiction."). The Court of Appeals wrongly finds that Ms. Willing consented to have the case tried in civil circuit court by denying in Family Court that a marriage existed, but this is error: neither a party nor a judge may voluntarily alter the statutory, exclusive jurisdiction of the Family Court over alleged marital property. *Anderson v. Anderson*, 299 S.C. 110, 115, 382 S.E.2d 897, 900 (1989) (subject matter jurisdiction may not be waived, even by consent of the parties). "The jurisdiction of any tribunal is determined by the allegations, not by the answer to the questions raised by the allegations." *See Brown v. South Carolina Dep't of Health*, 393 S.C. 11, 709 S.E.2d 701 (Ct. App. 2011), *citing* 21 C.J.S. Courts § 17 (2006).

In his Return, Mr. Helms makes two incorrect arguments that jurisdiction was proper. First, he argues that by sprinkling the word "business" here and there into his otherwise entirely domestic litigation, he has somehow changed the subject matter of his lawsuit. This argument fails under Mr. Helms' own allegations and trial tactics, which

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[5] *See* fn. 2, *supra*, Respondent's third lawsuit against Ms. Willing over this same property, filed last month at Lexington County Case No. 2025-CP-32-02205. Mr. Helms is engaged in an all-out war to financially ruin his ex-girlfriend. *But see* U.S. District Court Case No. 3:24-CR-00475-SAL.

unequivocally claim a (disputed) marriage and marital property.[6] Mr. Helms is outright wrong when he says that this lawsuit was "not an action to establish any type of marital relationship or to divide marital assets." (Return p. 10). **Below is just a sample of the questions asked of witnesses by Mr. Helms during his case in chief** in the trial of this matter, which case was clearly domestic and not a business dispute at all:

- "So, you were having sex with him while married?"
- "Now, isn't it true that Jimmy helped pay for some of your children's education?"
- "He had an expectancy that he would be able to use that pool and that house for his children?"
- "Well, now, you don't have any idea what would give him such an expectancy do you? . . . Except for the fact that you told him you loved him, right?"
- "And you slept with him?"
- "So you were pretty much a couple, right?"
- "Why did you consider yourself married to her?"
- "Would you tell me how you and Debbie conducted your business affairs compared to a married couple?"
- "Now, y'all lived together for how many years?"

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[6] As one example, here is an excerpt from Mr. Helms' *Memorandum in Opposition to Ms. Willing's Motion for Summary Judgment*, filed with the circuit court, which was argued shortly before trial:

> **STATEMENT OF FACTS:** Jimmy Helms and Debbie Willing **cohabitated for approximately 13 years** and contemplated the possibility of marriage. For a number of reasons, the parties did not do an official marriage ceremony. Throughout the years, the Plaintiff and the Defendant **did hold themselves out as husband and wife**. The parties did have a stock market account together but they did file separate tax returns. For numerous purposes, the parties **held themselves out as husband and wife and the parties did consider themselves to be married**. The parties owned a business together; held property together; had property placed in the Defendant's name; and **they were generally recognized by members of the public as being husband and wife**. The parties have separated from each other in June of 2015. **Throughout the marriage**, the Plaintiff invested significant amounts of money into the home where the Defendant resides. Approximately $100,000 was invested in Defendant's home.

- "How many times did she throw you out of the house?"
- "So, y'all separated after about fourteen years?"
- "How much did you pay for [the Rolex]?"
- "How much of that money did you put into her house?"
- "Tell me about the improvements you paid for to the home."
- "What, if any money did you put in a vehicle for her daughter?"
- "During the time y'all were living together, **y'all were having marital or sexual relations, weren't you?**"
- "Was there anything y'all didn't share?"
- "Did you ever think they were married?"
- "They were living together, right?"
- "Did you believe they were husband and wife?"
- "Did they act like husband and wife?"
- "Why do you think she was married to Jimmy?"
- "Did either one of them ever refer to the other as spouse, my wife, my husband?"
- "You say they lived together. How did you know that?"
- "How did their relationship develop? What did they do? Did they move in together?"
- "And they lived together for a long period of time?"
- "Did you know their marital status, or did you believe you knew their marital status?"
- "What do you mean by that, they conducted themselves like they were married?"
- "Did [Debbie Willing] help raise you?"
- "Did you ever live in the home with Debbie and your dad?"
- "Sometimes you called her 'Mom?'" [7]

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[7] (R. p. 108, 131, 133-134, 204-210, 212, 321, 329, 334-335, 341-342, 362, 365-366).

The subject matter of this litigation[8] is unmistakable from the above questions, and this matter should have been heard and decided exclusively in the Family Court.

Mr. Helms' Civil Circuit Complaint pleads that the parties "lived either as husband and wife or like husband and wife," and that they either had a "marriage" or a "partnership," and that the "marital assets" should be accounted for. (R. p. 28, ¶¶ 1-9).

Mr. Helms's Return is wrong that jurisdiction was proper because the trial court ultimately never made an explicit ruling that there was a common law marriage. This is backwards; the lawsuit's subject matter is the thing in dispute (alleged "marital assets" and the disputed question of whether the couple was married), and not the answer to the question. *Brown*, 393 S.C. 11 (allegations determine jurisdiction, and not denial of them). A circuit court cannot confer subject matter jurisdiction on itself by styling its order to skirt another court's exclusive jurisdiction—especially not when the jurisdiction had already been implicated by the pleadings and questions presented. As a matter of constitutional and statutory law, the Court of Appeals erred to find that the circuit court had jurisdiction to hear Mr. Helms' alleged marital dispute over alleged "marital assets." S.C. Const. art. V, § 11 (the Circuit Court has jurisdiction "except in those cases in which exclusive jurisdiction shall be given to inferior courts").

As a second tactic in his Return, Mr. Helms attempts to blame Ms. Willing for his own jurisdictional snafu. To do this, Mr. Helms ignores the allegations of his own

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[8] "Subject matter" is defined as "The issue presented for consideration; the thing in which a right or duty has been asserted; the thing in dispute." Here, the "thing in dispute" was alleged entitlement to alleged marital property. "Subject of an action" is defined as "The right or property at issue in a lawsuit; the basis of a legal claim." *Black's Law Dictionary*, pp. 1723–1724 (11th ed. 2019).

Complaint in the circuit court (which was never amended and which was ultimately tried). Instead, Respondent criticizes Ms. Willing for the way that she defended against his allegations, ruminating that "one wonders which court the Appellant would concede has jurisdiction over the issues between the parties." (Return, fn. 1).

Frankly, it does not really matter whether Ms. Willing "would concede" or consent to the circuit court's jurisdiction. Subject matter jurisdiction **cannot be waived or consented to**. *In re Nov. 4, 2008 Bluffton Election*, 385 S.C. 632, 686 S.E.2d 683, 685-686 (2009) ("The lack of subject matter jurisdiction may not be waived, even by consent of the parties, and should be taken notice of by this Court."). "[J]ust as subject matter jurisdiction cannot be waived or conferred by agreement of the parties to an action, it cannot be conferred at the direction of a county official. Furthermore, subject matter jurisdiction may also be raised at any time, and it is properly contested in this appeal even if it was not raised below." *Id*. at 687. Retired Chief Justice Toal summarizes the law in this area nicely:

> Subject matter jurisdiction . . . refers to a court's power to hear and determine cases of the general class to which the proceedings belong. The subject matter jurisdiction of a court over a particular proceeding is determined by the state constitution and statutory law. . . . a court without subject matter jurisdiction does not have authority to hear the case at all. For this reason, **a party may raise want of subject matter jurisdiction at any stage of a proceeding, even for the first time on appeal before the Supreme Court**, and both trial and appellate courts may raise the issue of subject matter jurisdiction *sua sponte* at any point in time. **Subject matter jurisdiction may not be waived, even with the parties' consent.** A judgment of the court without subject matter jurisdiction is void and constitutes grounds for the court to vacate the judgment.

Jean Hoefer Toal *et al*., *Appellate Practice in South Carolina*, pp. 110-111 (3rd ed. 2016) (internal citations omitted; emphasis added). The civil circuit court lacks jurisdiction "in

any case where exclusive jurisdiction has been conferred to a subordinate court." Toal, p. 30, *citing* S.C. Const. art. V, § 11. The family court has exclusive, original jurisdiction over the equitable division of alleged marital property. Toal, p. 32.

Mr. Helms wrongly filed an action in circuit court as to disputed "marital assets," and the circuit court did not have jurisdiction to hear it, ***from the inception of the case***. Ms. Willing respectfully requests that this Court grant her Petition to review the Court of Appeals' error of law, constitution, and public policy in affirming the civil circuit court's exercise of jurisdiction over alleged marital property.

2. Respondent's Argument on partnership law and the facts is wrong.

Mr. Helms had three causes of action against Ms. Willing, but the trial court granted relief on the first one, only. His first cause alleged: "Plaintiff and Defendant lived either as husband and wife or like husband and wife," having a personal and "business relationship," and the "parties recently separated," so "assuming there was no common law marriage, then the parties had a partnership." The relief sought, as to the alleged partnership, was (1) "an accounting requiring the Defendant to appear and to account for ***the marital assets***," and (2) "a winding up of the partnership affairs [and] . . . the division of partnership property." (R. p. 25, ¶¶ 2-9).

In his Return, Mr. Helms re-brands the "marital assets," giving them the veneer of a "business": the convenience store. Mr. Helms' chief argument is summed up by him mid-way through his Return: "The parties both *operated Jimmy's Mini Mart and Jimmy's Citgo* as partners."[9] (Return p. 14). To support this premise, Respondent writes at length

[9] In other word, the "Business" was the gas station; however, problematically, the gas station business was an LLC.

about the purported convenience store business, discussing how the parties allegedly worked side-by-side in the convenience store, "jointly" controlling its day-to-day operations, stocking the shelves together, writing checks, and making "mutual decisions" about its name, and its scope of operations, and a lawsuit that it filed over gas tanks, and its sale in 2014 to Chharvi Bhavya, LLC. (Return pp. 4-10, 14-18).

Mr. Helms waxes for pages about the money that the convenience store business made, and how that money was spent, and whose idea it was to transform it from a struggling lottery ticket emporium to a thriving gas station. (*Id*.) And then—deftly—Mr. Helms proclaims that this convenience store business was a "partnership" between Ms. Willing and Mr. Helms. This same argument misled the Court of Appeals into error. **The convenience store business was never a partnership—it was a limited liability company entirely owned by Ms. Willing.** (R. p. 508; R. p. 568, Corrected Amended Complaint, *L&D Enterprises, LLC d/b/a Jimmy's Mini Mart and Debra Willing vs. MECO, Inc. of Augusta*, Case. No. 12-CP-32-2135, ¶ 1, "The Plaintiff L&D Enterprises, LLC is a limited liability corporation organized and existing pursuant to the laws of the State of South Carolina and does business as Jimmy's Mini Mart in the County of Lexington. Plaintiff Debra Willing is the owner of L&D Enterprises LLC and is the owner of the lots upon which the store and gas pumps for the store are located." (emphasis added)) (R. p. 157: 7-20) ("I was the sole owner of L&D Enterprises"). Mr. Helms' Return treads carefully around the corporate form of L&D Enterprises LLC in the hope that this Court will be fooled—as the Court of Appeals apparently was—by his corporate bait and switch. A limited liability company cannot be a partnership. It is a limited liability company.

It was error by the Court of Appeals to disregard the South Carolina Uniform Partnership Act. The Partnership Act reveals that the facts argued by Mr. Helms about L&D Enterprises LLC d/b/a Jimmy's Mini Mart are entirely irrelevant and inapplicable. The Act defines "Partnership" strictly, to exclude other corporate forms. S.C. Code § 33-41-210 ("However**, any association formed under any other statute** of this State [*i.e.*, the Uniform Limited Liability Company Act] . . . **is not a partnership.**"). A limited liability company like L&D Enterprises LLC is formed under the South Carolina Limited Liability Company Act, and it thus falls as a matter of law outside of the definition of a partnership. The Court of Appeals erred as to this statutory law, and this Court should review its Opinion basing a partnership finding on the acts of a limited liability company.

[The Return fails to make any argument in opposition to the Petition's Question III, and this Court should find the issue conceded.]

3. The post-trial appointment by the trial court of a forensic accountant to conduct post-trial discovery on behalf of the trial court was improper and error of law.

In his Return, Mr. Helms leans in on (incorrect) preservation arguments and cites zero legal authority that would permit a trial court to appoint *sua sponte* a "Court forensic examiner" long after the plaintiff had rested his case and several months after the conclusion of trial, to conduct discovery into the facts on behalf of the judge, without any evidentiary safeguards, outside of the discovery protections of the Rules of Civil Procedure, by way of numerous one-sided, partial and prejudicial *ex parte* communications. Respondent argues that "Petitioner has not been able to cite one shred of concrete evidence of any wrongdoing or overreaching on the part of Mr. Hodge and

the work he did at the request of the Circuit Court." (Return, at p. 22). To the contrary, the Record is steeped in indicia of impropriety, to which the Court of Appeals should not have turned a blind eye.

Mr. Helms arrived at trial without any documentary evidence whatsoever to prove his case. This Court should pause—although the lower courts failed to do so—**to wonder why Mr. Helms was not able to come to trial with any evidence pertaining to a business that he claims to have co-owned.** Throughout the trial, counsel for Mr. Helms griped that Ms. Willing had not produced documents in discovery. (*See, e.g.,* R. pp. 137, 143, 154: 20-22, 163: 4-14, 179). But there is no evidence in the record that Mr. Helms even served discovery requests on Ms. Willing.

Moreover, there is no indication in the record that Ms. Willing did not produce whatever documents Mr. Helms might have requested in discovery (if he did). If, in the course of discovery, Mr. Helms had believed that Ms. Willing was somehow not cooperating in discovery, or that her responses were deficient, **then there is an entire rule within the South Carolina Rules of Civil Procedure dedicated to the proper mechanism for applying to the court for assistance.** ***See generally*** **Rule 37, SCRCP.** Nonetheless, Mr. Helms did not ever file a Motion to Compel pursuant to Rule 37, SCRCP. He did not serve any subpoenas. He did not search within the public records to procure corporate documents, tax documents, and deeds.

Instead, after filing his two lawsuits in Family Court and Circuit Court in 2015, Mr. Helms simply let the years pass without making any real effort to conduct documentary discovery (2016. 2017. 2018. 2019). Two Scheduling Orders were entered

by the court, requiring discovery to be completed by the parties. (R. pp. 1, 4). Mr. Helms then showed up at trial in 2020 without evidence necessary to meet his burden of proof.

Rather than recognizing failure of proof as a flaw fatal to Mr. Helms' claims, the trial court improperly took it upon itself to *help* Mr. Helms try to prove his case. The court asked Attorney Moore:

> THE COURT: What have you received in discovery? . . . What have you not seen in discovery?
>
> ATTY. MOORE: I haven't seen any checks. I haven't seen any financial statements. I haven't seen any tax returns. I haven't seen—
>
> THE COURT: All right, that's enough. **Just make a list** and after all this is over with [*i.e.*, the trial], I'm going to have to talk to both of y'all about getting this information to me and someone that I might pick to do a forensic accounting, all right? *That's fair enough.*

(R. p. 392) (emphasis added). Actually, this remarkable decision by the trial court was not "fair enough"—it was not fair at all.

This exchange between the trial judge and Attorney Moore occurred *after* plaintiff had rested his case.[10] (R. p. 83, 369: 4-5) (Atty. Moore: "Nothing further, and that's our case, Your Honor."). There are no rules, or statutes, or evidentiary provisions that permit a judge or court to independently investigate the facts, after conclusion of trial (or at all). Certainly, there is no allowance for a court—in the midst of trial and after the plaintiff has rested—to instruct the plaintiff's attorney to "***Just make a list***" of evidence the attorney might have wanted, or wished that he'd had, in hindsight.

[10] Which is not to say that it would be any more acceptable if it had occurred at any other time in the trial.

Yet, the circuit court went on, after trial, to file an order stating that he was "appointing" a forensic accountant:

> I have appointed Marcus B. Hodge with ASC Forensic as a Court forensic examiner. Because of the lack of documents, the record is incomplete. The Court needs a full record and report from the forensic examiner before rendering a Final Order as to an accounting and the appropriate division of property.

(Order, R. p. 6). The circuit court apparently issued instructions to the forensic accountant, which were not filed and are not in the court record, authorizing the accountant on behalf of the court to submit discovery requests to the parties, and to issue subpoenas, and to otherwise conduct post-trial discovery, *inter alia*.

These actions by the circuit court were unlawful, they were biased and partial, they were *per se* prejudicial to Ms. Willing, they were contrary to the law of the case established by two separate Scheduling Orders, and they constitute reversable error. Rule 501B, Canon 3, SCACR (Commentary: "A judge must perform judicial duties impartially and fairly . . . A judge must not independently investigate facts in a case and must consider only the evidence presented.").

Over the course of almost a year, both the judge and Mr. Helms' attorney had numerous conversations with the forensic accountant, in which Ms. Willing was not included. (Hodges Statements, R. pp. 626-633). The forensic accountant procured records from Ms. Willings' banks, using Attorney Moore's subpoena power, and Ms. Willing was never provided the subpoena responses. The forensic accountant sought and considered written statements and arguments from Attorney Moore and Mr. Helms which Ms. Willing and her trial attorney have never seen or heard. The forensic accountant

apparently reported to the court intermittently, without the court or the accountant copying Ms. Willing or her attorney. (*Id.*). Ms. Willing and her attorney literally have no idea what supports the forensic accountant's conclusions, because those documents are not in the record and not on file with the court. *See* Rule 501, Canon 3, SCACR (Commentary: "To the extent reasonably possible, all parties or their lawyers shall be included in communications with a judge."). The forensic accountant produced a report, which also was never filed with the court, and which Ms. Willing had no opportunity to contest, or to test its authenticity or credibility.

In other words, there were no evidentiary, procedural, or other legal restraints on this post-trial "forensic examination" of undisclosed records, which forms the basis of the trial court's decisions. The circuit court's order refers to the "Forensic Report" a total of eight times within its three pages. (R. pp. 7-9). Reliance by the circuit court on "facts" not in evidence, which were procured long after trial—by the trial judge himself—constitutes reversible error which the Court of Appeals erroneously failed to correct.

CONCLUSION

In sum, Mr. Helms filed this marital litigation to divide alleged "marital assets." It should never have been heard in civil circuit court, which lacked subject matter jurisdiction over it. The circuit court's decisions are void as a matter of law, and the Court of Appeals was wrong to affirm them. Moreover, the circuit court's decisions were so tainted by error of law and procedure that this Court must grant certiorari to reverse them. Ms. Willing respectfully asks this Court to grant her that relief.

[signature block appears on next page]

Respectfully submitted,

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PROOF OF SERVICE

I certify that I have served Petitioner's *Reply in Support of Petition for a Writ of Certiorari* on Respondent by sending the same to his attorney of record S. Jahue Moore, Esquire, at his email address of record with AIS: *jake@mbmlawsc.com*

Respectfully submitted,

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