

FORM 13

BRIEF OF APPELLANT IN A CIVIL CASE

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

APPEAL FROM SUMTER COUNTY
Court of Common Pleas
George McFaddin, Circuit Court Judge

Case No: 2025-00242

RECEIVED

JUN 30 2025

SC Court of Appeals

Barbara Ann Johnson
308 Ruby Street
Lake City, SC 29560

Appellant,

v.

McLaughlin Ford
950 N. Main St.
Sumter, SC 29150

Respondent.

NOTICE OF APPEAL

Barbara Ann Johnson appeals to the judgment of Honorable Kimberly Land Circuit Court Judge, No. 2762 dated July 23, 2024. Appellant received written notice of entry of this order [judgement] on July 30, 2024.

June 25, 2025

s/Barbara Ann Johnson
308 Ruby Street
Lake City, SC 29560
843-206-2523
Appellant

The Plaintiff- Appellant, Barbara Ann Johnson, 61 years old is a resident of Lake City County, South Carolina. The Defendant-Respondent, Mclaughlin Ford is a company with a principal place of business located in Sumter South Carolina.

This court has jurisdiction over the final judgement. After the hearing on July 17, 2024, the Circuit Judge took all testimony and evidence under advisement and granted judgement in favor of the Defendant on July 23, 2024. I wish to appeal the judgement of Judge Kimberly W. Land in this matter for the following reasons:

1. McLaughlin took my motor out of my truck without my permission (page 2, line 18-20)
2. The warranty company stated that they did not authorize McLaughlin to take the motor out (page 3, line 2-4)
3. Mr. Wilson testified that there was miscommunication, and the warranty company did not tell them to take the motor out (page 22, line 7-14)
4. In the transcript from the hearing held in front of Judge Curtis where Ms. Johnson states that there was a 3-way phone call between her, Mr. Butch Woods and the warranty company. Mr. Butch Woods stated to the warranty company that they told them to take it out and the warranty company stated that they did not. Then Butch Woods stated that Ms. Johnson told them to take it out, and she stated no, that she would not tell you all to take out her motor, that they were only supposed to do the diagnostic. (page 5, line 24-25 and page 6, line 1-10)

On December 1, 2020, I purchased my 2005 Ford Explorer Sport Trac XLS from Five Star Nissan Florence. I also purchased a warranty contract for 36 months or 36,000 miles from First Mile \$2,700.00 with a \$100.00 deductible. At the time of purchase, the current odometer reading was 124,865 miles. At the trial, I stated that I took my 2005 Ford Explorer Sport Trac at that time it had 145,319 miles on it; in for diagnostic testing because of the noise my truck was making when the wheel turned and the gasket on the transmission oil pan to McLaughlin Ford. I gave McLaughlin Ford permission to perform diagnostic testing only to my vehicle regarding the issues that I brought it in for. I was told that my vehicle was torn down to the point of failure and that process had not been discussed with me prior to that happening. McLaughlin Ford stated that I had signed the Disclaimer, but the signature is different from how I signed my name, and I believe that my signature was forged on the document. I never signed any other document outside of the form regarding diagnostic testing and that they are not responsible for any valuables left in the vehicle when in their shop. The warranty company stated to me that they did not give McLaughlin Ford authorization to remove the motor and that the motor did not need to be removed to take the pictures they needed. At this point, McLaughlin Ford refuses to put my car back to its original state as I brought it in. Ultimately, I believe there has been miscommunication between the warranty company and McLaughlin Ford, and they are putting the blame on each other. The Judge, Kimberley W. Land, didn't allow me to introduce the evidence that I had regarding previous vehicle records for my vehicle. The witnesses that I have were not able to attend the hearing because they were unable to get off work. I wanted to get the warranty company on the phone, to verify that they didn't authorize that my motor

needed to be taken out, but I was unable to. I had just been released from the hospital that morning of the hearing and I was not properly prepared to present my case.

This lengthy process has been emotionally and mentally challenging and has impacted on my ability to effectively prepare for the next steps to be able to represent myself in this case. How I have been unfairly treated by McLaughlin Ford is unacceptable, and they should be held accountable for their actions. I'm asking that my appeal be considered regarding the judgement rendered by Judge Kimberly W. Land. I'm asking this Court to allow me the opportunity to properly present my case against McLaughlin Ford to prove their negligence, have more time to get the official recordings because I believe Lila may have altered them and order McLaughlin Ford to put my car back together to its original state as it was before it was torn down to the point of failure. Thank you for your time and consideration in this matter.

Respectfully submitted,

Barbara Ann Johnson
308 Ruby Street
Lake City, SC 29560
843-206-2523
Appellant

FORM 7
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Barbara Ann Johnson
Appellant.

PROOF OF SERVICE

I certify that I have served the Appellant Brief on the South Carolina Court of Appeals by depositing a copy of it in the United States Mail, postage prepaid, on June 26, 2025, addressed to: Jenny Abbott Kitchings, Clerk P.O. Box 11629 Columbia, S.C. 29211

June 26, 2025

s/ Barbara
Ann Johnson
308 Ruby Street
Lake City, South Carolina 29560
(843) 206-2523
Appellant

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PROOF OF SERVICE

I certify that I have served a copy of the Appellant Brief on the Defendant's attorney Michael Mckinney Jordan by depositing a copy of it in the United States Mail, postage prepaid, on June 26, 2025, address: 10 law Range Sumter, S.C. 29150

June 26, 2025

s/ Barbara
Ann Johnson
308 Ruby Street
Lake City , South Carolina 29560
(843) 206-2523
Appellant

Barbara Ann Johnson
308 Ruby Street
Lake City, S.C. 29560



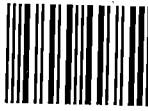
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