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SC Court of Appeals

**Appellant Letter Exhibit "A.1"**

Date: September 30, 2013

Jenny Abbott Kitchings, Clerk  
Honorable Clerk of the SC Appeals Court  
1015 Sumter Street  
Columbia, SC 29406

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SC Court of Appeals

**Subject:** Clarifications and Your 3 letters dtd 27 September 2013 to the Appellant's.

RE: RECORD ON APPEAL; FINAL BRIEF and REPLY BRIEF -- FORM 7 -- pending compliance issues;

- Reasoning for not showing of services of correspondence upon Cezar E. McKnight & others,
  - The Clerk's letter tells us, "It does not show that a copy of this correspondence was provided to the opposing party(ies)/counsel, specifically Cezar E. McKnight."

Dear Clerk Kitchings,

Thank you for your offices 3-letters today. The issues of the RECORD ON APPEAL **PROOF OF SERVICE** (named as Certificate of Service) were inadvertently placed at being bound as the 2nd and 3rd pages of TAB #001. When we rescan the document for double sided printing, the amended PROOF OF SERVICE can simply be reinserted to an Appendix TAB for both the Certification of Counsel and PROOF OF SERVICE. On the newer book binding -- these Appellants **AMENDED** binding to easily locate the PROOF OF SERVICE statements SCACR FORM 7 format at the end of the document.

The Clerk's letter tells us, "*It does not show that a copy of this correspondence was provided to the opposing party(ies)/counsel, specifically Cezar E. McKnight.*"

The Reasoning of the Appellant; for not showing proof of services of correspondence upon Cezar E. McKnight, is because he did not file a RESPONSE. Resultantly, the RECORD ON APPEAL **was not delivered to these parties** who were lined out per SCACR #210(a) which tells us that because the parties did not file their BRIEF RESPONSE(s) -- they will have no entitlement to receive further Appellants' documents. As such, their names were placed, yet lined out, for reference to that effect upon certifications (proofs) for the RECORD ON APPEAL with its Certificate of Counsel #209(c) and the Appellant's Certificates of Service ( **TYPOGRAPHIC ERROR: PROOF OF SERVICE** ) has been amended for the new bindings project to be scheduled as is required.

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Only Respondent Shelly All Law Firm had timely filed an INTIAL RESPONSE. We waited the thirty plus days and no other Respondents' appeared. The Appellant's PROOF OF SERVICE [written as Certificates of Service] and USPS Certified Mail #'s to Cezar E. McKnight and balance of Respondents as was shown; SCACR 210(a) told these Appellants that a failure to file a RESPONSE ends any mailing or any service upon those now silent parties. **This should explain why the matter was curious for your Clerk's attention.** This clarification/statement was made a part of the two Rule 209(c) and 210(a) pages

inadvertently bound under TAB #001. Explaining why your office did not observe the event of non compliance by other Respondents.

**The caption for the cover pages of the RECORD ON APPEAL, the FINAL BRIEF and the FINAL REPLY were missing the RESPONDENTS names at the bottom right hand corner. The amended cover sheets for all replacement bindings will not show Respondents who have failed to file a BRIEF RESPONSE by September 16, 2013, when the Appellants needed to file their RECORD ON APPEAL documents bound.**

What is/was confusing is that Cezar E. McKnight, the Attorney who participated in the actual "forgery of Henry Myers' 2007 Power of Attorney" -- is himself, a party to the suit as appealed from Charleston County, McKnight was the attorney for both Mrs. McFadden-Myers and Ms. Hobson at the Probate Courts and at the Court of Common Pleas; the civil action which is stemming from the "forgery of Henry Myers." One of the **ISSUES on Appeal** is that of an Ethical Neglect for McKnight to be a party *pro se* (as his own attorney) and the attorney for his ex-clients in the Probate matters before, whom are now McKnight's co-defendants. This is why these Appellants always included these three (3) parties with every paper they filed at the courts below and on the INITIAL ( INFORMAL ) BRIEF certificate of services (PROOF's of SERVICES) of the Appellants See Rules of Conduct 407.

**Rule of Conduct No. 407** states, "A lawyer is a representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice." Rule 407, SCACR pmb1. {preamble}

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#### **HISTORY OF PROOF's OF SERVICE by Appellants**

The INITIAL BRIEF had a Certificate of Service signed July 21, 2013 that did not meet exactly SCACR FORM 7 in APPENDIX C to part II of the SCACRs. (It should have been labeled PROOF OF SERVICE instead) It is attached hereto as this **Appellant Letter Exhibit "A"** which includes the distribution to all listed;

**Appellant Letter Exhibit "A.1"** The Appellant's had sent to Cezar E. McKnight their INITIAL (INFORMAL) BRIEF via USPS Certified and Return Service # 7012 1010 0001 2668 9477 which was delivered to Cezar E. McKnight whose green card USPS Form No. 3811 from the Post Office is apparently signed by McKnight personally and the USPS e-Receipt is dated as this mailing being received on July 24, 2013.

**Appellant Letter Exhibit "A.2"** The Appellant's had sent to Cezar E. McKnight the INTIAL REPLY BRIEF about the INTIAL RESPONSE filed timely by Respondent Shelly K. All Law Firm. Cezar McKnight via USPS Certified and Return Service # 7000 1670 0011 2703 0788. The green card, USPS Form No. 3811, did not return. The USPS email service for the Post Office's record of delivery is attached hereto as PROOF OF SERVICE of the INTIAL REPLY BRIEF as delivered to Cezar E. McKnight on September 11, 2013.


The Appellants answer to the Clerk, with the evidence as PROOF OF SERVICE upon Cezar E. McKnight. McKnight nor the other Respondents, filed any INTIAL RESPONSE's to the documents so served upon them each.

**Therefore: as is stated at 2nd & 3rd pages under TAB #001 @ RECORD ON APPEAL,**

**SCACR 210(a)** The Appellant's, Gloria Myers and Jerome Myers, by affixing their signatures below, herein certify that the Rule 210(a) -- RECORD ON APPEAL has been placed in the USPS with first class postage affixed to "*each party who has served a Brief*".

**AS SUCH**, in the spirit of SCACR 210(a) and understandings: the Appellants did not deliver the (1) RECORD ON APPEAL; (2) the FINAL BRIEF and the (3) FINAL REPLY to Cezar McKnight; Mrs. McFadden-Myers or Ms Hobson. Each having failed to file a RESPONSE to the BRIEF precludes them from service of Items (1), (2) & (3) from the Appellants.

If the above is chronological dissertation is correct and acceptable to the Clerk, then, and only then, the Appellant's will be able to timely comply with the ministerial corrections to the pleadings within the Court's 10 days from September 28, 2013, when we received the 3 letters dated September 27, 2013.

Sincerely,  \_\_\_\_\_

Jerome Myers & Gloria Myers  
2121 Taylor St.  
North Charleston, SC 29405  
(843) 747-6741  
Appellants Pro Se

Shelly K. All (& Dennis Christensen) Law Firm,  
260 W. Coleman Blvd., Ste D  
Mt. Pleasant, SC 29464  
(843) 971-1199  
Respondent

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Courtesy Copy to the following 3-Respondents:

Cezar E. McKnight  
106 East Main St.  
Lake City, SC 29560  
843-374-4529  
Respondent

Willie O.W. McFadden-Myers,  
301 Lexington Ave.

Kingstree, SC 29556  
Respondent

Latonya Hobson  
3213 Oak Spring St.  
Columbus, OH 43219  
Respondent

-- END --