

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

IN THE COURT OF COMMON PLEAS
Case No. 2024-CP-18-01459

FILED-RECL

2025 JUN -9 PM 4:40

Attia Elhadawy and Lynne Chaitos
Plaintiffs,
v.
D.R. Horton, Inc.,
Defendants.

CHERYL GIBSON
CLERK OF COURT
DORCHESTER COUNTY

**CERTIFICATE OF SERVICE
MEMORANDUM IN SUPPORT
OF MOTION TO RECONSIDER
AND MOTION TO STAY**

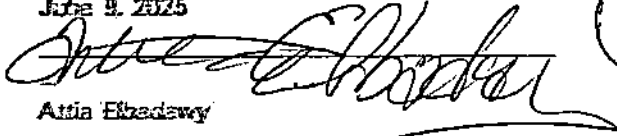
I, the undersigned, hereby certify that I have this day served a copy of the following document(s):

MEMORANDUM IN SUPPORT OF MOTION TO RECONSIDER AND MOTION TO STAY

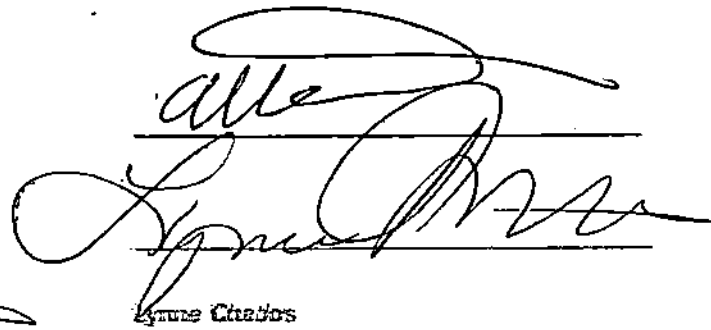
upon the below-named attorney for the Defendant by depositing a copy in the U.S. Mail, postage prepaid, and properly addressed as follows:

Kerison, Dudley & Crawford, LLC
Mark Bibe, Esq.
325 W. McBee Avenue, Suite 301
Greenville, SC 29601

Respectfully submitted,
June 9, 2025



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CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

MEMORANDUM IN SUPPORTING
MOTION TO RECONSIDER AND MOTION TO STAY

On May 14 2025 the Plaintiffs filed a Motion to Reconsider, pursuant to Rule 59, as a result of denying the Plaintiffs' Motion for a Preliminary Injunction. The reason for the denial was because the Plaintiffs never filed a Memorandum or an Affidavit to support the Motion for Injunction, because the Plaintiffs are Pro Se and they are not familiar with the court's procedures and the limited source of research and due to the Plaintiff's health conditions.

Comes now, the Plaintiffs, Atia Elbadawy and Lynne Chatlos residents of 493 Wise Lane (493 Wise Road for 911/mailling purposes only) Summerville, SC 29483. The Defendant, D.R. Horton, Inc (DRH), is the owner of a tract of land located near the town of Knightsville, Dorchester County, S.C., surrounded by an LLC Company, from the Northeast boundary line. D.V. Timber, LLC, that shares a boundary line with Twin Lakes Subdivision from the southeast east. CHS Timber LLC and D V Timber LLC are sharing an adjacent line.

With DRH in April 2024, DRH brought the tract of land from BRDL SPE1 LLC. BRD Land and Investments LLC, the owner of BRDL SPE1 LLC and D R Horton (DRH), the owner of BRD Land and Investments LLC since August 2024, according to the evidence we have, see Exhibit -E15, showing that the Transfer of ownership and the transfer of all the permits from the previous owner, BRD Land and Investments LLC, to DRH and The Defendants, DRH Assistant Secretary Michael Condon, signed the new ownership agreement stating that DRH took over and carried out the full responsibility under the penalty of perjury on all the permits that have been issued in the past and present. See Exhibit # 16.

Also, on 10/10/2023 the engineering company known as Stantec, an employee sent a letter to DCHEC confirming that DRH is the new owner of D V Timbers Subdivision and DRH are the only ones responsible for all the permits. See Exhibit E17. And on 10/14/2023, Michael Condon (DRH), Assistant Secretary, filed an encroachment permit to install water/sewer pipes underneath Scotch Range Road, Helms Drive, and Trinity Drive for the D V Timbers subdivision, so this means that DRH was the legal owner back in 2023, not according to Kelsey Harper's affidavit on 04/19/2024. See Exhibit E18. So DRH is the only one responsible for all the permits, including the encroachment permits issued for the entire D V Timbers Subdivision, from the past to the present date.

The center of the agreement in the case is over the Ownership of the Plaintiffs driveway (Wise Lane).

The Plaintiffs are claiming the ownership of Wise Lane by Adverse Possession by Tacking.

The Plaintiff is claiming ownership of Wise Lane through the petition and the full consent of all the landowners on Wise Road and Wise Lane. See Exhibit E 19

The Defendants, DRH, are claiming that the Plaintiff's driveway (Wise Lane) is a public road for the following reasons:

- 1) Dedication on the plat map of the Twin Lakes Subdivision by AMI in 1967
- 2) The Alleged encroachment permit.
- 3) DRH claims that the DRH tract of land is Adjacent to Wise Lane.

Let's take a look at the 3 claims DRH is making.

The Plaintiffs need only to destroy 1 of them to destroy all 3 of them.

The claims made by DRH are:

- 1) All the roads, streets and easements dedicated to the public for their use forever, according to the Twin Lakes Subdivision plat map.

But the law in S C is built on Common Law of Dedication and the SC Supreme Court The court has set the specific rules for the act of Dedication on a subdivision plat map.

S C Supreme Court Rule#1- the language on the Plat Map should not cause any confusion or ambiguity (meaning the language must be clear).

The Plaintiffs claim the language for the dedication of the road is for the landowners on the Twin Lakes Subdivision only, for the following reason:

- 1) Twin Lakes Subdivision was an HOA-homeowners association, being that Back in 1970, (AMI) was charging landowners to maintain the roads, see Exhibit E-20

- 2) The Plaintiffs deed clearly states that there are C C and R= Covenant, Condition and Restriction, proving that it was an HOA.

- 3) The language on the plat map worded: Forever always goes with the land, meaning it is an Easement, in other words, whoever owns the land will always have access to the easement forever, where Egress -Ingress to his home forever.

- 4) There is a recorded easement on the Plaintiff deed that has been recorded as an easement on the Plaintiff's Title Search from First American Title Company See Exhibit E 21 and also has been accepted and recorded with the D C Registrar of Deeds office, Book #176 Page#175, and the easement has always been private land. When you dedicate an easement to the government and the government formally accepts the dedication (the gift) then and only then would the ownership change to public (government) and the government would maintain the road. Then the government can give the easement to the general public, in this case, then The easement would be changed into a public right of way, but the just right-of-way is a private easement. until the county formally goes through the process and accepts The easement on behalf of the general public, that's the way it becomes an official right of way. Meaning: A private Easement will never be a public right-of-way, But a public right-of-way is an easement to the public.

D C employee Derrick McCoy (public works head engineer) contradicted himself within one Single email, saying to the plaintiff's former lawyer, Landon Brock, that D C public works does not have the Right of Way on Wise Lane, meaning it is not a public right of way. See Exhibit E20.

So, according to the SC Supreme Court rule, there are only 2 ways a private road can become a public road:

Rule#1, Dedication and Acceptance, SC Code 6-29-1170, the approval of the land development plan or subdivision plan may not be deemed to automatically constitute or effect an acceptance by the municipality or the county, or the public of the dedication of any street, easement, or other ground, shown upon the plat. Public acceptance of the land must be through the action of the governing body customary to these transactions.

Here are 3 similar cases in SC:

1) Huff v. SC DOT, 382 SC. 380,676 S E 2d 724 (2009). This case further supports The principle that acceptance of a public road requires a formal act or record. The court clarified that merely working or maintaining the road, even with the intent of Serving the public does not equate to the formal acceptance unless the government formally documents that acceptance through an official act (such as a recorded document).

2) Adams v. Anderson County: 300 S C 137 (1999). This case illustrates a clear legal precedent supporting the claim that the dedication made has to be accepted by the appropriate public authority, the S C Supreme Court held that a road dedication by a private landowner does not automatically result in a public road unless the county or state formally accepts the dedication. The failure to formally accept the dedication means that the road will remain private, and it is not entitled to public maintenance or other public services.

3) Perry v. McPherson: 336 S C 359 (1999) This case discusses the requirements of both dedication and formal acceptance for a road to become a public road. The court emphasized that dedication alone is not sufficient to establish a public road. There must be clear acceptance by the public entity, which could be shown through actions such as maintaining or improving the road. In this case, lack of formal acceptance means the road remains private.

So, DC never accepted the Dedication:

The Plaintiffs tried many of times to get DC to release all the documents, permits, and budget funds, repairs and maintenance, basically all relevant history on Wise Lane. This was done through emails, phone calls, but DC's reluctance to release any information on Wise Lane to the Plaintiffs is a direct violation of the federal laws, code #30-4-10. , See Exhibit-E-~~D~~
This has affected the Plaintiff's case against DRH -Case# 2024-CP-1801459.

Over the past years, the Plaintiffs made many calls to DC to get a clear status about Wise Lane. The Public Works and Planning and Zoning departments ensured the Plaintiffs that Wise Lane was a private driveway/private road SC Law # 57-5-850.

DC employees even said to use Wise Road as a reference point, whenever we call/email them, because it would be easy for them to look up and find Wise Lane and the Plaintiffs asked Public Works if we clear/build the road and spend money to fix it, would DC just take the road from us, Public Works emailed us back and told us there is a process that would have to take place by filing a petition form See Exhibit- ~~E4~~.

The SC Rule to change a private road into a public road is through Prescription. The public must use the road for 20 years openly, continuously use, notoriously, hostility such public must use not be interrupted for a span of 20 continuous years.

So DRH is new to the area, they just became owners of the D V Timbers subdivision in April 2024, according to Kelsey Harper's affidavit, and the Plaintiffs have owned their property since 2018. From that time, the plaintiffs have blocked both ends of Wise Lane with a 48 ft flatbed trailer and a 53 ft dry van trailer, placed a chain across with No Trespassing signs along with orange construction cones in front of the chain. Then in 2021 the chain was replaced with a black metal gate along with several No Trespassing signs and the two trailers have been parked 24/7. See Exhibit E21.

Pictures, plaintiffs' neighbor on Wise Lane and Wise Road sworn affidavits, &

So DRH failed to prove that the public used Wise Lane for 20 straight years. According to SC Rule, if a road was dedicated, but never accepted by the public or the government body for 20 years from the time of the dedication, the road remains private and goes to the abutting landowner, to the centerline of the road.

The plaintiff's neighbor, Amanda Wise's Mother, Marcia Wise, actually named Wise Lane in back in 1987 and the road became an approved driveway.

So, if DC gave an encroachment permit to work on Wise Lane, that is illegal because wise lane is private land, so DRH or DC has no legal authority to be on Wise Lane.

The plaintiffs have proven that DRH is not an adjacent line with Wise Lane. The plaintiffs prove this through DRH's own surveyors' map, which shows that it is a boundary line, not an adjacent line. See Exhibit-E24.

Back on July 2024, just after DRH horrific trespassing event on (07/26/2024)
The plaintiff asked DRH employee Chris Hill to email them the encroachment permit for Wise Lane, he never did that, but he kept on sending emails in the form of a chain of emails from some people emailing each other, one of those emails was from A DC employee. Anna Maire, said that her department could not remove the gate and Mike Goldston said in the email, Sorry, DC doesn't maintain the road he emailed this to Kacey Byrd, and she emailed saying sorry, the road is a private driveway and public works can't remove the gate, and Chris Hill calls that a permit.

Back in September 2024, just before the plaintiffs filed the lawsuits on 09/05/2024
The plaintiffs made a call to the DC planning and zoning department, Emily Wynn answered the phone that day, she said DC never gave DRH a permit to work on Wise Lane or Wise Road, all of the approved permits are to the north, which are Helms Drive, Trinity Drive off of Scotch Range Road, and that statement is in the plaintiff's affidavits and if DRH comes back, call the sheriff's department and have them arrested.

Also, on 11/14/2024, the plaintiffs had a meeting at the Summerville town hall 500 Main Street, Summerville with DC attorney Bradley Mitchell, Melissa Bates His paralegal wrote the transcript of notes. During that meeting, Bradley Mitchell assured the plaintiffs that DC never issued any permits to work on Wise Lane or wise road.

That statement is also in the plaintiff's affidavit, see Exhibit E23

DRH improperly served the plaintiff on 01/17/2025 by using FedEx, which No signature was required, and the new so-called encroachment permit and Chris Hill's and Kelsey Harper's affidavits were entered into evidence only 2 hours Before the virtual hearing with Judge Matie Murphy on 01/21/2025
Why did DRH play this dirty trick on the plaintiffs? because they knew the The encroachment permit was fabricated and interpolation, meaning it was full of doubt.

DEDICATION ON TWIN LAKES SUBDIVISION

About the dedication on the Twin Lakes Subdivision made by American Mortgage and Investment (AMI) is on the plat map in 1967. The plaintiffs did prove that dedication was for the landowner on the Twin Lakes subdivision, not for the general public.

D. R. Horton never proved that the dedication was for the general public.

Not even a single shred of evidence.

PRESCRIPTIVE EASEMENT EXPLAINED

1. **Simmons v. Berkeley Electric Co-op (2016, SC Supreme Court)**

Case Summary:

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The South Carolina Supreme Court clarified that to establish a prescriptive easement, the claimant must show

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20 years of use that is open, notorious, continuous, uninterrupted, and contrary to the true owner's rights.

"Adverse use" and "claim of right" are not separate—both must be proven as part of hostile use.

Relevance:

Helps define how to prove your prescriptive easement.

Highlights that visible, hostile use for 20 years—without permission—can create easement rights.

2. **Bundy v. Shirley, 412 S.C. 292 (2015)**

Case Summary:

-

The court ruled that a prescriptive easement must be proven by clear and convincing evidence. It emphasized

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that permissive use does not count, even if long-standing.

Relevance:

Demonstrates you must show the use was hostile—not permitted.

Important if someone is claiming easement across your land.

3. **Braswell v. Amick (2024, SC Court of Appeals)**

Case Summary:

The Court ruled that an easement may be proven through 20 years of uninterrupted, open, and adverse use. It

confirmed tacking between property holders is allowed, and judges—not juries—can decide easement claims.

Relevance:

Shows you can add together years of prior owners' use.

Courts accept long-term open road use as a potential easement.

4. Loftis v. South Carolina Electric & Gas Co.

Case Summary:

SCE&G claimed a prescriptive easement dating back to the 1930s. The court held that even mistaken belief in having the right to use the land counts under "claim of right."

Relevance:

Clarifies that the user does not need to be malicious—just believe they had a right.

Helps counter arguments that long use was accidental or mistaken.

Supporting Documents to Establish Private Ownership of Wise Lane

The Plaintiffs have obtained written consent and support from all neighboring property owners whose parcels adjoin Wise Lane and Wise Road. These neighbors have each granted their express and voluntary consent for Plaintiff Attia Elbadawy to have full and sole ownership and control over Wise Lane. They have further consented to allow the existing black metal gate to remain in place at the entrance of the plaintiff's driveway as a valid and lawful boundary (see Exhibit K).

The Plaintiffs have also made multiple good-faith attempts to obtain the historical records of Wise Lane from Dorchester County through proper Freedom of Information Act (FOIA) channels. However, Dorchester County has repeatedly failed or refused to release any records or documentation regarding the maintenance, ownership, or status of Wise Lane (see Exhibit R).

Therefore, the Plaintiffs respectfully request that this Honorable Court issue an order granting full and sole legal ownership of Wise Lane to Attia Elbadawy, and to formally recognize the road as private property under South Carolina law.

D.R. HORTON FABRICATED & IS MISLEADING THE COURT

In the DRH Memorandum, it is said that the plaintiffs installed the black metal gate in May 2024, which is a false statement. The black metal gate has been there since 2021, and before that, a chain was put across with no trespassing signs with orange construction cones along it.

Also, two semi-truck trailers have been parked on Wise Lane since 2018, See Plaintiffs' neighbor affidavits and photos, Exhibit D.

DRH said that the road has been dedicated to the public. Dedication doesn't mean anything if Dorchester County hasn't formally accepted it. DRH needs to prove that Dorchester County accepted the dedication and Dorchester County never did.

DRH has to prove that the public has been using Wise Lane for 20 straight years, must be openly, continuously, without the landowners consent for 20 years. And how can they do that, If DRH just joined the neighborhood as of April 2024?

DRH keeps saying they have all the permits to work on Wise Lane but all their permits state: Helms Drive, and Trinity Drive.

DRH keeps saying that DRH property is adjacent with the plaintiff driveway, that is false, and another interpolation.

The plaintiffs have proven that DRH's own surveyors' map shows that the line between the plaintiff's property and DRH's property is a Boundary line.

Chris Hill's Affidavit says that the only people who use Wise Lane are the plaintiffs and their invitees. 1) First off, the plaintiffs do not have any friends to invite over. 2) That it is the plaintiff's driveway and the plaintiff built and maintained Wise Lane.

DRH used the word Approved permit over 57 times between the Counterclaim, memorandum, Chris Hill and Kelsey Harper Affidavit But they never used the phrase "We have a Permit to work on Wise Lane" or "We have a Permit to work on Wise Road," or "We have a Permit to work on Weir Road".

Why, because they do not have any legal permits to work on any of the above roads, and if they say something like that, it can be held against them in the future in a fraud case, that is why they Keep it wide open. The biggest fear DRH has is to testify under oath, where they do everything in their power to avoid going to court and having to testify under oath.

DAMAGES CAUSED BY D. R. HORTON

Due to the fact that the plaintiff's property is considered "wet lands" The above-ground septic engineer design was forced to put the plaintiff's house to be very close to the road, -Wise Lane. -

If the court grants the road as a public road.

The Plaintiff's property will lose significant value, and the car traffic would interfere with the plaintiff's quality of life

The Plaintiffs spent over 7 years building/maintaining Wise Lane, that took a lot of hard work and 10's of thousands of dollars.

The plaintiff, Lynne Chatlos, had to have a major stomach surgery where a doctor removed her hernia and installed hernia mesh inside her body. She was forced to push cars out of the mud that got stuck on Wise Lane. Still suffers from the surgery aftereffects until today. Exhibit-E5-1. L12

The plaintiffs are loyal cat lovers and have an outside cat sanctuary on Wise Lane, by connecting the two subdivisions together, that will create a lot of car traffic on Wise Lane, potentially putting the cat's lives at great risk and decreases the value of my property.

2) There are many of protected animal species that call Wise Lane home including the long-eared bat, red cocked woodpecker, wood stork grey horn owl just to name a few. They used to live on the D V Timbers subdivision before DRH cut down all the trees, and by doing so, they also increased the flooding to all-time high record levels, affecting the whole neighborhood area. The plaintiffs are directly hit by the DRH flooding. The endangered species mentioned above are protected by federal/laws.

DAMAGE CAUSED BY D. R. HORTON

- 1) The Plaintiffs are suffering from severe emotional stress due to DRH's unlawful actions.
- 2) The Plaintiff is on major anti depression medicine due to DRH's wrongful actions.
- 3) The Plaintiff was financially damaged, due to DRH, the plaintiff has not been working for over 9 months, and he is the only source of income for the family.
- 4) The Plaintiff's Property was damaged due to DRH, illegal misconduct, and trespassing on private property without a legal permit.
- 5) The Plaintiff was harmed, due to DRH, terrified, threatened, being a minority, the Plaintiff received several threats shown through a chain of emails, and the lack of Community support worsened the depression /stress of the plaintiff.

The Plaintiff respectfully asks the court to "Enter Judgment" to stop D. R. Horton from entering Wise Lane, Summerville, SC. The Plaintiffs respectfully ask the court for Emergency Relief". The Plaintiffs have been directly harmed by the actions of D.R. Horton. As the court deems just and proper, for all the damages of D.R. Horton resulting in significant distress and damages, for which the plaintiffs as the Court deems just and proper

CAUSE OF ACTION

1) Connecting the two subdivisions together will cause heavy traffic on Wise Lane and add noise to a quite peaceful area. People in the D V Timbers, an HOA subdivision, will use Wise Lane to Cut through to get to Central Avenue (the main road) It is a shorter distance than if people were to take Helms Drive, Scotch Range Road.

The plaintiff's house had to be very close to the road, due to the fact that The plaintiff's property is wetlands and requires an engineered above-ground septic system, and Dorchester County always confirmed that Wise Lane was a private road/private driveway.

The plaintiffs were assured by Dorchester County that Wise Lane would never be turned into a county road, unless the plaintiffs filed an application to start the process to make it a county road, which was never done by the plaintiffs.

2) The plaintiffs have had an outdoor rescue cat sanctuary since 2018, Several feral cats have been given another chance at life and found a gentle calmness on Wise Lane, and if the two subdivisions are be connected with The heavy flow of traffic and noise this will only put those cat's live in danger and they have suffered enough in their short lives.

3) Flooding: By cutting down the tree farm D.R. Horton has created a serouius flood problem. DRH raised their property D V Timbers by 4 to 5 feet. directing the flow of the water going now to the East and dump water directly onto the plaintiff's property. Before it naturally flowed to the West, not affecting the plaintiff's property or my neighbors This put the plaintiffs' above-ground septic, water well, and central air unit deep under water.

If the plaintiff didn't own several heavy construction equipment machines to keep the ditches deeply dug, the plaintiff's new home would be completely damaged by DRH flooding issues.

Stormwater Discharge Violations

D.R. Horton dug new ditches around the Twin Lake subdivision without the landowner's consent.

D. R. Horton connected their new ditches directly to the plaintiff's property, and the plaintiff had to dig new ditches.

**Ditches on their own property to mitigate the damage.
So, the stormwater discharge to the plaintiff's second lot.**

**As a result, damaged the plaintiff's property,
the property behind the plaintiff.**

**And that's a violation of the environmental and
health department. That's why DRH surrounds their
property with all different LLC companies
to protect themselves.
their**

Ultimately, it comes down to DRH proving that the dedication made by AMI on the Twin Lakes subdivision in 1967, where all roads, streets and easements are dedicated to the public for their use forever

DRH has to prove beyond a reasonable doubt the following:

1) That the government body, Dorchester County, formally accepted the dedication on behalf of the public SC Code# 6-29-1170 and this can be easily achieved by obtaining the maintenance Records/taxpayer funds used from Dorchester County. The plaintiffs were informed that DRH was suing the DC, so DRH should have no problem in asking the County to turn over Wise Lane's history. This method will prove whether Dorchester County: never accepted the dedication on behalf of the public.

Also, the plaintiff's respectability asks the court to order Dorchester County to turn over all maintenance records, county funds used, etc.. to support the idea that Wise Lane is a public road and not a private road/private driveway.

2) DRH has to prove beyond a reasonable doubt that the public accepted the dedication. DRH has to prove that the public has been using Wise Lane for 20 years; it must be open, notorious, hostile, continuous, and uninterrupted for the last 20 years. Since 2018, the plaintiff has added substantial closures on Wise Lane For over 7 years now, the plaintiff's neighbors' affidavits have supported This proves that the public never used Wise Lane. Wise Lane was an abandoned easement until the plaintiffs fixed the road and used as his own. :

But because Wise Lane is a driveway and it does not have a DC sewerage system, the Public Works advised us to use Wise Road as a reference point and give the TMS numbers whenever we we're going to call in the future because that would be easier for them to identify and give us a quick result to any questions that would need to be answered. This is why the Plaintiffs have used Wise Road and their TMS numbers to help DC employes to know where we were located.

Facts:

Dorchester County never accepted, never maintained, never any authority

D.R. Horton has no legal authority/claim, not adjacent, not in the Twin Lakes subdivision

The Plaintiffs have the Deed, Title Insurance, countless emails from Dorchester County, overwhelming evidence to prove Wise Lane is not Wise Road.

The Plaintiffs' neighbors are in support with their Affidavits, legal consents given, many living in the neighborhood for over 25 years, one was even raised on the road.

The unwillingness of Dorchester County to not support the plaintiffs is beyond words, Dorchester County is favoring D.R. Horton by not enforcing the local/state/federal laws upon them, makes for an uneven playing field for the Plaintiffs to compete against DRH.

Also, all the residents living here have deeds on Wise Lane and Wise Road have given their full consent to the Plaintiff Attia Elbadawy to have sole ownership over Wise Lane and also give their consent to keep the black metal gate in place.

**DORCHESTER COUNTY
ENCROACHMENT PERMIT APPLICATION**

Terms and Conditions are being violated

**The application is 3 pages.
1 of 3, 2 of 3 and 3 of 3.**

**DRH always tries to conceal page 2
page 2 of 3 of the application form.**

**Paragraph number one, from page 2
States: Before starting any work type of
work, Dorchester County shall be notified
24 hours in advance.**

**So that a Dorchester County representative
can be present while the work is being performed.**

**D.R. Horton never notified Dorchester County
before the tried to work on Wise Lane on
July 26, 2024.**

FREEDOM OF INFORMATION ACT

FEDERAL LAW 30-4-10 et seq.

ALL OF THESE DORCHESTER COUNTY EMPLOYEES NEVER RESPOND TO EMAILS and/or CERTIFIED MAIL

- 1) **Melissa Bates**– she never responded to the transcript request of the meeting between the plaintiffs and Bradley Mitchell on November 14, 2024
- 2) **Cheryl Graham**– She emailed us back, and she said Melissa didn't work for the Clerk of Courts and also Priscilla Bolen email us back to say, Melissa doesn't work here but she would forward the request to Bradley Mitchell.
- 3) **William Hearn**– County Council District # 6 never emailed back or signed for certified mail
- 4) **Lona Conrad**– County Council Secretary never emailed back or signed for certified mail.
- 5) **Dorchester County FOIA request by Mario Formisano** never emailed back.
- 6) **Bradley Mitchell**– DC Attorney never emailed back or signed for certified mail

All of these Dorchester County Employees have been emailed and as well as certified mail.

Enclosed are the email requests/proof of certified mailing.

**DORCHESTER COUNTY VIOLATED THE FEDERAL LAW
FOIA-FREEDOM OF INFORMATION ACT
SC CODE OF LAWS: 30-4-30.**

The Plaintiffs requested information and documents regarding the status and history of the Plaintiffs' private road - Wise Lane, such as: Maintenance records, permits, financial taxpayers' funds, etc. Through several attempts that have gone unanswered/ignored. (emails, certified mail, phone calls).

Where is the concrete proof of when Dorchester County changed the name from Wise Lane to Wise Road?

This needs to be addressed because the status/history of Wise Lane hangs in the balance and has caused the plaintiffs unreversible harm and is infringing on the Plaintiffs constitutional rights.

Dorchester County's intentional misuse of the FOIA system is unmistakably obvious, trying to avoid any type of confirmation about the true details of Wise Lane.

Dorchester County has been helping D.R. Horton to achieve its goal to obtain the Plaintiffs private driveway/private road with legally involving the plaintiffs, violating their property rights.

Dorchester County trying to satisfy DRH because of the lawsuit between them, so maybe DRH might drop the case against DC, because the reason that DRH filed the lawsuit against DC was that the Plaintiffs sued DRH.

So, the Plaintiffs respectfully ask the court to Compel DC to release all documents, permits for Wise Lane and Wise Road
This will greatly help the Plaintiffs to make the argument against DRH.

Back in 2018 the Plaintiffs asked DC Register of Deeds office to clear up any confusion over Wise Lane vs Wise Road, their respond was "Everything goes back to the Deed", by confirming this point to us So, if the deed says Wise Lane, so that means Wise Lane, also we called the Public Works office, their respond was the same as the ROD had stated before, "Everything goes back to the deed".


Statement Regarding Affidavits of Chris Hill and Kelsey Harper

The Plaintiff respectfully states that the documents submitted as affidavits by Chris Hill and Kelsey Harper should not be treated as valid evidence. Neither document contains a sworn oath or includes a declaration under penalty of perjury, as required under South Carolina law. As a result, these statements fail to meet the legal standard for affidavits and should be disregarded.

Accordingly, the Plaintiff respectfully requests that the Court strike the affidavits of Chris Hill and Kelsey Harper from the record in their entirety.

Date: June 09, 2025

Respectfully submitted,

Attia EIBADAWY 
Lynae CHATLOS 