

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

IN THE COURT OF COMMON PLEAS
JUDICIAL CIRCUIT

FILED)
2025 JUN 27 PM 2:14)

CASE NO.: 2024 -CP- 18- 01459

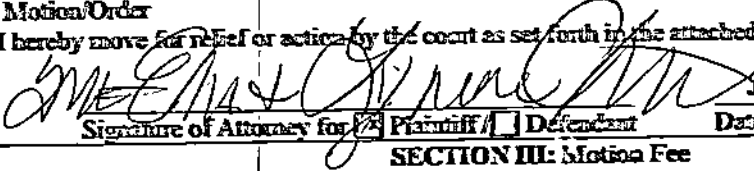
ATTIA ELBADAWY & LYNNE CHATLOS

CH. J. GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

vs.

D.R. HORTON, INC.

Plaintiff)
Defendant)

Plaintiff's Attorney: PRO SE, Bar No. _____ Address: 493 WISE ROAD, SUMMERVILLE, SC 29483 Phone: 843-641-8556 Fax _____ E-mail: afa_international@yahoo.com		Defendant's Attorney: KENISON DUDLEY & CRAWFORD Bar No. 101624 Address: 325 W. MCBEE AVE, SUITE#301, GREENVILLE, SC Phone: 864-262-6200 Fax _____ E-mail: _____ Other: _____	
<input checked="" type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)			
SECTION I: Hearing Information			
Nature of Motion: MOTION TO RECUSE HONORABLE JUDGE MATIE MURPHY		Court Reporter Needed: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Estimated Time Needed: 30 MINUTES			
SECTION II: Motion/Order Type			
<input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order			
I hereby move for relief or action by the court as set forth in the attached proposed order.			
 Signature of Attorney for <input checked="" type="checkbox"/> Plaintiff / <input type="checkbox"/> Defendant		JUNE 27, 2025 Date submitted	
SECTION III: Motion Fee			
<input checked="" type="checkbox"/> PAID - AMOUNT: \$ 25.00			
<input type="checkbox"/> EXEMPT: (check reason)			
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCP) <input type="checkbox"/> Proposed order submitted at request of the court, or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____			
JUDGE'S SECTION			
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____		JUDGE CODE _____ Date: _____, 20__	
CLERK'S VERIFICATION			
Collected by: _____		Date Filed: _____, 20__	
<input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____			

STATE OF SOUTH CAROLINA ~~ET-123~~ COURT OF COMMON PLEAS

COUNTY OF DORCHESTER 2025 JUN 27 PM 2: 04 CASE No: 2024- CP- 1801459

CH. L. GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

Attia Elbadawy and Lynne Chatlos,
Plaintiffs,

V.

D.R. Horton, Inc.,
Defendants.

MOTION TO RECUSE JUDGE MATIE MURPHY

On September 5th, 2024, the plaintiffs filed a lawsuit against Dorchester County and D.H. Horton and also a motion for injunction preventing D.H. Horton from trespassing on the plaintiff's private driveway, Wise Lane.

BACKGROUND

On Friday, January 17th, 2025, D.H. Horton submitted the memorandum, Chris Hill and Kelsey Harper's affidavits, just three days before the hearing on January 21st. Monday was a holiday January 20th. Horton served the plaintiffs by FedEx that required no signature. Delivery of the package on the plaintiff's mailbox on the top of the street in the rain and there was snow. The plaintiffs found out about the package on Tuesday, January 21st, 2025, after the hearing.

The FedEx package contained D.R. Horton's subdivision design, memorandum, and Chris Hill memorandum, Chris Hill and Kelsey Harper's affidavits, and the fake encroachment permit from

County Public Works, Mike Goldston, describing directions from Helms Drive to Trinity Drive, and then to go on Wise Lane, turn right on Weir Street, then left onto Twin Lakes Drive. It's the same old email, but now it's been turned into an illegal permit.

The memorandum, affidavits, and fake encroachment permit were entered into evidence at 8:30 am on Tuesday morning, the same morning of January 21st, 2025, just an hour and a half before the virtual hearing at 10 a.m. with Judge Murphy. On that same day, Judge Murphy dismissed the plaintiff's lawsuit against Dorchester County due to the plaintiff serving the wrong person under Rule 12(b)

Prior to November 14th, 2024, the plaintiffs had a sit-down meeting with Dorchester County, Bradley Mitchell. During the meeting, Mr. Mitchell assured the plaintiffs that Dorchester County never issued a permit, never worked on Wise Lane, and that Wise Lane is a private road, and all the permits given to DRH were for

Helms Drive and Trinity Street. Public Works Engineer Derek McCoy is not a representative of the county, and he is acting outside of the scope. These were Mr. Mitchell's words.

Melissa Bates took notes from that meeting. We asked for those notes. Mr. Mitchell said there are no notes to release. Violating the Federal Freedom of Information Act.

On September 3rd, 2024, the plaintiffs called Dorchester County Planning and Zoning. Emily Wynn answered the phone, and she confirmed the county never issued a permit to Horton to work on Wise Lane. She stated all the permits point north to Helms Drive and Trinity Drive.

After that January 21st hearing, the plaintiffs never received a letter or notice from the court about the dismissal of case 2024-CP-1801458. When they called the court, we, the plaintiffs, were told the case was still active. The plaintiffs submitted more evidence with that fact in mind to both D.R. Horton and the county.

Prior to November 14th, 2024 the plaintiffs had a sit-down meeting with Dorchester County, Bradley Mitchell. Then the plaintiffs filed a Motion to Consolidate, combining the 2 cases (DRH & County) into 1 case. During the hearing scheduled on April 14, 2025, county lawyer Bradley Mitchell told Judge Murphy to dismiss the case on January 21, 2025, we, as the plaintiffs, tried to tell Judge Murphy that the court still told us the case would continue, but she went right on to dismiss the case. So, we figured out that the county and Judge Murphy had planned to waste time, which would cause the plaintiffs to lose the opportunity to sue the county. The plaintiffs tried to sue the county for discrimination, but by wasting that valuable time together they robbed the plaintiffs of the chance to bring the county to court.

On May 2, 2025, the plaintiffs emailed the Court to check on the "Motion for Injunction." The viral hearing was on January 21, 2025, but there was no ruling yet, because the plaintiffs would have liked to amend the complaint and bring Dorchester County into the lawsuit again.

When the court heard that the plaintiffs wanted to amend the complaint and would be able to bring the county into the case on one. The next morning, on May 3, 2025, she denied it at 9 am, the plaintiffs' "Motion for Injunction."

So, if the plaintiffs never asked about wanting to amend the complaint and try to bring it back Dorchester County into the case again, that motion for injunction would have been put on hold the back burner.

About this time, the plaintiffs started to figure out that the county considered itself above the law.

Now the plaintiffs were catching on and thought, why should we even Bother to amend the complaint, it would be a waste of time and money.

So, the plaintiffs filed some motions against DRH

- 1) Motion to Reconsider for the Injunction
 - 2) Motion to Compel
 - 3) Motion to Investigate Criminal & Fraudulent Charges.
- against the county and DRH.

That viral hearing was scheduled on June 18, 2025

On June 16, 2025, the plaintiffs filed the following motions:

1. Motion to Strike DRH memorandum for Opposing the plaintiff's motion for Injunction"
2. Motion to Strike Chris Hill, Kelsey Harper Affidavits and County lawyer Bradley Mitchell's testimony
3. Motion for Declaration of Judgement for Wise Lane, is a private road.

The next day, which was June 17, 2025, the county submitted the answer for the third party plaintiff, for D.H. Horton's counterclaim. After eight months later, the time for the county to answer the D.H. Horton counterclaim expired back on November 11, 2024, over eight months ago, but it was entered into the court system on June 17, 2025. This is very questionable. and all because the county wants to support D.H. Horton anyway that Mr. Mitchell can.

The first time it was discovered was on January 21st, 2025, during the hearing, the county lawyer, Mr. Mitchell, stated in his testimony, which was not under oath, that the plaintiff's driveway is a county road. The plaintiffs did prove to the court, beyond a reasonable doubt, that Wise Lane is a private driveway, through emails from the county going all the way back to 2018, that Wise Lane is a private road, and it is an easement shown in the plaintiff's deed, and an easement shown on the plaintiff's title insurance, and proved that the plaintiffs built the road through the plaintiff's neighbor's affidavits and photos, and proved that the county never maintained the road, and accepted the dedication and the public never used the road- Wise Lane.

Even the witness, Amanda Wise, was born and grew up on Wise Lane for over 40 years. Testified, swore statements that Wise Lane is a private road, and the public never used the road. The plaintiffs neighbors, also swore that the plaintiffs installed the black metal gate in 2021, with no trespassing signs, and before that, a chain with no trespassing signs was there, placing orange traffic cones, since 2018. Emails and photos show how the plaintiffs built the road, full maintenance and how two semi-trucks trailers blocked the road from both ends, remaining there 24-7.

Since 2018, D.R. Horton or the county, they've never showed or proved that Wise Lane is public or a county road. The plaintiffs kept on requesting from the county to release all the information, and

maintenance, and budget, and all the permits issued on Wise Lane. Under the federal law, Freedom of Information Act, but Dorchester County refused to release the information.

When the county accepted the dedication on the plat map back in 1967, up until 1987, the road didn't even have a name until the plaintiff's neighbor, Marcia Wise, Amanda Wise's deceased mother, named the road in 1987 to be her driveway. A letter from the county proves this, So the county never Accepted and never maintained the road and has never been used by the public. Mr. Mitchell simply stated Wise Lane is a county road, is not good enough without any concrete evidence and not under oath either. So D.R. Horton or the county never produced a single shred of evidence to prove the county accepted the dedication, or that the public had been using the road for 20 years. And the standard for the "Prescription Easement" is for 20 years of continuous, notorious, open, and uninterrupted use. This is the South Carolina common law for "Prescription Easement."

When D.R. Horton or Dorchester County spoke to Judge Murphy, nobody was under oath or sworn under the penalty of perjury. The judge took D.R. Horton and the county over the plaintiff's whole area neighbor's testimony, which were sworn statements supported by overwhelming evidence, and the county's email chain, letters from the county planning and zoning, emails from public works stating that Wise Lane is a private road, and the county never maintained the road, and the plaintiff's deed and title search, all saying the road is an easement For Judge Matie Murphy not to see this is very bias.

And for the county to answer D.R. Horton's claim after eight months on the day before the hearing of the motions on June 18, 2025, is suspicious. And on the same day, June 18, 2025, D.R. Horton submitted a supplement to the plaintiff's motion to compel at 9:45 a.m., just 15 minutes before the virtual hearing, sending the plaintiffs a courtesy email, as Mark Bible puts it. And all the rules of service are okay with Judge Murphy?. and it's happened several times and she never corrected D.R. Horton.

D.R. Horton keeps violating Rule 33 so many times, and Judge Murphy has done nothing about it.

During the hearing on June 18, 2025, the plaintiffs mentioned this to the court,

But Judge Murphy never even mentioned these to D.R. Horton, this is quiet strange

On June 16, 2024, the plaintiffs filed the motion to strike D.R. Horton's memorandum, Chris Hill and Kelsey Harper's affidavits, and Bradley Mitchell's statement asking for it to be removed from the record. The court did not enter the motion into the court's system for more than a week, just after Judge Murphy denied again the plaintiff's motion to reconsider; the Motion to strike was not entered within the timeframe and allowed DRH to enter their Motion for Partial Summary Judgement before us.

There was no reason given for the denial. Just six hours before the denial, D.R. Horton submitted a motion for summary judgment. After the plaintiff's motion to strike was finally entered into the county system, Judge Murphy is under the influence of D.R. Horton and the county's Mr. Mitchell's power.

Still, many motions are pending, like the "motion to produce documents", the "motion for interrogatory questions and the "motion to extend discovery", because discovery is not complete yet. And all of those motions affect the "motion to reconsider". Which makes you wonder why is would she allow this to happen when DRH or the county offers no proof at all, about Wise Lane's status

Judge Murphy was very quick in her denial of the motion to reconsider, a little too quick to let D.R.

Horton file their partial summary judgment that still remains on the court's docket until today


SOUTH CAROLINA
DORCHESTER COUNTY


COURT OF COMMON PLEAS
CASE No: 2024-CP-1801459

Attia Elbadawy & Lynne Chatlos,
Plaintiffs,
V.
D.R. Horton, Inc.,
Defendant.

MOTION TO RECUSE
HONORABLE JUDGE
MATIE MURPHY

Kenison, Dudley & Crawford, LLC
325 W. McBee Avenue
Suite # 301
Greenville, SC 29601

Attia Elbadawy 
493 Wise Road
Summerville, SC 29483
843-641-8556
ala_international@yahoo.com

Lynne Chatlos 
493 Wise Road
Summerville, SC 29483
843-641-8556
ala_international@yahoo.com

EMAIL SENT TO JOHN FRAMPTON FROM THE PLAINTIFF

FILED-REF

To: jframpton@dorchestercounty.net

Tue, Jun 24 at 12:45 PM

2025 JUN 27 P11 2: 14

Dear Mr. Frampton,

I 'am writing to formally bring to your attention several serious concerns regarding Deputy Couty Attorney Bradley Mitchell's involvement in our ongoing civil case, Case # 2024-CP-1801459. Elbadawy V. D R Horton, Inc is currently pending in Dorchester County. Specifically, Multiple motions, including an Emergency Motion to Strike (06/23/2025) and Motion to Strike (06/16/2025) and a Notice of Appearance, were filed with the Clerk of Court but have not been entered on the public docket

We have reason to believe Mr. Mitchell may be exerting improper influence to suppress or delay these filings.

He has also refused to release FOIA- requested from the meeting on 11/14/2024, with Melissa Bates (taking notations), despite repeated requests, he is denying that there are any records. Whatever Mr. Mitchell is doing is very transparent; his lack of support for Dorchester County citizens is beyond the unthinkable of how a Dorchester County employee should be conducting himself.

He is clearly working outside the scope of Dorchester County and is helping D R Horton, Inc. As you are the supervising authority over the Dorchester County Attorney's office, I'm respectfully request that you review Mr. Mitchell's suspicious actions and ensure that all court filings are handled lawfully and impartially, and confirm that no Dorchester County official is interfering with the judicial process.

Mr. Mitchell has also changed is answer on my private driveway, back in the 11/14/2024 sit-down Meeting at Summerville Town Hall, Mr. Mitchell assured us that Wise Lane was a private Road and then contacted my neighbor, Amanda Wise, to meet with him about Wise Lane. I have email conversations between me and my neighbor, and Mr. Mitchell discussing Wise Lane and he also admitted altering the County map to aid D R Horton, and then it was changed back to it's current status.

Then during the virial hearing on 01/21/2025, he told Judge Matie Murphy it was a county road to support D. R. Horton's claim., This is untrue.

He also waited over 8 months to answer a Counterclaim, even though the deadline was 30 days, and now he has made himself a long trail of several recorded unethical traceable facts that cannot be ignored.

We are open to providing further documentation to prove evidence of misconduct, maybe schedule a sit-down meeting if necessary.

My goal is transparency, fairness, and upholding the integrity of the public process.

Sincerely,

Attia Elbadawy
493 Wise Road
Summerville, SC 29483

John Frampton

To: me

Tue, Jun 24 at 12:57 PM

Mr. Elbadawy,

It is my practice and custom not to respond to or engage in debate with parties to litigation who are not represented by a lawyer.

Should you engage a lawyer to represent you, I will be happy to discuss your concerns with him/her.

Sincerely,

John G. Frampton

Freedom of Information Act

6/19/25, 2:10 PM

Request 25-815 - NextRequest - Modern FOIA & Public Records Request Software

Dorchester County, SC

NextRequest

Request Visibility: Unpublished

Request 25-815 Closed

2025 JUN 27 PM 2:14
CHAS L GNAHAM
CLERK OF COURT
DORCHESTER COUNTY

Dates

Received

May 04, 2025 via web

Request

We are requesting to see all road maintenance ,work orders.and financial money's spent on maintaining.in a time line for Wise Lane

Wise Lane Summerville, South Carolina 29843

Please provide all information and be updated

Requester

Attia Elbadawy

ala_international@yahoo.com

493 Wise Lane, Summerville SC, Summerville, SC, 29483

8434128026

Timeline

Documents

Message from requester Requester + Staff

Thank you

So you consider Wise Lane, a private road, just to be sure you didn't find any maintenance records, any dorchester county funds used ?. So it's considered a private road , a private driveway. That's the law in South Carolina. Private road equals private driveway.Thank you for all your hard work

June 19, 2025, 2:56pm by the requester

Additional information

Please indicate how this information will be used.

Research

Request closed Anyone with access to this request

Invoices

No invoices due

Staff assigned

Departments

Dorchester County Government

Point of contact

Mario Formisano

We do not have the records you requested. This road is considered to be a privately maintained road, thus we have no maintenance, work orders or financials spent to maintain this road.

June 19, 2025, 9:52am by Staff

✉ Message to requester Requester + Staff

Hello, this road is considered to be a privately maintained road, thus we have no maintenance, work orders or financials spent to maintain this road.

June 19, 2025, 9:52am by Staff

✉ Message from requester Requester + Staff

Hello Mario,

Hope you're having a great day

Could you tell me when your report will be ready?

for Wise Lane, Summerville, SC 29483

thank you for all your help

Attia Elbadawy

May 7, 2025, 10:59am by the requester

✉ Message to requester Requester + Staff

Thank you for submitting your public records request to Dorchester County. We will respond once your request has been reviewed.

May 4, 2025, 3:46pm

🏛 Department assignment Anyone with access to this request

Dorchester County Government

May 4, 2025, 3:46pm by the requester

Attia Elbadawy et al
PLAINTIFF(S)

CHERYL GRAHAM D R Horton et al
CLERK OF COURT DEFENDANT(S)
DORCHESTER COUNTY

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter comes before the Court on Plaintiffs' Motion to Reconsider the Court's Order denying Plaintiffs' Motion for Temporary Injunction and/or Preliminary Injunction. Upon review of the relevant law and the arguments before Her Honor, the Court respectfully DENIES this motion, finding no error of law nor new evidence to consider.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 06/12/2025 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

ELECTRONICALLY FILED - 2025 Jun 23 4:26 PM - DORCHESTER - COMMON PLEAS - CASE#2024CP1801459

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Dorchester Common Pleas

Case Caption: Attia Elbadawy , plaintiff, et al VS D R Horton , defendant, et al
Case Number: 2024CP1801459
Type: Order/Electronic Form 4

So Ordered

s/ Maite Murphy 2166

Electronically signed on 2025-06-23 16:25:15 page 3 of 3

STATE OF SOUTH CAROLINA
DORCHESTER COUNTY

FILED

COURT OF COMMON PLEAS
CASE No: 2024-CP-1801459

2025 JUN 27 PM 2:14

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

AFFIDAVIT OF ATTIA ELBADAWY

STATEMENT IN SUPPORT OF MOTION TO RECUSE

The Honorable Judge Matie Murphy

1. Unrecorded Dismissal of County Case (January 21, 2025):

At a virtual hearing on January 21, 2025, Judge Murphy dismissed the Plaintiff's separate lawsuit against Dorchester County. However, no order was ever signed or entered in the docket. It was not until the Plaintiff filed Motion to Consolidate the two related cases on 04/14/2025 that the County's attorney, Bradley Mitchell, reminded Judge Murphy that she had dismissed the case months earlier. Only then was a dismissal order entered. This unexplained delay and failure to document the hearing suggest a lack of judicial transparency and impartiality.

2. Denial of Injunction Mirroring Defendant's Memorandum (May 3, 2025):

After the Plaintiff contacted the court on May 2, 2025, inquiring about the pending injunction ruling, Judge Murphy issued a denial the very next day. The language in her ruling appeared to be copied nearly word-for-word from D.R. Horton's opposition memorandum. It included phrases that were never used in the original filing, such as "centerline of Wise Lane" and references to the "Twin Lakes subdivision," and the phrase "Wise Lane AKA Wise Road," which raises serious questions as to whether the order was independently written or unduly influenced by the defense.

3. Acceptance of Untimely and Unsupported County Filing (June 17, 2025):

The County filed a response to D.R. Horton's counterclaim only one day before a scheduled

hearing-eight months after the original filing. Despite the absence of supporting documents or affidavits, Judge Murphy accepted the response. In contrast, the Plaintiff's filings have been subject to strict scrutiny and procedural rejections, demonstrating unequal treatment.

4. False Representation Regarding Gate Installation:

D.R. Horton claimed the Plaintiff installed a black gate in May 2024, allegedly supported by an affidavit from employee Chris Hill. However, Chris Hill's affidavit contains no such statement. The Plaintiff submitted photographic evidence, neighbor affidavits, and historical email records proving the gate-and prior chains-existed long before that date, yet the court ignored this rebuttal.

5. Dismissal of Conclusive Evidence Regarding Road Ownership:

Despite providing the deed, title search, FOIA records from Dorchester County, and multiple neighbor affidavits stating that Wise Lane is a private easement and has never been publicly maintained, Judge Murphy refused to acknowledge this evidence. Instead, she has continuously favored the unsubstantiated claims of D.R. Horton.

6. Failure to Investigate or Sanction Use of a Fraudulent Encroachment Permit:

The Plaintiff presented clear evidence that D.R. Horton used an encroachment permit that does not authorize any work on Wise Lane. The permit submitted by D.R. Horton applies to a different location. Yet, the court has accepted this permit without question, further demonstrating bias.

The totality of these events strongly suggests the appearance of judicial bias and partiality. The Plaintiff does not make this request lightly but believes recusal is necessary to preserve the integrity of the judicial process and ensure a fair hearing. Continued rulings from the current presiding judge undermine the Plaintiff's constitutional right to due process and equal protection.

1). Violations of Encroachment Permit by D.R. Horton

D.R. Horton entered Wise Lane on July 26, 2024, without giving a 24-hour advance notice to Dorchester County, as required by the terms and conditions of the county's encroachment permit.

The permit requires that a county representative be present during work on any roadway. no county official was present.

Each time D.R. Horton submits their encroachment permit application to the plaintiffs, they intentionally leave out page two, submitting only pages one and three.

Page two contains the terms and conditions, including the mandatory 24-hour notice requirement. All three pages are available through the Dorchester County website, proving that Horton is deliberately omitting a critical portion of the document.

2) False and Contradictory Statements by Horton's Counsel, D.R. Horton's attorney, Tom Harper, previously told My former attorney, Landon Brock, stated that Horton would only use Wise Lane to install water and sewer lines, not for public vehicular access or drive-through traffic; that representation was submitted as evidence. Yet, in their supplemental responses, D.R. Horton falsely claimed that Tom Harper never made such a statement, contradicting what was clearly written in Tom Harper's email communication.

This false denial by D.R. Horton is part of a pattern of dishonest litigation behavior that the court has failed to address.

3). Suppression of Plaintiff's Motions from the Court Record

On June 16, 2025, I filed a Motion to Strike D.R. Horton's memorandum, the affidavits of Chris Hill and Kelsey Harper, and the testimony of County Attorney Bradley Mitchell, which was not given under oath.

This motion did not appear in the court's docket until June 23, 2025, an entire week later and on the same day Judge Murphy denied the plaintiffs' Motion to Reconsider.

By failing to timely docket this critical motion, the court ruled on matters without considering all relevant filings, severely prejudicing the plaintiffs.

Several other motions were also filed and pending at the time Judge Murphy ruled, including:

- 1) Motion to compel discovery from the county
- 2) Motion to produce
- 3) Motion for declaratory judgment that Wise Lane is private
- 4) Motion to strike Horton's filings and testimony

Judge Murphy improperly ruled on the Motion to Reconsider before holding hearings on these other motions, undermining the fairness of the judicial process.

4) Basis for Recusal of Judge Mattie Murphy

I believe that Judge Mattie Murphy has:

Destroyed the appearance and reality of judicial impartiality in Dorchester County.

Demonstrated personal knowledge of disputed facts in this case.

Potentially has a conflict of interest through her marriage to State Representative Chris Murphy, whose influence may affect the outcome of this case involving public infrastructure and powerful developers.

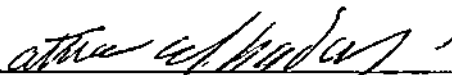
I further believe Judge Murphy's rulings have been consistently biased in favor of D.R. Horton, ignoring false statements, permit violations, and abuse of procedure.

Conclusion:

I respectfully request that the court take notice of these violations, acknowledge the procedural irregularities, and remove Judge Murphy from this case in order to preserve the integrity of the judicial system and the plaintiffs' right to a fair trial.

Respectfully submitted,

Attia Elbadawy



June 27, 2025

Notary Acknowledgment for Attia Elbadawy
MOTION TO RECUSE HONORABLE
JUDGE MATIE MURPHY

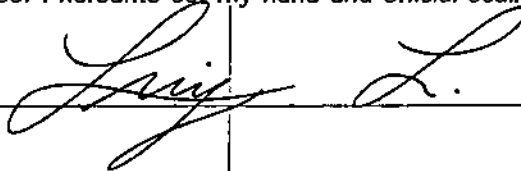
State of South Carolina
County of Dorchester

COURT OF COMMON PLEAS
CASE No 2024-CP-1801459

On this 27th day of June, 2025, before me, the undersigned Notary Public, personally appeared Attia Elbadawy, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

ATTIA ELBADAWY  _____

In witness whereof I hereunto set my hand and official seal.

 _____

Notary Public

My commission expires: 02/16/33

JUN 27 2025

