

In The Circuit Court of Common Pleas, Horry County

THE STATE OF SOUTH CAROLINA

In re:

WARE TRUST®, Plaintiff-Appellant v. A AND K PROPERTIES OF SC INC., Defendant-Appellee, Case No. 2025-CP-2600218

ORDER GRANTING PLAINTIFF'S MOTION TO STRIKE

Upon consideration of Plaintiff's Motion to Strike "Respondent's Motion to Lift Stay of Judgment and Motion to Dismiss Appeal," and for good cause shown, IT IS HEREBY:

ORDERED:

1. The Respondent's Motion is **STRICKEN** from the record for lack of standing and failure to state a claim under SCRCR Rule 12(b)(1) and 12(b)(6);
2. The appellate stay issued in this matter shall remain in **full force and effect**;
3. The rights, title, and interests of WARE TRUST® and its secured party creditor are preserved pending final adjudication.

SO ORDERED this 18<sup>th</sup> day of August, 2025.

/s/ B. Alex Hyman,  
15<sup>th</sup> Circuit Court Resident Judge

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SC Court of Appeals

In The Circuit Court of Common Pleas, Horry County

THE STATE OF SOUTH CAROLINA

In re:

WARE TRUST©, Plaintiff-Appellant v. A AND K PROPERTIES OF SC INC., Defendant-Appellee, Case No. 2025-CP-2600218

**ORDER VACATING JUDGMENT AND WRIT OF EVICTION**

Upon review of the record, the administrative defaults, and for the reasons stated in Plaintiff's prior filings, **IT IS HEREBY ORDERED:**

1. The Judgment of the Court of Common Pleas dated January 29, 2025 and the Magistrate's Writ of Eviction dated January 6, 2025 are **VACATED nunc pro tunc**;
2. Respondent is **enjoined** from any further action to disturb Plaintiff's possession to the subject property pending final resolution of this matter;
3. This Court retains jurisdiction for enforcement of this Order.

**SO ORDERED** this 18<sup>th</sup> day of August, 2025.

/s/ B. Alex Hyman,

15<sup>th</sup> Circuit Court Resident Judge

PLAINTIFF'S MOTION TO STRIKE  
A True Bill-in-Equity

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No. 2025-CP-2600218

THE STATE OF SOUTH CAROLINA  
In The Circuit Court of Common Pleas, Horry County  
B. Alex Hyman,  
15<sup>th</sup> Circuit Court Resident Judge

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APPEAL FROM HORRY COUNTY  
Magistrate Court

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Manuela Ardeljan Clayton,  
Magistrate Judge

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Case No. 2024CV261042014

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Waretrust©, et al,

Appellant-Plaintiff,

v.

A and K Properties of SC Inc.,

Respondent-Defendant.

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**PLAINTIFF'S MOTION TO STRIKE  
"RESPONDENT'S MOTION TO LIFT STAY OF JUDGMENT  
AND MOTION TO DISMISS APPEAL" FOR LACK OF STANDING AND  
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED AND FOR ORDER  
VACATING JUDGMENT AND WRIT OF EVICTION**  
[Invoking Rule 12(b)(1), 12(b)(6) Fed. R. Civ. P.; SCRPC Rule 12(b); and Equitable Jurisdiction]  
**A True Bill-in-Equity**

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**TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

**COMES NOW** Plaintiff-Appellant WARE TRUST©, by and through its duly authorized representative and secured party creditor **Jameerah Tahidah; Ware©**, who by special visitation and in equity, moves this Honorable Court to strike in its entirety the so-called “Respondent’s Motion to Lift the Stay of Judgment and Motion to Dismiss Appeal,” and for entry of an order vacating the judgment of this Honorable Court entered on January 29, 2025 and the Writ of Eviction entered below on January 6, 2025, on the grounds that:

**I. LACK OF STANDING – RULE 12(b)(1)**

1. **Defendant-Appellee lacks standing** to move for dismissal of Plaintiff’s appeal or to lift a stay previously issued by a court of competent jurisdiction, where the appeal remains pending and the issues on review have not been adjudicated by the appellate tribunal.
2. Standing is a jurisdictional prerequisite; the burden rests on the movant to demonstrate (a) a legally protected interest, (b) injury in fact, and (c) redressability. *Sea Pines Ass’n for Protection of Wildlife, Inc. v. S.C. Dep’t of Natural Resources*, 345 S.C. 594, 550 S.E.2d 287 (2001).
3. The Defendant has **not demonstrated** any injury or impairment to its rights arising from the stay, nor shown that it holds a superior or perfected security interest in the property or trust corpus at issue.
4. Absent such showing, the Defendant has **no standing** to invoke this Court’s jurisdiction to alter, vacate, or disturb orders entered in equity or on appeal.

**II. FAILURE TO STATE A CLAIM – RULE 12(b)(6)**

5. The Respondent’s motion fails to state facts which, if true, would entitle it to the relief sought. *Doe v. Marion*, 373 S.C. 390, 645 S.E.2d 245 (2007).
6. No claim is pled with sufficient particularity to overcome the binding effect of:
  - o The administrative default of Respondent by failure to answer Plaintiff’s original administrative presentments;
  - o The equitable record establishing Plaintiff’s status as the **true beneficiary and holder in due course**;
  - o The doctrines of **res judicata** and **stare decisis**, which bar re-litigation of settled claims and issues.
7. The Record is devoid of Respondent’s certified proof of claim and Respondent does **not dispute** Plaintiff’s core claims: that the courts below and Respondent accepted and deposited valuable consideration, created trust property for Plaintiff’s benefit, and are estopped from asserting contrary positions.

**III. EQUITABLE BASIS FOR RELIEF**

8. Plaintiff invokes the equity side of this Court under *Ex parte Dibble*, 279 S.C. 592, 310 S.E.2d 440 (1983), to prevent multiplicity of suits, to enforce the trust obligations acknowledged by the acts of the parties, and to safeguard Plaintiff’s constitutional rights to property and due process.

9. The trust property—secured under perfected UCC filings—is **immune from unlawful seizure or condemnation** without just compensation and due process, U.S. Const. Amend. V, XIV; S.C. Const. Art. I, § 13.
10. Equity will intervene where, as here, legal remedies are inadequate to prevent irreparable injury to trust property and to enforce the fiduciary duties of those holding it.

#### IV. DEMAND FOR RELIEF

**WHEREFORE**, Plaintiff respectfully demands that this Court:

1. **Strike** the “Respondent’s Motion to Lift Stay of Judgment and Motion to Dismiss Appeal” in its entirety;
2. **Vacate** judgment and any prior orders inconsistent with the appellate stay;
3. **Reaffirm** Plaintiff’s equitable rights in the property and trust corpus; and
4. Grant to Plaintiff such other and further relief as equity and good conscience require.

Dated: this **Eighth** Day of the **Eighth** Month in the Year of Our Lord and Savior Two Thousand Twenty-five.

Respectfully submitted, by:

/s/ Jameerah Tahidah; Ware©2010,

the living, breathing, sentient Genswoman known by the appellation “Jameerah Tahidah; Ware©2010, All Rights Reserved,” Sui Juris Secured Party Creditor, Authorized Representative, Private Administrator and Private Agent-in-Fact **for WERE TRUST©2010, ALL RIGHTS RESERVED, APPELLANT-PLAINTIFF.**

#### VERIFICATION AND CERTIFICATION-CERTIED PROOF OF CLAIM/AFFIDAVIT

Affiant, Jameerah Tahidah; Ware©, does affirm and verify on Affiant's own unlimited commercial liability, under penalty of perjury of the laws of South Carolina Republic and The United States Republic (1791), without the United States, that Affiant has scribed and read the foregoing facts contained in this Affidavit, including any accompanying document, and that, in accordance with the best of Affiant's firsthand knowledge and conviction, such are true, correct, complete, and certain and not misleading, and admissible as evidence, the truth, the whole truth, and nothing but the truth.

Dated: this **Eighth** Day of the **Eighth** Month in the Year of Our Lord and Savior Two Thousand Twenty-five.

**SIGNED:**

**PEACE.**

I AM. /s/ Jameerah Tahidah; Ware©2010,

All Rights Reserved, the living, breathing, flesh-and-blood Genswoman known by the appellation “Jameerah Tahidah; Ware©2010, All Rights Reserved,” Affiant.

**AFFIDAVIT OF OWNERSHIP, SECURITY INTEREST, AND NOTICE OF FACTS IN SUPPORT OF MOTION TO STRIKE AND FOR ORDER VACATING JUDGMENT AND WRIT OF EVICTION**

**Affidavit of Jameerah Tahidah; Ware©,  
the living, breathing, flesh-and-blood sentient Genswoman,  
by Special Visitation**

"Notice to Agent is Notice to Principal"

"Notice to Principal is Notice to Agent"

"Applicable to all Successors and Assigns"

**STANDING UPON** the five principles of Light – **"LOVE, TRUTH, PEACE, FREEDOM and JUSTICE,"** Affiant, who goes by the appellation Jameerah Tahidah; Ware©, a living, breathing, flesh-and-blood sentient Genswoman, Secured Party Creditor, Holder in Due Course, and Beneficiary to original jurisdiction, under the laws of nature, being of sound mind, and over the age of twenty-one, from the soil of South Carolina Republic, reserving all rights, and who has no bar attorney, is without an attorney, and having never been represented by an attorney, and not waiving counsel, knowingly and willingly Declares and Duly affirms, in accordance with law, in special visitation, in good faith, with no intention of delaying, nor obstructing, and with full intent for preserving and promoting the public confidence in the integrity and impartiality of the judiciary, that the following statements and facts, by special visitation in the matter(s) in re WARE TRUST© vs. A AND K PROPERTY OF SC INC. and any matter relating to this, are of Affiant's own firsthand knowledge, does solemnly affirm, declare, and depose: that Affiant is competent to state the matters set forth herein; that Affiant has personal knowledge and belief of the facts stated herein; and all the facts stated herein are true, correct, complete, and certain.

**Plain Statement of Facts** - This declaration of facts is based on Affiant's own firsthand knowledge and belief; **mark Affiant's words:**

1. Affiant states that, Affiant goes by the appellation Jameerah Tahidah; Ware©; Affiant is a living, moral being endowed with unalienable Rights to life, liberty, property, papers and effects, and all substantive Rights of South Carolina state.
2. Affiant states that, Affiant owns the name WARE TRUST© and the trade-name WARE TRUST© and JAMEERAH TAHIDAH WARE©, as well as any and all derivatives and variations in the spelling of said trade-names, and is no other, and is not misrepresenting Affiant.
3. Affiant states that, Affiant is free and a sovereign who takes up housekeeping in the geographic region known as South Carolina Republic.
4. Affiant states that, Affiant is neither a surety, nor an accommodation party, for any juristic person, and is not under any disability.
5. Affiant states that, Affiant does not grant anyone permission for using, nor authorizes any one's use of, the name WARE TRUST© and JAMEERAH TAHIDAH WARE©, also known by any and all derivatives and variations in the spelling of said name, except "Jameerah Tahidah; Ware," at any time, without consideration for the use of said name.
6. Affiant states that, Affiant informs all parties involved in this matter that Affiant's papers and effects are private property, and Affiant's private papers and effects cannot be used by any of the parties in any manner without consideration.

7. **Personal Capacity and Standing.** Affiant states that, Affiant visits by special visitation in Affiant's own right and in Affiant's private capacity as the secured party, creditor, and equitable owner of all rights, title, and interest in and to the entity known as **WARE TRUST©** and its assets, including the real property which is the subject of this action.
8. **Security Interest.** Affiant states that, Affiant's interest is perfected pursuant to a duly executed and recorded **UCC Financing Statement** and related assignments, which remain in full force and effect, establishing Affiant's priority interest and beneficial ownership of the property and trust corpus at issue.
9. **Connection to WARE TRUST©.** Affiant's position as secured party and beneficiary is independent of the corporate form of Ware Trust© and is evidenced by recorded instruments, sworn declarations, and supporting documentation previously tendered to the Court and served on counsel of record.
10. **Final Order of Liquidation and Dissolution.** Affiant states that, Affiant holds a **Final Order of Liquidation and Dissolution** entered in the U.S. Bankruptcy Court for the District of Columbia against the UNITED STATES OF AMERICA CORPORATION, which includes enforcement provisions applicable to any and all derivative entities, agencies, and instrumentalities affecting the trust property. Said order stands un rebutted and is judicially enforceable under 28 U.S.C. §§ 3002(15), Federal Rules of Civil Procedure 69–70, and applicable commercial law.
11. **Basis for Relief.** Affiant states that, the underlying judgment and Writ of Eviction issued in this matter are void or voidable for want of jurisdiction, lack of lawful standing by the prevailing party, and failure to afford due process as guaranteed by the Constitution of the United States and the Constitution of South Carolina.
  - (i) No valid proof of superior title was provided by Defendant.
  - (ii) Affiant's perfected security interest and beneficial ownership rights were never rebutted.
  - (iii) The Court was not presented with the controlling equitable and commercial facts before rendering judgment.
12. **Relief Requested.** Affiant states that, this affidavit is made in direct support of the **Motion to Strike** all filings of the Defendant, to **vacate the Judgment and Writ of Eviction**, and to enter judgment against **A and K Properties of SC Inc.** consistent with my perfected rights, including recognition of my priority interest and possession.
13. **Reservation of Rights.** Affiant reserves all rights, remedies, and defenses available under the Constitution, common law, UCC, and equity, and does not waive any thereof by the making of this affidavit.

**FURTHER AFFIANT SAYETH NOT.**

Executed and affirmed by The Undersigned on this 5th day of August, 2025.

**SIGNED AND SEALED:**

In Peace and Light....

I AM.

/s/ Jameerah Tahidah; Ware©2010, All Rights Reserved, the living, breathing, sentient Genswoman known by the appellation "Jameerah Tahidah; Ware©2010, All Rights

Reserved,” Holder-In-Due-Course, Secured Party/Creditor, Real Party-in-Interest and Authorized Representative and Private Administrator.

**Verification and Certified Proof of Claim/Affidavit**

Affiant, Jameerah Tahidah; Ware©, Common Law tradename/trade-mark copyright©2010, a living, breathing, flesh-and-blood sentient Genswoman, does affirm and verify on Affiant's own unlimited commercial liability, under penalty of perjury of the laws of South Carolina Republic, without the United States, that Affiant has scribed, read and examined the foregoing and any accompanying schedules, statements, and documents, and that, in accordance with the best of Affiant's firsthand knowledge and conviction, such are true, correct, complete, and certain and not misleading, and admissible as evidence, the truth, the whole truth, and nothing but the truth. This declaration of Jameerah Tahidah; Ware© is based on all information which Jameerah Tahidah; Ware© has any knowledge.

This Affidavit is executed on this Eighth Day of the Eighth Month in the Year of Our Lord and Savior Two Thousand Twenty-five.

**Affiant’s Signature:** Lt Jameerah Tahidah; Ware©2010,  
All Rights Reserved, Jameerah Tahidah; Ware©.

**CAVAET – NOTICE TO RESPOND**

Respondents have a duty to timely respond. Any man, as well as any woman, who intends on rebutting this Notice/Affidavit (“Affidavit”) of Secured Party shall do so in the manner of this Affidavit, by signing any such Affidavit using Christian name/baptismal name/name given at birth; given in upper-and lower-case format, not set in all-capital letters, being a fully liable, living, breathing man/woman, responsible/liable for everything that such man/woman says and does. Any such Affidavit must be sent so as to be received by the notary public named at the address given below within five (5) days, lest a Certification of Non-Response shall issue by said notary public and deemed a judgment by default in favor of Secured Party and against you, establishing your default on the record; and signify your confession and consent of judgment and your concurrence and acceptance of each and every provision and averment contained in this Affidavit and all accompanying documents and papers. The Court may strike the motion of A AND K PROPERTIES OF SC INC. presently before the Court and enter judgment in favor of WARE TRUST©, vacating the January 29, 2025 judgment of the court and the January 6, 2025 writ of eviction entered below. You may lose your right to a hearing and property and any interest and or title you may have in this matter. By failing to respond, you waive all rights, defenses, remedies, protest and immunities and any claims you may have in this matter and against WARE TRUST© and Secured Party and any property held in the name of said. Additionally, you admit and confess that the claims presented by WARE TRUST© and or Secured Party are legitimate and may not contest or argue or controvert any of the facts.

**MAIL RECIPIENT AND ADDRESS FOR RETURN CORRESPONDENCE:**

Cynthia M. English©  
401 Market Street, Suite 23  
Camden, New Jersey 08102

PROOF OF SERVICE FOR MOTION TO STRIKE  
A True Bill-in-Equity

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No. 2025-CP-2600218

THE STATE OF SOUTH CAROLINA  
In The Circuit Court of Common Pleas, Horry County  
B. Alex Hyman,  
15<sup>th</sup> Circuit Court Resident Judge

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APPEAL FROM HORRY COUNTY  
Magistrate Court

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Manuela Ardeljan Clayton,  
Magistrate Judge

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Case No. 2024CV261042014

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Waretrust©, et al,

Appellant-Plaintiff,

v.

A and K Properties of SC Inc.,

Respondent-Defendant.

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**PROOF OF SERVICE**

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I certify that I have served the Motion to Strike “Respondent’s Motion to Lift Stay of Judgment and Motion to Dismiss Appeal” for Lack of Standing and Failure to State a Claim upon which Relief can be Granted and for Order vacating Judgment and Writ of Eviction” – A True Bill-in-Equity on Mr. Howell Vaught Bellamy, III, Esquire, BELLAMY, RUTENBERG, COPELAND, EPPS, GRAVELY & BOWERS, P.A., ATTORNEYS AT LAW, Attorneys for A and K Properties of SC Inc. at P.O. Box 357, Myrtle Beach, SC 29578

SC 29588, and Ms. Jenny Abbot Kitchings, Clerk, Ms. Catherine S. Harrison, Chief Deputy Clerk, and The South Carolina Court of Appeals at 1220 Senate Street, Columbia, SC 29201, and the Court of Common Pleas for Horry County, South Carolina at 1301 2<sup>nd</sup> Avenue, Conway, SC 29526, and the Magistrate Court of Horry County, South Carolina at 9630 Scipio Lane, Myrtle Beach, SC 29588, and the Secretary of the Treasury, Department of the Treasury/IRS, Advisory Group at 1500 Pennsylvania Avenue, NW, Washington, DC 20220, by depositing a copy of it in the United States Mail, postage prepaid, on August 8, 2025 at Philadelphia, Pennsylvania Republic, America.

August 8, 2025

By: s/ King Lord Noble, R Asanti, Ali ©1988,  
All Rights Reserved, Secured Party Creditor, Private Agent-in-Fact for Appellant-Plaintiff  
514 Battey Drive  
Myrtle Beach, South Carolina 29588  
(917) 246-7159

Dated: this **Eighth** Day of the **Eighth** Month in the Year of Our Lord and Savior Two Thousand Twenty-five.

Respectfully submitted, by:

s/ King Lord Noble, R Asanti, Ali ©1988,

the living, breathing, sentient Gensman known by the appellation "King Lord Noble, R Asanti, Ali©1988, All Rights Reserved," Sui Juris Secured Party Creditor, Authorized Representative, Private Agent-in-Fact for **WERE TRUST©2010, ALL RIGHTS RESERVED, APPELLANT-PLAINTIFF.**

King Lord Noble, R. Abant, AUB  
for JAMES V. T. WARE and WARE TRUSTS

Postage Prepaid At  
Pennsylvania Republic Territory  
North America

**RECEIVED**

AUG 14 2025

SC Court of Appeals

Ms. Jenny Abbot Kitchings, Clerk,  
Ms. Catherine S. Harrison, Chief Deputy Clerk,  
Office of the Clerk, and  
The South Carolina Court of Appeals  
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*8/10/2025*

