

**FORM 13
BRIEF OF APPELLANT***

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

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AUG 18 2025

SC Court of Appeals

APPEAL FROM Richland COUNTY
Court of Common Daniel

Coble, Circuit Court Judge

Case No. 2023-CP-400-6441

Tommy Truesdale, Maudy
Truesdale, Representative of
the estates of Tommy
Truesdale

Respondent,

v.

Samuel C Brown,

Appellant.

[Final Brief] BRIEF OF APPELLANT

Samuel C Brown
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Pro-se for Appellant

* Under Rule 267(e), SCACR, the cover of the final briefs should be the following colors: brief of appellant - blue; brief of respondent - red; reply brief - gray; and amicus curiae or intervenor - green.

TABLE OF CONTENTS

Table of Authorities ii

Statement of Issues on Appeal..... 1

Statement of the Case..... 1

Standard of Review 1

Facts 1

Arguments

1. BECAUSE RESPONDENT COULD HAVE RAISED FRAUD IN HIS PRIOR BREACH OF CONTRACT SUIT AGAINST APPELLANT, HE IS BARRED BY RES JUDICATA FROM BRINGING THIS SUIT

2. BECAUSE FRAUD MUST BE PROVED BY CLEAR AND CONVINCING EVIDENCE, THE COURT ERRED WHEN IT CHARGED THE JURY THAT THE RESPONDENT MUST PROVE FRAUD BY A PREPONDERANCE OF THE EVIDENCE..... 2

Conclusion 2

TABLE OF AUTHORITIES*

CASES

Butler v. Lindsey, (1987)..... 2

Jones v. ILegan, (2009)

..... 2

STATUTES

S.C. Code Ann. § 15-67-210 (1962)..... 2

S.C. Code Ann. § 67-210 (1985) 2

S.C. Code Ann. §2

OTHER AUTHORITIES

RESTATEMENT (SECOND) OF CONTRACTS Section 100 (1981).....2

RESTATEMENT (SECOND) OF PROPERTY Section 200 (1981).....2

RESTATEMENT (SECOND) OF TORTS Section 300 (1981).....2

*The authorities cited are fictitious and intended to show the form of citation only.

STATEMENT OF ISSUES ON APPEAL

1. DID THE TRIAL COURT ERR IN FAILING TO FIND THIS ACTION IS BARRED BY RES JUDICATA?
2. DID THE TRIAL COURT ERR IN CHARGING THE JURY THAT FRAUD MUST BE PROVED BY A PREPONDERANCE OF THE EVIDENCE?

STATEMENT OF THE CASE

On November 17 2023 in December 4 2023 Samuel C Brown bought this action list penden on an unoccupied vacant neglected estate claiming adverse possession and publication alleging default judgement against Tommy Trousdale and heirs. No answer alleging Brown claim wasn't invalid precluded by judgment's action between the parties. The action was tried on December 10 2024 and default judgement was entered on December 19, 2024.

Brown entered a motion to amend or reconsider judge Coble's order January 7,2025.I agree to the "default judgement" however the Appellant did prove his relevant facts and provided testimony. See transcript. Therefore, I was continuous, hostile, actual, and notorious with providing convincing evidence at trial of presumption to statues of law action section 15-67-210.And it says 15-67-210 that presumption of possession when occupied deemed under the legal title.

Section 15-67-40 service of unknown parties notice of lis penden section 15-67-30.Propeitor of service by publication. Personal service out of state shall be sufficient. Brown proved all actions at law.and there was no respondent and according to rule 55 typically Appellant does receive damages in the traditional sense. As I am not requesting a relief for compensation for harm caused but rather, seeking a court judgement but officially granting Appellant ownership of estate and have his written instrument recorded and it stands as true and be recorded in the register of deeds and no one should interfere or deny his proposed order.

STANDARD OF REVIEW

[Set forth appropriate standard of review with citation(s) to authority if all issues are governed by the same standard of review; otherwise include a separate section with a heading of "Standard of Review" at the start of the argument on each issue.]

FACTS

[Counsel may wish to set out the facts relevant to the arguments at this point in the brief. This, however, is optional, and the relevant facts may be included in the discussion of each argument. In either case, the brief must contain references to where the salient facts can be found in the Record on Appeal. In Initial Briefs, these references shall be made in the manner specified by Rule 208(b)(4), SCACR. In the Final Briefs, these references shall be to the page and line number of the Record on Appeal (i.e., R.p. 37, lines 7-8). Rules 211(b)(1), SCACR.]

ARGUMENTS

- I. BECAUSE RESPONDENT COULD HAVE RAISED AN TIMELY MANNER ON MULTIPLE OCCASIONS AND FAILED TO DO SO, APPELLANT TESTIMONY STANDS AS TRUE AND HE DID PROVE ADVERSE POSSES RESPONDENT ESTATES

[Set out discussion and citations of authority.]

- II. BECAUSE FRAUD MUST BE PROVED BY CLEAR AND CONVINCING EVIDENCE, THE TRIAL COURT ERRED WHEN IT CHARGED THE JURY THAT THE RESPONDENT MUST PROVE FRAUD BY A PREPONDERANCE OF THE EVIDENCE.

[Set out discussion and citations of authority.]

CONCLUSION

For the reasons stated, this Court should reverse the judgment of the circuit court. And grant Appellant motion to reconsider and amend judge Coble' order to the original proposed order maybe granted.

Respectfully submitted,

July 30,2025.

/s/Samuel Brown

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Appellant

FORM 16
CERTIFICATE OF COUNSEL IN FINAL BRIEF

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APPEAL FROM RICHLAND COUNTY
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Daniel Coble, Circuit Court Judge

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SC Court of Appeals

Tommy Truesdale & Maudy
Truesdale, as Personal
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Tommy Truesdale,

Respondent,

v.

Samuel Carlos Brown,

Appellant.

CERTIFICATE OF COUNSEL

The undersigned certified that this Final Brief complies with Rule 211(b), SCACR.

July 30, 2025

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