

Mail to
all parties
5 copies

State of SC
County of Char.

In The Court of Common Pleas
For the Ninth Judicial Circuit
CASE No. 2021CP1004058

09/15/2025

Attachment

4.
NO hearing over
set! Required!
Paid For
Schemed into
Obtaining!

Warry Smith

Plaintiff,

Intent To Appeal, if my
"Motion" For Jury Trial
To Retrieve my prop-

V.S.

ty Improvidently

Charles Tolbert, Keith L. Tolbert granted to a
Sara Jo T. Latten, Estate of Charles Tolbert
Charla T. McMillian + Betty J. T. Jones by Judge Mikell
Judge Mikell Scarborough et al. Scarborough
Defendants, Judge M. Scarborough W/ - As Denied
Kam Kalivas, Ashley Andrews, Alumn Silver

Complaint

RECEIVED

DEC 12 2025

SC Court of Appeals

Judge Mikell Scarborough, Improvidently granted (gifted) my property to a non-contributing, estranged cousin/nephew/grand. He decided a critical, key, legal matter in a conspiracy conference, July and Aug 2022, behind the back of the key opposing party who was deliberately excluded, holding the winning arguments to; "Counterclaim" a false claim the judge pursued along with lawyers to which he was glaringly partial. He enjoined my atty., had all co-conspirators sign their consent to squash the argument of the opposers; "Counterclaim"; the winning claim of "Title to Adverse Possession". This judge had the "Consenters" to sign that he be on the case the duration. This assured my atty. that she could not prevail now with the opposers out numbering her. So the group of conspirators schemed, decided on a new plan to force the key party to give to them her home of eighteen years which they would sell, and divide (my) Plaintiffs profits. Judge Scarborough attempted it.

copy
Wamy
Wamy

2021 CP1004058

The Attachment Below is being so treated because the Clerk of Court for Charleston Co, SC has ~~intreated~~ treated the matter incorrectly. She has mingled, she writes this case and its singular "Motion", for "Jury Trial" and another "motion", she calls it, "Conspiracy", used to make clear in a separate "motion" is a paid, "Motion" to "Dismiss With Prejudice" a case wherein Judge M. Scarborough ruined CASE NO. 2021cp 10 04058 with "obstruction of justice", a "Mis-Carriage of justice", "Prosecutorial-Misconduct" by his Conspiracy and by his denying me, another owner, my Constitutional Right to "Due Process."

Kindly correct the gross mistake herein.

CPJ

Notice - Attachment here is to prove the "myth" of any mingling presented by + told by the Clerk of Court for Chas. Co. SC, Julie Armstrong, et al. Clearly this filing under a name not mine proves that Judge Rode had one, only one solid case before him, that of case-ly "motion", to "Dismiss With Prejudice

FILED

NOV 25 2025

JULIE J. ARMSTRONG
CLERK, C.P. & G.S.

Case NO. 2021cp 10 04058." Kindly prove validity in your decision to lump three (3) cases together in this decision!

- cc; President Barack Obama
- cc; Justice Amy Coney Barrett
- cc: Chief Justice John Roberts

A.

Copy - mail and E-mail to all parties

never set Hearing date in the Schemed in the Charles O'Brien v. Mather (2003) case in the State Court Trial Matter

State of SC
County of Chas.

In The Court of Common Pleas
Ninth Judicial Circuit
CASE NO. 2021CP.1004058

Warry Smith,
Plaintiff,

Judge Mitchell Scarborough, Ashley
Andrews, Charles Tolbert, William Ka-
livas & Keith Tolbert, Heirs of Mrs. Helen
Tolbert, later Alwyn T. Silver

FILED
2025 AUG -8 PM 4:54
JULIE J. ARMSTRONG
CLERK OF COURT

RECEIVED
DEC 12 2025
SC Court of Appeals

* Motion
of Jury Trial as to re-
trieving my property held
adversely for Ten yrs of 18 yrs
Now twenty yrs (20) as to 20 yrs
Jury trial required to hear
my plea and argument that
qualifies me, not Charles nor
Keith nor any heirs named
to claim qualification herein.

Sad Facts And Egregious Mis-Carriage of Justice,
And Prosecutorial you will find also described be-
Misconduct

low is that offer heirs to buy their interest in 2020 for \$50,000.00 each.

- (1) Keith files an unnecessary law suit i.e. "Quiet Title Lis Pendens"
- (2) Carolyn T. Smith listed, documented as Primary Owner and
* Ct. appointed Personal Rep' to My mother's Mather Estate.
- (3) Judiciary named above give Keith, estranged nephew a form that
stated that my mother, Carolyn had relinquished her Ct. appointed
position as named above. They wanted to flaw the Deed to give "Quiet Title," legit

* (4) Judge Scarborough recklessly pursued, "Quiet Title," a case
* Reversed and Remanded back to a SC court in 2003. Failed!

See "Justia - Fender Vs. Heirs of Smashum," the case held that
my mother used and prepared for her atty, Attorney Melera

Motion Re: Jury Trial NOT mine. NOT Carolyn

Copy
Judge

No hearing ever set! Schemed into the clerk's oblivioness!
Kindly with an urgency set a date for this Plaintiff's now wanted motion to be heard.

STATE OF SOUTH CAROLINA)
COUNTY OF Ches,)
Warry Smith)
Plaintiff,)

IN THE COURT OF COMMON PLEAS
Ninth JUDICIAL CIRCUIT
CASE NO.: 2021-CP-10-04058
MOTION AND ORDER INFORMATION
FORM AND COVERSHEET

Attachment
for
Signature
below

vs.
Judge: Mickell Scarborough, Clerk of
Helen G. Tolbert, William Kalivas, Ashley Andrews
Keith Tolbert, Atty Alwyn Silver Defendant.

RECEIVED

DEC 12 2025

Plaintiff's Attorney: Pro Se
NA Bar No. NA
Address: 338 Fifth Ave and 6th Street
1-843-216-6960
Phone: 7 Fax None
E-mail: _____ Other: _____

Defendant's Attorney: Unknown
Bar No. Unknown
Address: _____
Phone: Unknown, changed Fax ?
E-mail: ? Other: ?

SC Court of Appeals

- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
- FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
- PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information
Nature of Motion: Real Estate - my claim to Title to Adverse Possession, + Jury trial to retrieve my
Estimated Time Needed: 10 Retriever my Court Reporter Needed: YES NO property egregiously

SECTION II: Motion/Order Type
 Written motion attached
 Form Motion/Order
I hereby move for relief or action by the court as set forth in the attached proposed order.

Pro Se
Signature of Attorney for Plaintiff / Defendant 12/08/2025
Date submitted

SECTION III: Motion Fee
 PAID - AMOUNT: \$ 25.00
 EXEMPT: (check reason)
 Rule to Show Cause in Child or Spousal Support
 Domestic Abuse or Abuse and Neglect
 Indigent Status State Agency v. Indigent Party
 Sexually Violent Predator Act Post-Conviction Relief
 Motion for Stay in Bankruptcy
 Motion for Publication Motion for Execution (Rule 69, SCRPC)
 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: _____
 Other: _____

JUDGE'S SECTION
 Motion Fee to be paid upon filing of the attached order.
 Other: _____
JUDGE CODE _____
Date: _____

CLERK'S VERIFICATION
Collected by: _____ Date Filed: _____
 MOTION FEE COLLECTED: \$ _____
 CONTESTED - AMOUNT DUE: \$ _____

Attachment
for a hearing date
Attention Judge M. Scarborough et al