

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Appeal Case No.: 2013-002056

Case No.: 2011-CP-32-01010

Glenda Couram,

Appellant

v

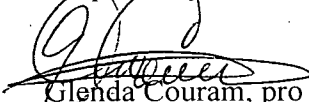
Mr. & Mrs. Christopher Hooker, Mr. & Mrs. Carl Reibold, Cox & Dinkins, Inc., Fair Builders/
Developers, Inc., Donald "Don" Rawls & Steve Fair in their official and individual capacities

Respondents

**AMENDED
NOTICE OF APPEAL**

Glenda Couram, *pro se* Appeals the court written Order (Jury Verdict) dated July 12, 2013 (received on or about July 16, 2013 via US Mail) of Judge R. Lawton McIntosh along with the Order denying the Motion to Reconsider dated on or about July 30, 2013 (stamped August 2, 2013 received via US mail August 8, 2013). Dated this 22nd day of October 2013

Respectfully submitted by,


Glenda Couram, *pro se*
104 Macaw Ln
Lexington, SC 29073
gcouram@hotmail.com
Pro se Appellant

RECEIVED

OCT 23 2013

SC Court of Appeals

Other Counsel of Record:

Steven A. Fair, Registered Agent
Fair Builders/Developers, Inc.
153 Shirway Road
Lexington, SC 29073
(803) 957-9801

Pro se Respondent

Law Office of Smokey Brown, PC
PO Box 1545
Irmo, SC 29063
(803) 732-3797

**Counsel for Mr. & Mrs. Carl Reibold
and Mr. and Mrs. Hooker**

R. Davis Howser, Esq.
Howser, Newman & Besley, L.L.C.
P.O. Box 12009
Columbia, SC 29211-2009
(803) 758-6000
**Counsel for Cox and Dinkins, Inc.,
and Donald "Don" Rawls**

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Appeal Case No.: 2013-002056
Case No.: 2011-CP-32-01010

Glenda Couram,

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v

Mr. & Mrs. Christopher Hooker, Mr. & Mrs. Carl Reibold, Cox & Dinkins, Inc., Fair Builders/
Developers, Inc., Donald "Don" Rawls & Steve Fair in their official and individual capacities

Respondents

**AMENDED
PROOF OF SERVICE**

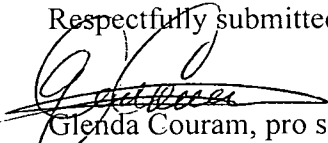
I certify that I have served the Amended Notice of Appeal on all listed defendants of this Appeal by depositing a copy of it in the United States Mail, postage prepaid, on or about October 21, 2013, addressed to their attorneys of record as addressed below. Dated this 22nd day of October 2013

Steven A. Fair, *pro se*
Registered Agent
Fair Builders/Developers, Inc., PO Box 12009
153 Shirway Road
Lexington, SC 29073

R. Davis Howser, Esq.
Howser, Newman & Besley
Columbia, SC 29211-2009

Law Offices of Smokey Brown, PC
PO Box 1545
Irmo, SC 29063

Respectfully submitted by,


Glenda Couram, *pro se*
104 Macaw Ln
Lexington, SC 29073
grcouram@hotmail.com
Pro se Appellant

RECEIVED

OCT 23 2013

SC Court of Appeals

Counsel for the Defendants, L.A. "Smokey" Brown, Jr., and Carl Reibold were present at the hearing. Ms. Couram, representing herself *pro se*, was also present at the hearing.

This Court reviewed the pleadings filed by the Defendants' counsel and Ms. Couram with regard to the Defendants' motion, reviewed evidence submitted by Ms. Couram and the Defendants' counsel, and listened to argument by the Defendants' counsel in favor of granting the survey and also by Ms. Couram against the granting of a survey. The evidence submitted by both parties included a subdivision survey of Wrenwood Subdivision prepared by Palmetto Engineering and Surveying Company, Inc., recorded with the Lexington County Register of Deeds Office on November 27, 1991 in Plat Book 247 at page 163, a survey of Ms. Couram's real property prepared by Drafts Surveying, Inc., recorded March 29, 1994 in Plat Book 268 at page 12 in the Office of the Lexington County Register of Deeds, and a boundary survey of Wrenwood Subdivision Phase V, including the lots on which the Defendants reside, prepared by Cox and Dinkins, Inc. and recorded November 12, 2004 in Plat Slide 793 at page 5 in the Office of the Lexington County Register of Deeds.,

During the hearing, Ms. Couram and counsel for the Defendants both agreed that each plat described above accurately portrayed the boundary line between Ms. Couram's real property and the Defendants' real property. Counsel for the Defendants argued the surveys reflect the correct boundary line between the parties, which should allow for the Defendants to construct a fence separating their properties from Ms. Couram's real property. However, Ms. Couram believes the fence will be constructed along an easement line marked on her survey (the Drafts survey).

A handwritten signature in black ink, appearing to be the initials 'AB' or similar, located at the bottom center of the page.

The Defendants' pleadings further seek the grant of a boundary survey by this Court and also seek a declaratory judgment from this Court on the location of the boundary line between the parties' respective real properties.

Based upon the pleadings submitted by the parties to this Court, the evidence submitted at the hearing, and arguments made by the parties, this Court hereby rules as follows:

- a) This Court authorizes the Defendants, at their own cost, to obtain a survey on the property boundaries between the Defendants and Ms. Couram;
- b) The Defendants shall obtain a surveyor of their own choosing to conduct the boundary survey;
- c) The surveyor shall have the authority to move about the borders between the Defendants and Ms. Couram's respective real properties to conduct the survey. The surveyor is authorized by this Court to go upon all real properties of the Defendants and Ms. Couram to accurately determine the boundary line between the parties;
- d) If anyone, including the individual Defendants or Ms. Couram, interferes with the surveyor for any reason, the offending individual or party shall be subject to the contempt power of this Court;
- e) This Court shall, upon notice given to the Court by counsel for the Defendants as to the date and time of the survey, have a Lexington County Sheriff's Deputy present at the survey to report any interference to this Court and also to allow the surveyor to peaceably conduct his/her survey without interference from any person;
- f) The parties are prohibited from trespassing on the other's real property while the survey is being conducted;


A handwritten signature in black ink, appearing to be the initials 'AB' or similar, located at the bottom center of the page.

g) Counsel for the Defendants shall give written notice of the date and time of the survey to Ms. Couram and this Court no later than ten (10) days before the survey. Counsel's notice may be provided by e-mail, by facsimile, or by regular mail;

h) The surveyor obtained to conduct the survey shall receive limited immunity for the work he/she performs. Said immunity is limited to those causes of action in the pleadings filed by the Defendants and Ms. Couram, which include causes of action for intentional infliction of emotional distress, slander of title and defamation, nuisance, civil/criminal trespass, invasion of privacy, injury to real property, civil conspiracy—fraudulent concealment, and continuing nuisance; and

i) Upon completion of the survey, the surveyor shall submit the survey and his/her report to counsel for the Defendants, who will submit said documents to the Court and Ms. Couram. The parties, based upon these documents submitted by the surveyor, may make future motions.

IT IS SO ORDERED.



The Honorable R. Knox McMahon
Circuit Judge for the Eleventh Judicial Circuit

Lexington, South Carolina

Dated this 20th day of April 2012.

FILED
APR 20 2012
11:10 AM
CLERK OF COURT
LEXINGTON, SC

CR 10114

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2011- CP-32-1010

Glenda Renee Couram

Christopher Hooker, et al

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: R. Knox McMahon, Presiding Judge, 11th Judicial Circuit

Attorney for : Plaintiff Defendant
or
 Self-Represented Litigant

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
- 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: Defendants Reibold and Hooker's Motion for a Court Ordered Survey is hereby granted. Defendants' Attorney Brown to prepare formal order to follow.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF LEXINGTON

Case No. 2011-CP-32-01010

Glenda Renee Couram,

Plaintiff,

vs.

Mr. and Mrs. Christopher Hooker, Mr. and Mrs. Carl Reibold, All Persons Claiming Any Legal or Equitable Right, Title, Estate, Lien or Interest in the Property Described in the Complaint Adverse to the Plaintiff's, Cox and Dinkins, Inc., Fair Builders/Dev, Inc., Donald "Don" Rawls and Steve Fair in their individual capacities, Carolina Water Service, Inc. (CWS), Carolina Trace Utilities, Inc. & Utilities, Inc., Corporate Offices (CWS),

Defendants.

BETH A. GARRIGG
CLERK OF COURT
LEXINGTON, SC

2013 MAR -7 P 4: 34

FILED

ORDER GRANTING CAROLINA WATER SERVICE, INC.'S AND UTILITIES INC.'S MOTION FOR SUMMARY JUDGMENT

This matter came before the Court on the Motion of Carolina Water Service, Inc. ("CWS") and Utilities, Inc. (collectively "CWS Defendants") for summary judgment as to the claims of Glenda Renee Couram ("Plaintiff"). A hearing was held on the CWS Defendants' Motion on March 4, 2013. Mary M. Caskey, Esq. appeared for the CWS Defendants and Plaintiff appeared *pro se*.

In her Complaint, Plaintiff alleges that for over fifteen years, she has adversely possessed a parcel of land currently owned by CWS, the legal description of which is as follows:

All that certain piece, parcel or lot of land situate, lying and being near the Town of Red Bank in the County of Lexington, State of South Carolina, being shown and designated as "Well Site" on a Plat of Wrenwood Subdivision prepared for August Kohn Co., Inc., by Johnny T. Johnson & Assoc., dated November 8, 1982, revised August 26, 1983, and

recorded in the ROD Office for Lexington County, South Carolina on May 3, 1985, in Plat Book 200-G at page 887.

ALSO, a non-exclusive easement appurtenant to the "Well Site", for purposes of ingress and egress for constructing and maintaining a water well on the "Well Site." Said easement is 15 feet in width, as shown and delineated on the above described Plat recorded in Plat Book 200-G at page 887.

This being the same property conveyed to Carolina Water Services, Inc. by deed of August Kohn and Company, Incorporated, dated May 1, 1985, and recorded May 3, 1985, in Deed Book 725, Page 4.

TMS# 006628-05-02

(the "CWS Parcel").

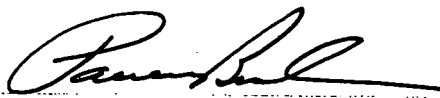
Plaintiff's complaint asserted a variety of claims, but by this Court's order filed on October 31, 2012, Plaintiff's only remaining claim is a claim for adverse possession. The CWS Defendants do not object to the Court ordering that title of the CWS Parcel be vested in Plaintiff, and in fact, the CWS Defendants offered to give Plaintiff a quitclaim deed for the property she claims to have adversely possessed, as evidenced by the Offer of Judgment filed on June 4, 2012. However, Plaintiff rejected the offer of the deed and claimed she was entitled to damages related to her claim for adverse possession. The Court finds that Plaintiff has failed to prove that she is entitled to any damages from the CWS Defendants, including but not limited to the costs of court filings and mailings related to this action. Therefore,

IT IS ORDERED THAT title to the CWS Parcel shall be vested in Plaintiff, and that the CWS Defendants shall have no further right or interest in the CWS Parcel, including any rights pursuant to any easements concerning the CWS Parcel;

IT IS FURTHER ORDERED that the CWS Defendants' Motion for Summary Judgment is granted, and Plaintiff shall not be entitled to recover any sums or damages from the CWS Defendants;

IT IS FURTHER ORDERED that because all claims by Plaintiff against the CWS Defendants have been dismissed or adjudicated, that this matter shall be dismissed with prejudice as to the CWS Defendants;

AND IT IS SO ORDERED.



The Honorable Paul M. Burch
Presiding Judge

March 7, 2013

BETH A. CARRIGG
CLERK OF COURT
LEXINGTON, SC.

2013 MAR -7 P 4:34

FILED

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2011CP3201010

FILED

Glenda Renee Couram

Christopher Hooker
Carolina Water Service
Builders
Donald Rawls

Carl Reibold
Steve Fair
Cox And Dinkins Inc
Utilities Inc

2013 MAR 27 P

PLAINTIFF(S)

BETH A. CARRIGG
CLERK OF COURT
LEXINGTON, SC

DEFENDANT(S)

Submitted by: Court

Attorney for: Plaintiff Defendant
or
 Self-Represented Litigant

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: _____
- 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:

Plaintiff's Motion for Default Judgment denied. Answer has been filed.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk:

MH

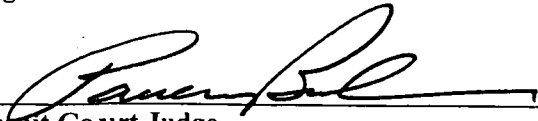
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Circuit Court Judge

2048
Judge Code

3/7/2013
Date

For Clerk of Court Office Use Only

This judgment was entered on ____ day of March, 2013, and a copy mailed first class or placed in the appropriate attorney's box on ____ day of March, 2013, to attorneys of record or to parties (when appearing pro se) as follows:

Glenda Renee Couram
104 Macaw Ln
Lexington, SC 29073

L.A. 'Smokey' Brown Jr.
PO Box 1545 Irmo, SC 29063
R. Davis Howser
PO Box 12009 Columbia, SC 29211
Steve Fair
Fair Builders
153 Shirway Road Lexington, SC 29073
Mary McFarland Caskey
PO Box 11889 Columbia, SC 29211
Lawrence Foster Girard
PO Box 11889 Columbia, SC 29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Beth A. Carrigg 

Beth A. Carrigg - Clerk of Court

Court Reporter

FILED
2013 MAR -7 P 4: 35
BETH A. CARRIGG
CLERK OF COURT
LEXINGTON, SC

ORIGINAL (5)

Glenda Renee Couram

FILED

Mr. & Mrs. Christopher Hooker, Mr. & Mrs.
 Carl Reibold, et al. (Cox and Dinkins, Inc.
 and

PLAINTIFF(S)

2011 AUG -2 A 11:30

J. Donald "Don" Rawls
 DEFENDANT(S)

Submitted by:

BEVERLY D. GREGG
 CLERK OF COURT
 LEXINGTON, SC

Attorney for : Plaintiff Defendant
 or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

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

ORDER INFORMATION

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Additional Information for the Clerk :

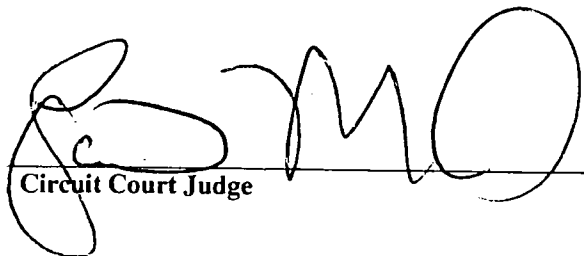
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 Circuit Court Judge

2155
 Judge Code

7/30/13
 Date

For Clerk of Court Office Use Only

This judgment was entered on the 21st day of July, 2013 and a copy mailed first class or placed in the appropriate attorney's box on this 6 day of Aug, 2013 to attorneys of record or to parties (when appearing pro se) as follows:

COUKAM

ATTORNEY(S) FOR THE PLAINTIFF(S)

COURTNEY FAIR
BROWN FAIR BUILDERS
HOWSER

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

Plaintiff's Motion for Reconsideration, Set Aside Judgment and New Trial is denied without the necessity of oral arguments. No formal order is requested.

FILED
2013 AUG -2 A 11:36
BETH A. CAMPBELL
CLERK OF COURT
LEXINGTON, SC

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF LEXINGTON
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2011CP3201010

FILED

Glenda Renee Couram

Mr. and Mrs.
 Christopher Hooker, et
 al.

2013 JUL 12 A 8:21

BETH A. CARRIGG
 CLERK OF COURT
 LEXINGTON SC

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

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 Affirmed; Reversed; Remanded; Other:

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

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk: _____

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[Handwritten signature]

2155

7-11-13

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on 11/1 and a copy mailed first class or placed in the appropriate attorney's box on 15 JULY 2013 to attorneys of record or to parties (when appearing pro se) as follows:

Glenda Renee Couram

L.A. 'Smokey' Brown, Jr.
R. Davis Howser
Steve Fair/Fair Builders

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Beth Carrigg - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

Jury rendered a verdict in favor of both Defendants, Mr. Christopher Hooker and Mr. Carl Reibold. Ms. Couram given 10 days to file any post-trial motions. No formal order requested.