

Designation Of The Matter

Documents And Court Materials And Citations that Appellant shall use to support that said facts prove that said claim, to all that entitlement to, "Title To Adverse Possession," is the Appellant's herein. Herein find two cases that are separate though the latter Compellingly hinges "Improvident facts."

- ① Justia - In Fender V. Herrs At Law Smasburns wherein The SC Court of Appeals, "Reverved And Remanded," back to The SC Circuit Ct. 2003-04, 05 due Improvident Order Judgment
- * ② Justia The focus on this judge like the one in the Fender V. Smasburn Case ignored the "Standard of Review as," genuine issues as to material fact Judge M. Scarborough scheduled a hearing to hear an ~~attor~~' Counter Claim, "Quiet Title," a meritless Case. He heard only one side at the fraudulent hearing. (2^b) The late arrival Transcript per Judge Pope,
- * ③ Sheets of Docs' that reveal the illegal handling of said "ghost" hearing. Documents proving Judge Scar's hearing 9/2020
- 4 Exhibit of "Improvidently," granting of my property in by Order judgment to an estranged relative with no standing by "Abandonment" & ~~none~~ "assertion," as to ownership.
- 5 Portions of Justia which focuses on, "Abandonment," and, "none assertion," of interest or ownership as a Co-tenant. (5^b) The substitute "Draft" by Conspiracy, "Intent,"
- 6 Justia + pages that define those is all heirs/cotenants that by vigilance and diligence knew and should have known that I held the subject property, "Averse To Possession of all other
I.B. (right to)

Heirs/Covenants and to any ^{Right} profits hence no sale of subject property that is a "Legacy" to our most worthy parents, Fred W. Tolbert, Creative (builder) Builder in the Ches, SC area, lived 104 yrs cited by Pres Clinton. He was an outstanding musician and recipient of an Award for producing the "Best Youth Choir" City, Wise from the Historic Morris St. Baptist Church) (Mrs. H.G. Tolbert was award "Guidance Counselor of The year For The State of SC, the recipient of more than twenty plaques for outstanding performance in Capacities. I, Appellant have a vested interest herein.

7. Exhibit, Doc - "Why Would I need A, "Quiet Title," Law Suit"

8 "Deed of Distribution" Tampering ^b Opposers Struggle to give merit to their "meritless" Case "Quiet Title," "Defeated by the sound Comprehensive, Strong initial Deed ie Five (5) Children 209 each. ²⁸²¹ Heirs herein hostilely ignored my offer to buy their interest

9. "The Last Will And Testament" of Mrs. H.G. Tolbert which other "Heirs," kicked to the curb having no vested interest herein

10. The non-contributing Respondents' judge and lawyers agreed * to, "Sabotage" the hearing by enjoining with judge Scarborough

Exhibit 11 Signed Consent to Keep judge Scarborough on the case for the duration 10. Heirs Substituted my offer, "Quiet Title"

11. I Shall Exhibit Docs' of So called Conferences

* held July and Aug. (2022) 2022 and scheduled @ "dumb" "hearing" though said judge and his Co-conspirators had,

* "drafted," a "Substitute," claim behind ^{MA's base BS} they scrapped/dropped MA's "Counterclaim," ^{the Plaintiff's} hiding the "substituted" → J-B claim resulting in the SCAMoned 9/21/22

(1) Appellant will prove that I satisfy all six elements required to claim Title To Adverse Possession. Justia makes this clear. I, Appellant easily prove by case law after case ~~law~~ case law the validity of my claim for the title I claim.

Exhibit

(B) Interrogatories of other heirs/cotenants show no contribution from any of them. The "Bible" says, "you don't work, you don't eat." That is the case herein by God. This for abandonment.

M. The six elements mentioned above, supporting my claim herein are: Please give great consideration herein. They Bashed the

pg 2 Justice

(1) "Quiet" has been hostile proven by the "Quiet Title," "Will" merited Law Suit pursued lawlessly with grave "Motives" causing conspiracy with intent (felony) executed in the ghost hearing wherein the judge, judge Scarborough denied me, "Due Process!" Ashley Andrews admitted that they judiciary led to higher Ct's. We gave rooms formerly afforded Respondents we assigned to those with keys to the property. No Respondent, heir/cotenant ever had access

(2) "Actual" Appellant lived 18 yrs exclusively and before the worthless Quiet Title was filed. Now I, Appellant has lived here twenty plus yrs. So when SC Courts allowed judge Scarborough to deny me an owner the Constitutional Right to "Due Process," leaving her our family and Ma's atty. saying nothing all of us dangling, this judge

* took what belonged to three owners, "Improviently" with

* all judiciary to set the "Quiet Title" false Law Suit "Aside"

pg 2 Justice

(3) * Exhibit of the SC Supreme Ct, upholding judiciary whose deficiencies were numerous, that Ct. complained but allowed him time to correct.

* But this Spreme Ct rubber, stamping my "not telling of my Intent" to

Appeal, the "Prosecutorial misconduct," "Mis Carriage of Justice," "Obstruction of Justice" and "Travesty of Justice" a Pro Se Charge ed/

- * Doc' of proof the opposing Counsel's 'deceit' in documenting
- * that my attorney's withdrawing, leaving me dangling, Pro Se, was a mutual event. Negative! they lied again.
- * Docs wherein they gave Keith the "filez" of "Quiet Title," gave him a form with the heading that the Court appointed Personal Representative relinquish^{ed} her position to Keith Tolbert estranged nephew/grand/cousin. He nor Charles Tolbert neither has eligibility herein.

Justice Pg 2

(4) Open-Third element my exclusive was open known by all Mail men and women. My mail arrived at my home daily hundreds of pieces neighbor saw me walk some of or 16 pets daily. We greeted each other. In at my church, and for an insurance agency, and studied at the College and now at MUSC.

(5) A Notorias - I changed membership, visiting other churches - I shopped Harris Tector, especially Publix Groceries + Pharmacy. I also I took our 16 pets to vets and Vet hospitals Mt Pleasant Chas. Co, SC (5b) Docs' from SC Supreme Ct + The District Ct for SC.

Justice Pg 2

(6) Exclusive - 2003 to present

(7) Hostile - They all abandoned parents, grand parents. I agreed to stay after D'An Ma' passed away. My eldest brother remained all year among the grands who answered the call to pull root and relocate at D'An Ma' and D'An Pa to assist with their loving fender care. We arrived in the late 90's - See

(8) 15) Justia - Fender v. Smashum + All Obstructions of Justice - Re: Six elements: Please see page 2, 26 by Judge Scarborough.

* (16) * Charles never produces info' about Charles Assets nor death.

Designation of The Matter

CASE No. 2021cp1004058 - Legal documents Appellant
Shall present as require. Some from the prior Case Ad-
versely Impacting Case No. 2025 000 893

- * 1. Justitia in Fender V Heirs At Law Somashume
2. All Case Law Supporting, "Title To Adverse Possession" as to my eighteen (18) yrs. of holding or having held the subject property Adverse to the ^{of} possession or/and to any profits by cotenants (Property the subject herein is a legacy to our parents).
- * 3. Interrogatories that prove only I, Appellant and two (2) heirs who never abandoned the property are eligible and have standing as to ownership with regard to subject property.
- * 4. Attorneys', "Drafts" prepared in the dark behind closed doors shed light on Appellant's upkeep, maintenance, pymt. of all taxes, improvements eg new roof; new HVAC; ground build up level to the bottom of fencing to avoid bottom openings, exterior painting; New Kitchen and bathroom (three baths) fixtures; regular yard and curb appeal attention/care (not lately). There's been a 2nd New roof, Nov 2025
5. Documents from the District Ct. From the Dist of SC to show deceitful reporting to said Ct. by the Char Co Ct. of Common Pleas a "Coverup" for the Improvidently granting "Order Summary judgment" to d Charles Tolbert instead of to Keith Tolbert who filed the false, "meritless," Quiet Title Lis Pendens, Law Suit. Why?
- 6 Document, "Why Do I Need A 'Quiet Title' Law Suit," which proves that opposes to my entitlement to "Title" To Adverse Possession". Document in NO. 6 says, "Quiet Title," is not ^{+ was not} necessary.
- * 7 All activity following the filing of said Law Suit without merit.

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- * ① Justia - Fender V Heirs At Law Smarhum
- * Justia as to a "need of distribution," defeating "Quiet Title" total doc'
- * ② All Documents Associated with Judge Mitchell's Conferences - July and Aug. 2022 and those pertaining to the Alleged "Counter claim" Argument as well as the hearing where Judge reported that the argument to Counter ^{claim} ~~side~~ Claims argument took place though it did not! *
- * All judgments & findings (faulty) that support the "Imprudently" actions
- * ③ Affidavits from family members ^{who} witnessed the Judge's having "Scrapped" hearing my Carolyn's "Counter claim" to the meritless, "Quiet Title" fraudulent hearing this judge scheduled, after abusing his power by deciding my case behind closed doors. Transcript must show Ashley Adams' admissions
- * ④ The "Draft" of what the Judge and Co-Conspirators decided, to "Substitute" for my "prevailing" argument, "Title To Adverse Possession"
- ⑤ Ct. filings repeatedly because the subject case was not overturned by the District Ct. For the Dist' of SC. Ct personnel wrote that ^{they} could overturn this case but that they would not. They Dismissed without prejudice. I observe.
- ⑥ Documents from the SC Supreme Court, the SC Court of Appeals and from the District Ct For the Dist' of SC
- ⑦ Letter(s) to Atty. Melena Dinwoodie asking her to act on ^{my} ~~my~~ behalf.

Carolyn

"Designation of The Matter"

(17) The "Transcripts" and comments written and many lies by opposing counsel refuted and challenged.

(18) Bloomberg's Report as to exception per AIA and A.W.A. exceptions, "One" of them which made me eligible the SC Dist Ct. For The Dist of SC, said Court denied me ie "Judge Scarborough denying me my Constitution Right to, "Due Process,"

(19) Said Ct. For The Dist of SC wrote that they could overturn CASE NO 2021cp1004058 but that they would not

(20) My motion ie Carolyn's motion to Dismiss the case her named should be so dismissed and Carolyn be granted her earned and due Title to Adverse Possession, because of her yrs. of persecution by Judge Scarborough. Subsequent judges and acting Courts could be guilty of "looking the other way," as to knowing, after thorough examination of actions and merit, integrity

Preliminary Statement of References

Justia - (Fender) Fender v. Smashum - 2003-2005

Case Breakdown will follow

"Why Do I Need A 'Quiet Title,' 'Law Suit'"

The six (6) Elements required and satisfied to claim ^{Possess.} Title To

Bloomberg Law Report(s) legal matter in all Courts

Carolyn entered in SC Circuit Ct up to The Dist For SC

The Last Will And Testament of The Decedent

The Holy Bible

The Conference Call(s) - Plaintiffs And Defendant

Amendment →

The blatant lies, deceit, Conspiracy, + Sabotage cited

The "Imagined" and real "Hearings," and Contents

AS TO CASE NO. Cp 10 04058 (as to the judge therein

and fraud SCAM and "Conspiracy," "Sabotage"

as well as deliberate Omissions by the judge

federal = "Due Process," and Omission as to following

the "Standard of Review," and neglect to "Notice,"

Defendant of Crucial Hearing Oct 30, 2024 and this

judge "Recusing" himself here when I started to

to speak second time denying me "Due Process" content

and opposing Counsel only allowed to participate

Reference as to "Heir" vs. "Tenant's NOA." Defendants held

held

* Property "Subject herein" "Adverse To The Rights to Possession and profits as to any and all others."

Statement of The Case and Facts And Issues

CASE No. 2025000893 Compels me, Appellant, to argue against a prior case to prove the unarguable reasons, "jury trial," must be ordered on my behalf. Or if this Court finds reason to put an end to the case upon which Appellant's case hinges, upon that it would give me, Appellant the just path to retrieving my property at 338 Fifth Ave. + 6th St. in Mt. Pleasant, SC 29464.

My opposers ie opposing Counsel desperate to illegally accept the judge's strictly, "Improviently," granted, "Order Summary Judgment," that gives my property to a Charles Tolbert for profit for, on behalf of all Respondents, Would have you, judges, justices believe that my case is CASE 2021 CP 1004058 the prior case being challenged lawfully. The "motion," in that case ~~was~~ to Counter-claim, "Quiet Title Lis Penders," "Meritless," claim that My "Motion," is for, "Jury Trial" in the matter, to Retrieve my property stolen by judge Mikel Scarborough and gifted to the Respondents via Charles Tolbert + Keith Tolbert. The latter filed the false claim. Other facts and issues are as follows: Prior Case

- * 1. Judge Scarborough Dochestrated a conspiracy
- * 2. He setup or Convened two meetings he called Conference,
- * 3. He invited Opposing Counsel and even enjoined my Counsel.
- 4. He had all Counsel present Sign a document consenting to allowing him to stay on CASE NO 2021 CP 1004058 the duration of the matter.
- 5. Defendant Carolyn Tolbert

cont

2

5. bert Smith was omitted from said conferences

* 6. these co-conspirators sat together; drew up a substi-

* tute "Draft" plan; not permitting C.T. Smith privy of the plan"

7. This judge still scheduled a hearing to hear "Counterclaim,"

to "Quiet Title," already "Reversed And Remanded," to another SC

Circuit Ct, in and about 2003, '04, '05, repeated by a "deed of

* Distribution," and by that Circuit Ct judge's neglect to adhere

to the "Standard of Review," and, "genuine issues as to

material" just as did judge Mikell Scarborough who com-

promised, "Truth," here and practiced; "Deceit," in his report -

* ing to judges or justices in the SC District Ct. for the

District of SC

8 He reported to said Ct. that Carolyn could not prevail

in her "Counterclaim," because she had not lived.

& twenty (20) yrs. exclusively in my home where I lived ex-

clusively eighteen yrs and for that reason only claim the

ten (10) yr. claim. Herein see the judge's "cover up," for

obstructing justice once again

9 This judge's Conspiracy with, "Intent," is a felony. In-

addition, he executed the "Intent," ie as they all judi-

ciary agreed to, in their meetings ie to "Sabotage" the hear-

ing 10 This judge started the hearing upside down and "un-

constitutionally heard only one side in a dispute be-

tween two parties! why? The conspirators agreed toge-

ther to have the judge hear "ONLY," SUMMARY JUDGE

and shut said hearing down. 11 He left my sanity up

from FL 1,200 Miles dumb founded? No explanation!

12) Now I, Appellant, feared she and all qualified owners would lose their/our home where we had lived eighteen 18 yrs or better like Coroly

13) Carolyn's Atty sternly refused to appeal; tried to convince Carolyn to accept the new play "A pig in a blanket" never shared (w) Carolyn and refused by Carolyn

14) The Opposers mis-represented this attorneys withdrawal from CASE NO. CP 1004058 as "Mutual," another compromise

15) of "TRUTH," of which there were numerous! Carolyn needed her to honor her fiduciary relation therein. She did not offer argument to counterclaim, "Quiet Title," Ashley Andrews Esq. fir

16) * rally, in another hearing, softly admitted that she, the judge et al.

17) never heard any "Counterclaim to Quiet Title." yet they continue to, in desperation, race toward finalizing an "order Summary judgment," "Im providently" "Gifted" to Charles Tolbert under the "guise" of a correct, legal judgment though it has to be Squashed to make way for "justice," and "TRUTH"

18) The Conspirators too easily were granted, by the SC Court of Appeals, A "Dismissal of Carolyn's legitimate case against the Conspirators," "Im providently," granted Order Summary judgment Dismissed (w) Prejudice

19) Opposing Counsel and Respondents are eager, desperate to have this my CASE NO 2025 000 893 Out of the hands of members of the SC Court of Appeals. They need to keep covered their sinister, clandestine behaviors spelled out in my new case cited above.

20) What judiciary has done to me herein is reprehensible and must be ended by jury trial or by other means that will give back my property to me, Ave Ave Smith