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SC Court of Appeals

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STATE OF SOUTH CAROLINA
COURT OF COMMON PLEAS
COUNTY OF LANCASTER
2021-CP-29-00808

Edrico Blakeney

Vs.

City Bank

Lancaster, South Carolina

June 21, 2023

Before the Honorable Daniel D. Hall

APPEARANCES

For the Plaintiff: Pro se

For the Defendant: No one

Reported by: Michael C. Watkins

Official Court Reporter

1 THE COURT: Mr. Blakeney, if you will come forward. Is
2 anybody here on behalf of City Bank? Anybody here on behalf
3 of City Bank? Mr. Blakeney, just bear with me just a
4 moment.

5 MR. BLAKENEY: Yes, sir.

6 (Break in proceedings.)

7 THE COURT: The next matter before the Court is
8 2021-CP-29-00808, Edrico Blakeney versus City Bank. Mr.
9 Blakeney, what I have before the Court is that this is an
10 appeal from magistrate's court. However, I did just get --
11 or it's in the file just earlier -- well, I guess it was
12 last Friday, a motion for a continuance of the hearing from
13 the lawyer for City Bank. He's indicated that he was not
14 available today and needed to attend a meeting that had been
15 scheduled. Have you had any contact with the lawyer from
16 City Bank?

17 MR. BLAKENEY: No, sir. Not outside of sending him
18 notice for this today. I sent him a certified letter, I got
19 the green card receipt back from the lawyer.

20 THE COURT: All right. Well, he had notice because
21 he's asking that it be continued, he knew it was going to be
22 heard today. This is an appeal from magistrate's court, and
23 I'm not the administrative judge here, Judge Gibbons is,
24 this was scheduled for today. Do you have any objection to
25 this case being continued so that both of you would have an

1 opportunity to present your case fully?

2 MR. BLAKENEY: Yes, I do, sir. Because I believe it
3 was on Monday I contacted the lady's name that is on the
4 scheduling, and she said the Judge had denied the
5 continuance.

6 THE COURT: All right. If that's the case then I'll be
7 glad to hear your motion.

8 MR. BLAKENEY: Okay. The whole thing that I was
9 wanting to appealing about the motion was that I claimed
10 that I was never the account holder. The account isn't mine
11 and I don't know of the account outside of --

12 THE COURT: Let's do this, if you'll come up at the
13 podium, I can hear you better and the court reporter can
14 hear you better.

15 MR. BLAKENEY: Okay. I said that I was asking for the
16 appeal because I was -- had a judgment on me, and from the
17 get-go my response to the summons to court is that I said
18 that I wasn't the account holder, and I know nothing of the
19 account. And I sent them a letter asking them for
20 verification of the account, of me having it. If I started
21 it when, where, and how did it all come about. And I
22 actually sent them letters -- three separate letters asking
23 for those pieces of evidence, and also in that letter sent a
24 fee schedule as well, and they never responded. They got
25 all of the green cards, certified letters, never responded

1 to any of them. And when I got to court I was expecting the
2 Judge to be done at least read my answer denying all claims
3 of the accounts. And when we got to the courthouse he
4 opened up with setting the stage for the Court. He asked me
5 do I have any questions. I asked him about the
6 jurisdiction, how they were able to bring me into court
7 without any evidence outside of some bill statement and
8 account being made. And there was nobody there with a
9 lawyer, and there was no competent fact witness that I could
10 have questioned. The only guy that they had was the
11 recorder, he just worked in the record office, meaning that
12 he only received things and could tell you what they was
13 recorded at as far as the bills and all of these other
14 things. So I was granted summary judgment against me saying
15 I had no legal -- excuse me, no legal claim -- or no legal
16 defense to stand on. And in my answer, all of this stuff
17 was in my answer that was filed with the courts, is that I
18 also stated that there was three -- give me one second, sir.

19 (Break in proceedings.)

20 MR. BLAKENEY: Is that plaintiff's complaint with
21 prejudice was swaying to the following South Carolina Code
22 of Laws, amendment requires to be written and signed. South
23 Carolina Code of Laws 32-3-20, before jurisdiction can be
24 set or claim there must be at least two parties that are
25 competent to enter an agreement. And the lawyer borrowed

1 the Court's lawbook and said that neither one of those were
2 grounds for me to have a defense on. And number two that I
3 just read was basically one of my whole grounds, that I
4 never -- I'm competent enough to know if I entered into a
5 contract with someone, or if I entered into an agreement
6 with someone. And so the Judge said that wasn't a defense
7 to be set on, so I was asking for some kind of proof to say
8 that I've actually acquired an account with those guys, and
9 that I was actually the account holder. But as the case
10 went through I never got to enter any evidence. My three
11 certified letters saying that this case, or this matter was
12 between us privately, had been settled privately for there
13 are no response, and there was no reply to any of the
14 letters asking for verification, not validation but
15 verification of the debt that's reportedly owed, and none of
16 that was granted. Nothing that I done or said did any good
17 to me. It seemed like I wasn't heard in the courtroom and I
18 was ran over.

19 THE COURT: All right. What I'm going to have to do,
20 I'm going to look -- have to look at the file and everything
21 you filed in the case.

22 MR. BLAKENEY: Yes, sir.

23 THE COURT: The Circuit Court's role in an appeal
24 simply is to -- is to determine whether an error was made,
25 we're not here to rehear the case all over.

1 MR. BLAKENEY: Okay.

2 THE COURT: I'll take a look at what's been filed by
3 the magistrate and look at your motion, and I do have that
4 in the file, and I'll issue my ruling by the end of the
5 week.

6 MR. BLAKENEY: Okay.

7 THE COURT: All right? Thank you.

8 MR. BLAKENEY: Yes, sir, thank you. You guys have a
9 great day.

10 THE COURT: Thank you.

11 (END OF THE HEARING.)

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