

In the honorable court of appeals of south Carolina

Case number 2025-001820

Appellant Miranda mitchum

630 levee drive

Moncks corner sc

29461

RECEIVED

Jun 15 2026

SC Court of Appeals

Vs

David hayes respondents

Brooks Hayes respondents

John West attorney for respondents

207 Carolina ave moncks corner sc

29461

**APPELLANT'S DECLARATION TO APPELLANTS MOTION TO VACATE JUDGEMENT
FOR LACK OF IN REM JURISDICTION AND LACK OF SUBJECT JURISDICTION AND
OPPOSITION TO RESPONDENTS' MOTION TO DISMISS AND RESPONSE REGARDING
APPEAL BOND**

COMES NOW, Appellant Miranda MITCHUM , and hereby submits this Opposition to Respondents' Motion to Dismiss the Appeal. In support thereof, Appellant states as follows:

1. The Motion to Dismiss Appeal By the respondents is Moot Because the Lower Court Lacked In Rem Jurisdiction

Respondents are seeking to dismiss this appeal based on Appellant's inability to post an appeal bond. However, the underlying judgment that Respondents seek to enforce stems from a lower court that completely lacked both subject matter jurisdiction (a "phantom subject") and in rem jurisdiction over the property in question.

Because the lower court lacked jurisdiction, its judgment is void ab initio (invalid from the beginning). A void judgment cannot be enforced, nor can a valid appeal be dismissed for failure to comply with an order enforcing a void judgment.

Because no valid judgment exists to enforce, the Respondent's motion is entirely moot. ARGUMENT. The Lower Court Lacked Jurisdiction and the Judgment is void the record reveals that the lower court lacked subject-matter jurisdiction and in rem jurisdiction. A judgment rendered by a court lacking jurisdiction is void, and cannot be forced upon an empty or phantom subject. Enforcing a void judgment violates the Due Process Clause of the Fourteenth Amendment to the United States Constitution. As the United States Supreme Court stated in *Ex parte Lange*, 85 U.S. (18 Wall.) 163 (1873), a court has no jurisdiction to render a judgment exceeding its authority, and void judgments may be collaterally attacked at any time. Furthermore, in *Pennoyer v. Neff*, 95 U.S. 714 (1877), the Supreme Court established that a court cannot exert its power over property (in rem jurisdiction) or defendants without proper authority. Because the lower court acted in the absence of all jurisdiction, its judgment is a legal nullity. B. The Motion is Moot Due to Lack of In Rem Jurisdiction and the Respondent's Motion to Dismiss for failure to post an appeal bond is moot. A bond is designed to protect a valid judgment pending appeal. However, there is no in rem jurisdiction to enforce the judgment in question.

Procedural Deficiencies in Respondent's Filing a document fourteen minutes after the interlocutory order, the Respondent filed documentation with a blackened-out title number. Appellant has never been properly served with this filing, nor did it contain the required sworn affidavit. As of today June 14 2026 the deliberately falsified documents still has not me mailed to me or emailed to me by the defendants nor has their exhibits in their filings of this honorable appellate court as I have to login online at South Carolina judicial courts to see what they have filed not only have they not mailed to me documents with this court but they have also never mailed documents from the lower court violating my rights. This is a complete injustice to me the appellant as I have a right to defend myself and their claims.

Courts have uniformly held that a judgment is void if the rendering court lacked subject matter jurisdiction or in rem jurisdiction. Because a void judgment is a nullity from the beginning, it can never become final, and any attempt to enforce it violates the Due Process Clause of the 14th Amendment to the United States Constitution. The United States Supreme Court has made it clear that courts cannot extend their authority beyond their jurisdiction, as to do so condemns residents without due process of law.

III. Defective Procedural Filings by Respondents Respondents filed a document with a blackened-out title number 14 minutes after an interlocutory order, which has still not been mailed to the Appellant in violation of procedural rules. Furthermore, this document contained no sworn affidavit and not authentication to that document as numbers were deliberately obscured.

IV. INVALID AND BLACKENED DOCUMENT AND HEARSAY. The sole proof of ownership relied upon by Respondent (filed 14 minutes after the interlocutory order) contains a blackened-out title number, was never mailed to Appellant, and contains no sworn affidavit. Without a sworn affidavit, this document constitutes unauthenticated hearsay and cannot be considered competent evidence to prove ownership or establish in rem jurisdiction.

2. Appellant is Indigent and Unable to Post Bond

Appellant lacks the financial means to post the requested appeal bond as I have already provided information that I am indigent and complete financial destitution. Forcing an indigent Appellant to post a bond to access the appellate court violates the Fourteenth Amendment of the United States Constitution (Due Process and Equal Protection). The Underlying Judgment is Void and Therefore Unenforceable. Enforcing a void judgment is a 14th Amendment violation.

3. Conclusion

Because the lower court's judgment was entered without jurisdiction, and because Appellant is indigent and cannot post the bond, Respondents' Motion to Dismiss should be denied, and the void judgment should be vacated.

Respondents filed a document with a blackened-out title number fourteen (14) minutes after the interlocutory order was entered. This information was never mailed to me, and it did not include a sworn affidavit. Even if it had included a sworn affidavit, the document does not match the phantom vin in the contract. I declare that the Respondents' attempt to enforce this judgment is an attempt to deprive me of property without due process of law in violation of the 14th Amendment.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

Miranda Mitchum
630 Levee Drive
Monroe, LA 70121
29461

June 14, 2026