

The State of South Carolina

In the Court of Appeals

Appeal from Richland County

Circuit court

Jocelyn Newman. Circuit court judge

Lower Court Case No:2022-CP-400-1906

APPELLATE CASE NO: 26:000276

THURMOND GUSS SR, -----APPELLANT,

V.

Pastor Darrell Jackson Sr., Marshall Green, Rosa A. English, Alfred T. Guess, Marjorie Guess,

Of whom Marshall Green, Alfred T. Guess, Marjorie Guess are the----- Respondents.

APPELLANT, REPLY BRIEF

THURMOND GUESS SR.

1115 CARTER STREET APT. 224

COLUMBIA, SC 29204

(803) 238-2025

PRO-SE APPELLANT

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SC Court of Appeals

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TABLE OF AUTHORITIES

CASES *Destin v. Kearny Mess AMC/Jeep Renault Inc*, (1984) 155 Cal, C.C.P 585,
(*W. A. Rose Co, v. Mun, Ct* (1959) 176 Cal app. 2d 67-71).

STATUTES

SCRCP 55

STATEMENT OF THE CASE

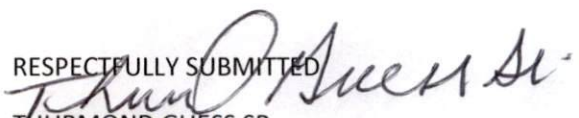
On April 13, 2022, Thurmond Guess sr. commenced this action against the Respondents in the circuit court of Richland county alleging that they committed constructive fraud false signed an Easement Right of Way Deed to Richland County. The Defendant Marshall Green was serving a copy of the Summons and Complaint April 15, 2022, he fails to answer the summons and complaint, the appellant filed default judgment on June 7-2022. Green never came to court or answer the summons and complaint or came to any hearing in this matter. As Alfred T. Guess, and Marjorie's Guess they was served on April 15, 2022 and filed an answer on April 28. 2022, but they did not answer each paragraph of the complaint and failed to come to any hearing in three year. The case was called to trial by jury on July 3, 2025 and Alfred T. Guess or Marjorie Guess did not show or filed any motion or motion to continue. The Respondents has never filed any motion to set aside default Rule 55, or 55c. they file 12(b) 6 motion four months after jury trial hearing on-July 3, 2025.

ARGUMENT AND REASON FOR GRANTING THE APPELLANT APPEAL

The lower circuit court erred on the law and Ruling was an abuse of Discretion in this appeal. the Appellant has shown that the Respondents have fail to answer, or show up trial or defend, or defenses in their answer and now the Respondents cannot Protest, Contest the Summons Complaint or bring any new law or fact when it should have been sought in the Circuit Court. see hearing Date July 3, 2025 Transcript pages 1-7. See SCRPC Rule 55, 55 c. Dentin v, Kearny Mess AMC /Jeep Renault inc (1984)155 CAL, W.A. Rose Co, v. Mun, ct (1959) 176 cal app.2d 67-71. Once default is entering or filed it cuts off the Respondents from defending matter on appeal or in circuit court. This means the Respondents may no longer participate in the Proceeding until Default is set aside or a Default judgment. The Respondents are one who do not have any standing, Marshall Green do not have any standing to Sign a False Affidavit concerning the property at 3004 Dell Drive Columbia S C 29209, failure to answer the Summons and Complaint. Alfred T. Guess, Marjorie Guess do not have any standing to protest the complaint when they refuse to show up for court and defend their answer, see SCRPC Rule 55, 55c. the circuit judges do not make laws they follow the law on the Judicial Branch of Government has pass by legislature. The circuit court erred on the law and abuse of Discretion. If anyone has standing it is the Appellant. The Respondents had almost three year to do the right things refuse to come to court, refuse answer and my late Brother and sister in-law should be ashamed of their self to enjoying the Respondents and through my mother and father under the Bus. I do not care who has to pay for the property that the county has illegal. The Appellant request that the Appellate court to "GRANT" the Appellant the property back from Richland County and \$200.000 Damages. The lower circuit court has erred and seem to have Circumvent Law, to find a sneaky, or illegal way to get around the Law, problem, or physical barrier instead of facing it directly and following the laws of the state of South Carolina.

Conclusion

For the foregoing reasons, the Appellant Thurmond Guess submit that the appeals should remanded and reverse order with instruction that the circuit judge Jocelyn Newman not to any more matters concerning the Appellant grant the appellant cost of this appeals.

RESPECTFULLY SUBMITTED

THURMOND GUESS SR.

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COLUMBIA, SC. 29204

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PROOF OF SERVICE

I, THURMOND GUESS DO HEREBY CERTIFY THAT TRUE COPY OF THE REPLY BRIEF OF APPELLANT HAS BEEN SERVED ON THE RESPONDENTS BY PLACING A PREPAID STAMP IN THE U.S. MAIL AT THE ADDRESS BELOW ON AUGUST 10, 2026.

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