

In this 14th year of the 2nd millennium, 6th day of the 12th Lunar Cycle(February) aka 02/06/2013.

Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: SUNTRUST BANK
VS: BILAL ABDULLAH AND LATOYA ABDULLAH
CASE NO.: 2012-CP-23-6148/6149
APPELLATE CASE NO. 2013-001488

Dear Jenny Abbott Kitchings,

Enclosed is our **Response to Respondent's Memorandum in Opposition to Reconsideration.**

Thank you for your assistance in this regard. If there are any questions or comments please call.

Contact
Cell – 407-595-3868
Home – 864-283-0842

I Am: *Bilal Abdullah*

Bilal Nashid Abdullah, Authorized Representative:
In Special Appearance under Threat, Duress and Coercion
Non-Assumpsit – All Rights Reserved, Without Prejudice:
c/o 7 Landing Lane
Simpsonville Non-Domestic near (29681)-9999
South Carolina United States of America

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FEB 18 2014
SC Court of Appeals

In this 14th year of the 2nd millennium, ~6th day of the 12th Lunar Cycle(February) aka 02/06/2014.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

D. Garrison Hill, Circuit Court Judge

CASE NO.: 2012-CP-23-6148/6149
Appellate Case No.: 2013-001488

SUNTRUST BANK,

Respondent,

Vs.

BILAL ABDULLAH AND LATOYA ABDULLAH.

Appellate(s)

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**RESPONSE TO RESPONDENT'S MEMORANDUM IN OPPOSITION TO
RECONSIDERATION**

"[S]ummary judgment must not be granted until the opposing party has had a full and fair opportunity to complete discovery." *Baughman v. American Tel. & Tel., Co.*, 306 S.C. 101, 112, 410 S.E.2d 537, 543 (1991).

"The rights of discovery provided by the Rules give the trial lawyer the means to be prepared for trial. Where these rights are not accorded, prejudice must be presumed and, unless the party who has failed to submit to discovery can show a lack of prejudice, reversal is required." *Downy v. Dixon*, 294 S.C. 42, 46, 362 S.E.2d 317, 319 (Ct. App. 1987).

We, *Bilal Abdullah and LaToya Abdullah* issue our Response to the Respondents Memorandum in Opposition to Reconsideration; HEREBY states:

1. Respondent's counsel statements "failure to provide payments", "advanced funds to Appellant", "Memorializing that transaction", "When payment was not made"; are complete hearsay which is inadmissible.
2. Discovery was not answered to produce possession of the original alleged promissory note.
3. Only a copy of an alleged promissory note is on record with the complaint.
4. With open discovery, the alleged promissory note is still in question.
5. No other proffered evidence was presented to show that SUNTRUST BANK was the holder of the alleged promissory note.

6. The Respondent's failure to disclose provides presumptions with the alleged promissory note.
7. The entire process of the appeal was completed without failure.
8. The filing of the Motion for Reconsideration is well within the Rules. See **Rule 221 SCACR**.
9. More compelling grounds(**open discovery**) are addressed within the Motion for Reconsideration.
10. The Respondents presents no rebuttal to the new grounds in the Reconsideration.
11. Respondent shows no dispute to the facts and law that are judicially noticed.
12. Motion for Reconsideration contains ALL authorities within an Article III court.
13. Accurate authorities presented in the Reconsideration are within the jurisdictional territory.
14. Refusal of discovery is prejudicing my defense to determine the proper owner of the original alleged promissory note.

ARGUMENT

The Respondent's opinions do not supersede law.

The Respondent showed no attempt to communicate with me to accommodate discovery. The Respondent counsel should understand the importance of discovery and ignoring the rules by proceeding without discovery was an attempt to prejudice my defense. Respondent presents no new **ARGUMENT** to the new compelling grounds(**discovery**) that has been overlooked or disregarded by the court. Respondent lack of knowledge of proper authorities is no excuse.

Legal maxim: "From the words of the law there must be no departure."

Legal maxim: "The law ought not to fail in dispensing justice."

Legal maxim: "The law always gives a remedy."

WHEREFORE; based upon the **aforementioned grounds and Authorities** presented herein, Petitioner(s) **moves this Honorable Court to enter an Order** to VACATE Summary Judgment; deny the ARGUMENTS of the Respondent's Memorandum in Opposition to Reconsideration; **DISMISSING ALL UNCONSTITUTIONAL** (misrepresented) ORDERS made in excess of jurisdiction and/or under Color of Authority to be 'Dismissed', 'Abated' and expunged from the Record; showing the court abused its discretion by not acknowledging an open discovery prejudicing my defense; together with such other and further relief as the Court may deem reasonable and just under the circumstances.

Notice to Agent is Notice to Principal. Notice to Principal is Notice to Agent.

I declare UNDER PENALTY OF PERJURY within the laws of the UNITED STATES CODES that the above is true and correct to the best of my own personal knowledge and honorable intent. **SO HELP ME GOD!!!**

CERTIFICATE OF SERVICE

UNDER PENALTY OF PERJURY within the law of the UNITED STATES CODES, I
HEREBY CERTIFY that a true and correct copy will be furnished by U.S. mail delivery to:
**Jenny Abbott Kitchings, Appeals Clerk of Court, P.O. Box 11629, Columbia, South Carolina
29211; Sheila M. Bias- Richardson Plowden & Robinson, P.A., P.O Drawer 7788, Columbia,
SC 29202.**

I Am: Bilal Abdullah
Bilal Abdullah, Ex Relatione BILAL ABDULLAH
Non-Assumpsit – All Rights Reserved, Without Prejudice:
c/o 7 Landing Lane
Simpsonville non-domestic near (29681)-9999
South Carolina united States of America

I Am: LaToya Abdullah
LaToya Abdullah, Ex Relatione LATOYA ABDULLAH
Non-Assumpsit – All Rights Reserved, Without Prejudice:
c/o 7 Landing Lane
Simpsonville non-domestic near (29681)-9999
South Carolina united States of America

IN THE NAME OF THE ALMIGHTY!!!

NOTARY PUBLIC

In the State of **South Carolina**, County of **Greenville**
BEFORE ME personally appeared Al-Bilal Nashid Abdullah and LaToya Abdullah, affirmed
and subscribed in my presence this 6th day of February, 2014.

Mary J. Nordstrom
Notary Public Commission Expires August 29, 2017

Personally Known OR Produced Identification _____ - Type Produced: _____

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Appellate(s)

PROOF OF SERVICE

I certify that I have served the Motion to Allow Late Filing on
SUNTRUST BANK by depositing a copy of it in the United States Mail, postage
prepaid, on February 6, 2014, addressed to their attorney of record, Sheila M.
Bias, Post Office Drawer 7788, Columbia, South Carolina 29202; South Carolina
Court of Appeals Clerk of Court, Jenny Abbott Kitchings, P.O. box 11629,
Columbia, South Carolina 29211.

I am



Al-Bilal Nashid Abdullah, Authorized Representative
Non-Assumpsit – All Rights Reserved, Without Prejudice:
c/o 7 Landing Lane
Simpsonville non-domestic near (29681)-9999
South Carolina united States of America

7013 3020 0001 5710 9517

Bilal Abdallah

7 Landing Lane

Simpsonville, South Carolina 29681

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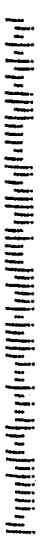
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