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THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APR 22 2014

S.C. SUPREME COURT

Appeal from Chester County
Court of Common Pleas
Brooks P. Goldsmith, Circuit Court Judge

Case Number 2011-CP-12-0323

SUPREME COURT NUMBER: 2014-000660

Mell Woods Petitioner,

v.

John D. Hinson; Christine Jones; John C. Hinson; William L. Hinson; Lois Hinson; Robert Breakfield, as Personal Representative of the Estate of Reba P. Hinson; Elaine H. Hensley; Robert H. Hinson; George Standford, as Personal Representative of the Estate of Linda H. Standford; William C. Hinson, Jr.; Darrell W. Hinson; Mary Roe and John Doe, fictitious names used to designate all other parties, whose names are unknown, and any and all other persons claiming any right, title, estate, interest or lien upon the real estate described in the complaint,

. Respondents.

Rule 242(g) SCACR Reply

(Court of Appeals Internal Tracking Number 2012-212330)

Mell Woods
P.O. Box 2603
Lancaster, SC 29721

Response to No. 1 of the Return by Mr. Brackett:

It is just not true to claim that petitioner did not raise the point of the trial court granting summary judgment where issues of fact remain. This point has been raised each time all throughout the litigation. Petitioner cites the Rule 59(e) SCACR Motion which is in the Record, R.pp. 705-721, as evidence of this; also this point was particularly raised in the Petition for Rehearing (in the Conclusion) where petitioner stated: "Petitioner does not agree with the trial court finding, or the Ruling of the Court of Appeals that no genuine issue as to any material fact exists, and continues to appeal this point."

In addition, petitioner *incorporated* the Appellant Briefs filed and the entire Record of this case as part of the the Petition for Rehearing. This was done in paragraph 1. of the Petition.

Response to No. 2 of the Reply:

Number two relates to number one and is not true either.

Response to Number 3 and 4:

Three and four are false also, because petitioner did cite Cummings v. Varn, 307 S.C. 37, 413 S.E.2d 829 (1992), and Van Every v. Chinquapin Hollow, Inc., 265 S.C. 474, 219 S.E.2d 909 (1975). Cummings and Van Every are cases to look to where the issue of paramount title is raised, as it has been raised in this case.

And for ready reference Paragraph 11 from the Petition for Certiorari is pasted below:

11. The Court of Appeals decision also rules that South Carolina Code Section 15-67-100 was never raised to the trial court; this is not true, the Record shows that it was raised, and raised in more than one place, R.p. 646, R.p. 692 (bottom of the page), R.p. 710, R.p. 712, and raised prior to the summary judgment hearing, R.p. 646 (statutory right to a jury trial), placed just above the signature line of the pleading; in any event a jury trial is just what a litigant gets where an allegation of paramount title is raised based on the case law cited above, Cummings, and Van Every v. Chinquapin Hollow and the statute itself SC § 15-67-100.

Response to Number 5 and 6:

If petitioner ever gets the jury trial that one is entitled to under South Carolina Code Section 15-67-100, then it can be easily proven that Mrs. Reba Hinson held a full, fee estate, and not some lesser estate, such as a "life estate." Mrs. Hinson's property ownership can easily be shown by her reputation in the community as the owner and possessor of the land in question in an actual and exclusive manner, and when necessary hostile manner, in excess of twenty years.

It is clear that that the Court of Appeals made mistakes by not going by Cummings, and Van Every v. Chin-quapin Hollow, Inc., cited herein, and especially for ignoring Miller v. Leaird, 307 S.C. 56, 413 S.E.2d 841 (1992) cited in the Petition for Rehearing.

Respectfully submitted,

This 17 day of April, 2014.



Mell Woods

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Lancaster, SC 29721

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Case Number: 2014-000660

Mell Woods v. John Hinson

CERTIFICATE OF SERVICE

I hereby certify that I have on the 17 day of April, 2014 served the Respondents herein with a copy of the within and foregoing *Rule 242(g) SCACR Reply* by method of placing the copy in the U.S. Mail with proper postage addressed to the Counsel of Record for Respondents to wit:

Moses Koon & Brackett
C/O B. Michael Brackett
P.O. Box 100261
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