

August 18, 2014

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AUG 20 2014

V. Claire Allen, Deputy Clerk
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

SC Court of Appeals

**RE: Glenda Couram v Mr. & Mrs. Christopher Hooker, Mr. and Mrs. Carl Reibold, Cox & Dinkins, Inc., Fair Builders/Developers, Inc., Donald "Don" Rawls & Steven A. Fair in their official and individual capacities
APPELLATE CASE NO.: 2013-002056**

ADDITIONAL SUPPORTING MEMO TO MOTION FILED on or about JUNE 9, 2014

Dear Madam:

PLEASE MAKE THIS LETTER A PART OF THE FILE RECORD FOR SUPREME COURT

I spoke with the "court" this morning and per Monica I was told that the Motion to Reinstate Appellant's Caption as stated upon, had not been submitted to date regarding the drastic change in the caption of this Appeal. Appellant is not sure why the court determined she had not served Steve Fair in his individual and official capacities AND Fair Builders/Developers, Inc.; or why this court denied the caption clearly suing Donald "Don" Rawls in his individual and official capacity.

I would ask the court for its ruling, if it is not already in process. Apparently in reading the Order dated September 12, 2014, this court has **completely removed¹ Steven Fair who was sued in his individual and office capacity and Fair Builders/Developers, Inc.**, despite the Appellant's evidence of compliance with SCRPC 4 and 5. There is clear evidence of strict compliance with SCRPC in the record that Appellant served each Defendant individually and officially in the substantial court record. In fact, one of the many Judges (Birch, I believe) required Appellant provide and Affidavit of Service which she did and he denied the Motion for Default despite the fact that Steven Fair and Fair Builders/Developers had flagrantly failed to respond as required by law to this action.

As it stands now, if Appellant was to win this Appeal the removal of Steven Fair and Fair Builders/Developers from this action will *severely prejudice* her and the claims against Cox and Dinkins and Donald Rawls (in his official and individual capacity); (identified by their attorney as "prominent" citizens of South Carolina to this court) in particular her civil conspiracy claims against the above Defendants will be prejudiced.

Not a single one of the Defendants throughout the last two plus years has stated a lack of compliance with SCRPC 4 and 5. Fair did not bring this issue to the attention of this court because he has failed to respond, so it must have come from one of the other Respondent's attorneys. Wouldn't the fact

¹ He is not being sent any notices by this court and violated every rule of court and this court as well as the lower court has condoned the behavior and is not punishing the Appellant

that neither of the Respondents brought this issue up during the trial at any time make this a moot issue that cannot be brought forth at this stage?²

Judge McIntosh and all the OTHER Judges allowed Fair and Fair Builders/Developers to be a part of this action despite numerous Motions for Default filed for failure to respond. The lower court had to have known that Steven Fair as the registered agent for Fair Developers/Builders could not represent the company and by allowing him to continue/participate and to “practice law without a license” wasn’t that an abuse of discretion? It is unfair to punish the appellant if so.

Appellant sued Mr. and Mrs. Christopher Hooker and Mr. and Mr. Carl Reibold, represented by Attorney Brown and identified by him as the “Neighbors”

Appellant sued Cox and Dinkins, Inc., and their employee Donald “Don” Rawls in his individual and official capacity both represented by Attorney Howser; Per Rule 4 and 5.

Appellant in compliance with SCRPC, served Steven Fair in his individual and official capacity

Appellant served Fair Builders/Developers addressed to the Registered Agent Steven A. Fair at the address listed with the SC Secretary of State. I believe I also provided this court with Orders denying the Motion for Default Judgment against Fair Builders/Developers, Inc., and Steve Fair. (Judge Birch, I believe).

Again, at no time did any Respondent prior to this Appeal object or move for lack of service on Steven Fair or Fair Builders/Developers until after this Appeal was filed and the Initial Brief submitted.³ Appellant assume this was because neither of them represented Fair or Fair Builders/Developers.

In this follow up to the letter sent and the motion filed in regards to this matter, Appellant respectfully ask this court to reinstate the Respondents as named in the initial caption on the Notice of Appeal and Initial Brief.

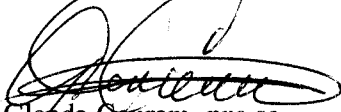
To include individual and official capacity service on Donald “Don” Rawls and Steven A. Fair and Service on Fair Builders/ Developers, Inc., Steven Fair as the Registered Agent to no do so will be a grave miscarriage of justice. *(See Investment Ventures v Whaley Mill that discusses the issue of captions and how each Respondent is to be listed in order to be sued in both capacities).*

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² Shouldn’t Fair be charged with practicing law without a license by representing Fair Builders/Developers during the trial instead of prejudicing the Appellant? He had to have been aware as the Registered agent he needed an attorney to represent his company in court by law, according to what Appellant has read her only responsibility was to ensure service which she did

³ In fact Fair and Fair Builders was informed of the June 2013 Trial by the Appellant and he had no trouble being in Court thereby accepting service for himself individually and as the Registered agent for Fair Builders/Developers. They were notified at both addresses which is a matter of record

Respectfully submitted by,



Glenda Couram, *pro se*
104 Macaw Ln
Lexington, SC 29073
grcouram@hotmail.com

/grc

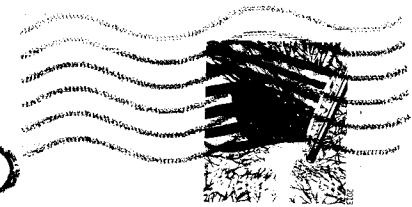
c: Steven A. Fair, Registered Agent, Fair Builders/Developers, Inc., 153 Shirway Rd., Lexington, SC 29073
Fair Builders/Developers, Inc., 100 S. Wrenwood Drive, Lexington, SC 29073
R. Davis Howser, Esq., Howser, Newman & Besley, LLC., P.O. Box 12009, Cola., SC 29211-2009
Law Office of Smokey Brown, PC, P.O., Box 1545, Irmo, SC 29063



Glenda Couram
104 Macaw Ln
Lexington SC 29073

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