

Ziraili M. Elbey

9789 Charlotte Highway, #400-191, Ft. Mill, SC 29707

October 22, 2014

Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

OCT 27 2014

SC Court of Appeals

RE #1: No Reply to Appellant – Reference to September 05, 2014 Letter to Opposing Counsel, plus Letter September 25, 2014 from Appellant to Clerk for an explanation to (see Exhibit “A”)

RE #2: H & R Block Bank, FSB, Respondent v. Ziraili M Elbey, Appellant
Appellate Case No. 2013-002373

FOR AND ON THE RECORD OF SC APPELLATE COURT FILE

Dear Clerk:-

Please refer to Appellant's letter dated 25th September 2014 requesting an explanation to letter dated 05 September 2014 to Brock & Scott, PLLC advising opposing law firm requesting them to submit an initial brief and designation of matter.

It has been more than fifteen plus (15+) day since Appellant made the initial request to Jenny Abbott Kitchings, Clerk to respond to 25th September 2014 letter. Kindly address this matter within the next five days (5) upon receipt of this request again.

Respectfully yours,

By: 

Ziraili M Elbey, 'In Propria Persona'
9789 Charlotte Highway, #400-191
Ft. Mill, South Carolina, 29707
(803) 233-2665

Enclosure: (2)

- (1) Clerk's Letter dated 05th September 2014
- (2) Appellant's Letter dated 25th September 2014

Cc: File



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
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September 05, 2014

Mr. Chad Wilson Burgess, Esquire
Brock & Scott, PLLC
3800 Fernandina Road, Suite 110
Columbia SC 29210

Re: H & R Block v. Ziraili M. Elbey
Appellate Case No. 2013-002373

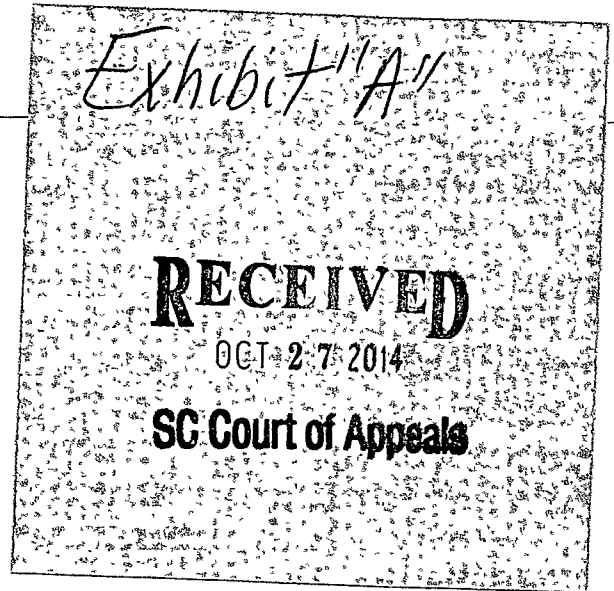
Dear Counsel:

Our records indicate that the amended designation of matter for the appellant's initial brief was received July 28, 2014. Please be advised the respondent's initial brief and designation of matter is due to be served and filed September 8, 2014.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jenny Abbott Kitchings".

cc: Ziraili M. Eibey



FILE COPY

Ziraili M. Elbey

9789 Charlotte Highway, #400-191, Ft. Mill, South Carolina 29707

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September 25, 2014

SEP 30 2014

Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

SC Court of Appeals

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RE #1: Response to Letter from above named Clerk of Court to Respondent's Counsel dated September 05, 2014 (see Exhibit "A")

RE #2 H & R Block Bank, FSB, Respondent v. Ziraili M. Elbey, Appellant
Appellate Care No. 2013-002373

FOR AND ON THE RECORD OF SC APPELLATE COURT

Dear Clerk:-

Please be advised that I am in receipt of your letter sent to Respondent's Counsel (see Exhibit "A"), that is, the Brock and Scott Law Firm, PLLC. Kindly share with this Appellant, who is not an attorney, in writing, the intent of the Order approved and based on exhibit "A" for Respondent's counsel giving an extension with a deadline indicated now for October 8th, 2014 in violation of SCACR Rules. (see Exhibit "B")

These are the facts, held by the South Carolina Appellate court records documented for public record (**note** only those pertinent documents to this above mentioned matter in exhibit "A" are listed below:).

FACTS

Appellant's Initial Brief	Filed under SCACR 208	January 2014 [served and filed never amended]
Counsel for Respondent's Initial Brief	<i>Failure to Conform</i> SCACR Rule 208(b)(1)(A)-(E)	See Exhibit "B" [failure to serve and file in a timely manner to Appellant's Initial Brief]
Appellant's Designation of Matters included in the Record on Appeal	By motion filed under SCACR 209	See Exhibit "D" [amended by order July 18, 2014]; [served and filed April 18, 2014]
Counsel for Respondent's Designation of Matters included in the Record on Appeal	<i>Failure to Conform</i> SCACR Rule 209	See Exhibit "D" [failure to serve and file in a timely manner Designation of Matters in the Record on Appeal even after July 18, 2014 Order] 30 days
Appellant's Notification/Communication to Clerk	Failure to Conform SCACR to Rule 208	See Exhibit "C" [dated April 18, 2014]

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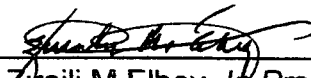
SUMMARY

Based on the above facts, that the counsel for Respondent's failure to respond thirty (30) days following to Appellant's initial brief dated January 23, 2014, plus the tone of the clerk's letter (Exhibit "A") creates the appearance of obstruction of justice, leading, and conspiring with opposing counsel for the purpose of impeding, hindering Appellant's due process and civil rights (see Exhibit E) Again, the intent of exhibit "A", if done in error needs to be clarified in communication and the extension and reverse said Order. There is quite a difference in the SCACR rules 208 for initial brief and SCACR rules 209 for the amended designation of matters. These are two different SCACR rules 208 and rule 209, however, exhibit "A" appears to merge the two (2) documents together giving advice to Respondent's counsel, the "go ahead" now after six (6) months of non-compliance to the SCACR rules to serve and file initial brief and designation of matters earliest due date February 23, 2014. Further, it appears that in this matter and Order by the South Carolina Appellate Court of Appeals says that two (2) or more persons are conspiring for the purpose of impeding, hindering, obstructing or defeating in any manner the due course of justice in this matter not only under the SCACR Rules 208 and Rules 209, but Title 42 U.S.C Section 1983, Title 42 U.S. C Section 1985, and Title 18, U.S.C Section 241 and others as it pertains to Applicant's civil rights and due process (Exhibits. E).

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Appellant spoke with this writer's case manager, Diane on Monday, September 22, 2014, about these three (3) letter sent from the clerk of court. Case manager told Appellant that she was on four (4) days leave on the dates of these letters were sent and unable to find copies of same letters in Applicant's file folder Case manager could not find copies of clerk's letters on public record and could not address any of this writers questions She suggested that Applicant put all questions in writing to Clerk of Appellate court Therefore, Jenny Abbott Kitchings, Clerk for the South Carolina Appellate Court of Appeals this writer is awaiting your reply with clarification and intent of your September 05, 2014 letter in question.

Sincerely yours,

By: 
 Zraili M Elbey, In Propria Persona'
 9789 Charlotte Highway, #400-191
 Indian Land, South Carolina 29707
 803-233-2665

Cc: File
 SC Appellate Case Manager
 John C Few, Chief Appellate Judge
 Chad Wilson Burgess, Respondent's Counsel

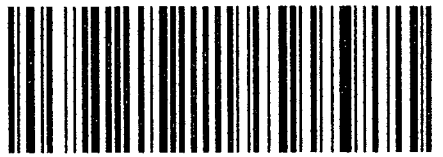
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SEP 30 2014

SC Court of Appeals

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F Null, SC 29707

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