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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No.: 2011-CP-32-01010
Appellate Case No.: 2013-002056

Glenda Renee Couram

Appellant,

v

Mr. & Mrs. Christopher Hooker, Mr. & Mrs. Carl Riebold, Legal or Equitable Right, Title, state, Lien or interest in the Property Described in the Complaint Adverse to the Plaintiff's; Cox & Dinkins, Inc., Fair Builders/Developers, Inc., J. Donald "Don" Rawls & Steve Fair in their official and individual capacities, Carolina Water Svc., (CWS), Carolina Trace Utilities, Inc., & Utilities, Inc., Corporate Offices

Defendants,

Of whom Mr. & Mrs. Christopher Hooker, Mr. & Mrs. Carl Riebold, Cox & Dinkins, Inc., J. Donald "Don" Rawls & Steve Fair in their official and individual capacities are

Respondents.

**RESPONSE TO DEFENDANTS' MOTIONS TO COMPEL
AND STAY FILING OF THEIR FINAL BRIEFS
DATED SEPTEMBER 22, 2014 AND SEPTEMBER 26, 2014**

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SC Court of Appeals

NOW COMES, pro se¹ Appellant, Glenda Couram, in response to the Motions filed by both set of Respondents to Compel and Stay their filing of the Final Brief. The Appellant filed a complete Record on Appeal (ROA) according to the Designation of Matter for both Respondents except for two pictures she was not given copies of (Appellant has filed a supplement with the copies and served and filed with the court on or about September 28, 2014 – copies were made a picture of the poster board taken – Lexington could not release the Exhibits without a court order per Mona).

The other items the Respondents' claims were not in the ROA were *in fact* in the ROA and the Appellant is in substantial compliance.

Below Appellant has listed the items along with their location in the ROA:

1. Appellant filed the entire transcript so there are no missing pages.

¹ **PRO SE STANDARD OF REVIEW** Because the Plaintiff is pro se, the Court has a higher standard when faced with a motion to dismiss, *White v. Bloom*, 621 F.2d 276 makes this point clear and states: A court faced with a motion to dismiss a pro se complaint must read the complaint's allegations expansively, *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S. Ct. 594, 596, 30 L. Ed. 2d 652 (1972), and take them as true for purposes of deciding whether they state a claim. *Cruz v. Beto*, 405 U.S. 319, 322, 92 S. Ct. 1079, 1081, 31 L. Ed. 2d 263 (1972).

Pro se litigants' court submissions are to be construed liberally and held to less stringent standards than submissions of lawyers. If the court can reasonably read the submissions, it should do so despite failure to cite proper legal authority, confusion of legal theories, poor syntax and sentence construction, or litigant's unfamiliarity with rule requirements. *Boag v. MacDougall*, 454 U.S. 364, 102 S.Ct. 700, 70 L.Ed.2d 551 (1982); *Estelle v. Gamble*, 429 U.S. 97, 106, 97 S.Ct. 285, 50 L.Ed.2d 251 (1976)(quoting *Conley v. Gibson*, 355 U.S. 41, 45-46, 78 S.Ct. 99, 2 L.Ed.2d 80 (1957)); *Haines v. Kerner*, 404 U.S. 519, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); *McDowell v. Delaware State Police*, 88 F.3d 188, 189 (3rd Cir. 1996); *United States v. Day*, 969 F.2d 39, 42 (3rd Cir. 1992)(holding pro se petition cannot be held to same standard as pleadings drafted by attorneys); *Then v. I.N.S.*, 58 F.Supp.2d 422, 429 (D.N.J. 1999).

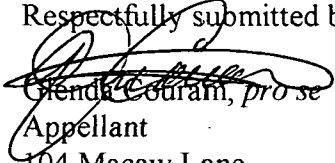
The courts provide pro se parties wide latitude when construing their pleadings and papers. When interpreting pro se papers, the Court should use common sense to determine what relief the party desires. *S.E.C. v. Elliott*, 953 F.2d 1560, 1582 (11th Cir. 1992). See also, *United States v. Miller*, 197 F.3d 644, 648 (3rd Cir. 1999) (Court has special obligation to construe pro se litigants' pleadings liberally); *Poling v. K.Hovnanian Enterprises*, 99 F.Supp.2d 502, 506-07 (D.N.J. 2000).

Defendant has the right to submit pro se briefs on appeal, even though they may be in artfully drawn but the court can reasonably read and understand them. See, *Vega v. Johnson*, 149 F.3d 354 (5th Cir. 1998). Courts will go to particular pains to protect pro se litigants against consequences of technical errors if injustice would otherwise result. *U.S. v. Sanchez*, 88 F.3d 1243 (D.C.Cir. 1996).

Moreover, "the court is under a duty to examine the complaint to determine if the allegations provide for relief on any possible theory." *Bonner v. Circuit Court of St. Louis*, 526 F.2d 1331, 1334 (8th Cir. 1975) (quoting *Bramlet v. Wilson*, 495 F.2d 714, 716 (8th Cir. 1974)). Thus, if this court were to entertain any motion to dismiss this court would have to apply the standards of *White v. Bloom*. Furthermore, if there is any possible theory that would entitle the Plaintiff to relief, even one that the Plaintiff hasn't thought of, the court cannot dismiss this case.

2. Volume I
 - a. Pages 120-123 (numbered wrong) but in the ROA – located on pp 280-283; the pages basically consist of administrative issues or instructions to the Appellant and Jury
 - b. The Appellant's Amended Complaint is located in the ROA pp 65-86 and the Refiled Amended Complaint ROA pp 87-107
3. Volume II
 - c. The Plaintiff's Exhibit 7 is in the ROA pp 676 and 677 and the CWS Deed pp 679-682
 - d. Appellant's Deed ROA pp 674-676
 - e. The Wrenwood Plat Phase IV dated June 11, 1991 is located in ROA p 677 front and back
 - f. Defendants' Exhibit 1 - Draft Closing Survey for Appellant dated February 24, 1994, is in the ROA p 678 and also located in the ROA pp 667-669.
 - g. Defendants' Exhibit 2 - dated June 30, 2004 is in the ROA p 665

Appellant has filed a Motion to this court to accept her Initial Reply Brief as being timely on or about September 28, 2014.

Respectfully submitted by:

Glenda Couram, *pro se*
Appellant
104 Macaw Lane
Lexington, SC 29073
(803) 896-7509
grcouram@hotmail.com

September 30th, 2014
Lexington, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas
R. Lawton McIntosh, Circuit Court Judge

Case No.: 2011-CP-32-01010
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Glenda Renee Couram

Appellant,

v

Mr. & Mrs. Christopher Hooker, Mr. & Mrs. Carl Riebold, Legal or Equitable Right, Title, state, Lien or interest in the Property Described in the Complaint Adverse to the Plaintiff's; Cox & Dinkins, Inc., Fair Builders/Developers, Inc., J. Donald "Don" Rawls & Steve Fair in their official and individual capacities, Carolina Water Svc., (CWS), Carolina Trace Utilities, Inc., & Utilities, Inc., Corporate Offices

Defendants,

Of whom Mr. & Mrs. Christopher Hooker, Mr. & Mrs. Carl Riebold, Cox & Dinkins, Inc., J. Donald "Don" Rawls & Steve Fair in their official and individual capacities are

Respondents.

PROOF OF SERVICE

I, the undersigned hereby certify that I the *pro se* Appellant personally served or hand delivered a copy of the RESPONSE TO RESPONDENTS MOTIONS TO COMPEL AND STAY on each Respondent as listed below by causing a copy of the same to be deposited in a US postal service mailbox with adequate postage prepaid, addressed as follows this 30th day of September 2014:

Steven A. Fair, *pro se*
Registered Agent
Fair Builders/Developers, Inc.
153 Shirway Road
Lexington, SC 29073

R. Davis Howser, Esq.
Howser, Newman & Besley, L.L.C.
P.O. Box 12009
Columbia, SC 29211-2009

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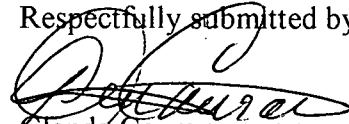
OCT 02 2014

SC Court of Appeals

Law Office of Smokey Brown, PC
PO Box 1545
Irmo, SC 29063

Steve Fair, *pro se*
Registered Agent
100 S. Wrenwood Drive
Lexington, SC 29073
Address with SC Secretary of State

Respectfully submitted by:



Glenda Couram, *pro se*

Appellant
104 Macaw Lane
Lexington, SC 29073
(803) 896-7509
grcouram@hotmail.com

September 30th, 2014
Lexington, South Carolina

September 30, 2014

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

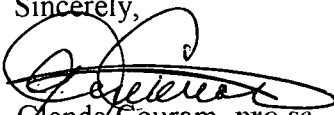
RE: Glenda Couram v Mr. & Mrs. Christopher Hooker, Mr. & Mrs. Carl Reibold, Cox & Dinkins, Inc., Fair Builders/Developers, Inc., J. Donald "Don" Rawls & Steve Fair in their official and individual capacities,
Case No.: 2011-CP-32-01010
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Dear Ms. Kitchings:

This is in response to the Respondents' Motion to Compel and to Stay their filing of their Final Brief. The documents claimed **to not be in** the ROA is in fact in the ROA. The only items missing were the pictures Exhibit 5 and 6 the Appellant filed a Supplement ROA on or about September 28, 2014 after getting copies from the Lexington Court.

Appellant's response provide the locations of each document claimed not to be in the ROA. Why the Respondents made such an accusation is not clear. I will compare their Final Brief to the Initial Brief to ensure they remain in compliance.

Sincerely,


Glenda Couram, *pro se*
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803 896-7509

/grc

c: Steven Fair and Registered Agent for Fair Builders, *pro se*
R. Davis Howser, Esq.
Law Office of Smokey Brown, PC

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SC Court of Appeals

Glenda R. Couram
104 Macaw Lane
Lexington, SC 29073

COLUMBIA, SC 290

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Jenny Abbott Kitchings
Clerk of Court
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