

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
[In the Supreme Court]

APPEAL FROM THE MASTER IN EQUITY

MIKELL R. SCARBOROUGH

Charleston County

Appellate Case No. 2014-002210

Parkers Ferry East, LLC, Respondent,

v.

Tracii Blade, Appellant.

BRIEF OF APPELLANT

Attorney (pro se) for Appellate

Attorney for Respondent

RECEIVED

NOV 03 2014

SC Court of Appeals

Tracii Blade

112 Wanda Dr.

Summerville, SC 29485

(843)-277-7579

Paul W. Bradley

6 Carriage Lane Suite A

Charleston, SC 29407

COMES NOW, the Defendant, TRACII BLADE, pro se, this , His, NOTICE of APPEAL under Rule 203 of the SCACR, and in compliance of Rule 267. As well, SCRCF form 4C is hereto attached, in reference to Case No. 2013-CP-10-6606, of which was heard by the Master- In - Equity and filed on September 18, 2014. The Defendant, TRACII BLADE, comes now before this Honorable Court to appeal a Judgment and ruling by the master which is dated September 18, 2014. The Judgment was for a foreclosure of real property, hereto attached as Exhibit A. Wherefore a hearing and subsequent ruling in favor of the Plaintiff, Parkers Ferry East, LLC. It is the Defendant's position that the master erred in allowing Plaintiff to move forward with its foreclosure action before the Defendant's compulsory counter claim was heard. As well, the defendant was denied a jury trial, a trial by jury as afforded under the 7th Amendment, Federal, and pursuant to Rule 38(9), of the SCRCF. Ref. Johnson v S.C. Nat'l Bank, 292, S.C. 51,54,854, S.E. 2d 895,896, (1987). And Ref. Plantation Bank v Peggy B. Gray- appellate, case No. 2010-173826-S.C. Of which read in part, "based on the foregoing, we reverse the masters order to the extent it allows the foreclosure action to proceed prior to Gray's legal counter claim and remand for proceedings consistent with this opinion." Few, C.J. and Pieper, J. concur. As well, and in accordance with Rule 53, note to 2002 amendment. The 2002 Amendment permits referral of foreclosure cases to the Master-in Equity by order of the Clerk of Court. However, if there are counter claims requiring a jury trial, any party may file a demand for a jury trial under Rule 38 and the case will be returned to the circuit court, effective September 1, 2002. The Defendant in this case, did in fact, demand a jury trial, a trial by jury, hereto attached as Exhibit B. The Defendant, TRACII BLADE, pro se, at this time, would pray unto this Honorable Court, to hereby reverse the masters decision, and remand this case back to the circuit court for a proper jury trial on this matter, and on the merits of the case. Furthermore, the hearing on this matter was akin to a military tribunal, in that the Defendant was never told of his legal rights and responsibilities. And, that the morning of the hearing, the Defendant was then told that this was, in fact, a trial of this case, even though the case was never placed on the docket. As well, the Defendant was never afforded any opportunity for Discovery, Admit or deny, or Interrogatories. The long standing legal standard that we are all equal under the law did not apply to this case, on this day. Plaintiff's council was given all legal considerations, pro se was not.

WHEREFORE PREMISIS CONSIDERED, The Defendant, Tracii Blade, files this, His, NOTICE of APPEAL, to the South Carolina Supreme Court. The Defendant, TRACII BLADE, pro se, prays unto this Honorable Court for any and all other general or special relief to which he may ever be entitled. Respectfully submitted this 14th Day of October, 2014.

Plaintiff

Paul W. Bradley

6 Carriage Lane Suite A

Charleston, SC 29407

Defendant

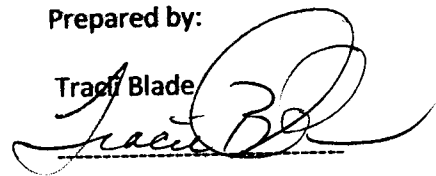
Tracii Blade

112 Wanda Dr.

Summerville, SC 29414

Prepared by:

Tracii Blade

A handwritten signature in black ink, appearing to read "Tracii Blade", written over a horizontal dashed line. The signature is stylized and cursive.

October 14, 2014