

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

AUG 13 2015

SC Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet Early , Circuit Court Judge

Mark Vinson Day.....Appellant

v.

Regions BankRespondents

APPELLANTS' INITIAL BRIEF

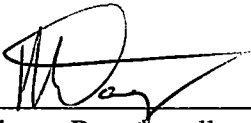
s/ 
Mark Vinson Day, Appellant, pro se
944 Dexter St. NE
Aiken, South Carolina 29801
(803)226-3400

TABLE OF CONTENTS

TABLE OF AUTHORITIES **ii**

STATEMENT OF ISSUES ON APPEAL 1

STATEMENT OF THE CASE..... 2

STANDARD OF REVIEW..... 3

CONCLUSION..... 6

ARGUMENT

- I. THE COURT BELOW ERRED IN RULING THAT IT HAD JURISDICTION TO HEAR AND DECIDE THE CASE AS TO A MATTER OF LAW

- II. THE COURT BELOW ERRED IN CONSIDERING THE FEDERAL COURT NOTICE OF REMOVAL JURISDICTION AS TO A MATTER OF LAW

Whether any person is subject to the jurisdiction of the courts of this state as to any cause of action arising from the doing personally, through any employee, through an agent or through a subsidiary, of any of the following acts in another State:

1. Did the Court have jurisdiction over the transaction of any business within another state;

2. Did the Court have jurisdiction over the commission of the act which results in accrual within another state of a tort action;

3. Is there established jurisdiction of the Court over the ownership, use, or possession of any property, or of any interest therein, situated within another State;

4. the Court lacked jurisdiction over the entire matter because the Contracting to insure any person, property, or risk was located within another State at the time of contracting;

5. The Court lacked jurisdiction over the Appellant because Appellant, Acting as director, manager, trustee, or other officer of any corporation organized under the laws of, or having its principal place of business within another State.

TABLE OF AUTHORITIES CASES

Bass v. Harbor Light Marina, Inc. F. Supp. 786 (D.C.S.C. (1974)1

ESBA Group, Inc. v. Centricent, Inc. 126 F.3d 617 (4th Cir. 1997)1

Johnson v. State 319 S.C. 62, 459 S.E.2d 840 (1995)2

GNDC Corp. v. Estate of Rhyne, 312 S.C. 86, 439 S.E.2d 334 (1971).....3

Dove v. Goldkist, 314 S.C. 235, 442 S.E.2d 598 (1998)4

Watson v. Watson, 319 S.C. 92, 460 S.E.2d 394 (1995)4

Pascal v. Causey, 309 S.C. 206, 209, 420 S.E. 2d 863, 865 (Ct. App. 1992).....5

Bardoon Properties NV. v. Eldolon Corp., et al;
326 S.C. 166, 169, 485 S.E. 2d 371, 372 (1997).....2

Southern Plastics Co. v. Southern Commerce Bank, 310 S.C. 256, 423 S.E.2d 128, 130 (1992);

International Shoe Co. v. Washington, 326 U.S. 310, 316, 66 .Ct. 54, 158, 90 L.Ed. 95 (1945)
(quoting Milliken v. Meyer, 311 U.S. 457, 463, 61 S.Ct. 339, 343, 85 L.Ed. 278 (1940)).

Stover v. O'Connell Assocs., Inc., 84 F.3d 132, 135-36 (4th Cir. 1996)

Lake v. Reeder Const. Co., 330 S.C. 242, 248, 498 S.E.2d 650, 653 (Ct. App.1998).....5

STATUTES

S.C. Code Ann. §15-3-303

S.C. Code Ann. §36-2-803 (Rev. 2007) 3,4,

THE STATE OF SOUTH CAROLINA
The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet Early, Circuit Court Judge

Appellate Case No. 2014-002359

RECEIVED

AUG 13 2015

SC Court of Appeals

Mark DayAppellants,

v.

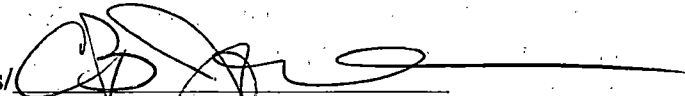
Regions Bank Respondent.

CERTIFICATE OF SERVICE

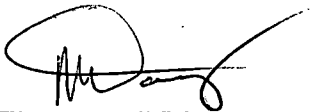
I, Christopher Jones, Assistant to Mark Day, hereby certify that I have, on the date indicated below, served counsel below with a Appellants' Initial Brief and Designation of Matter to Be Included in Record on Appeal by mailing a copy of same via United States Mail, postage pre-paid and return address clearly indicated on said envelope, to counsel at the following address:

Richard Jackson
Gregory P. Cowan
Brock & Scott, PLLC
1315 Westbrook Plaza Dr.
Winston-Salem, NC 27103

August 1, 2015
~~March 23, 2015~~

s/ 
Christopher Jones

August 1st, 2015
~~March 12, 2015~~

s/ 
Mark V. Day, Appellate
944 Dexter St. NE
Aiken, South Carolina 29801
803-226-3400

~~cc:
Ms. Cheri L. Young
P.O. Box 5232
Aiken, SC 29804~~