

Reginald Evans
1805 Pace River Ave
Apt 104
Rock Hill, SC 29732

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OCT 28 2015
SC Court of Appeals

October 23, 2015

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Attn: V. Claire Allen
Post Office Box 11629
Columbia, South Carolina 29211

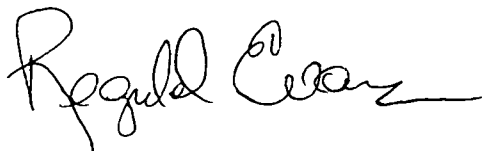
RE: Letter dated October 14, 2015 Case No. 2015-001849

Dear Honorable Jenny A. Kitchings,

Enclosed is stamped copy of the order that states the appeal appeared before the lower court on 13 August 2015. I do not understand why the Appellant's Appeal would be dismissed. The Appellant submitted what the lower court gave the Appellant.

I have no other choice but to resubmit the only Order given to Appellant in challenging the lower court order on 13 August 2015. I would ask the court to request a corrected copy of the Order.

Sincerely,



Reginald Evans
Pro Se
1805 Pace River Ave Apt 104
Rock Hill, SC 29732
(484) 725-0621
reggevens@gmail.com

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)
FILED - RECEIVED)
2015 SEP - 2 PM 2:57)
IN THE COURT OF COMMON PLEAS)
FOR THE SIXTEENTH JUDICIAL CIRCUIT)
CASE NO: 2015-CP-46-02073)

Reginald Evans,

Appellant/Defendant,)

v.)

Paces River Apartments,)

Respondent/Plaintiff.)

DAVID HAMILTON
C.C.C.P. & G.S.
YORK COUNTY, SC

ORDER AFFIRMING JUDGMENT
ON APPEAL FROM TRIAL COURT

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This matter came before me on August 13, 2015, on an Appeal by Appellant/Defendant, Reginald Evans (hereinafter "Appellant"), from the Catawba/Ebenezer Magistrate Court. Plaintiff was represented by Thomas I. Howard, and the Defendant appeared *pro se*. Defendant appeals the Magistrate Court's judgment granting possession to, and issuing a Writ of Ejectment to evict Defendant in case number 2015CV4610303297. The facts of the appeal are as follows.

Respondent filed an Application for Ejectment on June 17, 2015, after not receiving payment of June's rent on or before June 1, 2015, as outlined in the Parties Lease Agreement. Appellant was served with a Rule to Vacate or Show Cause on June 17, 2015.

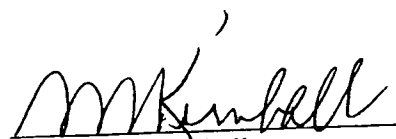
Appellant asserts that he submitted payment to Respondent on June 20, 2015, at which time the payment was returned to him by Respondent. Respondent argues that S.C. Code Ann. §27-37-150 (1976, as amended) applies to this case, because §27-37-150 provides that acceptance of payment after issuance of the Rule to Show Cause does not waive a landlord's right to proceed with an eviction proceeding.

Upon hearing the arguments of Appellant and Respondent, I conclude that §27-37-150 is applicable to the facts of this Appeal. I further conclude that Appellant fails to show any error of law on the part of the Magistrate Court's in granting of possession and issuance of a Writ of Ejectment to Respondent, Paces River Apartments.

Therefore, there being no issue of fact presented, and finding no error of law by the Magistrate, the judgment of the Magistrate Court is affirmed.

AND IT IS SO ORDERED.

September 1, 2015


S. Jackson Kimball
Special Circuit Court Judge
York County