

Jeffrey T. Spell
Attorney at Law
1721 Ashley River Road
Charleston, South Carolina 29407
(843) 452-3553

RECEIVED

NOV 12 2015

SC Court of Appeals

November 9, 2015

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Attention V. Claire Allen

Re: William Coker v. Anna Givens (Tameika Givens)
Appellate Cast No. 2014-002282

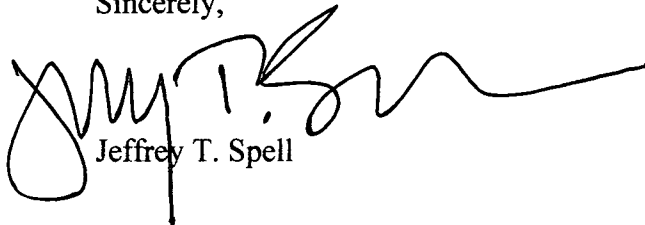
Dear Ms. Allen,

Enclosed, please find a copy of my letter of today's date addressed to the Appellant in the above matter. I have also enclosed copies of my enclosures related to same. Please note that the transcripts of testimony provided with the correspondence referenced are (and have been) available at the Charleston County Clerk of Court's website.

At this point, we would like to respectfully ask the Court to dismiss this Appeal for failure to prosecute in a manner consistent with the rules.

Should you require anything further, please do not hesitate to call.

Sincerely,



Jeffrey T. Spell

cc: Tameika Givens

jtspell@comcast.net

could be found thereupon, both of which are on file with said Clerk of Court;

Also calls attention to the Affidavit of Service evidencing service upon Anna Lee Givens and the other Defendants by publication.

Also calls attention to a pleading filed with the Court entitled "DEFENDANT TAMEIKA GIVENS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS".

Also calls attention to the Petition to Appoint Guardian ad Litem, Order Appointing Guardian ad Litem, Notice of Appointment of Guardian ad Litem, and the Answer of the Guardian ad Litem, all of which are on file with said Clerk of Court;

Also calls attention to the Order of Default and Reference, wherein the above entitled cause was referred to the Master in Equity for the purpose of taking testimony and making findings of fact and conclusions of law, and to enter a final Order and judgment in this case.

Also calls attention to the Affidavit of the Delinquent Tax Collector filed with the Court on March 14, 2014.

WHEREUPON, Jeffrey T. Spell, being duly sworn, testified as follows:

I am the Attorney for the Plaintiff in this action.

This action is brought pursuant to the provisions of §12-61-10 through 60, and 15-67-10 through 100, of the South Carolina Code of Laws (1976), as amended to quiet title to the below described real property, which property was sold at a tax sale.

An examination of the records of the RMC Office for Charleston County indicates that the subject property was conveyed to Anna Lee Givens by deed of Solomon Givens dated July 3, 1999, which said deed is recorded in the RMC of Charleston County in Book Z329 at Page 299.

The property which is the subject of this suit is located within Charleston County and is the property described as follows:

ALL THAT LOT PIECE AND PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON, SITUATE, LYING AND BEING ON JOHNS ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA.

MEASURING AND CONTAINING .069, MORE OR LESS, BEING MORE FULLY DESCRIBED ON A PLAT BY W.L. STEPHENS, JR. PE & LS, DATED APRIL 7, 1972 AND RECORDED IN THE RMC OFFICE FOR CHARLESTON COUNTY IN PLAT BOOK Q PAGE 57. SAID LOT DESIGNATED THEREON AS LOT B.

TMS #: 250-00-00-048

Thereafter, the Delinquent tax Collector for Charleston County conveyed the subject property to William Coker by Deed recorded in Book 0176 at Page 449 in the RMC for Charleston County.

Because the Plaintiff, William Coker has been unable to ascertain with certainty the identity of all heirs-at-law or distributees of, Anna Lee Givens or any other person or persons claiming an interest in this property, Plaintiff has therefore named as party Defendants to this action, John Doe and Richard Roe, fictitious names to represent persons in the military service and any unknown heirs, devisees, distributees, agents, executors, administrators, personal representatives, successors or assigns of Anna Lee Givens and also all other persons unknown claiming any rights, titles, estates, interest in or lien upon the real estate described in the Complaint.

This case is brought pursuant to §12-61-10 of the South Carolina Code of Laws (1976), et seq., for the purpose of quieting title to the above described property.

Plaintiff has named as defendants herein the last record owners of subject property. All necessary parties have been joined herein.

An Answer and Counterclaim was filed by Tameika Givens of Jersey City, New Jersey, appearing *pro se* and setting forth certain affirmative Defenses and Counterclaims. The Plaintiff

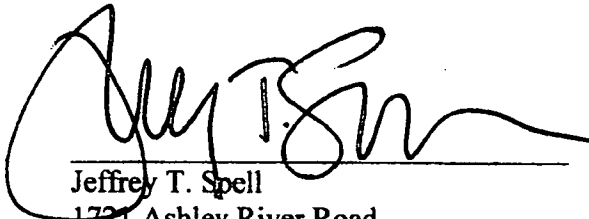
filed an Answer to the Counterclaims asserted by the Defendant Tameika Givens denying those allegations.

The Defendant Tameika Givens was provided with notice of the final hearing as is evidenced by a Certificate of Service and did not appear.

Plaintiff believes that because of the allegations contained herein, and the evidence presented, this Honorable Court should issue its decree quieting and confirming title to subject premises in favor of Plaintiff, and extinguishing all right, title, and interest of all Defendants in and to subject premises, and declare Plaintiff the fee simple owner of subject premises, free and clear of any interest of these Defendants, whether equitable or legal.

That, your Honor, completes the Plaintiff's case and the Plaintiff rests.

Reference Adjourned.



Jeffrey T. Spell
1721 Ashley River Road
Charleston, South Carolina 29407
(843) 452-3553
jtspell@comcast.net
Attorney for the Plaintiff

6/9, 2014

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO. : 2013-CP-10-793

William Coker,)
)
Plaintiff,)

v.)

Anna Lee Givens, and if she is deceased, her heirs,)
personal representatives, successors, and assigns)
and spouses, if any they have and all other persons)
with any right, title or interest in and to the real)
estate described in the Complaint, commonly known)
as: *3765 Humbert Road, Johns Island,*)
South Carolina, TMS # 250-00-00-048)
and also any unknown adults and those persons as)
who may be in the Military Service of the United)
States of America, all of them being a class)
designated as John Doe; and any unknown minors)
or persons under a disability being a class)
designated as Richard Roe,)
)
Defendants.)

CERTIFICATE OF SERVICE

FILED
2014 AUG -1 PM 2:10
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

This is to certify that on May 7, 2014, I have mailed a copy of the attached Notice of Hearing to the following parties by depositing same in the United States Postal Service via certified return receipt mail:

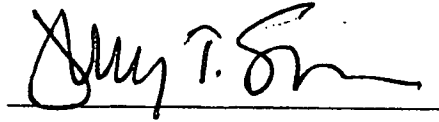
Tameika Givens
35 River Drive Unit 506
Jersey City, New Jersey 07310

Tameika Givens
35 River Drive
Jersey City, New Jersey 07310

J.T.S

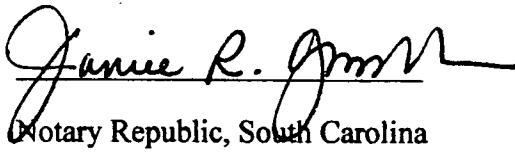
Anna Lee Givens
PO Box 76793
Milwaukee, WI 53216

8/1, 2014



Jeffrey T. Spell

SWORN TO me before this 1 day of Aug, 2014.



Notary Republic, South Carolina

My Commission Expires: 1-30-23



STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO. : 2013-CP-10-793

William Coker,)
)
Plaintiff,)
)
v.)
)

**NOTICE OF
FINAL HEARING**

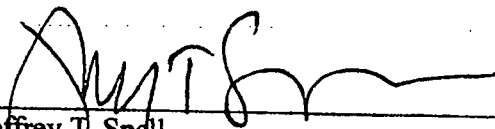
Anna Lee Givens, and if she is deceased, her heirs,)
personal representatives, successors, and assigns)
and spouses, if any they have and all other persons)
with any right, title or interest in and to the real)
estate described in the Complaint, commonly known)
as: *3765 Humbert Road, Johns Island,*)
South Carolina, TMS # 250-00-00-048)
and also any unknown adults and those persons as)
who may be in the Military Service of the United)
States of America, all of them being a class)
designated as John Doe; and any unknown minors)
or persons under a disability being a class)
designated as Richard Roe,)
)
Defendants.)
)

TO THE DEFENDANTS ABOVE NAMED:

YOU WILL PLEASE TAKE NOTICE THAT, by virtue of the Order of Reference in the above entitled cause, Mikell Scarborough as Master in Equity for Charleston County, has appointed Monday, June 9, 2014 at 10:15 am, for the Final hearing in this matter to take place at the Charleston County Court House, 100 Broad Street, Charleston, South Carolina 29401.

YOU ARE INVITED TO ATTEND!

Date: 5/7/14



Jeffrey T. Spell
1721 Ashley River Road
Charleston, South Carolina 29407
(843) 452-3553
Attorney for Plaintiff

7011 1570 0000 7240 9479

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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For delivery information, visit our website at www.usps.com

JERSEY CITY, NJ 07310
OFFICIAL USE

Postage	\$	\$0.49	0245
Certified Fee		\$3.30	07
Return Receipt Fee (Endorsement Required)		\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$6.49	05/07/2014

Sent To
 Tameika Givens
 Street, Apt. No., or PO Box No. 35 River Dr.
 City, State, ZIP+4 Jersey City, NJ 07310
 PS Form 3800, August 2005 See Reverse for Instructions

7011 1570 0000 7240 9448

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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JERSEY CITY, NJ 07310
OFFICIAL USE

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Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$6.49	05/07/2014

Sent To
 Tameika Givens
 Street, Apt. No., or PO Box No. 35 River Dr. Unit 506
 City, State, ZIP+4 Jersey City, NJ 07310
 PS Form 3800, August 2005 See Reverse for Instructions

7011 1570 0000 7240 9455

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

MILWAUKEE, WI 53216
OFFICIAL USE

Postage	\$	\$0.49	0245
Certified Fee		\$3.30	07
Return Receipt Fee (Endorsement Required)		\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$6.49	05/07/2014

Sent To
 Anna Lee Givens
 Street, Apt. No., or PO Box No. PO Box 76793
 City, State, ZIP+4 Milwaukee WI 53216
 PS Form 3800, August 2005 See Reverse for Instructions

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)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
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Plaintiff,)

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and spouses, if any they have and all other persons)
with any right, title or interest in and to the real)
estate described in the Complaint, commonly known)
as: 3765 Humbert Road, Johns Island,)
South Carolina, TMS # 250-00-00-048)
and also any unknown adults and those persons as)
who may be in the Military Service of the United)
States of America, all of them being a class)
designated as John Doe; and any unknown minors)
or persons under a disability being a class)
designated as Richard Roe,)
)
Defendants.)

**AMENDED
TRANSCRIPT OF TESTIMONY**

FILED
2014 AUG -6 PM 3:39
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

Pursuant to an Order of Reference granted in the above entitled case, a hearing was held before the Honorable Mikell Scarborough as Master in Equity for Charleston County on July 2, 2014, attended by the Plaintiff, William Coker, Jeffrey T. Spell, attorney for the Plaintiff and the Guardian ad Litem Carl B. Hubbard.

Mr. Spell calls attention to the filing of the original Lis Pendens, Summons and Notice, and Complaint in the Office of the Clerk of Court for Charleston County;

Also calls attention to the Acceptance of Service executed by Carl Hubbard as Guardian ad Litem on behalf of the Defendants John Doe and Richard Roe and the Affidavit of Publication evidencing service being made on the remaining Defendants by Publication, and Affidavit of Attempted Service indicating that the subject property is vacant land and that no Defendants

could be found thereupon, both of which are on file with said Clerk of Court;

Also calls attention to the Affidavit of Service evidencing service upon Anna Lee Givens and the other Defendants by publication.

Also calls attention to a pleading filed with the Court entitled "DEFENDANT TAMEIKA GIVENS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS".

Also calls attention to the Petition to Appoint Guardian ad Litem, Order Appointing Guardian ad Litem, Notice of Appointment of Guardian ad Litem, and the Answer of the Guardian ad Litem, all of which are on file with said Clerk of Court;

Also calls attention to the Order of Default and Reference, wherein the above entitled cause was referred to the Master in Equity for the purpose of taking testimony and making findings of fact and conclusions of law, and to enter a final Order and judgment in this case.

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WHEREUPON, Jeffrey T. Spell, being duly sworn, testified as follows:

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TMS #: 250-00-00-048

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Because the Plaintiff, William Coker has been unable to ascertain with certainty the identity of all heirs-at-law or distributees of, Anna Lee Givens or any other person or persons claiming an interest in this property, Plaintiff has therefore named as party Defendants to this action, John Doe and Richard Roe, fictitious names to represent persons in the military service and any unknown heirs, devisees, distributees, agents, executors, administrators, personal representatives, successors or assigns of Anna Lee Givens and also all other persons unknown claiming any rights, titles, estates, interest in or lien upon the real estate described in the Complaint.

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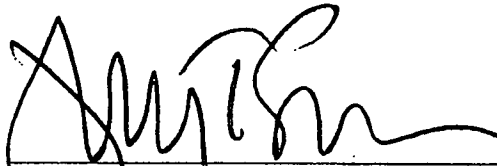
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Plaintiff believes that because of the allegations contained herein, and the evidence presented, this Honorable Court should issue its decree quieting and confirming title to subject premises in favor of Plaintiff, and extinguishing all right, title, and interest of all Defendants in and to subject premises, and declare Plaintiff the fee simple owner of subject premises, free and clear of any interest of these Defendants, whether equitable or legal.

That, your Honor, completes the Plaintiff's case and the Plaintiff rests.

Reference Adjourned.



Jeffrey T. Spell
1721 Ashley River Road
Charleston, South Carolina 29407
(843) 452-3553
jtspell@comcast.net
Attorney for the Plaintiff

7/2, 2014

Jeffrey T. Spell
Attorney at Law
1721 Ashley River Road
Charleston, South Carolina 29407
(843) 452-3553

RECEIVED

NOV 12 2015

SC Court of Appeals

November 9, 2015

Tameika Givens
35 River Drive Unit 506
Jersey City, NJ 07310

RE: William Coker v. Anna Lee Givens, et al.
Charleston County Case No.: 2013-CP-10-793

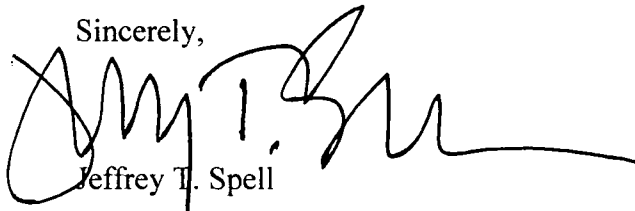
Appellate Case no.: 2014-002282

Dear Ms. Givens,

Enclosed please find a copy of the "Transcript of Testimony" and "Amended Transcript of Testimony" in the underlying action referenced above. Please note that these Transcripts were filed with the Court in August of 2014 and are readily available to the general public by download at the Charleston County Clerk of Court's website (charlestoncounty.org).

I have also enclosed a copy of my letter of today's date addressed to the South Carolina Court of Appeals.

Sincerely,



Jeffrey T. Spell