

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM SUMTER COUNTY

COURT OF COMMON PLEAS

Hon. George C. James, Jr., Circuit Court Judge

RECEIVED

FEB 24 2016

SC Court of Appeals

Appellate Case No: 2015-002481

Charles Taylor,.....Appellant

v.

Stop "N" Save, Inc., d/b/a,
El Cheapo Plus #7 and Roy Rahal,.....Respondents

- APPELLANT'S REPLY TO RESPONDENTS' MOTION TO
1. DISMISS APPEAL OR IN THE ALTERNATIVE,
 2. STRIKE IMPROPER PORTIONS OF APPELLANT'S INITIAL BRIEF AND;
 3. STRIKE IMPROPER PORTIONS OF APPELLANT'S DESIGNATION OF MATTER FOR NON-COMPLIANCE

Appellant Charles Taylor, (hereinafter Appellant), respectfully reply to Respondents' Motions to Dismiss Appeal or in the alternative, Strike Improper Portions of Appellant's Initial Brief and Strike Improper Portions of Appellant's Designation of Matter for Non-Compliance; But there are no improper portions in either as stated above, & furthermore:

1. That as to Respondents' argument in their motion, p.2 last para. L. 2, that Appellant failed; (1).to include a Statement of the Case in his Initial Brief; Apln't Replies; *that's not true, it's on p. 1;* and

2. That as to Respondents' argument in their motion, p.3 first para. L.5, that Appellant failed to apprise this court of the issues before it; Appellant Replies; *that he believe & argues, although not perfect, his Statement of the Case, is sufficient such that the court can understand the issues before it, especially coupled between Appellant's and Respondents' Statements of the Case; but that if the court says that it can't understand the issues, Appellant will rewrite it-if ordered, and;*

3. That as to Respondents' argument in their motion, p.3 single space section whole, that Appellant failed to do any/ all of those things; Appellant Replies; *that, being disable with cancer et al. etc., and the cancer et al. etc. part deriving from Respondents actions in this case, (exhibit A attached) as the court will see, Appellant believe that, under the foregoing circumstances, he have done a satisfactory job on the whole as to what the Respondents' are complaining of (to rub it in really); and their whole motion is for that spiteful purpose-regrettably; and;*

4. That as to Respondents' argument in their motion, p.3 second para. L.2-3, that Appellant brief should be single space, ½ inch more to the right, &, neat and clean & legible; Appellant Replies; *that as the court can see, Respondents' are being mighty mean spirited and nitpicking as was just stated above, because Appellant would argue, that his brief, again not perfect- considering his conditions as stated above in paragraph 3, nevertheless, he argues, it is sufficient, all things considered but if the court wants it more perfect Apln't will struggle to make it so-if ordered, and;*

5. That as to Respondents' argument in their motion, p.3 & the rest of what's thereon; Appellant Replies; *that this is just more of the same nitpicking to accumulate enough points to cash in for a dismissal, striking, et al. etc. etc., they seek in their motion, so that they never have to face the issues on appeal they fear, (with good reason see appellants whole initial & reply briefs), will be overturn on full appeal, and, Respondents' will rather the appeal be decided motion by motion, beginning with this motion, which is all it's about really; their motives being hidden though; but it's not about the things they are nitpicking about, to be sure and clear; that is just the pretense; because even if all those things they complains of were done; other than more trouble and cost to disable Appellant and delay to all concern; nothing would change as to all else; we would be right back where we started from, but having wasted a lot time, to what paramount ends?; and*

6. That as to Respondents' argument in their motion, p.4 first para. L.3-4, that they and the court have been greatly hindered in their ability to respond to the arguments in Appellant's brief; Appellant replies; *that Respondents' argument here is not genuine, and for the proof, just look at Respondents' February10, 2016 full throttle response brief in full; to decide if their argument is really genuine, or whether, it's just more of the same (nitpicking) as stated above, but if the court decide that its' ability to understand the Appellant's initial brief (pending the final brief) is greatly hindered, then Appellant will stride to do whatever the court orders him to do here; and;*

7. That as to Respondents' argument in their motion, p. 4 second para. whole, that in pertinent part, Apln't didn't move margin ½ inch or so to right that they complains of here again-and that the Appellant used a few single spaces here or there that violated a rule, and that such potentially

(might) violate a rule, the 50 page limit rule, and that the Appellant used more bold, italic, and underline, than he was supposed to, and further still that Appellant's arguments are not neat and clean, and that these things distracted Respondents', from understanding Appellant's arguments, etc. etc; Appellant Replies; *that sorry to say it, but that this is nitpicking on steroids; because a simple reading of the Respondents', 2-10-16 brief, will be proof enough, that the Respondents understood everything and every word to the maximum, Appellant argues& furthermore, they are conscious of their raising these arguments for argument sake, see in their motion p. 4 second para. L.10; and;*

8. That as to Respondents' argument in their motion, p.5 first para. L.1-5, that Respondents ref. a few times therein, Appellant's "Factual Statement of the Case"; at least this is an improvement acknowledging that Appellants' Initial Brief contains such which in their brief to this point, they denied; and as to the subject paragraph; Appellant Replies; *that Respondents' complains of everything being irrelevant see #2, 3, 5, 7, 9 and the others #4, 6, 8, 10, 11, and # 12 containing facts not contained in the record, containing improper and untrue references to Respondents' nationality & unsupported allegations of forgery, and on--and on--and on--Respondents Rumbles and Rambles complaining, p.5-12, seemingly forever, about all manner and matter of the things that are all the subject of the whole appeal. It is troubling and Appellant would go so far as to say-shameful, that the Respondents' are attempting, through the motions back door to begin litigating the appeal just as Appellant said they intended--Motion by motion-piece by piece, until there was nothing left to be decided on full appeal, but maybe a shell of the issues, brought to this court to be decided on full appeal, if even that much is left. It doesn't take much--but to flip and glance through Respondents' motion, to see Respondents' attempting to decide the appeal*

right here. Appellant then ask this court, if any more proof is needed, to read Appellants 1-11-16 Initial Brief and Respondents 2-10-16 Initial Brief and Appellant's 2-20-16 Initial Reply Brief, to see the central issues there for the full appeal, that Respondents are trying to get decided on their motion here, and Appellant urge this court not to allow it, and deny Respondents' motion summarily without further ado for such blatant attempt-s & all other reasons stated above & below..

9. That Respondents' have many imperfections in its' Initial 2-10-16 Brief but Appellant see no value and need to waste every ones time on matters not germane to the appeal; but will just show 1 example to make the point see in their motion, p. 10 L. 2, and see if that line reads perfectly? and then, see: Wilson v. S. L. Ray, Inc. (1993) 17 Cal. App. 4th 234, Kendall--Jackson Winery, Ltd. v. Superior Ct. (1999) 76 Cal. App. 4th 970, 9780; in essential, pertinent part, that he who comes for equity must bring equity, the clean hands doctrine.

RESPECTFULLY SUBMITTED

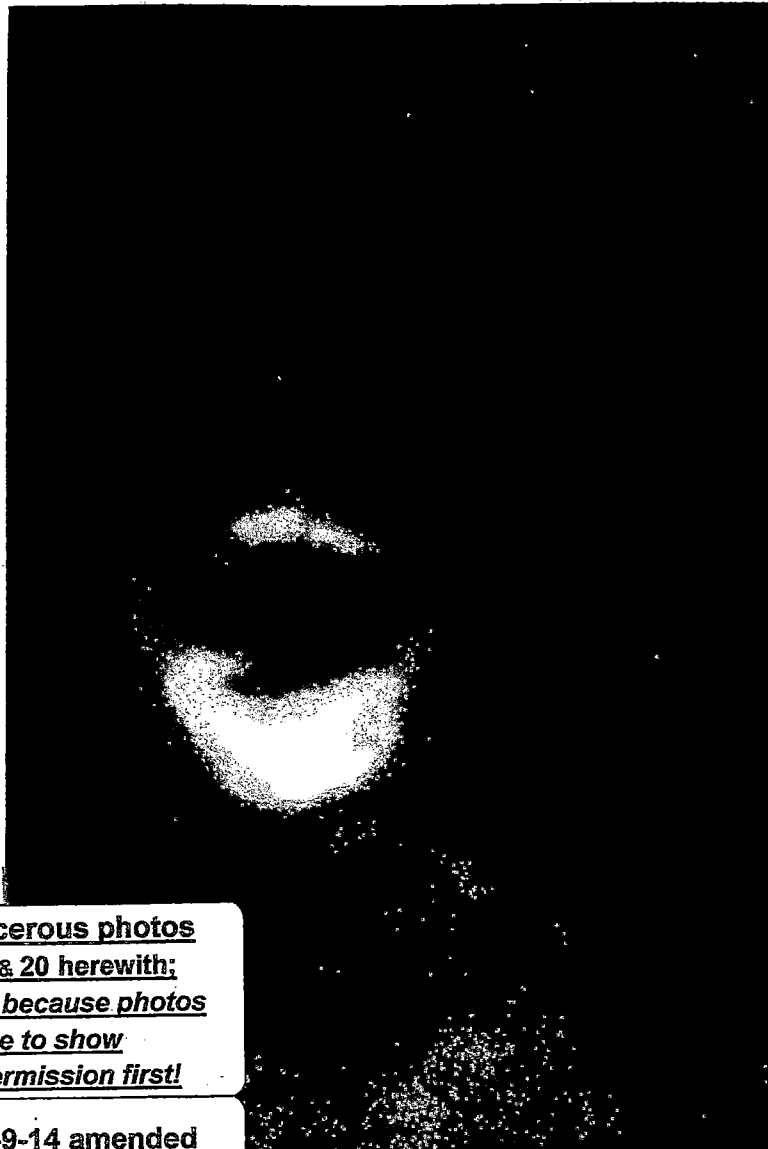
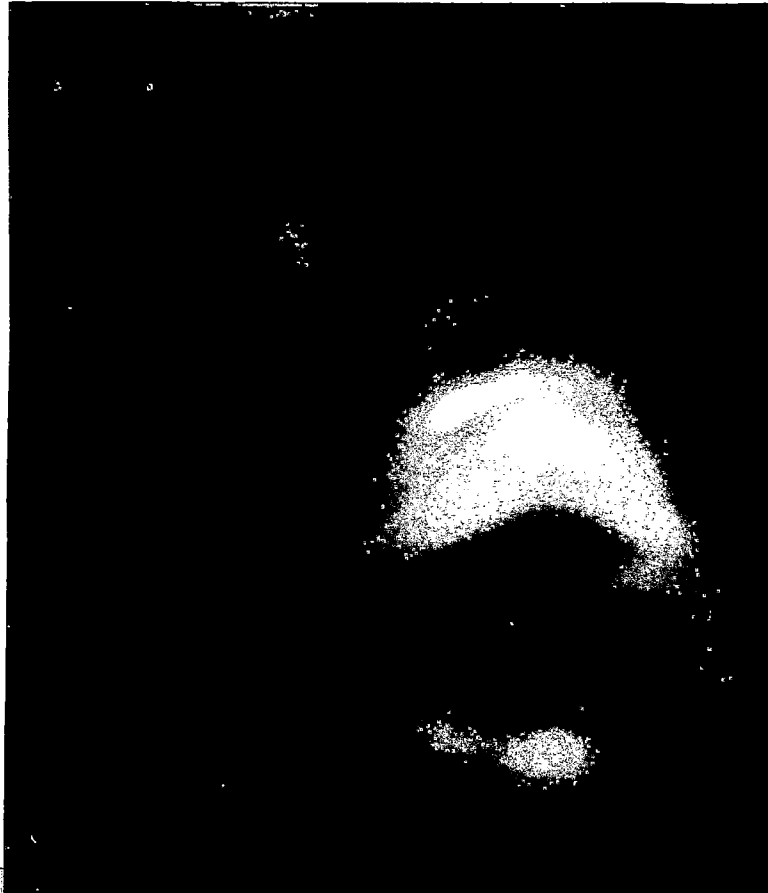
BY 

CHARLES TAYLOR, APPELLANT
332 MYRTLE BEACH HIGHWAY
SUMTER SOUTH CAROLINA 29153
(803) 609-7990 APELLANT PRO SE

Sumter, South Carolina

February 22, 2016

¹. That the same Respondents initial action also led to the destruction of Appellant's rental house, (ex. B attached of A) which \$650 mth. rental income, subsidize Appellant's SS disability income to get his must have medications etc., to prevent such cancers et al. etc., and such are a flavor of the reasons Respondents' want the case decided motions by motion-piecemeal and not altogether. All details in the 3 briefs of the parties on file; pending serving and later filing ROA by Appellant in a timely manner unless obstructed by Respd's as expect to come as evident by (ex. C & D attach).



latest back-cancerous photos
1 of 2 pages 19 & 20 herewith;
Page 20 left blank because photos
to gruesome to show
without court permission first!

See details in 6-9-14 amended
complaint esp. 2nd cause of
action IIED p.4 & p.5 para. 28-29
et al. etc.

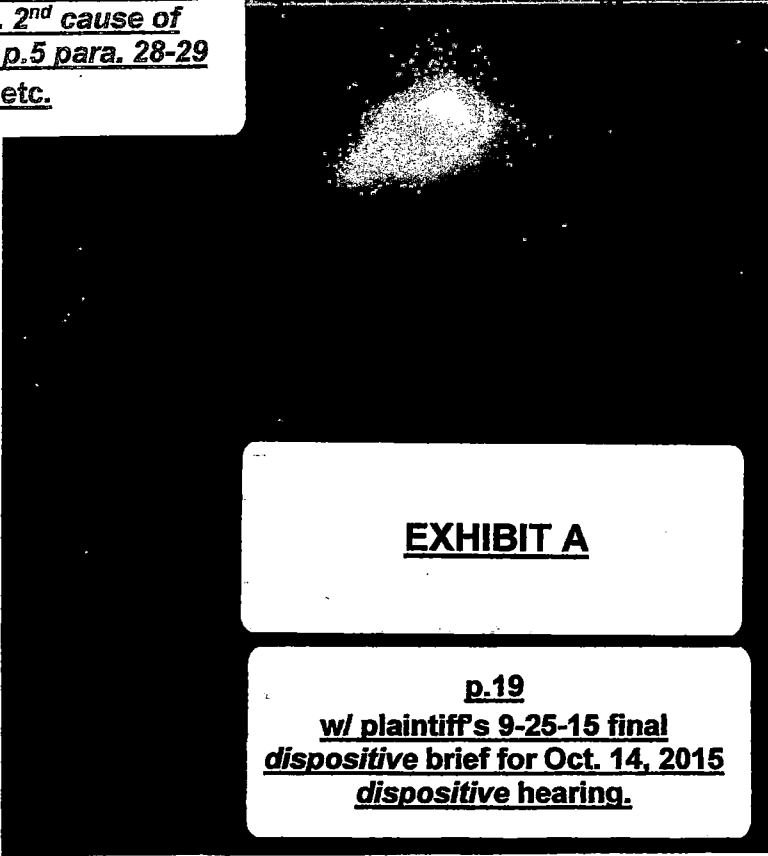
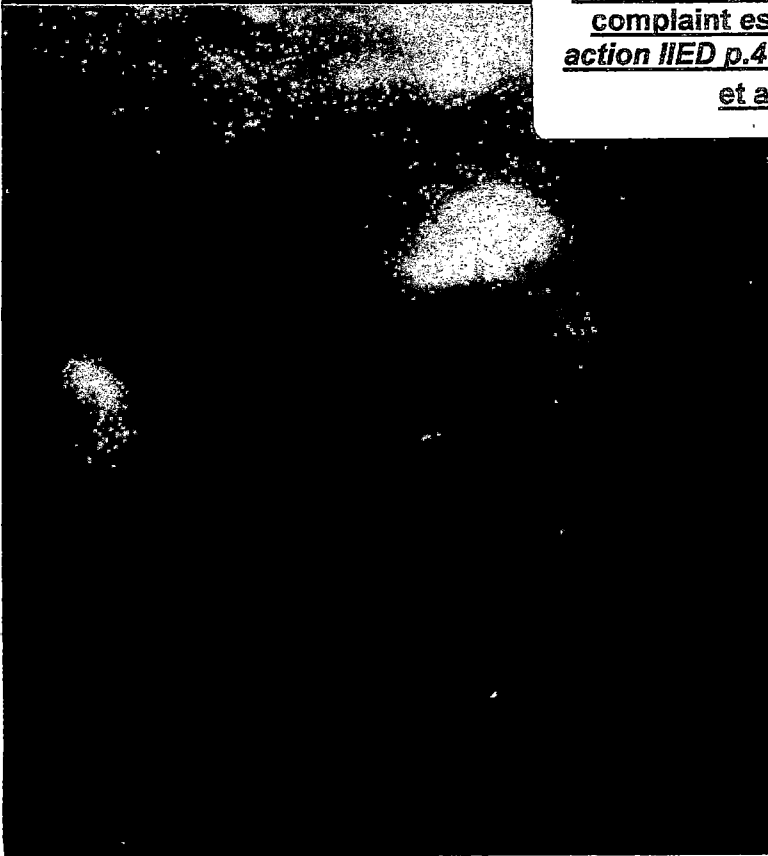


EXHIBIT A

p.19
w/ plaintiff's 9-25-15 final
dispositive brief for Oct. 14, 2015
dispositive hearing.



After Purchase & Renovation
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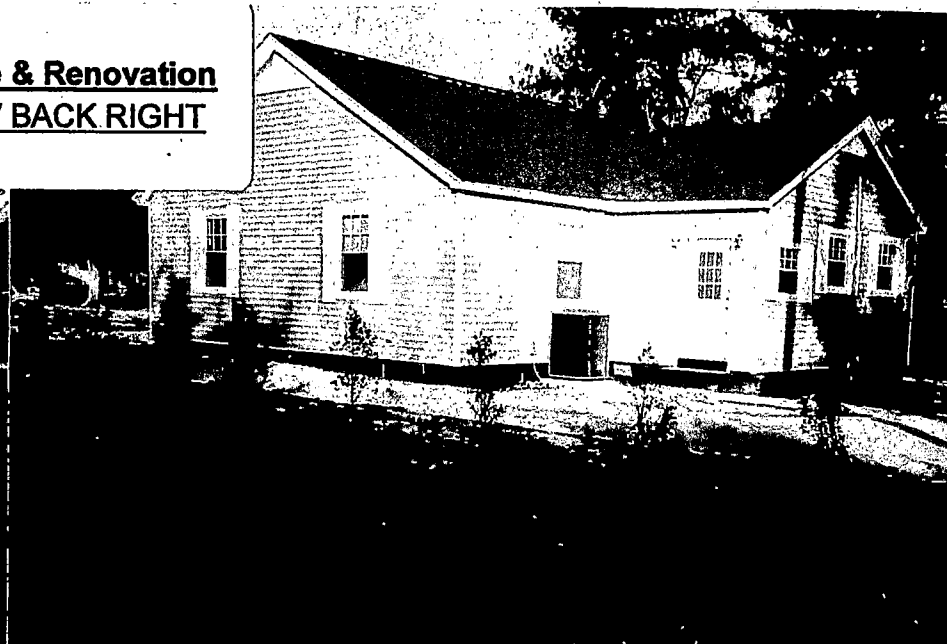
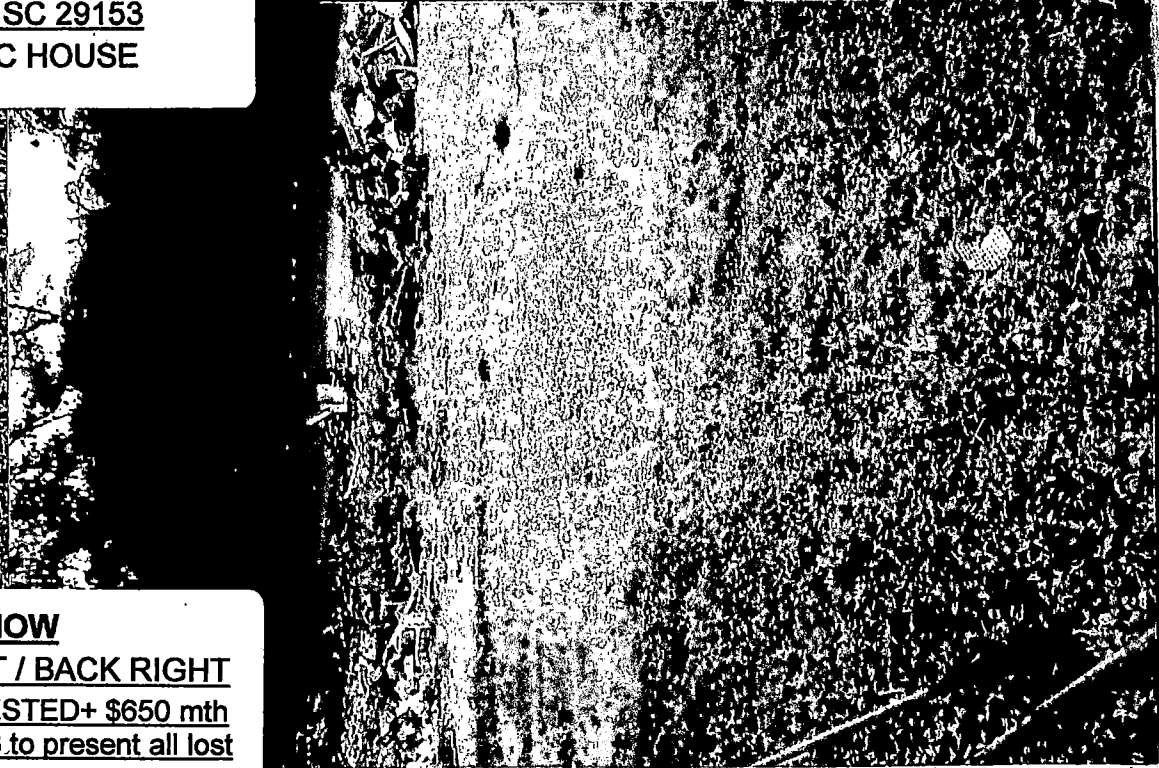
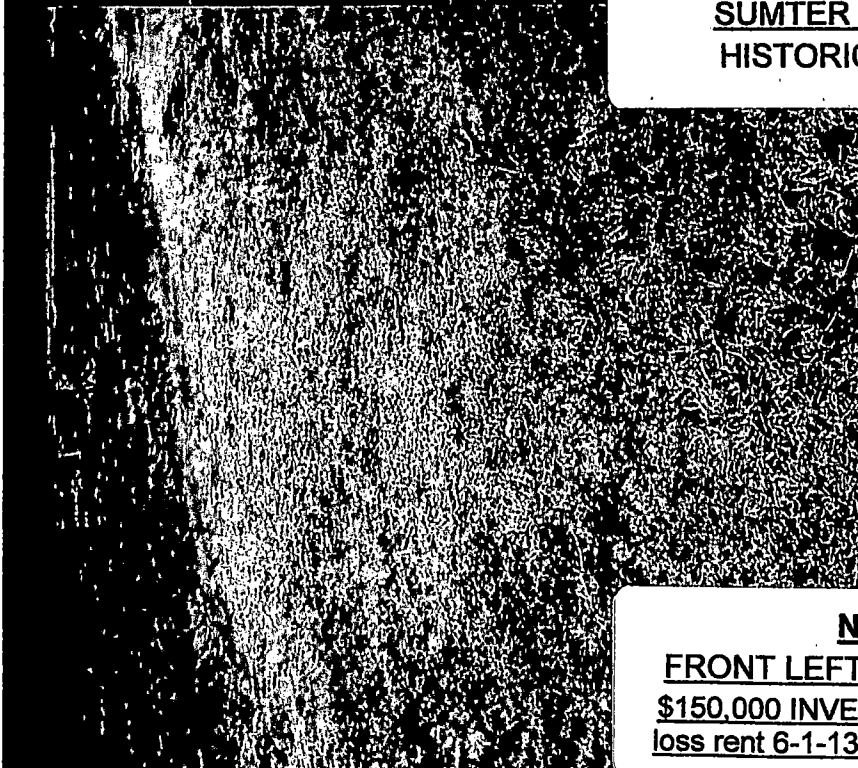


EXHIBIT B of A

334 MYRTLE BEACH HWY
SUMTER SC 29153
HISTORIC HOUSE



NOW
FRONT LEFT / BACK RIGHT
\$150,000 INVESTED+ \$650 mth
loss rent 6-1-13.to present all lost

February 13, 2016

Gray T. Culbreath, Esq. of
Gallivan, White & Boyd, P.A.
Defense's Lead Counsel
Post Office Box 7368
Columbia, SC. 29202

RE: Charles Taylor, Appellant
vs.
Stop "N" Save, Inc., d/b/a, El Cheapo Plus #7 and Roy Rahal, Respondents
C/A No: 2015-002481

Dear Mr. Culbreath:

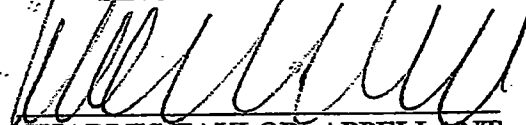
As to your designation of matter: you want included in the Record on Appeal, many of such items I never had in my possession &/or do not have in my possession. Accordingly, please provide me promptly, a copy of each page you want included. This will prevent any confusion on the matter.

I caution you to be mindful of what can properly be included under the rules as you surely knows and certifies. I will move by motion, to the Court of Appeals, to strike any other at your expense, and for sanctions for any you ask to be included, simply for spiteful reasons, just to up the cost to disable appellant and delay in preparing the Record on Appeal.

If I don't received such from you before February 19, 2016, I will take that as your permission to include in the Record on Appeal only those item listed in your designation that is in my possession.

Also, I ask that you state the total number of pages you are sending and provide the clerk of court with a copy of each page & the total number you're sending me. This is to prevent a later dispute, to cause ROA delay, claiming what was sent & what was not included in the Record on Appeal.

SINCERELY YOURS,



CHARLES TAYLOR, APPELLANT
332 MYRTLE BEACH HIGHWAY
SUMTER SOUTH CAROLINA 29153
(803) 609-7990

Cc: Clerk of Court SC Court of Appeals
Please clock & return extra copy in the SASE
Cc: Office of SC Court Administration

EXHIBIT C

February 20, 2016

Gray T. Culbreath, Esq. of
Gallivan, White & Boyd, P.A.
Defense's Lead Counsel
Post Office Box 7368
Columbia, SC. 29202

RE: Charles Taylor, Appellant

vs.

Stop "N" Save, Inc., d/b/a, El Cheapo Plus #7 and Roy Rahal, Respondents
C/A No: 2015-002481

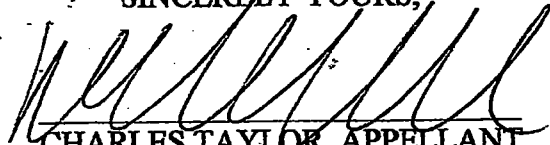
Dear Mr. Culbreath:

So that there are no confusions and delay in preparing the Record on Appeal, and no misunderstandings as to what you want included therein, once again, I ask that you provide me with 1 copy of each page you want included and I will do the rest. I have cancer et. al., etc., as you well know from this case. I need your copies by Wednesday Feb. 24, 2016, so that I can get the ROA served to you on time and later filed to the court when all final briefs will be due. In the foregoing regards, I ask your cooperation. Again, if I don't received your copies by then. I will include only what I have and can find from what I actually received from you. Thus you are on notice for the 2nd time. You knows better than anyone the exact page by page you want included.

Also, I ask that you state the total number of pages you are sending and provide the clerk of court with a copy of each page & the total number you're sending me. This is to prevent a later dispute, to cause ROA delay, claiming what was sent & what was not included in the Record on Appeal.

I'm trying to prevent problems before they occur causing unnecessary later arguments and motions. Please send copies bearing the court's clocked in stamp date & time to show what you filed & when.

SINCERELY YOURS,



CHARLES TAYLOR, APPELLANT
332 MYRTLE BEACH HIGHWAY
SUMTER SOUTH CAROLINA 29153
(803) 609-7990

Cc: Clerk of Court SC Court of Appeals
Please clock & return extra copy in the SASE
Cc: Office of SC Court Administration

EXHIBIT D

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM SUMTER COUNTY
COURT OF COMMON PLEAS

Hon. George C. James, Jr., Circuit Court Judge

Appellate Case No: 2015-002481

Charles Taylor,.....Appellant

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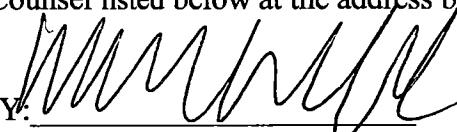
FEB 24 2016

SC Court of Appeals

PROOF OF SERVICE:

I certify that I've served & filed Appellant's 2-22-16 Reply to Respondent's 2-10-16 motion by depositing same in the, US Mail, postage prepaid; date of; Feb. 22, 2016, from Sumter, South Carolina, address to the Defendants' lead Counsel listed below at the address below.

February 22, 2016

BY: 
CHARLES TAYLOR, APPELLANT
332 MYRTLE BEACH HIGHWAY
SUMTER SOUTH CAROLINA 29153
(803) 609-7990

Defendants' Counsels of Record
Lead-Gray T. Culbreath, Esq.
James E. Brogdon, Esq., of
Gallivan, White & Boyd, P. A.
Post Office Box 7368
Columbia, SC. 29202
(803) 779-1833; AND
Randy J. Soriano, Esq., of
Bryan Cave, LLP.
211 N. Broadway/Suite 3600
St. Louis, Missouri 63102
(314) 259-2384; AND
Julia L. Fenwick, Esq., of
Bryan Cave, LLP.
1 Atlantic Center, 4th Fl.
1201 W. Peachtree St., NW.
Atlanta, Georgia. 30309
(404) 572-6923

February 22, 2016

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina
Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201

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SC Court of Appeals

RE: Charles Taylor, Appellant

vs.

Stop "N" Save, Inc., d/b/a, El Cheapo Plus #7 and Roy Rahal, Respondents

Appellate Case Number: 2015-002481

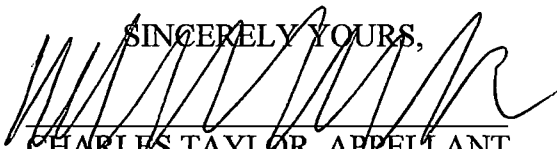
Dear Mrs. Kitchings:

Please find enclosed for filing, the following:

(1). The original and 6 copies of Appellant's 2-22-16 Reply to Respondents' 2-10-16 motion, with proof of Service, and same to Defendants' lead counsel, as listed below.

Please clock and return the extra copy to me in the self-addressed stamped envelope.

SINCERELY YOURS,



CHARLES TAYLOR, APPELLANT
332 MYRTLE BEACH HIGHWAY
SUMTER SOUTH CAROLINA 29153
(803) 609-7990

Cc: Defendants' Counsels of Record

Lead-Gray T. Culbreath, Esq.

James E. Brogdon, Esq., of
Gallivan, White & Boyd, P.A.

Post Office Box 7368

Columbia, SC. 29202

(803) 779-1833; AND

Randy J. Soriano, Esq., of
Bryan Cave, LLP.

211 N. Broadway/Suite 3600

St. Louis, Missouri 63102

(314) 259-2384; AND

Julia L. Fenwick, Esq., of
Bryan Cave, LLP.

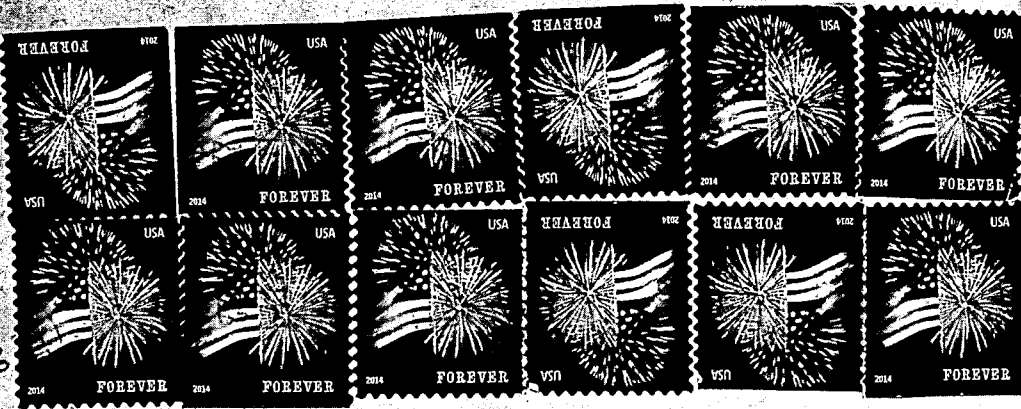
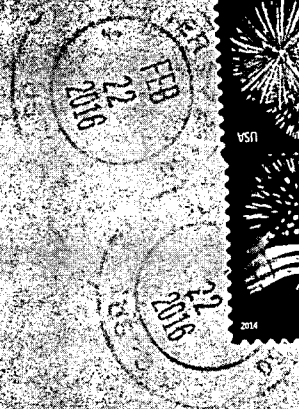
1 Atlantic Center, 4th Fl.

1201 W. Peachtree St., NW.

Atlanta, Georgia 30309

(404) 572-6923

Charles Taylor
332 Myrtle Bch Hwy
Sumter SC 29153




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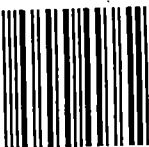
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