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MOTION TO VACATE DISMISSAL AND REINSTATE APPEAL

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

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Case No. 2015-001511

RECEIVED  
FEB 29 2016  
SC Court of Appeals

Marshland Communities LLC

Respondent,

v.

Jack Powell,

Appellant.

Motion to Reinstate

Appellant Pro se, Jack Powell hereby submits this Motion to Vacate the Dismissal that was filed by the South Carolina Court of Appeals Court and remitted to lower court on Sept 24, 2016 because the Clerks Office made the mistake of not filing & posting mailed documents concerning this Appeal while simultaneously exercising the same pattern of mistakes during 2 other cases 2015-01331 & 2015-000049. Appellant has submitted multiple mistakes of this pattern and files this Motion Pursuant Rule 59 (e) and because of the exception to the Motion to Reinstate rule to be filed within a reasonable time when the Remittitur is sent down by mistakes, error or inadvertence of the Court, Keels Supra. Therefore Appellant submits the following ongoing pattern of mistakes;

1. On 8-8-2015 Appellant mailed his signed proof of service for his Motion to Proceed with Informa pauperis within the 10 days as required. (Exhibit H)

2. Appellant called concerning this Appeal 2015-001511 and Appellant asked for Elizabeth Carter who assisted and/or the handler for Appellants Appeals wasn't there and the lady said she would help and she told Appellant he had one more day for his Form letter to be physically in their office and not post marked to stop the Remittitur from being sent. Appellant explained to her he had sent his signed Proof of Service letter on 8-8-15 and Appellant had a receipt from the USPS to help prove it.

3. Appellant told her it's about 4:00 and there was no way he could put all this together, then drive to the library, type it up, then make it to the post office before 5:00 and mail it overnight especially since Appellants wife was gone in their car.

4. Appellant told her I don't know what to do and I guess my Appeal is really messed up now because, maybe the USPS did not deliver the letter (it was never returned to Appellant along with any other letters mailed to the Court of Administration) and it looks like Appellants case is going to be dismissed because of the sorry post office. The lady said I don't know what to tell you.

5. But now Appellant is positive the letter was properly mailed by the USPS and it was at the Court of Administration and they made the mistake because of the obvious pattern of mistakes with this Appeal and 2 other Appeals the Appellant had filed.

6. What bothers Appellant most about this, is about a week later Appellant found out he could have sent his information to stop the Remittitur electronically from the library right down the street, 262 (A)(2). The lady within the Clerks Office had the opportunity and should have told the Pro se he could do this and it would have not been

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**SC Court of Appeals**

giving Pro se advice, but disclosing this is a procedure that is used by many attorney's.

7. On Oct. 13<sup>th</sup> Appellant called about his Designation of Matter/Motion to Proceed Out of Time because it wasn't posted and it was accompanied with a \$25 USPS money order that was mailed by Appellant on Oct. 1<sup>st</sup> 2015 (case 2015-000049).

Appellant was told Elizabeth Carter wasn't there, so another lady said she would help and she didn't identify herself. She asked Appellant to hold on for a minute and then she got back on the phone and was basically thinking out loud and said no, no, here it is and it was found by someone who wasn't Appellants personal handler of his cases.

8. Then they posted it on Oct. 13<sup>th</sup> and it was stamped received that day on the first page and the envelope that it was mailed in was stamped by the USPS the day it was mailed, Oct. 1, 2015

9. Also on Oct. 13, 2015 Appellant mailed a letter to be filed concerning Appeals 2015-000049, 2015-001331 and 2015-001511 (Exhibit B) containing 3 letters of concern and was accompanied by 3 proofs of service to all parties and there was no response after requesting the Clerks Office to let Appellant know what had happened and what could be done about his unposted information that was mailed to them and then the Appeals were dismissed because of the mistakes made by the Court of Administration/Clerks Office. The 3 letters of concern were never posted.

10. On Oct. 22<sup>nd</sup> a Deficiency letter was sent, 2015-000049 and Appellant was asked to sign his Motion to Reinstate or the Remittitur would be sent. Appellant mailed his Motion with his signature on Oct. 31<sup>st</sup> which was within the 10 days as noted, (Exhibit C) CCOH did not sign. This also wasn't filed by the Court of Administration.

11. Appellant sent an e-mail on 11-24-2015 concerning cases 2015-001331, 2015

-000049 and 2015-001511 which was Appellants second time of submitting his concern about his mailed documents weren't being filed and there wasn't any response about the ongoing problem.

12. Appellant called and left a message with Jenny Kitchings to discuss with her about his concern letter that was mailed, e-mailed and wasn't even responded to after it was submitted with the Appellants Motion to Reinstate Appeal 2015-001331 and asked her if she could call back today and Appellant called again that afternoon at 4:53 and left another message explaining the urgency of her returning the call soon as possible.

13. Jenny Kitchings or any other person from the Clerks Office did not return Appellants call so he had to call again 2 days later and she told Appellant before he could discuss these issues that he would have to file a Motion to file his complaints about the Clerks Office and on Monday they would be mailing some information concerning the matter.

14. On 12-3-15 Appellants Motion to Reinstate was filed for Appeal 2015-001331 and it stated; because of the following mistakes made by the Court of Administration that questioned and pointed out mistakes with evidence, Note; in this Motion is the Appellants "Concern Letter" consisting of 4 pages of mistakes and with Exhibits of proof, therefore exposing a pattern of mistakes during Appeals 2015-000049- 2015-001331 & 2015-001511 and again no response about the problem.

15. On Dec. 3<sup>rd</sup> 2015 the Clerks Office sent a Deficiency letter stating Appellant didn't sign his Proof of Service in this case 2015-000049 and Appellant responded and mailed his signed Proof of Service (Exhibit C) within the 10 days to the Clerks Office and again it was never posted as received, then the Remittitur was sent to the lower court.

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16. Posted Jan. 11<sup>th</sup> 2016, Appeal 2015-000049 V. Claire Allen sent a letter stating the E-mail Appellant had sent about his concern about missing documents does not reflect service on the other parties to the Appeal and any document filed with the court must be accompanied by proof of service. It also stated no further action will be taken because the Remittitur had already been sent. Appellant was not filing it with the court and wanted Jenny Kitchings to look into the matter because Pro se was just asking for some answers about some of his information being lost, mishandled or why mistakes were being made. Ref. no. 14 the same letter was filed with Proof of Service.

17. Also the reason for the E-mail was because the Clerks Office didn't respond to the 12-3-2015 Motion in case 2015-001331 that was filed and did in fact reflect service, requested a response and or explanation about their mistakes which were never answered.

18. The most disturbing and unanswered question is what happened to the MUSC Relief of Judgment (Appeal 2015-001331) that was mailed to the Court of Administration on 9-24-15 by the USPS (Exhibit F) that included a large package of 7 notebooks. It was never filed or any explanation was ever offered to explain what happened to it and again there was never any mail returned to Appellant as undelivered in any of these Appeals.

19. Also a second letter was sent on Jan. 11<sup>th</sup> by V. Claire Allen addressed to Pro se from Appeal 2015-001331 which stated; If you intend to proceed with this Appeal pro se, the fact that you are not an attorney does not relieve you of the responsibility to perfect your Appeal in accordance with the South Carolina Appellate Court Rules.

20. The Appellant agrees that he has made simple mistakes and Appellant is glad this was pointed out because the Clerks Office should also perfect their responsibility's.

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To begin with the Clerks Office failed to send the third letter addressing Appellants concerns that should have also been sent to Appeal 2015-001511 who was included and discussed as part of the pattern of mistakes that were pointed out with evidence in the Appellants E-mail and in his Motion to Reinstate, filed in Appeal 2015-001331.

21. Posted on Sept. 3<sup>rd</sup> Appeal 2015-001511, This Matter is Dismissed and Appellant has failed to provide the Notice of Appealing fee. Therefore referencing Appeal 2015-000049 Appellant requested to Proceed with Informa pauperis on 1-2-15 and it was posted on 3-9-15 that Appellant was denied.

22. Appellant did in fact mail his signed Proof of Service for his Motion to Proceed with Informa pauperis in this Appeal and Appellant was never notified he was denied and it was never posted that the Appellant was denied, so the undecided Informa request should not be allowed as a reason for a Dismissal.

23. Also Pro se Appellant should have been told by the Clerks Office he could forward his information electronically just like any other attorney after he had questioned what could he do and then the Remittitur wouldn't have been sent to the lower Court.

24. On Monday, Feb. 1<sup>st</sup> 2015 Appellant sent Jenny Kitchings an E-mail and asked her a very important question about Appeal (2015-001331) that was dismissed because of mistakes and again she does not respond. Two days later Appellant repeats and she does not respond so he sends a third E-mail for Appellant to remind her that his question has a time deadline because of their mistakes he had to file a Motion to Reinstate on 12-3-15 and it could be decided at any day.

25. The Appellants "Concern Letter" was filed with this 2015-001331 Motion to Reinstate where Appellant discussed the Court of Administrations multiple improper responses to Appellant. While Appellant is finally finishing this Motion that he shouldn't

have had to do in the first place, this happens again and as of 5:25 Friday afternoon

Appellant sent his third and last E-mail which is self-explanatory;

**case 2015-001331**

2 messages

Jack Powell <carolineschair@gmail.com>  
To: JKitchings <JKitchings@sccourts.org>

Mon, Feb 1, 2016 at 4:50 PM

When I filed my Motion to Reinstate I made a mistake and left out my USPS receipt that was mailed on 12-10-15 that was within the 10 days to return my signed Proof of Service. It was sent by certified mail and was signed by P. Grant when it was delivered. The question is can I send an Amended Motion to Reinstate to add this? If not is there another procedure to pursue to add this evidence that proves I mailed my signed Proof of Service ? Thanks, Jack Powell

Jack Powell <carolineschair@gmail.com>  
To: JKitchings <JKitchings@sccourts.org>

Wed, Feb 3, 2016 at 4:20 PM

I sent you an e-mail 2 days ago and I would appreciate it if you could give some kind of answer or even respond that you aren't allowed to answer the question. Thanks, Jack Powell

Jack Powell <carolineschair@gmail.com>  
To: JKitchings <JKitchings@sccourts.org>

Fri, Feb 5, 2016 at 5:25 PM

I just called for you today at 4:29 and they said you have already left. I E-mailed you on Monday and Wednesday concerning Appeal 2015-001331 with an important question that may have a time deadline to make a motion and you still haven't answered the question. I know I'm not an attorney as you have pointed out in a second letter that I received today and you stated "If you intend to proceed with this appeal pro se, the fact that you are not an attorney does not relieve you of the responsibility to perfect your appeal" Well, I do have 3 Appeals being mishandled within your offices and I assume since I am a tax paying citizen here in South Carolina that you could possibly perform your responsibilities since this is the second time you haven't responded to my questions of why my complaints aren't being addressed concerning your employees misplacing my mailed documents to your office which caused my cases to be dismissed. It is apparent that the reason you do not respond is because you don't have any respect for me because I'm not an attorney and/or you don't like me making complaints about your staff. If I'm wrong maybe you could address that and I've never been much for playing politics but if I did I guess I would go to the state house and see my elected brother in law who has an office right down the hall from Nikki Haley and ask him why can't a regular taxpayer like me get any respect? Now if for some reason I need to send this as a form letter and notice of delivery so we can file this, just e-mail me back and I will do that. Since this was the second time I was sent this letter about not filing and having a proof of service, I thought I would point out to you that I have already done this in my Motion to Reinstate in case 2015--001331 and of course no one took the time to respond or tried to explain how these things could happen in 3 Appeals. I'll be sending you 2 Motions to Reinstate tomorrow referencing the multiple mistakes made that caused my Appeals to be dismissed and I think since I'm performing the duties of an attorney and his legal this and that all by myself, I should be refunded a nice check for each case after the judges see the mistakes made. Thank you for your time, Jack Powell oh and p.s. I prefer to have all conversations by e-mail since your staff has made some insulting remarks and I would like to have a record of the mistakes from here on out.

The Pro se Appellant feels he has been ignored, slighted and it is apparent there were multiple mistakes made in this matter and the other 2 Appellant Appeals that do in fact reveal an ongoing pattern of mistakes.

Therefore, Appellant requests the Honorable Court to reverse this ruling and Reinstate this Appeal.

Feb. 24, 2016

cc; Deputy Clerk, V. Claire Allen  
Attorney's Simon & Dean

7.

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Appellant, Jack Powell  
1402 Camp Road Unit 8-A  
Charleston, S.C. 29412  
carolineschair@gmail.com  
(843) 952-4762

EXHIBITS 1

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**MOTION TO RE-INSTATE**

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

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Case No. 2015-001331

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DEC 03 2015

SC Court of Appeals

Medical University of  
South Carolina

Respondent,

v.

Jack Powell,

Appellant.

**MOTION TO RE-INSTATE**

Pro se, Appellant Jack Powell submits this Motion to Re-instate case 2015-001331 because of the following mistakes made by the Clerks office that was questioned and pointed out, then mailed to the Clerks office on Oct 13<sup>th</sup> - 2015 and again e-mailed on Nov. 24<sup>th</sup> and because of these mistakes Appellant's three cases have been dismissed.

**APPELLANTS 2<sup>ND</sup> NOTICE OF CONCERN ABOUT MISSING  
MAILED FILINGS TO THE COURT**

The reason I'm contacting you is because on several occasions I have mailed information concerning my cases 2015-49, 2015-1331 and 2015-001511. For some reason they may have been misplaced or lost because the info isn't being posted or responded to when I sent my first concern about this matter.

On Oct. 1<sup>st</sup>, 2015 Appellant mailed his request for leave to file out of time concerning Designation of Matter and on Oct. 12<sup>th</sup> the court filed Appellant had failed to send my Designation of Matter. On Oct 13<sup>th</sup> Appellant mailed his first letter about a concern about letters he had sent to the Clerks Office, that weren't posted. Earlier that day before Appellant had sent this concern letter he called about the Designation of Matter not being posted and Elizabeth Carter wasn't there, so another lady said she would help. (she didn't identify herself) She said for Appellant to hold on for a minute and then she got back on the phone and was basically talking out loud and said no, no, here it is and then it was posted Oct. 13<sup>th</sup>.

Appellant will demonstrate there is a pattern of unposted information forwarded to the Court of Administration and would like for your office to contact me soon as possible.

**Case no. 2015-000049**

1. On 8-24-15 Appellant was sent a letter that stated his Designation of Matter wasn't included.
2. Exhibit A. On Oct. 1<sup>st</sup> -15, Appellant purchased a money order and two stamps and mailed to the Court of Administration and to Attorney's Wall, Templeton and Haldrup for a motion to proceed out of time which included my Designation of Matter. This was written at top of the exhibit at the USPS for my records.
3. Posted on 10-12-15 and mailed is a letter stating Appellant failed to send Designation of Matter.
4. Posted on 10-13-15 and mailed Motion to Allow Late Filing Fee of Appellants Designation of Matter. (construed as a petition to reinstate the appeal) also; DESIGNATION FILED BY APPELLANT (motion pending).
5. Posted Nov. 18<sup>th</sup>, two letters sent about case being dismissed and Remittitur to Lower Court that should be stopped or revoked ? just like the Remittitur that was stopped after Appellant called and was told they would take care of it and they did.

6. Exhibit B. on Oct. 13 Appellant sent three letters of concern in one envelope of cases 2015-000049, 2015-001331 and 2015-001511 and Appellant was wanting to know why some letters/info weren't being posted and could they please let me know what had happened and what should be done. There never was a response and now cases are being dismissed because of this.
7. Posted on Oct. 22 and a letter was sent to Appellant stating I had not signed properly.
8. Exhibit C on Oct. 31 Appellant signed and returned to the Administration and as of Nov. 20<sup>th</sup> there wasn't anything posted.
9. On Nov. 24<sup>th</sup> Appellant e-mailed this second letter of concern along with Exhibits about the original letters of concern around 4:45 that afternoon to Jenny Kitchings.
10. On Nov. 30<sup>th</sup> at 1:54 Appellant called and asked to speak to Mrs. Kitchings and was told she would get her supervisor and Appellant stated no, I need to talk to Mrs. Kitchings about an e-mail I had sent her last week. She then stated she was at lunch and Appellant left a message asking her to please call me today and let Appellant know if she had received this e-mail because of my time left concerning two remittiturs.
11. At 4:53 Appellant called back because of the urgency involved and was told she was unavailable and Appellant left the same message.
12. At 4:55 Appellant called back to go ahead and discuss this with someone else and the telephone rang for three minutes and two seconds and now Appellant has a tighter situation because of this.
13. On Dec 1<sup>st</sup> Appellant called again at 1:39 and Jenny Kitchings apologized for not returning call and tells Appellant he has to file motions to enter his complaint about the clerks office.

**Case no. 2015-001331**

9. Posted On 7-23-15, Transcript Ordered.
10. Posted on 9-4-15, Transcript not received.
11. Exhibits D & E is a letter Appellant didn't receive from reporter Ruth Mott and was resent after Appellant had made a complaint to Desiree Allen/court reporters, about her not responding.
12. Exhibits F, on Oct. 1<sup>st</sup> Appellant called for Elizabeth Carter and asked why wasn't my Relief

of Judgement that was mailed on Sept. 24th, not posted?

13. Exhibits B, D, E & G on Oct. 13<sup>th</sup> Appellant mailed his concern about un-posted information and included in the envelope was my explanation of my doubt of the court reporter, Ruth Mott's accuracy of the cost she had submitted to me. Also Pro se asked for a procedure to follow or a procedure the court may follow to get to the bottom of her improper request. I never got a response.

14. Posted Oct 22. A letter stating Appellant must provide that he had made arrangements and Appellant called and explained his letter of concern and was told they would take care of it and that is why again Appellant did not respond to the Oct 22<sup>nd</sup> letter because of what he was told they would do again, take care of it and now Appellant's case has been dismissed??.

**CASE: 2015-001511**

15. Exhibit H, on 8-8-15 Appellant mailed his proof of service for Motion to Proceed In forma pauperis that was in the letter filed on Sept. 3<sup>rd</sup> that Appellant failed to do this. APPELLANT MAILED LETTER!

Appellant called and asked for Elizabeth Carter and she wasn't there and the lady that answered said she would help me and never identified herself. Appellant had called originally about another case and asked her was it true that Appellant had a year to appeal this since he was told earlier in another case he had a year to Appeal. Appellant thought the case was dismissed and he had a year to do something about it. She asked the case no. and she said Appellant had one more day to send the Form letter to stop the Remittitur from being sent. Appellant explained to her he had sent the letter on 8-8-15 Exhibit I and Appellant had a receipt from the USPS to help prove it but apparently the clerks office did not have it. Appellant told her it's about 4:00 and there was no way he could put all this together then drive to the library and type it up and then make it to the post office before 5:00 and mail it overnight, especially since Appellant's wife was gone in our car. Appellant told her I don't know what to do and I guess I'm really messed up now because of the USPS not delivering the letter (it was never returned to Appellant along with any other letters from the Court of Administration) and it looks like Appellant's case is going to be dismissed because of the sorry post office. The lady said I don't know what to tell you.

But now Appellant thinks the letter that was sent was there all the time, but what bothers Appellant most about this is about a week later Appellant found out he could have sent it electronically from the library, 262 (A) (2) and she had the opportunity and should have told the Pro se he could do this and it would have not been giving him advice but a procedure that is used by attorneys.

16. Posted Sept 3<sup>rd</sup> This Matter is Dismissed and Appellant has failed to provide the Notice of Appeal filing fee and I never received anything stating Appellant had been denied his request to proceed In forma Pauperis. Also Appellant sent the letter and proof of service on 8-8-15. So what legal standing and/or procedure can a Pro se take or is this something that the Clerks office needs to fix, please respond. Thank you, Jack Powell at [carolineschair@gmail.com](mailto:carolineschair@gmail.com) or (843) 952-4762

Therefore Appellant submits this motion to reinstate case 2015-001331, Medical University of South Carolina v. Jack Powell because Appellant mailed his form letter that the transcript was ordered, mailed a letter of concern explaining why the transcript hadn't been paid for and was later told by the clerks office they would take care of it and because of ongoing mistakes made by the clerks office.

I have also enclosed the actual copy of my Form 12 that was originally sent on 10-12-15 after Appellant realized he had accidentally posted the wrong address and corrected the mistake. But, again Appellant made the same mistake when putting together this second concern letter with old copies before Appellant e-mailed to Jenny Kitchings and noticed this today before submitting this Motion to Reinstate.

Dec. 1<sup>st</sup>, 2015



Appellant, Jack Powell  
1402 Camp Rd. Unit 8-A  
Charleston S.C. 29412

cc; V. Claire Allen  
Attorney John Arthur Jones

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SC Court of Appeals

FORM 12  
NOTICE THAT TRANSCRIPT HAS NOT  
BEEN TIMELY RECEIVED

October 12th, 2015

Deputy Clerk; V. Claire Allen  
1220 Senate Street  
Columbia, South Carolina 29201

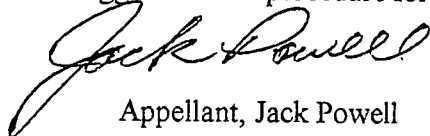
RE: Medical University of South Carolina v Jack Powell, Appellant, Case 2015-001331

Dear Deputy Allen,

This is Appellant Jack Powell and I'm reporting that I received a response by reporter Ruth Mott on August 2<sup>nd</sup> for Marshland Communities and MUSC which stated; Upon review of the records, I estimate your transcript to be approximately 40 pages at a cost of \$135.05. Then the case for Marshland was dismissed and I made the request again just for MUSC and asking for the exact amount of pages. On September 30<sup>th</sup> in her response just for MUSC she stated; The transcript is 40 pages at a cost of \$135.05.

On July 22<sup>nd</sup> I received a response from Reporter Karen Anderson requesting \$21.50 for the transcript where I spoke 13 times covering only 2 pages in case 2015-000049 and during this MUSC 2015-001331 hearing I was only allowed to speak three sentences before being cut off by Judge Dennis and him then granting MUSC Summary Judgment. Therefore the cases were basically the same amount or less and I'm questioning the accuracy of this estimate the reporter has made and I'm also requesting the administration to look into this or possibly make a suggestion or a procedure for a Pro se to follow to get to the bottom of this.

10-12-2015



Appellant, Jack Powell  
1402 Camp Rd. Unit 8-A  
Charleston, S.C. 29412  
[carolineschair@gmail.com](mailto:carolineschair@gmail.com)  
(843) 952-4762

cc; Court Reporter, Ruth Mott  
Attorney of record, John Arthur Jones

CCO H  
Desq. matter

sent within 10 days  
of Sept. 24 letter

A

JAMES ISLAND  
579 FOLLY RD.  
CHARLESTON  
SC

294123005  
4514810248

10/01/2015 (800)275-8777 5:01 PM

Product Description Sale Qty Final Price

Dom M.O. Value \$25.00

(Serial#:22802238876)  
Dom M.O. Fee \$1.25  
71c (Ndn) 2 \$1.42  
Eastern Tiger Swallowtail (Butterfly)PSA  
(Unit Price:\$0.71)

Total \$27.67

Debit Card Remit'd \$27.67

(Card Name:Debit Card)  
(Account #:XXXXXXXXXXXX1108)  
(Approval #:IJ97GS)  
(Transaction #:717)  
(Receipt #:001794)  
(Debit Card Purchase:\$27.67)  
(Cash Back:\$0.00)

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

\*\*\*\*\*  
BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.  
\*\*\*\*\*

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

\*\*\*\*\*  
Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.  
\*\*\*\*\*

All sales final on stamps and postage  
Refunds for guaranteed services only  
Thank you for your business

HELP US SERVE YOU BETTER.

TELL US ABOUT YOUR RECENT POSTAL EXPERIENCE

Go to:  
<https://postalexperier>

or scan this code  
your mobile devi.



SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION

NOT NEGOTIABLE

Serial Number: 22802238876

Year, Month, Day: 2015-10-01

Post Office: 29412

Amount: \$25.00

Class: 15

Pay to: SC Court of Appeals

Address:

KEEP THIS RECEIPT FOR YOUR RECORDS



CUSTOMER'S RECEIPT

Proceed out of the area

RECEIVED

FEB 29 2016

SC Court of Appeals

7

CONCERN About Mailed  
 PREVIOUSLY & MUSC  
 TRANS. WAREHOUSE  
 MOTT SCOTT OFFICE  
 CLERK OFFICE

B

FOLLY BEACH MAIN OFFICE  
 FOLLY BEACH, South Carolina  
 294399800  
 4516030439 -0093  
 10/13/2015 (943)588-2244 03:45:10 PM

Sales Receipt			
Product Description	Sale Qty	Unit Price	Final Price
COLUMBIA SC 29201 Zone-2 First-Class Mail Large Env 3.30 oz. Expected Delivery: Thu 10/15/15			\$1.64
Issue Postage:			\$1.64
(Forever) Sealed with Love PSA	3	\$0.49	\$1.47
22c (Ndn) Penguins PSA	1	\$0.22	\$0.22
<b>Total:</b>			<b>\$3.33</b>

Paid by:  
 Cash \$4.00  
 Change Due: -\$0.67

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

\*\*\*\*\*  
 \*\*\*\*\*  
 Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.  
 \*\*\*\*\*  
 \*\*\*\*\*

Bill#: 1000201837159  
 Clerk: 03

Final on stamps and postage for guaranteed services only apply for your business

GIVE YOU BETTER

YOUR RECENT TRACK

Use your/Pos mobile device:



HYBERTVILLE  
 011 K013 B.C00

ANTON COUNTS  
 28206

Customer Copy

RECEIVED

FEB 29 2016

SC Court of Appeals

8

CCOH did not sign  
PAUSE

C

JAMES ISLAND  
579 FOLLY RD  
CHARLESTON  
SC

294123005  
4514610248

10/31/2015 (800)275-8777 11:16 AM

Product Description	Sale Qty	Final Price
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First-Class Mail Letter (Domestic) (COLUMBIA, SC 29201) (Weight:0 Lb 1.10 Oz) (Expected Delivery Day) (Monday 11/02/2015)	1	\$0.71
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Total		\$0.71
-------	--	--------

Cash		\$1.00
Change		(\$0.29)

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

\*\*\*\*\*  
BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.  
\*\*\*\*\*

Order stamps at [usps.com/shop](http://usps.com/shop) or call 1-800-Stamp24. Go to [usps.com/clicknship](http://usps.com/clicknship) to print shipping labels with postage. For other information call 1-800-ASK-USPS.

\*\*\*\*\*  
Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at [usps.com/poboxes](http://usps.com/poboxes).  
\*\*\*\*\*

All sales final on stamps and postage. Refunds for guaranteed services only. Thank you for your business.

HELP US SERVE YOU BETTER  
TELL US ABOUT YOUR RECENT POSTAL EXPERIENCE

Go to:  
<https://postalexperience.com/Pus>

or scan this code with your mobile device:



or call 1-800-410-7420



D

State of South Carolina  
The Circuit Court of the First Judicial Circuit

Ruth Mott, RPR, CRR  
Circuit Court Reporter

Date  
August 2, 2015

PO Box 2012  
Goose Creek, SC 29445

Mr. Jack Powell  
1402 Camp Road, Unit 8-A  
Charleston, SC 29412

Re: Transcript Request  
Jack Powell v. Marshland Communities and MUSC, et al.  
Hearing Date: July 30, 2014

Dear Mr. Powell:

I am in receipt of your request for the transcript in the above-referenced matter. An up-front deposit is required before I start producing your transcript. This deposit would be an estimate because I won't know how many pages it will be until the transcript has been completed. Currently the Supreme Court has set the page rate for production of original transcripts at \$3.25 per page. Once your deposit is received, then the transcript will be placed in line to be produced and packaged for mailing. The statutes which govern my job functions allow up to sixty days for this process to be completed. The 60-day time limit would begin once your deposit is received by me.

Upon review of the records, I would estimate your transcript to be approximately 40 pages, at a cost of \$135.05, which includes postage, at the normal 60-day turnaround rate. Deposits are to be paid by a postal money order or bank cashier's check, as I cannot accept personal checks. If you end up overpaying me, then I would refund the difference, via a money order or cashier's check back to you, of course. If, however, the deposit does not cover the entire cost of the transcript, I will contact you regarding what the difference will be, and any additional funds must be received before I can mail the transcript to you.

If you want me to proceed with the production of your transcript, please send me a postal money order or bank cashier's check in the amount of \$135.05, and I will be happy to proceed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ruth Mott".

Ruth Mott, RPR, CRR

cc: V. Claire Allen,  
Deputy Clerk, Court of Appeals

E

PO Box 2012  
Goose Creek, SC 29445  
610-299-1618  
[Ruthmott1412@comcast.net](mailto:Ruthmott1412@comcast.net)

September 5, 2015

VIA US PRIORITY MAIL

Jack Powell  
1402 Camp Road, Unit 8-A  
Charleston, SC 29445

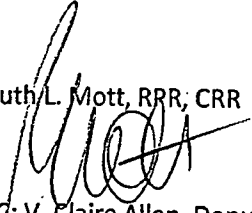
*I NEVER SAW THIS  
POSTED ?*



Dear Mr. Powell,

I am enclosing a copy of correspondence I sent you and copied the Court of Appeals on August 2, 2015 regarding your requested transcript. Upon receipt of payment your transcript will be sent to you by US Priority Mail.

Sincerely,

  
Ruth L. Mott, RRR, CRR

CC: V. Claire Allen, Deputy Clerk of Court, Court of Appeals  
Desiree Allen, Office of Court Administration

*MUSS  
Relief*

JAMES ISLAND  
1379 FOLLY RD  
CHARLESTON  
SC

294123005  
4514810248

09/24/2015 (800)275-8777 3:42 PM

Product Description	Sale Qty	Final Price
---------------------	----------	-------------

First-Class Mail	1	\$2.08
------------------	---	--------

Large Envelope  
(Domestic)  
(COLUMBIA, SC 29201) ←  
(Weight:0 Lb 5.10 Oz)  
(Expected Delivery Day)  
(Saturday 09/26/2015)

First-Class Mail	1	\$2.08
------------------	---	--------

Large Envelope ← *BIVE notebook*  
(Domestic)  
(CHARLESTON, SC 29401)  
(Weight:0 Lb 5.20 Oz)  
(Expected Delivery Day)  
(Saturday 09/26/2015)

Total	\$4.16
-------	--------

Cash	\$10.00
Change	(\$5.84)

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Order stamps at [usps.com/shop](http://usps.com/shop) or call 1-800-Stamp24. Go to [usps.com/clicknship](http://usps.com/clicknship) to print shipping labels with postage. For other information call 1-800-ASK-USPS.

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Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at [usps.com/poboxes](http://usps.com/poboxes).  
\*\*\*\*\*

All sales final on stamps and postage  
Refunds for guaranteed services only  
Thank you for your business

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECEIPT  
POSTAL EXPERIENCE

Go to:  
<https://postalexperience.com/Pos>

or scan this code with  
your mobile device:



**RECEIVED**

FEB 29 2016

SC Court of Appeals

G

FORM 12  
NOTICE THAT TRANSCRIPT HAS NOT  
BEEN TIMELY RECEIVED

October 12th, 2015

Deputy Clerk; V. Claire Allen  
1220 Sumter Street  
Columbia, South Carolina 29201

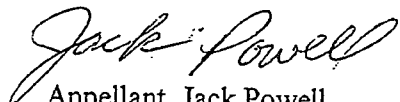
RE: Medical University of South Carolina v Jack Powell, Appellant, Case 2015-001331

Dear Deputy Allen,

This is Appellant Jack Powell and I'm reporting that I received a response by reporter Ruth Mott on August 2<sup>nd</sup> for Marshland Communities and MUSC which stated; Upon review of the records, I estimate your transcript to be approximately 40 pages at a cost of \$135.05. Then the case for Marshland was dismissed and I made the request again just for MUSC and asking for the exact amount of pages. On September 30<sup>th</sup> in her response just for MUSC she stated; The transcript is 40 pages at a cost of \$135.05.

On July 22<sup>nd</sup> I received a response from Reporter Karen Anderson requesting \$21.50 for the transcript where I spoke 13 times covering only 2 pages in case 2015-000049 and during this MUSC 2015-001331 hearing I was only allowed to speak three sentences before being cut off by Judge Dennis and him then granting MUSC Summary Judgment. Therefore the cases were basically the same amount or less and I'm questioning the accuracy of this estimate the reporter has made and I'm also requesting the administration to look into this or possibly make a suggestion or a procedure for a Pro se to follow to get to the bottom of this.

10-12-2015

  
Appellant, Jack Powell  
1402 Camp Rd. Unit 8-A  
Charleston, S.C. 29412  
[carolineschair@gmail.com](mailto:carolineschair@gmail.com)  
(843) 952-4762

cc; Court Reporter, Ruth Mott  
Attorney of record, John Arthur Jones

within 10 days / Proof In Form

MLC

H

↓  
 JAMES ISLAND  
 579 FOLLY RD  
 CHARLESTON  
 SC  
 294123005  
 08/08/2015 (800)275-8777 10:44 AM

Product Description	Sale Qty	Final Price
(Forever) Celebrity Chefs PSA (Unit Price:\$0.49)	2	\$0.98
Total		\$0.98

Debit Card Remit'd \$0.98  
 (Card Name:Debit Card)  
 (Account #:XXXXXXXXXX1108)  
 (Approval #:PZXLQI)  
 (Transaction #:695)  
 (Receipt #:000730)  
 (Debit Card Purchase:\$0.98)  
 (Cash Back:\$0.00)

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\*\*\*\*\*  
 BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.  
 \*\*\*\*\*

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

\*\*\*\*\*  
 Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.  
 \*\*\*\*\*

All sales final on stamps and postage  
 Refunds for guaranteed services only  
 Thank you for your business

HELP US SERVE YOU BETTER

Go to:  
<https://portal.usps.com>



Bill #  
 Clerk:



*MISC SIGN PROOF*

JAMES ISLAND STATION  
579 FOLLY RD  
CHARLESTON SC  
294123005  
4514810248

12/10/2015 (800)275-8777 4:07 PM

Product Description Sale Qty Final Price

First-Class Mail Letter (Domestic) (COLUMBIA, SC 29201) (Weight: 0 Lb 0.40 Oz) (Expected Delivery Day) (Saturday 12/12/2015)  
Certified 1 \$3.45 (USPS Certified Mail #) (70122210000010812856)  
Return Receipt 1 \$2.80 (USPS Return Receipt #) (9590940212305246206678)

Total \$6.74

Cash \$6.75  
Change (\$0.01)

For tracking or inquiries go to USPS.com or call 1-800-222-1811.

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

\*\*\*\*\*  
BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.  
\*\*\*\*\*

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clickship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

\*\*\*\*\*  
Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.  
\*\*\*\*\*

All sales final on stamps and postage  
Refunds for guaranteed services only  
Thank you for your business

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT POSTAL EXPERIENCE

Go to:  
<https://postalexperience.com/Pos>

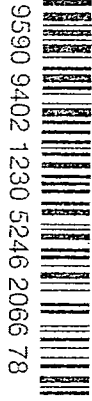
on scan this code with

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Court of Administration  
1220 Senate St.  
Columbia, SC 29201*



9590 9402 1230 5246 2066 78

2. Article Number (Transfer from service label)

7012 2210 0000 1081 2856

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Signature  Agent

B. Received by (Printed Name) *[Signature]*  Addressee

C. Date of Delivery *12/11/15*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type

Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (\$500)

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Return Receipt for Merchandise  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery

Domestic Return Receipt

7012 2210 0000 1081 2856

U.S. Postal Service  
CERTIFIED MAIL RECEIPT  
(Certified Mail®/Registered Mail™/Signature Confirmation™/Priority Mail Express®)

POSTAGE PAID PERMIT NO. 1000 COLUMBIA, SC 29201

Postage \$7.45  
Certified Fee \$2.80  
Return Receipt Fee (Endorsement Required) \$0.00  
Restricted Delivery Fee (Endorsement Required) \$0.00  
Total Postage & Fees \$6.74

Postmark  
12/10/2015 0249 05

Sent To: *Court of Administration  
1220 Senate St  
Columbia SC 29201*

Street Apt No.:  
City, State, ZIP+4®

RECEIVED  
FEB 29 2016  
SC Court of Appeal

*Handwritten initials*

FORM 7  
PROOF OF SERVICE FOR FORM 12

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

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

**RECEIVED**

R. Markley Dennis, Circuit Court Judge

DEC 03 2015

SC Court of Appeals

Case No. 2015-001331

Medical University of  
South Carolina

Respondent,

v.

Jack Powell,

Appellant.

PROOF OF SERVICE

Appellant certifies that he served a copy of his Form 12 through the USPS to Barnwell & Whaley on 10-12-15, addressed to 288 Meeting St. Ste. 200, Charleston S.C. 29401.

October 12th, 2015

*Jack Powell*

Appellant, Jack Powell  
1402 Camp Rd. Unit 8-A  
Charleston, South Carolina 29412  
(843) 952-4762

cc; Deputy Clerk, V. Claire Allen  
Court Reporter, Ruth Mott

**RECEIVED**

FEB 29 2016

SC Court of Appeals

FORM 7  
PROOF OF SERVICE FOR FORM 12

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

RECEIVED

DEC 03 2015

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Case No. 2015-001331

Medical University of  
South Carolina

Respondent,

v.

Jack Powell,

Appellant.

PROOF OF SERVICE

Appellant certifies that he served a copy of his Form 12 through the USPS to Reporter Ruth Mott and was mailed on 10-12-15, addressed to PO Box 2012, Goose Creek S.C. 29445.

October 12th, 2015

*Jack Powell*  
Appellant, Jack Powell  
1402 Camp Rd. Unit 8-A  
Charleston, South Carolina 29412  
(843) 952-4762

cc; Deputy Clerk, V. Claire Allen  
Barnwell & Whaley

RECEIVED  
FEB 29 2016

SC Court of Appeals

FORM 7

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

**RECEIVED**

DEC 03 2015

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Case No. 2015-001331

Medical University of  
South Carolina

Respondent,

v.

Jack Powell,

Appellant.

PROOF OF SERVICE

Appellant has mailed a copy of his Motion to Re-instate by USPS to Attorney  
Barnwell & Whaley located at 288 Meeting Street, Ste. 200 Charleston S.C. 29401.

Dec. 1<sup>st</sup>, 2015

Appellant, Jack Powell  
1402 Camp Rd. Unit 8-A  
Charleston, South Carolina 29412  
(843) 952-4762

**RECEIVED**

FEB 29 2016

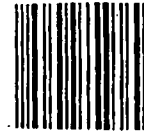
cc; Deputy Clerk, V. Claire Allen  
Barnwell & Whaley, Jay Jones

SC Court of Appeals

JACK POWELL  
1402 Camp Rd Unit 8-A  
CHARLESTON, SC 29412



1000



29201

U.S. POSTAGE  
PAID  
CHARLESTON, SC  
29412  
DEC 01 15  
AMOUNT  
**\$7.89**  
R2304N118306-15

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7015 1730 0001 6208 5039

S.C. COURT OF ADMINISTRATION  
CO/ JENNY RITCHINGS OR V. CLARE ALLEN  
1220 SENATE STREET. STE 200  
COLUMBIA, S.C. 29201

**RECEIVED**

DEC 03 2015

SC Court of Appeals

SC Court of Appeals

FEB 29 2016

**RECEIVED**

February 24<sup>th</sup> 2016

V. Claire Allen, Deputy Clerk  
South Carolina Appeals  
Post Office Box 11629  
Columbia, S.C. 29211

**RECEIVED**

FEB 29 2016

SC Court of Appeals

Re; Jack Powell v. Marshland Communities LLC  
Appellant Case No. 2015-001511

Ms. Allen,

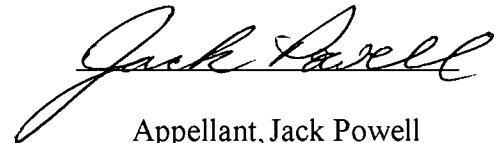
Enclosed please find an original and copy of Appellants Motion to Vacate and Reinstate Appeal 2015-001511 and also included in this letter is a concern about an improper return of the above said Motion that was signed on 2-11-16 (Exhibit A) and mailed to the Court of Administration and returned on 2-12-16 (Exhibit B).

Appellant submits this was an improper return because the Motion both had on the front page as Desiree Allen explained; Motion to Vacate Dismissal and Reinstate Appeal which included the South Carolina Court of Appeals and the Court of Administration located at 1220 Senate St. ste. 200 Columbia, S.C.

On Dec. 3, 2015 the Appellant submitted his Motion to Reinstate in Appeal 2015-001331 because of mistakes by the Clerks Office and posted on the last page of the motion is a copy of the certified mail package addressed to the S.C. Court of Administration. (Exhibit C). Also this certified mail was signed by (Exhibit A, appears to be P. Grant) and again (Exhibit D) has P. Grant signing on 12-10-15 for Appellants return of his signed proof of service in the MUSC Appeal 2015-001331. This also wasn't filed and the Remittitur was sent to the lower Court.

Therefore please find the original copy and 6 copies for Appellants Motion.


Feb. 24, 2016



Appellant, Jack Powell  
1402.Camp Road Unit 8-A  
Charleston, S.C. 29412  
(843)952-4762

cc; V. Claire Allen  
Simon & Dean

A.

SENDER - COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: S.C. COURT OF ADMINISTRATION 1220 SENATE ST STE 200 COLUMBIA SC 29201	B. Received by (Printed Name) P. Graft	C. Date of Delivery 2/11/16
 9590 9402 1230 5246 2135 53	D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number. (Transfer from service label) 7012 2210 0000 1081 2849	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Restricted Delivery <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt

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FEB 29 2016

SC Court of Appeals



B

South Carolina Court Administration  
South Carolina Supreme Court  
Columbia, South Carolina

ROSALYN FRIERSON  
DIRECTOR

1220 SENATE STREET, SUITE 200  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1800  
FAX: (803) 734-0269

February 12, 2016

Mr. Jack Powell  
1402 Camp Road, Unit 8-A  
Charleston, SC 29412

Dear Mr. Powell:

I am responding to a package received in my office on February 12, 2016. In this package was enclosed a Motion to Vacate Dismissal and Reinstate Appeal. Also enclosed were two Postal Money Orders in the amount of \$25.00 each made out to "S.C. Court of Administration". There was no explanation included in this packet. If you are making a motion to the Court of Appeals, you must deal with that office directly. Please contact them for the proper procedure.

If you have questions regarding transcripts and/or court reporters, please contact this office.

Sincerely,

Desiree R. Allen  
Court Reporter Manager

Attachments: Motion  
Postal Money Orders (two) in the amount of \$25

RECEIVED

FEB 29 2016

SC Court of Appeals

JACK Powell  
1402 Camp Rd Unit 8-A  
Charleston, SC 29412



1000



29201

U.S. POSTAGE  
PAID  
CHARLESTON, SC  
29412  
DEC 01 15  
AMOUNT  
**\$7.89**  
R2304N118306-15

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7015 1730 0001 6208 5039

S.C. Court of Administration  
c/o JENNY KITCHINGS OR V. CHARIE ALLEN  
1220 Senate Street. Ste 200  
Columbia, S.C. 29201

**RECEIVED**

DEC 03 2015

SC Court of Appeals

SC Court of Appeals

FEB 29 2016

**RECEIVED**

*SC  
STW Post*

=====

JAMES ISLAND STATION  
579 FOLLY RD  
CHARLESTON  
SC  
294123005  
4514810248  
(800) 275-8777 4:07 PM

12/10/2015

=====

Product Description	Sale Qty	Final Price
First-Class Mail Letter (Domestic) (COLUMBIA, SC 29201) (Weight: 0 Lb 0.40 Oz) (Expected Delivery Day) (Saturday 12/12/2015)	1	\$3.45
Certified Mail (USPS Certified Mail #) (70122210000010812856)	1	\$2.80
Return Receipt (USPS Return Receipt #) (9590940212305246206678)	1	\$6.74
<b>Total</b>		<b>\$6.74</b>

Cash Charge (\$0.01)

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Court of Administration  
1220 Senate St.  
Columbia, SC 29201



9590 9402 1230 5246 2066 78

2. Article Number (Transfer from service label)

7012 2210 0000 1081 2856

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*[Signature]*

B. Received by (Printed Name) *[Signature]*

C. Date of Delivery *12/14/15*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Registered Mail Restricted Delivery (\$500)	

Domestic Return Receipt

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**COLUMBIA, SC 29201**

**OFFICIAL USE**

Postage	\$3.45	0248
Certified Fee	\$2.80	05
Return Receipt Fee (Endorsement Required)	\$0.00	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	12/10/2015

Sent To *Court of Administration*  
Street, Apt. No., or PO Box No. *1220 Senate St.*  
City, State, ZIP+4 *Columbia SC 29201*

PS Form 3800, August 2006 See Reverse for Instructions

7012 2210 0000 1081 2856

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**FEB 29 2016**  
**SC Court of Appeals**

For tracking or inquiries go to [usps.com](http://usps.com) or call 1-800-222-1811.

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BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.  
\*\*\*\*\*

Order stamps at [usps.com/shop](http://usps.com/shop) or call 1-800-Stamp24. Go to [usps.com/clicknship](http://usps.com/clicknship) to print shipping labels with postage. For other information call 1-800-ASK-USPS.

\*\*\*\*\*  
Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at [usps.com/poboxes](http://usps.com/poboxes).  
\*\*\*\*\*

\*\*\*\*\*  
All final on stamp and postage features for guaranteed services only. Thank you for your business.  
\*\*\*\*\*

HELP US SERVE YOU BETTER  
TELL US ABOUT YOUR RECENT POSTAL EXPERIENCE

Go to: <http://postalexperience.com/Pos>

**FORM 7  
PROOF OF SERVICE**

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

**RECEIVED**

FEB 29 2016

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Case No. 2015-001511

Marshland Communities LLC

Respondent,

v.

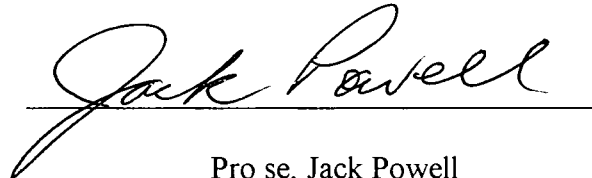
Jack Powell,

Appellant.

**PROOF OF SERVICE**

I certify that I have served the Motion to Vacate and to Reinstate this Appeal on the Marshland Communities LLC. by depositing a copy in the United States Mail, postage prepaid on February 24th, 2016 and addressed to their attorney of record, Simon & Dean located at 147 Wappoo Creek Dr. Suite 604, Charleston S.C. 29412.

February 24th, 2016



Pro se, Jack Powell  
1402 Camp Rd. Unit 8-A  
Charleston, South Carolina 29412  
(843) 952-4762

CC: V. CLAIRE ALLEN  
SIMON & DEAN (843) 762-9132



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

September 24, 2015

The Honorable Julie J. Armstrong  
100 Broad St Ste 106  
Charleston SC 29401-2210

**RECEIVED**

FEB 29 2016

**REMITTANCE** SC Court of Appeals

Re: Jack Powell v. Marshland Communities, LLC  
Lower Court Case No. 2013CP1005876  
Appellate Case No. 2015-001511

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Jack Powell  
Derek Farrell Dean, Esquire

1402 Camp Road Unit 8-A  
Charleston, SC 29412



1024



29201

U.S. POSTAGE  
PAID  
CHARLESTON, SC  
29412  
FEB 25, 16  
AMOUNT

**\$9.85**

R2304N118309-09

**RECEIVED**

FEB 29 2016

SC Court of Appeals

S.C. COURT OF APPEALS  
c/o Jenny Kitchings / v. CLARE ALLEN  
1220 SENATE STREET  
COLUMBIA, SC 29201

**PRIORITY**  
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