

FINAL REPLY BRIEF

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Mikell R. Scarborough, Master-In-Equity

Case No. 2009-JG-10-685
Appellant Case No. 2014-001345

Charleston Harbor Marina and Marina,

Respondent,

v.

Paul A. Davis,

Appellant.

FINAL REPLY BRIEF OF APPELLANT

Paul A. Davis
14639 C.R. Koon Highway
Newberry, S.C. 29108
803-321-7414
Appellant Pro Se

William A. Scott
772 St. Andrews Blvd.
Charleston S.C. 29407
843-556-5656
Attorney for Respondent

April 20, 2015

Jenny Abbott Kitchings
Clerk Of Court
South Carolina Court Of Appeals
P.O. Box 11629
Columbia, S.C. 29211

RE: Charleston Harbor Resort & Marina v. Paul A. Davis
South Carolina Court of Appeals, Case No. 2014-001345

Dear Ms. Kitchings:

Enclosed please find an original and fifteen (15) copies of the Final Reply Brief of the Appellant, and the Certificate of Service in the above-referenced matter.

By copy of this letter, the Final Reply Brief of the Appellant and Certificate of Service are being served upon the Respondent's Attorney, William A. Scott.

Sincerely,

Paul A. Davis
14639 C. R. Koon Highway
Newberry, S.C. 29108
Davis 979@gmail.com
Pro SE

cc: William A. Scott

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FINAL REPLY BRIEF OF APPELLANT

As the Court is aware I am Pro Se, I will attempt to make my reply brief as concise and to the point as possible.

The question in this case is: Was I served? I am stating under the full penalty of perjury, I was not noticed or served, and had absolutely no knowledge of the complaint filed against

me or the ensuing judgment. I was not made aware of the judgment until several years later. Respondent's attorney sent service to Dover, Delaware, a city and state that I have never visited, and served upon a person whom I have never met, and certainly would have no authority to accept service of any kind on my behalf. I believe this to be an intentional act of deception by the respondent's attorney to deprive me of my right to have an opportunity to have my day in court to defend myself.

As evidenced by my motion to strike respondent's designation of matter (excluding no. 9), respondent's attorney is trying to include irrelevant information that has no bearing on this case.

My appellant's reply brief is accompanied by a letter from the Postmaster of the USPS located in Newberry, SC stating and verifying that 14639 C.R. Koon Highway has been a good delivery address for Rural Route 2 in Newberry, SC since 1997 ("Exhibit C"). Also included are random statements and newsletters from the respondent with dates from 2007, 2008, 2013, 2014, with the most recent being Dec. 1st, 2014 ("Exhibit D"). This is absolute proof that the respondent has had an active address by which I could have been noticed and served, instead respondent's attorney sent service to a city and state that I have never visited and served a person whom I have never met, and absolutely had no authority to accept service on behalf.

Simultaneously, I am filing a motion to amend my original designation of matter to be included in the record on appeal, letter from the Postmaster of the USPS in Newberry, SC ("Exhibit C") and statements and newsletters from the respondent dating from 2007 to current, Dec. 1st, 2014 (" Exhibit D").

In summary: it is my statement under the full penalty of perjury that I was not served, nor did I have any knowledge of any kind of respondent's complaint and I will volunteer to a polygraph exam at my own expense regarding these facts. The only evidence in this case is the affidavit of Daniel F. Delcollo ("Exhibit A"), affidavit of Joyce Lockhart ("Exhibit B"), letter from USPS Newberry, SC Postmaster, Ronnie Derrick ("Exhibit C"), statements and newsletters from respondent to 14639 C.R.Koon Highway, Newberry, SC 29108 ("Exhibit D"). This is proof I have had an active address since 1997 to current at which I could have been noticed or served.

I was not served, had no knowledge of any lawsuit of judgment, wherefore, I the appellant prays for an Order to Vacate Judgment as Void.

Thank you in advance for your consideration in this matter.

Respectfully,

Paul A. Davis
14639 C.R. Koon Highway
Newberry, S.C. 29108
803 321 7414
davis979@gmail.com
Pro Se

Certificate of Counsel

The undersigned hereby certifies that the Certificate of Counsel for The Final Reply Brief contains all material proposed to be included by any of the parties and not any other material.

June 8, 2015



Paul A. Davis

14639 C. R. Koon Highway

Newberry, S. C. 29108

803-321-7414

Appellant Pro Se

THE STATE OF SOUTH CAROLINA

In The Court Of Appeals

APPEAL FROM CHARLESTON COUNTY

Court Of Common Pleas

The Honorable Mikell R. Scarborough, Master In Equity

Case No. 2009-JG-10-685

Appellate Case No.2014-001345

Charleston Harbor Resort and Marina,

Respondent

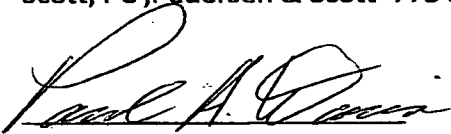
v.

Paul A. Davis,

Appellant

CERTIFICATE OF SERVICE

I hereby certify that I served the Certificate of Counsel for The Final Reply Brief of the Appellant on Charleston Harbor Resort and Marina by depositing a copy of it in The United States Mail, postage prepaid, on June 8, 2015, addressed to its Attorney of record, William A. Scott, PC, Pedersen & Scott 775 St. Andrews Boulevard, Charleston, SC 29407.



Paul A. Davis Pro Se
14639 C.R. Koon Highway
Newberry, S.C. 29108
803 321 7414
davis979@gmail.com