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THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM HORRY COUNTY JUL 15 2016

SC Court of Appeals

Case No. 2015-002255

Tommy J Bellamy-----, Appellant

v.

Horry County Assessor-----, Respondent

MOTION TO STRIKE RESPONDENTS MOTION TO DISMISS APPEAL AND APPELLANT'S MOTION FOR SANCTIONS

Tommy J. Bellamy Attorney Pro se
3658 Sea Mountain Highway,
Little River, South Carolina 29566
843 457-3625

The Appellant Tommy J. Bellamy, respectfully moves the Court for an Order pursuant to Rule 11(a), SCRCF, S.C. Code 15-36-10(A) (4), and 15-36-10(A)(4), and 15-36-10 (G)(3) imposing injunctive sanctions upon Respondent , Horry County Assessors Attorneys in connection with filing of multiple pleadings and motions on the basis that there are no good grounds to support the motions and pleading, that they are duplicative in nature, and they are interposed in bad faith and/or solely for delay of Respondent's filings. Appellant bases this motion on the fact that all necessary filing to the Court has been corrected in a timely matter. A Motion to Substitute a corrected brief was filed on June 21, 2016. The Court has not conferred with the Appellant with additional corrections at this time. Additionally, Respondent has filed this Motion out of Time and has blamed this delay on improper mail delivery. The Appellant has received all correspondent from this Court as well as the Respondent in the identical mail receptacle. The Respondent is alleging that there was no mail receptacle for the Appellant on June 16, 2016, but there was a receptacle on June 14, 2016, June 23, 2016 and July 8, 2016, the date the Appellant received the Motion to Dismiss (See Attachment A). The mail receptacle has not changed.

I pray that this Court will Strike the Respondent's Motion to Dismiss on technicalities that have previously been resolved and base this Appeal on the merits of the case.




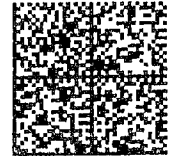
Tommy J. Bellamy
Attorney Pro se
3684 Sea Mountain Highway
Little River, South Carolina
29566

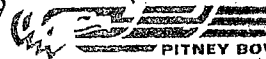


Taneisha Gore
acknowledged before me on
July 14th 2016



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Attachment A

THOMAS & BRITAIN, P.A.
 POST OFFICE BOX 1290
 MYRTLE BEACH, S.C. 29578

To:
 Mr. Tommy J. Bellamy
 3684 Sea Mountain Highway
 Little River, South Carolina 29566

A Attachment A

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature <input type="checkbox"/> Agent <i>Dezaria Young</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery <i>Dezaria J. Young 6/14/10</i></p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p><i>Emma Brittain Atty At Law 1314 Professional Drive Myrtle Beach, SC 29577</i></p>  <p>9590 9402 1765 6074 4469 47</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p><i>7015 0920 0001 9133 1255</i></p>	<p>ected Delivery</p>
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature <input type="checkbox"/> Agent <i>Dezaria Young</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery <i>Dezaria J. Young 6/23/10</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p><i>Emma Brittain, Esquire 1314 Professional Dr Myrtle Beach, SC</i></p>  <p>9590 9402 1556 5362 7990 42</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

USPS TRACKING#



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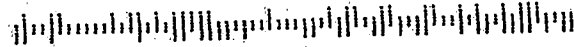


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Tommy Bellamy
3684 Sea Mountain Highway
Little River, SC
29566



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United States
Postal Service

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Tommy J Bellamy
3684 Sea Mt Highway
Little River, SC
29566



Attachment A

Attachment A

NORTH MYRTLE BEACH
GREATER SOUTH CAROLINA DISTRICT



DATE: July 13, 2016

To Whom It May Concern:

A letter addressed to Mr. Tommy J. Bellamy was returned as No Mail Receptacle dated June 27, 2016. The customer has a mail receptacle, and the letter was returned in error.

Thank you,

Letha M. Anderson

Letha M. Anderson
Officer In Charge
North Myrtle Beach SC 29582-9998
(843) 272-5864

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM HORRY COUNTY

Case No. 2015-002255

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JUL 15 2016

SC Court of Appeals

Tommy J. Bellamy-----, Appellant

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PROOF OF SERVICE

I Tommy J. Bellamy certify that I have re-served the Motion to Substitute Corrected Brief to Respondent and a Motion to Strike Motion to Dismiss from the Respondent on July 11, 2016 by depositing a copy in the United States mail with return receipt to the following:

Emma Britain
Attorney at Law
1314 Professional Drive,
Myrtle Beach, South Carolina, 29577

Tommy J Bellamy

Tommy J Bellamy
3684 Sea Mountain Highway
Little River, SC 29566

Arrigo P. Carotti
Horry County Attorney
Post Office Box 1236
Conway, South Carolina 29566

843 457-3625



Acknowledged before me on July 11th 2016
Taneisha Gore

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PRIORITY MAIL



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Expected Delivery Day: 07/14/2016

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TO:

The Honorable Jerry Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
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SC Court of Appeals



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