

**APPEAL FROM LEE COUNTY
Common Pleas Courthouse**

R. Ferrell Cothran, Jr., Circuit Judge

Case Number: CASE NO: 3:13-CV-03481

United States of America, acting
through the Farmers Home Administration, United States
Department of Agriculture.....**Respondent,**

V.

Maxie Lee Thomas, Jr. a/k/a Maxie Lee
Thomas, deceased, and all other heirs at
Law and/or distributes of Maxie Lee
Thomas, deceased, his heirs, Personal
Representatives, executors,
Administrators, successors and assigns
And spouses if any he has and all
Person entitled to claim under or
Through him or any of them; all persons
Unknown claiming any right, title
Estate, interest in or lien upon the real
Estate described in the complaint
Herein; also any persons who may be in
The military service of the United States
Of America, being a class designated as
John Doe; and any unknown minors or
Persons under a disability being a class
Designated as Richard Doe, Laura Ann
Toney, and Brittany Nicole Thomas, Defendants,

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Of Whom Laura Ann Toney is the Appellant.

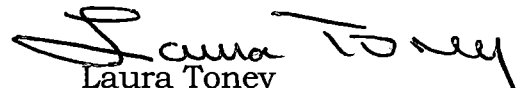
RESPONSE TO COURT DIRECTIVE ON MOTION FOR AN ABEYANCE

The Appellant respectfully requests that the above case is held in abeyance
until the following Motions are disposed of in State Court. The Motions are
“Objections to Proposed Order To Deny Amended Notice of Exparte Application and
Exparte Application to Vacate Order.” The document is enclosed with this request.

This Motion is included in the Appeal, but has not been ruled on in State Court.

For the above reason, the Appellant is respectfully requesting that the case is held in abeyance. The Appellant will notify the Court when the Motion is ruled on in State Court.

August 2, 2016


Laura Toney
P.O. Box 722
Bishopville, SC 29010
(803) 459-6006

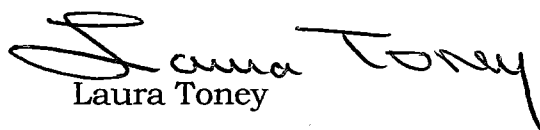
CC: Tyler, Cassell, Jackson, Peace & Silver L.L.P.
P.O. Box 11656
1331 Elmwood Avenue, Suite 300
Columbia, SC 29211

Enclosure: Motion filed in State Court

CERTIFICATE OF SERVICE

The Appellant, Laura Toney, certifies that she mailed a copy of the **RESPONSE TO COURT DIRECTIVE ON MOTION FOR AN ABEYANCE** via United States Postal Service on August 2, 2016, addressed as follows:

Tyler, Cassell, Jackson, Peace & Silver L.L.P.
P.O. Box 11656
1331 Elmwood Avenue, Suite 300
Columbia, SC 29211


Laura Toney

P.O. Box 722

Bishopville, SC 29010

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**STATE OF SOUTH CAROLINA
PLEAS**

IN THE COURT OF COMMON

COUNTY OF LEE

CIVIL ACTION O: 2009-CP-31-0131

United States of America, acting through the
Farmers Home Administration, United
States Department of Agriculture,

Plaintiff,

Vs.

Maxie Lee Thomas, Jr. a/k/a Maxie Lee
Thomas, deceased, and all other heirs at law
And/or distributees of Maxie Lee Thomas, Jr.,
a/k/a Maxie Lee Thomas, deceased, his
heirs, personal representatives, executors,
administrators, successors and assigns, and
any spouses if any he has, and all persons
entitled to claim under or through him or any
of them; all persons unknown claiming any right,
title, estate, interest in or lien upon the
real estate described in the complaint therein;
also any persons who may be in the military
service of the United States of America, being
a class designated as John Dos; and any unknown
minors or persons under a disability
being a class designated as Richard Roe;
Laura Ann Toney; and Brittany Thomas,

Defendants.

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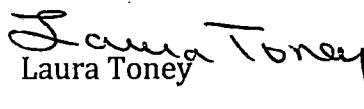
**OBJECTIONS TO PROPOSED ORDER TO DENY AMENDED NOTICE OF EXPARTE
APPLICATION AND EXPARTE APPLICATION TO VACATE ORDER**

The defendant, Laura Toney, hereby objects to the proposed order written on
October 16, 2015. The Defendant received the proposed order on November 3,
2015. The reasons for the objections are as follows:

1. The defendant did not receive written notice of the hearing held on October 1, 2015, until October 5, 2015. This is in violation of Rule 6. Even though the Plaintiff's letter was dated September 28, 2015, the envelope was postmarked October 3, 2015. The Lee County Clerk of Court received their copy on October 7, 2015.
2. The special hearing violated South Carolina Code of Special Court Sessions 14-5-950.
3. The hearing held on October 1, 2015, violates the Defendant's due process and constitutes an Exparte Communication that violated several Canons of South Carolina Rules of Professional Conduct. and South Carolina Rules of Civil Procedures. This is the second exparte communication with the court in this case.
4. The above Order is also in violation of several other ethics and procedures including but not limited to Fraud, and Misrepresentation,

For the above reasons, the defendant is requesting that the Order is declared null and void

November 5, 2015


Laura Toney

P.O. Box 722

Bishopville, SC 29010

CC: The Honorable R. Ferrell Cothran, Jr. (Certified Mail)

Tyler, Jackson, Peace, and Silver(Certified Mail)

CERTIFICATE OF MAILING

The defendant, Laura Toney, certifies that she mailed a copy of the defendant's **OBJECTIONS TO PROPOSED ORDER TO DENY AMENDED NOTICE OF EXPARTE APPLICATION AND EXPARTE APPLICATION TO VACATE ORDER** via certified return receipt mail on November 5, 2015, to the following:

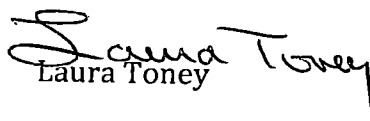
Tyler, Jackson, Peace, and Silver
P.O. Box 11656
Columbia, SC 29201

The Honorable R. Ferrell Cothran, Jr.
P.O. Box 32
Manning, SC 29102

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SC Court of Appeals


Laura Toney

P.O. Box 722

Bishopville, SC 29010

THE STATE OF SOUTH CAROLINA
IN THE COURT COMMON PLEAS

APPEAL FROM LEE COUNTY
Common Pleas Courthouse

R. Ferrell Cothran, Jr., Circuit Judge

Case Number: **CASE NO: 3:13-CV-03481**

United States of America, acting
through the Farmers Home Administration, United States
Department of Agriculture.....**Respondent,**

V.

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Thomas, deceased, his heirs, Personal
Representatives, executors,
Administrators, successors and assigns
And spouses if any he has and all
Person entitled to claim under or
Through him or any of them; all persons
Unknown claiming any right, title
Estate, interest in or lien upon the real
Estate described in the complaint
Herein; also any persons who may be in
The military service of the United States
Of America, being a class designated as
John Doe; and any unknown minors or
Persons under a disability being a class
Designated as Richard Doe, Laura Ann
Toney, and Brittany Nicole Thomas, Defendants,

Of Whom Laura Ann Toney is the **Appellant.**

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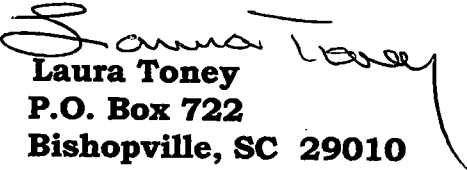
MOTION FOR AN ABEYANCE

The Appellant, Laura Toney, respectfully requests that this case is held in abeyance for the following:

- 1. There are Motions filed in the lower court that have not been disposed of that are related to this case.**
- 2. There are other issues in the lower court that need to be addressed for the lower court to address before this appeal can be addressed properly by the South Carolina Court of Appeals.**

For the above reasons, the Appellant respectfully requests that this Appeal is held in abeyance. The Appellant will notify the court when the Motions have been ruled on.

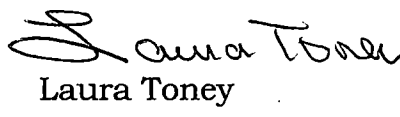
July 7, 2016


Laura Toney
P.O. Box 722
Bishopville, SC 29010
(803) 459-6006

CERTIFICATE OF SERVICE

The Appellant, Laura Toney, certifies that she mailed a copy of the Motion for An Abeyance via United States Postal Service on July 7, 2016, addressed as follows:

Tyler, Cassell, Jackson, Peace & Silver L.L.P.
P.O. Box 11656
1331 Elmwood Avenue, Suite 300
Columbia, SC 29211


Laura Toney

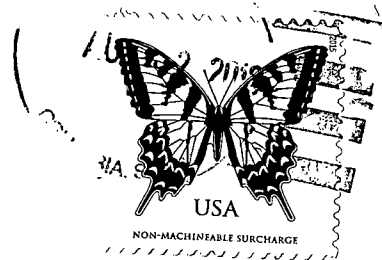
P.O. Box 722

Bishopville, SC 29010

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P.O. Box 722
Bishopville, SC 29010

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



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