

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas  
R. Lawton McIntosh, Circuit Court Judge

**RECEIVED**

AUG 12 2016

SC Court of Appeals

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Appellate Case No. 2016-001474  
Lower Court Case No. 2011-CP-32-01010

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Glenda Renee Couram, .....Petitioner,

v.

Mr. & Mrs. Christopher Hooker, Mr. & Mrs. Carl Reibold, All persons claiming any Legal or Equitable Right, Title, Estate, Lien or Interest in the Property described in the Complaint Adverse to the Plaintiff's, Cox & Dinkins, Inc., Fair Builders/Developers, Inc., Donald "Don" Rawls & Steve Fair in their official and individual capacities, Carolina Water Svc. (CWS), Carolina Trace Utilities, Inc., & Utilities, Inc. Corporate Offices (CWS),  
Defendants,

Of whom Mr. & Mrs. Hooker, Mr. & Mrs. Reibold, Cox & Dinkins, Inc., Donald "Don" Rawls and Steven A. Fair are the  
.....  
..... Respondents.

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RESPONDENTS HOOKERS' & REIBOLDS' MOTION  
TO DISMISS PETITIONER'S PETITION FOR  
WRIT OF CERTIORARI

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Respondents Mr. and Mrs. Christopher Hooker and Mr. and Mrs. Carl Reibold (the Neighbors) hereby move this Court for an Order dismissing Petitioner's Petition for Writ of Certiorari for the following reasons:

- 1) The Court of Appeals denied Petitioner's Petition for Rehearing by Order filed June 13, 2016.
- 2) Rule 242(c), SCACR, states a petition for writ of certiorari shall be served on opposing counsel and filed with proof of service with the Clerk of the Court of Appeals and the Clerk of the Supreme Court within thirty (30) days after the Petition for Rehearing is finally decided by the Court of Appeals.
- 3) Petitioner's proof of service submitted to this Court is dated July 13, 2016. However, her proof of service does not exhibit that the Clerk of the Court of Appeals received service of the Petition for Writ of Certiorari.
- 4) Counsel for the Neighbors received Petitioner's Petition for Writ of Certiorari on Monday, July 18, 2016, when he checked his mail at the Irmo branch of the Post Office. While Petitioner's proof of service presented to this Court is dated July 13, 2016 (the 30<sup>th</sup> day from the date of the filing of the Court of Appeals denial of Petitioner's Petition for Rehearing), the envelope used by Petitioner to mail her Petition for Writ of Certiorari to the Neighbors' counsel is postmarked July 14, 2016 (the 31<sup>st</sup> day from the date of the filing of the Court of Appeals denial of Petitioner's Petition for Rehearing) (see attached Exhibit "A").

- 5) Counsel for the Neighbors asked a postal clerk at the Irmo Post Office what the postmark indicated, and learned the Lexington branch of the Post Office received the envelope containing the Petition for Writ of Certiorari from Petitioner on July 14, 2016 and mailed the envelope on July 14, 2016 to the Neighbors' counsel.
- 6) Pursuant to Rule 242(c), SCACR, Petitioner submitted her Petition for Writ of Certiorari to the Neighbors' counsel after the thirty (30) days required for service as set forth by rule.
- 7) The Neighbors respectfully request that Petitioner's Petition for Writ of Certiorari be dismissed as Petitioner improperly served her Writ of Certiorari by failing to serve the Clerk of the Court of Appeals, and by serving the Neighbors' counsel outside of the thirty (30) day requirement as set by this Court in Rule 242 (c), SCACR.

Respectfully Submitted,

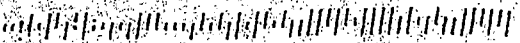


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L.A. "Smokey" Brown, Jr., Esquire  
LAW OFFICE OF SMOKEY BROWN, PC  
7567 St. Andrews Road, #102  
PO Box 1545  
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(803) 732-3797  
smokeybrown@smokeybrownlawfirm.com  
Attorney for Respondents Mr. & Mrs.  
Hooker and Mr. & Mrs. Reibold

Irmo, South Carolina

Dated this 10<sup>th</sup> day of August 2016.



Glenda "Glen" Couram  
104 Macaw Lane  
Lexington, SC 29073

L.A. "Smokey" Brown, Jr., Esq.  
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P.O. Box 1545  
Irmo, SC 29063



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v.

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claiming any Legal or Equitable Right, Title, Estate, Lien or Interest in the  
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Carolina Trace Utilities, Inc., & Utilities, Inc. Corporate Offices (CWS),  
Defendants,

Of whom Mr. & Mrs. Hooker, Mr. & Mrs. Reibold, Cox & Dinkins, Inc.,  
Donald "Don" Rawls and Steven A. Fair are the  
.....  
..... Respondents.

AFFIDAVIT OF SERVICE

I certify that I have served the *Motion to Dismiss Petitioner's Petition for Writ of Certiorari*, pursuant to Rules 240(d) and 262(b), SCACR, by depositing a copy of this in the United States Mail, postage prepaid, on August 10, 2016, to the attorneys and *pro se* litigants listed below:

Glenda Renee Couram  
104 Macaw Lane  
Lexington, SC 29073  
*Pro Se Petitioner*

R. Davis Howser, Esq.  
HOWSER, NEWMAN & BESLEY, L.L.C.  
PO Box 12009  
Columbia, SC 29211  
Attorney for Respondents  
Cox and Dinkins, Inc. and  
Donald "Don" Rawls

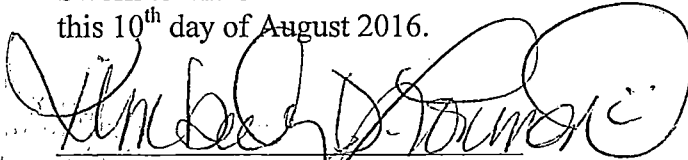
Steven A. Fair  
153 Shirway Road  
Lexington, SC 29073  
*Pro Se Respondent*

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211



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(803) 732-3797  
[smokeybrown@smokeybrownlawfirm.com](mailto:smokeybrown@smokeybrownlawfirm.com)  
Attorney for Respondents Mr. & Mrs.  
Hooker and Mr. & Mrs. Reibold

Sworn to and subscribed before me  
this 10<sup>th</sup> day of August 2016.



Notary Public for South Carolina

My Commission Expires: 6-1-21

# Law Office of Smokey Brown, PC

Attorney & Counselor at Law

L.A. "Smokey" Brown, Jr.

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Suite 102  
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August 10, 2016

VIA HAND DELIVERY

The Honorable Daniel E. Shearouse  
Clerk, SC Supreme Court  
1231 Gervais Street  
Columbia, SC 29201

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SC Court of Appeals

RE: *Couram v. Hooker & Reibold, et al*  
C/A #2016-001474

Dear Mr. Shearouse:

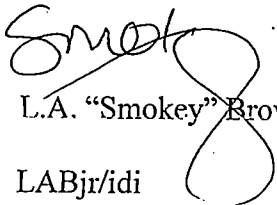
Enclosed please find the original and six (6) copies of the Respondents Hookers' & Reibolds' Motion to Dismiss Petitioners Petition for Writ of Certiorari, along with proof of service and the filing fee of \$25.00.

Please file the Motion to Dismiss and return a stamped copy to my attention. By way of a copy of this letter, I am serving all parties with a copy of the Motion to Dismiss.

Thank you for your attention to this matter. If you have any questions, please contact me at the office.

Sincerely,

LAW OFFICE OF SMOKEY BROWN, PC



L.A. "Smokey" Brown, Jr.

LABjr/idi

cc: Mr. & Mrs. Christopher Hooker  
Mr. & Mrs. Carl Reibold  
Glenda R. Couram  
R. Davis Howser, Esq.  
Steven Fair, *pro se*  
The Honorable Jenny Abbott Kitchings, Clerk, SC Court of Appeals

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings,  
Clerk, SC Court of Appeals  
PO Box 11629  
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