

IN THE STATE OF SOUTH CAROLINA  
COURT OF APPEALS

---

FROM THE SOUTH CAROLINA COURT OF COMMON PLEAS

Honorable Renee Allyson Lee, Judge

---

Case No.: 2016-000491

---

**RECEIVED**  
SEP 28 2016  
SC Court of Appeals

Crystal Faye Clark ..... APPELLANT

v.

Housing Authority of the City of Columbia ..... RESPONDENT

---

**INITIAL REPLY BRIEF OF APPELLANT**

---

**Kenneth A. Davis, Esquire and**  
Kristina Jones Catoe, Esquire  
Boykin, Davis & Smiley, LLC  
P. O. Box 11844  
220 Stoneridge Drive, Suite 100  
Columbia, South Carolina 29211  
(803) 254-0707  
(803) 254-5609  
[kjcatoe@boykinlawsc.com](mailto:kjcatoe@boykinlawsc.com)

*Counsel for Respondent,  
Housing Authority of the  
City of Columbia*

Johnny E. Watson, Sr.  
P. O. Box 2305 (29202)  
2715 Edgewood Avenue  
  
Columbia, South Carolina 29204  
  
(803) 400-1600 Phone  
(803) 400-1200 Fax  
[watsonlawfirm@sc.twcbc.com](mailto:watsonlawfirm@sc.twcbc.com)

*Counsel for Appellant,  
Crystal Faye Clark*

## **ARGUMENTS IN REPLY**

### **Reply to Respondent's Statement of the Case**

The Appellant is in agreement with the Respondent's Statement of the case which is substantially the same as that of the Appellant.

### **Reply to the Respondent's Statement of Facts**

The Appellant stands by its Statement of facts in its initial brief. The Appellant denies that she was evicted because of any illegal age on the rented premises and would show that while her son was arrested for illegal drugs the real reason for her eviction was her lawsuit filed in this case.

Further, the Appellant would show that while the Respondent had a notification procedure for reporting maintenance requests, the Respondent also took maintenance requests by telephone and those requests were not always written down by the Respondent. ROA \_\_\_\_\_.

The Respondent alleges that the Appellant made an unrelated work order which did not include the defects ion the stairwell. However it would have been redundant to place the stairs in the work order when the Respondent already knew about the Appellant's prior verbal request. The Appellanr would show that the stairwells were troublesome in many of the units so there was an ever standing request by her and many tenents to repair the stairs. ROA \_\_\_\_\_.

### **Reply to the Respondent's Standard of Review**

The Appellant is in agreement with the Respondent's Standard of Review which is substantially the same as that of the Appellant.

### **Reply to the Respondent's Argument I**

The Appellant stands by the arguments proffered in his brief.

### **Reply to the Respondent's Argument II**

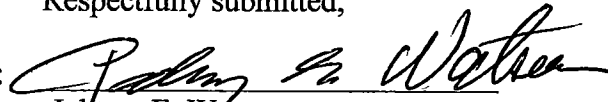
As it appears from the Respondent's brief that the Respondent has abandoned its assertion that the Appellant assumed the risk by using the only stairwell to enter her apartment, the Appellant finds the issue moot.

**CONCLUSION**

For the reasons stated in its brief, the Appellant respectfully requests that this Court remand this case to the lower court for a trial on the issue of notice which is a decision for the jury.

Respectfully submitted,

BY:



Johnny E. Watson,  
Attorney for Appellant,  
Crystal Faye Clark

Columbia, South Carolina  
Dated: August 26, 2016

IN THE STATE OF SOUTH CAROLINA  
COURT OF APPEALS

---

FROM THE SOUTH CAROLINA COURT OF COMMON PLEAS

Honorable Renee Allyson Lee, Judge

---

Case No.: 2016-000491

---

**RECEIVED**

SEP 28 2016

SC Court of Appeals

Crystal Faye Clark ..... APPELLANT

v.

Housing Authority of the City of Columbia ..... RESPONDENT

---

CERTIFICATE OF SERVICE

---

I, Johnny E. Watson, Attorney for the Appellant Crystal Faye Clark, hereby certify that I have served the individuals named below with a copy of the documents described herein by depositing them in the U. S. Mail, postage prepaid, addressed as follows::

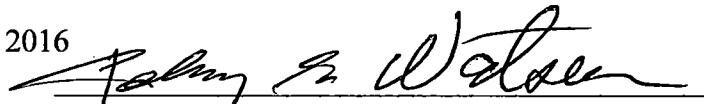
PERSONS SERVED:        Mr. Kenneth A. Davis  
                                 Boykin, Davis & Smiley, LLP  
                                 220 Stoneridge Drive, Suite 100  
                                 P. O. Box 11844  
                                 Columbia, South Carolina 29211

And

Honorable Jenny A. Kitchings  
Clerk of Court  
S. C. Court of Appeals  
1545 Sumter Street  
Columbia, S. C. 29201

DOCUMENT:        Initial Reply Brief of the Appellant, Designation of Matters to be Included in the Record on Appeal and Certificate of Counsel.

DATE SERVED: August 26, 2016

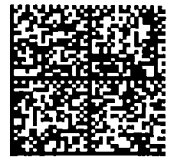
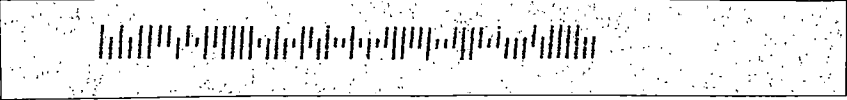
  
\_\_\_\_\_  
Johnny, Document Server

Columbia, South Carolina

Date: August 26, 2016



Johnny E Watson  
PO Box 2305  
Columbia, SC 29202-2305



U.S. POSTAGE  
**\$1.78**  
FCM LG ENV  
29201  
Date of sale  
09/26/16  
06 2S00  
08282331  
SSK

**RECEIVED**

SEP 28 2016

SC Court of Appeals

Honorable Jenny A. Kitchings  
Clerk, Court of Appeals  
1545 SUMNER STREET  
COLUMBIA, S.C. 29201