

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
R. Lawton McIntosh, Circuit Court Judge 15th Judicial Circuit

Civil Action No. 2014-CP-26-08367
2014-CP-26-03362 (formerly 2013-CP-02816)

Appellate Case No. 2016-001328

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SC Court of Appeals

Gabriel Barnhill & GSB Enterprises LLC Respondents,

v.

J Floyd Swilley, J Floyd Swilley Investment
Advisors, Laurel K Swilley, SMG Partners
LLC, SMS Services LP, William C Piner,
WCP Limited LLC, 809 Holdings LP, QC
Financing LLC, Heath Causey, and Sage
Financial Group LLC, J Floyd Swilley, SMG
Partners LLC, Alicia Piner, Heath Causey,
Sage Advisory Group LP, Sage Private
Equity Group LLC, Secured Asset Factoring
Exchange, Inc, SAFE, Inc, Digics, LLC, 9-1-1
Plumbing, LLC, and Sage Funding, LP and Defendants
Christopher Pitcock,

of whom J Floyd Swilley, Laurel K Swilley
and Heath Wendell Causey, are the Appellants.

APPELLANT'S REPLY TO MOTION TO STRIKE

Appellant Heath W. Causey hereby respectfully tenders his response to the
Respondent's Motion to Strike does hereby enters an objection and would state as
follows:

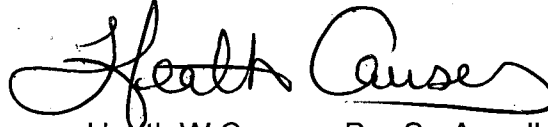
1.) Failure to provide notification, Please refer to page 11 of my initial brief ...“This Appellant references the entire Brief of the Swilleys’ and asserts the same arguments and assertions as his own unless specifically identified within this brief.”... Since that assertion was made then Mr Fata would then be required to ask me the same question that he asked the Swilleys Appellant. He should then be required to ask me the same question, he did not. He also did not copy me on the communication to Swilleys Attorney, as a pro se Appellants I should have been sent a copy. As you can see there was no reference to me being copied and I hereby attest that I was never copied on that correspondence. This is another in a series failure to recognize represented and non-represented litigants and only adds credence to our claim; and,

2.) We have never been allowed to challenge documents submitted by council. We should be allowed to challenge documents presented to the court that not properly sent to us to review. Please refer to Page 16 of my brief. . . ““Fata Letter attachment”, affidavit of Sally Huffman, item #3 only references the Swilleys’ and does not make reference to sending Heath Causey a copy of the notice or Defendants QC Financing LLC, Digits LLC or Chris Pitcock Pro se clearly showing a pattern for failure to copy the other parties on service timely as the copy of the affidavit was over 30 days old before servicing it to other parties.” In other words he filed this with the court, the court ruled on

this evidence, before it was even presented to us, how then could be have responded. Should we not be given a change to challenge evidence? This has violated our due process rights.

- 3.) Notary information is a matter of public record Pursuant to SCR 201 the court should take judicial notice of the matter. Please consider this a request for the court to take such notice.
- 4.) It is the belief of this Appellant that the Swilleys will also enter an objection to this motion and I hereby join with all of their objections, assertions, motions and judicial notices and hereby enter them as my own.

I SO MOVE:



Heath W Causey, Pro Se Appellant
1705 N Oak Street Suite 2
Myrtle Beach, SC 29577
t. 843-424-9258
heath.causey@mac.com
Pro Se Appellant

Counsel of Record:
Nate Fata, PA
P.O. Box 16620
Surfside Beach, SC 29587
Attorney for Respondents

F. Miles Adler
ADLER LAW FIRM, LLC
P.O. Box 4743
Pawleys Island, SC 29585
Attorney for Appellants Swilleys

Christopher Pitcock
24242 Branchwood Court
Lutz, FL 33559
Pro Se Defendant

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v.

J Floyd Swilley, J Floyd Swilley
Investment Advisors, Laurel K Swilley,
SMG Partners LLC, SMS Services LP,
William C Piner, WCP Limited LLC, 809
Holdings LP, QC Financing LLC, Heath
Causey, and Sage Financial Group LLC, J
Floyd Swilley, SMG Partners LLC, Alicia
Piner, Heath Causey, Sage Advisory
Group LP, Sage Private Equity Group
LLC, Secured Asset Factoring Exchange,
Inc, SAFE, Inc, Digics, LLC, 9-1-1
Plumbing, LLC, and Sage Funding, LP
and Christopher Pitcock,

Defendants

of whom J Floyd Swilley, Laurel K Swilley
and Heath Wendell Causey, are the

Appellants.

PROOF OF SERVICE


I certify that I have served the APPELLANT'S REPLY TO MOTION TO STRIKE by Appellant Heath W Causey by depositing a copy of it in the United States mail, postage prepaid, on October 3, 2016 addressed to the following:

Counsel of Record:

Nate Fata, PA
P.O. Box 16620
Surfside Beach, SC 29587
Attorney for Respondents

F. Miles Adler
ADLER LAW FIRM, LLC
P.O. Box 4743
Pawley's Island, SC 29585
Attorney for Appellants "Swilleys"

Christopher Pitcock
24242 Branchwood Court
Lutz, FL 33559
Pro Se Defendants



Heath W Causey

Heath W. Causey
1705 N Oak Street Suite 2
Myrtle Beach, SC 29577

October 3, 2016

VIA USPS PRIORITY MAIL

Jenny Abbot Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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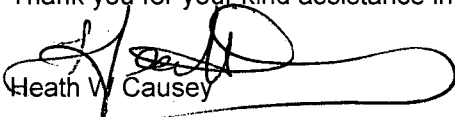
Re: Gabriel Barnhill and GSB Enterprises, LLC v J. Floyd Swilley at al.
Case No.: 2014-CP-26-08367 Appellate Case No.: 2016 -001377

Dear Ms. Kitchings,

Enclosed for filing the original and one (1) copies of the Appellants' Response to the Motion to Strike in the above referenced matter. Also enclosed is the filing fee in the amount of \$25.00.

Please return a filed copy to me in the enclosed self-addressed stamped envelope.

Thank you for your kind assistance in this matter


Heath W. Causey

CC: Nate Fata
F. Miles Adler, Esq
Christopher Pitcock, Pro Se

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SC Court of Appeals

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South Carolina Court of Appeals
P.O. Box 11629
Columbia SC 29211-1629



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