

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

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SC Court of Appeals

Crystal Faye Clark APPELLANT

v.

Housing Authority of the City of Columbia RESPONDENT

REPLY BRIEF OF APPELLANT

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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 act 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. ROA pg. 130, Ins 22 – 25.

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 pgs. 161 – 162.

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 Appellant would show that the stairwells were troublesome in many of the units so there was an ever standing request by her and many tenants to repair the stairs. ROA pg. 165, Ins. 6– 25 and pg. 166 In. 1.

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

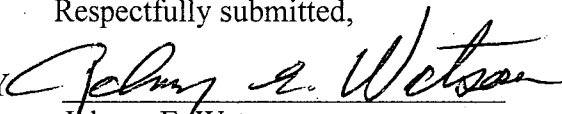
As it appears from the Respondent's brief that the Respondent has abandoned its assertion that the Appellant assumed the risk by using the only stairwell to enter her apartment, the Appellant finds the issue moot.

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: November 28, 2016