

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELY COUNTY
Court of Common Pleas

Dale Van Slambrook, Master In Equity

Case No. 2015-CP-08-00965
Appellate Case No. 2016-002234

PrimeLending, A
PlainsCapital Company,

Respondent

Respondent,

v.

Ronnell Demar Walker a/k/a
Ronnell D. Walker; and South
Pointe Homeowners Association
Defendants, Of whom Ronnell
Demar Walker a/k/a Ronnell D.
Walker is the Appellant

Appellant.

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AUG 10 2017

SC Court of Appeals

RESPONSE TO RESPONDENT'S MOTION TO STRIKE APPELLANT'S "RESPONSE"
BRIEF

Comes now I Ronnell Demar Bey in propria persona sui juris .

FACTS

Appellant received Respondent's Initial Brief on Saturday July 8, 2017. Respondents Initial Brief was dated Monday July 3rd which was sent out via United States Post Office. On Tuesday July 4th the United States Post Office was closed due to Independence Day. Per South Carolina Appellant Court Rule 208(a)(3), "**(3) Reply Brief.** An appellant may file and serve a brief in reply to the brief

of respondent. If a reply brief is prepared, appellant shall, within ten (10) days after service of respondent's brief." Ten days after receiving Respondent Brief is July 18, 2017 in which the ten days have been met.

1.) Per Appellant Amendment of Initial Brief dated April 21, 2017, under the header "FACTS" the first paragraph it states "The facts of this case are that Dale Van Slambrook, By Virtute Officii, color of law and Breach of Trust caused me great injury through abuse of office and negligence. Erica G Lybrand and Prime Lending a Plains Capital Company Using Fraud, Negligence, Slander, Breach of Trust, unprofessional Conduct and unfair practices deprived me of my constitutional secured rights to DUE PROCESS OF LAW, THE 5th, 6th and 9th amendments of The Constitution for The United States of America Republic and The South Carolina Constitution Article 1 Sections 1, 2, 3, 4, 10, 11, 13, 14, 16, 22, 23". Per Article 1 Section 14 it states "The right of trial by jury shall be preserved inviolate. Any person charged with an offense shall enjoy the right to a speedy and public trial by an impartial jury; to be fully informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to be fully heard in his defense by himself or by his counsel or by both. (1970 (56) 2684; 1971 (57) 315.)".and to include the fact that the lawful and legal Discovery and Disclosure affidavit was never lawfully answered nor did the alleged Plaintiff ever provide any proof of a loss of money or financial injury caused by I Ronnell Demar Bey ,to which the Master in equity had a fiduciary duty to dismiss for failure to state a claim upon which relief can be granted. .FRCP 12 (b)6.

2.) This issue concerning construe pro se documents has been settled, Estelle v Gamble, 429 U.S.97 (1976), holding them to a less stringent standard than those drafted by attorneys, also see Hughes v

Rowe ,449 U.S 5 (1980). These are not issues that I am bringing up for the first time these are US Supreme Court cases that have already been decided.

3.) Per Appellant's Amended Initial Brief dated April 21, 2017, under the section "FACTS" paragraph three "United States Supreme Court case of Carpenter v Longen, absent a loss, a claimant has suffered no injury. Unless a claimant can colorably assert a loss, it lacks standing. See Lujan v. Defenders of Wildlife, 504 U.S., 560 (1992) an injury is a required element of Constitutional Standing."

4.) I am presenting these arguments as it pertains to law not as a new issue or argument for the first time. These are cases of stare decisis already ruled upon and decided upon by the Supreme Court.

CONCLUSION

Appellant believes this motion should be denied based on the facts listed above. If the lawsuit is based upon a loan you must allege that the loan was made. If their action is based upon acquisition of the loan you still must allege that the loan was made and that they actually paid for acquisition of the loan. Otherwise the claim is speculative, fraudulent and cannot invoke the jurisdiction of the Court. Without that the second requirement is impossible to meet — that you have suffered damages as a result of the making the loan and the borrower not repaying it. These are not mere empty recitals. Without them, no lawsuit can continue. Appellant prays this honorable court allows this case to move forward so that I can continue the fight for my home and hopes that justice will prevail.

Respectfully submitted,

August 8, 2017

I Am: Ronnell Demar Bey
Ronnell Demar Bey, Authorized Representative
Natural Person, In Propria Persona: Sui Juris
Ex Relatione RONNELL DEMAR WALKER
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U.C.C. 1-207/ 1-308; U.C.C. 1-103
Tunis Territory
C/o 412 Eastover Circle
Summerville, SC [29483]
Non-Domestic, Non-Resident

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Association, Defendants, Of
whom Ronnell Demar Walker
a/k/a Ronnell D. Walker is the
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PROOF OF SERVICE

I certify that I have served the **RESPONSE TO RESPONDENT'S MOTION TO STRIKE APPELLANT'S "RESPONSE" BRIEF** by depositing a copy of it in the United States Mail, postage prepaid, on August 08, 2017, addressed to The Honorable Jenny Abbott Kitchings, Clerk of Court, South Carolina Court of Appeals at 1220 Senate Street Columbia, South Carolina 29201.

I Am: Ronnell Demar Walker
Authorized Representative
Natural Person, In Propria Persona: Sui Juris
Ex Relatione RONNELL DEMAR WALKER
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August 08, 2017

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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RE: PrimeLending, A PlainsCapital Company, V. Ronnell Demar Walker a/k/a
Ronnell D. Walker; and South Pointe Homeowners Association, Defendants, Of
whom Ronnell Demar Walker a/k/a Ronnell D. Walker is the Appellant, Case No.
2015-CP-08-00965, Appellate Case No. 2016-002234

Dear Ms. Kitchings:

Please find enclosed the an Original and 7 copies of the Response to
Respondent's Motion to Strike Appellant's "Response" Brief and Proof of Service for the
above referenced matter.

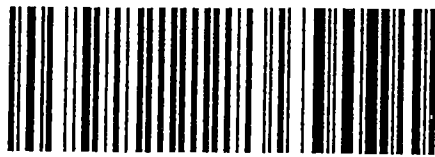
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Enclosures

cc:
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Rogers Townsend Attorney at Law
1221 Main Street, 14th Floor
Columbia, SC 29201

Nikole Deanna Haltiwanger
ROGERS TOWNSEND & THOMAS, PC
220 Executive Center Drive
Columbia, SC 29201
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