

THE STATE OF SOUTH CAROLINA

In The Supreme Court

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SEP 29 2017

SC Court of Appeals

.....
APPEAL FROM EDGEFIELD COUNTY

JOHN F. BYRD, jr. SPECIAL REFEREE

.....
Case No. : 2014 –CP -19- 097

.....
Case .: 2017 – 000997

.....
“APPELLANT’S INITIAL BRIEF”;
.....

APPELLANT..... Beverly A nn Gilchrist

V.

RESPONDENTS..... Florence Miles,Jimmy Glover, Albert Glover, Tommy Glover, Mary M. Bibbs, Annie Jefferson, Barry Shedrick, Myra S. Padgett,Wade Shedrick, Randy Glover,Genie Miles,Freddie Glover,jr., Aaron Glover,Steven R. Glover,Terrie G. Frazier, and Odell Glover,Doretha Sandersw,Michael Holmes,Jackie James,Donnell Hampton,Yvonne Forrest,....Including any children and heir or distributees and devisees and all persons entitled to claim under or through them, and all other persons unknown claiming any right, title or interest in a lien upon the real estate described in the complaint herein, any unknown adults being a class designated as John Doe; and any unknown infants, minors or persons under a legal disability including those in military service of the United

States of America, being a class designated as Richard Roe,
Respondents.....

.....
.....
Jennifer P. Summers, Esquire;

217 Folk Street

P.O. BOX 502

Edgefield, SC 29824

PH : (803) 637 – 7034

SINCERELY

BEVERLY A. Gilchrist ;

For

Appellant:..... BEVERLY ANN GILCHRIST

132 S.E. Diggs, Rd.

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29847

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*Beverly Ann Gilchrist
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"INITIAL BRIEF"

CONTENT

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Appellent's Case No.....2017 -000997;
.....

! " Common Law" Process & Procedures;

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"WRIT OF CERTIORARI"

.....

WRIT OF CONSPIRACY;Writ of error.....12

.....

"WRIT OF DESIGNATION, OF MATTERS";

.....

Writ of Debt;Writ of execution;.....13

“ INITIAL BRIEF ”

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¶

As UNITED STATES ,Citizens when entering any court room in A PRO/SE ,

Capacity....under the UNITED STATES CONSTITUTIONAL LAW, The pro/se proceedings are to be conducted in a differant manner, of The structured and restrictive fuctions of Attorney at law (Bar).STATUS..QUO, that's A Constitutional Mandate that A (presiding Judge),Conduct themselves in away, INWHICH..... (COURT PROCEEDINGS OR PROCESSES), UPHOLDS THE...,

common law citizens civil liberties, UNDER WHICH COURT OFFICALS OATHS ARE TAKEN SWORN to, not just to upwhole, but to also protect the citizens under the constitutional,devine, common law, mandate Of the UNITED STATES OF AMERICA'S for truth and justice, are to be the liberaties for ALL , STATUS QUO.....

¶

INTRDUCTIONS OF EVENTS

MARTHA " SETTLES" GLOVER (ESTATES) Sole Ownership

-
- 1.) 06/09/1992.....Matha Glover entered an agreement (collateralized deed of trust) with theCommercial Credit Corporation...{PRIMARY}..DEED OF TRUST FOR COLLATERAL WAS HER OWNERSHIP OF " ALL LAND PROPERTY" AS RECORDED IN EDGEFIELD COUNTY, COURT HOUSE PROPERTY , RECORDS..IN DEED BOOK NO. : 45, AT PG. : 608.. TAX MAP # 173 -00 -02 -003
 - 2.) 04/17/1996...MARTH GLOVER WENT INTO AN (FHA TITLE 1 PROPERTY IMPROVEMENT LOAN/ RETAIL),INSTALLMENT CONTRACT DATED : 08/07 /1996..240 MOS.GRANTED TO MR. HAYWARD BIBBS .32 AC RAGE AS A (TRUSTEE DEED) AS COLLATERAL TOWARD THE PROPERTY LOAN WITH THE SOUTHERN STEEL & ALUMIUM CORPORATION...AS USE OF THE INCORPERATIONAL LAND ALSO HAS BEEN RECORDED IN THE EDGEFIELD COUNTY COURT

PG. 1)

HOUSE RECORDS FOUND IDEED BOOK NO.: 509
PG # 318 STILL INCORPERATED WITH THE LAND
BELONG TO MARTHA GLOVER TAX MAP #
PORTION OF 173 – 00 – 02 -003
3) SEPT. 24TH/1999 MARTHA “ SETTLES “GLOVER
BECAME DECEASED.....

PG. 2)

PG. 2

4.) { SEE ATTACHED EXHIBIT "A" } DEED OF TRUST DATED :
08/07/1996 COLLATERAL..... FOR THE LAND IMPROVEMENT OF
THE INCORPERATED PROPERTIES OF TAX MAP # 173 -00- 02 -
003, WHICH HAD BEEN GRANTED BY" MARTHA GLOVER".. FOR
THE USE, TO IMPROVE MARTHA GLOVER'S.... PROPERTIES TO
(MR. HAYWARD BIBBS).. FOR THE USE OF THE COLLATERIZED,
{FHA TITLE 1} PROPERTY IMPROVEMENT LOAN....WITH THE
SOUTHERN STEEL & ALUMINIUM CORPERATION.

5.)02/ 09 /2004 THE SOUTHERN STEEL & ALUMINIUM
CORPERATION WAS SATISFACTORILY,PAID IN FULL,BUT WHERE
NOT....RECONVEYED BACK TO THE LAWFUL POSITION INWHICH
IT HAD BEEN TAKEN, AS RECORDED IN THE EDGEFIELD COUNTY
COURT HOUSE DEED BOOKS # 45, PG.# 608 & TAX MAP # 173 -
00 -02 -003.

5.)DEC.25TH / 2001,MARTHA GLOVER'S SPOUSE PASSED
AWAY... MR. J. L. GLOVER

PG.3)

PG. 3) INTRODUCTIONS CONT.....

6.)03 / 01 / 2010.....".BEVERLY ANN GILCHRIST"OBTAIN (LEGAL AIDE), ATTORNEY OF THE STATE,TO HELP GET LAND APPROVAL{ FHA} HAD QUALIFIED APPROVAL TO BUILD MY FAMILY A HOME.BEAUSE MY MOTHER, " BEATRICE GLOVER" ALSO AN HEIR, THE(OLDEST) TO THE ESTATES OF HER MOTHER TOO.... MARTHA SETTLE'S GLOVER AT THIS TIME.....

7.)03 /09 / 2010... I, THROUGH MY ATTORNEY,RECEIVED NOTICE OF APPROVAL ,TO BE HEARD, DATE: HELD..04/20/2010

8.) 03/21/2010...MY MOTHER,BEATRICE GLOVER,DAUGHTER OF J.L. & MARTHA GLOVER,BOTH WERE MY, MATERNAL GRAND PARENTS... *Also passed away in death & was*

9.)04/20/2010... I, BEVERLY ANN GILCHRIST HAD BEEN GIVEN PERMISSION, TO REPRESENT ALL" THREE" ESTATES....MARTHA , J. L. , & BEATRICE GLOVER IN ORDER TO BE CARRIED OUT AND ARRIVE AT THE PROPER PROCEEDURES IN ACCORDENCE WITH SOUTH CAROLINA'S RULES OF PROBATIONS.....

10.) 06/10/2010.. DEEDS OF DISTRIBUTION, WAS RECORDED BY BEVERLY ANN GILCHRIST AT EDGEFIELD COUNTY COURT HOUSE @ 1: 42 PM....

11.) 06/15/2010..PROBATE JUDGE ROBERT E. PEELER WERE INFORMED,(1) TRACK OF LAND HAD NOT AND WILL NOT BE " DISSTRIBED AT THIS *time* THE REPRESENTATIVE, BEVERLY

GILCHRIST WANTED TO INVESTIGATE FOR POSSIBLE
FRAUDULENT ACTIVITIES.....TAX MAP # 173 -00 -02 -003...

PG. 5)

PG. 5

FACTS OF THE CASE

.....

1.) 06 / 10 / 2010.... 1:42 PM;- DEEDS OF WERE RECORDED BY THE NOW "Appellate"; BEVERLY ANN GILCHRIST ; IN THE EDGEFIELD , SC COUNTY COURT HOUSE ,-----DEED BOOK # 1288 & PG. # 215 – 221 & BOOK # 228 PG # 222 – 228

2.) Appellate WAS GRANTED , 1 /2 (HALF) OF THE "DECEDENT'S INTEREST",AS " REP." ; FOR THE ESTATES OF MR. J. L. GLOVER,SR.

3.) Appellate, WAS ALSO, GRANTED; 1/20, OF " DECEDENT'S INTEREST" AS " REP. " OF, HEIR; BEATRICE GLOVER'S, ESTATE'S (OF THE, MARTHA "SETTLERS" GLOVER'S ESTATES);DEED BOOK # 288 PG. # 215 -221.

4.) Appellate; WAS GRANTED , 1/10 (OF DECEDENT'S INTEREST)OF, " MR. J. L. GLOVER" SR., AS REP. FOR HIS HEIR, (DAUGHTER)BEATRICE GLOVER, DEED BOOK # 1288 & PG. # 222 -228.

5.)AN AUTHORITATIVE, CORRECTIVE WITNESS,DOCUMENTED AS WELL AS ,PUBLICLY MADE KNOWN THESE TRUTHS, ATTORNEY , AT LAW; HERBERT E. BUHL, III , ESQUIRE;

TO: A ONE; MR. JOHN F. BYRD, JR. EQUIRE; & (PRESIDING) REFEREE ;02/05/2016,10:AM;

PG. 6)

- 3 -

JENNIFER P. SUMMER, ESQUIRE; (ATTORNEY), FOR DEFENDANT,
ODELL GLOVER: ANDERSON & SUMMERS, LLP.

PATRICK McWILLIAMS, ESQUIRE (GUARDIAN AD LITEM);

DOCUMENT DATED: SEPTEMBER 30, 2016;

THE CORRECT PERCENTAGE DUE: MS. GILCHRIST; ACCORDING
TO THE DEEDS ON FILE, WITH AT THE EDGEFIELD COUNTY
COURT HOUSE PROPERTY DEEDS OF ; MARTHA " SETTLES"
GLOVER ; MR. J. L. GLOVER SR.; & MS. BEATRICE GLOVER;

DEEDS DATED : 06 /10 /2010; MS. GILCHRIST ACCORDING TO

DEED BOOK NO.1288, PG.# 215 – 221 & PG. NO. 222 – 228;

A.)MS. GILCHRIST ARE ENTITLED TO (1/2) % of MATHA "
SETTLES" GLOVER; PROPERTY INTEREST(" ALONE ");

B.) MS. GILCHRIST ALSO, ENTITLED TO A (1/10)% PROPERTY
INTEREST OF MR. J.L. GLOVER SR. ;

C.) MS. GILCHRIST ARE ALSO AS WELL ENTITLED TO A ;(1/20)%
AS THE PERSONAL REP. OF "ALL" PROPERTIES; *of Decedents.*

D.)MS. GILCHRIST ARE ENTITLED TO ; (1.4)% INTEREST OF
BEATRICE GLOVER'S IN THE PROPERTIES ;

THAT IN" ALL" ROUGHLY CALCULATED IT IS MS. GILCHRIST 'S"
POSITION THAT SHE IS...ENTITLED TO APPROX. SIXTY
PERCENT (60) % OF THE PROPERTY UNDER THE DEEDS.

PG. 7)

6.) 06 / 10 /2010 -03 /2015 MS. BEVERLY ANN GILCHRIST,
HAS FUNDED ROUGHLY, OVER ; \$15,973.38 OF MY WELL
DOCUMENTED PERSONAL FUNDS IN THE UP KEEP AND
RUNNING OF" ALL" OF MATHA "SETTLES " GLOVER'S ESTATES
TAXES,LEGALITIES,ECT.

PG. 8)

CONSTITUTIONAL LAWS & STATUES

ACCORDING TO "THE BLACK'S" LAW

SIXTH EDITION

CENTENNIAL EDITION (1891 -1991)

FRAUD UPON THE COURT

1.ERROR :STATE EX REL. V SMITH,

197 OR. 96, 252 P. 2D 550. 555

SEE E.G FED. R. APP. P. 28.

PARKS V. PARKS 68 APP. D.C.

363, 98 F. 2D 235, 236.

ROBERTS V. STATE, IND. 492 NE. 2D 310, 313

SCHWARTZ V. KOMINSKI, 25 ILL. APP. 3D 789, 324 N.E. 2D 91,93 .

CIVIL CONSPIRACY :

PG. 90

2.LAKE MORRTAGE CO, INC. V. FEDERAL NAT. MORTGAGE ASS'N 159
IND. APP 605, 308 N.E. 2D 793, 744.

.....

3.) THEFT : PEOPLE V. SIMS. 29 ILL. APP. 3D 815. 331 N.E. 2D 178,179.
KIDWELL V. PAUL REVERE FIRE INS. CO., 294 KY. 833, 172 S.W. 2D 639.

640;

PEOPLE V. PILLSBURY. 59 CAL. APP. 2D 107, 138 P. 2D 320. 322.

(A)OBTAINING OR EXERTING UNAUTHORIZED CONTROL OVER
PROPERTY;

(B)OBTAINING BY DECEPTION CONTROL OVER PROPERTY ;

(C)OBTAINIING BY THREAT CONTROL OVER STOLEN PROPERTY
KNOWING THE PROPERTY TO HAVE BEEN STOLEN BY ANOTHER;

.....

(4)FRAUD: DELAHANY V. FIRST PENNSYLVANIA BANK, N,A. 318 PA. 90,
464 A. 2D 1243, 1251.

JOHNSON V. McDONALD, 170 OKL. 117, 39 P. 2D 150.

CITIZENS STANDARD LIFEE INS.CO. V. GILLEY, TEX. CIV. APP. 521 S.W. 2D
354, 356.

(5) BIAS: STATE EX REL. MITCHELL V. SAGE STORES CO. 157 KAN. 622,
143 P. 2D 652, 655.

PG. 10

Constitutional Laws & Statues Cont-

Forgery: (A) (B) (C) MODEL PENAL CODE, 224.1. &SEE ALSO
Mpc&241.7,

“Tampering with or fabricating physical evidence”

State v. May, 93 Idaho 343, 461 P.2D 126, 129.

PEOPLE V. CAL. RPTR. 333,337.

STATE V. GORANSON, 67 WASH.2D 456,408 P. 2D 7, 9.

PG. 12) WRIT OF CERTIORARI OF MATTERS;

.....

28 U. S. C. A. §§ 1254, 1257; SUP. Ct. Rules 10 et seq.

.....

- 1.) Writ of ejectment.....
- 2.) Writ of conspiracy.....
- 3.) Writ of error.....Winchester v. Winn, 225 Mo. App. 28, 29 S.W. 2d 188, 190.

PG. 12).....12.....

PG 12

WRIT OF DESIGNATION OF MATTERS;

.....

1.) WRIT OF DEBT.....
2. Writ of SUPERVISORY CONTROL.....State of ex rel. Regis v. District court of second Judicial Dist. In and for Silver Bow County, 102 Mont. 74, 55 p .2d 1295. & State ex rel. State bank of Townsend v. And Clark County, 94 Mont. 551, 25 p .2d 396.
3. Writ of possession.....
4. Writ of execution.....

*Beverly Ann Gilchrist
132 Samuel E. Diggs Rd
Trenton, SC 29847 PRO/SE*

“ FIRST” CAUSE OF ACTION”

.....
(PARTITION)
.....

1.)The Appellant, believes that pursuant to § 15 – 61 – 10 et seq of the South Carolina Code of Laws of 1976, as amended, she is entitled to have the parcels partitioned.
2.) The Appellant, belives that pursuant to § 15 – 61 -25 of the South Carolina Code of Laws of 1976 as amended, each of the defendants has the right to purchase the interest of the Appellate and the other Defendants at a price to be determined by the Court.
3.) The Appellant believes that she is entitled to an award of reasonable representative fees and costs.

.....
“ SECOND CAUSE OF ACTION “
.....

(EQUITABLE LIEN)
.....

- 1.) That the appellant has paid annual taxes for the real property which is the subject of this action. Through Appellant’s payments of the real estate taxes the property was preserved.

2.)Appellant believes that she is entitled to an equitable lien against the real property in an am equal to the taxes paid, together with prejudgement interest at legal rate, and her reasonable Representitives fees and cost.

.....
WHEREFORE, Appellant requests:
.....

- 1.)That the Court inquire into all of the matters alleged herein.
- 2.)That the Court determine the interest of the appellant and confirm title to the property as found to be vested.
- 3.)That the Court issue an Order of Partition.
- 4.)That the Court find that the property is incapable of partition in kind.
- 5.)That Appellant be given credit for taxes and assessments paid by the Appellant on the property.
- 6.)That the Appellant be awarded representitives fees and costs.

“CONCLUSION”, JUST “ CAUSE “;

State v. Fabritz, 276 Md. 416, 348 A. 2d 275, 280.;

.....
“ALL EVIDENCE” shows;
.....

- (a). Cause in fact;
- (b).Cause of action;
- (c).Cause of injury;
- (d). Causes celebres;
- (e). Causes suit to be bought;

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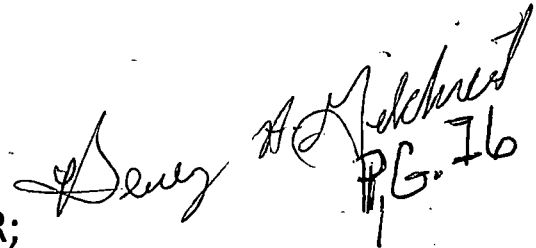
SEP 29 2017

SC Court of Appeals

That favor, should be , shown and adjudicated;in
 Appellant’s.....BEVERLY ANN GILCHRIST ;WHOM, ARE
 SEEKING TRUE, JUSTICE ; THROUGH HER FAITH , IN THE
 CONSTITUTIONAL LAWS & STATUTES OF COMMON LAW;
 THAT ARE SET OUT IN OUR , UNITED STATES, MANDATED
 JUDICATED SYSTEMES, THAT ARE BULT ON JUSTICE, TRUTH
 AND RIGHTS;.....

Sincerely

Beverly A. Gilchrist FOR;



*Beverly Ann Gilchrist
 132 Samuel E. Diggs Rd
 Trenton, SC 29847 PRO/SE*

Appellant.....BEVERLY ANN GILCHRIST

132 S.E. Diggs Rd.

Trenton,SC

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CC : Jennifer P. Summers,Esquire

P.O. BOX 502

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Ph.# (803) 6377034

Attorney of record;

Beverly A. Gilchrist

September 26, 2017

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E-MAIL:

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RE : Beverly Ann Gilchrist v. Florence Miles, et al

Appellate case NO. : 2017 – 000997

Dear Ms. JENNY ABBOTT KITCHINGS,

Enclosed you will find the original copy of "Appellant's Brief and Proof of Service, Attorney'(s) of Record's, Ms. Jennifer P. Summers, Esquire by depositing a copy of it in the United States Mail, postage septemer...²⁹..., 2017 addressed to attorney'(s) of record.

.....
PROOF OF SERVICE
.....

Jennifer P. Summers, Esquire;

P. O. BOX 502

Edgefield, SC 29824

PH.# (803)637-7034

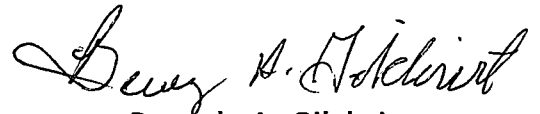
Attorney'(s)..... of Record;

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SEP 29 2017

SC Court of Appeals

Sincerely,



***Beverly Ann Gilchrist
132 Samuel E. Diggs Rd
Trenton, SC 29847 PRO/SE***

Beverly A. Gilchrist

For

Appellate;.....BEVERLY ANN GILCHRIST