

FORM 13
BRIEF OF APPELLANT*

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, Master in Equity and Special Circuit Court Judge

Case No. 2016-000245

Ronald Ford and Sonya Ford

Respondent,

v.

Taiwan R. Scott

Appellant.

RECEIVED

NOV 29 2017

SC Court of Appeals

[INITIAL] BRIEF OF APPELLANT

Sonya Ford
49 Oakview Rd.
Hilton Head, South Carolina 29926
(843) 338-6571
Attorney for Appellant

TABLE OF CONTENTS

Table of Authorities ii

Statement of Issues on Appeal 1

Statement of the Case 2

Facts 3

Arguments

1. BECAUSE THE IMPLIED EASEMENT WAS NOT FILED CORRECTLY IN THE
REGISER OF DEEDS, BEAUFORT COUNTY COURTHOUSE.

2. BECAUSE THERE IS NO REASONABLE EXPLANATION FOR AN EASEMENT TO
BE 45+ FEET IN A RESIDENTIAL AREA AND EVERYONE HAS A RIGHT OF
WAY. LEGAL EASEMENT/ROAD HAS BEEN ESTABLISHED.

3. BECAUSE THE FORDS WERE NOT PROPERLY NOTIFIED AND WAS
PREPARED WITH OTHERS WITH INTEREST IN THE MATTER.

Conclusion3

TABLE OF AUTHORITIES*

CASES

Sparrow. Dixie Leaf tobacco CO., 61 S.E.2d2

O'cain v. O'cain,322S.C. 551, 557-59, 473 S.E. 2d 460-65.....2

.....2

STATUTES

S.C. Code Ann. § 1-23-600 (1997).....2

S.C. Code Ann. § 48-39-150 (1997).....2

STATEMENT OF ISSUES ON APPEAL

1. ON MARCH 4, 2015 AN EASEMENT WAS ESTABLISHED, NOW NAMED FREDDIES WAY, FOR ALL RESIDENTS.

STATEMENT OF THE CASE

On October 3, 2014, Taiwan R. Scott brought this action alleging an encroachment dispute against Ronald Ford and Sonya Ford. Other court dates are October 7, 2015, November 9, 2015(phone conference), January 15, 2016, court date that I was not aware of and out of town. I, Sonya Ford was again summons to court. All encroachments of the fence have since been removed!

The Ford's answered alleging Scott's claim was precluded by judgment in a prior action between the parties. The case was heard several times between October 2014 and present time. Including several phone conversations including the Honorable Marvin H. Dukes, to attempt resolve the matter.

On January 15, 2015, Ronald Ford and Sonya Ford served the Notice of Appeal on Scott.

FACTS

There are no issues with any one getting to and from their homes, emergency vehicles entering or leaving and no problems with the shared easement. On March 4, 2015, I, Sonya Ford, applied for vehicular access easement with the Town Of Hilton Head Island planning Commission, it was approved.

2

ARGUMENTS

- I. BECAUSE THE IMPLIED EASEMENT WAS NOT FILED CORRECTLY IN THE REGISTER OF DEEDS, BEAUFORT COUNTY COURTHOUSE.

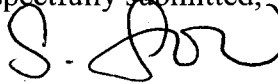
- II. BECAUSE THERE IS NO REASONABLE OR NECESSARY EXPLANATION FOR AN EASEMENT TO BE 45+ FEET IN A RESIDENTIAL AREA AND EVERYONE HAS A RIGHT OF WAY.

CONCLUSION

For the reasons stated, this Court should reverse the judgment of the circuit court.

November 27, 2017

Respectfully submitted,



Sonya Ford
49 Oakview Rd.
Hilton Head, South Carolina 29926
(843) 338-6571
Attorney for Appellant