

Notice of Appeal from Common Pleas Regarding a Magistrate or Municipal Court

The State of South Carolina

In the Court of Appeals

Appeal From Horry County

Court of Common Pleas

Benjamin Culvertson Circuit Court Judge

Case Number 2016CP2600204

Gregory Faubel

Appellant

V

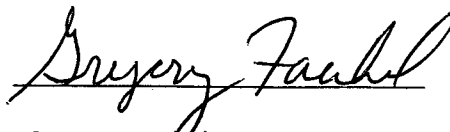
Tom Pate

Respondent

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SC Court of Appeals

BRIEF OF APPELLANT

Appellant Case Number : 2017-001074



Gregory Faubel
6251 Olga Lane
Loris, SC 29569
843-358-2316

Notice of Appeal from Common Pleas Regarding a Magistrate or Municipal Court
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A.) We do not have any laws, or statues. Everything we had was turned in to the lower court

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STATEMENT OF ISSUES ON APPEAL

1. Did the trial courts fail to see this matter as a breach of contract?
2. Did the trial courts fail to see this matter as a sales contract?
3. Title of real property

STATEMENT OF THE CASE

1. Upon signing the sales contract we had to evict his tenants in order take possession of property.
2. Part of the property was surveyed out of the contract after the contract was signed.
3. Mr. Pate put a mobile home on the property and rented it out.
4. When Mr. Pate was informed of the damage his tenants had done to the house his reply was to sue his tenants or take him to court.
5. This case has never been for litigation, and with the allegations of breach of contract we feel it should have went to litigation before it went to a trial.

ARGUMENTS

1. With the damage of the property, done by his tenants that he rented the dwelling to, we have had to slowly fix and repair in the house to be able to make it a livable dwelling.
2. With the land that Mr. Pate surveyed out of the contract that was part of the property on our sales agreement, we feel like he collected rent on the mobile home that he placed on the

land was payment for our land.

3. The breach of contract done by Mr. Pate, when he surveyed land out of the contract, refused to remove his tenants when contract was signed and he received deposit.

4. Hazardous material that was left on property that we have had to slowly remove.

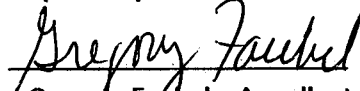
5. The misrepresentation of the property when the contract was signed was supposed to be a 3 bedroom 2 bath house and it ended up being a 2 bedroom 1 bathroom house.

CONCLUSION

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

January 19, 2018

Respectfully Submitted



Gregory Faubel, Appellant

2951 Olga Lane

Loris, SC 29569

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CERTIFICATE OF COUNSEL IN FINAL BRIEF

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin Culvertson Circuit Court Judge

Case No. 2016CP2600204

Gregory A Faubel, as Personal
Representative

Appellant

v.

Tom Pate

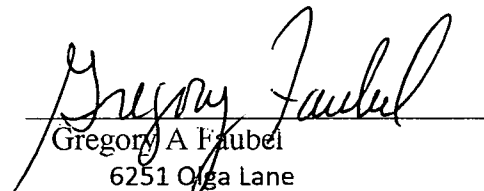
Respondant

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CERTIFICATE OF COUNSEL

The undersigned certified that this Intial Brief complies with Rule 211(b), SCACR.

October 18, 2017



Gregory A Faubel
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Proof of Service of a Notice of Appeal
The State of South Carolina
In the Court Of Appeals

Appeal From Horry County
Court of Common Pleas
Benjamin H. Culbertson, Circuit Court Judge
Case Number 2016CP2066204

Gregory A Faubel, Appellant

v.

Tom K. Pate, Respondent

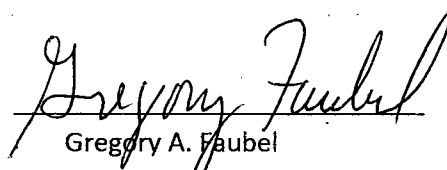
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I certify that I have served the Final Brief on Tom K. Pate by deposition
a copy of it in the United State Mail, postage prepaid, on January 19, 2018
addressed to him at 3624 Socastee Blvd. Myrtle Beach, South Carolina 29588.

January 19, 2018



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