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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Joseph F. Strickland, Master in Equity Judge

Case No. 2018-00251

RECEIVED
APR 10 2018
SC Court of Appeals

SCBT, N.A.

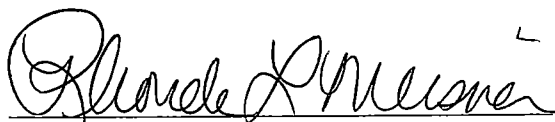
Respondent,

v.

Appellant.

Sand Dollar 31, LLC; Rhonda
Meisner, of whom Rhonda
Meisner is the

MOTION FOR MISCELLANEOUS RELIEF AND TO
HOLD APPEAL IN ABEYANCE UNTIL APPELLANT IS
SERVED FINAL ORDER BY LOWER COURT



Rhonda Meisner
Post Office Box 689
Blythewood, South Carolina 29016
Pegasus333@icloud.com
(803) 206-3402
Appellant

April 10, 2018

The appellant received an email from counsel for appellee (plaintiff), while she was out of town, that showed that the Order the appellee previously “served” on the appellant (defendant), Rhonda Meisner which is the Order that is currently on appeal in this Court was not the appropriate Order on appeal and was clocked in error, (according to the order attached to the email) received by the appellant.¹

The appellant has not yet been served any final Orders from the Court; however, “ A notice of appeal shall be served on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment.”

The appellee “served” the original order that was filed on appeal to the appellant; however, recently the appellee sent, via email, an updated Order from the one the appellee previously “served” that has been marked “clocked in error.” Because the jurisdiction of the appellate court is invoked via the filing of the appeal, the appellant respectfully requests a review of these facts with instructions on how to proceed.

The appellee previously requested the Master in Equity Court to file “a letter of opinion” from an appraiser that the appellant did not think was on record with the lower Court. The appellant objected that evidence could not

¹ Order attached to email marked “clocked in error.”

be amended to the record once on appeal as the Circuit Court no longer has jurisdiction over the case.

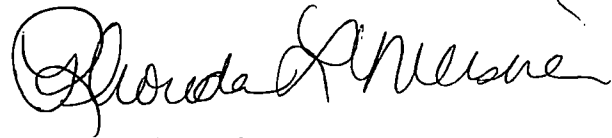
Quite obviously, the appellant is concerned that she cannot rely on the Orders “served by the plaintiff” as being the correct Orders that are subject to appeal because the electronic records are not up to date.

Likewise, an Order that is rescinded by the Court cannot function to re-capture jurisdiction and recreate the lower court record.

As such, the appellant respectfully requests this appeal be held in abeyance until this Court can decide whether the first Order previously served on the appellant by the appellee and currently filed with the Court of Appeals is the correct Order or whether this Court will allow the appellees to serve a corrected Order months after the notice of appeal is filed to be the Order on appeal accompanied by any changes to the record of the lower court.

The appellant respectfully requests a ruling by this Court on whether the currently filed Order with the Court of Appeals is the final Order on appeal and therefore evidence added to the record after this Order was signed, clocked, and served is not allowed or whether the appellee can amend the Order previously served and add to the record on appeal.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rhonda Meisner". The signature is fluid and cursive, with a large initial "R" and "M".

Rhonda Meisner
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Appellant.

CERTIFICATE OF SERVICE

The appellant has served a copy of the motion for miscellaneous relief on counsel for the appellees by placing a copy to Sean Foerster, Rogers Townsend and Thomas, PC 1221 Main Street 14th floor Columbia, SC 29201 and Glenn Bowens PO box 424 Winnsboro, SC 29601 into the US mail postage prepaid.



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Appellant

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