

5/2/2018

To The South Carolina Court of Appeals,

LaKessiash Henderson, Appellant

V.

Kim Henderson, Respondent

Appellate Case No.2018-000788

**RECEIVED**  
MAY 07 2018  
SC Court of Appeals

1. To my knowledge I am not aware of LaKessiah being hospitalized because she was at home before I left for work and when I returned home from work she was there. These delays, extensions and appeals are taking a toll on me and my family.
2. LaKessiah is being lawfully evicted due to non-payment of rent and is in violation of lease due to trash, fowl odor and filthy conditions. Judge Fisher set the Bond for the appeal to move forward, that is why the Bond was collected from LaKessiah.
3. Magistrate Judge Fisher answered all of these questions in the original appeal response. Her appeal was denied by Judge Stillwell.
4. I have no knowledge of anything that was done incorrectly nor am I aware that either Judge has violated any of her rights. She has been given more than a fair opportunity to leave our home. Her fax cover sheet is not from her.

Enclosed is a copy of Proof of Service and Order of Court.

Sincerely,

  
Kim Henderson

Cc: LaKessiah Henderson

Magistrate Court

Circuit Court

S.C. Court of Appeals

# The South Carolina Court of Appeals

Lakessiah Henderson, Appellant,

v.

Kim Henderson, Respondent.

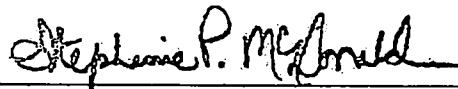
Appellate Case No. 2018-000788

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## ORDER

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Appellant has appealed an April 25, 2018 order by the circuit court affirming the magistrate court's ejection ruling and remanding to the magistrate court. Appellant has now filed a motion asking this court to stay the execution of her ejection. Although Appellant has not provided this court with a signed undertaking as provided by section 27-40-800(f) of the South Carolina Code (2007), she has provided proof of two March 2, 2018 payments: one to satisfy rent previously owed and one as a \$720 bond "for future rent." Accordingly, after careful consideration, the circuit court's April 25 order is temporarily stayed for fifteen days pending receipt of any return to the motion by Respondent and a signed undertaking, if any, by Appellant.



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FOR THE COURT

Columbia, South Carolina

cc: Lakessiah Henderson  
Kim Henderson

**FILED**

4/27/18 gsk

APR 27 2018

## SC Court of Appeals

I am requesting to stay a writ of ejectment that will take effect on Monday 10 am. I have already been given writ of ejectment. In addition I am asking to vacate and set aside judgement.

I also am asking to recuse both judges in this case due to them violating both my Civil rights and rights under the American Disability Act. I am also pursuing legal action against both Judges and their verdicts and judgements present a conflict of interest.

I was hospitalized on the date the Circuit court Judge made decision and could not attend hearing. Please help. I apologize for informal motion, but I just got out of Hospital recently. I have not been able to follow up with the appointments or get needed medications due to trying to stop eviction. Please review supporting documents which will prove that I do not need to be kicked out. The legal issues I'm experiencing in addition to my health have caused me to be hospitalized. I have tried to explain and provide documentation to previous judges of medical issues. I'm afraid I'm going to be hospitalized again and have had to work myself into exhaustion dealing with health issues, education and legal issues. Being evicted what further injure my health.

2) Kim Henderson, landlord, has been paid the amount that was the cause of action, satisfaction and accord has been reached.

She has also during my time renting has violated the Residential Landlord and tenant act, refer to counterclaim and civil case transfer. These Violations would justify nonpayment until defects were corrected.

Nonetheless, All rent is current and can be verified via receipts to Kim Henderson and court. I am paid up to late May. Please review receipts.

I was I was being evicted because of my medical condition and disability which is a violation of the Fair Housing Act

### 3. Magistrate

The magistrate has violated multiple rules of civil procedure. I was denied jury trial, Denied continuance, counterclaim for damages against landlord and transfer to court of common pleas even though counterclaim was beyond what magistrate could award and should have been outside of his jurisdiction.

I was also denied preliminary injunction request for time, for health and hiring attorneys, experts, and collect evidence. He was informed of my medical conditions, needs, and disability via preliminary Injunction.

My rights of due process were violated.

The magistrate court judge has not allowed me to express my freedom of speech. When I tried to to submit relevant evidence I was told that this is not what we are here for. So, the rule of evidence was not allowed and violated. Under the disability act my rights to accommodation because of my disability is being violated when asked for circumstances that would be need to

present a solid case on my behalf. I also made the judge aware of my documented disabilities, health issues, symptoms and concern and they wasn't taken into account for trial.

He has also committed defamation of character, slander and libel. He misrepresented his answer to the circuit court judge. For example he said that I requested a court hearing. This is false and can be verified through the magistrate summons. I was given a one-day continuance and told that I had to appear in court.

I was wrongly accused of impersonating representation of somebody that just act as mail receiving agency.

#### 4. Circuit court Judge

The closed circuit judge in the lack of statement seems to have adopted the same underlying statements of previous judge.

The judge is basically piggybacking the ways and method of previous judge. So, no real appeal is given.

The magistrate had already prejudiced the circuit court judge against me by providing false information. Like previously mentioned I was in the hospital when the hearing was conducted and did not receive due process. My power of attorney informed him of this prior to the beginning of trial. And his order he never mentions that I was hospitalized instead he placed the blame on me and said I was manipulating the system. I have proof that I was hospitalized. Review pic of Hospital bracelet. I have also written two letters to the judge explaining my medical conditions and symptoms and my need for continuance. I was just playing on top of experiencing disabilities I also have to attend school.

This is judge has also been made aware of disabilities.

After sending my first letter, I was informed the case would be set for May 29- June 1st. However, within 24 hours this was reneged and changed to april 24 and given than less to two weeks to prepare for trial. This was done in lieu of disabilities and current health issues presented.

I sent another letter explaining in more detail my medical issues and requesting an extension at least till my classes were over. I also had a disability counselor send a letter of verify that I had provided documentation of a disability and request an extension of time so I can focus on my health and education. Refer to letters.

Proof Of Service

This is to verify that my response to case 2018-000788 has been served to the following parties via U.S. Mail.

Lakessiah Henderson  
3 Welcome Street  
Greenville, S.C. 29611

Magistrate Court  
301 University Ridge, Suite 5100  
Greenville, SC 29601

Circuit Court  
305 E. North Street  
Greenville, S.C. 29601

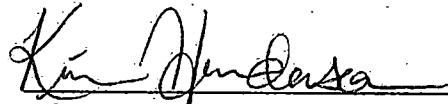
S.C. Court of Appeals  
P. O. Box 11629  
Columbia, S.C. 29211

**RECEIVED**

MAY 07 2018

SC Court of Appeals

5/2/18  
Date

  
Signature

Kim Henderson  
3 Welcome Street  
Greenville, SC 29611

 **Kim Henderson**  
3 Welcome St.  
Greenville, SC 29611

GREENVILLE SC 29611

03 MAY 2018 11:31



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MAY 07 2018

SC Court of Appeals South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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