

IN THE COURT OF APPEAL
THE STATE OF SOUTH CAROLINA

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MAY 09 2018
SC Court of Appeals

RANSOM COARD JR
PATRICIA A. COARD-SEABROOKS
APPELLANTS

vs

CASE NO. 2018-00778

GEORGE DOW
APPELLEE

**APPELLANT BREIF AND ENUMERATION OF ERRORS:
MOTION FOR NEW TRIAL:**

Statement of the Fact:

Appellee approach Appellant Ransom Coard Jr about purchasing the land where his mobil home sits after appellee notice the appellant Ransom Coard Jr marking of the land. The appellee stated he was promise the land by Albert Coard second wife Lucile Coard. The appellee trespass on larger section of the Coard land that included the section the Appellee had surveyed by Steven Muldrow, a professional land surveyor, and gave direct testimony to this fact and stated he operated an auto part business on that section with his brother in law. Appellee only stop the business after the appellant Ransom Coard Jr. became aware of the hidden cars on the appellant land and the fact that appellee mobil home was over the property line. The appellant Ransom Coard Jr. gave testimony that appellant told the appellee, the appelle would have to began making and paying rent on the land. The appellee brought the civil action after the appellee was told by the appellants they would not sell appellee the land and the appellee would have begin paying rent on the land. That the appellee had taken another section of the Coard land by alleging appellee obtain an interest in the land under the jurisdiction of this same Court of Common pleas. The appellee took possession of lot 043-00-03-027 in 1971, the lot appellee

purchased and paid for from Albert Coard and was given title to the land at the time of purchased. The appellee did not take possession of the land that is survey on the document the Special referee submitted and included with his order, you can clearly see the appellee placed his mobil home on the section of land directly behind lot 043-00-03-027, not in the middle of the survey land. This gives the appearance that mobil is sitting on the lot the appellee purchase. The appellee purchase lot 043-00-03-025, July 28, 2003 from Roosevelt Billie more than 30 years after the appellee purchased the lot from Albert Coard in 1971 and 29 years after the death of Albert Coard. And lot ending in 026 December 31, 1991, from Johnny Lee Moore. To the human eyes it gives the illusion the appellee was on the lot the appellee paid for in 1971. The appellee wife never met Albert Coard and was not married to appellee in 1971. Appellee wife had no direct knowledge of the purchased of the property in 1971 between Albert Coard and the Appellee. The appellants Ransom Coard Jr and Patricia A. Coard-Seabrooks gave direct evidence in the matter. The special referee did not mention any of Patricia A. Coard-Seabrooks testimony and Ransom Coard Jr direct testimony was not the testimony the special referee stated in the order.

Enumeration of Errors:

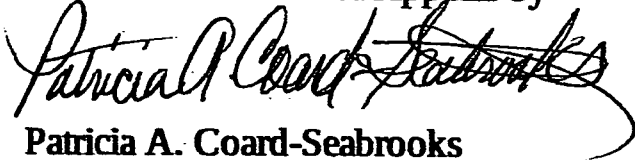
- 1. The evidence and testimony present by appellee did not support a claim for adverse possession.**
- 2. No mention of the appellants counterclaim.**
- 3. Appellant Coard-Seabrooks testimony was not considered in the order.**
- 4. Testimony was left out the order on the appellee stating the appellee was on a larger section of the appellants land than the area the appellee had surveyed.**
- 5. Appellant Ransom Coard Jr testimony was not the testimony stated in the order.**
- 6. Appellee wife never meet Albert and was not married to Appellee to testify to what conversation in 1971took place between Appellee and Albert Coard.**
- 7. The surveyor stated the stakes in the ground were placed in ground no more 6 years earlier not some years as stated in the order.**

8. The Appellee took possession of the lot (ending in 027) the lot appellee paid for prior to Albert Coard death in February 1974 not the section of land in surveyed in the order.
9. Albert did not died in 1975, he died February 1974.
10. Appellee only stated adverse possession after Appellants stated they would not sell appellee the land, this testimony omitted by the special referee order.
11. The Appellee testified he paid money to Julius Coard for taxes and went to court house in Clarendon with Julius Coard to paid the taxes, did not present any evidence support this fact that contradict a claim of adverse possession and Julius Coard never paid taxes on any of the Appellant Coard land.
12. The Appellants gave evidence and testimony that this is second time Appellee is making an attempt to take land belonging to Appellants and the Clarendon Court of Common Pleas had as already granted a portion of the Appellants land that Appellee had not paid for and this was a pattern of Appellee to take Appellant land, the special referee stated this matter was solved antically, it was not settle antically evidence of this is on record in Clarendon Court of Common Pleas as testified by both Appellants.
13. The Appellee possession was not open, adverse and hostile the evidence presented by the special referee the court will see the Appellee line the home directly behind lot 027, to give the illusion that Appellee was on the lot he paid for.
14. The Appellants became aware Appellee on the land around 2010 when the Appellant Ransom Coard was measuring/markng the land off, which is less than 10 years, and was not in clear view to the Appellants.

Based on the evidence, the testimony omitted and changed, errors made and favoritism shown to during the hearing to the Appellee attorney and written in the order for the Appellee. A Motion for a New Trial must grant by this Appellate Court to the Appellants in this matter before the Court. An order for court reporter to ensure all evidence and testimony is included.

The appellant reserves the right to amend this appeal if necessary to amend.

Submitted to Court of Appeals by



Patricia A. Coard-Seabrooks

Ransom Coard Jr

Appellants

Certificate of Mailing that on this day ^{7th May} ~~20th April~~ 2018, mail these document to
Counsel for the appellee, clerk of Court of Common Pleas for Clarendon County
South Carolina with proper postage attached thereto.