

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELY COUNTY  
Court of Common Pleas

Dale Van Slambrook, Master In Equity

Case No. 2015-CP-08-00965  
Appellate Case No. 2016-002234

**RECEIVED**  
JUN 18 2016  
SC Court of Appeals

PrimeLending, A  
PlainsCapital Company,

Respondent,

v.

Ronnell Demar Walker a/k/a  
Ronnell D. Walker; and South  
Pointe Homeowners Association  
Defendants, Of whom Ronnell  
Demar Walker a/k/a Ronnell D.  
Walker is the Appellant

Appellant.

RESPONSE TO RESPONDENT'S MOTION TO DISMISS

**Notice motion of void Order and Judgment Rule 60:** I Ronnell Demar Bey the real party in Interest Status in propria persona proceeding Sui Juris in line with my Cherokee/ Jalagi Nationality. I do not consent to the use of my estate, or to be forcefully Assimilated.

Notice to the Principles is Notice to the Agent and Notice to the Agent is Notice to the principles! Exhibit A: notice is an essential element of due process. I am not a Sovereign Citizen, Blacks misnomered, Negros or any other misnomers placed on me by state and federal agents. I am an indigenous American Indian Moor as stated in South Carolina historical Archives and Oxford English Dictionary. Notice any further Libel or Slander will not be tolerated, I will sue all offenders for personal Injury!

1. If any statement, within any law, which is passed, is unconstitutional, the whole law is unconstitutional.

## **Void Order State of South Carolina**

2. **Notice South Carolina A void judgment** is one that, from its inception, is a complete nullity and is without legal effect." *Thomas & Howard Co. v. T.W. Graham and Co.*, 318 S.C. 286, 291, 457 S.E.2d 340, 343 (1995). The definition of void under the rule only encompasses judgments from courts which failed to provide proper due process, or judgments from courts which lacked subject matter jurisdiction or personal jurisdiction." *McDaniel v. U.S. Fid. & Guar. Co.*, 324 S.C. 639, 644, 478 S.E.2d 868, 871 (Ct. App. 1996). It is fundamental that no judgment or order affecting the rights of a party to the cause shall be made or rendered without notice to the party whose rights are to be affected." *Tyron Fed. Sav. & Loan Ass'n v. Phelps*, 307 S.C. 361, 362, 415 S.E.2d 397, 398 (1992). Generally, a person against whom a judgment or order is taken without notice may rightly ignore it and may assume that no court will enforce it against his person or property. The requirements of due process not only include notice, but also include an opportunity to be heard in a meaningful way, and judicial review. *Grannis v. Ordean*, 234 U.S. 385, 394 (1914) ("The fundamental requisite of due process of law is the opportunity to be heard."); *S.C. Dep't of Soc. Servs. v. Holden*, 319 S.C. 72, 78, 459 S.E.2d 846, 849 (1995).
3. Notice: I Ronnell Demar Bey the real party in Interest makes this Demand pursuant to constitutional right and established law noticing THE STATE OF SOUTH CAROLINA, BERKELEY COUNTY COURT 9<sup>TH</sup> CIRCUIT, the Clerk of Court, The Trier of Fact, And the Trier of the Case, Erica Greer Lybrand representation for Prime lending a plains capital company, as well as any and all agents or representatives That The Order is Void Under Rule 60(b)(4), relief where a judgment is void is non-discretionary and a matter of right. *Richardson Construction Co. v. Meck Engineering & Construction Co.*, 274 S.C. 307, 262 S.E.2d 913 (1980). And further Demand the Court to grant the Damages for the following reasons.
4. (a) I Ronnell Demar Bey the real party in Interest makes this Motion of Void Order notifying all parties inclusive of Erica Greer Lybrand representation for Prime lending a plains capital company, and their Agents, Authorized Designee, County Agents and Berkeley County Master IN Equity court Judges. That I Ronnell Demar Bey the real party in Interest an aggrieved man Object to Berkeley County Mater In Equity Court Violation of Due process, invasion of my privacy, Abuse Of process, Malicious Prosecution, Piecemeal practices, procedures and rules of administration which are void according to SC Con Article V section 1 also see *Spartanburg County Dept. of Social Services vs Padgett* (1988) 296 SC 79, 370 SE2d 872.

(b) There is no Probable Cause to justify the Lack of Due Process of law and the denial of my Rights to a competent witness who has no proof of injury. No proof exists that show I owed a debt; *See, e.g., Franklin Credit Mgmt. Corp. v. Nicholas*, 73 Conn.App. 830, 812 A.2d 51, 57-58 (2002) ("In a mortgage foreclosure action, to make out its prima facie case, the foreclosing party had to prove by a preponderance of the evidence that it was the owner of the note and mortgage and that the [defendant] had defaulted on the note.") (internal quotations omitted) (internal citations omitted); *Campaign v. Barba*, 23 A.D.3d 327, 805 N.Y.S.2d 86, 86 (N.Y.App.Div. 2005) ("To establish a prima facie case in an action to foreclose a mortgage, the plaintiff **must** establish the existence of the mortgage and mortgage note, ownership of the mortgage, and the defendant's default in payment."); *In re Foreclosure of Real Prop, for \$143,600.00*, 156 N.C.App. 477,577 S.E.2d 398, 406 (2003) ("In a foreclosure proceeding, the lender bears the burden of proving that there was a valid debt, default, right to foreclose under power of sale, and notice."); 55 Am. Jur. 2d *Mortgages* § 604 ("[T]he burden of proof of any particular issue rests upon the party asserting the affirmative of that issue under the pleadings."); *cf. Paramount Fund, Inc. v. Cusaac*, 282 S.C. 497, 499, 319 S.E.2d 354, 355 (Ct.App. 1984) (holding the mortgagee has the burden of proving a disputed mortgage by the preponderance of the evidence).

(c) I Ronnell Demar Bey Noticed the Master IN Equity Court that I do not wave any of my rights protected under the state and federal constitutions or any other rights not expressed, and implied. 1. In my motions, counter Claims, notices, Discovery, and affidavits which were ignored violating my right to Due Process of Law and a proper Judicial Court hearing inclusive of my Primary rights and personal Liberties etc... 2.Dale Van Slambrook Used Berkeley County Master IN Equity Court own separate rules of administration, practices and procedures which are Bias and piecemeal alteration of jurisdiction and not a part of the Unified System of General Law see Cort Industrial Corp. Vs Swirl Inc1975. 3. The Master IN Equity court is bound by the Mandate of Article V Section 1 of the SC Constitution, rules of Judicial Conduct, as well as the Civil Procedures which are not fully practiced by local Courts. They are subject to The Limitations place on both federal and state Governments, Officers and agents by authority of the U.S. Constitution for the United States of America.

According to the SC definitions of void order, if due process is denied and lack of proper notice the order is void. Furthermore do to multiple investigations I found fraud within the contract and exercised my right to discovery to obtain the proof that the plaintiff had in fact lost anything leading to having the right to sue. I requested from the so called Lenders of the alleged original Loan on many occasions the debt related questions. Representatives for prime lending a plains capital company throughout the course of these issues several of the attorneys quit the case causing me to repeat multiple times the same Discovery to different attorneys who claim to have no knowledge of the case. By the time I received any kind of response I had already requested the debt related information several times over a year and they continued to say that they believe that my request for Discovery of the check and accounts was irrelevant even though they have a

duty to produce the evidence to have a true claim which I constantly asserted and was ignored which violated Due process; see ("In a foreclosure proceeding, the lender bears the burden of proving that there was a valid debt, default, right to foreclose under power of sale, and notice."); 55 Am. Jur. 2d *Mortgages* § 604 ("[T]he burden of proof of any particular issue rests upon the party asserting the affirmative of that issue under the pleadings."); *cf. Paramount Fund, Inc. v. Cusaac*, 282 S.C. 497, 499, 319 S.E.2d 354, 355 (Ct.App. 1984) (holding the mortgagee has the burden of proving a disputed mortgage by the preponderance of the evidence).

Furthermore did they indeed have a personal financial injury? They only partially produced a heavily redacted discovery after I got the court to compel them to do what was already required of them. The Master- IN-Equity was biased and abused his discretion in his determination because before the court makes a ruling they should first find out if the claim is true, He took it upon himself to determine Discovery was fulfilled without the plaintiff proving the burden according to the law above, he could of easily asked them to produce what I asked as it would not be a burden on the court at all being that the questions are relevant to the Case. It is irrefragable that the constitutions protects my right to Due process before my property could be claimed See *SWEETZER v. GREEN*, 360 Mo. 1249 (Mo. 1950).

The witness stated on the record that he has no firsthand knowledge of anything in connection to the loan. Therefore it was an abuse of discretion on the Master IN equity to allow his testimony which is not aligned with rule 803 a custodian or competent witness to testify. I was overlooked brushed aside, and rushed not having the proper time or access to the heavily redacted documents which left me at a clear handicap and disadvantage. In which The Plaintiff and MASTER-IN EQUITY knew and willfully deprived me of a fair trial.

By using their own practices, procedures, and, rules of administration which are void and unconstitutional to remove my property. See *Spartanburg County Dept. of Social Services vs Padgett* (1988) 296 SC 79, 370 SE2d 872.

5. There is no Due process Of Law involved See *State v. Earle*, 44 S.E. 781 (S.C. 1903) Supreme Court of South Carolina **Filed:** April 22nd, 190. Article 1 SECTION 3. Privileges and immunities; due process; equal protection of laws. The privileges and immunities of citizens of this State and of the United States under this Constitution shall not be abridged, nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws. (1970 (56) 2684; 1971 (57) 315.) Article 1 SECTION 23. Provisions of Constitution mandatory. The provisions of the Constitution shall be taken, deemed, and construed to be mandatory and prohibitory, and not merely directory, except where expressly made directory or permissive by its own terms. (1970 (56) 2684; 1971 (57) 315.),

6. ***"The court is to protect against any encroachment of constitutionally secured liberties." Frost v. Railroad Commission of California, 271 U.S. 583. Due Process must be invoked before removing rights secured under the constitutions, Citing State v. Earle, 44 S.E. 781 (S.C. 1903) Supreme Court of South Carolina. These principles are recognized and followed by the Supreme Court of the United States. In Turpin v. Lemon, 25 Sup. Ct. Rep., 20, the Court quotes with approval the following definition of due process of law found in Hagar v. Reclamation Dist., 111 U.S. 701: "It is sufficient to observe here that by 'due process' is meant one which, following the forms of law, is appropriate to the case, and just to the parties to be affected. It must be pursued in the ordinary mode prescribed by the law; it must be adapted to the end to be attained; and whenever it is necessary for the protection of the parties, it must give them an opportunity to be heard respecting the justice of judgment sought. The clause in question means, therefore, that there can be no proceeding against life, liberty or property which may result in the deprivation of either, without the observances of those general rules established in our system of jurisprudence for the security of private rights.***
7. **Trinsey Vs Parailgro, all Statements made by the representation are not facts before the court. I object to the statements and frivolous claims made by the witness and Agent for the plaintiff. Berkeley County Master IN Equity court is in violation Of Article V Section 1 and Article 1 Section 22 of SC Constitution; The Berkeley County 9<sup>th</sup> Judicial Circuit Master IN Equity Court used Abuse of process and malicious Prosecutions to deprive me of my primary rights and natural rights to my property harassing me unlawfully without factual injury and they performed no true investigation. they are bound by the Rules of Judicial conduct, SC Supreme Court, and U.S. Supreme Court decisions.**
8. **In order to establish standing, three elements must be established. First, the party must have suffered an injury in fact--an invasion of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent, not conjectural or hypothetical. Second, there must be a causal connection between the injury and the conduct complained of--the injury has to be fairly traceable to the challenged action of the adverse party and not the result of independent action of some third party not before the court. Third, it must be likely as opposed to merely speculative, that the injury will be redressed by a favorable decision. See Lujan v. Defenders of Wildlife, 504 U.S. 555, 112 S.Ct. 2130, 2136, 119 L.Ed.2d 351 (1992); Chambers Medical Technologies**
9. **Article 1 Section 1 of the U.S. Constitution states all legislative power is vested in a Congress. Administrative Rule is no different than an enacted statute. An administrative rule is not a statute adopted by our chosen representative and it is not legally binding it is a mere command/Order a mere edict an administrative adjudication it has no due process elements as the law demands as was originally understood Due process comes from the constitutionally created courts with a competent judge who upholds his assent to the Constitutions and protects the**

encroachment of my rights; Citining Boyd Vs United states 1886. Administrative Rule or Agencies have no proper jury's, Due process and Congressional regulation. When a Judges (Fiduciary) or Administrator (Agents) goes out their way to accommodate or enforce administrative rule they become systematically bias and corrupt Due Process of Law.

10. The Law was made to protect and not to compel. Pleadings have been made that are fraudulent in nature that has caused me great injury. The Plaintiff(s), State Agents, and Officers acting criminally produced an Irregular Complaint not based in fact pursuant to law with no proof or evidence that support the claim of debt. Causing the deprivation of my rights and a Void Order. They have not and cannot prove any set of Facts that my House was in Default at the time under my care. The plaintiff has no personal Knowledge of such debt Rule 602.
11. State Vs Adams it is a well-established principle, often advanced by the State in criminal prosecutions, "that ignorance of the law is no excuse." State v. Binnarr, 400 S.C. 156, 160 n.7, 733 S.E.2d 890, 892 n.7 (2012). There would be a "fundamental unfairness [in] holding citizens to 'the traditional rule that ignorance of the law is no excuse,' while allowing those 'entrusted to enforce' the law to be ignorant of it." United States v. Chanthasouxat, 342 F.3d 1271, 1280 (11th Cir. 2003) (internal citation omitted) (quoting Bryan v. United States, 524 U.S.
12. An abuse of process and malicious prosecution by Dale Van Slambrook , Berkeley County Master IN Equity BERKELEY COUNTY COURT 9<sup>TH</sup> CIRCUIT, Erica Greer Lybrand representation for Prime lending a plains capital company, and their Agents negligent actions caused me pain and suffering. Berkeley's County Clerk of Court, The Trier of Fact, And the Trier of the Case willfully filed an alleged civil action in conspiracy with an agent for alleged "Plaintiff", with no valid complaint or evidence to support the claim is clear "Fraud by the Court" and its officials which is unlawful and void. The Plaintiff cannot meet the requirements to establish Standing stated above number 8. and did not take an oath according to Rule 603 of the federal civil procedure and South Carolina Civil procedure Rule 30. Therefore he and his representation have not entered any valid testimony or factual injury. Judges are charged to know without Full Due process of law, evidence or factual testimony in connection to the alleged claim the court order is void. And is a violation of I Ronnell Demar-Bey of the family name: Walker Civil and personal Liberties.
13. I Ronnell Demar-Bey Object to the Testimony, without Discovery and a proper investigation, Judicial review Article 1 Section 22 SC CON, Further Though I am not an Attorney I have in the past sent multiple pleadings and notices to the plaintiff's representation and to the court on several occasions See. Boag vs Mcdougall; asking them to prove by what relevant evidence gave the Plaintiff the right to sue without proof of debt.
14. I found fraud in the instruments called mortgage Contract, as it does not identify a valid debt by its own written testimony states credit which is not money or valid to

satisfy a contract. No one has yet produced any evidence of Moneta being exchanged that has obligated me. I have on multiple occasions produced multiple Notices of my concerns and desires about not getting Discovery. I have found through research and study That **MERS** (Mortgage Electronic Registration System) Was the assigner which is clear fraud. I Ronnell Demar-Bey have been ignored by the Bias attitude of Judges and the court official because of my choices on how I wish to Identify Self. I have willingly returned Christianity back to the European and am following Islamism. If a State Court can tell free people what they can or cannot do without it being constitutional Article V Sec 1 SC CON pg 87 Code of laws South Carolina 1976. And then forcefully deprive me of constitutional protection like Due Process without Relevant evidence then we do not have equal protection of the law or the rights to life, liberty and the pursuit of happiness we are State slaves. SC Con Article 1 Section 3 the privileges and immunities of citizens of this State and of the United States under this Constitution shall not be abridged, nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws. (1970 (56) 2684; 1971 (57) 315.)

15. Further A federal and State agency cannot in manner through administrative convenience adopts a regulation or through nonfeasance permits under the color of State and federal law inferior authorities to deny my secured Constitutional rights or ignores Congress' intent.
16. Without Standing, an agreement/contract or, Relevant Evidence rule 401 there is no duty to comply with a Void Order, sham legal proceedings and Fraudulent Claims not based in Facts from a constitutional court judge competent in the nature of Law. I Ronnell Demar-Bey the real party in Interest is the only party immensely injured by the Void Order Case No. 2015-CP-08-00965. The courts provide pro se parties wide latitude when construing their pleadings and papers. When interpreting pro se papers, the Court should use common sense to determine what relief the party desires. S.E.C. v. Elliott, 953 F.2d 1560, 1582 (11th Cir. 1992). See also, United States v. Miller, 197 F.3d 644, 648 (3rd Cir. 1999) (Court has special obligation to construe pro se litigants' pleadings liberally); Poling v. K.Hovnanian Enterprises, 99 F.Supp.2d 502, 506-07 (D.N.J. 2000).
17. The state and federal government has a Duty to their assent to the Constitutions to uphold the Law of the land and its rules by not suppressing liberty or converting rights secured by the constitution into privileges without factual authority. Without possessing and having a factual injury rule 17 not a conjectural or moral victim the pleadings are false. I Ronnell Demar-Bey of the family name: Walker for the Record has made several objections to the testimony of plaintiff and practices of the Master IN Equity.
18. In conclusion I Ronnell Demar-Bey the real party in Interest aggrieved by Dale Van Slambrook , Berkeley County Master IN Equity BERKELEY COUNTY COURT 9<sup>TH</sup> CIRCUIT, Erica Greer Lybrand representation for Prime lending a plains capital company, and their Agents inclusive representation demands the court grant me

relief. I Ronnell Demar-Bey the real party in Interest is immensely injured by Void Claims and the Unlawful Practices of SOUTH CAROLINA BERKELEY COUNTY MASTER IN EQUITY COURT and the allege claims of the plaintiff, Case No.2015-CP-08-00965, I Demand the court Grant me relief for all violation of my constitutional rights. 1. My right to have an independent Judgment by a competent judge, 2.The Stress of me and my Family due to abuse of process, malicious prosecution, false Claims, and No Due Process, 3. I DEMAND the order be declared void. 4. I demand damages and court Cost as requested in appeal,. Attorneys and Bar Members have a duty under and by authority of the constitutions and rules of professional Conduct to report and void fraud due to constitutional violations and errors of abuse of discretion.

WHEREFORE, I Ronnell Demar-Bey of the family name: Walker the real party in Interest reserves all his rights without prejudice and would like to resolve this Matter Peacefully if Possible. And request, Demand and pray that the court, representation and, plaintiff fulfill the Law and Rules associated and Promptly Void the Order for lack of Due process, Fraud do to MERS (Mortgage Electronic Registration System), no Discovery, no competent Witness, and or relevant Evidence. Please declare void the orders made for the reasons and Law stated above. So that my primary rights will not continue to be infringed and grant me damages based on the multiple injuries caused by the plaintiff employee's officers under color and their official capacity enforcing void Claims, without full Due process, and state codes that deprived me and my Family of our Constitutional rights. Notice I reserve the right to make whatever amendments are needed in future if so needed.

The use of notary below is for identification only, and such use does NOT grant any jurisdiction to anyone.

Subscribed and sworn, without prejudice, and with all rights reserved.

Ronnell Demar Bey  
Principal, by Special Appearance, in Propria Persona, proceeding Sui Juris.

Ronnell Demar Bey  
Signature of Affiant

ACKNOWLEDGMENT

state of SOUTH CAROLINA

county of Berkeley

On this 15<sup>th</sup> day of June, 2018, before me

personally appeared Ronnell Demar Bey, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed, for the purposes therein set forth.

Khristy King  
(Notary Public)

My Commission Expires 11-15-2027, 2027

ucc 1-207 1-308 1-103, 3-305 3-306



Enclosure:

1. MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS / VOID JUDGEMENT

**MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS/VOID  
JUDGEMENT**

Islamism American, Ambassador of The Lord, domiciled in the Kingdom of God Turtle Island (known today as North America, South Carolina Territory which is Land distinguished from the Incorporated STATE OF SOUTH CAROLINA created from the body politic of 1776), Servant of Love, Truth, Peace, Freedom and Justice submit this Memorandum of Law points and authorizes on Civil Action, Foreign agents, established Irrefragable Law, Marbury v. Madison, and, Trinsey v. Pagliaro in support of my Void Order.

Notice Gibbons v Ogden 1824 supreme court “Persons are not the subjects of commerce...”  
“There is a distinction between a debt discharged and one paid. When discharged, the debt still exists, though divested of its character as a legal obligation during the operation of the discharge.” Stanek v. White (1927), 172 Minn. 390, 215 N.W. 781.

“What is a dollar? It's just something artificial we throw out there. What you're doing is you're fooling people into thinking they have purchasing power, when in fact they do not.”  
Denis Karnofsky, Chief Economic Advisor, St. Louis, St. Louis Federal Reserve Bank (June 10, 1978).

**Ballentines Law Dictionary, 3rd Edition: Dollar.** The legal currency of the United States; State v Downs, 148 Ind 324, 327; the unit of money consisting of one hundred cents. The aggregate of specific coins which add up to one dollar. 36 Am J1st Money § 8. In the absence of qualifying words, it cannot mean promissory notes, bonds, or other evidences of debt. 36 AM J 1st Money § 8. Marbury v. Madison, 5 US 137: “*The Constitution of these United States is the supreme law of the land. Any law that is repugnant to the Constitution is null and void of law.*”

“It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed by the Constitution. Frost v. Railroad Commission of California, 271 U.S. 583.

**Further Citing: Montgomery vs State; The duty rest upon all courts, “ State and federal, to guard, protect, and enforce every right granted or secured by the Constitution whenever such rights are involved in any proceeding before the court and the right is duly and properly claimed or asserted. The State of South Carolina has not to my knowledge provided me a remedy in its legislation for the exercise of the constitutional guarantee thus the courts must uphold this right; see Dade County Classroom Teachers Asso. Vs The Legislature**

THE ELEVENTH AMENDMENT

**RECEIVED**  
JUN 18 2018  
SC Court of Appeals

It is a violation of the Article XI for a FOREIGN CITIZEN to INVOKE the JUDICIAL POWER OF THE STATE.

Article XI. The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

1. S. S. citizens (federal citizens) are FOREIGN to the several State and SUBJECTS OF THE FEDERAL UNITED STATES/STATE of NEW COLUMBIA/DISTRICT OF COLUMBIA. Attorneys, therefore, are considered FOREIGN AGENTS under the FOREIGN AGENTS REGISTRATION ACT[FARA] and are SUBJECTS of the BAR ASSOCIATION [BRITISH ACCREDITING REGENCY]. By virtue of the 11th Amendment, government and corporations and their agents are foreclosed from parity with real, living, sentient Original Men. Rights of sentient beings are God-given by virtue of Allah the farther of the universe and creator of Original Man. while corporations and governments only have limited powers—powers granted to them by their human creator. **Boyd v. US**, 116 U.S. 616: "*The court is to protect against any encroachment of constitutionally secured liberties.*", *Trinsey Vs Parailgro*, Title 22 USC (Foreign relations and Intercourse) Chapter 11 identifies all public officials as foreign agents., and Title 28 USC 3002 Section 15A states United States is a Federal Corporation and not a government, including the Judicial Procedural Section.

### State citizenship

U.S. v. Anthony 24 Fed. 829 (1873) "The term resident and citizen of the United States is distinguished from a Citizen of one of the several states, in that the former is a special class of citizen created by Congress."

"We have in our political system a government of the United States and a government of each of the several States. Each one of these governments is distinct from the others, and each has citizens of its own..."

United States v. Cruikshank, 92 U.S. 542 (1875)

"...he was not a citizen of the United States, he was a citizen and voter of the State,..." "One may be a citizen of a State and yet not a citizen of the United States".

McDonel v. The State, 90 Ind. 320 (1883)

Further Citing U. S. Supreme Court State vs Earle These principles are recognized and followed by the Supreme Court of the United States. In *Turpin v. Lemon*, 25 Sup. Ct. Rep., 20, the Court quotes with approval the following definition of due process of law found in *Hagar v. Reclamation Dist.*, 111 U.S. 701: "It is sufficient to observe here that by 'due process' is meant one which, following the forms of law, is appropriate to the case, and just to the parties to be affected. It must be pursued in the ordinary mode prescribed by the law; it must be adapted to the end to be attained; and whenever it is necessary for the protection of the parties, it must give them an opportunity to be heard respecting the justice of judgment sought. The clause in question means, therefore, that there can be no

proceeding against life, liberty or property which may result in the deprivation of either, without the observances of those general rules established in our system of jurisprudence for the security of private rights." The case of *Henderson v. Henderson*, 19 Sup. Ct. Rep., 553, shows that in order to bring a case within the scope of the 14th amendment to the Constitution of the United States, it should be so clearly and palpably an illegal encroachment upon private rights as to \*Page 203 leave no doubt that the legislation by its necessary operation, is really spoliation under the guise of the law. In *Smythe v. Ames*, 18 Sup. Ct. Rep., 418, the Court uses this language: "In every Constitution is the guaranty against the taking of private property for public purposes without just compensation. The equal protection of the laws, which, by the fourteenth amendment, no State can deny to the individual, forbids legislation, in whatever form it may be enacted, by which the property of one individual is without compensation wrested from him for the benefit of another, or of the public. This, as has been often observed, is a 'government of law and not a government of men,' and it must never be forgotten that under such government, with its constitutional limitations and guaranties, the forms of law and the machinery of government, with all their reach and power, must in their actual workings stop on the hither said of the unnecessary and uncompensated taking or destruction of any private property legally acquired and legally held."

Rule 17 of the South Carolina Rules of Civil Procedure requires that actions be prosecuted in the name of the real party in interest. See S.C.R.C.P. Rule 17. According to South Carolina law, a party must be the real party in interest in order to have standing to sue. See *Town of Sullivan's Island v. Felger*, \_\_\_ S.C. \_\_\_, 457 S.E.2d 626, 629 (Ct. App. 1995); *Bailey v. Bailey*, \_\_\_ S.C. \_\_\_, 441 S.E.2d 325, 327 (1994); *WeSav Financial Corp. v. Lingefelt*, \_\_\_ S.C. \_\_\_, 450 S.E.2d 580, 582 (1994); *Dockside Ass'n, Inc. v. Detyens, Simmons*, 285 S.C. 565, 330 S.E.2d 537 (Ct. App. 1985). Petitioner is not the real party in interest; consequently, it lacks standing to challenge this requirement.

## ON THE DUTY OF THE COURT

A threshold determination which must be made in every case is whether a court has subject matter jurisdiction over the matter in question. Issues relating to subject matter jurisdiction may be raised at any time, cannot be waived by consent of the parties, and should be considered by the court on its own motion. See, e.g., *Johnson v. State*, \_\_\_ S.C. \_\_\_, 459 S.E.2d 840 (1995).

**Simon v. Craft, 182, U.S. 427, 436, 21 SUP. CT. 836, 45 L. ED 1165;**

"In determining whether such rights were denied, we are governed by the substance of things and

not by mere form; *ID.*; *Louisville & N.R. CO. v. Schmidt*, 177 U.S. 230, 20 SUP. CT. 620 44 L ED 747.

“While in a court of general jurisdiction, there is a presumption that the judge has subject-matter jurisdiction, such is not the case in courts of limited jurisdiction. In all courts of limited jurisdiction, there is no presumption of subject-matter jurisdiction.” *State Bank of Lake Zurich v. Thill*, 113 Ill.2d 294, 497 N.E.2d 1156 (1986).

“Courts are constituted by authority and they cannot act beyond the power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities. They are [254 U.S. 348, 354] not voidable, but simply void, and this even prior to reversal.” *Elliot v. Piersol*, 1 Pet. 328, 340; *Old Wayne Life Ass’n v. McDonough*, 204 U.S. 8, 27 Sup. Ct. 236. (underline emphasis added)

**It is not the duty of the court to be religious and mediate faith/Fiat claims deficient of empirical evidence.** Men can claim anything, but the court has no duty to any Plaintiff lacking proof of claim. Even historic Christianity avoided fideism by providing many “infallible proofs” in its assertion that the Prophet Jesus Christ rose from the dead (John 20:25; Acts 1:3).

**It is not the duty of the court to be involved in politics** voting for their favorite party or to cast a vote for party slogans. The fact that the opposing attorney and the judge belong to the same commercial club called the BAR should alert the Court that the judge in the instant case is called to be fair, impartial, and non-prejudicial.

[Judges] are the depository of the laws; the living oracles, who must decide in all cases of doubt, and who are bound by an oath to decide according to the law of the land. [Blackstone, 1 COMMENTARIES \*69.]

**It is the duty of the Court to insure that pleadings are sufficient to invoke judicial authority.** Pleadings that lack evidence supported by fact can only be deemed as a “failure to state a claim upon which relief can be granted” (Rule 1-012).

**It is the duty of the Court to seek the truth.** Lady Justice is blind. She carries the scales of justice with a duty to make sure there is an “agreement between thought and reality;” between “faith claims and reality.”

**It is the duty of the Court and jury to determine the facts**, the actual events or existence of an occurrence. Facts differ from truth in that facts are more related to specific events of an occurrence, while truth is a holistic, unified conclusion regarding a series of actual occurrences.

It is, therefore, the duty of the Court to discern the truth in a controversy by weighing the evidence.

“No instruction was asked, but, as we have said, **the judge told the jury that they were to regard only the evidence admitted by him, not statements of counsel**”, *Holt v. United States*, (10/31/10) 218 U.S. 245, 54 L. Ed. 1021, 31 S. Ct. 2,

[W]e may take it as a general rule, “that the decisions of courts of justice are the **evidence of what is common law**.” [Blackstone, 1 COMMENTARIES \*71.]

**The best evidence** of the common law is to be found in the decisions of the courts of justice . . . . The reports of judicial decisions **contain the most certain evidence**, and the most authoritative and precise application of the rules of the common law. [Kent, J., 1 COMMENTARIES, at 473-78.]

The liberty of government by the people, in my opinion, should never be denied by this Court except when the decision of the people, as stated in laws passed by their chosen representatives, conflicts with the express or necessarily implied commands of our Constitution. . **U.S. Supreme Court In re Winship, 397 U.S. 358 (1970)**

I admit a strong, persuasive argument can be made for a standard of proof beyond a reasonable doubt in criminal cases -- and the majority has made that argument well -- but it is not for me as a judge to say for that reason that Congress or the States are without constitutional power to establish another standard that the Constitution does not otherwise forbid. It is quite true that proof beyond a reasonable doubt has long been required in federal criminal trials. It is also true that

**Page 397 U. S. 386**

This requirement is almost universally found in the governing laws of the States. And as long as a particular jurisdiction requires proof beyond a reasonable doubt, then the Due Process Clause

commands that every trial in that jurisdiction must adhere to that standard. *See Turner v. United States*, 396 U. S. 398, 396 U. S. 430 (1970) (BLACK, J., dissenting). But when, as here, a State, through its duly constituted legislative branch, decides to apply a different standard, then that standard, unless it is otherwise unconstitutional, must be applied to insure that persons are treated according to the "law of the land." The State of New York has made such a decision, and, in my view, nothing in the Due Process Clause invalidates it. **U.S. Supreme Court In re Winship, 397 U.S. 358 (1970)**

### **Involuntary Servitude**

UNITED STATES V. KOZMINSKI, 487 U. S. 931

(1988) "For purposes of criminal prosecution under § 241 or § 1584, the term "involuntary servitude" necessarily means a condition of servitude in which the victim is forced to work for the defendant by the use or threat of physical restraint or physical injury or by the use or threat of coercion through law or the legal process. This definition encompasses cases in which the defendant holds the victim in servitude by placing him or her in fear of such physical restraint or injury or legal coercion."

**It is the duty of the Court to place those who testify "under oath" so that truth can proceed and succeed.** In fact, since there is only one form of action, civil action (Rule 1-001), no civil action can proceed with warrant without first supplying an oath of affirmation by an injured party stating with particularity and specificity the facts in the action and their competence to proceed with a claim.

4<sup>th</sup> Amendment: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and **no Warrants** shall issue, **but upon probable cause, supported by Oath or affirmation**, and particularly describing the place to be searched, and the persons or things to be seized.

**It is the duty of the court to weigh the evidence, not faith claims or assertions or statements of belief;** e., the court must be deaf to an attorney's beliefs that are not supported by eye-witness testimony or documentary evidence.

**Evidence:** Any species of proof, or probative matter, legally presented at the trial of an issue, but the act of the parties and through the medium of witnesses, records, documents, exhibits, concrete objects, etc. for the purpose of inducing a belief in the minds of the court or jury as to their contention (Taylor v. Howard, 111 R.I. 527, 304, A.2d 891, 893.

**Evidence:** Testimony, writing, or material objects offered in proof of an alleged fact or proposition, *People v. Leonard*, 207 C.A.2d 409, 24 Cal.Rptr. 597, 600 (See also: Black's Law Dictionary, Sixth Edition, p. 555).

**It is the duty of the Court to weigh ONLY the facts and the truth on the scales of justice.** Decision and rulings must be based on truth. *Truth is Expressed in the Form of an Affidavit* (Maxim of Law) and *An Unrebutted Affidavit stands as Truth in the Matter* (Maxim of Law); that is, truth can only be expressed verbally under oath by verbal testimony or in a sworn affidavit. Without an affidavit, there is no truth, no facts, and no evidence on record.

“Where there are no depositions, admissions, or affidavits the court has no facts to rely on for a summary determination.” *Trinsey v. Pagliaro*, D.C. Pa. 1964, 229 F. Supp. 647.

**It is the duty of the court to Validate and Verify faith/flat claims** before they are permitted on the scales of justice. Truth claims must be validated; that is, “attested,” “certified,” and “legalized” by oath of affirmation to provide sufficient strength and legal force to be considered as evidence. In some instances, original documents are required to be produced (Rule 1002).

It is the duty of the court to require the Plaintiff to provide proof, not the duty of the Defendant to prove innocence or the invalidity of a faith claim.

Administrative Procedures Act, 5 U.S.C. Part I, Chapter 5, II, § 556 ((d)) Except as otherwise provided by statute, the proponent of a rule or order has the burden of proof.

**It is the duty of the court to disallow statements of counsel as evidence.**

*Trinsey v Pagliaro*, D.C.Pa. 1964, 229 F.Supp. 647. “Statements of counsel in brief or in argument are not facts before the court and are therefore insufficient for a motion to dismiss or for summary judgment.”

Pro Per and pro se litigants should therefore always remember that the majority of the time, the motion to dismiss a case is only argued by the opposing attorney, who is not allowed to testify on the facts of the case, the motion to dismiss is never argued by the real party in interest.

“Where there are no depositions, admissions, or affidavits the court has no facts to rely on for a summary determination.” *Trinsey v. Pagliaro*, D.C. Pa. 1964, 229 F. Supp. 647.

SC Rule 55 States **(2) All Other Cases**. In all other cases, the party entitled to a judgment by default shall apply to the court therefor; but no judgment by default shall be entered against a minor or incompetent person unless represented in the action by a guardian ad litem who has appeared therein.

"The law creates a presumption, where the burden is on a party to prove a material fact peculiarly within his knowledge and he fails without excuse to testify, that his testimony, if introduced, would be adverse to his interests." citing *Meier v. CIR*, 199 F 2d 392, 396 (8th Cir. 1952) quoting 20 Am Jur, Evidence, Sec 190, page 193

PROOF BANKS DEPOSIT NOTES AND ISSUE BANK CHECKS. THE CHECKS ARE ONLY AS GOOD AS THE PROMISSORY NOTE. NEARLY ALL BANK CHECKS ARE CREATED FROM PRIVATE NOTES. FEDERAL RESERVE BANK NOTES ARE A PRIVATE CORPORATE NOTE (Chapter 48, 48 Stat 112) WE USE NOTES TO DISCHARGE NOTES.

"Neither, as included in its powers not incidental to them, is it a part of a bank's business to lend its credit. If a bank could lend its credit as well as its money, it might, if it received compensation and was careful to put its name only to solid paper, make a great deal more than any lawful interest on its money would amount to. If not careful, the power would be the mother of panics . . . Indeed; lending credit is the exact opposite of lending money, which is the real business of a bank, for while the latter creates a liability in favor of the bank, the former gives rise to a liability of the bank to another. Banks and Banking 5th Ed. Sec 65; Magee

“It is not within those statutory powers for a national bank, even though solvent, to lend its credit to another in any of the various ways in which that might be done.” *Federal Intermediate Credit Bank v. L “Harrison*, 33 F 2d 841, 842 (1929).

- “There is no doubt but what the law is that national bank cannot lend its credit or become an accommodation endorser.” *National Bank of Commerce v. Atkinson*, 55 E 471.

- “... the bank is allowed to hold money upon personal security; but it must be money that it loans, not its credit.” *Seligman v. Charlottesville Nat. Bank*, 3 Hughes 647, Fed Case No. 12, 642, 1039.

- “A loan may be defined as the delivery by one party to, and the receipt by another party of, a sum of money upon an agreement, express or implied, to repay the sum with or without

interest.” Parsons v. Fox 179 Ga 605, 176 SE 644. Also see Kirkland v. Bailey, 155 SE 2d 701 and United States v. Neifert White Co., 247 Fed Supp 878, 879.

- “The word ‘money’ in its usual and ordinary acceptance means gold, silver, or paper money used as a circulating medium of exchange...” Lane v. Railey 280 Ky 319, 133 SW 2d 75.
- “A promise to pay cannot, by argument, however ingenious, be made the equivalent of actual payment.” Christensen v. Beebe, 91 P 133, 32 Utah 406.
- “A bank is not the holder in due course upon merely crediting the depositors account.” Bankers Trust v. Nagler, 229 NYS 2d 142, 143.
- “A check is merely an order on a bank to pay money.” Young v.

### **LIMITATIONS OF BAR ATTORNEYS**

In 1950, the 81st Congress investigated the Lawyers Guild and determined that the B.A.R. Association is founded and run by communists under definition. Thus, any elected official that is a member of the B.A.R. will only be loyal to the B.A.R. and not the people.

Corpus Juris Secundum legal encyclopedia, volume 7, §4 ATTORNEY & CLIENT

His first duty is to the courts and the public, not to the client, and wherever the duties to his client conflict with those he owes as an officer of the court in the administration of justice, the former must yield to the latter. The office of **attorney** is indispensable to the administration of justice and is intimate and peculiar in its relation to, and vital to the well being of, the court. An attorney has a duty to aid the court in seeing that actions and proceedings in which he is engaged as counsel are conducted in a dignified and orderly manner, free from passion and personal animosities, and that all causes brought to an issue are tried and decided on their merits only.

BAR ATTORNEYS are not the source of truth! BAR attorneys are precluded from testifying on behalf of a client or advancing his religious faith claims for the following reasons:

#### REASON ONE

Attorneys have a duty to The creator of the Universes and conscience to be truthful even if truth is adverse to their client's interest. It is obvious the profession and trust of the public has sunk to new lows when it comes to honesty and integrity pointed out in the Home rule Charter for South Carolina

Counties Handbook Chapter5: As a public official, one of the most important responsibilities is to safeguard the public trust. Because of this, individual public officials, and the county

government as a whole, are held to a very high standard of conduct. Everything you do must not only be right, it must also look right.

Counties Handbook Chapter 5: Ethics For a variety of reasons—scandals, media attention, the complex policy issues facing government, the impact of continued fiscal stress and increasing partisan rancor—the credibility of government and government officials continues to erode. The public does not trust its government. ; Because Attorneys interests are more commercial than moral.

According to your religion in Exodus 20:16: Thou shalt not bear false witness against thy neighbor.

It is decidedly unchristian to win at any cost—Kenneth Starr

**Only facts can be entered into evidence.** Attorneys are required to provide proof of claim or they are asking the court to act upon fraud and join the religion of fideism.

. . . the proponent of a rule or order has the burden of proof. (Administrative Procedures Act, circa)

Evidence: Any species of proof, or probative matter, legally presented the trial of an issue, by the act of the parties and through the medium of witnesses, records, documents, exhibits, concrete objects, etc. for the purpose of inducing beliefs (Black's Law Dictionary, Sixth Edition, p. 555).

**Fideism:** reliance on faith instead of fact and reason to establish a belief claim (See Webster's Dictionary).

REASON TWO:

The rules of evidence that truth can only be determined from a first-hand witness with personal knowledge (Rule 602). Attorneys can't testify because they lack first-hand knowledge.

REASON THREE:

**The rules of evidence assert that for a statement to be deemed as true, it must be stated under oath (Rule 603).** Since a BAR attorney is not under oath nothing he says can be trusted or entered into evidence. A man not under oath can make any claim he wants without impunity. Furthermore, no oath can be trusted unless the holy name of Almighty Allah is invoked and called to be the Witness of a man's "truth" statements. Only the Supreme Being (Allah) has perfect knowledge and only the omniscient, omnipresent, eternal God can judge one who commits perjury without human detection according to your Gods Law (See Deuteronomy 3:11; 6:13).

REASON FOUR:

**The rules of evidence preclude hearsay as proof of claim (Rule 802).** Since the attorney is not a first-hand witness, anything and everything he says must be considered as hearsay and not be permitted to be placed on the scales of justice. ; Perjury by a witness is a crime, 18 U.S.C. §1621.

REASON FIVE:

**Statement of counsel in brief or in oral argument re not facts before the court.** In *Trinsey v. Pagliaro* the Court ruled that attorneys cannot admit evidence into the court. BAR attorneys are not sentient human beings but corporate fictions; and, therefore are prevented from testifying on behalf of their corporate clients; that is, they are prevented by law to testify on behalf of blind, deaf, fictional corporation or in absence of a competent, sentient eye witness. Title 22 USC (Foreign relations and Intercourse) Chapter 11 identifies all public officials as foreign agents; Title 28 USC 3002 Section 15A states United States is a Federal Corporation and not a government, including the Judicial Procedural Section. The Court must weigh the evidence.

“An attorney for the plaintiff cannot admit evidence into the court. He is either an attorney or a witness”. (*Trinsey v. Pagliaro* D.C.Pa. 1964, 229 F. Supp. 647)

“Manifestly, [such statements] cannot be properly considered by us in the disposition of [a] case.” *United States v. Lovasco* (06/09/77) 431 U.S. 783, 97 S. Ct. 2044, 52 L. Ed. 2d 752,

“Under no possible view, however, of the findings we are considering can they be held to constitute a compliance with the statute, since they merely embody conflicting statements of counsel concerning the facts as they suppose them to be and their appreciation of the law which they deem applicable, there being, therefore, no attempt whatever to state the ultimate facts by a consideration of which we would be able to conclude whether or not the judgment was warranted.” *Gonzales v. Buist*. (04/01/12) 224 U.S. 126, 56 L. Ed. 693, 32 S. Ct. 463.

No instruction was asked, but, as we have said, the judge told the jury that they were to regard only the evidence admitted by him, not **statements of counsel**, *Holt v. United States*, (10/31/10) 218 U.S. 245, 54 L. Ed. 1021, 31 S. Ct. 2,

REASON SIX:

**Attorneys can't authenticate any documents if they are not a first-hand, eyewitness of an actual event.** Any statements by an attorney that a document is valid must be rejected as evidence unless it is certified, validated, and certified by a competent witness.

REASON SEVEN:

Attorneys statements in briefs do not rise to the level of fact or truth or evidence they are trained professionals and should already know the laws.

“Statements of counsel in brief or in argument are not facts before the court and are therefore insufficient for a motion to dismiss or for summary judgment.” *Trinsey v Pagliaro*, D.C.Pa. 1964, 229 F.Supp. 647.

it is a well-established principle, often advanced by the State in criminal prosecutions, "that ignorance of the law is no excuse." *State v. Binnarr*, 400 S.C. 156, 160 n.7, 733 S.E.2d 890, 892 n.7 (2012). There would be a "fundamental unfairness [in] holding citizens to 'the traditional rule that ignorance of the law is no excuse,' while allowing those 'entrusted to enforce' the law to be ignorant of it." *United States v. Chanthasouvat*, 342 F.3d 1271, 1280 (11th Cir. 2003) (internal citation omitted) (quoting *Bryan v. United States*, 524 U.S.

REASON EIGHT:

**Attorneys must either be an attorney or a witness.** He cannot be both. Professional statements of litigants attorney are treated as affidavits, and attorney making statements may be cross-examined regarding substance of statement, *Frunzar v. Allied Property and Casualty Ins. Co.*, (Iowa 1996) 548 N.W.2d 880.

REASON NINE:

**Plaintiff attorneys have the burden of proof to provide evidence to the court; ie., the defendant has no duty to prove his innocence:**

Administrative Procedures Act, 5 U.S.C. Part I, Chapter 5, II, § 556 ((d)) Except as otherwise provided by statute, the proponent of a rule or order has the burden of proof. , *Porter v. Porter*, (N.D. 1979 ) 274 N.W.2d 235. Furthermore, the attorney is not permitted to administer an oath in his cases applies as well, *Deyo v. Detroit Creamery Co* (Mich 1932) 241 N.W.2d 244.

REASON TEN:

**Attorneys can't administer oaths of affiants.** Statutes forbidding administering of oath by attorney's in cases in which they may be engaged applies to affidavits as well, *Deyo v. Detroit Creamery Co* (Mich 1932) 241 N.W.2d 244

REASON ELEVEN:

Attorneys are required to submit original copies and competent affidavits in support of claim (NMRCP, Rule 1-009 I.).

LIMITATIONS OF ATTORNEYS

A attorney cannot be a witness.

“The prosecutor is not a witness; and he should not be permitted to add to the record either by subtle or gross improprieties. Those who have experienced the full thrust of the power of government when leveled against them know that the only protection the citizen has is in the requirement for a fair trial.” *Donnelly v. Dechristoforo*, 1974.SCT.41709 ¶ 56; 416 U.S. 637 (1974) Mr. Justice Douglas, dissenting.

#### SUMMARY

The court’s only duty is to weigh the evidence. Attorney’s briefs and or verbal statements are not proof of anything and cannot be entered into the record as evidence. If there are no affidavits of truth, there are not sufficient facts, if there are no sufficient facts, there is no evidence on record; if there is no evidence to support a claim, the claim must be dismissed.

#### PLEADING

Therefore witnesses and attorney’s not being able to testify Lawfully based on a Irrefragable Law, I Ronnell Demar Bey the real party in Interest requests this court to strike all oral testimony as evidence and all briefs submitted by opposing counsel which lack a competent witness and a competent affidavit, to weigh competent evidence, violating due process. A Void Oder has no power to Enforce. This alleged case dismissed with prejudice in favor of the I Ronnell Demar Bey **the** real party in Interest. For it is my Liberty and Rights under attack. It is the court duty to protect them; *Montgomery vs State*.

The use of notary below is for identification only, and such use does NOT grant any jurisdiction to anyone.

Subscribed and sworn, without prejudice, and with all rights reserved.

Ronnell Demar Bey  
Principal, by Special Appearance, in Propria Persona, proceeding Sui Juris.

Ronnell Demar Bey  
Signature of Affiant

ACKNOWLEDGMENT

state of SOUTH CAROLINA

county of Berkeley

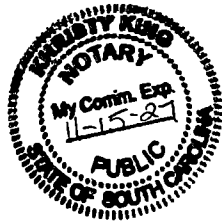
On this 15<sup>th</sup> day of June, 2018, before me

personally appeared Ronnell Demar Bey, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed, for the purposes therein set forth.

Kristy King  
(Notary Public)

My Commission Expires 11-15-2027, 2027

ucc 1-207 1-308 1-103



THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELY COUNTY  
Court of Common Pleas

Dale Van Slambrook, Master In Equity

Case No. 2015-CP-08-00965  
Appellate Case No. 2016-002234

RECEIVED

JUN 18 2018

SC Court of Appeals

PrimeLending, A  
PlainsCapital Company

Respondent,

v.

Ronnell Demar Walker a/k/a  
Ronnell D. Walker, and South  
Pointe Homeowners  
Association, Defendants, Of  
whom Ronnell Demar Walker  
a/k/a Ronnell D. Walker is the  
Appellant

Appellant.

PROOF OF SERVICE

I certify that I have served the **RESPONSE TO RESPONDENT'S MOTION TO DISMISS** by depositing a copy of it in the United States Mail, postage prepaid, on June 15, 2018, addressed to The Honorable Jenny Abbott Kitchings, Clerk of Court, South Carolina Court of Appeals at 1220 Senate Street Columbia, South Carolina 29201.

I certify that I have served the **RESPONSE TO RESPONDENT'S MOTION TO DISMISS** by depositing a copy of it in the United States Mail, postage prepaid, on June 15, 2018, addressed to Eric G. Lybrand, Rogers Townsend Attorney at Law at 1221 Main Street 14<sup>th</sup> Floor Columbia, SC 29201.

I certify that I have served the **RESPONSE TO RESPONDENT'S MOTION TO DISMISS** by depositing a copy of it in the United States Mail, postage prepaid, on June 15, 2018, addressed to Nikole Haltiwanger, Rogers Townsend Attorney at Law at 220 Executive Center Drive Columbia, SC 29201.

I Am: *Ronnell Demar Bay*  
Authorized Representative  
Natural Person, In Propria Persona: Sui Juris  
Ex Relatione RONNELL DEMAR WALKER  
All Rights Reserved:  
U.C.C. 1-207/ 1-308; U.C.C. 1-103  
Tunis Territory  
C/o 412 Eastover Circle  
[Summerville, SC] [29483]  
Non-Domestic, Non-Resident

June 15, 2018

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**

JUN 18 2018

SC Court of Appeals

RE: PrimeLending, A PlainsCapital Company, V. Ronnell Demar Walker a/k/a  
Ronnell D. Walker; and South Pointe Homeowners Association, Defendants, Of  
whom Ronnell Demar Walker a/k/a Ronnell D. Walker is the Appellant, Case No.  
2015-CP-08-00965, Appellate Case No. 2016-002234

Dear Ms. Kitchings:

Please find enclosed the Original and 7 Copies of the **RESPONSE TO  
RESPONDENT'S MOTION TO DISMISS** by depositing a copy of it in the United  
States Mail, postage prepaid, on June 15, 2018 and Proof of Service, for the above  
referenced matter.

I Am: *Ronnell Demar Walker*  
Authorized Representative  
Natural Person, In Propria Persona:  
Ex Relatione RONNELL DEMAR WALKER  
All Rights Reserved:  
U.C.C. 1-207/ 1-308; U.C.C. 1-103  
Tunis Territory  
C/o 412 Eastover Circle  
[Summerville, SC] [29483]  
Non-Domestic

Enclosures

1. MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS/  
VOID JUDGEMENT

June 15, 2018

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

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Authorized Representative  
Natural Person, In Propria Persona:  
Ex Relatione RONNELL DEMAR WALKER  
All Rights Reserved:  
U.C.C. 1-207/ 1-308; U.C.C. 1-103  
Tunis Territory  
C/o 412 Eastover Circle  
[Summerville, SC] [29483]  
Non-Domestic

Enclosures

1. MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS/VOID JUDGEMENT

**cc:**

Erica Greer Lybrand  
Rogers Townsend Attorney at Law  
1221 Main Street, 14<sup>th</sup> Floor  
Columbia, SC 29201

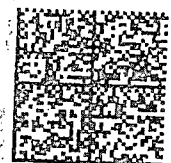
~~Nikole Deanna Haltiwanger~~  
ROGERS TOWNSEND & THOMAS, PC  
220 Executive Center Drive  
Columbia, SC 29201  
(803)744-4444

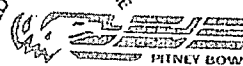
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