

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM RICHLAND COUNTY  
COURT OF COMMON PLEAS  
THE HONORABLE JOSEPH M. STRICKLAND  
MASTER IN EQUITY

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**RECEIVED**

JUL 02 2018

SC Court of Appeals

APPELLATE CASE NO. 2016-001468  
CIVIL ACTION NO. 2008-CP-40-8887

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South Carolina Community Bank,

**RESPONDENT,**

versus

Carolina Procurement Institute, Inc., Gary A. Washington,  
Michele A. Washington, First Palmetto Savings Bank, F.S.B.,  
Branch Banking and Trust Company of South Carolina,  
Palmetto Health Alliance, State of South Carolina Department  
of Revenue,

**DEFENDANTS,**

Of whom Carolina Procurement Institute, Inc.,  
Gary A. Washington, and Michele A. Washington are the

**APPELLANTS.**

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**RESPONDENT'S RETURN TO APPELLANTS' MOTION REQUEST TO  
CORRECT ERROR BY SC APPEALS COURT AND REVISIT SUBMISSION,  
RECEIVED, DATED MARCH 26, 2018**

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On or about June 19, 2018, Appellants filed a document with this Court titled  
"Motion Request to Correct Error by SC Appeals Court and Revisit Submission,  
received, dated March 26, 2018."

In this motion, Appellants seek to correct an order by this Court regarding Appellants' previous motion to relieve their appellate counsel and further ask this Court to address previous requests Appellants made in their motion filed March 26, 2018, including to admit a substantial amount of documentation never raised to the Master-in-Equity in the foreclosure case and add new arguments never raised to the Master-in-Equity regarding purported fraud committed.

On April 5, 2018, Respondent South Carolina Community Bank ("SCCB") filed a Return to Appellants' March 26, 2018 motion objecting to all relief sought in the motion except for Appellants' request to relieve their current appellate counsel. SCCB argued that the remaining requests should be denied and new issues and documents should not be allowed to be raised and submitted because the Final Briefs had already been previously filed almost a year prior, the evidence and issues were not raised to the Master-in-Equity in the case below as grounds to set aside the foreclosure sale, judicial notice cannot be taken of disputed facts, and judicial notice of purported "facts" raised for the first time on appeal would deny the adverse party the opportunity to contest the matters noticed and violate the principle that appellate review should be limited to the record on appeal.

On June 7, 2018, this Court issued an order relieving Appellants' counsel but mistakenly indicated that appellate counsel had petitioned to be relieved. On June 22, 2018, this Court corrected the error and issued an amended order indicating that it was Appellants who had petitioned the Court to relieve their appellate counsel. Therefore, this Court has already addressed Appellants' motion to correct the error made in the order relieving counsel.

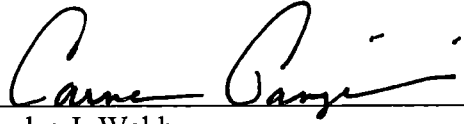
This leaves Appellants' continued requests for this Court to find alleged fraud by those involved in the foreclosure and bankruptcy cases of Appellants. Again, these are issues Appellants never raised below in the foreclosure case. This Court has now already issued its Opinion on May 2, 2018 affirming the foreclosure sale. Appellant's petition for rehearing is pending. Appellants have not raised any of these purported fraud issues in the petition for rehearing. Furthermore, the federal courts in which Appellants have filed various bankruptcy cases have already heard Mr. Washington's arguments regarding purported fraud and have found no occurrence of fraud.

Further, Appellants include requests well beyond the authority of this Court, including to submit the case to a formal criminal investigation and the investigations and recusals of federal judges and a United States trustee. Under S.C. CODE ANN. § 14-8-200(a), this Court "has jurisdiction over any case in which an appeal is taken from an order, judgment, or decree of the circuit court, family court, a final decision of an agency, a final decision of an administrative law judge, or the final decision of the Workers' Compensation Commission." This jurisdiction, however, "is appellate only." *Id.* This Court has no jurisdiction to order or direct criminal investigations and order actions upon federal officials. There is furthermore no procedure provided for Appellants' outlandish requests under the South Carolina Appellate Court Rules.

Therefore, for the foregoing reasons, SCCB requests that all relief sought in Appellants' latest motion filed on June 19, 2018, except for that relating to the order regarding the petition to relieve counsel, be denied.

*(signature on following page)*

Respectfully submitted,



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Charles J. Webb

Carmen V. Ganjehsani

RICHARDSON, PLOWDEN & ROBINSON, PA

1900 Barnwell Street (29201)

Post Office Drawer 7788

Columbia, South Carolina 29202

(803) 771-4400

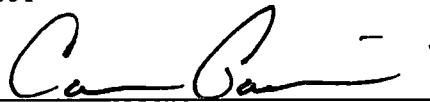
**ATTORNEYS FOR RESPONDENT  
SOUTH CAROLINA COMMUNITY  
BANK**

June 29, 2018.

**CERTIFICATE OF SERVICE**

I, the undersigned, attorney for Respondent South Carolina Community Bank, do hereby certify that I have this date served the foregoing **Respondent's Return to Appellants' Motion Request to Correct Error by SC Appeals Court and Revisit Submission, Received, Dated March 26, 2018**, dated June 29, 2018, by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, addressed to the parties as indicated below:

Gary Washington  
2917 River Drive  
Columbia, SC 29201



Carmen V. Ganjehsani  
RICHARDSON, PLOWDEN & ROBINSON, PA  
1900 Barnwell Street (29201)  
Post Office Drawer 7788  
Columbia, South Carolina 29202  
(803) 771-4400  
**ATTORNEYS FOR RESPONDENT  
SOUTH CAROLINA COMMUNITY  
BANK**

Dated: June 29, 2018.

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**SC Court of Appeals**

Reply to: **Carmen V. Ganjehsani**  
Direct Dial: 803-253-8692  
cganjehsani@richardsonplowden.com

June 29, 2018

The Honorable Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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JUL 02 2018  
SC Court of Appeals

**Re: *South Carolina Community Bank v. Carolina Procurement***  
**Appellate Case No. 2016-001468**  
**RPR File No.: 4286-99**

Dear Ms. Kitchings:

I am enclosing for filing the original and six copies of the Return to Appellant Gary Washington's Motion Request to Correct Error by SC Appeals Court and Revisit Submission, received, dated March 26, 2018 in the above referenced matter, along with our Certificate of Service.

By copy of this letter, I am serving a copy of this Return on Gary Washington.

Sincerely,



Carmen V. Ganjehsani

CVG/lmi  
Enclosures

cc: Gary Washington  
FYI: Charles J. Webb

FIRST-CLASS MAIL  
06/29/2018  
US POSTAGE \$002.26<sup>0</sup>



ZIP 29201  
011E11670150

4286-99

**RICHARDSON**  
RICHARDSON PLOWDEN ROBINSON, P.A.  
**PLOWDEN**  
ATTORNEYS AT LAW

COLUMBIA P.O. Drawer 7788 • Columbia, SC 29202

The Honorable Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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