

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

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Robin Stilwell, Circuit Court Judge

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Case No. 2017-CP-23-3754  
Appellate Case No. 2017-002618

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**RECEIVED**

JUN 25 2018

SC Court of Appeals

Harold Estes Blackwell, Jr.

Appellant,

v.

Miracle Hill Ministries, Inc.,  
William Fisk, Anita Jane  
Miller

Respondents

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**Motion to Deny Motion to Dismiss, Remand With Order to Allow Appellant to Amend His  
Complaint and Award Appellant Fees**

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Comes now Appellant to move this Court to deny Miracle Hill Ministries, Inc.'s (Miracle Hill) Motion to Dismiss, remand the cases against Respondents Miracle Hill and William Fisk with an order allowing Appellant to amend his complaint, and award Appellant fees. Respondent Miller has filed a brief. Appellant filed a reply to Miller brief and submitted the Record on Appeal regarding Respondent Miller. Appellant awaits Respondent Miller's Final Brief.

This Court gave Miracle Hill until June 18, 2018, to file a brief and they did not. Obviously, the request for an extension of time was a delaying tactic. Any prejudice against Miracle Hill's defense, if any existed, evaporated with the extra time granted by the Court.

Apparently, Miracle Hill has no defense against Appellant's appeal and places its razor thin hopes on a motion to dismiss file two months ago. The crux of the Miracle Hill's motion to

dismiss is that Appellant allegedly addressed the Record on Appeal to the wrong address and counsel states he never received it, noting an incorrect address Appellant listed for his law firm in other documents. Appellant responded with an affidavit stating he mailed the Record on Appeal to opposing counsel and received no return mail containing the Record on Appeal. Miracle Hill has submitted no such affidavit.

Respondent Fisk has submitted nothing in response to Appellant's appeal.

As such, pursuant to the Rules, Appellant is allowed \$2,500 in legal fees from both Miracle Hill and Fisk. Each Respondent is responsible for one third of the file fee (\$40). In regards to Respondent Miracle Hill, Appellant incurred \$108.09 in printing cost, \$52 in mailing cost and 39 miles of travel at \$.50 per miles (\$19.50).

Therefore, Appellant asks the Court to award him the amount of \$2,540.00 from Respondent Fisk and \$2,719.59 from Respondent Miracle Hill per the Rules.

So says the Appellant,



Harold Estes Blackwell, Jr., pro se  
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Union, South Carolina 29379  
(864) 303-7000

June 20, 2018  
Union, South Carolina

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF GEEENVILLE : )  
 )  
 HAROLD ESTES BLACKWELL, JR., )  
 )  
 Appellant, )  
 )  
 vs. )  
 )  
 MIRACLE HILL, INC, )  
 ANITA JANE MILLER )  
 WILLIAM FISK )  
 )  
 Respondents. )  
 \_\_\_\_\_ )

IN THE CURCUIT COURT  
 THIRTEENTH JUDICIAL CIRCUIT

2017-CP-23-3754

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SC Court of Appeals

CERTIFICATE OF SERVICE

Appellate Case # 2017-002618

The undersigned, being the Plaintiff in this action, acting *pro se*, does hereby certify that service of Appellant's Motion to Deny Motion to Dismiss, Remand With Order to Allow Appellant to Amend His Complaint and Award Appellant Fees was made upon all Respondents Miracle Hill Ministries, Inc. and William Fisk by placing the same in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelope this the 16th day of January, 2018, addressed as follows  
 Miracle Hill Ministries, Inc. c/o Adam C. Bach

Miracle Hill Ministries c/o Adam Bach  
 Eller, Tonnsen Bach  
 1306 S. Church Street  
 Greenville, SC 29605

William Fisk c/o Carrie O'Brien  
 6701 Carmel Road  
 Charlotte, NC 28226

(Signature on next page)

by:



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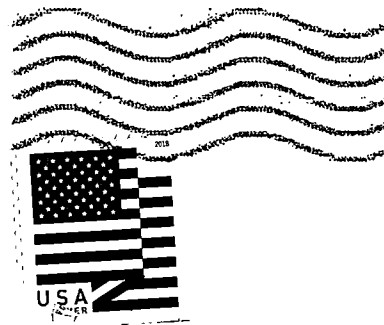
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Union, South Carolina  
June 20, 2018

Hal Blackwell  
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GREENVILLE SC 296

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V. Claire Allen, Deputy Clerk  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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SC Court of Appeals

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