

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY

MAY 04 2018

Court of Common Pleas

SC Court of Appeals

Robin B. Stilwell, Circuit Court Judge

Appellate Case No. 2017-002618

Harold Estes Blackwell, Jr..... Appellant,

v.

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

APPELLANT'S RETURN TO MOTION RESPONDENT MILLER

The Appellant comes now before the Court in rely to Respondent Miller's Initial Brief and Designation of Matter. It appears Respondent Miller, in her initial brief, seeks to argue the merits of the case to the exclusion of the matters listed in Appellant's initial brief.

Apparently conceding the point, Respondent Miller makes no argument against Appellant's claim the Court erred by holding a hearing to decide matters in a case with a pro se litigant in which the arguments from two cases were interspersed with each other.

Again, apparently conceding the point, Respondent Miller makes no argument against Appellant's averment that pro se litigants' complaints are due a less stringent reading than a complaint drafted by a lawyer. Respondent Miller does not allege a less stringent reading was

provided Appellant. Respondent Miller does not contest Appellant's averment he was afforded a much more stringent reading than typically afforded attorneys.

Also missing are any comment or mitigating light provided to rebut Appellant's averment the Court misquoted Plyer in its order and that the misquote was material.

Respondent Miller also does not refute Appellant's contention he should be given the opportunity to amend his complaint under the authority of Foman v. Davis, 371 U.S. 178, 182, 83, S. Ct., 227, 9 L. Ed.2d 22 (1962), nor makes any argument in support of the Court's dismissal of the claims against Miller with prejudice, which is not the typical practice of the Court.

Respondent Miller does not allege the matters cited in each of her arguments cannot be remedied by amended complaint.

As to Respondent Miller's argument number one, alleging Appellant's complaint does not state a claim for outrage, Appellant would list Miller's effort to entrap him using the Oconee County Sheriff's office and frame the facts of Miller's conduct, instead of her acts. In this argument opposing counsel references the trial court's standard of review without the standard of review for an appeal which is a moot point.

As to Respondent Miller's second argument, that the complaint does not state a claim for defamation, the each issue is easily cured by an amended complaint. Given the record there can be no doubt Miller defamed Appellant.

Appellant again notes the absence of any rebuttal to his claims regarding the Court's bias, Appellant's pro se status or justification for not allowing Appellant to amend his complaint.

So says Appellant, pro se,

  
\_\_\_\_\_  
Harold E. Blackwell, Jr.  
(864) 303-7000

Union, SC  
May 1, 2018

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

IN THE CURCUIT COURT  
THIRTEENTH JUDICIAL CIRCUIT

2017-CP-23-3754

CERTIFICATE OF SERVICE


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Appellate Case # 2017-002618 MAY 04 2018

SC Court of Appeals

The undersigned, being the Plaintiff in this action, acting *pro se*, does hereby certify that service of Appellant's reply to Respondent's Initial Brief was made upon Respondent Miller 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:

Anita Jane Miller c/o M. Lee Daniels  
1200 Woodruff Road, Suite A-3  
Greenville, SC 29607

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

Union, South Carolina  
May 1, 2018

**FORM 8**  
**LETTER TO THE APPELLATE COURT CLERK**  
**FILING THE NOTICE OF APPEAL**

September 16, 2000

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

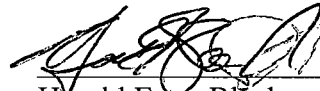
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SC Court of Appeals

RE: Blackwell v Miracle Hill Appellant Case No. 2017-002618

Dear Ms. Allen,

Please find enclosed the reply to Respondent Miller's initial brief in the above referenced case.

Sincerely,



Harold Estes Blackwell, Jr.  
315 Glendale Road  
Union, South Carolina 29379  
(864) 303-7000  
halblackwell@gmail.com  
Appellant appears *pro se*

Other Counsel of Record:

M. Lee Daniels  
120 1200 Woodruff Road, Suite A-3  
Greenville, South Carolina 29607  
Attorney for Respondent Anita Jane Miller  
Telephone: (864) 242-9484

Hal Blackwell  
315 Glendale Road  
Union, SC 29379

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MAY 04 2018

SC Court of Appeals

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

