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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Robin Stilwell, Circuit Court Judge

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

RECEIVED

AUG 06 2018

SC Court of Appeals

Harold Estes Blackwell, Jr.

Appellant,

v.

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

Respondents

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

Comes now Appellant to move this Court to remand the cases against Respondents Miracle Hill and William Fisk with an order allowing Appellant to amend his complaint with respect to these Respondents. Appellant also moves this court pursuant to the Rules to award Appellant fees. Respondent Miller has filed a brief. Appellant filed a reply to Miller's brief and submitted the Record on Appeal regarding Respondent Miller.

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
315 Glendale Road
Union, South Carolina 29379
(864) 303-7000

August 3, 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

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 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 third day of August, 2018, addressed as follows:

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

William Fisk c/o Carrie O'Brien
Walker Allen Grice Ammons & Foy LLP
225 East Worthington Ave, Suite 200
Charlotte, NC 28226

M. Lee Daniels
1200 Woodruff Road, Suite A-3
Greenville, South Carolina 29607

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SC Court of Appeals

(Signature on next page)

by:



Harold Estes Blackwell, Jr.
315 Glendale Road
Union, South Carolina 29379
(864) 303-7000

Union, South Carolina
June 20, 2018

Harold (Hal) E. Blackwell, Jr.
315 Glendale Road
Union, South Carolina 29379

August 3, 2018

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Case No. 2017-002618

Dear Ms. Kitchings,,

Please find enclosed Appellant's motion to remand and award fees, certificate of service and \$25 US Postal Money order. If you have any questions please let me know.

Kindest regards,



Hal Blackwell

Plaintiff, pro se

(864) 303-7000

halblackwell@gmail.com

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

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

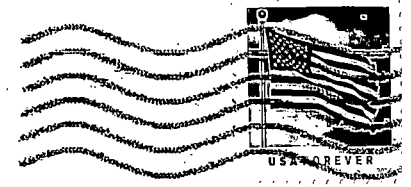
Carrie O'Brien
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