

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FLORENCE COUNTY
Court of Appeals

Stephanie McDonald, Court Judge

RECEIVED
SEP 06 2018
SC Court of Appeals

R & R Cleaning and
Natalie Harris


V.

Respondent

Edward Spears

Petitioner.

PETITION FOR A WRIT OF CERTIORARI



Edward Spears
503 Roughfork Street
Florence, SC 29501
843-496-3711
Pro-se

INDEX

Certificate of Counsel.....

Statement of the Case.....

Arguments.....

[Judge(s) overlooked rules 210, 209, and 267 in their decision]

[Judge(s) was biased]

CONCLUSION

Certificate of Counsel.....

[Counsel for petitioner certifies that the petition for rehearing was made and finally ruled on by the Court of Appeals on August 3, 2018.]

Questions Presented:

Did the Court of Appeals err when saying I should have included items 1 and 3 in my Record of Appeals?

Did Court of Appeals err when they said I only included the first page of motion to dismiss from respondent dated August 4, 2016?

Did Court of Appeals wee when they dismissed my case for handwriting?

P/

Statement of Case:

I appeal this case in the Court of Appeals up from the Court of Common Pleas. The case is captioned R & R Cleaning and Natalie Harris V. Edward Spears. The appeal happened March 27, 2017 (see A.P3). I filed my initial brief on October 27, 2017 along with my designation of matter. The respondent filed his initial brief and designation of matter on November 22, 2017 (see both designations for it plays an important part of this case A.PP 2, 31). I filed my Record of Appeals on December 29, 2017 which is the heart of this case (see A-1-30).

Mr. Hopewell has since filed 2 motions to dismiss on this case, one on January 9, 2018 and on April 12, 2018. In both motions he claims I did not include, in my Record of Appeals items, that he would like to see included in my Record of Appeals. He also complained of me not including certain documents from court orders and letters he sent to me. Also of handwriting on documents (see A-PP 32-38). The case was dismissed on June 8, 2018 by Judge McDonald of the Court of Appeals (see A-P39). On June 21, 2018 I filed a motion to reinstate (see A-39). In her order I left out item 1 and 3 of the respondent's designation of matter. That is because items 1 and 3 were never used in lower courts. Rule 210 give me that right (see A-P41). The names *A.PP 2 43* on the documents 1 and 3 are Natalie Robinson not Natalie Harris the person who I was suing. Not only are the documents irrelevant but were never used in lower courts (see motion to reinstate A-P 44, 46 for more details).

Judge McDonald also claims I left out pages of motion to dismiss by respondent dated August 4, 2017. Again, she eroded. If you look at document 13A it states that a copy of Judge Langely's order is attached. The order is included in Record of Appeals (see APP 9, 47). Besides that Rule 210 gives me the discretion to include any part of an order a party may think relevant to his case. (See motion to reinstate A.P 44-46)

Finally Judge McDonald claims that there was handwriting on the documents. Rule 210 and Rule 267 sets the guidelines and requirements for any paperwork coming thru the doors of the court or accepting of any papers for filing. That means paperwork must be neat, clean, and legible. According to rule 267g (see A-P48). It's the clerk of the appellate court job (not the judge) to ensure all paperwork meets the requirements of rules 210 and 267. Diagrams and photographs are welcomed under rule 210(f). The majority of handwriting as noted on her decision more than once was done by Judge Langely, a white judge, who at the time was being investigated for ethics violations and racial discrimination (see A-49-51). I am not saying her decision is racially motivated but it very well could be a factor. (See motion to reinstate more details page 44-46)

ARGUMENTS

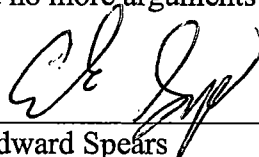
The answers to the questions presented are easy to answer. Let's take them one by one. 1). Did the courts err saying I should include items 1 and 3 in my Records of Appeals? The answer is yes, the documents were never used in lower courts. 2). There were more than one pages included in the respondent's motion to dismiss dated August 4, 2016 (see A-P47) and (see A-P9). 3). Did the Court of Appeals error when they dismissed my case for handwriting? The answer is yes, the judge over stepped her boundaries. All the paperwork according the rule 267g

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(see A P-48) are handled by the clerk. I know this to be true first hand because I have dealt with the court many times before. If paper doesn't meet the requirements they are returned. Then the part is given 10 to 15 days to correct of the case is dismissed. I never got such request from the Clerk of Court.

CONCLUSION

I believe the judge used bias judgment in all three questions presented in her June 8th decision (see A-P39). Suppose every judge dismissed a case where the appellant refused to put in his or her Record of Appeals? What the opposing party desires, that would benefit him or her. We would have more murders, crooks, and outlaws than we could count. That is why rules 210 and 267 (see A P-41, 52) allows one to include subject or matter he or she believes to be relevant. The judge made references that Record of Appeals must include all matters designated by both parties. I believe the judge is a little confused on that statement. While both parties may agree on certain subjects or matters to include in Record of Appeals the subject or matters don't have to be identical. If a party thinks a subject or matter is left out the other party's Record of Appeals then they themselves should enter the subject or matter in their own Record of Appeals or designation of matter. No judge should ever dismiss any party case because he didn't include what the opposing party wants in his Record of Appeals. That will be total bias. The respondents must have conceded to the arguments or they had no more arguments in my motion to reinstate(see A P-44-46).



Edward Spears
503 Roughfork Street
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843-496-3711
edward4920@att.net

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Thomas Russo

Trail Case no. 2016-CP-21-02533

Edward Spears

Appellant,

V.

R&R Cleaning and Natalie Harris

Respondent.

MOTION TO REINSTATE

Enclosed is my \$25.00 filing fee for a motion to reinstate appeal no. 2016-cp-21-02533. I believe Judge McDowell's decision on her order marked June 8, 2018 (see exhibit A) was biased, but racially motivated as well. I believe she may have used quick judgment and did not follow the facts and laws of the South Carolina court system. Judge McDowell based her decision on three issues. The first issue claims that the respondent's claim I left out a December 31, 2015 complaint in a new set of record of appeals mailed around April 5, 2018. The second issue of her decision is I did not include items three and five and their attached documents on new set of Record of Appeals. The items I am referring to is the respondent's designation of matter. The third issue is the handwriting.

I will explain my rebuttal answers below and address them as item I, II, and III. This motion is made persistent to rules (210 C & F) (209C) (267 C, D, & G).

MEMORANDUM AND CITATIONS OF AUTHORITIES

On March 6, 2018 the Court of Appeals ordered me to send seven new copies of Record of Appeals after complaints from respondents that I left out my original set of Record of Appeals items one and three of his list of designation of matter (see exhibit BB) The respondent further complained that I left off, in the new set of Record of Appeals, attachments from a motion to dismiss by respondents dated August 4, 2016. The respondent then claims of handwriting on certain documents. Below I will explain my thoughts on each issue and why this case should be returned to the courts and what law applies to each issue.

ISSUE I:

Respondent claims I left off item one of his designation of matter. Item 2 is a complaint filed in magistrate court on December 31, 2015. The complaint was never used in the lower courts as a subject or matter. Therefore it cannot be used in any Record of Appeals (see Record of rule AA, 2nd sentence). Proof that it was never used simply look at item 2A which represents the very first court proceeding for this trial and you see the name Natalie Harris not Natalia Robinson whom doesn't exist. Therefore according to South Carolina rule 210 this case should return to court.

ISSUE II:

In the second issue the respondent claims I left out portions of an order of motion to dismiss dated August 4, 2016. There were no portions left out. If you take a look at the single page sent (exhibit 13A) you will see he sent with that letter a copy of Judge Langely's June 8, 2016 final disposition which was included as (exhibit 7) in the record of appeals.

He also claims I left out item 3 of his designation of matter a letter from him (Mike Hopewell) dated June 23, 2016. The name on that letter contains the name Natalie Robinson as on the December 31, 2015 complaint and on the certificate of service dated June 23rd. It was not used in the lower courts therefore not entered in the Record of Appeals (see item 3). Even better rule 210 give either party discretion to include items on the Record of Appeals that he or she desires. Rule 210 says when using a page of an exhibit, transcript, or document you must include the entire page. However, when using an order or judgment a party has the discretion to use the portion of the order or judgment they may think is relevant. No judge should dismiss a case based on the respondent's request of what he desires should go in the appellant's Record of Appeals. That would be bias. Please see (item AA) highlighted.

ISSUE III:

The respondent continues to complain about ink on certain documents of the Record of Appeals. I strongly believe Judge McDowell's decision to dismiss this case solely based on document (see exhibit 11 & 14). These were disposition handwritten by a white judge (Judge Langely) who refused to retract the disposition and have them properly typed. The judge had complaints filed on him with the judicial commission for failing to retract the dispositions as well as his treatment of black lithogens who stood before him (see exhibit RR). To have a case dismissed by a white judge because another white judge refuses to retract a hand written disposition to me is a racially motivated decision. I base my thoughts on the fact she uses the words hand written more than once on her June 8th decision (see exhibit A). Also majority of the hand writing is on documents like 11 & 14, the ones written by Judge Langely.

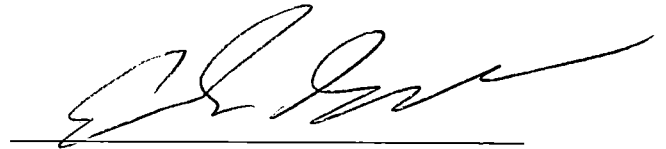
I have erased most of the ink off most of the documents. However I have diagramed a few pages by using circles to point out certain facts. Diagrams can be used according to rule 210F (see exhibit AA). Also diagrams can be used as long as it does not destroy or damage the format require by rule 267 c & d (see exhibit or rule 210 c & f). The clerk of court is the one who checks to make sure the Records of Appeals are in compliance with these rules. I spoke with

both my case worker Shelby Snell and court clerk Jenny Kitchen on regular bases to make sure everything was up to par. They had no problem with any paper work I turned in (see exhibit 00).

With that being said I would like the courts to reverse the decision and return this case back to the courts.

In Conclusion,

I believe the judge (Ms. McDowell) made a quick judgment in her decision to dismiss this case and it should be reinstated. Judges and courts have an obligation to make their decision by facts and laws nothing else.



Edward Spears
503 Roughfork Street
Florence, SC 29501
Edward4920@att.net

Exhibit

14 Copies

The South Carolina Court of Appeals

Edward Spears, Appellant,

v.

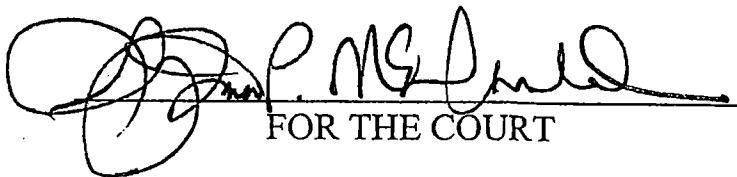
R&R Cleaning Services and Natalie Harris, Respondents.

Appellate Case No. 2017-000746

ORDER

On March 6, 2018, this court ordered Appellant to serve and file a corrected record on appeal, and explained "the corrected record on appeal must include all matters designated by both parties and the documents must be free of any handwritten notations." Respondents have now filed a motion to dismiss this appeal, arguing the corrected record does not include items 1 and 3 from Respondents' designation of matter and only includes the first page of the motion to be relieved from default and motion to dismiss dated August 4, 2016. Further, Respondents explain that Appellant's handwriting still appears on many pages of the record.

After careful consideration of the parties' filings and the amended record on appeal, Respondents' motion to dismiss is granted because Appellant failed to comply with this court's order of March 6, 2018. The remittitur will be sent as provided in Rule 221, SCACR.


FOR THE COURT

Columbia, South Carolina

cc:
Edward Spears
Michael S. Hopewell, Esquire

FILED

June 8, 2018

PI

Exb. BB

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable Thomas A. Russo

Trial Case No. 2016-CP-21-02533
Appellate Case No. 2017-000746

Edward Spears.....Appellant,

v.

R&R Cleaning Services and Natalie Harris.....Respondents.

**DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Respondents propose the following be included in the Record on Appeal:

- 1. Complaint dated December 31, 2015 in Case No. 2015CV2110108515;
- 2. Order of Final Disposition dated June 8, 2016 by Judge Langley in Case No. 2015CV2110108515;
- 3. Letter from Michael S. Hopewell to Edward Spears dated June 23, 2016 and Certificate of Service of the same date;
- 4. Complaint dated June 22, 2016 in Case No. 2016CV2110103875;
- 5. Motion to Be Relieved from Default and Motion to Dismiss dated August 4, 2016 filed by Respondents in Case No. 2016CV2110103875 (with attachments);
- 6. E-mail from Chief Magistrate Sandra M. Grimsley to Appellant dated August 11, 2016;
- 7. Notice of Appeal dated October 17, 2016 filed by Respondents in Case No. 2016-CP-21-02533;
- 8. Order of the Honorable Thomas A. Russo filed on March 2, 2017 in Case No. 2016-CP-21-02533.

I certify that this designation contains no matter which is irrelevant to this appeal.

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Item 2

STATE OF SOUTH CAROLINA)

COUNTY OF FLORENCE)

2015CV2110108515
CIVIL CASE NUMBER
IN THE MAGISTRATE'S COURT
COMPLAINT

Edward Spears
503 W. Roughfork St.
Florence, SC 29501
(843) 496-3711

3 sets

PLAINTIFF(S)

Vs

R & R Cleaning Service

Natalia Robinson

Matt Rogers

2215 West Palmetto St.
Florence, SC 29501

2215 West Palmetto St.
Florence, SC 29501

2215 West Palmetto St.
Florence, SC 29501

DEFENDANT(S)

I, Edward Spears, the Plaintiff in this civil action do make the following claims:

- I believe that the defendant(s),
R & R Cleaning Service
Natalia Robinson
Matt Rogers


is/are a resident(s) of Florence County, and resides within the jurisdiction of the Florence Magistrate Court or this Complaint is properly filed in Florence County.

- I make this complaint on the following:
Plaintiff states the he is filling for harassment, favoritism, supervisory negligence, retaliation, wrongful termination.

- I believe, because of the above information, that I am entitled to and do request a judgment for \$ 7500.00 and/or relief as below requested:
Plus \$80.00 Court Cost

including any costs resulting in this action.

I STATE UNDER PENALTY OF PERJURY THAT THE ABOVE STATED FACTS ARE TRUE EXCEPT THOSE BASED ON MY BEST INFORMATION THAT I BELIEVE TO BE TRUE.


SIGNATURE OF

DECEMBER 31, 2015
PLAINTIFF/ATTORNEY

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RULE 210
RECORD ON APPEAL

EXBAA

(a) Time for Service. Within thirty (30) days after service of the last brief, the appellant shall serve a copy of the Record on Appeal on each party who has served a brief. Proof of service of the Record shall be immediately filed with the clerk of the appellate court.

(b) Time for Filing. The appellant must file with the clerk of the appellate court fifteen (15) copies of the Record on Appeal no later than the date his brief(s) are due under Rule 211. As provided by Rule 267(d), one copy filed with the appellate court shall be filed unbound. The appellate court may require an appellant to file additional copies of the Record on Appeal.

(c) Content. The Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267. The Record shall not, however, include matter which was not presented to the lower court or tribunal. Matter contained in the Record on Appeal shall be arranged in the following order: the title page, index, orders, judgments, decrees, decisions, pleadings, transcript, charges, exhibits and other materials or documents, and a certificate by appellant. Each page of the Record on Appeal shall be numbered consecutively beginning with the index. Where a portion of a page of the trial transcript, or a page of an exhibit or document, is to be included in the Record on Appeal, the entire page shall be included. When a portion of an order, judgment, decision or pleading is to be included in the Record on Appeal, the entire order, judgment, decision or pleading shall be included in the Record, to include the caption and signature(s); provided, however, that the portion of a pleading showing verification or service shall not be included unless relevant to the appeal. If the original court reporter's numbering has been deleted, the Record on Appeal shall contain ellipses or other notation indicating when pages of the court reporter's transcript have been omitted.

Where witness testimony is included in the Record on Appeal, the first page of each witness's direct, cross, redirect and recross examination must show the name of the witness, the phase of examination and the name of the counsel conducting the examination. If this information is not already reflected on the page, the top of the page shall be annotated with the required information in the following form: John H. Doe--Direct (Cross) (Redirect) (Recross) Examination by Mr. Smith.

(d) Title. The title page shall contain the caption as set forth in Rule 267. Nothing shall be printed on the title page except the caption.

(e) Index. Every Record on Appeal shall contain an index to the principal matters therein to include orders, judgments, decisions, pleadings, pretrial matters, opening statements, testimony, motions, closing arguments, jury charges, post-trial motions and exhibits. For witness testimony, the index shall show the pages on which direct, cross, redirect and recross examination begins.

(f) Exhibits. Photographs, plats and diagrams, and other paper exhibits shall be inserted in the Record on Appeal where they can reasonably be reduced or drawn to a size which permits them to be printed and inserted in the Record on Appeal, without folding more than one time. Where they are larger, or do not reasonably lend themselves to accurate reproduction, they need not be included in the Record on Appeal, but shall be filed separately. All exhibits other than paper exhibits must be retained in the trial court and delivered to the appellate court only upon receipt of an order from the clerk of the appellate court.

(g) Certificate of Counsel. Appellant or his counsel shall certify that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

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STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

Edward Spears
503 W. Roughfork St.
Florence SC 29501

Exb2A

MAGISTRATE SUMMONS

You are hereby summoned to be and appear personally in the Court of the Florence County
Florence Magistrate Court, 180 North Irby Street (M S C-W),, Florence, SC, 295013456 on
April 7, 2016 at 9:30 AM for a HEARING to serve as a plaintiff, defendant, or attorney of a
party in case number 2015CV2110108515:

RE: Edward Spears

Vs R & R Cleaning Service
Natalie Harris
Matt Rogers

PLAINTIFF(S)

DEFENDANT(S)

On this date you are to:

1) present any issues at law, 2) submit a written list of names and addresses of any witnesses to be called, 3) present your Voir Dire questions, and 4) and present to the Court estimated time for jury trial.

If either party is not present or represented, the court may issue a default judgment or judicial dismissal, as appropriate.

HEREIN FAIL NOT, ON PAIN OF FORFEITING THE LAWFUL PENALTY IN SUCH CASE MADE OR PROVIDED.

Duty Becker

JUDGE

Florence County
Florence Magistrate Court
180 North Irby Street (M S C-W),
Florence, SC, 295013456
Phone: (843) 665-0031 Fax: (843) 661-7800

March 15, 2016

(EXB 12) ~~B~~
STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

Edward Spears,

Plaintiff,

vs.

R&R Carpet and Cleaning
Service, Natalie Harris

Defendants.

EXB BA
IN THE MAGISTRATE'S COURT
CIVIL CASE #2016CV2110103875

**MOTION TO BE RELIEVED FROM
DEFAULT AND MOTION TO DISMISS**

The Defendants, through their undersigned attorneys, shall, on August 15, 2016 at 11:00 a.m. or at such other time as shall be designated by the Court, move the Court to relieve the Defendants from default and to dismiss the Plaintiff's case.

The grounds for this motion as that the same Plaintiff filed a lawsuit against the same Defendants for alleged damages arising from the same incident that is complained about in the present case. That case was captioned Edward Spears vs. R&R Carpet and Cleaning Service, Natalia Robinson and Matt Rogers, Civil Action Number 2015CV2110108515. The previous case came to a hearing before the Honorable Roger Neron Langley on April 7, 2016. As a result of that hearing, the case was dismissed with prejudice by an Order dated June 8, 2016. A copy of Judge Langley's Order is attached.

A copy of Judge Langley's Order was served on the Plaintiff on June 23, 2016. A copy of the letter serving a copy of the Order and a Certificate of Service of the Order of Final Disposition is attached. The Plaintiff failed to timely appeal Judge Langley's Order and the time to appeal has passed.

Therefore, the Defendants pray that they be relieved of default and that the present case be dismissed under the doctrine of *res judicata*.

PLH
PLC

Item 3

Abbott, McKissick & Hopewell, LLC
Attorneys at Law

Attorneys at Law
Michael C. Abbott
Robert D. McKissick
Michael S. Hopewell

P.O. Box 148
470 W. Evans St.
Florence, SC 29503
(843) 669-0089
(843) 669-0085 Fax
amhattorneys.com
mhopewell@amhattorneys.com

June 23, 2016

Mr. Edward Spears
503 W. Roughfork Street
Florence, SC 29501

Re: Edward Spears v. R&R Carpet and Cleaning Service, Natalia Robinson
and Matt Rogers
Civil Action No. 2015-CV-2110108515
Our File No. 2016.008

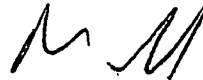
notice!

Dear Mr. Spears:

Enclosed is a copy of the Order of Final Disposition in regard to the above-referenced matter which we herewith serve upon you.

Very truly yours;

ABBOTT, MCKISSICK & HOPEWELL, LLC



Michael S. Hopewell

MSH/lsc
Enclosure

cc: Jamie Hickman (via E-mail)

Pag 2

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V V 872 5775461
Exb 11

STATE OF SOUTH CAROLINA

IN THE MAGISTRATES COURT

COUNTY OF FLORENCE

CIVIL CASE # 15CV2819

Spears

R & R Cleaning - Atty Hopwell
N. Harris - Atty Hopwell
M. Rogers - @OBRA Bratton

PLAINTIFF(S)

DEFENDANT(S)

PARTIES PRESENT: PLAINTIFF DEFENDANT ~ 3 atty

DATE AND TIME OF HEARING OR TRIAL: @ 4/7/16 9:30 (9:32)

DEFAULT JUDGMENT: SCHEDULE FOR DAMAGE HEARING

SCHEDULE FOR TRIAL JURY NON-JURY

ACTION DISMISSED

SETTLED AS BELOW

JUDGMENT AMOUNT _____ COURT COSTS _____

ATTORNEY FEES _____

PLAINTIFF: Atty Bratton - Motion to Dismiss for Failure to state a case as Plaintiff to see reason. Mr. Spears was on the grounds of R & R - Rogers was security guard.
Atty Hopwell - Atty for R & R - Motion to Dismiss - Has exchanged admin records the remainder to resolve. Must resolve with Human Affairs.

DEFENDANT: @ Rogers - long distance

COURT: Motion to Dismiss Rogers as a def is granted.
Motion to Dismiss R & R - granted but w/o prejudice

MAGISTRATE

Dismiss as to Matt Rogers with prejudice.

CIVIL HEARING

Dismiss as to R & R Cleaning & Harris without prejudice. Can refile later if Human Affairs gives him permission.

P. 11/10 Pef

Exb 14

STATE OF SOUTH CAROLINA

IN THE MAGISTRATES COURT

COUNTY OF FLORENCE

CIVIL CASE # 15CV 2519

Spears

(RJR Cleaning - Atty Hopwell
N. Harris - Atty Hopwell
M. Rogers - Atty Bratton)

PLAINTIFF(S)

DEFENDANT(S)

PARTIES PRESENT: PLAINTIFF DEFENDANT - 3 atty

DATE AND TIME OF HEARING OR TRIAL: @ 4/7/16 9:30 (9:32)

DEFAULT JUDGMENT: SCHEDULE FOR DAMAGE HEARING

SCHEDULE FOR TRIAL JURY NON-JURY

ACTION DISMISSED

SETTLED AS BELOW

JUDGMENT AMOUNT _____ COURT COSTS _____

ATTORNEY FEES _____

PLAINTIFF: Atty Bratton - Motion to Dismiss for Failure to state a case as pleaded to for a case. Mr. Spears was on the grounds at the end - Rogers was security guard.
Atty Hopwell - Atty for RJR - Motion to Dismiss - has exhausted administrative remedies to resolve. must resolve with Human Affairs.

DEFENDANT: Rogers - long distance

COURT: Motion to Dismiss Rogers as a def is granted.
Motion to Dismiss RJR - granted but w/o prejudice.

grate

MAGISTRATE

Dismiss as to Matt Rogers with prejudice.

CIVIL HEARING

Dismiss as to RJR Cleaning & Harris without prejudice. Can refile later if Human Affairs gives him permission.

Mr. Hopwell was present

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EXB RR

Subject: Investigation
From: Coggiola, Lesley M. (LCoggiola@sccourts.org)
To: edward4920@att.net;
Date: Friday, November 18, 2016 4:48 PM

We have opened an investigation on the complaint you submitted on Judge Roger Neron Langley.

Lesley M Coggiola

Disciplinary Counsel

South Carolina Supreme Court

Post Office Box 12159

Columbia, South Carolina 29211

803-734-2038

803-734-1964 (FAX)

Email: lcoggiola@sccourts.org

~~~~ CONFIDENTIALITY NOTICE ~~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

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Ex 600

**RULE 267  
FORM OF PAPERS**

**(a) Captions.** All documents filed in the appellate court shall be headed by a caption. Except as provided below for appeals from administrative tribunals, the caption shall contain the name of the appellate court where the document is to be filed (i.e., Supreme Court or Court of Appeals); if the matter involves review of a lower court decision, the name of the county and judge from which the appeal is taken including the title of the judge (e.g., Circuit Court Judge, Family Court Judge, Master-in-Equity, Probate Judge, Special Referee, Special Circuit Court Judge); the title of the case (the party commencing the action in the lower court shall always appear first in the title regardless of whom is appellant or petitioner); the title of the document (e.g., RECORD ON APPEAL; APPENDIX; BRIEF OF APPELLANT; PETITION FOR WRIT OF CERTIORARI; MOTION TO DISMISS); and the name, address and phone number of the counsel submitting the document, or in the case of a Record on Appeal or Appendix, the names, addresses and phone numbers of all counsel in the case. The caption should be substantially in the form shown by this example:

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

APPEAL FROM RICHLAND COUNTY  
Howard S. Barnes, Circuit Court Judge

Paul L. Doe, .....Appellant (or Respondent),  
v. Mary M. Roe, .....Respondent (or Appellant).

RECORD ON APPEAL

John T. Smith, Esquire  
P.O. Box 123  
Columbia, SC 29000  
(803) 000-0000  
Attorney for Appellant

Wanda D. Jones, Esquire

**(f) Number of Copies.** The number of copies required to be filed are specified in the applicable Appellate Court Rule. However, the number of copies required to be filed may be reduced by order of the Supreme Court.

**(g) Compliance.** The clerk of the appellate court shall insure compliance with this Rule before accepting any papers for filing.

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THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

Stephanie McDonald, Court Judge

Case No. 2017-000746

**RECEIVED**

SEP 06 2018

SC Court of Appeals

R & R Cleaning and  
Natalie Harris

Respondent,

V.

Edward Spears

Petitioner.

PROOF OF SERVICE

I certify that I have mailed a copy of the motion to reinstate to South Carolina Court of Appeals, 1220 Senate Street, Columbia, SC 29201 to Mike Hopewell, 470 West Evans Street, Florence, SC 29501, and also to South Carolina Supreme Court, 1210 Gervais Street, Columbia, SC 29201.

August 28, 2018



Edward Spears  
503 Roughfork Street  
Florence, SC 29501  
843-496-3711  
Pro-Se

September 4, 2018

South Carolina Supreme Court  
1231 Gervais Street  
Columbia, SC 29201

Dear Sir or Madame:

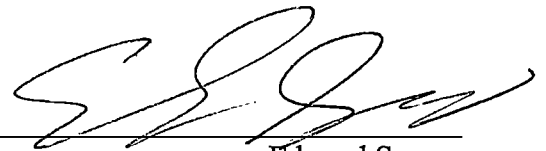
This letter is in reference to the petition sent on August 28<sup>th</sup>. In the petition, on page two in the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> paragraphs I made references that more details in the statement of the case could be found in the appendix on pages 44-46. That would be the motion to reinstate which I filed on June 21, 2018. Along with the motion I sent copies of court rules, documents, and laws that helped argue my case. I included the same court rules, documents, etc, in the appendix. However, I identified each by page numbers. I did the same when I filed the motion to reinstate but I identified the documents as exhibits. Therefore to add clarity to the petition I am sending the documents separately and identified them as listed in the motion to reinstate. It should be very easy to read the motion then find the documents it relates to.

Thank you for your consideration.

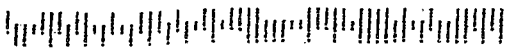
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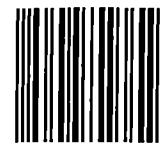
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