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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HAMPTON COUNTY
Walter H. Sanders Jr., Special Referee

Yvette Cole,Appellant

v.

Shirley Heyward,Respondent

RECORD ON APPEAL

Amended Notice of Appeal

September 4, 2018

Yvette Cole
152 East 111th Street Apt 6D
New York, NY 10029
(212)-427-2042

RE: Yvette Cole v. Shirley Heyward

RECEIVED
SEP 10 2018
SC Court of Appeals

Dear Sir or Madam,

I ("Yvette Cole") am writing to appeal the decision of Special Referee, Walter H. Sanders Jr., which I received written notice of the entry of the judgment on which this appeal is based on July 20, 2018. The judgment concluded that I am not the sole owner of the property located at 560 Sapp Blvd, SE, Estill, SC 29918 and that Shirley Heyward and others, have an ownership interest, undivided right and title to the aforementioned property.

After a Hearing to determine that I am the sole owner and have the sole interest, right and title to the property located at 560 Sapp Blvd, SE, Estill, SC 29918, Special Referee Sanders Jr. rendered an erroneous decision. Sanders Jr. ordered that Shirley Heyward, with others, has an undivided right, title and interest in the property located at 560 Sapp Blvd, SE, Estill, SC 29918. However, the basis of this appeal is on two pressing matters regarding this decision: (1) **The property that is in dispute is not the property that Sanders Jr. rendered a decision on;** and (2) **Special Referee Walter H. Sanders Jr. should have recused himself from overseeing this matter.**

The property that is in dispute in this case, and the property that Sanders Jr. rendered his decision about are two **SEPARATE** properties. The property in which I am the sole owner of, is the property located at 560 Sapp Blvd, SE, Estill, SC 29918 with the **Map Number 069-01-12-007**. The property that Sanders Jr. addresses in his decision is the property that my father Hezekiah Heyward owned, with the **Map Number 069-01-12-010**. A title search was properly executed for my property located at 560 Sapp Blvd, SE, Estill, SC 29918 by Attorney Thayer Rivers and it was determined that I, Yvette Cole, am the sole owner of that property.

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Not only did Sanders Jr. render an inaccurate decision on the wrong property, but he has prevented my Constitutional right to a fair and unbiased decision by not recusing himself from adjudicating this matter. Sanders Jr. should have recused himself for the following reasons: **(1) Walter H. Sanders Jr. was hired to represent me, Yvette Cole, in 1998 in an eviction action against Shirley Heyward over the property located at 560 Sapp Blvd. SE, Estill, SC 29918, which is the same property currently in dispute; (2) Walter H. Sanders Jr. took \$300.00 from me, Yvette Cole, and did nothing further; and (3) Actions were taken in the form of filing a complaint against Walter H. Sanders Jr. with the South Carolina Bar Association Disciplinary Committee.** For these reasons I feel that Sanders Jr. presiding over this matter has been a complete conflict of interest and a hinderance on my ability to get a fair, just and timely decision.

It is for these reasons that I ask you to reverse the decision of Special Referee Walter H. Sanders Jr. and conclude for a final time that I, Yvette Cole have the sole interest, title, and rights to the property located at 560 Sapp Blvd, SE, Estill, SC 29918.

Respectfully Yours,


Yvette Cole

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HAMPTON COUNTY
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Yvette Cole,Appellant

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Shirley Heyward,Respondent

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THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM THE HAMPTON COUNTY
Court of Common Pleas

Walter H. Sanders Jr., Special Referee

Case No. 2017-CP-25-041

Shirley Heyward,

Respondent,

v.

Yvette Cole,

Appellant

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SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the Notice of Appeal with the lower court clerk of court by depositing a copy of it in the United States Mail, postage prepaid, on July 25, 2018, addressed to the Hampton County Court of Common Pleas, Clerk of Courts, P.O. Box 7 Hampton, SC 29924.

September 4, 2018

Yvette Cole
Yvette Cole
152 East 111th Street Apt. 6D
New York, NY 10029
(212)- 427-2042
Appellant

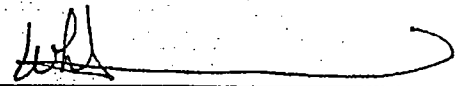
Number 96-ES-25-83 in the Office of the Probate Court for Hampton County South Carolina.

- 9. Ruth Heyward Thornton f/k/a Ruth Heyward conveyed her undivided interest in the subject property to the Plaintiff, Yvette Cole, by deed dated June 27, 1997 and recorded July 11, 1997 in Deed Book D203 at Page 336 in the Office of the Clerk of Court for Hampton County, South Carolina.

I conclude that the Plaintiff, Yvette Cole, is not the sole owner of the property located at 560 Sapp Blvd, SE, Estill, SC 29918. I further conclude that the Defendant, Shirley Heyward, has an ownership interest in the property located at 560 Sapp Blvd, SE, Estill, SC 29918.

IT IS ORDERED that the Plaintiff, Yvette Cole and the Defendant, Shirley Heyward, with others own an undivided right, title and interest in the property located at 560 Sapp Blvd, SE, Estill, SC 29918.

AND IT IS SO ORDERED.



 Walter H. Sanders, Jr.
 Special Referee
 Hampton County, South Carolina

Fairfax, South Carolina
January 15, 2018

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WHA

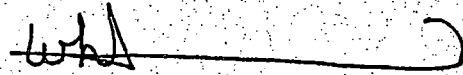
STATE OF SOUTH CAROLINA)
)
COUNTY OF HAMPTON)
)
YVETTE COLE)
)
Plaintiff,)
-vs-)
)
SHIRLEY HEYWARD)
)
Defendant,)
_____)

IN THE COURT OF COMMON PLEAS
CASE NO: 2017-CP-25-041

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

The Plaintiff, Yvette Cole, has moved pursuant to Rule 59 (e) SCRCP, for reconsideration of the Order dated January 15, 2018, filed March 19, 2018. After careful consideration, the Court **DENIES** the motion.

IT IS SO ORDERED.



Walter H. Sanders, Jr.
Special Referee
Hampton County, South Carolina

Fairfax, South Carolina

July 11, 2018.

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HAMPTON COUNTY
Walter H. Sanders Jr., Special Referee

Yvette Cole,Appellant

v.

Shirley Heyward,Respondent

RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM THE HAMPTON COUNTY
Court of Common Pleas

Walter H. Sanders Jr., Special Referee

Case No. 2017-CP-25-041

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SEP 10 2018

SC Court of Appeals

Shirley Heyward,

Respondent,

v.

Yvette Cole,

Appellant

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Shirley Heyward by depositing a copy of it in the United States Mail, postage prepaid, on July 25, 2018, addressed to, Shirley Heyward 560 Sapp Blvd, SE, Estill, SC 29918.

September 4, 2018

Yvette Cole

Yvette Cole
152 East 111th Street Apt. 6D
New York, NY 10029
(212)- 427-2042
Appellant

WALTER H. SANDERS, JR., P.A.

Attorney at Law

Phone: (803) 632-3347

Fax: (803) 632-3058

Mailing Address:

Post Office Box 840
Fairfax, South Carolina 29827

Physical Address:

167 Allendale Fairfax Highway
Fairfax, South Carolina 29827

Certified Civil Court Mediator

e-mail: whsanders@yahoo.com

March 19, 2018

Ms. Yvette Cole
152 E. 111th Street, Apt. 6D
New York, NY 10029

Ms. Shirley Heyward
560 Sapp Blvd. SE
Estill, SC 29918

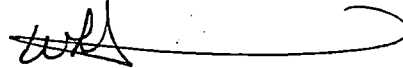
RE: Yvette Cole vs Shirley Heyward
Case No. 2017-CP-25-041

Dear Ms. Cole and Ms. Heyward:

In regards to the above referenced, please find enclosed a copy of the Final Order filed in this case.

With warm regards, I remain

Yours very truly,



Walter H. Sanders, Jr.
Special Referee
Hampton County

WHS, Jr. /cps

WALTER H. SANDERS, JR., P.A.

Attorney at Law

Phone: (803) 632-3347

Fax: (803) 632-3058

Mailing Address:

Post Office Box 840
Fairfax, South Carolina 29827

Physical Address:

167 Allendale Fairfax Highway
Fairfax, South Carolina 29827

Certified Civil Court Mediator

e-mail: whsanders@yahoo.com

July 12, 2018

Ms. Yvette Cole
152 E. 111th Street, Apt. 6D
New York, NY 10029

Ms. Shirley Heyward
560 Sapp Blvd. SE
Estill, SC 29918

RE: Yvette Cole vs Shirley Heyward
Case No. 2017-CP-25-041

Dear Ms. Cole and Ms. Heyward:

In regards to the above referenced, please find enclosed a copy of my Order denying Plaintiff's Motion for Reconsideration.

With warm regards, I remain

Yours very truly,



Walter H. Sanders, Jr.
Special Referee

WHS,Jr./cps
Enclosure

CC: Hampton County Clerk of Court

C

Yvette Cole
152 E 111th St Apt 6D
New York, NY 10029-2651



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SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk.
P.O. Box 11629
Columbia, South Carolina

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