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OCT 09 2018

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

Thomas Russo, Circuit Court Judge

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Appellate Case No. 2018-001581

Edward Spears

Petitioner,

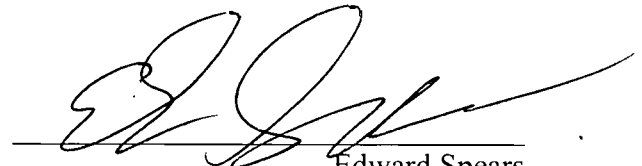
V.

R & R Cleaning Service  
Natalie Harris

Respondent.

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Reply to Return to Petition for Writ of Certiorari



Edward Spears  
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Florence, SC 29501  
843-496-3711  
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Pursuant to Rule (242g) the petitioner hereby file a reply to respondent's return to the petition for writ of certiorari dated September 26, 2018.

**Questions Presented:**

1. Did the Court of Appeals err when saying (petitioner) should have included items 123 (in his) record on appeal?
2. Did Court of Appeals err when they said (petitioner) only included the first page of motion to dismiss from respondent dated August 4, 2018?
3. Did Court of Appeals err when they dismissed (petitioner) case for handwriting?

**Argument:**

The respondent has continued to display his ignorance of the law by requesting I include items he thinks should be included in my Record of Appeals. He has repeatedly made these requests in his motion to dismiss beginning January 8, 2018 (see appendix pp. 32-35). It is easy to understand that the respondent is a little slow of knowledge when it comes to civil law. However, Judge McDonald erred when she dismissed the case on June 8, 2018 citing I did not include the items the respondent wanted me to include in my Record of Appeals (see appendix p. 39). Her decision was 100% bias.

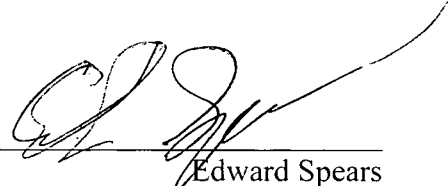
Let me explain. On the website S.C. Courts.org under Court of Appeals FAQs I have enclosed a copy (see exhibit XX) (p. 3). In the question "What is the respondent's initial brief and designation of matter?" It clearly states if the appellant has not designated an item that the respondent deems should be included in the appeal, the respondent should designate that ~~item~~ item. That should be clear and convincing evidence that her decision was bias and should be reversed.

On page 2 of his return to petition the respondent spoke of Chief Judge Lockemy orders dated March 6, 2018 (enclosed copy). In his orders I was ordered to send what he describes as a corrected record of appeals, no handwritten notations, etc. His orders were not only ridiculous but bias as well. Let me explain, I did research on the internet of appellate court judge duties. I have enclosed a copy of their duties (see exhibit AAA) highlighted. The duties of the appellate judge is primarily to review cases from the lower courts or trial courts to see if the judge(s) made an error or violate court rules. They don't hear new arguments, or allow new evidence that was not heard in lower courts. Their decisions are based on both parties' briefs. In this case however, the respondent never even sent a final brief even after given more than reasonable time. Judge Lockemy decision was total bias in his March 6, 2018, when he ordered me to send new documents, rid of ink, ect. All this injects new arguments, new evidence in an existing appeal case. These arguments never came up in lower courts or never appeared in my final brief (see final brief A pg 3). Therefore like Judge McDonald's decision, Judge Lockemy orders were 100% bias and should be looked at as an error and be reversed.

**Conclusion:**

These judges (Judge McDonald) and (Judge Lockemy) has shown total lack of knowledge when it comes to civil court laws and civil court rules. They fail to understand the functions of the Court of Appeals and what it stands for. The Court of Appeals primarily reviews cases from lowers courts to see if any errors were made in the judge(s) decisions. Nothing else. I would like to refer the courts again to look at (exhibit XX page 2). The question to look at is what the South Carolina Court appeals. It states that an appeal is not a new trail, parties are not permitted to conduct discovery or offer new evidence that was not presented first to the court below. They base their decisions on the briefs of both parties not some ridiculous motions filed by respondents. Therefore the petitioner urge the petition for a writ of certiorari be granted.

Thanks for your consideration.



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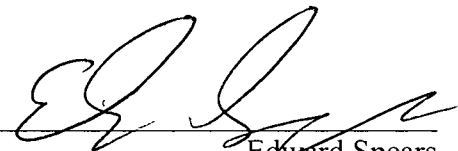
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PROOF OF SERVICE

I certify that I have serviced copiers of Reply of Return to Petition for writ of certiorari to Mike Hopewell, 470 West Evans Street, Florence, SC 29501, Court of Appeals, 1220 Senate Street, Columbia, SC 29201, and S.C. Supreme Court, 1231 Gervais Street, Columbia, SC 29201.



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