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NOTICE OF APPEAL IN A CIVIL CASE

Appeal from Greenville County of Common Pleas thirteenth judicial circuit South Carolina

South Carolina Appellate court

Drake Malpass vs Nick Burns

Honorable Perry H. Gravely

Case: 2018-CP-23-03897

RECEIVED
OCT 22 2018
SC Court of Appeals

MM

Drake Malpass.....Appellant address 327 Brown Road Simpsonville SC 29681

Nick Burns..... Respondent address 446 Crosby Cir. Greenville SC 29605

Notice of Appeal

Drake Malpass appeals the dismissal of the Honorable Perry H. Gravely dated September 25, 2018 on legal grounds of the SC code of laws section 16-9-10 and a mis-finding of fact. Appellant received notice of entry of this dismissal on September 27, 2018. The case was dismissed on the basis of "The plaintiff failed to assert these claims when he acknowledged he could have". I in fact did assert these claims I just had no way to prove them so when the defendant lied and denied the claim that is as far as I could assert them. What I acknowledged in court is that if I had remembered the Uniform Partnership Act I would have brought it up by name. This would not have changed the outcome of March hearing as at the time I had no way to disprove the defendant's denial and the series of events would remain unchanged thus, the bases of section 16-9-10. The document that filled the Uniform Partnership Act was presented and discovered by the respondent and not until the second hearing.

Proof of service

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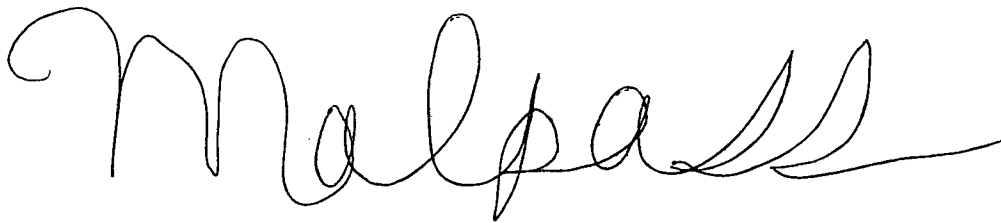
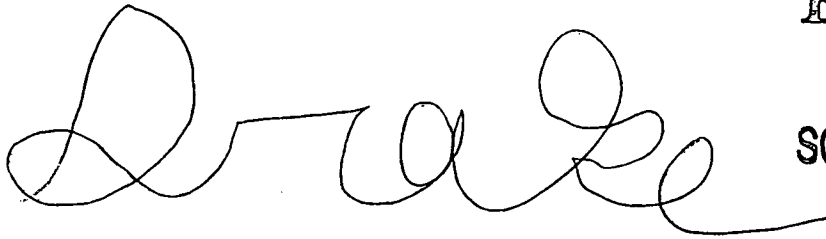
Honorable Perry H. Gravely

Case: 2018-CP-23-03897

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Nick Burns..... Respondent address 446 Crosby Cir. Greenville SC 29605

On October 19, 2018 Drake Malpass serviced the notice of appeal to Nick Burns via USPS. Appellant requests that this case be handled without a transcript from the circuit court on grounds that this case can be made without it.



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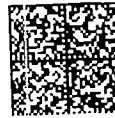
Certificate of Mailing

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From: Drake Malpas
327 Brown Road
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To: Nick Burns
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