

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Michael Nettles, Circuit Court Judge
Trial Court Case No: 2017CP2307401

Appellate Case No. 2018-001020

RECEIVED
DEC 10 2018
SC Court of Appeals

Terry Edward McCall

Appellant

Barnes Towing

vs.

Respondent

Appellants Opposition Motion To
Dismiss or in The Alternative
Motion To Compel

The Appellant hereby moves the Court for an Order to dismiss Respondents Motion to Dismiss, and in the alternative Motion to Compel. Because Appellant Re-drafted filed with the Court, served the Respondent with an New/recent Designation of Matters to be included on Appeal along with Appellants New updated Record on Appeal which deleted items Respondent had filed a Motion to Exclude / Dismiss matters he claimed not heard at trial level, so Appellant went back and reviewed all documents and corrected his Record on Appeal. And this was after the Court Denied Respondents Motion to Exclude matters from Record on Appeal, Appellant has not included any matters or issues, items that were not before the Court At trial or Any of the stages of Appeal.

The Respondent has a hard time excepting Appellant as a Pro Se litigant Counsel, And has been defeated by Appellant in Magistrate Court on a Motion to Set Aside Default Judgment on Motion for Reconsideration, And this is a Personal reason for bringing false information before the Court concerning Appellant's "failure to include All documents And other matters in his Record on Appeal,

In Respondents Motion To Dismiss or In the Alternate, Motion to Compel, Respondent fails to list or state what documents or matters that were not included or listed in Record on Appeal other than the purported recording of the Jury Trial in the Magistrate Court.

The Appellant does hereby Admit that the Only Matters or Items he has not provided the Respondent with, would be the C.D. Tape recording of Magistrate Court, And only because of his incarceration in prison At this time is the only reason, the Appellant has no way to download the C.D. in prison. And only has one copy of the C.D. provided to him by the Magistrate Court.

The Appellant request that he be Allowed to forward the C.D. to the Court of Appeals, And move the Court to help get a copy of the C.D. delivered to Respondent,

Wherefor the Appellant moves the Court for an Order Denying Respondents Motion to Dismiss / or Compel. Because the Appellant has As A Layman Pro Se litigant Complied to the S.C.A.C. Rules

Other than providing the C.D. copy to Respondent,
If the Court cannot help in getting copy of C.D.
to Respondent.

Appellant moves the Court for an order for
extension of time to see if the prison can
make exception or get a copy for him.

The Appellant prays the Court issues its Order
dismissing Respondent's Motion to Dismiss and Compel.
In the Alternative grant Appellant Extension of
time to get copy of C.D. and serve Respondent.
And find that Respondent's Motion to Dismiss
has not listed any matters that not been served
on him or what rules that Appellants violated other
than 'numbering some pages' whereby the Court
has been known to Relax some Rules where the
Appellant is Pro se layman, and Appellant will
forward the C.D. to Respondent soon.

Dated 12-6-18

Greenville, S.C.

Respectfully Submitted

5 Jerry McCall
Terry McCall / 233236
Livesay Corr Inst
P.O. Box 580
Way, S.C.
29378

Proof of Service

I, the undersigned have properly served the Appellants Opposition Motion To Dismiss for in the Alternate Motion To Compel on the parties listed below, by placing same in the United States Postal Mail Service postage prepaid affixed and forwarded to the addresses below!

Dated 12-6-18

S. Terry McCall
Terry McCall 233236
Livesay Court Inlet
P.O. Box 580
Una, S.C. 29378

S.C. Court of Appeals
Jenny Abbott Ritchings clerk
Post Office Box 11629
Columbia, S.C. 29211

Duggan @ Hughes, L.L.C.
Post Office Box 449
Greer, S.C. 29652-0449

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Terry McCall 233236
Lovesay Corr. Inst
P.O. Box 580
Una, S.C.
29378

12-6-18

Re: Filing Appellants Opposition Motion To
Dismiss / compel.

Dear Clerk, please file this and
send me a copy, filed.

Thank you
Mr. Terry McCall

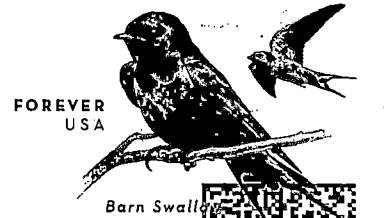
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SC Court of Appeals

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Livesay Corr Trust B-13
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W9, S.C.
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SOUTH CAROLINA
06 DEC '18

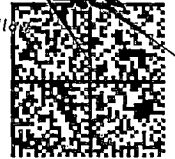


S.C. Court of Appeals
Jenny Abbott Ritchings, Clerk
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Columbia, S.C.
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