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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Walton J. McCleod, Circuit Court Judge

Appellate Case No. 2018-CP-40-04557

Caroline Streater, Magistrate Court Judge

Original Trial Case No. 2018CV4010800184

RECEIVED  
MAR 15 2019  
SC Court of Appeals

Aspyre Assembly Station

Respondent

v.

Travis Stewart

Appellant

**NOTICE OF APPEAL**

Travis Stewart Appeals the Final Order of the Honorable Walton J. McCleod, Richland County Court of Common Pleas, issued February 15, 2019 Affirming Judgment on Appeal and the *Writ of Ejectment* issued by the Honorable Caroline Streater in Richland County Central Magistrate's Court August 21, 2018 in which Appellant was present. Appellant has received written notice of entry of Judge McCleod's Final Order Affirming Judgment on Appeal and the *Writ of Ejectment* and is timely filing this Notice of Appeal within the timeframe stipulated by South Carolina Appellate Court Rule 203.

Respondent executed the *Writ of Ejectment* August 24, 2018. The *Writ of Ejectment* was stayed during the pendency of that appeal. Appellant's rent was kept current during the pendency of the appeal and remains current. Respondent has blatantly committed actions

consistent with disability discrimination against Appellant since February 2018, including Assault and Battery by Respondent's assistant manager Tiffany Maddox June 25, 2018 resulting in an acute exacerbation of Appellant's spectral PTSD, a prolonged course of hospitalization from June 25 to July 27, 2018, inability of Appellant to attend Summer 2018 coursework at the University of South Carolina and, subsequently, receive financial aid during the Summer 2018 sessions, and prolongation of Appellant's tenure as a student at the University of South Carolina to complete his Master's of Science Degree in Biomedical Engineering.

Appellant's financial demise was precipitated by inappropriate obstructive actions and falsehoods by Amanda Bidinger, assistant manager for the University of South Carolina's Office of Student Conduct, that prevented Appellant's re-enrollment at the University of South Carolina January 2019 for the Spring 2018 semester and subsequent receipt of financial aid for the Spring 2018 semester which were absolutely essential for Appellant to timely tender rent to Respondent for Aspyre Apartment 3106 and other expenses. Additionally, Appellant lacked transportation to meaningfully pursue and engage in employment opportunities after recovery status post his hospitalizations in August to September 2017 and September to October 2017 because Respondent had Appellant's car towed from Aspyre's Garage during Appellant's September to October 2017 hospitalization despite the then manager Taylor (? Last name)'s assurance to Appellant's mother he would safeguard Appellant's interests as those interests related to Aspyre during Appellant's hospitalization.

The Honorable Judge Harold Cuff, Olympia Magistrate Court, Denied Respondent's request to Execute the *Writ of Ejectment* and Granted Appellant's Petition for a Jury Trial in this matter April 16, 2018 subsequent to Appellant's payment of the requisite bond. Judge Cuff did not memorialize his April 16, 2018 Order Granting Appellant's Petition for Jury Trial to writing. The April 16, 2018 hearing was not recorded. Judge Streater asserted she telephoned the Clerk


of Olympia Magistrate Court from her judge's chamber during Court August 21, 2018 and "asked the Clerk of the Olympia Magistrate Court to recall to the best of her knowledge what Judge Cuff ordered/stated during the Special Hearing April 16, 2018." Judge Streater subsequently returned to Court and asserted Judge Cuff did not Grant Appellant a Jury Trial and that the Olympia Magistrate Clerk of Court improperly transferred the Venue of the trial from Olympia Magistrate Court to the Richland County Central Magistrate's Court without authorization by Judge Cuff. Judge Streater then abruptly concluded Court August 21, 2018, Denied Appellant's Petition for a Jury Trial, and Denied Appellant's Petition for Leave of Court for Excusable Neglect due to technical difficulties resulting in 1 day of tardiness on 4 separate occasions, two of which were at the Olympia Court's directive, one was due to Appellant's engine failure and inability to get to Court, and the fourth due to prolonged traffic delays subsequent to two motor vehicle accidents en route to Court Friday, August 3, 2019 that resulted in Appellant's failure to tender his rental payment to the Court due to Appellant's arrival a few minutes after 5:00 p.m. August 3, 2018. No extension was granted by Court to Appellant to tender his rental payment on the following Monday, when the 5<sup>th</sup> fell on a weekend.


Respondent's assistant managers Andy Walter and Tiffany Maddox have egregiously discriminated against Appellant due to his disabilities and have openly admitted to Appellant's mother and Power of Attorney that Aspyre's refusal to renew Travis' lease was initially, according to Respondents' Maddox' and Walter's own words, "mainly for [Appellant's] failure to pay rent timely," "but, now, it's not about the money, we just don't want him here." Neither assistant residential manager of Aspyre retracted their statement when Appellant's mother informed each, individually, Appellant suffered from mental illness, was recovering, and was in outpatient therapy for his mental illness - even though Appellant's mother informed both their statements and actions were blatantly disability discrimination against Appellant due to his

mental illness and were illegal. Additionally, Respondent's attorney, Thomas I. Howard, Jr., falsely informed SCE&G that Appellant had been ejected from his Aspyre Apartment 3106 after being served the Notice of Appeal and Stay of Respondent's *Writ of Ejectment* August 27, 2018. SCE&G subsequently assigned Appellant's utilities to a third party, South Carolina Student Rental Housing Authority October 19, 2018. Appellant is unable to tender his rent to SCE&G, is unable to and does not desire to engage in transactions for utility payments with Respondent Aspyre given Respondent Aspyre's egregious and onerous discriminatory behavior and statements, and criminal acts toward Appellant.

Appellant is in his final year of study as a graduate student and candidate for the Master of Science Degree in the Biomedical Engineering Department at the University of South Carolina. Appellant is in his eighth year of tenancy at Aspyre at Assembly Station and desires to remain at Aspyre to pursue doctoral studies at the University of South Carolina. The Court's allowance of Respondent's Execution of the *Writ of Ejectment* would foreclose Appellant's ability to receive the benefits of a successful appeal of this case and cause irreparable harm to Appellant's ability to complete his final year of his graduate studies and pursue further studies at the University of South Carolina.

Therefore, Appellant Motions and fervently Prays to the Court for a Stay of Respondent's Execution of the *Writ of Ejectment* during the pendency of these appeal proceedings, an immediate Order Compelling Respondent to facilitate transfer of Appellant's SCE&G utilities account for Aspyre Apartment 3106 back to SCE&G for reassignment to Appellant, and to add Amanda Bidinger and her supervisor of the University of South Carolina's Office of Student Conduct as Co-Plaintiffs and Beverley D. Wilson as Co-Defendant in this Complaint. Please see the attached Motion and Memorandum for further details regarding same.

  
Travis G. Stewart, Appellant

  
Beverley D. Wilson, M.D.,  
*Pro Se* Power of Attorney for Appellant  
P.O. Box 21612  
Charleston, South Carolina 29413  
Telephone: (803)724-7560

Signed this 15<sup>th</sup> day of March 2019.

Other Counsel of Record  
Thomas I. Howard, Jr.  
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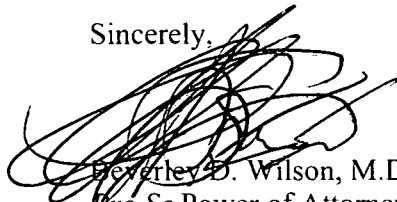
Travis Stewart

Appellant

**PROOF OF SERVICE**

I respectfully submitted a **Notice of Appeal and Motion and Memorandum to Stay Execution of Respondent's Writ of Ejectment, to Compel Respondent to Facilitate Return of SCE&G Utilities for Apartment 3106 to Appellant, and to Add Amanda Bidinger, Alisa Liggett, and the University of South Carolina's Office of Student Conduct as Co-Plaintiffs and Beverley D. Wilson as Co-Defendant to Complaint** by depositing same in today's United States Postal Service with sufficient postage for First Class mail to opposing counsel, Mr. Thomas I. Howard, Jr. at the address listed below.

Sincerely,



Beverley D. Wilson, M.D.  
*Pro Se* Power of Attorney for Appellant  
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Signed this \_\_\_\_\_ day of March 2019.