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**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

The Honorable Mikell R. Scarborough, Master in Equity

RECEIVED

Case No. 2014-CP-10-05407
2017-CP-10-04031

MAR 25 2019

SC Court of Appeals

Churchill Park, Respondent

v.

Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix, Defendants,

Of which Alan G. Nix is the Appellant

**Appellate Case Number 2018-000056 &
2018-000174**

**MOTION TO JUST DO THE PROPER AND PRUDENT THING RE MS ALLEN
LETTERS DATED 13 MARCH 2019**

This isn't going to be very formal so where appropriate please accept my apologies up front. Additionally, this is going to address several issues so hopefully everyone can correctly comprehend without having to read it more than two times.

BLUF: Since 23 May 2013, two liens against 1401 Densmore Circle, two lawsuits in Charleston County against the wrong defendants by the wrong Plaintiff, two Lis Pendens in Charleston County against the wrong defendants by the wrong Plaintiff, payments to the SC Court of Appeals by the non attorney Appellant, which is also one of the wrong defendants in the two liens, two lawsuits and two Lis Pendens cited above, for three appeals, multiple / numerous

attorneys involved in a long term pattern of improper conduct, and a significantly impaired Master in Equity court in Charleston County.

As a basic attempt to put everyone on legal notice, please see Exhibits A and B. I believe they largely speak for themselves. I recognized the potential for this problems last Sunday morning, and verified the problem yesterday.

More specifically to Ms. Allen's letters (interestingly) dated 13 March 2019. I will request the Court and Ms. Abbott Kitchings properly correct Ms. Allen. Clearly Ms. Allen, the Deputy Clerk, is in no position to legally or correctly state that "no further actions will be taken on your motion to properly restore". I fully expect an Order signed by a judge on the SC Court of Appeals to sign and file an order either granting or denying my motion to properly restore, and if denied, provide a thorough explanation for how an unstamped order was apparently filed.

Second, to Ms. Allen's assertion about the appellant's initial brief an designation of matter, and the appeal will be dismissed, prudently speaking, I would suggest it might be prudent for the State to consider not pushing this position just to try to save a number of compromised attorneys and at least one judge from their long term and improper conduct in these matters. Specifically, I would suggest that it might be prudent for the court to allow the banks, and the title insurance companies and the actual real party in interest and the actual defendant (which are ironically and amusingly essentially the same, but legally not, potentially intervene in the appeals so they have some chance of minimizing their significant potential losses at least to some degree. If the court really wants to dismiss the appeals and believes that is the best thing in the name of all of those esteemed concepts that is the apparent basis for the Rule of Law, who am I, a lowly non attorney, to get in your way. I will get my money from someone(s) however is required.

Third, to Ms. Allen's second letter regarding my letter dated 17 Feb 2019 requesting Judge Lochemy to provide a response to any communications that would be / should have already been, properly disclosed under Judicial Cannon 3:

1. Ms. Allen did not provide any indication that she was retained by Judge Lochemy to be able to speak on his behalf related to legal matters.
2. The request was made specifically to Judge Lochemy in his position has a judge which Cannon 3 applies to, a judge, not the Deputy Clerk of Court.

3. The request of Judge Lockemy was made potentially in lieu of a more formal pre suit discovery request, which once I realized Canon 3 was potentially a more amenable method of attempting to make progress on the issues, I decided to take. Clearly I was wrong in taking a more amenable approach. Consequently, the pre suit request will be served within the next several weeks.
4. This motion serves as legal notice that there is an over 90% chance that Judge Lochemy will be named in an action before the start of the 3rd quarter, 2020. I expect all documentation, records of conversations, records of phone calls, txts, emails, or other forms of communication to be properly preserved.
5. Ms. Allen spends a fair bit of time focusing on public written communication in her response. I assume she read and was able to comprehend Canon 3 prior to writing her letter, which once again, was not within her role to do unless she was acting as legal counsel for Judge Lochemy at the time, It seems logical that Canon 3 would not be required if all that was in question was public written communications. Perhaps another reason that Ms. Allen should have allowed Judge Lochemy to respond properly for himself, and the Person under his control and supervision.
6. Based on my early interpretation of Ms. Allen's response, unless she can prove she was acting in a formal role as Judge Lochemy's legal representative at the time she wrote the letter, it is possible Ms. Allen will also be named in a future legal action related to these matters.
7. I will take Ms. Allen's comments about internal communications of the Court of Appeals at face value at the moment, but be informed that position will likely be challenged in the future. Likewise, this motion should serve as formal notice to all Persons that Ms. Allen was speaking of or may have in any way been attempting to speak of, all documents and communications, or records of communications of any sort shall be properly preserved and recorded.

On 27 August 2018, I informed Judge Scarborough on the record that I intended to take legal action against him. By way of this motion, I will confirm that is expected to occur within the next several weeks. In addition to Judge Scarborough, it is likely that Charleston County, and several of Charleston County's current and or former employees and contractors will also be sued.

Charleston County, Court Administration, Sandlapper Reporting, McCabe Trotter, Charleston Legal Access, Todd Musheff, etc. are all aware of stated concerns about material inaccuracies in material transcripts related to these matters. The one related to the attached order of 23 March 2016 is significant and potentially represents criminal conduct in addition to other types of misconduct and injury. The continuation in any fashion of these proceedings unless and until these transcript issue are properly resolved is improper, and a continuation of pursuing such given the Courts knowledge of these abnormalities raise additional serious concerns about the Court of Appeals itself.

To all involved with these appeals at the SC Court of Appeals, I would humbly suggest you learn a lesson from Judge Scarborough related to his choices in these cases starting with today, three years ago. Once he entered what can only be construed at this point as the knowingly improper 40j dismissal of case 2014-CP-10-05407 on 23 March 2016, he knowingly took an improper action and then hoped everything would resolve itself outside of the court room and his improper action would not come to light. On the three year anniversary of Judge Scarborough's knowingly improper decision, and in the wake of additional improper conduct in an attempt to conceal, influence, and intimidate he and his associates way out of the situation he himself willingly created, I believe everyone can look at the last three years and clearly see not only did what he and Ms. Trotter bank on not happen, a relatively small issue has turned into an extremely large issues that is beginning to consume ever more attorneys, companies and SC institutions.

WHEREFORE, Appellant Alan Nix respectfully requests this Court:

1. Properly file an order signed by a SC Court of Appeals Judge related to the Motion to Properly Restore file in January 2019. Explain in detail the circumstance if the order is a denial.
2. Separate case 2014-CP-065407 into appeal 2018-00056 and case 2017-CP-10-04031 into case 2018-000174.
3. Issue an order for the Court Administration to take all action necessary to validate, including my inclusion is such validation, all transcripts related to cases 2014-CP-10-05407 and 2017-CP-10-04031.

4. Take no further action related to appeal 2017-CP-10-04031 until such appropriate independent validation is complete.
5. Remand case 2014-CP10-05407 back to circuit court based on Judge Scarborough's fraudulent dismissal of such on 23 March 2016 with the attached order of the same date. Allow complete tolling of statute of limitations on all causes of action which were within the statute of limitations on 23 March 2016 and up to the date the case is remanded to circuit court.
6. Have Judge Lochemy properly respond, either himself or through legal counsel clearly acting on his behalf and with his knowledge and consent, to the Canon 3 request of February 2019.
7. Consider the appropriateness of allowing the involved title companies, banks, real parties in interest and the real defendants time to intervene to at least give them a little bit of a chance to mitigate the significant losses they are already exposed to, much less what will occur if additional actions are taken against me and my family post this notification.
8. Don't forget, there are several motions sitting in Charleston County dating back to November 2017... including two Rule 60b motions....

Dated: March 23, 2019

Respectfully submitted,



Alan G. Nix
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991.4170
alan.g.nix@gmail.com

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON) **TITLE TO REAL ESTATE**

KNOW ALL MEN BY THESE PRESENTS, that VENTURE MANAGEMENT OF SOUTH CAROLINA, LLC (hereinafter referred to as the "Grantor"), for and in consideration of the sum of FIVE AND NO/HUNDREDTHS (\$5.00) DOLLARS to it in hand paid at and before the sealing of these presents, by C. RICHARD DOBSON BUILDERS, INC. (hereinafter referred to as the "Grantee"), the receipt and legal sufficiency of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release, unto the Grantee, the following described property, to-wit:

All that lot, piece or parcel of land, situate, lying and being shown and designated as "PARCEL 10, 30.580 AC TOTAL ACREAGE INCLUDES WETLANDS AND WETLAND BUFFERS ZONED R-3 (SINGLE FAMILY RESIDENTIAL)", as described on Sheet 3 of that certain plat by Southeastern Surveying, Inc., containing 5 sheets, entitled "A CONDITIONAL SUBDIVISION PLAT OF PARCEL 1, PARCEL 7, PARCEL 10, PARCEL 10, #1100, #1102 IN PARKWEST BOULEVARD OWNED BY LANDTECH CHARLESTON, LLC LOCATED IN THE TOWN OF MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA" dated September 8, 1997, last revised September 13, 1997 and recorded October 14, 1997 in Plat Book EC at page 90 in the RMC Office for Charleston County, South Carolina.

Less and Excepting:

All that certain piece, parcel, or lot of land, together with the improvements thereon, situate, lying and being, in the Town of Mount Pleasant, in the County of Charleston, in the State of South Carolina; the being more particularly shown and delineated as LOTS 67, 68, 69, 70, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, & 95, CHURCHILL PARK, PHASE I on plat entitled "A Conditional Subdivision Plat of Churchill Park, Phase I, Formerly Known as Portion Parcel 10, Parkwest, Owned by Venture Management of South

Carolina, LLC", prepared by Southeastern Surveying, Inc., dated August 28, 1998, revised September 15, 1998, October 6, 1998, and October 24, 1998, and recorded in the RMC Office for Charleston County, SC in Plat Book EC at page 999; and having the boundaries and measurements as shown on the last mentioned plat; reference being craved thereto as often as is necessary for a more complete and accurate legal description.

This being a portion of the property heretofore conveyed to Venture Management of South Carolina, LLC by deed of Landtech Charleston, LLC dated December 22, 1997 and recorded December 23, 1997 in the office of the RMC for Charleston County, SC, in Record Book X294 at page 009.

TMS Number: 598-00-00-042

Grantee's Mailing Address: 745 Johnnie Dodds Blvd.
Mt. Pleasant, South Carolina 29464

This conveyance is made subject to taxes and assessments for 1999, and all subsequent years, and to all easements, covenants, restrictions, reservations and conditions of record and otherwise affecting the property, including but not limited to, rights-of-way indicated by instruments and plats of record, and to all applicable zoning and other land use regulations and restrictions of any political subdivision in which the subject premises are situate.

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the Grantee, its successors and assigns, forever.

And the Grantor does hereby bind itself and its successors and assigns, to warrant and forever defend all and singular the premises unto the Grantee, its successors and assigns, against the Grantor and its successors and assigns, and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF, the Grantor has executed this Title to Real Estate this 12th day of August, 1999.

Signed, Sealed and Delivered
In Presence of:

Barbara Davis
Dana Miller

VENTURE MANAGEMENT OF
SOUTH CAROLINA, LLC

By: LAND DEVELOPMENT, INC.
Its Member

By: [Signature] (Seal)

Its: Regional V.P.

By: C. RICHARD DOBSON BUILDERS, INC.
Its Member

By: [Signature] (Seal)

Its: Regional V.P.

STATE OF GEORGIA)
COUNTY OF Forsyth)

PROBATE

PERSONALLY APPEARED before me the undersigned witness, who being duly sworn, deposes and says that (s)he saw the within-named Grantor, VENTURE MANAGEMENT OF SOUTH CAROLINA, LLC by Land Development, Inc. and C. Richard Dobson Builders, Inc., its Members, sign, seal and as its act and deed, deliver the within Title to Real Estate; and that (s)he with the other witness whose signature appears above, witnessed the execution thereof.

Barbara Davis

SWORN to before me this
12 day of Aug., 1999.

Wm. J. [Signature] (L.S.)

Notary Public for Georgia
My Commission expires: _____

Notary Public, Forsyth County, Georgia
My Commission Expires Aug. 22, 1999

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

AFFIDAVIT

PERSONALLY APPEARED before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is known as Parcel 10 (30.580 Acres) on plat entitled "A Conditional Subdivision Plat of Parcel 1, Parcel 7, Parcel 10, Parcel 11, #1100, #1101, and Park West Boulevard, Owned by Landtech Charleston, LLC", dated September 8, 1997 and revised September 13, 1997, and recorded in Plat Book EC, Page 90, LESS AND EXCEPTING Lots 67, 68, 69, 70, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, & 95, Churchill Park, Phase 1, as shown on plat entitled "A Conditional Subdivision Plat of Parcel 1, Parcel 7, Parcel 10, Parcel 11, #1100, #1101, And Park West Boulevard Owned by Landtech Charleston, LLC Located In The Town Of Mount Pleasant Charleston County, South Carolina" dated September 8, 1997, prepared by Southeastern Surveying, Inc., and recorded in the Charleston County RMC Office in Plat Book EC at page 90. The Charleston County Tax Map Number is as 598-00-00-042, and the property was transferred by Venture Management of South Carolina, LLC to C. Richard Dobson Builders, Inc. on Aug 12th, 1999.
3. Check one of the following: The deed is
 - XXX (a) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - ___ (b) subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - ___ (c) exempt from the deed recording fee because N/A (If exempt, please skip items 4 - 7, and go to item 8 of this affidavit.)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit):
 - ___ (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of N/A.
 - XXX (b) The fee is computed on the fair market value of the realty which is \$666,000.00
 - ___ (c) The fee is computed on the fair market value of the realty as established for property tax purposes which is N/A.
5. Check Yes or No X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is: N/A.
6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above: \$666,000.00
- (b) Place the amount listed in item 5 above: 00.00
- (c) Subtract Line 6(b) from Line 6(a) and place result here: \$666,000.00

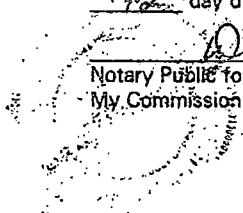
- 7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is \$2,464.20.
- 8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: C. Richard Dobson Builders, Inc. By Steward A. Sparks.
- 9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than One Thousand and no/hundredths (\$1,000.00) Dollars, or imprisoned not more than one (1) year, or both.

C. RICHARD DOBSON BUILDERS, INC.

By: *[Signature]* (Seal)
 Steward A. Sparks
 Its: Regional V.P.

SWORN to before me this 12 day of Aug, 1999.

Dina Jelle (L.S.)
 Notary Public for Georgia
 My Commission expires: _____



Notary Public, Gwinnett County, Georgia
 My Commission Expires Aug, 22, 2002

Whitener + Wharton
2001 Park St.
Columbia, SC 29201

(P)
AC 2
CAA

BKC 334PG492

FILED

C 334-486

1999 SEP -9 AM 9: 35

CHARLIE LYBRAND
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CHARLESTON COUNTY SC

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SEARCH

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SEARCH CRITERIA
Name: tiller dina

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<u>Name</u>	<u>City</u>	<u>County</u>	<u>Zip Code</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>* Email Address</u>
TILLER, DINA	LILBURN	GWINNETT	30047	9/27/2011	9/26/2015	No Email
TILLER, DINA	LILBURN	GWINNETT	30047	9/16/2007	9/14/2011	No Email
TILLER, DINA	LILBURN	GWINNETT	30047	9/15/2003	9/14/2007	No Email
TILLER, DINA	LILBURN	GWINNETT	30047	9/15/1999	9/14/2003	No Email
TILLER, DINA	LILBURN	GWINNETT	30247	8/29/1991	8/28/1995	No Email
TILLER, DINA	DORAVILLE	DEKALB	30340	10/16/1987	10/16/1991	No Email

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FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

FILED CASE NO. 2014CP-10-5407

Churchill Paule (2016 MAR 23 PM 1:58) Nix

PLAINTIFF(S)

JULIE S. ARMSTRONG
CLERK OF COURT DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(i), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk :

NOTHING WRITTEN
NOTHING ATTACHED

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

[Signature]

Judge Code

3062

Date

3/21/16

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

The Honorable Mikell R. Scarborough, Master in Equity

**Case No. 2014-CP-10-05407
2017-CP-10-04031**

RECEIVED

MAR 25 2019

Churchill Park, Respondent

SC Court of Appeals

v.

Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix, Defendants,

Of which Alan G. Nix is the Appellant

**Appellate Case Number 2018-000056 &
2018-000174**

PROOF OF SERVICE

The undersigned certifies that a copy of the Appellant's Motion to Just Do the Right Thing in cases in the above caption has been served upon the individuals listed below by mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown below this ____ day of January 2019 to:

Plaintiff Attorneys Attorneys:
Andrew Countryman
Countryman Law Firm
321 Wingo Way

Robert Wood
Rogers Townsend
1220 Senate St.

Mount Pleasant, SC 29464

Columbia, SC 29201

Judge Scarborough
Master in Equity, Charleston County
100 Broad St., Ste. 266
Charleston, SC 29401

Charleston County Attorneys
4045 Bridge View Dr.
North Charleston, SC 29405

Julie Armstrong
Clerk of Court, Charleston County
100 Broad Street
Charleston, SC 29401

Sandlapper Reporting, LLC
P.O. Box 30276
Charleston, SC 29417

Sally Newman, Esq. &
Sarah Schreiber, Esq.
Charleston Legal Access
1630 Meeting Street
Charleston, SC 29405
Norma J. Nix (2014-CP-10-05407) and
The Estate of Norma J. Nix (2017-CP-10-04031)

Office of Court Administration
1220 Senate St., Ste. 201
Columbia, SC 29201

Sandlapper Reporting, LLC
c/o Christine Smith
P.O. Box 30276
Charleston, SC 29417

(and a lot more)

Dated: March 23, 2019

Respectfully submitted,

By:



Alan G. Nix
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991.4170
alan.g.nix@gmail.com

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ALAN NIK
SC Court of Appeals
1401 DENSMORE CIRCLE
MT. PLEASANT, SC 29466

MAR 25 2019

TO:

SC COURT OF APPEALS
1220 SENATE ST.
COLUMBIA, SC 29201

Label 228, March 2016

FOR DOMESTIC AND INTERNATIONAL USE