

4 April 2019

Alan Nix
1401 Densmore Circle
Mount Pleasant, SC 29466

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APR 08 2019
SC Court of Appeals

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

Court of Appeals
1220 Senate St.
Columbia, SC 29201

RE: 2014-CP-10-05407 / 2019-CP-10-00067 / 2018-000174

Ms. Armstrong, SC Court of Appeals Clerk of Court.

I was catching up on my mail last night, actually early this morning, and Mr. Countryman and Mr. Wood reminded me about 2019-00067, which was filed on 4 Jan 2019 as a way to ensure no one can claim that the statues of limitations ran out on valid claims related to 2014-CP-10-05407 since we (the collective WE) just can't seem to make any timely progress solving this really pretty simple issue.

It is indisputable that Judge Scarborough clearly and grossly took improper action on or about 23 March 2016 to dismiss case 2014-CP-10-05407. The only things more clear and gross is the actions he took thereafter related to that case.

So, here we are in the first week of April 2019 with very little progress in clearing all this stuff up, especially since the Court of Appeals has also been very challenged with just letting the actual and numerous problems be solved at the right level. Granted, that may be because the Court of Appeals already knows that Charleston County and its Public Officials are not able to solve problems they have helped create.

So, it appears to me at least, the correct goal here is to have the 60(b) motion and motion to restore filed last week for 2014-CP-10-05407 be heard and ruled on in the very near term. At least to simple pro se me, it appears this really isn't that complicated since it is irrefutable that Judge Scarborough did one or more bad things on or about 23 March 2016 when he completely improperly dismissed 2014-CP-10-05407. Hence, if it was completely improperly dismissed, then it really wasn't legitimately dismissed so it should clearly properly be restored. And if that isn't enough of a proper reason, then we have all of those 60(b) issues and that motion from 28 November 2017 that has never been ruled on, mainly because Judge Scarborough closed it on his secondary roster on 6 December 2017 and Ms. Dukes Beck never scheduled it for a hearing.

So, what I am getting at is this log jamb has to be cleared in the next few weeks one way or the other and the powers that be at the Charleston County Clerk of Court and the Court of Appeals has to work together (properly of course) to fix all of these issues. I know no one wants to have to do this stuff

and expose this kind of stuff and do the kinds of things they must do because they don't want to make any of their friends mad or embarrass anyone, but ladies and gentlemen, that is your job, and we are only in this dismal place because everyone has tried their best to avoid doing the right and proper things. And, based on some things I looked at in the last week or so, either 2014-CP-10-05407 needs to have an amended answer filed which will include federal types of claims or 2019-CP-10-000067 will have to be amended to include those types of claims. And one or the other of those two actions needs to be completed within the month, maybe both.

Either way, I'm sure everyone has to agree this can't rationally be done in Charleston County, because I am pretty sure that at least one Charleston County and/ or Town of Mount Pleasant Person will be named in an amended answer for 2014-CP-10-05407 or 2019-CP-10-000067. Hence, it doesn't make logical sense to leave any of these cases in Charleston County just due to the general appearance that creates, not to mention the complicated history with me and Charleston County and Mount Pleasant. So, right now, cleaning up the logistics of this ever growing mess is ironically the most complicated and pressing part of the problem, of which I may have a small part in creating, but in reality, very very little since I'm just a pro see person and have been learning as I go.

So, if I were to lay out a proposed path forward, it would kind of look like this. I'm sure since I'm not an attorney or do this full time for a job managing court processes and rosters and such, I will miss somethings, but hopefully this mostly hits the high spots.

1. SC Court of Appeals, separate case 2017-CP-10-04031 into case 2018-000056 and case 2014-CP-10-05407 into case 2018-000174. **TARGET: 12 April 2019**
2. SC Court of Appeals ,remand case 2018-000174 back to a lower court. **TARGET: 12 April 2019**
3. Charleston County , just grant the attached motion for change of venue across the board for all cases I am involved in. **TARGET: ASAP. (Really no smart way around this, so just kind of a just do it kind of thing. Unless you make me, I am not paying multiple motion fees. The motion is for all of the cases and a copy is included for each)**
4. Have the 60(b) motion and the motion to restore for 2014-CP-10-05407 heard in next two weeks in some unbiased, competent court somewhere. **TARGET: no later than 18 April, but I guess it could be argued that it has to wait until like 22 April 2019. Note:** either Judge Scarborough and Ms. Smith need to be available for this hearing to testify under oath or they need to be disposed or something prior to the hearing so their testimony can be properly introduced. Strictly limited to 23 March 2016 order in case 2014-CP-10-05407 and the associated transcript, as well as all related issues for either that occurred post 23 March 2016
5. Assuming at least the 60b motion or motion to restore is properly granted, then I will amend the answer to 2014-CP-10-05407 to include federal kinds of things and then remove to Federal Court. **TARGET: 26 April 2019**
6. Assuming for some completely unforeseen reason some unbiased, competent judge somewhere denies all of the 60(b) issues and motion to restore issues related to 2014-CP-10-05407, I will amend the allegations, parties, etc. in case 2019-CP-10-000067 to include the federal kinds of things and then remove it to Federal Court. **TARGET: 26 April 2019 (Note:** based on potential title issues recently discovered, some things like Slander of Title may not properly belong to me and Norma Ethan and Lauren. Venture Mgmt of SC is copied so they can decide what is proper to do about things that may be affected because their notary wasn't a notary)

7. Depending on how everyone thinks about how these things properly relate, the SC Court of Appeals should probably put 2017-CP-10-04031/2018-000056 on hold or something, especially until all of the banks and other people get properly involved. **Note:** It may turn out South State forecloses on the Nix family home faster than any of the Churchill Persons since the Churchill Persons and their agents, officers, employees, directors, attorneys, investors, predecessors, successors, etc. etc. etc. have finally drove me into indigent status during the last few years.

A few things worth remembering, definitely not a complete list, that may make this even more complicated unfortunately.

1. 2014-CP-10-05407 was on Judge Scarborough's 18 Sept 2017 roster meeting, not 2017-CP-10-04031.
2. 2014-CP-10-05407 was what Ms. Dukes Beck scheduled for the September 2017 term of court, not 2017-CP-10-04031.
3. 2017-CP-10-04031 wasn't even created until after the motion hearing Ms. Dukes Beck scheduled for 2014-CP-10-05407 for 7 August 2017, where all dispositive motions were to be heard prior to 2014-CP-10-05407 going to the hearing thing a month later during the Sept 2017 term of court.

In my experience, of course not in court or law exactly, but as a general rule, this is the kind of stuff that almost always happens when people and Persons do the wrong things for the wrong reasons, especially for a very long time. Don't shoot the messenger ladies and gentlemen, especially since I am the only real victim here.

Best regards,



Alan Nix

cc.

Robert Wood
Rogers, Townsend, Thomas,
1221 Main St.
Columbia, SC 29201

Andrew Countryman
Countryman Law Firm
321 Wingo Way, Ste. 102
Mount Pleasant, SC 29464

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

South State Bank
P.O. Box 118068
Charleston, SC 29423

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

Charleston Legal Access
1630 Meeting St.
Charleston, SC 29405

Nicole Comer
South State Bank
PO Box 1030
Columbia, SC 29202

Navy Federal Credit Union
P.O Box 3327
Merrifield, VA 22119

Ryan McCabe
McCabe Trotter
4500 Fort Jackson Blvd.
Columbia, SC 29209

Judge Condon
Probate Court, Charleston County
100 Broad St., Ste. 469
Charleston, SC 29401

Alan Wilson
SC Attorney General
P.O. Box 11549
Columbia, SC 29211

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APR 08 2019

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF CHARLESTON)	FOR THE NINTH JUDICIAL CIRCUIT
)	
CHURCHILL PARK, etc....)	Case No.: 2014-CP-10-05407
)	2019-CP-10-00067
Plaintiff,)	2017-CP-10-04031
)	2018-CP-10-03315
)	ETC.
ALAN G. NIX and NORMA J. NIX)	
)	
Defendants,)	MOTION FOR OVERALL
)	CHANGE OF VENUE

PLEASE TAKE NOTICE, Defendant Alan G. Nix hereby moves Charleston County to grant a change of venue for all cases in which he is a party to in Charleston County. In support of this motion, defendant states:

1. Serious and numerous and systemic issues have plagued the proper management of cases in which Alan Nix has been a party to in Charleston County since at least March 2016.
2. Some of these issues, and the Charleston County Persons and other Charleston County municipality persons are currently expected to be named parties in one or more Federal actions within the next several weeks.
3. Consequently, it is clearly not appropriate from an appearance perspective nor a realistic perspective to expect the numerous, serious and systemic issues in the Charleston County and Charleston County municipalities to improve going forward, but more likely, to further degrade at least where Alan Nix is concerned.
4. The issue that lacks an obvious solution is where exactly in South Carolina is a proper judicial environment that may be able to properly and promptly resolve these few and long outstanding issues, to properly move them into the Federal judicial system?
5. Given no obvious answer from Alan Nix, it is perhaps necessary to have a hearing and all parties make prehearing recommendations on locations in an attempt to garner consensus without a hearing, which should likely be held somewhere other than Charleston County as well.

6. It is currently assumed that the Federal case or cases will likely consume most outstanding cases and parties in Charleston County or currently with the SC Court of Appeals.

WHEREFORE, the defendant prays for the relief requested herein and any other or further relief as the Court deems just, prudent, and proper.

April 4, 2019

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Alan G. Nix", is written over a horizontal line.

Alan G. Nix
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 729-2400
alan.g.nix@gmail.com

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STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT

COUNTY OF CHARLESTON)

APR 08 2019)

SC Court of Appeals CASE NO.: 2017-CP-10-04031

CHURCHILL PARK, etc.)

MOTION AND ORDER INFORMATION
FORM AND COVERSHEET

Plaintiff,)

vs.)


2014-CP-10-05407

ALAN G NIX, NORMA J NIX and ESTATE)
OF NORMA J NIX)

2019-CP-10-00067

2018-CP-10-03315

Defendant.)

Plaintiff's Attorney: see list on certificate of service, Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: Alan Nix, Bar No. Pro Se Address: 1401 Densmore Circle, Mt. Pleasant, SC 29466 Phone: 843.991.4170 Fax _____ E-mail: alan.g.nix@gmail.com Other: _____
<input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input checked="" type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: overarching change of venue, all cases Alan Nix is a party to in Charleston County Estimated Time Needed: as required Court Reporter Needed: <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO	
SECTION II: Motion/Order Type	
<input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
 Signature of Attorney for <input type="checkbox"/> Plaintiff / <input checked="" type="checkbox"/> Defendant	4 April 2019 Date submitted
SECTION III: Motion Fee	
<input checked="" type="checkbox"/> PAID - AMOUNT: \$ _____ <input type="checkbox"/> EXEMPT: (check reason)	
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCF) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____	
JUDGE'S SECTION	
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____
CLERK'S VERIFICATION	
Collected by: _____ Date Filed: _____ <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____	

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STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF CHARLESTON) SC Court of Appeals) THE NINTH JUDICIAL CIRCUIT

CHURCHILL PARK,

Plaintiff,

vs.

ALAN G NIX , NORMA J NIX and the
ESTATE OF NORMA J NIX,

Defendants.

CASE NUMBER: 2017-CP-10-04031,
2019-CP-10-00067,
2014-CP-10-05407,
2018-CP-10-03315,
Etc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 5th day of April 2019, a copy of the motion for change of venue for all cases Alan Nix is a party to was served on all of the below parties as and/or their respective counsel of record via USPS as follows:

Robert Wood
Rogers Townsend Thomas PC
1221 Main St.
Columbia, SC 29221
(Plaintiffs attorneys attorneys)

Andrew Countryman
Countryman Law Firm
321 Wingo Way
Mount Pleasant, SC 29464
(Plaintiffs attorneys attorneys)

Judge Scarborough
Master in Equity, Charleston County
100 Broad St., Suite 266
Charleston, SC 29401
(left with Clerk of Court)

Sarah Schreiber, Esq.
Charleston Legal Access
1630 Meeting St.
Charleston, SC 29405

Sally Newman, Esq.
Charleston Legal Access
1630 Meeting St.
Charleston, SC 29405

S.C. Court of Appeals
1220 Senate St.
Columbia, SC 29201

Alan Wilson
P.O.. Box 11549
Columbia, SC 29211

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

Nicole Comer
South State Bank
P.O. Box 1030
Columbia, SC 29202

Judge Condon
Probate Court, Charleston County
100 Broad St., Ste 469
Charleston, SC 29401

Navy Federal Credit Union
P.O. Box 3327
Merrifield, VA 22119

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

Ryan McCabe
McCabe Trotter
4500 Fort Jackson Blvd.
Columbia, SC 29209

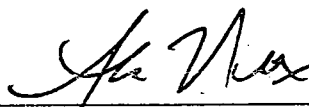
South State Bank
P.O. Box 118068
Charleston, SC 29423

Kevin Mims, Esq.
Luzuriaga Mims, LLP
50 Immigration St., Suite 200
Charleston, SC 29403

Randall Stoney, Esq.
Joye Law Firm
5861 Rivers Ave
North Charleston, SC 29406

Joseph Kaiser, Esq.
Kaiser Law Firm
155 King St., 2nd Floor, Ste. C
Charleston, SC 29401

Kaiser, send extra copy
to your other friend

By: 

Alan G Nix
1401 Densmore Circle
Mount Pleasant, SC 29466
(843) 991-4170
alan.g.nix@gmail.com