

**FORM 13
BRIEF OF APPELLANT***

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

THE HONORABLE THOMAS E. PLAYER Jr.

Case No. 2018-001277

Donna Erickson,

Respondent,

v.

Felicia Ruff,

Appellant.

[INITIAL] BRIEF OF APPELLANT

Felicia D. Ruff
1455 Hidden Oaks Drive
Wedgefield, South Carolina 29168
(803) 468-536
Appellant

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SC Court of Appeals

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STATEMENT OF ISSUES ON APPEAL

1. DID THE TRIAL COURT ERR IN FAILING TO FIND THIS ACTION IS BARRED BY RES JUDICATA?
2. DID THE TRIAL COURT ERR IN CHARGING THE JURY THAT FRAUD MUST BE PROVED BY A PREPONDERANCE OF THE EVIDENCE?

STATEMENT OF THE CASE

On May 22, 2018, Donna Erickson, via legal representative, Joseph K. Coffey, brought this action of foreclosure against me, Felicia D. Ruff. I, Felicia Ruff, answered by appealing to the lower courts decision, based on the fact that precluding Donna Erickson's actions, full payment of agreed upon asking price of \$18,000.00, in contract of sale, had been met. I, Ruff, declare that upon reaching the agreed upon asking price, made several attempts to correspond with Erickson, seeking to arrange a closing. To no avail. No answer from Erickson.

On May 22, 2018, the case was heard by The Honorable Thomas E. Player, in the absence of myself, Felicia D. Ruff. The case was decided in the favor of Donna Erickson, awarding her the property in question; 1455 Hidden Oaks Drive, Wedgefield, S.C. 29168. On June 19, 2018, Erickson, came to said address and served me, Felicia Ruff, with the decision.

I, Felicia Ruff, declare that I was not aware of the hearing.

STANDARD OF REVIEW

FACTS

I, Felicia Ruff, am no lawyer, and, lack the legal jargon and conversation required and or expected in such legal documents. But, what I do know, is that there are no citations, codes, or statutes, to confirm or validate, words from the heart. I, Felicia Ruff, am fighting for a home that

I have paid for. Which leaves the question, how a foreclosure can be granted to Erickson, for property, where the agreed upon contracted buying/selling price has been met? I, Felicia Ruff, have receipts. I possess other documented proofs of payment (i.e., Bankruptcy Court) along documents of bank drafts proving taxes paid, via certified cashier's checks drafted from my, Felicia Ruff's checking account. I am only left to believe that Erickson, is under the impression that my filing for bankruptcy, voided all equity paid into the home, 1455 Hidden Oaks Dr. Bankruptcy, is an opportunity for one, such as myself, to continue fighting to hold on to what they have already fought so hard to obtain.

I, Felicia Ruff, am at the mercy of The South Carolina Court of Appeals, to please remand this case back to the lower courts. I, Felicia, feel robbed. I, Felicia, feel as though a crime has been committed against me. I, Felicia, have paid in full for the home addressed, 1455 Hidden Oaks Drive, and it has been taken away. How? How does one bring foreclosure actions against a house they have been paid for? Fraud. The agreed upon asking price has been met.

ARGUMENTS

- I. BECAUSE RESPONDENT COULD HAVE RAISED FRAUD IN HIS PRIOR BREACH OF CONTRACT SUIT AGAINST APPELLANT, HE IS BARRED BY RES JUDICATA FROM BRINGING THIS SUIT.

[I, Felicia Ruff, don't possess the knowledge of citations of authority.]

- II. BECAUSE FRAUD MUST BE PROVED BY CLEAR AND CONVINCING EVIDENCE, THE TRIAL COURT ERRED WHEN IT CHARGED THE JURY THAT THE RESPONDENT MUST PROVE FRAUD BY A PREPONDERANCE OF THE EVIDENCE.

[I, Felicia Ruff, don't possess the knowledge of citations of authority.]

CONCLUSION

For the reasons stated, this Court should reverse the judgment of the circuit court.

Respectfully submitted,

March 11, 2018

Felicia D. Ruff
1455 Hidden Oaks Drive
Wedgefield, South Carolina 29168
(803) 468-5364
Appellant



The South Carolina Court of Appeals

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February 28, 2019

Felicia Ruff
1455 Hidden Oaks Drive
Wedgfield SC 29168

Re: Donna Erickson v. Felicia Ruff
Appellate Case No. 2018-001277

Dear Ms. Ruff:

Upon reviewing your appellant's initial brief, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or this appeal will be dismissed:

- The caption must be identical to the caption given below:

Donna Erickson, Respondent,

v.

Felicia Ruff, Appellant.

- The reference to Rule 267 at the bottom of the title page should not be part of the title page.
- Our records indicate that the judge for the order being challenged on appeal is Thomas E. Player Jr., not George E. Brown.

- Only the Court of Appeals should be listed on the top of the title page, as this case is not before the Supreme Court.
- The brief must be double spaced as required by Rule 267(c), SCACR.

Very truly yours,

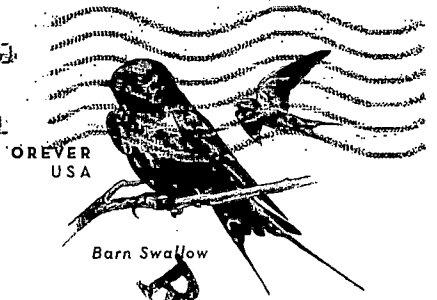
V. Clare Allen, Deputy

CLERK

cc: - Joseph King Coffey, Esquire

Ms Felicia D Ruff
1455 Hidden Oaks Ln
Wedgfield, SC 29168

COLUMBIA, SC 29209
12 MAR 2019
ADDITIONAL OUNCE - USA



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