

8 May 2019

Alan Nix
1401 Densmore Circle
Mount Pleasant, SC 29466

RECEIVED
MAY 13 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,

This is a follow up to the letter dated 4 April 2019, which your office received on 7 April 2019

As a general recap of this ongoing, unseemly situation, your office received the original letter / motion package on 7 April 2019 along with check number 800 in the amount of \$50.00. The hand written note on side of the letter specified for \$25.00 to be applied to the motions for change of venue and \$25.00 to be applied to the motion to restore filed on 27 March 2019, since clearly a motion fee was required for that motion, despite the assertions of a still unnamed supervisor of yours on the afternoon of 27 March 2019, that they had another employee of yours relay to me. I have asked for you to cite the policy exception your supervisor apparently relied upon, which you have failed to provide to provide to date. Please provide at once.

Consequently, please do as was instructed in the letter mailed on 4 April 2017, and apply \$25.00 to the motion fee for the motion to restore filed 27 March 2019 for case 2014-CP-10-05407 and \$25.00 to the motion for change of venue for 2019-CP-10-00067, with a proper filed date of 7 April 2019.

By way of letter from your office post marked 11 April 2019, your office returned the entire set of motions citing the filing fee was insufficient, "The correct amount is \$100.00 - \$25.00 per cases" Given I mistook the returned package as my stamped filed copy, I did not immediately open it. On 25 April 2019, I returned the entire motion package to you a second time. I mailed the legal envelope from the East Bay Street post office on the afternoon of 25 April 2019, which means you should have received it the morning of 26 April 2019. This time, to appease your office, I included a second check, check number 802, in the amount of \$75.00. So, the package you received on 26 April 2019 now had the original \$50.00 check (motion for change of venue for 2019-00067 and motion to restore case for 2014-CP-10-05407 from 27 March 2019) and a second check for the other three change of venue motions (2018-CP-10-03315, 2014-CP-10-05407 and 2017-CP-10-04031). A total of two checks for \$125.00 combined, for five motions.

Obviously that was not what you, your office, and you and your office's associates had hoped for since that also was apparently not satisfactory to you and your office. By way of letter post marked 2 May 2019, you and your office returned the entire motion package a second time, this time citing as the reason that the filing fee was not correct. The correct amount is \$100.00. Obviously this is not correct based on the above rationale and the current motion fee schedule, unless of course five times \$25.00 doesn't equal \$125.00 any longer.

I am resubmitting this same motion package, in the same state I mailed it to you on 25 April 2019, again today, 8 May 2019, with the same two checks, numbers 800 and 802, in the amounts of \$50.00 and \$75.00.

In addition to complying with the instructions above related to check number 800, please file the other three motions for change of venue for cases 2018-CP-10-03315, 2014-CP-10-05407 and 2017-CP-10-04031 with a proper filed date of 26 April 2019 as you should have done when you received the additional check, number 802, on 26 April 2019.

Now, to the issue of the six motion hearing notices Ms. Trotter apparently received from your office on 25 April 2019 for case 2017-CP-10-04031. Believe it or not, its fourteen days later and I haven't received a single one of those motion hearing notices. Please send those at once along with an explanation from you as to how that apparent mistake has not been corrected in the last two weeks.

Lastly, since you and your office has, potentially intentionally, created this fiasco during the last month, and since one of the motions for change of venue should have been filed on 7 April 2019, and the other three should have been filed on 26 April 2019, your office needs to clean up the seven motion hearing notices mailed on 29 April 2019. All parties requiring service of the motions had them no later than 8 April 2019. Obviously this is inappropriate, and I am beginning to believe more and more, improper by design.

Please also respond to all outstanding questions about your offices conduct related to motion to restore motion fee exception, the note on case 2014-CP-10-05407 that has disappeared, the supervisor's name from 27 March 2019 that said no motion fee was required for a motion to restore, etc. Obviously, further delay and / or game playing by you and your office only further supports the appearance of intentional misconduct by your office. Likewise, I believe you and your office has made the case for the change of venue even beyond the pattern of judicial misconduct in Charleston County.

Best regards,



Alan Nix

cc.

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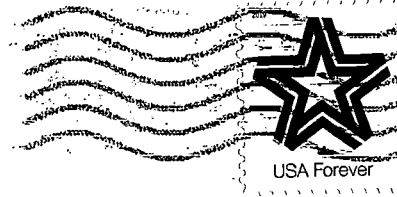
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SC Court of Appeals

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