

PETITION FOR REHEARING

EDWARD SPEARS, APPELLANT

V.

**R & R CLEANING SERVICE &
NATALIE HARRIS, RESPONDENT**

CASE NO. 18-8342

RECEIVED

MAY 17 2019

S.C. SUPREME COURT

STATEMENT OF THE CASE

This case comes to the U.S. Supreme Court up for the S.C. Court of Appeals then the S.C. Supreme Court where a writ of certiorari was denied but should have been given. The S.C. Supreme Court failed its duty to apply due process to see if there were any constitutional violations involved. Due process would have revealed (both procedure and substantive) that my constitutional rights were deprived from use by the S.C. Court of Appeals. Also procedure of due process would have revealed that I was treated unfairly and dishonest by the judges and clear of this court. I am sending a brief statement and facts that lead up to this petition to see if the U.S. Supreme Court would allow a rehearing.

The heart of this petition involves court order dated March 6, 2018 and court decision dated June 8, 2018 (see exhibit 1 & 2) pages 1 & 2.

I filed my initial brief and designation of matter on October 27, 2017 and my final brief on January 19, 2018.

The respondent never, never sent a final brief and to this day refused to send a final brief. Instead he filed a motion on January 9, 2018 that featured eight complaints and requests. A few of the requests were that I include in my record of appeals certain items he wanted me to include. (note, he said the items he wanted me to include not items of Rule 210 that governs the contents of record of appeals). He also requested that he be allowed an extension on sending his final brief for 20 days but only if I send a corrected record of appeals featuring items he wanted me to include. It seems as the court was letting the respondent have his way. This was total bias behavior by the S.C. Court of Appeals (see exhibit 3 page 3).

The court however ordered me to correct or address the complaints in a 30 day period (see exhibit 1 page 1) on April 2, 2018. I sent seven copies of Amended Record of Appeals (ink free) as well as newly requested four final briefs and an avadavat addressing the eight complaints (see page 7 and 8).

The respondent under Rule 240 F and G has 5 days to comply if dissatisfied with a return motion. The respondent failed to apply therefore, according to rule 240G, the motion was abandon (see Rule 240 page 9). Therefore the March 6 order should have been stricken off the record for two reasons, it was abandon and the motion was denied according to the statement at the top of exhibit 1.

The Court of Appeals continued their rampage of obstruction by allowing the respondent to file a second motion to dismiss (see page 10) without ever filing a petition for a rehearing as requested in Rule 221. My God who is running the courts the respondent or the judges? I responded to the April 12, 2018 thru a remotion on April 27, 2018. Again the respondent failed to reply under Rule 240 F and G (see page 15-17). The June 8th decision to dismiss should be stricken from the record simply because the motion was already denied on March 6th. No judge can change their decision on cases without a rehearing also a petition must be filed according to Rule 221 (see page 18).

ARGUMENTS

The March 6th order should be stricken from the records. The order itself states the motion was denied which was speaking of the January 9, 2018 motion to dismiss file by respondent which contained the same complaints on the order. That means the order and the motion to dismiss were the same and the respondent failed to file a reply in the given five days under Rule 240. Therefore, the motion was abandon. Again the respondent failed to reply after my return to motion answers were sent on April 2, 2018. When a case is abandon it is the same was being dismissed.

The June 8th decision should also be stricken. The courts should not have allowed the respondent to file the April 12th motion. No petition was ever filed under Rule 221 (see page 18). In the June 8th decision the judge made it clear he was demonstrating preference to the defendant's April 12th motion (or the second motion) which should not be allowed by the respondent. The March 6, 2018 motion by the respondent was dismissed. The respondent then had the chance of rehearing of motions or Rule 221 (c). However, the court would only entertain the petitions if the action of the court has the effect of dismissing or deciding a party's appeal. The respondent never attempted to file any petitions for rehearing of motion. Therefore, the April 12th motion to dismiss should have been obsolete as well as the June 8, 2018 decision (see exhibit 2 page 2).

CONCLUSION

This rehearing is based on rather the March 6, 2018 and the June 8th decisions were valid. It is also based on the motions to dismiss filed by the respondent on January 9, 2018 and April 12, 2018. The January 9th motion to dismiss was denied (see exhibit 1 page 1). Once a motion is decided it is final unless the respondent, as in this case, has filed a petition for rehearing. No rehearing. No rehearing, no other motion to dismiss, point blank!! (see rule 221, page 18) That makes the June 8th order to dismiss invalid. The respondent had no permission from the court to file a second motion to dismiss.

I hope and pray the U.S. Supreme Court takes a serious look at the evidence and facts then sends this case back for rehearing.

THE STATE OF SOUTH CAROLINA
In the U.S. Supreme Court

Case No. 18-8342

R & R Cleaning Service and Natalie Harris Respondent,

v.

Edward Spears,

Appellant

PROOF OF SERVICE

I certify that I serve the petitions for rehearing by mail to the following U.S. Supreme Court, 1 First St., N.E. Washington D.C., Court of Appeals, 1220 Senate Street, Columbia, SC 29201, S.C. Supreme Court, 1231 Gervais Street, Columbia, SC, and Mike Hopewell, 470 West Evans Street, Florence, SC 29501.

May 15, 2019

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INDEX OF DOCUMENTS

March 6 th Order.....	Page 1
June 8 th Order.....	Page 2
January 9 th Motion to Dismiss.....	Page 3
April 2 nd Proof of Service.....	Page 7
Answers to Complaints.....	Page 8
Rule 240.....	Page 9
Motion to Dismiss.....	Page 10
Re-Motion.....	Page 15
Proof of Service.....	Page 17
Rule 221.....	Page 18

Exb. 1

The South Carolina Court of Appeals

Edward Spears, Appellant,

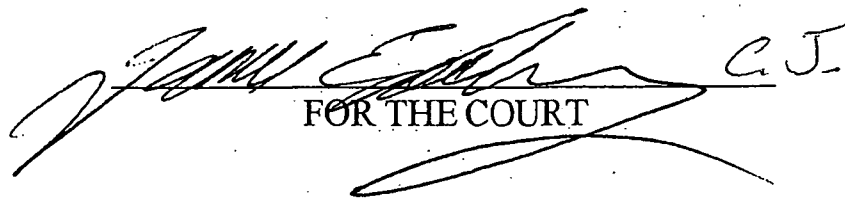
v.

R&R Cleaning Services and Natalie Harris, Respondents.

Appellate Case No. 2017-000746

ORDER

Respondents' motion to dismiss is denied. Respondents' request to require correction of the record on appeal is granted. The record on appeal that was previously filed is stricken. Within thirty days of the date of the order, Appellant must serve a corrected record on appeal and file a proof of service for the corrected record on appeal. The corrected record on appeal must include all matters designated by both parties and the documents must be free of any handwritten notations. Appellant's request to file a fewer number of copies of his final brief and record on appeal is granted to the extent that Appellant may file only seven copies of his final brief and seven copies of the record on appeal.


FOR THE COURT

Columbia, South Carolina

FILED

March 16, 2018

cc:
Edward Spears
Michael S. Hopewell, Esquire

9

LXB #2

The South Carolina Court of Appeals

Edward Spears, Appellant,

v.

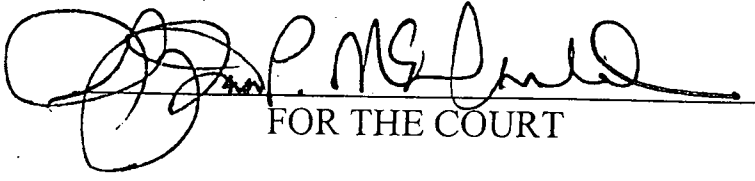
R&R Cleaning Services and Natalie Harris, Respondents.

Appellate Case No. 2017-000746

ORDER

On March 6, 2018, this court ordered Appellant to serve and file a corrected record on appeal, and explained "the corrected record on appeal must include all matters designated by both parties and the documents must be free of any handwritten notations." Respondents have now filed a motion to dismiss this appeal, arguing the corrected record does not include items 1 and 3 from Respondents' designation of matter and only includes the first page of the motion to be relieved from default and motion to dismiss dated August 4, 2016. Further, Respondents explain that Appellant's handwriting still appears on many pages of the record.

After careful consideration of the parties' filings and the amended record on appeal, Respondents' motion to dismiss is granted because Appellant failed to comply with this court's order of March 6, 2018. The remittitur will be sent as provided in Rule 221, SCACR.


FOR THE COURT

Columbia, South Carolina

FILED

June 8, 2018

cc:
Edward Spears
Michael S. Hopewell, Esquire

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

COPY

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable Thomas A. Russo

Trial Case No. 2016-CP-21-02533
Appellate Case No. 2017-000746

RECEIVED

JAN 09 2018

SC Court of Appeals

Edward Spears.....Appellant,

v.

R&R Cleaning Services and Natalie Harris..... Respondents.

**MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION TO
ORDER APPELLANT TO FILE A PROPER RECORD ON APPEAL;
AND MOTION FOR EXTENSION OF TIME TO FILE FINAL BRIEFS**

The Respondents, through their undersigned attorney, hereby move the South Carolina Court of Appeals to dismiss the appeal, or in the alternative, to order the Appellant to file and provide to counsel a proper Record on Appeal pursuant to the rules of this court. If the appeal is not dismissed, the Respondents further move the court to enter an order for extension of time to file Final Briefs in this matter. This motion is made pursuant to Rules 209, 210 and 211, SCACR.

(2 - 11 08)

Appellate

MEMORANDUM AND CITATION OF AUTHORITIES

Respondents filed and served their Initial Brief on November 21, 2017, therefore, pursuant to Rule 210, SCACR, the Record on Appeal and Proof of Service of same were to be served and filed within thirty (30) days of that date.

The Record on Appeal was hand-delivered to the office of Respondents' counsel at 10:50 a.m. on December 29, 2017. The Affidavit of Karen C. Howard is attached hereto as Exhibit 1. The Proof of Service that accompanied the Record on Appeal indicated that it had been personally delivered on December 28, 2017. The thirty day period for service of the Record on Appeal expired on December 21, 2017, therefore, either the date on the Proof of Service or the date of actual delivery of the Record on Appeal was untimely pursuant to Rule 210. A copy of the Record on Appeal and Proof of Service that were hand-delivered to the office of Respondents' attorney is attached hereto as Exhibit 2.

In the Designation of Matter to be included in the Record on Appeal, Respondents identified seven documents. Two of the documents were omitted from the Record on Appeal prepared by Appellant and many of the others either had Appellant's writing on them or were missing pages. The documents listed by Respondents were:

1. Complaint dated December 31, 2015 in Case #2015CV2110108515. This document was not included in the Record on Appeal received from Appellant.
2. Order of Final Disposition dated June 8, 2016 by Judge Langley in Case #2015CV2110108515. This was included as Exhibit 7.

Appellate

COPY

Page 4

~~Page 1~~

3. Letter from Michael S. Hopewell to Edward Spears dated June 23, 2016 and Certificate of Service of the same date. The letter was not included though a copy of the Certificate of Service was included as Exhibit 6.

4. Complaint dated June 22, 2016 in Case #2016CV2110103875. This was included as Exhibit 5 though it contains handwriting on it, presumably written by Appellant.

5. Motion to be Relieved from Default and Motion to Dismiss dated August 4, 2016 filed by Respondents in Case #2016CV2110103875 (with attachments). Only the first page of this multi-page document was included in the Record on Appeal and it contains handwriting on it, presumably that of the Appellant. It is Exhibit 13A.

6. E-mail from Chief Magistrate Sandra M. Grimsley to Appellant dated August 11, 2016. This is included as Exhibit 12, however, it has handwriting on it, presumably that of the Appellant.

7. Notice of Appeal dated October 17, 2016 filed by Respondents in Case #2016-CP-21-02533. Only the first page of this multi-page document is included and it is covered with handwriting of an argumentative nature. It is listed as Exhibit 17A.

8. Order of the Honorable Thomas A. Russo filed on March 2, 2017 in Case #2016-CP-21-02533. This is included as Exhibit 17, however, it is marked with notes and handwriting, presumably that of the Appellant.

In addition to those documents identified above, the majority of the documents included in the Record on Appeal contain handwriting, presumably that of the Appellant.

Because the Record on Appeal is not complete and is, in fact, missing documents and pages that are required for the proper completion of Final Briefs, Respondents

request that, if the case is not dismissed, the court stay the time to file Final Briefs until twenty (20) days after service of a proper and complete Record on Appeal.

CONCLUSION

The Respondents hereby request that the appeal be dismissed due to Appellant's failure to timely serve a Record on Appeal pursuant to Rule 210(a), SCACR, and further, the Record on Appeal that was served out of time was an inadequate and incomplete Record on Appeal. In the alternative, if the case is not to be dismissed, Respondents request that the court enter an order requiring Appellant to serve a proper and complete Record on Appeal within a designated time limit. In addition, if the case is not to be dismissed, Respondents request that all parties be granted an extension to file Final Briefs until twenty (20) days after a proper and complete Record on Appeal is served.

Respectfully submitted,



January 8, 2018

Michael S. Hopewell
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mhopewell@amhattorneys.com
Attorney for Respondents

Ex 6.7

PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Thomas Russo, Court Judge

Case No. 2016-cp-21-2533

R&R Cleaning Service
Natalie Harris,

Respondent,

v.

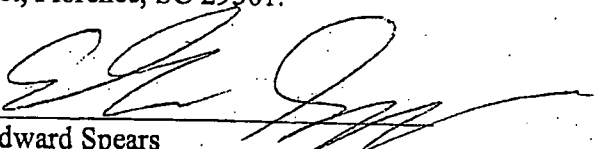
Edward Spears,

Appellant.

PROOF OF SERVICE

I certify that I have mailed seven copies to Record of Appeals and four copies of Final Briefs to Court of Appeals, 1220 Senate Street, Columbia, SC 29201. I also sent by mail a copy of Record of Appeal to Mike Hopewell, 380 West Evans Street, Florence, SC 29501.

April 2, 2018


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Exb. 5

COPY

LETTER TO COMPLAINTS

Attention Court of Appeals: This letter is in response to the complaints by Mike Hopewell, lawyer for defendant's R&R Cleaning and Natalie Harris. Also enclosed are the eight complaints and my answers to each complaint.

ANSWERS TO COMPLAINTS

1st complaint: Mr. Hopewell claim there were no complaints dated December 31, 2015. That's true because there were no complaints filed on that day. The lawsuit was filed January 19, 2016. See Record of Appeals page 1.

2nd complaint: The final disposition dated June 8th was enclosed with Record of Appeals. Mr. Hopewell is still trying to deceive the courts see exhibit 7 Records of Appeals.

3rd complaint: Mr. Hopewell said I did not include letter with certificate of service that was sent by his legal assistant. First Mr. Hopewell knew the information his very own legal assistant contained false, untrue, and unofficial information. It amazes me why someone is so bent on me sending information or (letter) that could only incriminate him further. To send out information to a plaintiff that the defendant's lawyer openly admitted that is not true (see R. P 20 highlighted). Sounds like an episode of World's Dumbest Crooks. Rule 210 expresses that only relevant evidence is to be sent to courts even if more than one document. The certificate indicates that Mr. Hopewell as well as his legal assistant sent to me an unofficial, untrue document. Therefore both are guilty of obstruction of justice.

4th complaint: The written ink on exhibit 5 has been removed.

5th complaint: Exhibit 13a as well as 17a only shows the part of the motion to dismiss that proves perjury and deception was made by Mr. Hopewell when he brought to court. The June 8th disposition he knew contained false information. As rule 210 explains only relevant information may be included when making a point. However the only other document of concern is indeed the June 8th disposition which is enclosed (see R. page 7). Also hand writing has been removed.

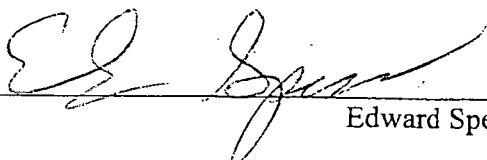
6th complaint: Ink has been removed from email from Sandra Grimsley.

7th complaint: Answers are the same as in complaint number 5. Ink has been removed (see page 25 7 26 R).

8th complaint: Ink has been removed from exhibit 17.

Added notes: Most all ink has been removed from documents. The documents that has statements circle are only highlighted. Rule 210 has not been violated because it speaks of nothing about ink. However, I did the best to obey the court's wishes. The circled and highlighted documents are only to assist the court in getting my point across.

P.S.~I have included four additional final briefs as well as seven Records of Appeals.


Edward Spears

Pages

RULE 240
MOTIONS AND PETITIONS GENERALLY

(a) Applicability. *This Rule governs all motions or petitions filed in the appellate court, including but not limited to: motions for extension of time, motions to reinstate, petitions for rehearing, motions to be relieved as counsel or for substitution of counsel, petitions for supersedeas, motions to remand or dismiss and petitions for hearing en banc. Where Rules 241 through 246 provide different or additional requirements or procedures, those requirements or procedures shall apply.*

(b) Stay of Time Limits. *Unless otherwise provided by these Rules, or ordered by the appellate court, the time limits imposed by these Rules shall not be stayed by the filing of a motion or petition. A motion to dismiss an appeal or a motion to relieve counsel shall, however, automatically stay the time limits for perfecting the appeal until the motion is decided.*

(c) Form and Content of Motions and Petitions. *All motions or petitions filed in an appellate court shall be in writing, shall state the grounds thereof, and shall comply with the requirements of Rule 267. The pages of the motion or petition and all supporting documents shall be consecutively numbered. Each motion or petition shall include the following:*

(1) *A certificate or affidavit of service reflecting the date of service upon all parties. The original certificate or affidavit of service must be filed with the original motion or petition.*

(2) *A memorandum with citation of authorities in support of the motion.*

(3) *Where the Record on Appeal or Appendix has not been filed, or where the facts relied upon in support of the motion are not contained in the Record on Appeal or Appendix, the parties shall file affidavits and other documents in support of their positions.*

(d) Filing of Motions and Petitions. *An original and six (6) copies of the motion shall be filed with the clerk of the appellate court, and a copy shall be served upon each party. The copies filed with the appellate court shall be accompanied by the filing fee set by order of the Supreme Court.¹ This filing fee shall not be required for motions or petitions in criminal appeals, petitions for writs of certiorari under Rules 242 and 243, certified questions under Rule 244, petitions to invoke the original jurisdiction of the Supreme Court under Rule 245, or motions or petitions filed by the State of South Carolina or its departments or agencies. In extraordinary cases, the appellate court may relieve a party from paying the filing fee.*

(e) Return to Motion. *Any party opposing a motion or petition shall have ten (10) days from the date of service thereof to file an original and six (6) copies of his return with the clerk and serve on all parties a copy of the return; provided, however, that a return to a petition for rehearing may only be filed if permitted under Rule 221(a). The court may in its discretion enlarge or limit the time for filing the return. The provisions of Rule 240(c) shall apply to a return. Failure of a party to timely file a return may be deemed a consent by that party to the relief sought in the motion or petition.*

(f) Reply. *The moving party shall have five (5) days from the date of service of a return to file an original and six (6) copies of a reply with the clerk and serve on all parties a copy of the reply. The provisions of Rule 240(c) apply to a reply.*

(g) Failure to Comply. *Failure of the moving party to perform any act required by this Rule may be deemed an abandonment of the motion or petition.*

(h) Hearing. *Unless otherwise ordered by the court, motions or petitions shall be decided without oral argument.*

(i) Rehearing. *The court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal.*

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

203

The Honorable Thomas A. Russo

Trial Case No. 2016-CP-21-02533
Appellate Case No. 2017-000746

Edward Spears.....Appellant,

v.

R&R Cleaning Services and Natalie Harris.....Respondents.

MOTION TO DISMISS

The Respondents, through their undersigned attorney, hereby move the South Carolina Court of Appeals to dismiss the appeal pending in this case. This motion is made pursuant to Rules 209, 210 and 211, SCACR. The Respondents further crave reference to the Order of this court filed March 6, 2018.

MEMORANDUM AND CITATION OF AUTHORITIES

On November 21, 2017, counsel for the Respondents sent a letter to the court containing Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal as well as a Proof of Service reflecting service by mail of those

P. 10

documents on the Appellant. This was received by the court and clocked in on November 22, 2017.

On December 29, 2017, by hand-delivery, counsel for the Respondents received a purported Record on Appeal from the Appellant. On January 8, 2018, counsel for the Respondents filed a Motion to Dismiss or in the Alternative Motion to Order Appellant to file a Proper Record on Appeal; and Motion for Extension of Time to file final briefs. This was received by the court and clocked in on January 9, 2018.

On March 6, 2018, this court, by the Order of Chief Judge James E. Lockemy, filed an Order which compelled the Appellant to serve a corrected Record on Appeal and a Proof of Service for the corrected Record on Appeal within thirty days of the date of the Order.

On April 6, 2018, counsel for the Respondents received, by mail, an envelope with a postmark of April 4, 2018 which contained photocopies of pages 2 and 3 of Respondents' prior motion, with handwriting thereon; a one-page document entitled "Letter to Complaints"; a Proof of Service dated April 2, 2018; and another purported Record on Appeal. Copies of all of the documents received from the Appellant on April 6, 2018 are attached hereto and incorporated herein by reference collectively as Exhibit 1.

Once again, items 1 and 3 contained in the Respondents' Designation of Matter to be Included in the Record on Appeal were not included in the latest version of the Record on Appeal that was received from the Appellant. In his "Letter to Complaints," Appellant affirmatively states that there were no complaints filed on December 31, 2015 in Case #2015CV2110108515. This statement is untrue. Attached as Exhibit 2 to this

motion is a copy of the Complaint that the Appellant filed in Magistrate's Court on December 31, 2015 with the case number set forth above.

Item number 3 in Respondents' Designation of Matter to be Included on Appeal, a letter from counsel for the Respondents to the Appellant dated June 23, 2016, was again not included in the latest version of the Record on Appeal. A copy of that letter is attached hereto and incorporated herein by reference as Exhibit 3.

Further, despite this court's Order of March 6, 2018, ~~Appellant's~~ handwriting appears on many of the pages in the Record on Appeal, though it appears that an attempt was made to blot out or otherwise remove some of the writing that was on the prior copy. In addition, Respondents, in their Designation of Matter, requested that their Motion to be Relieved from Default and Motion to Dismiss dated August 4, 2016, in the 2016 Magistrate's Court case, with attachments, be included in the Record on Appeal. Once again, the Appellant included only the first page. In his "Letter to Complaints," in item number 5, Appellant seems to be taking the position that, because he thinks the rest of the motion is irrelevant, he did not include it.

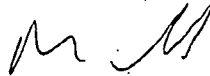
In addition to the grounds set forth above, it is also noted that, once again, the Appellant failed to serve copies of documents that were, apparently, filed with the court. In his Proof of Service dated April 2, 2018 and mailed April 4, 2018, it is indicated that the Appellant filed four copies of his Final Brief with the Court of Appeals. He did not enclose a copy of his Final Brief in what was served on the undersigned and that fact is reflected in the Proof of Service indicating only that he served a copy of the Record on Appeal. By her letter of February 1, 2018, Deputy Clerk V. Claire Allen advised the

Appellant that his failure to provide sufficient Proof of Service in the future would result in the dismissal of the appeal. A violation has once again occurred.

CONCLUSION

The Respondents hereby request that the appeal be dismissed due to Appellant's continued failure to provide a proper Record on Appeal pursuant to the rules and the prior Order of this court as well as the Appellant's continued and repeated failure to serve documents on the opposing party.

Respectfully submitted,



April 12, 2018

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Attorney for Respondents

P. B

April 23, 2018

COPY

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APR 27 2018

SC Court of Appeals

ATTENTION COURT OF APPEALS:

Once again Mr. Hopewell, attorney for R & R Cleaning and Natalie Harris, has shown his ignorance in law as well as his deception of the courts. The Court of Appeals should treat this case as a criminal investigation instead of an appeal because of Mr. Hopewell perjury in court, his deception of the courts, his manufacturing/or use of false information in court, and his obvious obstruction of justice in court when he openly admitted the June 8th disposition he and his crooked legal assistant sent to me on June 23, 2016, contained false statements.

Mr. Hopewell continues to make irrelevant complaints and arguments surrounding this case. It is about time the courts quite romancing Mr. Hopewell (it's about two years now) with these downright ridiculous arguments and rule on the case.

Mr. Hopewell in his latest complaint claims I did not include the December 31st complaints in the designation of matter to be included in the record of appeals. That is true only because the December 31, 2015 complaint was unofficial (note unofficial) because the name of one of the defendants was spelled wrong (magistrate office mistake). The complaint was amended and the January 19, 2016 was the official complaint. Making the December 31, 2015 complaint irrelevant (see item 2a, 2b) (see Natalie Robinson and Natalie Harris 2b).

In his second, latest complaint he complains the letter that accommodated the June 8th disposition was not included in the Record of Appeals. That is true because like item 2a it contained the wrong name of defendant (Natalie Robinson not Natalie Harris) making it irrelevant (see item 3). That proves my point of deception by this crooked lawyer. He even copied the wrong name. Another episode of World's Dumbest Crooks!!

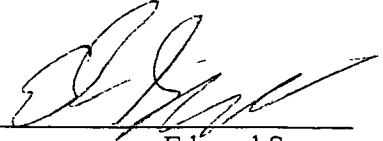
In his third complaint Mike Hopewell claims I did not include in the Record of Appeals a letter that he presented in a default hearing on August 15, 2016. It was a letter part of motion to dismiss. Also with the letter was the June 8, 2016 disposition that he openly admitted contain false and untrue information he and his legal assistant sent. The letter is irrelevant for two reasons. The first reason according to rule 210 it has no legal bearing on the case because Mike Hopewell admitted that the June 8th disposition contained false and misleading information (see item 4 highlighted). However by bringing the documents to court it only proves deception, perjury, and obstruction of justice by Mr. Hopewell. The second reason is rule 10 S.C. Bench Book civil court rules for a default hearing. Judge Becker should have dismissed Mr. Hopewell entire motion (letter, disposition) because in a default hearing the defendants can't bring any evidence or testimony that is disputing liability to the plaintiff (see exhibit 13) enclosed.

On his other complaint Mr. Hopewell complained I did not sent him a final brief and sent only a Record of Appeals as stated in Proof of Service (see item 5 enclosed). I was told and can be confirmed by case worker Shelby Snell of the S.C. Court of Appeals I was to send and I did send 7 copies of Record of Appeals to Court of Appeals. I also sent on copy to Mike Hopewell in

P. 15

which most ink was removed. I then sent four additional final briefs to Court of Appeals in order to complete the total of 7 required for me to send to Appeal of Court (see item 5).

I would like the request that Mr. Hopewell quit engaging in ex-parte communications with the clerk of court. All requests or complaints should be directly addressed to the S.C. Court of Appeals not Ms. Kitchings. If this communications continue I have no choice but to contact Chief Justice Beatty on this matter. This is the fourth time this has happened (see item 60).



Edward Spears
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PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Thomas Russo, Court Judge

Case No. 2016-cp-21-2533
Appellate Case No. 2017-000746

RECEIVED
APR 27 2018
SC Court of Appeals

R&R Cleaning Service
Natalie Harris,

Respondent,

v.

Edward Spears,

Appellant.

PROOF OF SERVICE

I certify that I have answered the respondent's complaints/questions by depositing in the U.S. Mail postage paid on April 26, 2018 to S.C. Court of Appeals, 1220 Senate Street, Columbia, Sc 29201, and Mike Hopewell, 380 West Evans Street, Florence, SC 29501.

April 23, 2018



Edward Spears
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Florence, SC 29501
843-496-3711
edward4920@att.net

P. 17

RULE 221
REHEARING AND REMITTITUR

(a) Rehearing. *Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court. A petition for rehearing shall be in accordance with Rule 240, and shall state with particularity the points supposed to have been overlooked or misapprehended by the court. No return to a petition for rehearing may be filed unless requested by the appellate court. Ordinarily, however, rehearing will not be granted in the absence of such a request. No petition for rehearing shall be allowed from an order denying a petition for a writ of certiorari under Rule 242, SCACR.*

(b) Remittitur. *The remittitur shall contain a copy of the judgment of the appellate court, shall be sealed with the seal and signed by the clerk of the court, and unless otherwise ordered by the court shall not be sent to the lower court or administrative tribunal until fifteen (15) days have elapsed (the day of filing being excluded) since the filing of the opinion, order, judgment, or decree of the court finally disposing of the appeal. If a petition for rehearing is received before the remittitur is sent, the remittitur shall not be sent pending disposition of the petition by the court. Where a petition for rehearing has been denied, the Court of Appeals shall not send the remittitur to the lower court or administrative tribunal until the time to petition for a writ of certiorari under Rule 242(c) has expired. If a petition for writ of certiorari is filed, the Court of Appeals shall not send the remittitur until notified that the petition has been denied. If the writ is granted by the Supreme Court, the Court of Appeals shall not send the remittitur.*

(c) Rehearing of Motions. *The appellate court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal.*

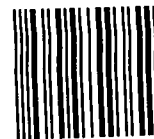
Last amended by Order dated May 1, 2018.

P 18

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