

**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

JUN 10 2019

SC Court of Appeals

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

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**

UPDATE TO YOUR 20 DAY DEMAND OF 16 MAY 2019

BACKGROUND

On 20 May 2019 I received an Order signed by Judge Williams (if my count is correct, Judge number four) dated 16 May 2019, that among other things, required me to file and serve the initial brief and designation of matter within twenty days of this order, or the court would dismiss the appeal. To keep it simple, everything else in the order was just a regurgitation of the court's numerous previous denials of anything and everything that an average and un-conflicted person would consider just, prudent and proper.

By my count, today, 5 June 2019, is twenty days from 16 May 2019. Obviously an initial brief and designation of matter is not included with this letter. As I'm sure the Court must have known on 16 May 2019 when it entered its Order, I already had a really really busy day planned for me yesterday, 4 June 2019, in Charleston County court. Like ten or 13 or 15, who really knows how many, maybe even more, motions to be heard in cases 2018-CP-10-03315 and 2019-CP-10-00067. Just in case by some wild stretch of the imagination this court doesn't know, 2019-CP-10-00067 is only in existence because of this court's, along with the Charleston County Master in Equity court's, over 18 month long pattern of delay and denials in allowing cases 2014-CP-10-05407 and 2017-CP-10-04031 to be properly managed.

On 28 May 2019 I mailed a motion to the Court of Appeals requiring an actual order be filed providing a detailed explanation, hopefully supported by legitimate evidence, to justify Judge Williams' apparent conclusion that no order was required (moot) because the appeal had been reinstated. The motion was received by the court of appeals on Thursday, 30 May 2019 around lunch. As of today, I have not received a response from the court of appeals related to that motion.

This letter is just a reminder that today is the D-Day the court assigned to dismissing the appeal(s), which it declared, without providing any evidence or explanation whatsoever that it/they were restored previously, if an initial brief and designation of matter was not filed and served by today. Likewise, this letter is a reminder that, as of today, the court hasn't provided the required explanation and evidence to support its apparent assertion of 16 May 2019 that the appeal(s) had been restored. At least to a layman like me, if the court's assertion of 16 May 2019 was so simple related to the apparent fact that the appeal(s) had been restored in May 2018, it seems as if it wouldn't have taken more than a day and a half to put that case and evidence together and return with a letter actually placed in the US Mail by close of business 31 May 2019, thus ensuring I received the response by today Monday, 3 June 2019.

Consequently, this letter also serves as notice to the Court that no initial brief and designation of matter will be submitted to the Court until the Court provides a valid basis for its assertion that the appeal(s) were properly restored in May 2018. Until such time as the Court provides such information and evidence, I will be spending my time ensuring all misconduct in these cases is brought to light and managed appropriately.

By the way, as just an interesting aside, I will have to give the Court of Appeals some credit. Whereas the Court of Appeals signed an order on 16 May 2019, got it in the mail and the letter traveled from Columbia, SC to Mount Pleasant, SC in four days, the Clerk of Court for Charleston County apparently also signed a letter on 16 May 2019 which took eight days to travel from downtown Charleston, SC to Mount Pleasant, SC. So, the Court of Appeals managed to get a letter to be delivered from 120 miles away in half of the time than the Charleston County Clerk of Court could get a letter to be delivered from 14 miles away.

Dated: June 5, 2019

Respectfully submitted,



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COLUMBIA, SC 29201

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