

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Allison Renee Lee, Circuit Court Judge

Appellate Case No. 2018-002115

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JUN 12 2019
SC Court of Appeals

The Housing Authority of the City of Charleston,.....Respondent,

v.

Katrina Brown,Appellant.

Memorandum in Opposition to Appellant’s Motion for Oral Argument


Respondent, The Housing Authority of the City of Charleston, respectfully requests that this Court deny Appellant’s Motion for Oral Argument. The issues that are the subject of this appeal are, first and foremost, a matter of Federal Law. The City of Charleston Housing Authority is governed by HUD and its rules and regulations, as discussed in Respondent’s Final Brief. The case law regarding these issues is settled, primarily under United States Department of Housing and Urban Development v Rucker, et. al., 535 U.S. 125 (2002), but also pursuant to the other cases and HUD regulations cited by Respondent in its Final Brief.

Appellant tries to argue in the motion that South Carolina faces an “eviction crisis” and that Charleston is in the top 100 large cities in terms of evictions. While this is not relevant, Appellant fails to specify whether these are all low-income evictions or private evictions.

Appellant goes on to argue facts regarding evictions in North Charleston, South Carolina, an area that is outside of the City of Charleston Housing Authority's jurisdiction and again not relevant to this matter. Finally, Appellant makes a baseless contention that South Carolina and specifically Charleston is facing an eviction epidemic. Appellant has no good-faith or valid basis to request oral arguments in this matter.

As is already detailed in our Final Brief, Appellant agreed to the terms of the HUD-based lease when she accepted public housing through the City of Charleston Housing Authority. The terms of that lease were breached, and Appellant was rightfully evicted. The questions presented by Appellant in the Motion are all thoroughly addressed in the parties' Memorandums. Oral Argument in this matter is unnecessary. The issues have already been decided by the Supreme Court and HUD. The issues have been thoroughly briefed by the parties, making oral argument unnecessary.

Under Rule 215, the Court has the option to determine a case without oral argument if it would not aid the court in resolving the issues. It is the position of Respondent that oral argument is unnecessary and would not aid the Court in this matter. Accordingly, Respondent requests that the Court deny Appellant's Motion for Oral Argument.



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The Housing Authority of the City of Charleston,.....Respondent,

v.

Katrina Brown,Appellant.

CERTIFICATE OF SERVICE

The undersigned employee of Parker Nelson & Associates, counsel for Respondent, does hereby certify that the service of Memorandum in Opposition to Appellant's Motion for Oral Argument in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelope this the 10 day of June 2019:

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June 10, 2019

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: City of Charleston Housing Authority, Respondent v. Katrina Brown, Appellant
Appellate Case No.: 2018-002155


Dear Ms. Kitchings:

Enclosed for filing, please find the original and six (6) copies of the *Memorandum in Opposition to Appellant's Motion for Oral Argument*.

Please return a clocked copy of each of these documents to me via the self-addressed, stamped envelope provided. By copy of this letter I am serving all counsel of record with a copy of same.

Please do not hesitate to contact me should you have any questions. With kindest regards, I remain

Very truly yours,


Jacqueline D. Phillips, Esq.

Enclosures

cc: Adam Protheroe, Esquire
Matthew M. Billingsley, Esquire

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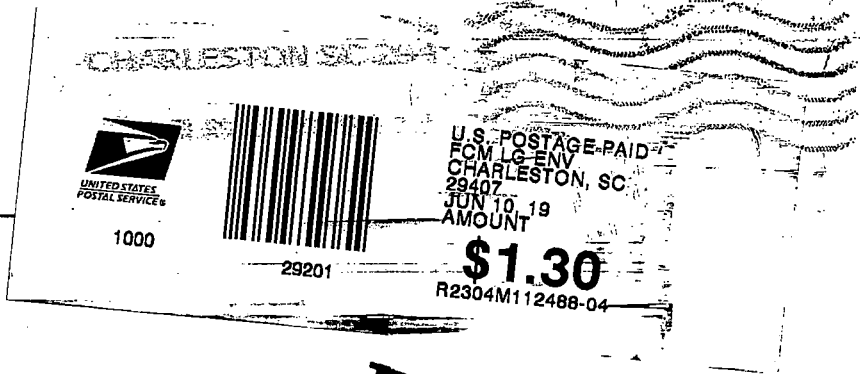
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The Honorable Jenny Abbott Kitchings
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