

STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM LEXINGTON COUNTY  
R. Knox McMahon, Circuit Court Judge

Appellate Case No. 2018-001387

**RECEIVED**  
JUL 31 2019  
SC Court of Appeals

Patricia Lutz .....Appellant

v.

Eastpoint Properties, LLC and Scollon Family Partnership, LLC.....Respondents

**RESPONDENTS EASTPOINT PROPERTIES, LLC AND  
SCOLLON FAMILY PARTNERSHIP, LLC'S  
REPLY TO MOTION TO FILE LATE FILING AND MOTION TO DISMISS**

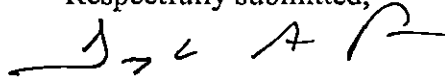
Respondents Eastpoint Properties, LLC and Scollon Family Partnership, LLC (collectively "Respondents") jointly reply to the Motion to File Late Filing ("Lutz Motion") filed by Appellant Patricia B. Lutz ("Appellant") on July 22, 2019 and submit that the above captioned appeal should be dismissed.

As identified in the Lutz Motion, Appellant states that she is proceeding *pro se* and bases the Motion on the grounds that she does not know how or when to file her Initial Brief and that she does not know the law. However, these are not proper grounds to allow a late filing considering she is charged with knowledge of existing law and has a duty to protect her interest. See Labruce v. City of North Charleston, 268 S.C. 465, 234 SE 2d 866 (1977); Smothers v. U.S. Fidelity and Guaranty Co., 322 S.C. 207, 470 S.E. 2d 858 (Ct. App. 1996).

Also, she is deemed to have knowledge of the rules governing this Court. See Merit Finance Company, Inc. of Kingsport v. Service Finance Company, Inc. of Greenwood, 38 F.R.D. 482 (D.S.C. 1965). To that end, Appellant has demonstrated some knowledge of the rules of this Court considering she: 1) timely filed a Notice of Appeal, 2) timely ordered the transcript of the applicable trial, 3) has had multiple correspondence with this Court attempting to correct procedural deficiencies, and 4), on at least one occasion, has represented to the Court that she would file her Initial Brief by a certain date. Copies of the documents related to the Notice of Appeal, order of the trial transcript, and Appellant's multiple correspondence with the Court are attached hereto as **Exhibit A**. It strains credulity for her to now claim that she doesn't know how or when to file her Initial Brief for herself.

Since Appellant claims that her lack of knowledge of the law and process are the reasons why she cannot file her Initial Brief within the time allowed under Rule 208(a)(1), SCACR in an appeal that she began over a year ago, the Court should dismiss the same under Rule 208 (a)(4), SCACR and Rule 260, SCACR.

Respectfully submitted,



---

M. Alan Peace (S.C. Bar No. 4384)

Taylor A. Peace (S.C. Bar No. 100206)

Harrell, Martin & Peace, P.A.

P.O. Box 1000

Chapin, South Carolina 29036

(803) 345-3353

*Attorneys for Respondents Eastpoint Properties,  
LLC and Scollon Family Partnership, LLC*

July 31, 2019  
Chapin, South Carolina

# EXHIBIT A

87375

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

JUL 24 2018

R. Knox McMahon, Circuit Court Judge

**SC Court of Appeals**

Case No. 2013-CP-32-00871

Patricia L. Lutz.....Plaintiff/Appellant

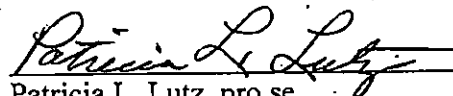
v.

Eastpoint Properties, LLC and Scollon Family Partnership, LLC.....Defendants/Respondents

NOTICE OF APPEAL

This is a mold exposure personal injury case. Appellant appeals from the Judgment on jury verdict entered in this case on June 27, 2018 Appellant received notice of the entry of the Judgment on announcement of the jury's verdict in open court on June 27, 2018. A copy of the Judgment appealed from is attached.

July 19, 2018



Patricia L. Lutz, pro se  
51 Bear Creek Rd.  
Little Mountain, SC 29075  
803-391-2944

**OTHER COUNSEL OF RECORD:**

Taylor A. Peace  
Hartell, Martin & Peace  
135 Columbia Ave  
Chapin, SC 29036  
ATTORNEYS FOR RESPONDENTS

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

R. Knox McMahon, Circuit Court Judge

---

Case No. 2013-CP-32-00871

Patricia L. Lutz.....Plaintiff/Appellant

v.

Eastpoint Properties, LLC and Scollon Family Partnership, LLC.....Defendants/Respondents

---

PROOF OF SERVICE AND FILING

---

I certify that, on July 19, 2018, I served and filed the Notice of Appeal for this appeal by mailing copies of that filing to the following:

Taylor A. Peace  
Harrell, Martin & Peace  
135 Columbia Ave  
Chapin, SC 29036

and

Office of the Lexington County Clerk of Court  
205 E. Main Street  
Lexington, SC 29072

**RECEIVED**

JUL 24 2018

SC Court of Appeals

**SIGNATURE ON THE FOLLOWING PAGE**

*Patricia L. Lutz*

Patricia L. Lutz, pro se  
51 Bear Creek Rd.  
Little Mountain, SC 29075  
803-391-2944.

Little Mountain, SC  
July 19, 2018

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

IN THE COURT OF COMMON PLEAS  
CIVIL ACTION NO.: 2013-CP-32-0871

Patricia Lutz, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Eastpoint Properties, LLC and Scollon )  
Family Partnership, LLC, )  
 )  
Defendants. )

VERDICT FORM

**RECEIVED**

JUL 24 2018

SC Court of Appeals

SPECIAL INTERROGATORIES  
NEGLIGENCE PERCENTAGES REQUIRED TO TOTAL 100%

1. Do you find that any of the named Defendants were negligent and that such negligence proximately caused the plaintiff's injuries?

\_\_\_\_\_ YES: If you answer yes, GO TO QUESTION 2  
X \_\_\_\_\_ NO: If you answer no, STOP AND DELIBERATE NO FURTHER

2. Do you find that the Plaintiff was negligent and that such negligence proximately caused his injuries?

\_\_\_\_\_ YES: If you answer yes, GO TO QUESTION 3  
\_\_\_\_\_ NO: If you answer no, GO TO QUESTION 4

3. If your answer to question number 1 and question number 2 are YES, then answer this question:

Taking the combined negligence that proximately caused the Plaintiff's injuries as one hundred percent (100%), what percentage of that negligence is attributable to the plaintiff and what percentage is attributable to each of the defendants?

- a) The percentages must add up to 100%
- b) It is not required that each defendant be assigned a percentage of negligence. It is perfectly acceptable that a defendant be assigned a zero percentage.

Plaintiff	_____	%
Defendant East Point Properties, LLC	_____	%
Defendant Scollon Family Partnership, LLC	_____	%

If the Plaintiff's percentage of the combined negligence is greater than 50%, **STOP AND DELIBERATE NO FURTHER.**

If the Plaintiff's percentage of the combined negligence is 50% or less, **GO TO QUESTION 4**

4. Please state the total amount of damages, if any, sustained by the Plaintiff.

\$ \_\_\_\_\_

NOTE: If your question to number 2 was YES, do not reduce the Plaintiff's damages above by the percentage of negligence attributed to him in question number 3.

*Laura K. Simpson* 6/27/18  
FOREPERSON

**WHEN YOU HAVE COMPLETED THE QUESTIONNAIRE,  
NOTIFY THE PLAINTIFF.**

**PATRICIA L. LUTZ**  
51 Bear Creek Road  
Little Mountain, SC 29075

July 19, 2018.

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**

JUL 24 2018

SC Court of Appeals

Re: Patricia L. Lutz v. Eastpoint Properties, LLC and Scollon Family Partnership, LLC  
2013-CP-32-00871


Dear Ms. Kitchings:

I am the pro se Plaintiff/Appellant in the appeal of the above case. I have enclosed, for filing in your office, a Notice of Appeal for this case and a filing fee check. Please return file stamped copies of the filings to me in the enclosed SASE.

By copy of this letter with the filings enclosed, I have filed these filings in the Lexington County Court of Common Pleas and have served these filings on Respondents' counsel Taylor A. Peace. Please call with any questions.

Thank you for your help

Sincerely,

  
Patricia L. Lutz

cc: Clerk, Lexington County Court of Common Pleas (w/enclosures).  
Taylor A. Peace (w/enclosures).

**PATRICIA L. LUTZ**  
51 Bear Creek Road  
Little Mountain, SC 29075

July 19, 2018

Bethanie K. Creppon  
PO Box 85411  
Lexington, SC 29073

Re: Patricia L. Lutz v. Eastpoint Properties, LLC and Scollon Family Partnership, LLC  
2013-CP-32-00871

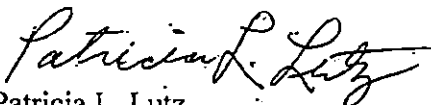
Dear Ms. Creppon:

I am the pro se Plaintiff in the above case. You reported the trial of this case that was tried from June 25, 2018 through June 27, 2018 in Lexington, SC before Circuit Judge R. Knox McMahon

I have filed a Notice of appeal of the final Judgment in this case, and I need a copy of the transcript of the above trial. Please prepare a transcript of the above trial.

Thank you for your help

Sincerely,

  
Patricia L. Lutz

cc: SC Court Administration  
SC Court of Appeals, Clerk

**RECEIVED**  
JUL 24 2018  
SC Court of Appeals

FORM 11  
LETTER ORDERING TRANSCRIPT FROM COURT REPORTER

October 4, 2018

**RECEIVED**

OCT 04 2018

SC Court of Appeals

Bethanie Creppon  
Post Office Box 85411  
Lexington, South Carolina 29073

RE: Patricia Lutz Appellate v Eastpoint Properties, LLC and Scollon Family Partnership, Case No. 2013-CP-32-0871 and also under 2013-CP-32-00817 and current the SC Supreme Court Appellate Case number is 2018-001387

Dear Bethanie:

On June 25-27, the above case was tried before the Honorable Knox McMahon Court of Common Pleas Judge, in Lexington County. My records indicate that you were the court reporter for this case.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record [except for the following parts:

- (1) Opening statements of counsel for appellant and respondent
- (2) Closing arguments of counsel for appellant and respondent

I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR.

Sincerely,  
Patricia Lynn Lutz  
51 Bear Creek Rd  
Little Mountain SC, 29075  
(803) 391-2944



cc: Taylor Anthony Peace, Esquire  
Allen Peace, Esquire  
Lexington County Common Pleas Court  
S.C. Court Administration  
Clerk, Court of Appeals [Supreme Court]

I, Patricia Lutz, on October 4, 2018, am filing this form under the FOIA Act. I can also receive the transcript in electronic form, in a word document or I can pick it up at the Lexington county court house. I can be contacted at 803-391-2944.

Thank you very much,

Patricia Lutz

51 Bear Creek

Little Mountain, SC 29075

**Transcript request**

**Yandex.Mail**

October 12, 2018 9:23 AM

**From:** «Patricia Lynn Lutz» <lutzp@yandex.com>

**To:** bcreppon@sccourts.org


RE Case number 2013-CP-32-0871 Court of Peas and 2018-001387 SC Supreme Court Appellate Case  
Certified mail with return receipt, 7099 3400 0009 3353 0650

Dear Ms. Creppon,

Please email me one copy of the transcript for the court case number 2013-CP-32-0871 and it is also under 2013-CP-32-00871. The dates of the hearing, 6-25-18 to 6-27-18. I have sent this by the above certified mail and enclosed was a US Postal money order for \$855.00 and the \$820 is for the transcript and for the \$35 is for the electronic copy to be sent to this email. If you need to reach me, I can be contacted by 803-391-2944

Thank you,

Patricia Lynn Lutz



• Scan 2.pdf

**RECEIVED**  
OCT 12 2018  
SC Court of Appeals

51 BEAR CREEK RD.  
LTI MTN SC 29075  
12-14-2018

S.C. SUPREME COURT  
COURT OF APPEALS  
COLUMBIA SC  
RE: CASE NUMBER 2018-001387  
PATRICIA LUTZ  
V  
EAST POINT PROPERTIES AND  
SCOLLON FAMILY PARTNERSHIPS

**RECEIVED**

DEC 14 2018

SC Court of Appeals

HAND DELIVERED

DEAR MADAM CLERK COURT OF APPEALS,  
S.C. SUPREME COURT:

TODAY I RECEIVED A COPY OF THE TRANSCRIPT FOR THE ABOVE REFERENCED CASE FROM MS. BETHANIE CREPPON.

PLEASE NOTIFY ME OF ANY DEVELOPMENTS WITH THE CASE. I HAVE BEEN COMMUNICATING WITH MS. JESSICA LUCAS AT THE S.C. SUPREME COURT OF APPEALS.

Respectfully Submitted,  
Patricia Lutz



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

January 22, 2019

Patricia L. Lutz  
51 Bear Creek Rd.  
Little Mountain SC 29075

Re: Patricia Lutz v. Eastpoint Properties, LLC  
Appellate Case No. 2018-001387

Dear Ms. Lutz:

Our records reflect that the time for serving and filing the appellant's initial brief and designation of matter has expired. Within ten (10) days of the date of this letter, you must serve and file the appellant's initial brief and designation of matter, along with a motion requesting permission to serve and file the appellant's initial brief and designation of matter outside of the filing deadlines set by Rules 208 and 209 of the SCACR. Your appellant's initial brief and designation of matter will not be considered if no motion is made. Failure to comply with the Court's request within ten (10) days of the date of this letter will result in the dismissal of this appeal.

Very truly yours,

*V. Claire Allen, Deputy*  
CLERK

cc: Taylor Anthony Peace, Esquire  
M. Alan Peace, Esquire

57 BEAR CREEK Rd.  
LTI MTN SC 29075  
01-31-2019

SC COURT of Appeals  
1220 SENATE ST  
COLUMBIA SC 29201

RECEIVED

JAN 31 2019

SC Court of Appeals

FAX: (803)-734-1839

CASE # 2018-001387

PATRICIA LOTZ V. EASTPOINT PROPERTIES, LLC; Scollon Family PARTNERSHIP

TO WHOM THIS MAY CONCERN:

I RECEIVED A LETTER FROM THE SC COURT OF APPEALS DATED 01-22-19  
THAT I RECEIVED ON 01-24-2019.

I AM IN THE PROCESS OF RESPONDING TO THIS LETTER ASKING ME  
(TELLING ME) I MUST FILE AND SERVE MY (APPELLANT'S) INITIAL BRIEF  
WITHIN 10 DAYS WHICH WILL BE 02-04-2019.

I HAVE HEALTH ISSUES INCLUDING THROAT CANCER AND MUST  
NEBULIZE WHENEVER NECESSARY. I HAVE P.T.S.D SECONDARY TO  
BATTERED WIFE SYNDROME WHICH AT TIMES INTERFERES AT TIMES  
WITH MY ABILITY TO FOCUS.

PLEASE HAVE PATIENCE WITH ME BECAUSE I AM PRO-SE.  
MY PAPERWORK WILL NOT BE PROFESSIONAL, HOWEVER, I WILL  
TELL THE TRUTH.

I AM ASKING THE COURT OF APPEALS PLEASE HAVE PATIENCE  
AND LATITUDE WITH ME BECAUSE I AM PRO-SE.

I WILL SUBMIT MY BRIEF NO LATER THAN MONDAY, 02-04-2019

THANK YOU FOR YOUR PATIENCE.

IF YOU NEED TO CONTACT MY TELEPHONE NUMBER IS (803)-391-2994 OR  
AT THE ABOVE RETURN ADDRESS.

Respectfully submitted,  
PATRICIA LOTZ Patricia Lotz

APPELLATE CASE #2018-001387  
PATRICIA LUTZ  
EAST POINT PROPERTIES, LLC AND SULLOW FAMILY PARTNERSHIP, LLC

51 BEAR CREEK RD  
LTI MTN SC 29075  
03-02-2019

THE SC. COURT OF APPEALS  
1220 SENATE ST  
COLUMBIA SC 29201

FAX 734-1839  
ATTN: MS. JENNY ABBOTT KITCHINGS; CLERK OF COURT

DEAR MS. KITCHINGS;

I RECEIVED YOUR LETTER DATED MARCH 7, 2019 ON MARCH 11, 2019 IN  
REFERENCE TO PROOF OF SERVICE REFERENCE YOUR LETTER DATED FEBRUARY 5, 2019  
EVEN THOUGH I AM NOT AN ATTORNEY, I AM BEING FORCED TO REPRESENT MYSELF  
PRO-SE FOR THIS CASE. I ADMIT I DO NOT KNOW THE CORRECT FORMAT AND THIS IS  
NOT MEANT TO BE DISRESPECTFUL TO THE COURT OR ANYONE AT ALL.  
PLEASE NOTICE THE FOLLOWING PAGE. I HOPE THIS IS WHAT YOU ARE REQUESTING

Respectfully Submitted,  
*Patricia Lutz*  
PATRICIA LUTZ, APPELLANT

P.S. I HAVE BEEN TOLD YOU HAVE COPIES OF RECEIPTS SHOWING INFORMATION  
WAS SUBMITTED TO YOU (SC. COURT OF APPEALS) AND THE HARRELL, MARTIN AND  
PEACE, P. A. LAW GROUP OF CHAPIN SC THAT WERE DATED 02-04-2019 AND  
02-08-2019.

RECEIVED  
MAR 12 2019  
SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY  
R. KNOX McMAHER, CIRCUIT COURT JUDGE

Appellate Case No. 2018-001387

PATRICIA LUTZ ..... Appellant

v.

EASTPOINT PROPERTIES, LLC and Scollon Family Partnership, LLC... Respondents

PROOF OF SERVICE

I hereby certify that I have served a copy of RETURN TO MOTION TO <sup>ON TO</sup> ~~DISMISS~~  
Appellant, PATRICIA LUTZ, in the above referenced case originally  
on February 4, 2019, on the following by causing a copy to be  
delivered via the U.S. Postal Service to Counsel to the address  
shown below:

HARRELL, MARTIN; PEACE, P. A.  
135 Columbia Avenue  
PO Box 1000  
Chapin SC 29036

Resubmitted MARCH 12, 2019 AS PER THE INSTRUCTIONS OF  
MS. JENNY ABBOTT KITCHINGS, CLERK OF SC SUPREME COURT OF APPEALS;  
MS. KITCHINGS LETTER DATED MARCH 7, 2019; I RECEIVED ON MARCH 11,  
2019.

RECEIVED

MAR 12 2019

SC Court of Appeals

51 BEAR CREEK RD.  
LTL MTN SC 29075  
05-17-2019

MS. BETHANIE CREPPON  
PO Box 85411  
LEXINGTON SC 29072  
RE: CASE# 2018-001387  
S. C. COURT OF APPEALS  
PATRICIA B. LUTZ, APPELLANT

v,  
EASPOINT PROPERTIES, LLC AND SCOLLON FAMILY PARTNERSHIPS, LLC, RESPONDENTS

DEAR MS. CREPPON:

AS PER OUR PHONE CONVERSATION, 05-16-2019, I REQUESTED THE COMPLETE TRANSCRIPT FOR THE ABOVE REFERENCED CASE. THE HONORABLE JUDGE, H. BRUCE WILLIAMS, INFORMED ME THROUGH A LETTER DATED 05-13-2019; I RECEIVED IT ON 05-16-2019, THAT I HAD TO REQUEST THE ENTIRE TRANSCRIPT IN ITS ENTIRETY AND ORDER IT WITHIN 10 DAYS OF MAY 13, 2019 WHICH I RECEIVED ON 05-16-2019. I AM COMPLYING WITH THIS ORDER.

MS. CREPPON PLEASE LOCATE THE ENCLOSED US POSTAL MONEY ORDER DATED 05-17-2019 IN THE AMOUNT OF \$211.00.

Sincerely,  
Patricia B. Lutz

CC: S.C. COURT OF APPEALS  
S.C. COURT OF APPEALS ADMINISTRATION  
LAW OFFICES OF HARRELL, MARTIN, AND PEACE, P.A.

**RECEIVED**

MAY 17 2019

SC Court of Appeals



POSTAL MONEY ORDER

Serial Number

25025245007

2019-05-17 291770 U.S. Dollars and Cents

\$21.00

Twenty One Dollars and 00/100

Amount

Clerk 01

Pay to Ms. BETHANIE C. PEPPER

Address PO Box 85411  
Lexington SC 29072

Memo TRANSCORD T. SURETY  
2018-00 1387

From PATRICIA K. WATZ  
Address PO Box 13348  
Columbia SC 29207

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SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

⑆00000800⑆

25025245007

RECEIVED

MAY 17 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY  
R. KNOX MCMAHON, CIRCUIT COURT JUDGE

APPELLATE CASE No. 2018-001387

PATRICIA LUTZ ..... Appellant

V.  
EASTPOINT PROPERTIES, LLC AND SCOTTON FAMILY PARTNERSHIPS, LLC... Respondents

PROOF OF SERVICE

I hereby CERTIFY THAT I HAVE SERVED a copy of THE ORDER signed by THE HONORABLE Judge H. BRUCE WILLIAMS, FOR THE COURT, ORDERING ME, THE Appellant, PATRICIA LUTZ, TO provide proof of ENTIRE TRANSCRIPT FOR THE ABOVE REFERENCED CASE.

I HAVE ORDERED THE ENTIRE TRANSCRIPT, IN ITS ENTIRETY, FROM Ms. BETHANIE CREPPON ON 05-17-2019 through US POSTAL MONEY ORDER.

This Proof of Service is Mailed through THE U.S. POSTAL SERVICE TO THE LAW OFFICES OF HARRELL, MARTIN, AND PEACE, P.A.; PO Box 1000; Chapin SC 29036.

PATRICIA B. LUTZ, Appellant

Patricia B. Lutz  
51 BEAR CREEK Rd.  
LTI MTN SC 29075

(803)-345-3201 OR

(803)-391-2944, PRIMARY PHONE NUMBER

CC:  
SC SUPREME COURT of Appeals  
SC Court of Appeals Court Administration, The Honorable Jenny Abbott Kitchings  
Ms. BETHANIE CREPPON, COURT REPORTER

**RECEIVED**

MAY 17 2019

SC Court of Appeals

51 BEAR CREEK RD.  
LTL MTN SC 29095  
05-17-2019

S.C. COURT OF APPEALS  
ADMINISTRATION  
1220 SENATE ST  
SUITE 200  
COLUMBIA SC 29201  
RE: CASE # 2018-001387  
PATRICIA LUTZ

EASTPOINT PROPERTIES, LLC AND Scollon FAMILY PARTNERSHIPS, LLC, RESPONDENTS

TO WHOM THIS MAY CONCERN:

THIS LETTER IS TO CONFIRM THAT I HAVE ORDERED IN ITS ENTIRETY THE TRANSCRIPT CASE # 2018-001387 IN ITS ENTIRETY FROM MS BETHANIE CREPPON, COURT REPORTER FOR THE ABOVE REFERENCED CASE, FOR THE AMOUNT OF \$2,600 ON 05-17-2019; THIS IS A US ~~POSTAL~~ MONEY ORDER.

I RECEIVED A LETTER FROM THE HONORABLE JUDGE H. BRUCE WILLIAMS, DATED 05-13-2019 ON 05-16-2019, INFORMING ME I HAD TO HAVE THE ENTIRE COPY OF THIS TRANSCRIPT. I HAVE COMPLIED.

Respectfully Submitted,  
Patricia B. Lutz  
PATRICIA B. LUTZ

CC:

S.C. COURT OF APPEALS  
MS. BETHANIE CREPPON  
LAW OFFICES OF HARRELL, MARTIN, AND PEACE, P.A.

**RECEIVED**

MAY 17 2019

SC Court of Appeals

31 BEAR CREEK Rd.  
LITTLE MTN SC 29075  
06-03-2019

S.C. COURT OF APPEALS

1220 SUMNER ST.

COLUMBIA SC 29201

RE: CASE # 2018-001387

PATRICIA LUTZ, Appellant  
v.

EASTPOINT PROPERTIES, LLC AND Scallon Family Partnerships LLC,  
RESPONDENTS

TO Whom This MAY CONCERN:

This letter confirms, I, Patricia B. Lutz, Appellant, have received in its entirety the court transcript pertaining to this case on 06-03-2019.

This transcript was ordered on 05-17-2019 from Ms. Bethanie Creppon, COURT REPORTER.

Respectfully Submitted,  
*Patricia B. Lutz*  
PATRICIA B. LUTZ

RECEIVED

JUN 03 2019

SC Court of Appeals

cc: S.C. COURT of Appeals Administration

Ms. Bethanie Creppon

LAW OFFICES OF HARRELL, MARTIN, AND PEACE, P.A.

RECEIVED

JUN 03 2019

SOUTH CAROLINA  
COURT ADMINISTRATION

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY  
R. KNOX McMAHON, CIRCUIT COURT JUDGE  
APPELLATE CASE No. 2018-001387

PATRICK LUTZ..... Appellant  
V.  
EASTPOINT PROPERTIES, LLC AND SCOLLON FAMILY PARTNERSHIPS, LLC... Respondents

PROOF OF SERVICE

I hereby certify that I, PATRICK B. LUTZ, Appellant, have served this letter that I have received in its entirety the court transcript pertaining to this case on 06-03-2019 to the law offices of HARRELL, MARTIN AND PEACE, PA,

This proof of service is mailed through the U.S. Postal Service to the law offices of HARRELL, MARTIN, AND PEACE, PA; PO Box 1000, Chapin SC 29031

PATRICK B. LUTZ, Appellant  
Patricia B. Lutz  
51 BEAR CREEK RD  
LTI MTN SC 29075  
(803)-391-2944 (phone does not text, nor receives messages)

RECEIVED

JUN 03 2019

SC Court of Appeals

- C.C.
- S.C. SUPREME COURT OF APPEALS
- S.C. COURT OF APPEALS COURT ADMINISTRATION
- MS. BETHANIE CREPPON, COURT REPORTER

RECEIVED  
JUN 03 2019  
SOUTH CAROLINA  
COURT ADMINISTRATION

STATE OF SOUTH CAROLINA  
In The Court Of Appeals

**RECEIVED**  
JUL 31 2019  
SC Court of Appeals

---

APPEAL FROM LEXINGTON COUNTY  
R. Knox McMahon, Circuit Court Judge

---

Appellate Case No. 2018-001387

---

Patricia Lutz .....Appellant

V

Eastpoint Properties, LLC and Scollon Family Partnership, LLC.....Respondents

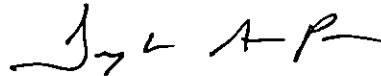
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PROOF OF SERVICE

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I hereby certify that I have served a copy of **Respondent Eastpoint Properties, LLC and Respondent Scollon Family Partnership, LLC's Motion to Dismiss** in the above referenced case on July 31, 2019, on the following by causing a copy to be delivered via the U.S. Postal Service to Counsel to the addresses shown below:

Patricia Lutz  
51 Bear Creek Road  
Little Mountain, South Carolina 29075



---

M. Alan Peace (S.C. Bar No. 4384)  
Taylor A. Peace (S.C. Bar No. 100206)  
Harrell, Martin & Peace, P.A.  
P.O. Box 1000  
Chapin, South Carolina 29036  
(803) 345-3353  
*Attorneys for Respondents Eastpoint  
Properties, LLC and Scollon Family  
Partnership, LLC*

**HMP** HARRELL, MARTIN  
& PEACE, P.A.  
ATTORNEYS AT LAW

---

L.K. "Trey" Harrell, III  
Jeremy C. Martin  
M. Alan Peace \*\*  
Taylor A. Peace  
Andrea "Andi" Cornelison

Robert W. Dibble, Jr. \*  
William Jennings (Bill) Buchanan \*  
Donald W. Tyler \*  
Thomas B. Jackson, III \*

\*Of Counsel  
\*\*Certified Mediator/Arbitrator

---

July 31, 2019

**VIA HAND DELIVERY**

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

**RECEIVED**  
JUL 31 2019  
SC Court of Appeals

Re: **Patricia Lutz v. Eastpoint Properties, LLC and Scollon Family Partnership, LLC**  
Appellate Case No.: 2018-001387  
Case No. 2013-CP-32-0871  
Our File No.: 3347.28229/MAP

Dear Ms. Kitchings:

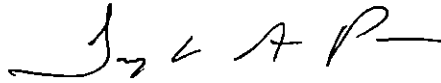
Our law firm represents the Respondents Eastpoint Properties, LLC and Scollon Family Partnership, LLC, in the above referenced matter. Enclosed please find an original and seven (7) copies of Respondent Eastpoint Properties, LLC and Scollon Family Partnership, LLC's Reply to Motion to File Late Filing and Motion to Dismiss. Also enclosed is our firm's check in the amount of \$50.00 for the filing fee. Please file the original and copies and return a clocked copy to me in the self-addressed envelope provided.

By copy of this letter, I am serving Appellant Patricia Lutz with the same.

Thank you for your assistance with this matter.

Sincerely,

HARRELL, MARTIN & PEACE, P.A.

A handwritten signature in black ink, appearing to read 'TAP', with a long horizontal flourish extending to the right.

Taylor A. Peace, Esquire

TAP/tsm  
Enclosures

cc: Patricia Lutz