

**THE STATE OF SOUTH CAROLINA  
In The Supreme Court**

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**APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas**

**The Honorable Mikell R. Scarborough, Master in Equity**

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

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**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**

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**Appellate Case Number 2018-000056 &  
2018-000174**

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**PETITION FOR A WRIT OF CERIORARI**

Petitioner, Alan Nix, petitions the Court for a writ of certiorari to review the orders, letters, and general conduct of the South Carolina Court of Appeals in the above cited cases beginning with the orders of 5 April 2018.

A petition for rehearing was timely made and apparently ruled on by order of 9 August 2019. There are motions that were outstanding at the time of the order of 9 August 2019 that have not been ruled on and a follow up motion of 19 August 2019, that has not been ruled on. Additionally, the Clerk of Court of the Court of Appeals has still not, as of the date of this Writ, even returned the Appellants stamped copy of the motion.

Without even acknowledgment of the motion filed 19 August 2019, Appellant is filing this initial Writ of Certiorari on 9 September 2019 to ensure a timely appeal. The Writ will be amended as soon as possible to list all of the orders, letters, motions, and general conduct that the Appellant requests the South Carolina Supreme Court to review.

### **QUESTIONS PRESENTED FOR REVIEW**

A preliminary list of questions are as follows:

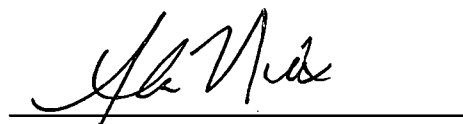
1. Did the Court of Appeals improperly deny the Appellant's multiple requests to remand the case to the lower court to file Rule 60(b) motions?
2. Did the Court of Appeals improperly deny the Appellant's multiple requests to remand the case to the lower court to remedy questionable / fraudulent transcripts?
3. Did the Court of Appeals improperly restore the Appeal with the intent to prevent the Appellant from filing a Rule 60(b) motion in the lower court?
4. Did the Court act improperly when the fact the order restoring the case(s) lacked a Clerk of Court filed stamp?
5. Did the Court improperly consolidate appeals 2018-000056 and 2018-000174?
6. Did the Court act improperly by denying the Appellants' request to deconsolidate case numbers 2018-000056 and 2018-000147?
7. Did the Court break the Rules of Professional Conduct by taking improper actions to protect Judge Scarborough instead of appropriately reporting / managing his misconduct in office?

### **CONCLUSION**

The Court should review the Court of Appeals conduct, orders and letters since 5 April 2018 to ensure appropriate conduct and rationale.

Dated: September 9, 2019

Respectfully submitted,



Alan G. Nix  
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**PROOF OF SERVICE**

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The undersigned certifies that a copy of the Writ of Certiorari has been served upon the individuals listed below, by mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown below this 9<sup>th</sup> day of September 2019 to:

Ryan McCabe  
McCabe Trotter and Beverly  
4500 Fort Jackson Blvd.  
Columbia, SC 29209

Charleston Legal Access  
Attn: Newman and Schrieber  
1630 Meeting St.  
Charleston, SC 29405

Judge Scarborough  
Master in Equity, Charleston County  
100 Broad St., Ste. 266  
Charleston, SC 29401

Julie Armstrong  
Clerk of Court, Charleston County.  
100 Broad Street  
Charleston, SC 29401

SC Court of Appeals  
1220 Senate St.  
Columbia, SC 29201

John Nichols  
Office of Disciplinary Counsel  
1220 Senate St.  
Columbia, SC 29201

Dated: September 9, 2019

Respectfully submitted,

By:

  
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