

The Statement Of South Carolina
In The Court of Appeals

Appeal From Anderson County
Court Of Common pleas

Cordell Maddox Jr., Presiding Judge

Case No.2018-CP-04-01409

Appellate Case No. 2019-000754

RECEIVED
JAN 15 2020
SC Court of Appeals

Taranika Subrina Webb,

Appellant,

V

Fairview Gardens,

Respondent,

Reply Brief

Table of Content

Table of content	page 2
Table of Authorities.....	page 3
Statement of case.....	page 4
Facts.....	page 5
Argument	page 6
CONCLUSION.....	page 7
1. Did the judge err by accepting a proposed order from defendant dismissing Case with prejudice?	
2. Did the judge err by granting keys in transcript and not in proposed order?	
3. Was the judge bias in making statements that he was going to be in favor of respondent/ and requesting the respondent to move peeping tom to another apartment.	

Table of Authorities

Cases

Stiles V. Onoranto 457 S.E.2d 601(1995)	
Cole Vision Corp V. Hobbs 394 S.C. 144,148,714 S.E.2d 539(2011)	
Toussaint v ham 292 S.C.415,357, S.E.2d8(1987)	

Statutes

S.C. Code Ann 16-17-470(2012)	
S.C. Code Ann 31-3-30-910.....	
S.C. Code Ann 16-17-480(1962)	

Other Authorities

Erin Andrew vs. Marriott (invasion of privacy)	
Snakenburg Vs. Hartford Cass.....	
Hamberger Vs. Eastman N.H.107 206.....	

Statement of The case

On July 19,2018, Appellant (Taranika Webb) filed the following allegation against Fairview Gardens Apartments, Invasion of privacy (intrusion) breach of contract. The respondent filed a motion to dismiss on November 6,2018. A Motion to Dismiss on July 10,2019, Before the Honorable Judge R. Scott Sprouse Order the Appellant to file an amended complaint within (30) days to address the issues Raised by respondent in its Motion to dismiss.

On November 07,2018 the respondent

November 26,2018 (Pyburn) requested to be relieved as counsel for defendant Fairview Gardens Apartment.

On January 11,2018 Sprouse issued a form 4, order in which that Motion to Dismiss was denied and appellant was order to submitted and amended complaint.

On January 23,2019, filed an Amended Complaint with the Anderson County clerk of court. Appellant served counsel for respondent via mail on or January 28,2019. On February 6,2019, Respondent filed a motion to dismiss the Amended Complaint.

The Honorable Judge J. Cordell Maddox Jr., held a hearing on Respondent's Motion to dismiss on March 19,2019. Judge Maddox issued a ten-day advisement to see if the respondent would move appellant (R. p10 line 23-25 of the transcripts).

ON April 4,2019 The respondent submitted a proposed order granting respondent Motion to dismiss with Prejudice.

Facts

Lease agreement establish at the begin of the lawsuit that appellant is a resident of 14b apt. in Fairview gardens. (Summons & complaint Article 1. Section a)

That appellant asks to be moved off the property because of the peeping tom. (Transcript Page 10 line 6-9)

That the corporate office establish that this was against company's policy.

Issues 1. Invasion of privacy- was dismissed with prejudice after a ten-day advisement issued by judge Cordell Maddox on April 4, 2019. The respondent in this case did not move appellant. In an invasion of privacy general element for this tort. These elements were proven in court and in the amended complaint. The Defendant intruded into the plaintiff's seclusion, the intrusion would be objectionable to reasonable person. The judge was only going to make a decision on this tort. r.(transcript p10 Line 24-25, P11 1-3,p11,line16-23), (Proposed order P.4-5,6). Breach of Contract-Was dismissed but then again the elements are proven in this case. Establishing a lease at the beginning of the lawsuit in the Proceeding. This company promise to follow all rules but never took the peeping tom complaint serious. Even in the lease they state that this is a habitable living environment. (transcript 5 Line 8-12), (Transcript p.6 line 18-25). Negligence- This was dismissed with prejudice. The judge was only going to a ruling on invasion of privacy. (transcript p.11 line 16-23) proposed order p,4-5). This proposed order should have been modified by the judge if he wanted to dismiss with prejudice then he could have added himself.

Issue 2. The trial court errs by granting keys in the proceeding but not in the proceeding. (page 9 line 16-18)

Issues 3. The trial court Stated a number of time that he was not in favor of the appellant and was going to be favor of the respondent on a number of occasion. (P.9 line 19-25) (Page. 1 line 11)

Conclusion

For the forgoing reason the decision should be reverse, and damages rewarded.

Respectfully Submitted.

Taranika Subrina Webb

203 Miracle Mile apt.162

Anderson S.C.29624

PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Cordell Maddox Jr, Circuit Court Judge

Case No. 2018-CP-04-01409
Appeal Case No. 2019-000754

Taranika Subrina Webb

Appellant

v.

Fairview Gardens/George Reeves

Respondent.

RECEIVED

JAN 15 2020

SC Court of Appeals

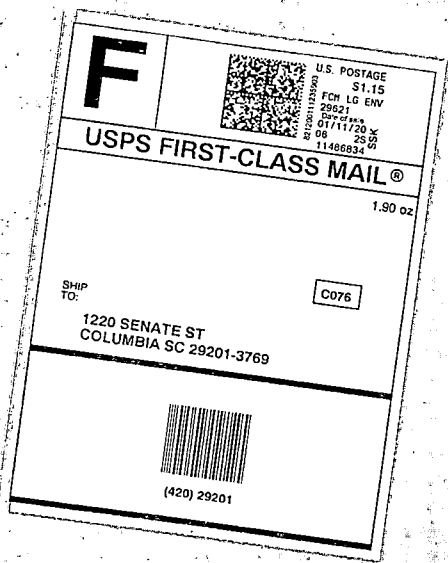
PROOF OF SERVICE

I certify that I have served the reply Brief to the attorney in this case by mail first class postage paid to 1320 Main Street, Suite 750 Columbia, South Carolina 29201 on January 11, 2020.

s/ Taranika Webb
Miracle Mile Drive Apt162
Anderson, South Carolina 29624
Taranika.Jackson@gmail.com

cc. George Reeves
cc. Court of Appeals

Taranika Subrina Webb
203 Miracle mile Drive, Apt. 1102
Anderson, S.C. 29621



RECEIVED
JAN 15 2020
SC Court of Appeals

The honorable Jenny Hitching
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

