

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Daniel Hall, Circuit Court Judge

RECEIVED

MAR 18 2020

Case No. 2019-CP-46-00310
Appellate Case No: 2019-000979

SC Court of Appeals

Ex Parte, Ryan Powell, Appellant.

In re LB PARK, LLC Respondent,

v.

San Juan Holdings, Brett Osborne, the trustee; Brett Osborne as Trustee of San Juan Holdings; and John Doe and Mary Roe, representing all unknown persons having or claiming to have any right, title, or interest in or to, or lien upon, the real estate described as 25056 Timberlake Drive, York County, South Carolina, TMS 643-10-001-023, their heirs and assigns, and all other persons, firms, or corporations entitled to claim under, by or through the above named Defendant(s), and all other persons or entities unknown claiming any right, title, interest, estate in, or lien upon the real estate described as 25056 Timberlake Drive, York County, South Carolina, TMS 643-10-01-023, Respondents.

**Reply to Respondent's Return to Appellant's
Emergency Verified Petition for Contempt**

Respondent's Return not only fails to deny **any** of the verified allegations Appellant made in his Emergency Verified Petition for Contempt ("Contempt Petition" hereinafter) but Respondent and its three attorneys ("The Accused" hereinafter) **admit** they failed to abide by this Courts October 15, 2019 Remand Order ("Remand Order" hereinafter). The Accused even attached exhibits to their Return in order to PROVE that they disobeyed

the Remand Order! An absolutely amazing level of disrespect and disdain for this Court's authority is on display in Respondent's Return!

Appellant alleged in his Contempt Petition that The Accused are in willful contempt of the Remand Order by their having filed a Notice of Stipulated Dismissal into the lower court case after this Court ordered that this case would be remanded for "the limited purpose of allowing LB PARK to file a motion to dismiss".

The Accused take the position in their Return that of course they filed a Notice of Stipulated Dismissal into the lower court case because that is what The Accused WANTED TO DO and that is what The Accused REQUESTED this Court allow them to do. So whether or not this Court actually ordered such relief (it did NOT) is immaterial to The Accused. Like spoiled children if they don't get what they want (and they did NOT) then they will just do what they want regardless! Utterly amazing!

Respondent's Return then goes to great lengths to admit and PROVE that The Accused did NOT serve any party with notice of the filing of their Stipulated Dismissal until March 6, 2020 - over THREE WEEKS after The Accused filed their contemptuous Stipulated Dismissal and the SAME DAY The Accused received Appellant's Contempt Petition. The Accused obviously were concealing their filing of the Stipulated Dismissal as alleged by Appellant in his Contempt Petition and The Accused ADMIT and PROVE they were concealing it.

As sworn officers of the Court, with 52 combined years of practicing law, Respondent's three attorneys know better than to disrespect and disobey an order of this Court. However, The Accused committed willful contempt of the Remand Order because they know the risk of doing so, and getting caught, was less than the risk of not doing so.

The risk to The Accused of not committing contempt was high because The Accused are engaged in fraud on the court (among other wrongdoings and crimes) in order to prosecute the frivolous claims of a wealthy, repeat client (i.e., LB PARK, LLC). Therefore, The Accused decided they had to do *whatever it takes* to get rid of this case so that they could start a new fraudulent and frivolous case without ANY judicial oversight. When big bucks are on the line you just gotta *take your chances*.

For all the reasons set forth herein and in Appellant's Emergency Verified Petition for Contempt, Appellant demands this Court order the relief he demanded therein¹.

Respectfully Submitted

3/16/2020

Ryan Powell
Ryan Powell
c/o 25056 Timberlake Drive
Fort Mill, South Carolina

¹ Even though The Accused should be sitting in a jail cell for criminal contempt, Appellant needs their contemptuous actions rolled back so Appellant cannot request criminal contempt as his relief although he would like to.

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Certificate of Service

I certify that I have served all the following person a copy of the Reply to Respondents Return to Appellant's Emergency Petition for Contempt by First Class Mail with proper postage affixed on the date below shown and addressed as follows:

Sarah Spruill
P.O. Box 2048(29602)
Greenville, SC 29601
Appellate Attorney of Record for Respondent LB PARK, LLC

March 16, 2020

Ryan Powell
Ryan Powell, Appellant
c/o 25056 Timberlake Drive
Fort Mill, South Carolina

March 16, 2020

Clerk of Court
Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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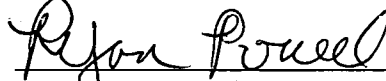
Re: Appellate Case No. 2019-000979

Dear Clerk,

Enclosed for filing please find the following original documents (original on top) and six copies of each:

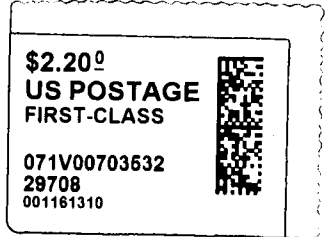
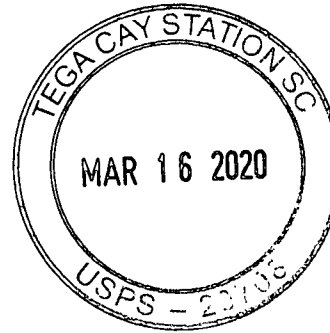
- 1) Appellant's Reply to Respondents Return to Emergency Petition for Contempt.
- 2) Certificate of Service for the above document.

Sincerely,



Ryan Powell
c/o 25056 Timberlake Drive
Fort Mill, South Carolina
919-400-6339

23054 Timber Lake Drive
Fort Mill, South Carolina



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