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**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM CHARLESTON COUNTY  
Circuit Judge Maite Murphy and Deadra Jefferson

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Four Orders filed between September 17, 2019 and October 17, 2019

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Alan Nix, ..... Petitioner,

v.

Churchill Park, Churchill Park HOA, Churchill Park Homeowners' Association, Inc., Churchill Park at Park West Association, Inc., Churchill Property Owners Association, Churchill Park Property Owners Association, Churchill Park at Parkwest, Inc., Churchill Park at Park West Association, Inc., Churchill Park @ Park West Association, Inc., Southern Community Services, LLC, Park West Development Corp., LPPM, Inc., McCabe, Trotter & Beverly, PC, Dobson Builders, Stephanie Trotter, Ryan McCabe, Jaimie McSweeney, Larry Ridlehoover, Mike Hurd, Sheri Cothran, David Brown, Catherine Brown, Stephen Sumner, Richard Riccoboni, Rick Cumberland, Park West Master Association, Inc., Park West Amenity Association, Inc., C. Richard Dobson Builders, Inc., D.R. Horton, Inc., Brian Gardner, Venture Management of South Carolina, Inc., Dodds & Hennessey LLP, Kim Atkeson, Jennifer Williamson, Jessica Turner, Kevin Steelman, Landtech Development, LLC, Landtech Incorporated of South Carolina, Land Tech Charleston, LLC, Rogers, Townsend & Thomas PC, Henry Munn, Charleston County (Christine Smith), Judge Mikell Scarborough, Sandlapper Reporting, LLC, William H. Sloan, Sloan Law Firm, Individual Agents, Assigns, Attorneys, Accountants, Employees, Officers, Directors, Independent Contractors, Investors, Successors, Predecessors, Insurers, Representatives, Parents, Sister and Affiliated entities, Partners, Members of all Persons who might be liable

..... Respondents.

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BRIEF OF PETITIONER

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Alan Nix  
Pro Se  
1401 Densmore Circle  
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843.991.4170

for Petitioner

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S.C. Code of Judicial Conduct . . . . . throughout and appropriately so

S.C. Rules of Professional Conduct . . . . . throughout and appropriately so

## QUESTIONS PRESENTED

- I. Can a Person other than a judge, including but not limited to currently unknown Person or Persons, end a case in the Court of Common Pleas in South Carolina?
- II. If a Person other than a judge knowingly and willfully ends a case in the Court of Common Pleas in South Carolina, and does so for an improper purpose, is that Person or Persons guilty of Obstruction of Justice?
- III. If other Persons take advantage of a Person or Persons other than a judge knowingly and willfully ending a case in the Court of Common Pleas in South Carolina, are those Persons guilty of Conspiracy to Obstruction of Justice?
- IV. If Persons, including but not limited to the Charleston County Clerk of Court, knowingly and willfully utilize a known false Order, such as Judge Murphy's Order of 27 Sept 2019 entitled ORDER ENJOINING THE PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF, to prevent a party from timely filing motions to correct obvious issues with Orders, are those Persons guilty of Obstruction of Justice?
- V. If other Persons knowingly and willfully take advantage of a Person or Persons, including but not limited to the Charleston County Clerk of Court, utilization of a known false Order such as Judge Murphy's "Enjoining Order" of 27 Sept 2019 in case 2018-CP-10-03315 to prevent a party from timely filings motions to correct obvious issues with Orders, are those Persons guilty of Conspiracy to Obstruct Justice?
- VI. What actions of the named defendant's did Judge Jefferson dismiss with prejudice and how do you know which of the defendant's actions were dismissed?
- VII. Did Judge Jefferson violate the Rules of Judicial Conduct when she took no action to investigate and report the misconduct alleged by Appellant against Churchill Park at Parkwest, Inc., Scarborough, Churchill Park at Park West Association, Inc., etc. during the hearing of September 26, 2019?
- VIII. Does a judge who enters Orders in a case they have never properly had jurisdiction of have jurisdiction to enter Orders in that case?

- IX. Is a judge who is put on notice that they have entered an Order in a case in which they have never been assigned, and, instead of properly entering an Order to set aside the Order, knowingly and willfully improperly cites a Rule of Civil Procedure, such as Rule 52, as the reason they won't set aside the previously improperly entered Order, guilty of violating the Rules of Judicial Conduct as well as Common Law Misconduct in Office and Obstruction of Justice?
- X. Why would a judge on the South Carolina Court of Appeals require a person to file an Initial Brief and Designation of Matter if they are on full notice that the case was not legally ended by a Judge?
- XII. Does the South Carolina Court of Appeals have valid jurisdiction over a case which they know was not properly and legally ended by a judge?
- XIII. Is there more than, less than, or equal to ten (10) days between 28 Sept 2019 and 7 Oct 2019? If there is ten (10) days or less between 28 Sept 2019 and 7 Oct 2019, would a motion under Rule 52 be timely or untimely?
- XIV. If attorneys knowingly and willfully take advantage of judicial misconduct, are those attorneys also guilty of judicial misconduct as Officers of the Court?
- XV. Is Judge Murphy's conduct in this matter even more proof, if more proof were even required, that Judge Murphy is unfit to be a judge in South Carolina or even licensed to practice law in South Carolina?
- XVI. If Judge Murphy's conduct is such that even a person who isn't licensed to practice law in South Carolina can tell she is completely unfit to be a judge or be licensed to practice law in South Carolina, what are the chances that the South Carolina House Judiciary Committee will do anything about this problem given her husband is on that Committee?
- XVII. How does the South Carolina Judicial System determine if a judge is incapacitated due to mental issues vice knowingly and willfully engaging in pattern of judicial corruption in multiple cases, including at least one in which they clearly did not have jurisdiction?
- XVIII. Has Judge Murphy committed Fraud upon the Court?
- XIX. Has Judge Jefferson aided and abetted Judge Scarborough's multiple

acts of Fraud Upon the Court in the cases that led to this unnecessary case? (eg. 2014-CP-10-05407 and 2017-CP-10-04031)

## STATEMENT OF THE CASE

Plaintiff “Churchill Park”, incorporated on 31 July 2003 by Southern Community Services, LLC, now known as Chuckleover, LLC, and their apparent attorneys Ryan McCabe and Stephanie Trotter filed a lien against the Appellants’ property located at 1401 Densmore Circle, Mount Pleasant, SC on 23 May 2013. On 4 September 2014, Plaintiff “Churchill Park”, incorporated on 31 July 2003 by Southern Community Services, LLC, now known as Chuckleover, LLC, and their apparent attorneys Ryan McCabe and Stephanie Trotter filed a foreclosure lawsuit against the Appellants’ property located at 1401 Densmore Circle, Mount Pleasant, SC. When Appellants’, not to include Appellants’ attorney William Sloan, discovered that “Churchill Park” was not the Real Party in Interest in early January 2016, Plaintiff “Churchill Park”, incorporated on 31 July 2003 by Southern Community Services, LLC, now known as Chuckleover, LLC, and their apparent attorneys Ryan McCabe, Jaimie McSweeney and Stephanie Trotter entered into a conspiracy with Mikell Scarborough, the Master in Equity in Charleston County and Appellants’ attorney William Sloan, to have case 2014-CP-10-05407 dismissed for a knowingly and willfully fraudulent apparent Rule 40(j). Scarborough entered the fraudulent Rule 40(j) dismissal on 23 March 2016.

In furtherance of the conspiracy which began sometime between early January 2016 and 23 March 2016, the Charleston County Clerk of Court, Scarborough, McCabe, Trotter, Todd Musheff, “Churchill Park”, Laura Dukes-Beck and McSweeney knowingly and willfully violated the rules of civil procedure and allowed Scarborough to rule on the motion to restore case 2014-CP-10-05407 in May 2017 instead of leaving it on Judge Harrington’s motion roster. In additional furtherance of the conspiracy, Scarborough restored the case

*“to the Active Docket”* and the *“original case number”* via Order filed 9 May 2017. All of attorneys and Public Officials in this case went along with the scheme in an effort to allow co-conspirator Scarborough to maintain control of the case which he had knowingly dismissed under false pretenses in March 2016.

After the apparently restored case 2014-CP-10-05407 had been set for a trial during the September 2017 term of trial and a final dispositive motion hearing for 7 August 2017, the Defendant in case 2014-CP-10-05407, Alan Nix and Norma Nix, had to pay the \$150 fee to the Charleston County Clerk of Court to have the case properly restored. This resulted in case 2017-CP-10-05407 being created on 8 August 2017. Case 2014-CP-10-05407 was called to Scarborough’s Roster hearing on 18 September 2017, at which time case 2017-CP-10-04031 was still on the General Docket. Somehow, Scarborough, Dukes-Beck and Julie Armstrong, improperly assigned case 2017-CP-10-04031 to their coworker and co-conspirator Scarborough sometime after 18 September 2017. Then, Scarborough somehow managed to hold an apparent hearing for cases 2014-CP-10-05407 and 2017-CP-10-04031 on 26 September 2017. After Scarborough summarily dismissed many motions of Defendant Alan Nix between 29 September 2017 and 18 December 2017, most improperly dismissed without a motion hearing, Defendant Nix had to file appeals 2018-000056 and 2018-000174 in January 2018.

The SC Court of Appeals knowingly and willfully, and with almost certain corrupt intent, refused to grant Alan Nix the right to file Rule 60(b) motions in cases 2014-CP-10-05407 and 2017-CP-10-04031 between May 2018 and December 2018. Because of the convoluted rules in South Carolina related to a cause of action for Malicious Prosecution not being valid if a case is appealed, even if the case is over turned on appeal, Alan Nix

refused to file a Brief or Designation of Matter in appeals 2018-000056 and 2018-000174. Despite the SC Court of Appeals numerous and improper denials of Alan Nix's request to file Rule 60(b) motions in cases 2014-CP-10-05407 and 2017-CP-10-04031, Alan Nix did file Rule 60(b) motions in both cases on 13 Nov 2018 and 9 Nov 2018, respectively.

Hence, case 2019-CP-10-00067 had to be filed in January 2019 to put all parties which should have been third party plaintiffs in case 2014-CP-10-05407 on notice of the causes of action which would be filed against them in case 2014-CP-10-05407 once properly restored. The only allegation included in case 2019-CP-10-00067 was a note at the end which stated "*(This complaint is being filed due to the ongoing pattern of mismanagement of cases 2014-CP-10-05407 and 2017-CP-10-04031 by Charleston County from at least 23 March 2016 to present, so as to ensure the statues of limitations are preserved for relevant claims which could be construed to run out on 4 January 2019. This case should be consolidated with 2014-CP-10-05407 once that case is properly restored.)*"

There was a motion hearing held on 26 September 2019 for motions to dismiss. Judge Jefferson presided.

## ARGUMENT

Appellant will make this as simple as possible for the Court.

As to Murphy's Order signed 12 September 2019 and filed 17 September 2019, entitled "ORDER GRANTING MOTION TO QUASH SUBPEONA ISSUED TO KEVIN MIMS, ESQUIRE", this Court will not find reference to this motion, the attendance of Kevin Mims, or the attendance of Judge Maite Murphy in the transcript for this case for the hearing on 26 September 2019. In fact, Judge Murphy never heard this motion in this case. What is true, is that Mims attended the hearing with Murphy, who was a surprise judge, at the hearing on 28 August 2019 for appeal 2018-CP-10-03315 which is now an appeal in the Court of Appeals under appeal 2019-001878. Once again, Judge Murphy displays either an incredible lack of ability to track cases which she may have jurisdiction of or more likely, knowingly and willfully engages in judicial corruption via aiding and abetting attorneys who are engaged in a fraud on behalf of insurance company's and their real and apparent clients.

As to Murphy's Form 4 Order dated 14 October 2019 and filed 17 October 2019, Murphy states as her reason for denying Nix's Motion to Set Aside and Clarify Order filed 17 September 2019 that "*The Motion to Set Aside and Clarify Order filed 17 September 2019 is denied because this Motion was not timely filed pursuant to SCRCF Rule 52.*" It is undeniable that Murphy could have possibly ruled on this motion on 26 September 2019 during a hearing which she was not at, thus, the portion of Rule 52 related to a motion made "*not later than 10 days after receipt of written notice of entry of judgement*" must apply, assuming a motion to have an order to set aside that a judge with no jurisdiction entered

was even necessary. Nix's motion filed 7 October 2019 clearly states he received notice of entry on 28 September 2019. Appellant, even though not completely certain, is pretty sure there are nine days between 28 September 2019 and Monday, 7 October 2019. Once again, Appellant is only pretty sure of his math here, but Appellant argues that if the same math he learned over 45 years ago is still valid, that nine is still less than ten, hence, even if Murphy had jurisdiction somehow, either she can't do five year old level math, can't comprehend pretty simple language in SCRPC Rule 52, or took this action with corrupt intent. It is worth noting that the list of Defendant's on the 17 September 2019 Order is almost a page long, thus it should have been obvious with just a glance that this case was different than appeal 2018-CP-10-03315. Either way, the order filed 17 September 2019 should have been set aside, Judge Jefferson knew or should have known that, and Judge Murphy's Form 4 order filed 17 October 2019 is completely baseless and can only be explained as complete and utter mental unfitness to be a judge or gross judicial misconduct.

Also, it is clear that neither of these Orders ends the case.

Next, to Judge Jefferson's Order dated and filed 17 October 2019. Appellant will first point out to this court that the Defendant's on this Order actually is the Defendant list from appeal case 2018-CP-10-03315, not case 2019-CP-10-00067, which makes one wonder a bit about Judge Jefferson's attention and mental alertness. Additionally, to Judge Jefferson's apparent basis for judgment, attention and mental alertness, she spends three quarters of a page of a three page order, almost a third of the Order, discussing S.C. Code 15-36-100 related to professional negligence, when, to Appellant's knowledge, none of the Persons listed in the caption on the first page are professional's within the definition of SC. Code 15-36-100.

What Judge Jefferson does articulate in this Order is that she read the “substantive assertion Plaintiffs include in their Complaint” which was the note at the end of the Complaint related to the ongoing pattern of mismanagement of cases 2014-CP-10-05407 and 2017-CP-10-04031. But then, more proof Judge Jefferson wasn’t paying much attention at the hearing, and even to the recording or transcript she received from Ms. Harris, the Court Reporter. Judge Jefferson alleges as fact that “*Further at the hearing, Plaintiff Alan Nix stated he had only three purposes in filing this lawsuit: to toll the statute of limitations, to put the parties on notice of “what is to come” and to restore case 2014-CP-10-05407 to the docket*”. On page twenty three of the transcript, Ms. Harris reports Alan Nix’s comments as “*Yes, I’ll be very frank. The only reason this was filed was two, twofold. One, to, to toll ---so, the statute of limitations for a thing that should have been filed previously. And two, put everybody on notice of what was coming with the expectation that this could be amended once 5407 was restored to the docket properly. 5407, 60(b) motion filed 13 November 2018---*” Once again, Appellant will point out that this Order does not end the case.

Appellant is going to spend too much time on Mr. Wood and Mr. Countryman’s Order also filed 17 October 2019 but is going to point out a few interesting and telling intentional misrepresentations. On the top of page nine (9), under “*5. No basis for claims against individually named Defendants*”. First, it states that cases 2014-CP-10-05407 and 2017-CP-10-04031 are actually the same matter. How is this possible, since they are two different case numbers? Then, it goes to knowing, willfully and intentionally misrepresent that “*MTB represented Plaintiff Alan Nix’s Homeowners’ Association in the pursuit of various amounts he allegedly owed the Association*” where the obvious inference is that

“Churchill Park” is “Alan Nix’s Homeowners’ Association”, but this is a clear, knowing, and willful misrepresentation by Judge Jefferson, Mr. Wood and Mr. Countryman, since they both know, and their client’s and co-conspirators, McCabe, Trotter and McSweeney, knew that Alan Nix’s Homeowners’ Association was, and remains, Churchill Park Homeowners’ Association, Inc., not “Churchill Park”. Dare we consider this intentional, knowing and willful Fraud upon the Court by Mr. Wood and Mr. Countryman and Judge Jefferson?

If not, then this next statement by Mr. Wood, Mr. Countryman and Judge Jefferson is clearly knowing and willful Fraud Upon the Court, the one that states as fact that “*The Court of Appeals affirmed the lower Court ruling and Mr. Nix has since filed a pending petition for a writ of certiorari with the Supreme Court.*” They even include foot note “2” with this statement which specifies “*Appellant Case No. 2018-000056, November 13, 2018.*” Except, this Court didn’t affirm the lower Court’s ruling with an Order on November 13, 2018, this Court took an additional improper and corrupt act to once again deny this Appellant’s third and fourth motions to file Rule 60(b) motions in cases 2014-CP-10-05407 and 2017-CP-10-04031, which, potentially ironically, is what directly led to this case being filed in January 2019.

Lastly, related to this order, Appellant will point out once again, that this order does not end the case and specifically has a foot note on the bottom of page two that states “*Chase McNair, Esq, appeared on behalf of Defendants Churchill Park, Churchill Park at Park West, Inc. Churchill Park at Park West Association, Inc. and Stephen Sumner. However, their Motion to Dismiss, filed May 24, 2019, was not scheduled for the current docket by the clerk’s office. Further, the Plaintiff did not consent to a waiver of the requisite notice.*”

*As a result the Motion was not heard. Counsel was instructed to consult the Clerk's non-jury coordinator regarding the scheduling." And.... somOne consulted the "Clerk's non-jury coordinator regarding the scheduling"....because a motion hearing was scheduled for this motion on 28 October 2019. But, it wasn't held because someOne, and we still don't know who, but we definitely know it wasn't a judge, ended the case on 17 October 2019 despite a motion hearing which was scheduled for just eleven (11) days later.*

In conclusion, this appeal and the underlying Complaint is 100% attributable to the knowing and willful misconduct by Charleston County, Scarborough, Dukes-Beck, and Julie Armstrong, the Charleston County Clerk of Court in cases 2014-CP-10-05407 and 2017-CP-10-04031 and this Court's own willful and knowing misconduct in furtherance of Charleston County, Scarborough, Dukes-Beck, and Julie Armstrong's misconduct in these cases through the willful, knowing and improper multiple denials of motions to file Rule 60(b) motions in appeal cases 2018-000056 and 2018-000174. If this Court had acted appropriately in those Appeals, this appeal and the underlying case would have never been required.

Additionally, if Charleston County and Ms. Armstrong had not improperly closed this case before it was ended by a judge, and had not improperly utilized Murphy's ORDER ENJOINING THE PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF, filed September 27, 2019 in case 2018-CP-10-03315 to prevent Plaintiff / Appellant from filing motions to correct the obvious issues with these Orders in this case, this appeal, if ever rationally required, would have been based on actual issues that had been fully litigated. And this Court knew these were issues when it improperly denied this Appellant's Motion to Remand in August of 2020.

## CONCLUSION

This Court, as much as any of these corrupt judges, attorneys and other Public Officials, is as responsible for this unnecessary, improper and unripe appeal.

Murphy clearly had no jurisdiction to enter Orders in this case, hence they all should be thrown out.

Jefferson clearly didn't have control of the facts in some instances, and in others, clearly committed misconduct by not adhering in good faith to the Judicial Code of Conduct and, in others, clearly joining a conspiracy with Wood and Countryman, of which they were already involved in a conspiracy with their client's, McCabe, Trotter, and McSweeney, who have been involved in a conspiracy with Scarborough, Dukes-Beck, Armstrong, and Charleston County since sometime in 2017.

This case should have been remanded by this Court based on the motion filed by this Appellant in July 2020. Now this Court, if it has any legitimate jurisdiction in the matter, must throw out these Orders and return it to the lower Court. This Court should reverse and, in the process, send a clear message of what is expected, as well as what is clearly not acceptable, of judges in South Carolina.

Sep 13, 2020

Respectfully submitted,



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Alan Nix  
1401 Densmore Circle  
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29466  
(843) 991-4170

2 October 2019

Alan Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466

Troy Thames  
Wilson Jones Carter & Baxley  
421 Wando Park Blvd, Ste. 100  
Mt. Pleasant, SC 29464

RE: Response to Thames proposed order 2019-CP-10-00067

Mr. Thames.

Despite Andy's and Mr. Wood's assertion that this is all very simple, and perhaps it certainly would be if any of this were even remotely within the bounds of normality, I think it may be prudent for you to consider a few items relative to your very succinct proposed motion.

1. Your proposed order doesn't specify which of the cited causes of action you think your client(s) should be excused from with prejudice. If you truly believe it is appropriate to ask for a dismissal with prejudice, it would probably also be appropriate for you to name with specificity which causes of action named you and your clients believe is properly applicable.
2. Similar to point number one above, please specify the effective time period you are seeking each of the causes of action you cite to be dismissed with prejudice.
3. And, for each cause of action you cite that you want to have dismissed with prejudice, you should probably specify which violations of law you want to have each cause of action dismissed with prejudice for
4. For instance, and admittedly for some reason no one has ever verified Dave's exact status during April and May 2013 (primarily because he was sitting in his garage talking with Stephen Sumner on the morning of 26 Sept 2017 instead of coming to Scarborough's office downtown), but let's consider the lien that Andy's and Mr. Wood's clients (and previous employees) Ryan McCabe and Stephanie Trotter filed against my family's home on 23 May 2013. Now we know that less than a month earlier McCabe Trotter conspired with Larry Riddlehoover to improperly assign the rights of lien and foreclosure away from Churchill Park Homeowners Association, Inc to Park West Master Association, Inc. And it seems to be well above a general preponderance of the evidence that Dave was an officer or director or something with apparently real power and fiduciary responsibilities to one or more of the "Churchill's during April and May 2013, so, clearly Dave has some civil and/or criminal liability

related to going along with Ryan McCabe, Stephanie Trotter and Larry Ridlehoover in filing a lien in the name of "Churchill Park", and not Park West Master Association, Inc or Churchill Park Homeowners Association, Inc. So, with this as an example, if you also choose to cite conspiracy as one of the causes of action you think should be dismissed with prejudice, please also cite in addition to the violation of law that is applicable, Dave's and 'or Catherine's coconspirators. (and this may be a bit tricky for you since Dave nominated Catherine to replace him on the board of one or more of the "Churchill" entities in June 2014 and then went around and lobbied everyone in the room to vote for her)

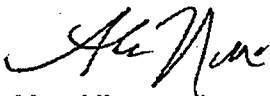
5. Since cases 2014-CP-10-05407 and 2017-CP-10-04031 are cited in this complaint, specifically related to needing to be properly restored due to numerous acts of misconduct by many many many Persons, you should probably state your rationale for seeking a dismissal with prejudice within the context of the 60(b) motions filed on 9 Nov 2018 for case 2017-CP-10-04031 and 13 Nov 2018 for case 2014-CP-10-05407. Think the language goes something like *"Properly restore case number 2014-CP-10-05047 and grant equitable tolling of the statutes of limitations for all possible related causes of action, as well as the time counted toward rules of civil procedure for this motion and all subsequent motions, to equitably account for the improper restrictions this order imposed on defendants, thereby preventing further injury to defendants.* See, if you seek a dismissal with prejudice in this case, which was filed after those two 60(b) motions, which were filed almost two months earlier, that appears to create some weird conflicts with all of that equitable tolling stuff.
6. Also, I'm copying my previous attorney's attorney on this because he may very well want to chime in or submit a motion to intervene or something, See, on 4 Jan 2019, once Andy's and Mr. Wood's clients associates and associates associates left my Lot, and once I finished sending the pictures of Andy's and Mr. Wood's clients associates and associates associates to Chief Ritchie, Mr. Demoura, Deputy Chief Gragg, Pagliarini, etc., which cost me like almost 4 hours that day between 0930 and 1330, I got back to trying to get this thing kind of sorted out so it could be filed before 1700 on 4 Jan 2019, because, obviously that would have been exactly three years since I had gave Bill all of the information of Andy's and Mr. Wood's clients associates and associates associates fraud, etc on 4 Jan 2016, which of course Bill didn't do anything with for the next 2.5 months. BUT, if he had, like at least a kinda zealous second year law school student level would have done, I suspect his amended complaint would have added a bunch of new third party plaintiffs and lots of new counter claims which would have looked a bit like this filing, except of course with all of the details of their crimes. So, depending on everyone's potential need to show Bill a little gratitude and sympathy related to this big ole jamb he is in, maybe y'all want to see if Mr. Umbarger wants to try to minimize his client's predicament just a little by taking a look at this case kind of quickly so that whole case in a case thing is a bit more clear.
7. Also, don't you want me to pay your attorney fees???? I didn't see anything about that in your proposed order? This is your chance to ask for all of the fees you think is fair that insurance isn't paying you. I'm probably just going to turn around and get it from Bill or his associates or associates associates, etc. Another reason Mr.

Umbarger, Mr Dawson, etc. probably should be given a quick chance to consider this situation.

8. And I'm just raising this as a potential issue, but I'm like 95% sure you may have some problems in that other case you are representing Dave and Catherine in related to Judge Young's and Mr. Kaiser's and yours improper conduct for that order last Sept 2018. Granted, you didn't sign it, but you have clearly went along with it since November of 2018. Since it is the same clients in highly related matters, whatever happens here may come back around again sometime in the next year or so.....
9. And, perhaps it would be as Mr. McNair stated last week, in pursuit of judicial economy, to go ahead and insert the requirement in your order to file an explanation for your apparent confusion over if I had thirteen pending in Charleston County. I'm guessing you have the letter now which you can use to pretty accurately capture the concept / requirement.
10. I also noted that you said something about the complaint being frivolous on its face. Don't you want to ask for all kinds of big sanctions and stuff?
11. Lastly, you know I have been trying to get someone, like actually any Person at all, whether breathing or not, to file the attached "Assignment of Foreclosure Rights" from over two years ago. If you or your client's or any of your clients coconspirators have that document (like the original of course), could you try to make sure that gets filed at the Charleston County ROD like, literally, in the next two or three business days?

I hope you don't mind too much in considering / accommodating the above requests / issues. As I'm sure you must know by now, I'm literally right on the edge of bankruptcy due to six plus years of fraud and public corruption and malicious prosecution, etc. So, I really don't have enough money to keep paying \$25 per motion to get things ultimately sorted out mostly correctly.

Best regards,



Alan Nix

cc.

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Property to collect Assessments from those Lot Owners and the right to enforce and foreclose upon such liens for the collection of delinquent Assessments; and

WHEREAS, that certain ASSIGNMENT OF LIEN AND FORECLOSURE RIGHTS dated April 16, 2013 and recorded April 28, 2013 in the Charleston County RMC Office in Book 0326 at Page 993 (the "*Subordinate Assignment*") sought to grant to the Master Association rights to enforce and foreclose upon the Subordinate Assignment Assessment liens for the collection of delinquent Assessments (to include all associated fines, interest, costs and attorneys fees as authorized by the Subordinate Declaration); and,

WHEREAS, by the execution of this Assignment, Assignor elects to assign back to Assignee a coextensive individual right of Assignee to enforce and to the extent the Subordinate Assignment is construed as having assigned all of the Subordinate Association's rights to foreclose upon Assessment liens for the collection of delinquent Assessments as defined herein above, foreclose upon its respective Assessment liens for the collection of delinquent Assessments (to include all associated fines, interest, costs and attorneys fees as authorized by the applicable Subordinate Declaration) such that the Subordinate Association and the Master Association each have the coextensive, equal and separate right and authority to enforce and foreclose upon such Subordinate Association's Assessment liens for the collection of delinquent Assessments (to include all associated fines, interest, costs and attorneys fees as authorized by the respective applicable Subordinate Declarations);

NOW, THEREFORE, for value received, the Assignor hereby sells, transfers and assigns unto Assignee, its successors and assigns, the respective rights, as described herein, to enforce and foreclose upon Assignee's Assessment liens for the collection of delinquent Assessments, including any and all associated fines, interest, costs, and attorney's fees as authorized by the applicable Subordinate Declaration, while Assignor retains for itself the coextensive right to enforce and foreclose upon Subordinate Association's Assessment liens for the collection of delinquent Assessments, including any and all associated fines, interest, costs, and attorney's fees as authorized by the applicable Subordinate Declaration. The collection and enforcement rights contemplated by this Assignment shall include all legal and equitable remedies granted to Subordinate Association as set forth in the applicable Subordinate Declaration.

This Assignment applies to all existing and future Assessment liens held by the Subordinate Association. It is the intent of the parties for Subordinate Association to continue filing its own Notice of Liens for delinquent Assessments, however by operation of this Assignment Subordinate Association possess the rights to enforce and foreclose upon such Subordinate Association's Assessment liens and the Master Association holds a coextensive right to enforce and foreclose on any such Subordinate Association's Assessment liens.

The rights and benefits herein conferred upon the Assignee shall inure to the benefit of each of their successors and assigns.

Any capitalized terms used, but not defined, herein shall have the meaning set forth in the Master Declaration or the applicable Subordinate Declaration.

IN WITNESS WHEREOF, the undersigned have caused these presents to be duly executed on the date(s) of signature below (the "Execution Date"). If the signature dates differ, the later of the signature dates shall constitute the Execution Date.

WITNESSES:

ASSIGNOR:

[Signature]  
(Witness #1)  
[Signature]  
(Witness #2)

Park West Master Association, Inc.

By: [Signature]  
Print Name: Kevin Steelman  
Its: President  
Date: 9-14-17

STATE OF SOUTH CAROLINA )  
COUNTY OF Richland )

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE MARCH 14, 2016)

I, Terrie Cross, a Notary Public for South Carolina, do hereby certify that Park West Master Association, Inc., by its authorized officer, Kevin Steelman, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 14<sup>th</sup> day of Sept 2017.

[Signature]  
Notary Public for South Carolina  
My Commission Expires: 02-26-24

WITNESSES:

[Signature]  
(witness #1)  
[Signature]  
(witness #2)

ASSIGNEE:

Churchill Park

By: [Signature]  
Print Name: Zane Perry  
Its: President  
Date: 9/14/17

STATE OF SOUTH CAROLINA )  
COUNTY OF Charleston )

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE MARCH 14, 2016)

I, Shaunda Cothens, a Notary Public for South Carolina, do hereby certify that Churchill Park, by its authorized officer, Zane Perry, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 14<sup>th</sup> day of September, 2017.

[Signature]  
Notary Public for South Carolina  
My Commission Expires: July 16, 2025  
~~MY COMMISSION EXPIRES JULY 16, 2021~~

3 October 2019

Alan Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466

Robert Wood  
Rogers Townsend & Thomas  
PO Box 100200  
Columbia, SC 29202

Andy Countryman  
Countryman Law Firm  
321 Wingo Way  
Mt. Pleasant, SC 29466

RE: Response to Woods / Countryman proposed order 2019-CP-10-00067

Mr. Robert and Andy.

Just in case your proposed order is considered timely, I am responding with a good bit of the feedback I gave to Troy yesterday and attempting to speak to as much of your stuff as possible as well. Given, thanks to your Rogers Townsend Thomas's relationship with your clients, as well as being their previous employers and apparent master minds of the various schemes of your clients and your clients apparent clients and actual clients, as well as of course their many many associates, clearly, none of this is remotely normal, and consequently, I'm confident it would be very prudent for you to consider providing some additional details relative to your proposed order.

1. Your proposed order appears to be citing attorney legal malpractice, negligence and negligent supervision in the negligence categories, but doesn't really provide any details to help ascertain the situation. For instance, when Ryan McCabe and Stephanie Trotter, as attorneys for Park West Master Association, Inc and apparently, "Churchill Park" filed liens against my family's home in May 2013 with fraudulent acknowledgments, who was responsible for that? Trotter and McCabe equally? McCabe principally since he was by far the majority shareholder? McCabe principally plus Trotter since clearly she knew there wasn't a notary in her presence when she signed the liens? Further, you seem to suggest that breach of fiduciary duty, aiding and abetting breach of fiduciary duty and negligent misrepresentation are within the gambit of professional malpractice. Certainly you could argue that point I suppose, but those causes of action aren't in the same spectrum as making a typo and not correcting it... Consequently, please cite with specificity which causes of action for which actions on which dates you and Mr. Robert desire to have each of your clients dismissed with prejudice. Also, unless you are representing Rogers, Townsend and Thomas and/or Dodds & Hennessy LLP, please remove their names from your proposed order.

2. For instance, lets assume that your clients were hired by Southern Community Services, LLC as a third party contractor to Park West Master Association, Inc., which was controlled by the “developer” or “developers”. Then lets assume, as a third party contractor to Southern Community Services, LLC, your client(s) conspired with Southern Community Services, LLC, and their Principals Larry Ridlehover and Chuck Munn, to craft, and fraudulently execute and file the “Assignment of Lien and Foreclosure Rights” filed 29 April 2013, very similar to what Rogers Townsend and Thomas did at Lake Carolina in Dec 2011 (that was one off the exhibits you didn’t want to take last Thursday). In that example, then it would appear that your clients wouldn’t be a third party contractor to Churchill Park Homeowners Association, Inc. to file liens and foreclosure actions because that would now all be under Park West Master Association, Inc. which SCS was the Managing Agent and your clients would be the third party contractor to Park West Master Association, Inc., via SCS, of course assuming that your clients were not involved in multiple sorts of fraud in devising and executing that scheme, including but not limited to fraudulently notarizing and witnessing multiple signatures of Larry Ridlehoover in the April 2013 “Assignment of Lien and Foreclosure Rights”. But with that example to work with, please state which causes of action, against which of your clients, for which of those acts you wish to have dismissed with prejudice and which, if any of their coconspirators you are attempting to assist by having those claims dismissed with prejudice. Then do the same for any other fraudulent and/or criminal acts you wish to request a dismissal for prejudice for. And here’s another interesting example, your client(s) client(s) send a bill in Dec 2012 asking us to pay Mr. Mims client Churchill Park at Park West Association our annual “assessments”, then your clients client(s) conspire with your clients clients cleints to craft, execute and file the April 2013 “Assignment of Lien and Foreclosure Rights” purporting to assign the rights of lien and foreclosure rights away from, not Churchill Park at Park West Association, Inc, but Churchill Park Homeowners Association, Inc, to Park West Master Association, Inc. and then less than a month later, file not one, but two liens in the name of Park West Master Association, Inc. and “Churchill Park”, which isn’t Churchill Park Homeowners Association, Inc. nor Churchill Park at Park West Association, which apparently I didn’t pay my annual “assessments” to three months earlier.....
3. Since cases 2014-CP-10-05407 and 2017-CP-10-04031 are cited in this complaint, specifically related to needing to be properly restored due to numerous acts of misconduct by many many many Persons, you should probably state your rationale for seeking a dismissal with prejudice within the context of the 60(b) motions filed on 9 Nov 2018 for case 2017-CP-10-04031 and 13 Nov 2018 for case 2014-CP-10-05407. Think the language goes something like *“Properly restore case number 2014-CP-10-05047, and grant equitable tolling of the statutes of limitations for all possible related causes of action, as well as the time counted toward rules of civil procedure for this motion and all subsequent motions, to equitably account for the improper restrictions this order imposed on defendants, thereby preventing further injury to defendants.* See, if you seek a dismissal with prejudice in this case, which was filed after those two 60(b) motions, which were filed almost two months earlier, that appears to create some weird conflicts with all of that equitable tolling stuff.

4. Also, I'm copying my previous attorney's attorney on this because he may very well want to chime in or submit a motion to intervene or something. See, on 4 Jan 2019, once Andy's and Mr. Wood's clients associates and associates associates left my Lot, and once I finished sending the pictures of Andy's and Mr. Wood's clients associates and associates associates to Chief Ritchie, Mr. Demoura, Deputy Chief Gragg, Pagliarini, etc., which cost me like almost 4 hours that day between 0930 and 1330, I got back to trying to get this thing kind of sorted out so it could be filed before 1700 on 4 Jan 2019, because, obviously that would have been exactly three years since I had gave Bill all of the information of Andy's and Mr. Wood's clients associates and associates associates fraud, etc on 4 Jan 2016, which of course Bill didn't do anything with for the next 2.5 months. BUT, if he had, like at least a kinda zealous second year law school student level would have done, I suspect his amended complaint would have added a bunch of new third party plaintiffs and lots of new counter claims which would have looked a bit like this filing, except of course with all of the details of their crimes. So, depending on everyone's potential need to show Bill a little gratitude and sympathy related to this big ole jamb he is in, maybe y'all want to see if Mr. Umbarger wants to try to minimize his client's predicament just a little by taking a look at this case kind of quickly so that whole case in a case thing is a bit more clear.
5. You filed an affidavit last Thursday wanting a bunch of money for all of your efforts to defend your clients and your cocounsel / cocounsel law firm. I think Judge Jefferson said for you to file a detailed listing of your billing supporting all of that but, unless I'm missing something, I don't see that. Don't you want to include that in your proposed order? Make sure you include Mr. Robert's charges too..... Now of course, if someone else is paying your fees now, please make sure you provide copies of all of the bills you sent to them and payments you have received from them. And just in case there are some cutouts in the middle, make sure you provide the exact name of the Person(s) actually paying the bills. For instance, lets assume that relationship layout in number 2 is pretty close to being accurate, and lets assume that Southern Community Services purchase director and officer insurance on behalf of Park West Master Association, Inc., and lets assume that Southern Community Services is filing insurance claims with some CAI insurance company to pay McCabe Trotter's legal defense which is paid to you. If something like that is going on, make sure you lay that out in detail too.
6. And just to make sure you and Mr. Robert are totally aware of y'all's potential situation, once I finally gave in and paid like \$30 to the State of South Carolina to get access to Richland County's ROD records for a month, and found the Dec 2011 "Assignment of Lien and Foreclosure Rights" related to Lake Carolina Master Association, also apparently professionally managed by Larry Ridlehoover and SCS, compounded with the liens filed in 2011 by Ryan McCabe and Stephanie Trotter, as employees of Rogers, Townsend and Thomas PC, which were filed in the name of Park West Master Association, Inc. and "Churchill Park", on the same lien document, it appears that Mr. Wood's employer and Mr. Wood's, as Mr. McCabe's and Ms. Trotter's previous supervisor, are at the center of this scheme. Consequently, what I was attempting to clarify for you the other day, is you representing McCabe and Trotter, etc., when you are clearly on notice of their and your cocounsel's illegal

activity for a number of years, is an obvious conflict of interest for you and Mr. Wood's / Rogers Townsend and Thomas, since it seems rather clear you are either directly involved in their illegal conduct, or have unwisely continued to represent them when you knew or should have known about their continued ongoing pattern of illegal conduct. And yes, that should be construed to be fair warning.

7. Now under number one, I'm confused. You call out the SC Frivolous Proceedings Sanctions Act but then don't ask for any sanctions? Like having a corrupt attorney appointed to baby sit me so y'all have a friend in the business to help y'all stave off the inevitable issues coming your way or maybe asking for tens of thousands of dollars in penalties to try to complete what your clients and your clients clients and your clients clients associates etc. have been trying to do since at least Sept 2014...bankrupt me...
8. And as to legal malpractice toward your clients, I don't think Churchill Park Homeowners Association, Inc's real statute of limitations against your clients can be legally construed to start until sometime in Dec 2017, hence, there is at least another 14 months or so of liability there. BUT, and just asking, are you really sure that is what you should be worried about here? Last I heard, no one goes to jail for legal malpractice....
9. Under Procedure on page two, and in other places, you get really caught up in the service of process thing. BUT, didn't your and Mr. Robert filing a motion to dismiss essentially serve as you accepting service of process for your clients? And of course, I attempted to serve you and you didn't want it. Could that maybe be considered bad faith? I will try to find that stuff from you pretty quickly too, just so you have a chance to correct anything you may have apparently put in there that could be construed as in bad faith. Same issue on page eight under number "5".
10. NOW, under number 5, you interestingly chose to introduce the topic of Scarborough's fraudulent 40(j) order of 23 March 2016, and for that I truly appreciate your choice. HOWEVER, perhaps you should include a lot more information about that other than just trying to make it seem like it was under good faith by using the concept "cursory review". Please lay out all of the facts there. It shouldn't take but a couple of extra sentences. Something about form 4 with 40j box checked and ends case box checked. NO agreement in writing as specified by rule 40(j), only supported by a fraudulent transcript and your clients refused to document a 40(j) agreement in May 2017 when asked. Pretty simple fact set for common law obstruction of justice and misconduct in office, etc.
11. And in the category of clearly BAD FAITH, you state, obviously incorrectly, that "The Court of Appeals affirmed the lower court's ruling" BUT, just in case my assessment is incorrect about your intentions, please attach the Court of Appeals order to your proposed order which you refer to to make the apparently clear assertion that the Court of Appeals affirmed the lower court's ruling.
12. Page eight, bottom of second paragraph. It's my opinion that an attorney is liable for their own conduct and their law firm is also liable for their employee's conduct. Hence, if an attorney like McSweeney, does something like redacting all kinds of information in an accounting document, with the clear intent to conceal that SCS only maintained one account for the Nix Lot 22, in the Churchill Park Subdivision of the Park West Development in Mount Pleasant, SC, clearly McSweeney is liable for her

conduct as well as McCabe Trotter and her direct supervisor at McCabe Trotter. If you disagree, please clarify with sufficient facts, case law citations etc.

13. Your statements relative to Norma are under consideration.
14. Page 6, second paragraph, "The firm, through those lawyers, represented Plaintiff's homeowners' association in a lien foreclosure action reference in the Complaint". Mr. Robert and Andy, assuming both of y'all aren't suffering from some mental illness or both have some chemical dependency or both aren't suffering from early onset of Alzheimer's, this is clearly a bad faith statement. Didn't you bring up both in your Affidavit wanting all of that money last week and in your in your comments at the hearing last week the two case you removed to federal court last year? Unless all of the (di)stress your clients and your clients clients and your clients clients associates have induced on me in the last six plus years as created mental illness for me, I seem to remember Judge Gergel clarifying Magistrate Barstow's use of "Churchill" to mean Churchill Park Homeowners Association, Inc..... Y'all did win those two cases, at least from the battle perspective. Be proud, but you should definitely clear that up so you don't engage any further in "bad faith" conduct.
15. Lastly, you know I have been trying to get someone, like actually any Person at all, whether breathing or not, to file the attached "Assignment of Foreclosure Rights" fo4 over two years. If you or your client's or any of your clients coconspirators have that document (like the original of course), could you try to make sure that gets filed at the Charleston County ROD like, literally, in the next day For a reminder, your apparent client Todd Musheff emailed that document to me on the evening of 17 Sept 2017, I got a copy out of my mail box on the morning of 18 Sept 2017, your apparent client Todd Musheff had it in Scarborough's office on the morning of 18 Sept 2017, someone filed it with the Clerk of Court in Charleston County on 20 Sept 2017 and then brought a copy of it to Scarborough's office again on the morning of 26 Sept 2017. So someone was within just a few hundred feet of the Charleston County ROD's office at least three times between 18 Sept 2017 and 26 Sept 2017 and still, 106 weeks later it still isn't filed with the Charleston County ROD. And to be transparent, I'm pretty sure your client or your client's clients or client's clients associates had it then and has it now. But, as you know, an attorney who knows their client is engaged in ongoing criminal activity has ethical responsibilities related to that situation. SO, please make sure the original document of the enclosed exhibit your apparent client Todd Musheff used on 26 Sept 2017 finally gets filed with the Charleston County ROD ASAP.... Sorry, I meant to mention, that your apparent client Todd Musheff also stated in Scarborough's office on 25 Sept 2017 that he also represented Southern Community Services.....

I hope you don't mind too much in considering / accommodating the above requests / issues. As I'm sure you must know by now, I'm literally right on the edge of bankruptcy due to six plus years of fraud and public corruption and malicious prosecution, etc. So, I really don't have enough money to keep paying \$25 per motion to get things ultimately sorted out mostly correctly.

Best regards,



Alan Nix

cc.

Tonnya Kohn  
SC Court Administration  
1220 Senate St., Ste. 200  
Columbia, SC 29201

Julie Armstrong  
Clerk of Court, Charleston County  
100 Broad St.  
Charleston, SC 29201

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Charleston County Attorney  
4045 Bridge View Dr.  
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Alan Wilson  
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Judge Jefferson  
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Judge Scarborough  
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STATE OF SOUTH CAROLINA     )  
  )     **ASSIGNMENT OF FORECLOSURE RIGHTS**  
COUNTY OF CHARLESTON     )

THIS ASSIGNMENT OF FORECLOSURE RIGHTS (the "*Assignment*") is made on the Execution Date (hereinafter defined) by and between:

PARK WEST MASTER ASSOCIATION, INC.  
(*"Assignor"* or *"Master Association"*),

and

CHURCHILL PARK  
(*"Assignee"* or *"Subordinate Association"*).

**WITNESSETH:**

WHEREAS, that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PARK WEST MASTER ASSOCIATION dated December 17, 1997 and recorded in the Charleston County RMC Office in Book P294 at Page 275 (as amended and supplemented, the "*Master Declaration*") encumbered the master-planned community commonly known as Park West, as more particularly described therein (the "*Park West Property*"), and established the Park West Master Association, Inc. (the "*Master Association*") to manage the maintenance and operation of the Park West Property, including without limitation granting the Master Association a continuing lien over Units located within the Park West Property to collect Assessments from those Unit Owners and the right to enforce and foreclose upon such liens for the collection of delinquent Assessments; and

WHEREAS, the Master Declaration provides for the creation of Subordinate Associations, by the recording of Subordinate Declarations encumbering specific portions of the Park West Property, to manage the maintenance and operation of such specified portions of the Park West Property; and

WHEREAS, that certain DECLARATION OF PROTECTIVE COVENANTS FOR CHURCHILL PARK, dated January 5, 2000 and recorded January 10, 2010 in the Charleston County RMC Office in Book S340 at Page 595 (as amended and supplemented, the "*Subordinate Declaration*") encumbered the property commonly known as Churchill Park, as more particularly described therein (the "*Churchill Park Property*"), and established a homeowners association currently known as Churchill Park (the "*Subordinate Association*") to manage the maintenance and operation of the Churchill Park Property, including without limitation granting the Subordinate Association a continuing lien over Lots located within the Churchill Park



Property to collect Assessments from those Lot Owners and the right to enforce and foreclose upon such liens for the collection of delinquent Assessments; and

WHEREAS, that certain ASSIGNMENT OF LIEN AND FORECLOSURE RIGHTS dated April 16, 2013 and recorded April 28, 2013 in the Charleston County RMC Office in Book 0326 at Page 993 (the "*Subordinate Assignment*") sought to grant to the Master Association rights to enforce and foreclose upon the Subordinate Assignment Assessment liens for the collection of delinquent Assessments (to include all associated fines, interest, costs and attorneys fees as authorized by the Subordinate Declaration); and,

WHEREAS, by the execution of this Assignment, Assignor elects to assign back to Assignee a coextensive individual right of Assignee to enforce and to the extent the Subordinate Assignment is construed as having assigned all of the Subordinate Association's rights to foreclose upon Assessment liens for the collection of delinquent Assessments as defined herein above, foreclose upon its respective Assessment liens for the collection of delinquent Assessments (to include all associated fines, interest, costs and attorneys fees as authorized by the applicable Subordinate Declaration) such that the Subordinate Association and the Master Association each have the coextensive, equal and separate right and authority to enforce and foreclose upon such Subordinate Association's Assessment liens for the collection of delinquent Assessments (to include all associated fines, interest, costs and attorneys fees as authorized by the respective applicable Subordinate Declarations);

NOW, THEREFORE, for value received, the Assignor hereby sells, transfers and assigns unto Assignee, its successors and assigns, the respective rights, as described herein, to enforce and foreclose upon Assignee's Assessment liens for the collection of delinquent Assessments, including any and all associated fines, interest, costs, and attorney's fees as authorized by the applicable Subordinate Declaration, while Assignor retains for itself the coextensive right to enforce and foreclose upon Subordinate Association's Assessment liens for the collection of delinquent Assessments, including any and all associated fines, interest, costs, and attorney's fees as authorized by the applicable Subordinate Declaration. The collection and enforcement rights contemplated by this Assignment shall include all legal and equitable remedies granted to Subordinate Association as set forth in the applicable Subordinate Declaration.

This Assignment applies to all existing and future Assessment liens held by the Subordinate Association. It is the intent of the parties for Subordinate Association to continue filing its own Notice of Liens for delinquent Assessments, however by operation of this Assignment Subordinate Association possess the rights to enforce and foreclose upon such Subordinate Association's Assessment liens and the Master Association holds a coextensive right to enforce and foreclose on any such Subordinate Association's Assessment liens.

The rights and benefits herein conferred upon the Assignee shall inure to the benefit of each of their successors and assigns.

Any capitalized terms used, but not defined, herein shall have the meaning set forth in the Master Declaration or the applicable Subordinate Declaration.

IN WITNESS WHEREOF, the undersigned have caused these presents to be duly executed on the date(s) of signature below (the "Execution Date"). If the signature dates differ, the later of the signature dates shall constitute the Execution Date.

WITNESSES:

ASSIGNOR:

[Signature]  
(Witness #1)  
[Signature]  
(Witness #2)

Park West Master Association, Inc.

By: [Signature]  
Print Name: Kevin Steelman  
Its: President  
Date: 9-14-17

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF Richland )

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE MARCH 14, 2016)

I, Terrie Cross, a Notary Public for South Carolina, do hereby certify that Park West Master Association, Inc., by its authorized officer, Kevin Steelman, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 14<sup>th</sup> day of Sept 2017.

[Signature]  
Notary Public for South Carolina  
My Commission Expires: 02-26-24

WITNESSES:

[Signature]  
(witness #1)  
[Signature]  
(witness #2)

ASSIGNEE:

Churchill Park

By: [Signature]  
Print Name: Zane Perry  
Its: President  
Date: 9/14/17

STATE OF SOUTH CAROLINA )  
COUNTY OF Charleston )

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE MARCH 14, 2016)

I, Shaunda O'Keith, a Notary Public for South Carolina, do hereby certify that Churchill Park, by its authorized officer, Zane Perry, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 14th day of September, 2017.

[Signature]  
Notary Public for South Carolina  
My Commission Expires: July 16, 2025  
~~MY COMMISSION EXPIRES JULY 16, 2021~~

22 October 2019

Alan Nix  
1401 Densmore Circle  
Mt. Pleasant, SC 29466

Judge Murpy  
5200 East Jim Bilton Blvd.  
St. George, SC 29477

RE: Charleston County / Charleston County Clerk of Court use of your already problematic order  
ORDER ENJOINING PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE  
PLAINTIFF, case 2018-CP-10-03315

Judge Murphy,

Based on the letter you should have received 14 October 2019 related to the subject order, asking you and Mr. Wilson to timely fix that situation prior to it causing improper issues for me to respond to your orders stamped by the Charleston County Clerk of Court on 27 September 2019, along with the copy of the Rule 59 motion that you should have received either 18 or 21 October related to this order, as well as the others of yours for case 2018-CP-10-03315, I feel relatively confident you are aware of the many issues related to this situation, including but not limited to, more than a few inaccurate and/or misrepresentative apparent facts including in those orders.

However, this letter is meant to ensure you are aware of how Charleston County / the Charleston County Clerk of Court is leveraging your order as of at least yesterday, 21 October 2019. I went to the Charleston County Courthouse yesterday afternoon to file a motion in case 2019-CP-10-00067, the same case the I filed a motion to set aside your order related to the Kevin Mims motion to quash on 7 October 2019, and was told by Mr. Robert Duncan, apparently acting on behalf of and with full knowledge of Ms. Armstrong, that the Charleston County Clerk of Court would not file anything related to anything that might be apparently related to anything at all as potentially referenced in case 2018-CP-10-03315. Despite me asking him like three different times to just write down, date and sign his / Ms. Armstrong's policy and logic for that extremely broad usage, he completely refused to do so. I'm fairly sure based on his comments, Charleston County, Ms. Armstrong, etc. are totally enthralled with leveraging your (or Mr. Wilson's) portion of the last sentence that reads in part "related to the matters set fourth in Civil Action No. 18-CP-10-03315". I did manage to get Mr. Duncan to state that essentially any that loosely references the word "Churchill", (I'm now thinking either directly or indirectly) would be DENIED! He also stated to that end, that other than for a medical thing that I filed, everything else was persona non grada. (The power of big money and shared risk of prosecution right!)

Now, to be honest, if I were in Ms. Armstrong or Charleston County or William Sloan or "Churchill Park" or Churchill Park at Park West Association, Inc. or Churchill Park at Parkwest or Park West Master Association Inc. or the Tomlin brothers or Landtech or Park West Amenity Association Inc., or McCabe Trotter & Beverly or Roger, Townsend & Thomas or Kevin Mims or Randall Stoney or Todd Musheff or Southern Community Services or Judge Turner or Judge Scarborough or Judge Young or Charleston Legal Access or the Town of Mt. Pleasant or the Charleston County Sherriff's office or etc. (I could go on for a very long time, but I bet you get the picture) that is exactly how I would want the Charleston County Clerk of Court to interpret it too. And, to be honest one more time, I'm pretty darn sure that is exactly how Mr. Wilson wanted it worded and interpreted, since it is obviously much easier to defend a corrupt judge in a case that doesn't exist because of such language than defend a corrupt judge in a case that does exist. BUT, since you signed it Judge Murphy, it is YOUR order.

With that as some background, please respond to all and confirm the way Ms. Armstrong and Charleston County are leveraging your order is the way you actually intended it to be used, OR, if not, clarify how you did intend for it to be used.

And while you are thinking about this before you finally decide again, you should know a few things. (not meant to be an inclusive list, just some of the important things right off the top of my head)

1. I'm essentially bankrupt from fighting this fraud for more than six years, which has obviously now turned into a very large public corruption case to keep the Tomlin brothers and all of their companies and associates and associate's companies, etc out of major civil and criminal legal problems.
2. Mr. Tomlin appears to be a pretty staunch financial supporter of Mr. Wilson.
3. Governor McMaster just appointed him to another commission overseeing lots of taxpayer funds..
4. Governor McMaster's brother used to be Mr. Tomlin's attorney.
5. There are a number of Federal crimes involved in these matters.
6. Given all of the issues with your orders and conduct of the hearing, it is possible this order could be construed to be another act of obstruction of justice, etc.
7. Given I'm essentially bankrupt from fighting this fraud for more than six years, my house is likely to get foreclosed on by First Federal of Charleston Savings and Loan Association, nka this, previously dba as that, etc., in the near future. If this order is continued to be leveraged like it currently is, then bringing that foreclosure case in Charleston County is going to be extremely weird.
8. And the same goes for Navy Federal Credit Union as is stated in number 7 above.
9. And McCabe Trotter & Beverly is over two years late from filing more liens and foreclosure cases against my family's home in the names of Park West Master Association, Inc and Park West Amenity Association, Inc.
10. And, the case I'm trying to intervene in on behalf of the taxpayers of Mount Pleasant, Park West Development v. the Town of Mt. Pleasant, is in the Public Interest.
11. And, Judge Scarborough has clearly broken a number of laws related to these cases, starting with the obviously fraudulent 40(j) order of 23 March 2016 in case 2014-CP-10-05407.
12. And, if I appeal your orders, that is going to get even more crazy because I'm certain the SC Court of Appeals has committed crimes because of their conduct in covering up Judge Scarborough's crimes during 2018 and most of 2019.
13. And, Mr. Duncan, once again pretty sure acting on behalf of Ms. Armstrong and with her knowledge, has previously utilized similar broad language inappropriately. For instance, in December 2017, he used similar broad language out of an Order of Reference Ms.

Armstrong signed November 2014 for case 2014-CP-10-05407, (a Rogers, Townsend and Thomas form Order of Reference), to apparently justify also referring case 2017-CP-10-04031 to Judge Scarborough without needing another order of reference, even though that case was clearly not in default nor did the parties consent to the transfer.

So, I guess what I'm getting to is that signing an order like this is like giving crack cocaine to the SC BAR association, Charleston County, Landtech, the SC Attorney General, the Town of Mt. Pleasant, etc. They desperately needed a "fix" like this.... but I doubt a remotely responsible doctor (trying to continue the analogy) would have ever considered this type of "solution" to their problem as appropriate and ethical.

I just wanted to make sure you were totally aware of the dark waters you are swimming in with this order and stuff. Hopefully you and Mr. Wilson can figure this out real quick. Please lets us know soonest.

Best regards,



Alan Nix

Ps. About footnote 1, I'm pretty sure you have a transcript filed in your courthouse from January of this year that pretty much confirms the allegations I made about Trotter and crew. I'm surprised you didn't remember that tidbit when you were drafting or signing or whatever this questionable order. Hopefully you have reported that illegal conduct to the appropriate authorities already.

cc.

Luke Rankin  
Chairman, SC Senate Judiciary Committee  
101 Gressette Bldg.  
Columbia, SC 29201

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Tonnya Kohn  
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1220 Senate St.  
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4 November 2019

Alan Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466

Julie Armstrong  
Clerk of Court, Charleston County  
100 Broad St.  
Charleston, SC 29201

RE: 2019-CP-10-00067 motion for Orders filed 17 October 2019

Ms. Armstrong.

Enclosed is:

1. check number 899 in the amount of \$25.00
2. motion related to the three orders with a file date of 17 October 2019
3. certificate of service for the motion

I received the letter from your office on 29 October 2019.

I was going to come down there and file it in person today, but, since I have yet to receive a response from you or Mr. Wilson or Judge Murphy or anyone else related to her infamous order titled "ORDER ENJOINING THE PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF", and the fact that I was hassled by the Charleston County Sherriff's office on 29 August 2018 at Judge Scarborough's, and Mr. Duncan threatened me with the same on 21 October 2019 when he declared that because of Judge Murphy's "ORDER ENJOINING THE PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF" I couldn't file anything with your office, I'm just mailing this motion so I don't get arrested or something. Since I'm now largely destitute, I almost certainly couldn't afford bail or an attorney, and once again, I couldn't represent myself either because of Judge Murphy's infamous "ORDER ENJOINING THE PLAINTIFF FROM RE-FILING THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF". So, I'm fairly confident you won't properly file this motion either but you should definitely retain all of it properly because who knows what will happen next with this big ole cauldron of public corruption.

Additionally, I wanted to make sure you know that:

1. I still haven't received the five or six notices for a motion hearing Trotter emailed about on 25 April 2019. Could you please send those to me?
2. I still haven't received a notice for motion hearings for the 60(b) motions filed for 2017-CP-10-04031 on 9 November 2018 and 2014-CP-10-05407 on 13 November 2018. (almost a one year anniversary)
3. Also, these motions incorporate the letters sent on 2 Oct 2019 and 3 Oct 2019 related to Mr. Robert's / Andy's and Thames proposed orders. Please ensure they are posted to the file and website so they are properly in the record for appeal. A copy was sent to you too.
4. Since it looks like this case ended on 17 Oct 2019, how was it possible to have a hearing scheduled for 29 Oct 2019? And since that is like 12 days between those two dates, shouldn't you have sent some type of notification out about that hearing?
5. Please respond and state how you received Judge Murphy's order related to Mim's motion to quash. Eg. Was it mailed to you? If so, what was the date mailed, date received, mailed from where, etc.

Best regards,



Alan Nix

cc.

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08 November 2019

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Judge Murphy  
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St. George, SC 29477

Alan Wilson  
SC Attorney General  
1000 Assembly St.  
Columbia, SC 29201

RE: Notification to preserve evidence

Judge Murphy / Mr. Wilson

First, by the time you receive this letter you should have received notification of the appeal filed in case 2018-CP-10-03315. Second, you will note that one of the orders appealed is your order titled "ORDER ENJOINING THE PLAINTIFF FROM RE-FILE THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF". As you were aware at the time that order was drafted, at the time that order was signed and at the time that order was filed, that order / proposed order contained several easily determined inaccurate statements that you clearly improperly utilized to make your case why sanctions, and a very specific type of sanctions, against me were apparently warranted.

This letter is intended to put all copied on notice that due to that action, counter action(s) will be taken against all parties involved with that case and order, as well as any other related case. Hence, all relevant evidence, including all relevant documents, should obviously be properly retained in anticipation of those actions. Likewise, given several violations of Federal law are involved, any evidence that is tampered with or not properly retained, would obviously constitute other violations of Federal law. Since there have already been actions of this nature taken, it seems like I should remind everyone of that, even though most of you are attorneys and should know better.

Judge Murphy, in your order titled "ORDER ENJOINING THE PLAINTIFF FROM RE-FILE THIS MATTER AND IMPOSING SANCTIONS UPON THE PLAINTIFF", you comment several times about my "numerous complaints about Defendant Churchill Park's business practices". For instance, "*In response to instituting foreclosure proceedings against him, Plaintiff filed numerous complaints with city, county and state offices complaining of Defendant Churchill Park's business practices. Further, Plaintiff sent numerous requests to state agencies for the registration and financial information of Defendant Churchill Park*". You will note in my Rule 59 motion, I asked you to clarify with specificity those numerous state agencies, city, county and state offices. Given the overall situation involved here, it would be most appreciated, and dare we say proper, if you could go ahead and provide the complete list of state agencies, city, county and state offices you cited, as well as a comprehensive list of the numerous complaints you cited. A simple date, clarification of the complaint or request and name of the state

agency or city, county and state office will be sufficient for the time being. Maybe just file that with the Charleston County Clerk of Court to keep it simple.

Also, related to footnote number one on page two of your order, have you:

1. Reviewed again the "Assignment of Lien and Foreclosure Rights" document filed with the Charleston County ROD on 29 April 2013 at book 0326, page 993?
  - a. If so, do you believe that 16 April 2013 is the same date as 24 April 2013?
  - b. If you don't believe that 16 April 2013 is the same date as 24 April 2013, have you reported any potential criminal conduct to one or more law enforcement authorities?
  - c. If you have, could you please provide the law enforcement authority name(s) and police report number(s)?
2. Have you reviewed the transcript dated 15 January 2019 for case 2016-CP-18-01001 filed in your own courthouse yet?
  - a. If so, did you find any possible evidence of criminal conduct included in that transcript?
  - b. If so, did you inquire of Mr. Wood and Mr. Countryman what actions they have taken in the last almost ten months to appropriately report and deal with those situations?
  - c. If you did inquire of Mr. Wood and Mr. Countryman, and they didn't report they had reported the potential criminal conduct, did you take any action to report the potential criminal conduct and/or any other potential ethical issues?
  - d. If so, could you reply with whatever information you believe you can reply with, at least the name of the law enforcement authorities and police report number(s).

Thank you for everyone's time and attention to these situations. Hopefully 2020 will be a lot more ethical, just, proper and productive for the other 97% of South Carolina citizens.

Best regards,



Alan Nix

PS.

Mr. Lesemann. Can you please get your client Mr. Steelman to finally file that "Assignment of Foreclosure Rights" dated 14 Sept 2017? Surely he or one of his associates could have found the time in the last 782 days to get that thing filed? Like for instance, 7 January 2019 at the latest?

Mr. Dawson, since I still haven't received a notification for a 60(b) hearing for case 2014-CP-10-05407 or 2017-CP-10-04031, now a year since filing, is it safe to construe that as an admission of guilt by Scarborough, Charleston County, Duke-Beck, etc.? If not, please make sure y'all readvertise my family's home for the December 2019 auction.

cc.

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101 Gressette Bldg.  
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Peter McCoy  
Chairman, SC House Judiciary Committee  
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Nicole Comer  
South State Bank  
PO Box 1030  
Columbia, SC 29202

**RECEIVED**

SEP 16 2020

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

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

**The Honorable Deadra Jefferson  
And  
The Honorable Maite Murphy**

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**Case No. 2018-CP-10-00067**

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**Alan G. Nix, Norma J. Nix, and the Estate of Norma J. Nix**

**Appellants,**

**v.**

**Churchill Park, Churchill Park HOA, Churchill Park Homeowners' Association, Inc., Churchill at Park West Association Inc., Churchill Property Owners Association, Churchill Park Property Owners Association, Churchill Park at Parkwest, Inc., Churchill Park at Park West Association Inc., Churchill Park @ Park West Association, Inc., Southern Community Services, LLC, Park West Development Corp., LPPM, Inc., McCabe, Trotter & Beverly, PC, Dobson Builders, Stephanie Trotter, Ryan McCabe, Jamie McSweeney, Larry Riddlehoover, Mike Hurd, Sheri Cothran, David Brown, Catherine Brown, Stephen Sumner, Richard Riccoboni, Rick Cumberland, Park West Master Association, Inc., Park West Amenity Association, Inc., C. Richard Dobson Builders, Inc., D.R. Horton, Inc., Brian Gardner, Venture Management of South Carolina, Inc., Dodds & Hennessey LLP, Kim Atkeson, Jennifer Williamson, Jessica Turner, Kevin Steelman, Landtech Development LLC., Landtech Incorporated of South Carolina, Land Tech Charleston LLC., Rogers Townsend & Thomas PC, Henry Munn, Charleston County (Christine Smith), Judge Mikell Scarborough, Sandlapper Reporting, LLC, William H. Sloan, Sloan Law Firm, Individual Agents, Assigns, Attorneys, Accountants, Employees, Officers, Directors, Independent Contractors, Investors, Successors Predecessors, Insurers, Representatives, Parents, Sister and Affiliated entities, Partners, Members of all Persona who might be liable**

**Respondents.**

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**Appellate Case Number 2019-001951**

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**PROOF OF SERVICE**  
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The undersigned certifies that a copy of the Initial Brief and Designation of Matter 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 14<sup>th</sup> day of September 2020 to:

Judge Murphy  
5200 East Jim Bilton Blvd.  
St. George, SC 29477

Kevin Mims  
Lurizaga Mims  
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Charleston, SC 29403

Judge Jefferson  
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Julie Armstrong  
Clerk of Court, Charleston County.  
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Troy Thames  
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Chase McNair  
Lurizaga Mims  
50 Immigration St.  
Charleston, SC 29403

Dated: September 13, 2020

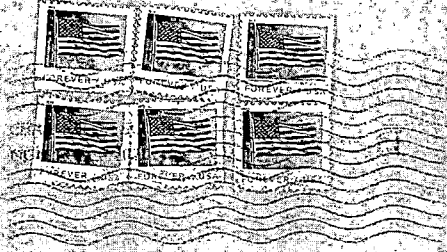
Respectfully submitted,

By:  \_\_\_\_\_

Alan G. Nix  
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(843) 991.4170



1401 Danmore Circle  
Mount Pleasant, SC 29466



**RECEIVED**

SEP 16 2020

SC Court of Appeals

S.C. COURT OF APPEALS  
ATTN: CLERK OF COURT  
1220 SENATE ST.  
COLUMBIA, SC 29201

