

THE STATE OF SOUTH CAROLINA

COUNTY OF CLARENDON

IN THE COURT OF COMMON PLEAS  
3RD JUDICIAL CIRCUIT

Elain S. Bellnier, )  
David M. Bellnier, )  
Denise A. Filios aka: )  
Denise A. Terry. )

Plaintiff, )

vs. )

Justin Smalls )  
Defendant. )

Case No.: 2020-CP-14-0009

MOTION FOR CONTINUE

**RECEIVED**  
OCT 05 2020  
SC Court of Appeals

**STATEMENT IN SUPPORT OF MOTION TO CONTINUE**

I, Justin Smalls, who comes now in good faith and in honor, to move this court to continue the hearing set for October 6<sup>th</sup> 2020, to a date no later than 60 days from the date of the hearing so that I, Justin Smalls, may be availed and informed of the nature and cause of these proceedings.

Let the court take mandatory notice that this notice of hearing received on the 29<sup>th</sup> of September 2020, comes to me as a surprise and does not provide me, Justin Smalls, with the adequate opportunity to be informed of the nature and cause of these proceedings set so that I, Justin Smalls, can properly prepare a substantial defense to preserve my right to appeal in the superior court in case the court fails to provide me with the equitable relief sought and does justice by halves and not by wholes. Equity does not allow a wrong to be done without a remedy.

Furthermore, I, Justin Smalls, am disabled in the rules of at law and when there is a conflict of various between the rules of at law or the rule of equity, equity shall prevail, in which my rights are held and seen.

**PRAYER FOR RELIEF**

I, Justin Smalls, now require this court to grant to me the inherited right to move this court to allow this hearing to be continued atleast 60 days from the 6<sup>th</sup> of October 2:00 p.m. so that I may prepare a proper defense.

02nd Oct 2020

Date

Govern yourselves accordingly.

Drafted by: Justin Smalls

Justin Smalls, pro se.

STATE OF SOUTH CAROLINA COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

APPEAL FROM MANNING COUNTY

Common Pleas Court

Joseph Kay Koffee, Presiding Judge

Case No. 2020-CP-14-00002

Appellants Case No. 2020-001250

Elain S. Bellnier,  
David M. Bellnier,  
Denise A. Filios  
aka: Denise A.  
Terry,

Respondent(s),

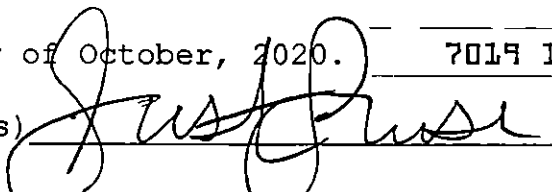
v.

PROOF OF SERVICE

Justin Smalls, Appellant.

This proof of service is to Respondent's attorney- at the JOHNSON DuRANT NESTER, LLC this 'Motion of Informa Pauperis and Affidavit in Support of Idigency' and 'Motion for Continue' the lower courts hearing set for 6<sup>th</sup> of October at 02:00 p.m.. I, Justin Smalls in the above named case, hereby give this notice by way of United States Postal delivered to 411 North Brooks St. Manning, South Carolina 29102 this 2<sup>nd</sup> day of October, 2020.

7014 1120 0001 5046 8009

(s) 

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OCT 05 2020  
SC Court of Appeals

Justin Smalls  
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Manning SC 29102



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