

93916

RECEIVED

FEB 26 2021

SC Court of Appeals

FORM 1

NOTICE OF APPEAL IN A CIVIL CASE

The State of South Carolina
In The Court of Appeals
In The Supreme Court
In The Appellate Court

RECEIVED

MAR 15 2021

SC Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas
Michael M. Jordan, Master In Equity

Case No. 2015-CP-43-1981

Edward Mays and Corrine Mays,

Respondent,

v.

Irene L. Myers,

Appellant.

2021 MAR 12 PM 4:35
JAMES C. CAMPBELL
CLERK OF COURT
SUMTER COUNTY, S.C.

RECORDED

NOTICE OF APPEAL

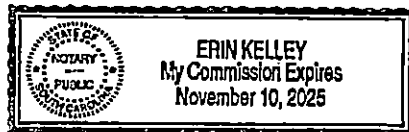
Irene L. Myers Appeals the order [judgment] of the Honorable Michael M. Jordan, dated January 27, 2021 granting Plaintiffs' adverse possession claim. Appellant received copy of the electronically filed Order on January 30, 2021. Secondly, Irene L. Myers Appeals the Order [judgment] of the Honorable M. Jordan, dated January 27, 2021 granting Plaintiffs motion for restraining order, denying defendant's post trial motions, and establishing sustaining grounds for the Court's decision on the merits. Appellant received a copy of the electronically filed order on January 30, 2021.

Defendant's appeal will be based on, but not limited to, the following:

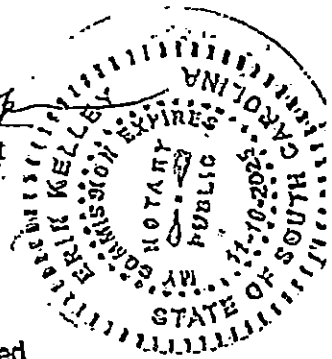
1. The Court, Master In Equity, did not apply the applicable law within this case, in that, South Carolina's "Mistaken Belief Rule" as applicable to boundary disputes between two adjoining land owners was ignored and the matter was treated as an ordinary variety adverse possession claim.

2. The Court's, Master In Equity's, Order was not supported by the facts within this case, and Court failed to consider and explore evidence and facts relating to Respondent's mistaken belief regarding the location of boundary lines.
3. The Master In Equity failed to explore the issue of family relation and whether it may have impacted on Appellant's belief that the Respondent was protecting Appellant's property rights as a family member, an issue and evidence that would have negated Respondent's adverse possession claims.
4. The Court, Master In Equity, failed to apply the applicable standard of law and incorrectly awarded unfenced, unenclosed, and wooded portions of defendant's property.
5. The Court, Master In Equity, lacked jurisdiction of this outstanding five year case, which should have been returned to the Court of Common Plea.
6. The Court never addressed or delved into any of Appellant's pretrial and post trial motions and the record is unclear as to the Court's failure.
7. The Court's, Master In Equity's, Decision and Order relating to a restraining Order was not supported by either the law or facts within this case and failed to consider plaintiffs' bad acts and whether Plaintiffs' request for a restraining order was part of a larger scheme to defraud the Defendant of her property.

Dated: February 26, 2021



Irene L. Myers
 Irene L. Myers, Appellant
 3150 Spencer Road
 Rembert, S.C. 29128
 803-757-5155



Other Counsel of Record:
 Patrick M. Killen
 1 Law Range, Suite B
 Sumter, S.C. 29150
 803-774-5026

Erin Kelley
 Erin Kelley

Sworn to and subscribed
 before me this 26 day of
February, 2021

STATE OF SOUTH CAROLINA)
COUNTY OF Sumter)

IN THE COURT OF COMMON PLEAS
JUDICIAL CIRCUIT

CERTIFICATE OF SERVICE

Edward Mays and Corine Mays
Plaintiff,)

vs.)

Irene L. Myers
Defendant.)

Case No.: 2015 CP-43-1981

I certify that on this date, I served a copy of Notice of Appeal with
copies of orders appealed from in this action, dated
February 26, 2021, on Patrick M. Killen by

- Delivering it to him/her personally;
- Mailing it to him/her, at his/her last known address, by depositing it in the U.S.

Mail, in an envelope with sufficient postage affixed, addressed as follows:

Patrick M. Killen, / Law Range
Sumter SC 29150 ;

Delivering it by commercial delivery service in accordance with Rule 4(d)(9),
SCRCP, addressed as follows:

RECEIVED

FEB 26 2021

SC Court of Appeals

Other:

Notary Public

(See Rule 5(b)(1), SCRCP)



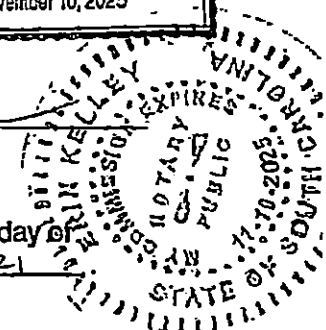
Date

Erin Kelley
Signature

Sworn to and subscribed
before me this 26 day of
February, 2021

SCCA 255 (05/2013)

Erin Kelley



STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF SUMTER

Case No.: 2015-CP-43-1981

Edward Mays and Corrine Mays,
Plaintiff,

ORDER
RECEIVED
FEB 26 2021
SC Court of Appeals

v.
Irene L. Myers,
Defendant.

HEARING DATE:	January 8, 2020
PRESIDING JUDGE:	Michael M. Jordan
ATTORNEY FOR PLAINTIFFS:	Patrick M. Killen, Esq.
ATTORNEY FOR DEFENDANT:	<u>Pro Se</u>
COURT REPORTER:	Kathleen Owens-Hays

This matter came before me regularly for trial in Sumter County on January 8, 2020. The Plaintiffs, Edward and Corine Mays, were present and represented by Patrick M. Killen of the Sumter County Bar. The Defendant, Irene Myers, was not present, and has, to date, represented herself in this matter.

PROCEDURAL HISTORY

On August 21, 2015, Plaintiff filed the Summons and Complaint with the Sumter County Court of Common Pleas. Service of the Summons and Complaint on the Defendant was made August 25, 2015 by U.S. First Class mail, certified, return-receipt, restricted Delivery and the Certificate of Service was filed with the Court on September 10, 2015. Defendant filed an Answer on September 18, 2015.

On December 16, 2015, Defendant filed a Notice to Amend Answer, Motion to Dismiss and Notice for Summary Judgment. Plaintiffs filed their response to Defendant's Motions on January 8, 2016.

On October 17, 2016, Plaintiffs filed a Motion to Refer to Master-in-Equity and the Defendant filed a Motion for Summary Judgment (on November 7, 2016) in response. On November 18, 2016, Plaintiffs filed a Memorandum to Support Reference to Master-in-Equity ("Master"). The Plaintiffs filed their affidavit on November 23, 2016 in advance of the hearing on November 28, 2016 which was held to determine the issues in the Plaintiffs Motion for Reference to Master and Defendant's Motion for Summary Judgment. The Presiding Circuit Judge, the Honorable G. Thomas Cooper, Jr. ruled that equitable actions are properly and typically tried before the Master and granted Plaintiffs' Motion for Reference. On Defendant's Motion for Summary Judgment, Judge Cooper determined that disputed issues of fact regarding Defendant's claim existed and denied said Motion.

On April 12, 2017, Plaintiffs filed a Motion to Amend Pleadings. Plaintiffs further filed a Motion for Restraining Order to enjoin Defendant from harassing Plaintiffs on May 30, 2017. On June 19, 2017, Defendant filed a Motion for Summary Judgment and Dismissal with Prejudice along with a Motion opposing Plaintiffs' Motion to Amend Pleadings. Hearing for Plaintiffs' Motions to Amend Pleadings and Restraining Order was held June 27, 2017. The Honorable Richard L. Booth, then the Sumter County Master, denied Plaintiffs' Motion to Amend Pleadings and Motion for Restraining Order. Judge Booth, however, instructed that Plaintiffs could move to amend their Complaint at trial to conform with evidence presented and that the Court would, at the appropriate

time, liberally consider the motion. The Court did not hear issues related to Defendant's Motions as the requisite time had not passed for a hearing (based on the date of filing). Defendant thereafter did not set a hearing date with the Masters' office to hear the motion.

On August 17, 2017, Defendant filed a Motion for Summary Judgment and Dismissal with Prejudice which was scheduled to be heard on November 30, 2017. Plaintiffs' filed a Motion for Continuance based on the Plaintiffs being out of town and Defendant not contacting Plaintiffs to schedule said hearing. An Order continuing this matter was entered by Judge Booth on November 21, 2017. Again, Defendant thereafter did not set a hearing date with the Master's office hear the Motion.

Due to inactivity with regard to this matter, the Honorable Howard P. King, acting Sumter County Master-in-Equity, dismissed this action on October 1, 2018. Plaintiffs, in response, filed a Motion to Reconsider and Restore On October 5, 2018. A hearing to restore the case was held on October 2, 2019. Defendant was provided due and proper notice of said hearing but did not attend. The undersigned restored this matter to the active docket by Order dated October 29, 2019.

A trial was scheduled for January 8, 2020. Notice of said trial was served upon Defendant by first class mail on November 14, 2019 at the address Defendant had on file with the Court. Plaintiff e-filed an Affidavit of Service which serves to demonstrate that Plaintiffs served the requisite hearing notice. On November 20, 2019, subsequent to Plaintiffs mailing the Hearing Notice for the final hearing, Defendant filed a change of address with the Court. The Plaintiffs demonstrated to the satisfaction of the Court that

the Defendant received due, proper and timely notice of the January 8, 2020 trial. Despite said notice, the Defendant did not appear on January 8, 2020.

FACTS AND CONCLUSIONS

Based on testimony and evidence presented I find and conclude the following:

The Plaintiffs purchased a 5.25-acre parcel of land at 3160 Spencer Rd, TMN: 138-00-03-044 from Mark Myers, the Defendant's brother, in May, 1993. The deed for said transfer is recorded in the Sumter County ROD at Book 572 at Page 469. At the time of purchase, Mr. Myers advised Ms. Mays that the property line extended from the "mailbox straight back." Ms. Mays reasonably took this to mean in a perpendicular direction from the road and to the rear boundary.

Adjoining this property to the northeast was another 5.25-acre parcel owned by Defendant. This property is addressed 3150 Spencer Road. According to Ms. Mays, Mr. Meyers and Ms. Meyers were given this land through family members. Ms. Mays also owns an additional 8.36-acre parcel of land in the area to the east, but said parcel does not adjoin the property at issue herein.

The Mays' deed references a survey as the basis for the legal description. The survey was prepared by H.S. Wilson RLS in May 1993 and is recorded in the Sumter County ROD at Plat Book PB93 at Page 816. This survey depicts both the Mays' property and Ms. Myers' property as tracts 3B (3160 Spencer Rd.) and 3A (3150 Spencer Rd.), respectively. The survey reflects that the property was being subdivided and transferred to Ms. Meyers and Mr. Meyers. The subdivision and survey were completed around the same time as the Mays' purchase from Mr. Myers.

Following the purchase of tract 3B in 1993, the Mays took possession of same

and removed brush trees, cut grass, pulled weeds and generally maintained the property. The Mays' activities on the property were never protested as being beyond the property boundary line. Viewing the aerial photo entered into evidence by the Mays, a majority of the land for both tract 3B and 3A appears to be treed with an opening in the middle between the two tracts.

In 2000, the Mays purchased a mobile home and placed same on the property. This home was used as a residence by the Mays and has been expanded through addition and improved upon over time.

Sometime in 2014, more than 21 years after they purchased the land, the Mays' first learned that there was a problem regarding the home which they occupied and the property boundary separating tracts 3B and 3A. An aerial photograph and tax map overlay admitted into evidence demonstrated the encroachment by the Mays' mobile home onto tract 3A.

Thereafter, in the same year, the Mays contacted Mr. Myers about the issue as they had no contact information for Irene Myers. The Mays inquired of Mr. Myers about possibly purchasing tract 3A, or some portion of same, to resolve the apparent encroachment caused by the placement of their mobile home. According to the testimony, no response was ever received to the Mays' offer to purchase any of the property from Ms. Myers.

On June 11, 2014, the Mays had Black River Land Surveying examine their tract and determine boundaries and property lines and to identify any potential encroachment issues. This survey confirmed the encroachment by the mobile home. Testimony established that there was a driveway situated upon tract 3A that allowed access to 3B,

thereby providing an easement. This driveway was open and utilized by the Mays from 1993 until 2015, when the Defendant closed same by physically blocking it and erecting signs.

The testimony also established that conduct and actions on the part of Ms. Myers and her family member caused concern by the Mays. Examples of same are: placing a doll's head on a mound of black dirt; making orange paint lines in the grass; and erecting a rudimentary tent and log structure. These activities were documented in photographs admitted into evidence. This conduct by Ms. Myers made the Mays uneasy to the point that they contacted law enforcement on several occasions to document the behavior.

Testimony further established that Plaintiffs would not be able to relocate their mobile home without significant cost, expense and potential damage to the mobile home. Plaintiffs wished to either swap compensatory land with Defendant or compensate her for the fair market value for any portion of property lost or removed from tract 3A and added to 3B.

Based on the evidence presented, I find that the Plaintiffs have established both clearly and convincingly that they have had continuous, hostile, open, actual, notorious and exclusive possession of a portion of the property of Tract 3A for at least 10 years. Jones vs. Leagan, 681 S.E.2d 6 (Ct. App. 2009). A claim of adverse possession is an action at law and the character of the possession is a question for the fact finder. Miller vs. Leaird, 413 S.E.2d 841 (1992).

Further, I find that the Plaintiffs have demonstrated actual possession of the property by placement of the mobile home and activities occurring in and around same.

I find that these activities were open and notorious and would be visible to an adjoining landowner exercising ordinary diligence in ownership of his/her property. Plaintiffs' possession and occupancy of property was not only open and notorious, it was also continuous for the requisite 10-year period. I find that Plaintiffs' occupancy and possession was also exclusive and hostile to the rights of the Defendant. In summary, the Court concludes that the Plaintiffs' have adversely possessed that portion of the Defendant's property on which their, the Plaintiffs' home is situated,

To effect this order, and to determine the extent and boundaries of Plaintiffs' adverse possession, I direct the Plaintiffs to secure a survey from Black River Land Surveying, or other registered or professional land surveyor, depicting a new boundary line between tracts 3A and 3B, beginning at Spencer Road located at the mailbox and traveling in a southeastern direction, as parallel to existing property lines as possible, going past the plaintiffs' mobile home to the extent of the clearing in the trees and then making a right angle turn inside the tree line to the southwest and continuing until intersecting with the existing property line. This new line should be consistent with the opening in the trees and grassed area which was cut and maintained by the Mays' over the years.

Further, the amount of property removed from tract 3A shall be calculated and determined. The value of same will be agreed upon based upon the per acre value of property in the area, or if not agreed upon, established using a licensed real estate appraiser, if necessary. Plaintiffs will then compensate the Defendant for that value, or if the parties can agree on an in-kind exchange of property from tract 3B then no monetary compensation will have to occur. The law does not require compensation to

be paid in this fashion for adverse possession, however, the Plaintiffs have offered same and I find it appropriate to balance the equities in this matter.

If the Plaintiffs have, prior to the issuance of this Order, secured the aforementioned survey and appraisal, documentation reflecting same shall be submitted to the office of the undersigned immediately and, upon review of the Court, shall be incorporated herein and made a part of the Order.

IT IS SO ORDERED!

Michael M. Jordan
Master-in-Equity, Sumter County

Sumter, South Carolina
January ____, 2021



Sumter Common Pleas

Case Caption: Edward Mays , plaintiff, et al VS Irene L Myers
Case Number: 2015CP4301981
Type: Master/Order/Other

And It Is So Ordered

S/ Michael M. Jordan - 3085

STATE OF SOUTH CAROLINA

COUNTY OF SUMTER

Edward Mays and Corrine Mays,

Plaintiffs,

vs.

Irene L. Myers,

FEB 26 2021

SC Court of Appeals

Defendant.

IN THE COURT OF COMMON PLEAS
THIRD JUDICIAL CIRCUIT
2015-CP-43-1981

**ORDER GRANTING PLAINTIFFS'
MOTION FOR RESTRAINING ORDER,
DENYING DEFENDANT'S POST-TRIAL
MOTIONS AND ESTABLISHING
SUSTAINING GROUNDS FOR THE
COURT'S DECISION ON THE MERITS**

MOTION FOR RESTRAINING ORDER

This matter came before me on Plaintiffs' Motion for Restraining Order filed on or about April 20, 2020 with the Sumter County Clerk of Court. A hearing in the matter was held on August 25, 2020 but was carried over to October 27, 2020, as the time allotted by the Court for August 25, 2020 expired. Present on both hearing dates were the Plaintiffs, their counsel, Patrick M. Killen of the Sumter County Bar, the Defendant, and the Defendant's son, Christopher Myers.

On the August 25, 2020 hearing date, the Plaintiffs testified at length into the reasons and grounds for the Motion for Restraining Order. The Plaintiffs testified to consistent adverse contact and harassment on the part of the Defendant and her son. On several occasions, Plaintiffs called law enforcement in response to what they described as harassing behavior by the Defendant and her son. They, the Plaintiffs, also testified regarding loud noises and smells coming and emanating from the adjacent property of the Defendant.

The Plaintiffs rested as to the Motion for Restraining Order upon the testimony of Co-Plaintiff Corine Mays. Thereafter, the Defendant testified at length in narrative form. It was after the Defendant testified at the August 25, 2020 hearing, that the court ran out

of time and indicated that the matter would be continued to the next available Master-In-Equity hearing date.

As stated *supra*, the continuation of the Motion for Restraining Order hearing was held on October 27, 2020 in Sumter. It was during that hearing that the Defendant presented her son, Christopher Myers, to provide direct testimony. During the testimony, Plaintiffs' counsel, Mr. Killen, made several objections, most of which were sustained by the Court. During Mr. Myers' direct testimony, mostly in response to the Court's sustaining of objections tendered by the Plaintiffs' counsel, the Defendant was argumentative and belligerent. The Court, in each case of inappropriate behavior on the part of the Defendant, instructed the Defendant on the reasons for calling her, the Defendant, down and/or instructed Defendant on proper direct examination. In response, the Defendant and/or her son became even more animated and belligerent. The Court, however, refrained from holding the Defendant or her son, Christopher Myers, in contempt.

After Christopher Myers' direct testimony, the Plaintiffs called Edward Mays in reply. Mr. Mays provided testimony in response to that of Ms. Myers and Christopher Myers. Ms. Myers, in response to the Plaintiffs' reply testimony, again seated Christopher Myers.

During Christopher Myers' reply testimony, the Defendant and he, Christopher Myers, again became belligerent in response to several of the Court's rulings on Plaintiffs' objections. Mr. Myers repeatedly acted out of order and the Court, in response, instructed Mr. Myers to leave the stand. At that point, Mr. Myers and Ms. Myers became extremely aggressive and made multiple inappropriate comments and ridiculed the Court. Suffice it to say, without citing each and every statement made by

the Myers, they, the comments, were inappropriate and warranted a finding of contempt by the Court. The Court, however, as stated *supra*, refrained, and simply ordered Ms. Myers and Mr. Myers to exit the courtroom and the courthouse. On their way out, the Myers' continued making inappropriate comments regarding the legitimacy of the Court and its rulings (the Court would note that a court reporter was present and transcribed, as best she could, the comments spoken and shouted out by Ms. Myers and her son.)

Based on the testimony presented by all parties on the two (2) hearing dates, I find that the Plaintiffs are entitled to a Restraining Order effective for twelve (12) months from the date of this Order. The Court further finds, based on testimony and the behavior exhibited by the Defendant and her son in the courtroom, that the Plaintiffs were victims of profanity and intimidation at the hands of Ms. Myers and her son. This ruling is made pursuant to the stalking and harassment statute found in Title 16 of the South Carolina Code of Laws. The Defendant, her friends, and family members are, therefore, restrained and enjoined from coming about, coming near, communicating with, directly or indirectly, harassing, speaking to, or shouting at, Plaintiffs. As stated *supra*, this Restraining Order is effective for twelve (12) months from the date affixed below.

SUSTAINING GROUNDS ON MERITS DECISION

As to the underlying case, the Court finds that, by balancing the equities, the value of the .21 acres subject to adverse possession (\$1,050.00 to be paid by the Plaintiffs to the Defendant) versus the cost of moving the Plaintiffs' mobile home and improvements, is a further, sustaining ground of granting the relief sought by the Plaintiffs.

The Court also finds as reasonable the appraisal value of the .21 acres, \$1,050.00, and same shall be, within thirty (30) days of the filing of this Order, paid by the Plaintiffs to the Defendant via certified funds. The Plaintiffs, however, shall be given credit for the costs of the court reporter for the August 25, 2020, and October 27, 2020 hearings, or \$275.00. Therefore, the amount owed to Defendant by Plaintiffs is \$775.00. The Plaintiffs shall mail said \$775.00 by first class mail to the Defendant at the following address said certified funds: Irene Myers, 3150 Spencer Road, Rembert, SC, 29128.

Further, the Court approves the plat of Lewis Tindal, dated April 13, 2020, which shall be recorded immediately. The Court reaffirms a ruling as set out in the Court's letter of March 26, 2020 and the proposed Order submitted by Plaintiffs' counsel (which will shortly be entered as the Court's Decree in this case) that the relief sought by the Plaintiffs is hereby granted.

DEFENDANT'S POST-TRIAL MOTIONS

Upon the issuance of my decision by letter on March 26, 2020 and the submission by Plaintiff's counsel of a Proposed Order (Plaintiff's counsel was instructed to prepare a Proposed Order consistent with my decision), the Defendant filed a packet which included, among other things, a "Motion to Determine Perjury and Fraud Upon the Court", a "Motion Pursuant to South Carolina Rules of Civil Procedure (SCRCP) (12)(b)(6)" and "Motion Pursuant to SCRCP Rule 56" (referred to collectively as "Post-Trial Motions). The Plaintiffs filed a Return to Defendant's Post-Trial Motions. In the Return, Plaintiffs pointed out that the Defendant had previously filed a motion pursuant to Rule 56 which was denied and the Rule (12)(b)(6) motion was untimely.

As to the "Motion to Determine Perjury and Fraud Upon the Court," the Court found no indication, upon a review of its notes and the procedural history of the matter,

that either the Plaintiffs, their attorney, Mr. Killen, or his staff, had committed fraud or perjury in any form, shape, or manner. Accordingly, the Defendant's Post-Trial Motions are all denied.

IT IS SO ORDERED!

Michael M. Jordan
Sumter County Master-In-Equity

Sumter, South Carolina
January____, 2021



Sumter Common Pleas

Case Caption: Edward Mays , plaintiff, et al VS Irene L Myers

Case Number: 2015CP4301981

Type: Master/Order/Other

And It Is So Ordered

S/ Michael M. Jordan - 3085

Electronically signed on 2021-01-26 17:42:23 page 6 of 6

Irene L. Myers
3150 Spencer Road
Remybert, S.C. 29128

RECEIVED
FEB 26 2021
SC Court of Appeals

South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

*Hand Delivered on 2/26/2021
by Christopher Myers



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

March 09, 2021

Irene L. Myers
3150 Spencer Road
Rembert SC 29128

Re: Edward Mays v. Irene L. Myers
Appellate Case No. 2021-000230

RECORDED
2021 MAR 12 PM 4: 34
JAMES C. CAMPBELL
CLERK OF COURT
SUMTER COUNTY, S.C.

Dear Ms. Myers:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

Edward Mays and Corrine Mays, Respondents,

v.

Irene L. Myers, Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,


CLERK

cc: Patrick McFadden Killen, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

March 09, 2021

Irene L. Myers
3150 Spencer Road
Rembert SC 29128

Re: Edward Mays v. Irene L. Myers
Appellate Case No. 2021-000230

JAMES C. CAMPBELL
CLERK OF COURT
SUMTER COUNTY, S.C.

2021 MAR 12 PM 4:34

RECORDED

Dear Ms. Myers:

Upon reviewing your notice of appeal, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- Please show proof of filing your notice of appeal with the clerk of the lower court as required by Rule 203(d)(1)(b) of the South Carolina Appellate Court Rules.

Very truly yours,

Catherine J. Fanning, deputy
CLERK

cc: Patrick McFadden Killen, Esquire

STATE OF SOUTH CAROLINA

COUNTY OF _____

Edward Mays and Corrine Mays
Respondent

vs.

Irene L. Myers
Appellant

The South Carolina Court of Appeals

RECEIVED

CERTIFICATE OF SERVICE MAR 15 2021

SC Court of Appeals

Case No.: 2021-000230

I certify that on this date, I served a copy of Notice of Appeal in this action, dated

February 26, 2021, on James C. Campbell, Clerk of Court by

- Delivering it to him/her personally;
- Mailing it to him/her, at his/her last known address, by depositing it in the U.S.

Mail, in an envelope with sufficient postage affixed, addressed as follows:

James C. Campbell, Clerk of Court of Common Pleas
215 North Harvin Street, Sumter, SC 29150 ;

- Delivering it by commercial delivery service in accordance with Rule 4(d)(9),

SCRCP, addressed as follows:

_____ ; or,

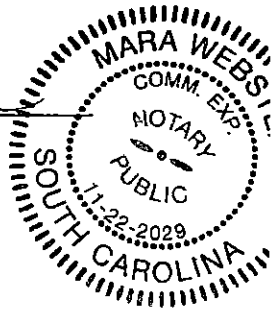
- Other:

State of South Carolina
 County of Sumter
 sworn to and subscribed before me on
 the 12 day of March, 2021
[Signature]
 Notary Public's Signature
 My Commission Expires 11-22-2021

(See Rule 5(b)(1), SCRCP)

March 12, 2021
Date

[Signature]
Signature



RECEIVED

MAR 15 2021

SC Court of Appeals

Irene Myers
3150 Spencer Road
Rembert, SC 29128

James C. Campbell, Clerk of Court
Court of Common Pleas
215 N. Harvin Street
Sumter, SC 29150

March, 11, 2019

Re: Edwards Mays v. Irene Myers, Appellate Case No. 2021-000230, CP 2015-43-1981

Dear Mr. Campbell:

Please find the attached copies of the following:

1. Copy of letter, dated March 9, 2021 from the South Carolina Court of Appeals accepting my case for adjudication (Appellate Case No. 2021-000230)
2. Copy of the South Carolina Court of Appeals letter, dated March 9, 2021 directing me to cure a deficiency; and
3. Copy of Notice of Appeal filing made to the lower Court Clerk, James C. Campbell, correcting such deficiency.

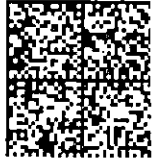
Wherefore, I thank you for your attention to this matter.

Sincerely,

Irene Myers

cc: Court of Appeals
Patrick Killen

P



U.S. POSTAGE
\$7.70
PM 1-DAY
29150 0006
Date of sale
03/12/21
06
11488086

PRIORITY MAIL 1-DAY®

EXPECTED DELIVERY DAY: 03/15/21

6.60 oz
0006

C076

SHIP TO: The South Carolina Court of Appeals
1220 SENATE ST
Columbia SC 29201-3769

USPS TRACKING®



9505 5066 2376 1071 2277 69

Don't know
150 Spencer Road
Clembert, SC 29128

RECEIVED

MAR 15 2021

SC Court of Appeals

The South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201