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Jul 28 2021

SC Court of Appeals

The South Carolina Court of Appeals

V. Claire Allen

South Beach Village Bluff Apartments Horizontal Property Regime No 56 Inc.
Respondent

v.

Zbigniew Marek Drzazgowski and Alicja Anna Drzazgowski

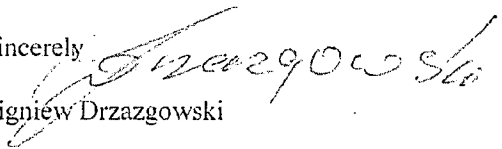
Of whom Zbigniew Marek Drzazgowski

Appellate Case No. 2019-001420

Regarding two letters dated July 22, 2021 and July 27, 2021 I would like have an explanation what is the position of the South Carolina Court of the Appeals. I still wait for the decision of the Appellant's Case No. 2019-001420. I expect that the decision will be base on the existing facts not on ton who makes interpretation of them. If we want to attain the same goal I would like request an extension of time for consideration and decision of the Appellate Case No. 2019-001420. To present the information on the rules which exist in South Carolina regarding **CERTIFICATE OF SERVICE** and delivery of it by commercial service Rule 4(d)(8) and (9) SCRCF which define the way this service has to be done and what kind of requirements have to be achieved to be accepted by Court (please see the attachment). I have never had a chance to defend myself because I never had the time of 30 days to address the complaints, find an attorney and travel to South Carolina from CT.

July 28, 2021

Sincerely


Zbigniew Drzazgowski

cc:

South Carolina Village.....
Honorable Marvin H. Dukes III

(d)(8) Service by Certified Mail. Service of a summons and complaint upon a defendant of any class referred to in paragraph (1) or (3) of this subdivision of this rule may be made by the plaintiff or by any person authorized to serve process pursuant to Rule 4(c), including a sheriff or his deputy, by registered or certified mail, return receipt requested and delivery restricted to the addressee. Service is effective upon the date of delivery as shown on the return receipt. Service pursuant to this paragraph shall not be the basis for the entry of a default or a judgment by default unless the record contains a return receipt showing the acceptance by the defendant. Any such default or judgment by default shall be set aside pursuant to Rule 55(c) or Rule 60(b) if the defendant demonstrates to the court that the return receipt was signed by an unauthorized person. If delivery of the process is refused or is returned undelivered, service shall be made as otherwise provided by these rules.

(d)(9) Service by Commercial Delivery Service. Service of a summons and complaint upon a defendant of any class referred to in paragraph (1) or (3) of this subdivision of this rule may be made by the plaintiff or by any person authorized to serve process pursuant to Rule 4(c) by a commercial delivery service which meets the requirements to be considered a designated delivery service in accordance with 26 U.S.C. § 7502(f)(2). Service is effective upon the date of delivery as shown in the delivery record of the commercial delivery service. Service pursuant to this paragraph shall not be the basis for the entry of a default or a judgment by default unless the record contains a delivery record showing the acceptance by the defendant which includes an original signature or electronic image of the signature of the person served. Any such default or judgment by default shall be set aside pursuant to Rule 55(c) or Rule 60(b) if the defendant demonstrates to the court that the delivery receipt was signed by an unauthorized person. If delivery of the process is refused or is returned undelivered, service shall be made as otherwise provided by these rules.

Note:

Rule 4(d)(7) conforms to the Federal Rule, and preserves State statutory requirements as to service on particular individuals or corporations, partnerships and unincorporated associations. **Rule 4(d)(8) is the new Federal Rule permitting service of summons and complaint by registered or certified mail.**