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JUL 28 2021

SC Court of Appeals

FORM 13

BRIEF OF APPELLANT

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM THE AIKEN COUNTY COURT OF COMMON PLEAS

Clifton Newman, Circuit Court Judge

Case No. 2017-CP-0200761

(INITIAL) BRIEF OF APPELLANT

PREPARED BY PLAINTIFF VALERIE MESCIA-DONNELLY

July 15,2021

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STATEMENT OF ISSUES ON APPEAL

1. DID THE LOWER COURT IN AIKEN COUNTY, SOUTH CAROLINA COURT OF COMMON PLEAS ERR IN FAILING TO PROPERLY PROVIDE FAIR DU PROCESS TO PLAINTIFF PRO SE?

Plaintiff, Valerie Mescia Donnelly, a senior 81 years of age as a Pro Se filed said case upon said Defendant's, James D Camp, Jr, James D Camp, III and Lawrence Saul Blumberg for the illegal theft of Plaintiff's late Mothers inheritance as stated in Plaintiff's late Mothers Will & Testament, The Estate of Olga Mescia under Case No. 2021-CP-0200761 Court of Common Pleas Aiken County, South Carolina (see exhibits) .Plaintiff complied fully with the Rules of Civil Procedures of South Carolina. Plaintiff due to an age of 81 years of age and on a low income filed Informa Pauperis to waive the filing fee of \$150.00 via a Notarized Signature for Informa pauperis (see exhibit) .Plaintiff complied fully with the Court and the Clerks office as to advise on the low income as a Senior 81 years of age. Plaintiff was subjected to a "10 day Deadline by Hon Clifton Newman and Clerk Robert Haute of "the case would be dismissed for lack of payment of the filing fee of \$150.00. Plaintiff explained by email and U.S. Mail, Plaintiff "did not have the \$150.00 filing fee and requested three times the Informa pauperis be Granted. Plaintiff's Case Denied after Plaintiff was Granted a case filing, docket number, signed Clerk summons to serve Defendant's. Plaintiff was denied Fair Due Process by Hon Clifton Newman from another Venue Court "whom is not on the Judicial Roster for the Aiken Court of Common Pleas". Because of this fact, Plaintiff "did not receive a Judicial Order of Dismissal, rather a "Clerks Order of Dismissal" because Hon. Clifton Newman is " not a Judge at the Aiken Court of Common Pleas".. Plaintiff is a "white female" pro Se that was discriminated against by Hon. Clifton Newman an "African America Judge". Plaintiff was subjected to undo emotional stress, pain & suffering with bias from the Lower Court in Aiken County, South Carolina.

2. DID THE LOWER COURT PROVIDE TO PLAINTIFF "FAIR DUE PROCESS" FOR A CIVIL CASE?.

No, Plaintiff, Valerie Mescia-Donnelly as a Plaintiff Pro Se a senior 81 years of age was "denied Fair Due Process" by initially "Granting" said Case Informa Pauperis as to allow Plaintiff to " Service the Summons upon all three Defendant's (see exhibit) via United States Postal Delivery. Plaintiff gave factual accounts of the "wrong doping" by all Defendant's by charging illegal fees to "wipe out the cash inheritance of \$102,500.00 as submitted. Plaintiff served all three Defendant's via the "Signed Clerk Summons (see exhibit), prior to said case being dismissed by a Clerks Order of Dismissal (see exhibit).

STATEMENTS OF THE CASE ISSUES

On April, 14, 2021, Plaintiff filed said Civil Action under the Rules of Civil procedures for The State of South Carolina in the Aiken County Court of Appeals, which was given Case No. 2021-CP-0200761 respectively. Please requested under Plaintiff's "Pray for Relief" said case proceed for the "wrong doing" caused by all Defendant's as referenced, which was fraud, illegal transactions, theft of inheritance, false statements, breach of duty , negligence and failure to disburse to "beneficiary heir Valerie Mescia-

Donnelly when all other heirs received their full allotment share from the Estate produced and disbursed by Defendant's as referenced. Plaintiff's accounts, statements gave true evidence of the illegal theft of monetary inheritance, willed assets and more. Plaintiff was "left hanging" after the Lower Court initially filed said case with the Case Docket Number as referenced which did not allow Plaintiff a senior aged 81 years the recovery of the stolen inheritances as referenced in this Appeal.

FACTUAL STATEMENTS

Under the penalty of perjury, Plaintiff made full factual statements, allegations, warrants as filed in this Lower Court because Plaintiff was "subjected to this wrongdoing since 2013, to present day 2021. Plaintiff's exhibits as filed to the Lower Court did prove the "wrongdoing" by all three Defendant's. Plaintiff has been due and overdue said monetary inheritance since May of 2014 by all three Defendant's . Plaintiff's case is factual and just.

ARGUMENT

Plaintiff being initially allowed to proceed on said Case under Case Docket No. 2021-CP-0200761, was allowed to serve the Summons & Complaint as signed by the Clerk Robert Harte, to be allowed to file exhibits then to thusly have the case dismissed by Hon Clifton Newman "whom is not a Justice at the Court of Common Pleas in Aiken County, South Carolina, rather another County, which violated Plaintiff's Fair Due Process as citizen of the State of South Carolina. Plaintiff's "Pray for Relief" clearly requested of the Lower court the ability to recover what was stolen by the Defendant's since 2014 which did not violate the Statue of Limitations for said recovery, (see exhibits).

CONCLUSION

For reasons stated with exhibits under Plaintiff's "Pray for Relief" this Court of Appeals should reverse said Clerks Order of Dismissal judgment from the Lower Court, Grant Plaintiff the right to Informa Pauperis filings, the right to Fair Due Process, to recover Plaintiff's stolen inheritance by all Defendant's as referenced in this Appeal.

July 15,2021

Respectfully submitted,



Valerie Mescia-Donnelly ,Plaintiff Pro Se

Po Box 931 Seneca, SC 29679

FORM 8

LETTER TO THE APPELLATE COURT CLERK
FILING OF NOTICE OF APPEAL

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JUL 28 2021

SC Court of Appeals

July 15, 2021

The Honorable Jenney Abbott Kitchings
Clerk, South Carolina Court of Appeals
Po Box 11629
Columbia, SC 29211

RE: VALERIE MESCIA-DONNELLY v. JAMES D CAMP, JR, JAMES D CAMP, III, LAWRENCE SAUL BLUMBERG
COURT OF COMMON PLEAS CASE NO. 2021-CP-0200761 AIKEN COUNTY SOUTH CAROLINA:

Dear Hon. Kitchings,

Enclosed, please find Plaintiff's Valerie Mescia-Donnelly, a senior aged 81 years of age Plaintiff's Notice of Appeal. Enclosed also are the following:

1. Proof of Service to the Lower Court Clerk Hon. Robert Harte for said Appeal.
2. Copy of Plaintiff's entire civil filings
3. Request for Informa Pauperis "denied by the Lower Court * see exhibit*
4. Copy of the "Clerk Order of Dismissal for Non Payment of Civil Fee, * denied Informa Pauperis
5. Challenge on Lower Court "Clerk Order of Dismissal
6. Plaintiff respectfully requests of the Court of Appeals to waive the filing fee for said Appeal due to the Plaintiff's age of 81 and low income status. Plaintiff was denied Informa Pauperis by Hon Clifton Newman whom dismissed said case under a Clerk Order for Non payment of Filing Fee.

Respectfully submitted,



Valerie Mescia-Donnelly, Plaintiff Pro Se

Po Box 931 Seneca, SC 29679

Enclosures,

VMI)
PO Box 931
Seneca, SC 29679

Ms. Jenny Abbott Litchins
Clerk of the Court
PO Box 11629
Columbia, SC 29201

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SC Court of Appeals