

ANSWER TO RESPONDENT  
THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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FROM LEE COUNTY

Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

\_\_\_\_\_  
Case No: 2019-000131  
\_\_\_\_\_

Benita Dinkins-Robinson

Appellant

v.

Alan Ratner

Defendant

\_\_\_\_\_  
BRIEF OF RESPONDENT  
\_\_\_\_\_

At no point was the plaintiff, notified of the sale of the property of December 2015. Nor was the defendant given proper notice of this said sale. When the defendant gained ownership of the property, he at no point notified the plaintiff. Instead, he changed the locks and placed a no trespassing sign.

This case is not about the foreclosure procedure, but the illegal eviction and the defendant taking possession of all the plaintiff belonging within the building. The material within the facility was worth will over 2 million dollars.

1. We still contend that the court should have allowed the plaintiff to be properly represent by legal counsel in this case.
2. The plaintiff did not receive any notice of sale, nor was the plaintiff made aware that the defendant regains ownership of the building. **We further contend that even if the defendant gain ownership, he can not kidnap the belongings of the defendant.** The defendant nor special referee made no attempt to serve the plaintiff with such legal proceeding. The plaintiff had already paid the defendant over \$300,000.00 and would have made an attempt to repurchase the building had she been properly notified or served with the Notice of Sale.
3. The plaintiff did file with the court a motion to reconsider, in which was also denied

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4. The attorney for the defendant in this case, was the plaintiff long time attorney for over 20 years. He has handled nearly all of the defendant's legal affairs to include real estate transactions. In a consultation with the plaintiff on another legal matter, the plaintiff in detail discussed with the attorney this property in questions and how much she had paid on the property and that she has possession of all of the receipts.

#### CONCLUSION

We believe that all of our claims are with merit and this case should be remanded back to the lower courts. The fact of this case is clear, even if the defendant obtained ownership of the building, he can not just take all of the belongings of the plaintiff. The plaintiff is not any way concern about the ownership of the building, only what rightful belongs to her.

Respectfully Submitted



Benita Robinson

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