

STATE OF SOUTH CAROLINA)

IN THE SUPREME COURT

Case No. 2021-~~001123~~
001123

RECEIVED

Oct 25 2021

SC Court of Appeals

Regina M. Hunter El)
1165 Broad St. #16)
Sumter, S.C. 29150)

Plaintiff(s))

vs.)

Elijah Hunter)
3400 Hwy. 261 North)
Rembert, S.C. 29128)

Defendant(s))

PETITION FOR REHEARING
(Petition for Extraordinary Writ—Injunction)
(Emergency Motion for Stay)

In Court of Appeals
Case No. 2021-001128

Appeal from
Court of Common Pleas, Sumter County
Case No. 2021-CP-43-1534
Hon. Ferrell R. Cothran

Appeal from
Summary Court, Sumter County
Case No. 2021CV4310102733
Fred H. Gordon, Jr., Magistrate

PETITION FOR REHEARING

1. On 19 October 2021, The Supreme Court of South Carolina denied the Petitioner’s Petition for Extraordinary Writ (Writ of Injunction) and Emergency Motion for Stay in the same Order. As such, the Petitioner petitions for rehearing and reconsideration of the motion concurrently herein.
2. The execution of the writ of ejectment commenced on Friday, 15th October at 10:00 a.m. and was completed on Tuesday, 19th October at 10:00 a.m. Sadly, both the Petitioner and her elderly father, Samuel Hunter¹ has unrelenting emotional pain from being ejected from their family’s land for trespassing. We are homeless during the pandemic and cannot go home lest we knowingly forfeit ~~our~~our liberty; subject to arrest for criminal trespass. The angst scars our hearts that we may not achieve our long time goal to rebuild Grandpa James’ dilapidated

¹ Samuel Hunter is the second son of James Hunter (deceased, July 10, 1988,, Case No. 2011ES4300446 Sumter County Probate Court). James Hunter was the ninth child of Sarah B. Hunter, deceased, April 29, 1959, Bundle 249, Pk. #71 Sumter County Probate Court). The title to the real estate is held under the Heirs of Sarah B. Hunter.

home. Yet, we are resolute on the rehearing of the Petition for Determination of Heirs in the matter of the Estate of James Hunter before the Sumter County Probate Court.

3. Although the appeal in the South Carolina Court of Appeals is no longer held in abeyance as of ● 22 October 2021, and the Court has decline to entertain this matter in its original jurisdiction pursuant to Rule 245(a) (SCACR), the Petitioner prays this Court will grant the relief requested herein and states the following in support of:

WRONG CITATION AND/OR MISAPPLICATION OF LAW

4. Here, the Court was mistaken when it stated that S.C. Code of Laws §27-37-130 (Ejectment of Tenants) applied with regard to an appeal bond. The *Application for Notice to Quit Premises* signed by Elijah Hunter stated “*I request that the Defendant be removed from the premises according to S.C. Code of Laws, §15-67-0610*” (Ex. 1) (Summary Ejectment of Trespassers). The Petitioner was not delinquent on rental payments and/or subject to a lease agreement; rather she was accused of a criminal offense—trespassing. First the Court should clarify whether the Order has the wrong statute cited and/or misapplied the law to this case. The Court should clarify whether it understood that this ejectment proceeding claimed the Petitioner was trespassing or whether it deemed that the Petitioner was a tenant delinquent on rental payments to a landlord, in default on a contractual agreement. The Court may have overlooked that fact that there is no landlord-tenant relationship between Elijah Hunter and the Petitioner, rather they both reside on heir property (Ex. 2). Heir property is a name given to land owned by a group of family members who are joint tenants in common. This is an important distinction because the two statutes set forth different procedures and time frames.

MAGISTRATE’S RETURN—NO RATIONALE FOR PREMATURE WRIT

5. Under Title 15 (Civil Remedies and Procedures), Chapter 67 (Recovery of Real Property), Article 7, S.C. Code of Laws, §15-67-0640 states that the Petitioner had the right of appeal and that the “*Magistrate shall not issue his warrant until the expiration of five days after he*

announces his decision, and in the meantime the defendant may apply for an injunction, as in other cases, upon giving the bond required by Section 15-67-620, restraining the execution of such warrant pending the determination of his appeal by the circuit court.” Neither Magistrate Gordon nor the Chief Justice Donald W. Beatty has provided any explanation why the writ of ejectment was issued prematurely contrary to the statute. Furthermore, there is no explanation provided in the Magistrate’s return for the premature writ. Finally, there is no written statement in the record of the Magistrate’s judgment as required under §G, Part 1 of the Summary Court Judges Bench Book. Here, the Petitioner relies upon *Hunter v. Mack* (Case No. 2011-cv-43-2009) heard in the Summary Court. On 24 May 2011, then Summary Court Judge Kristi Curtis entered an Order Granting the Defendant’s *Motion for Reconsideration* holding that the Magistrate Court did not have jurisdiction over cases “*when the title to real property shall come into question*” (S.C. Code Ann §22-3-20 and that the procedure the court had to follow was set out in S.C. Code Ann. §22-3-1110 et. seq. Then, Magistrate Curtis found that the Defendant met the threshold when she submitted her Answer to the Court and required her to make an undertaking of a \$100 bond within 5 days of notice of her order. In her Order of Dismissal against the Plaintiff, on 22 June 2011, Judge Curtis wrote “*Defendant met these requirements and posted the bond on May 25, 2011.*”

6. In the current matter before the Court, the handwritten yellow post-it note (as discussed below) in the Circuit Court case file stated “*Defendant’s response date was 8-19-21.*” It is a fact that the Defendant ^{requested} additional time to show cause in her letter to the Summary Court on 19 August 2021. It is stamped “*Received in the Summary Court*” on “*8-19-21 at 3:00 p.m.*” (Ex. 3) and indicated a reply address of 1165 Board St. #16, Sumter, S.C. 29150. However, if Defendant’s request was construed as an Answer, it is a fact that the Defendant references two previous cases before the Summary Court that brought the title to the real property into question where the Magistrate had no jurisdiction to hear the matter.

The request to enlarge time referenced Case No. 2011CV431012009, Case No. 201CV4310102695 that dismissed and/or disposed of Elijah Hunter's two previous applications for Notice to Quit Premises. It also referenced the Family Court order whereby the Defendant legally changed her name (Ex. 2) and the Probate Case for the Estate of James Hunter (Case No. 2011ES4300446). Albeit the request was not an Answer, the Defendant's request informed the Magistrate, by reference, of past cases from the onset that brought the title to real property into question and the Magistrate should have known that he had no jurisdiction to hear the matter. Thus, based on the record, Magistrate Gordon was required to adhere to the procedures set out in S.C. Code Ann. §22-3-1110 et. seq. from the onset as Judge Curtis did.

SUMMARY COURT DID NOT RESPONSE TO PETITIONER'S URGENT REQUEST

7. Again, on 19 August 2021, the Petitioner sent correspondence to the Summary Court marked "*Urgent Request—Extension of Time to Show Cause*" yet there was no response forthcoming from the Court. Again, it is a fact that the letter contained the Petitioner's return mailing address of 1165 Broad St. #16, Sumter, S.C. 29150. Here, the Petitioner argues that had the Summary Court responded to her letter in writing the outcome would have been different. The Summary Court was required to respond to *the last known address* (Rule 8, SCMCR)² provided therein. The Notice to Quit Premises advised the Defendant to contact the Summary Court within five days and provided their mailing address, telephone and fax numbers. The Petitioner responded in writing and it was the responsibility of the Summary

² South Carolina Magistrate Court Rules, **RULE 8(b): DELIVERY AND FILING OF PLEADINGS AND OTHER PAPERS Same: How Made.** Whenever under these rules delivery of documents is required to be made upon a party represented by an attorney, delivery of the documents shall be made to the attorney unless otherwise ordered by the court. Delivery of a document to a party shall be made by delivering it to that party or by mailing it to **the party's last known address** or, if no address is known, by filing it with the court. Delivery of a copy within this rule means: handing it to the attorney or to the party; or leaving it at the office of the attorney or the party with a clerk or other person in charge of the office; or, if there is no one in charge, leaving it at the party's usual place of abode with a resident of suitable age and discretion; **or mailing it to the last known address of that party.** Delivery by mail of all pleadings and papers after service of the original summons and complaint is complete upon mailing.

Court personnel to read said correspondence and take the appropriate action. Here, South Carolina Magistrate Court Rule 14 (SCMCR) states “*The court shall be lenient in the allowance of changes or amendments to complaints, answers, and counterclaims, and in granting continuances of trials for good cause shown when necessary to serve the ends of justice.*” Here, the Court deliberately ignored the Petitioner’s request for additional time to show cause and issued the Magistrate’s Summons before the expiration of the time to show cause. The record indicates that the Defendant was served with a copy of the Notice of Quit Premises on 18 August 2021 at 7:49 a.m. Under SCMCR, Rule 3, Computation of Time³, the Defendant had until 25 August 2021 to show cause why she should not be ejected from the premises. Here it is a fact that the Summary Court issued summonses before the expiration of the statutory time frame. If the Petitioner’s request for additional time was granted, she would have responded to the court on or before 1 September 2021 and a hearing date would have been set thereafter.

8. It is a fact that the Petitioner followed up on her request on 23 August 2021 by telephone and spoke with Carla Brayboy, a clerk for the Civil Division of the Summary Court. Brayboy could not confirm whether the Petitioner’s request for an additional seven days was granted. Instead, Brayboy spoke for the Court on the request without the judge’s said authority. Brayboy converted the Defendant’s request to enlarge time to a said “*Answer*” to the Notice to Quit Premises. The Petitioner argues Brayboy acted outside her scope of authority. Under Rule 77, South Carolina Rules of Civil Procedure (SCRCP), it states, in part, “*All motions and applications in the clerk’s office for issuing mesne process, for issuing final process to*

³ South Carolina Magistrate Court Rules, **RULE 3: COMPUTATION OF TIME PERIODS.** “In computing any period of time prescribed or allowed by these rules, by order of the court, or by any applicable statute, the day of the act, event, or default after which the designated period begins to run is not to be included. The last day of the period so computed is to be included in the period unless it is not a working day, in which event the period runs until the end of the next day which is a working day. **When the period of time prescribed or allowed is less than seven days, Saturdays, Sundays, and holidays shall be excluded in the computation.** A half holiday shall be construed as a working day.”

*enforce and execute judgments, for entering defaults, and for other proceedings which **do not require allowance or order of the court are grantable of course by the clerk**; but his action may be suspended or altered or rescinded by the court upon motion for cause shown.”* Here, the Defendant’s “*Urgent Request—Extension to Time to Show Cause*” is undeniably construed as a Motion to Enlarge Time governed by Rule 6(b) SCRCF.

9. While the Court is correct, that the Petitioner is required to obtain a bond from the lower court, the Court does not have full record on appeal since the appeal to the S.C. Court of Appeals was held in abeyance on 8 October 2021 and only taken off hold on 22 October 2021. As such the Petitioner respectfully request that the Court consider the following evidence that she was prohibited from paying an appeal bond and her application for stay was not taken by Judge Cothran—1) Affidavit (regarding Magistrate Gordon directive to Carla Brayboy) and 2) Handwritten note found in Circuit Court of Common Pleas case file.

MAGISTRATE MISDIRECTED CLERK ON BOND REQUIREMENT

10. The Petitioner filed a Notice of Appeal in the Circuit Court of Common Pleas on 7th September at 4:05 p.m. then immediately returned to the Sumter Magistrate Court and provided Carla Brayboy, the Civil Division Clerk a stamped copy of the Notice of Appeal from the Clerk of Court (Case No. 2021-CP-43-1534). Brayboy asked me to remain seated in her office stating the Petitioner had another procedure to complete to stay the Writ of Ejectment. She wanted me to post a bond. Yet, she made it clear that this cost was separate and apart from the court costs paid to the Court of Common Pleas. Before she told the Petitioner the bond amount set by the Magistrate and collected the money from me she went to consult with the judge. When Brayboy returned to her office Magistrate Gordon appeared at the door at same time and waved his hand downward indicating that a bond was not required. Next, Ms. Brayboy told the Petitioner that she did not have to do anything further

and that service of the Notice of Appeal upon the lower court was sufficient to stay the writ of ejectment.

11. On 20 October 2021, I called Ms. Brayboy to inquire about the events and conversation we had on 7th September (Ex. 4). She stated that she explicitly recalled that she asked the judge if a bond was necessary. She understood not to collect a bond because there was no landlord-tenant relationship between Elijah Hunter and I. However, Magistrate Gordon's directive to the Clerk was incorrect. As stated *supra*, *S.C. Code of Laws, §15-67-0640* states, the Petitioner had the right to appeal and to seek an injunction giving the required bond to restrain the execution of the writ. Thus, the Petitioner was ready and willing to pay the bond on 7 September 2021, but Magistrate Gordon told Ms. Brayboy not to collect it.

NOTICE OF APPEAL TO CIRCUIT COURT EXPLICITLY SOUGHT STAY

12. In addition, the Petitioner ask the Court to grant the relief requested herein because Judge Cothran's did not address Petitioner's application for stay at the appeal hearing. Not only did the Notice of Appeal caption state "*Application for Stay of Ejectment*", but also the first paragraph of the appeal stated that the Appellant came before the court "*to seek an injunction or stay from the Magistrate's Writ of Ejectment enter on 2 September 2021...*" Since the Magistrate did not set a bond amount and require the Defendant to satisfy an undertaking, the Petitioner holds that Judge Cothran should have either granted or denied the injunction pursuant to Rule 65, SCRPC. Yet, Judge Cothran was bias or prejudice against the Petitioner.

INHERENT BIAS OF COURT OF COMMON PLEAS, OBSTRUCTION TO STAY

13. The Petitioner also asks this Court to take into consideration that when the Petitioner went to examine the case file in the Court of Common Pleas attached to a pleading was a yellow sticky note (Ex. 5) that read as follows:

- **“Defendant reply to Notice to Quit filed 8-16-21”** This is incorrect my initial reply was on 19th August and again was a request for an extension of time to show cause. The 16th August was the date that Elijah Hunter filed his Application for Notice to Quit Premises.
- **“Defendant served by sheriff 8-18-21”** This is an accurate statement.
- **“Defendant response dated 8-19-21”** Again, my response was a request for an extension of time to show cause and was followed up with a letter dated 23rd August when the Summary Court did not respond to my request to enlarge time.
- **“Defendant chose NOT to appear 9-2-21”** This is completely false and a subjective statement. Whoever wrote this note was prejudiced against the Petitioner without hearing evidence to the contrary. The Court should make a concerted effort to learn the identity of the person who wrote these case notes. Then the Court should determine to what extent these notes influenced Judge Cothran’s decision to dismiss the Petitioner’s case before considering additional evidence.

14. The last statement shows that the appeal hearing was not conducted impartially allowing the Appellant to present affidavits pursuant to S.C. Code of Laws §18-7-150 from the local post office proving she had no roadside receptacle. In addition, the Appellant was not allowed to subpoena records pertaining to the local carrier’s route or depose employees Glenda Miller (Postmaster) and Christine Bruno (route carrier) from the Rembert United States Post Office.

NO WRITTEN NOTICE OF MAGISTRATE’S JUDGEMENT

15. Pursuant to §G, Part 1 of the Summary Court Judges Bench Book—Procedure after Verdict, Filing of the Judgment and Rule 17(b)⁴, SCMCR, Magistrate Gordon was required to serve written notice of his judgment in the civil action. The procedure states *“This written notification of the judgment is important in these two situations because the time periods*

⁴ South Carolina Magistrate Court Rules 17(b) states *“The court shall deliver written notice of judgment to all parties or their attorneys using the procedure described in Rule 8, except that no written notice need be delivered to a party if the judgment is announced at the trial in the presence of that party or the party’s attorney.”*

relating to appeals and new trials begin to run only after the parties receive actual notice of the judgments.” Here, the Summary Court docket does not indicate that the Defendant was mailed a written statement of the judgment rendered on 2 September 2021 or on or after 7 September 2021 when she filed a copy of her Notice of Appeal with the Sumter County Circuit Court of Common Pleas. In fact, the Judgment does not indicate a full case number or the mailing addresses for either party at the time the judgment was entered. Thus, the Court should recall the writ of ejectment and grant the relief requested therein not only because she did not receive a written statement of the judgment but also because the Clerk of the Circuit Court did not notify her that a copy of the Magistrate’s return and record of appeal was filed on 9 September 2021

INADEQUATE NOTICE OF CASE SCHEDULING FROM CLERK OF COURT

16. On Thursday, 9 September 2021, the Clerk of Court, James C. Campbell mailed a Notice of Case Scheduling to Regina M. Hunter at 1165 Broad Street #16, Sumter, S.C. 29150. However, it was too late for her to take cognizance by mail. The postmark is dated 10 September 2021 and was routed through Columbia, S.C. and was not received at the Petitioner’s UPS Store box until Tuesday, 14th September. The Appellant took cognizance of the scheduled appeal hearing by viewing the online court roster for the Third Judicial Circuit and calling the Court of Common Pleas for verbal confirmation that the case was set to be heard on Monday, 13 September 2021 at 11:00 a.m. Yet, it was still inadequate notice because the Petitioner did not have adequate time to arrange witnesses and subpoena documents. When this fact was brought to the attention of deputy clerk, Sherry Yow, Yow remarked that sometimes parties receive notice the next day. Ms. Yow’s statement implied that the Plaintiff would have received notice of the scheduled hearing on Friday, 10th September. Yet, it is fact that the Petitioner did not receive the physical mail until Tuesday, 14th September 2021, the day after the appeal hearing was conducted. The notice stated that

“This case has been assigned as priority 3 or 3 cases scheduled for the court period of 9/13/2021 through 9/13/2021.” The notice also stated *“If you have any questions regarding the schedule of this case, please contact the courts at: (803) 436-2227.”* Here, the Petitioner did not have the opportunity to inquire with the court about a priority 3 case or learn that Judge Cothran was assigned to the case to seek his recuse or move for substitution of judge.

IMMEDIATE RELIEF SOUGHT

17. Even if this Court denies any relief again ~~and~~ and holds ~~will~~ will not entertain matters in its original jurisdiction deferring to the S.C. Court of Appeals, the Petitioner respectfully ask that the Court allow her to recover property belonging to her elderly father, Samuel Hunter with the escort of the Sumter County Sheriff’s Office. The Petitioner’s father had books stored outside in the rear of property under a tarp. In addition, the Petitioner requests that Elijah Hunter’s business agent, Cynthia Owens return the Petitioner’s property deemed abandoned after Tuesday, 19th October after 10:00 a.m. EST. The Petitioner’s ability to care for her elderly father was adversely impacted by the disconnection of electricity on Friday 15th October. Moreover, the time for appeal is tolled since Magistrate’s Gordon written statement pertaining to his judgment was never issued.
18. Although, not a full inventory, this property includes 1) Craftsman Tractor riding lawn mower, well water pressure tank, brass torch lamp, bedroom side lamp, and HP computer monitor and at least three HP laptops and computer cords, 5’ metal shelf from Container Store, 75—100 ft. extension cords and various wall decors). In addition, the Petitioner asks that the single-dwelling residential well applied to DHEC to install be preserved until the pending appeal is resolved and the Estate of James Hunter is settled.
19. Elijah Hunter had direct knowledge that the Petitioner’s father, Samuel Hunter, 79 years of age, resided on the estate with her since 2015, but did not name him as a Defendant in the ejectment action before the Sumter Magistrate Court. The Petitioner’s father and his brother

Willies James Hunter (deceased) and the Petitioner filed a Petition for Determination of Heirs for the Estate of James Hunter (their father, the Petitioner's grandfather) in the Sumter County Probate Court in September 2011 (reference Case No. 2011ES4300446), but an order for determination was not entered by Judge Dale Atkinson then. The Petitioner has moved to reopen the case, but has only submitted a handwritten pleading to the Probate Court at this time due to the ejection.

WHEREFORE, the Petitioner prays the Court will not defer its ability to act to grant the relief requested herein. The United States District Court, District of South Carolina did not enter its Order and Opinion to remand the issue to the State court until 18 October 2021 too late stay the ejection already in process.

Respectfully,

A handwritten signature in cursive script that reads "Regina M. Hunter El". The signature is written in black ink on a white background.

I Am: Regina M. Hunter El
All Rights Reserved
A Natural Person, In Full Life, In Propria Persona, Sui Juris

Regina M. Hunter El
1165 Broad St. #16
Sumter, S.C. 29150
(803) 883-0600

MEMORANDUM OF AUTHORITIES

Statutes

S.C. Code of Laws, §15-67-640

Case Precedents

Hunter v. Mack, Sumter Magistrate Court, Case No. 2011CV431012009

Hunter v. Mack Sumter Magistrate Court, Case No. 201CV4310102695

Court Rules

Rule 6(b), SCRPC

Rule 77, SCRPC

Rule 3, SCMCR

Rule 8, SCMCR

Rule 14, SCMCR

Rule 17(b), SCMCR

VERIFICATION

The Petitioner states that the information contained herein in this motion statement is true and correct to the best of her knowledge.

25 October 2021, C.E.
Date: 20 Rabi' I 1443 A.H. Signature of Defendant



Regina M. Hunter El

Regina M. Hunter El
1165 Broad St. #16
Sumter, S.C. 29150

CERTIFICATE OF SERVICE

I, Regina M. Hunter El, certify that I served a copy of this *Summons, Petition for Rehearing* on Elijah Hunter, the Sumter County Court of Common Pleas, and the Sumter County Magistrate Court by depositing a copy of the same with the United States Postal Service, with first class or certified mail postage, to the parties in the attached service list.

Executed this 25th day of October 2021 C.E., 20 Rabi' I 1443A.H.

Respectfully,

Handwritten signature of Regina M. Hunter El in cursive, followed by the printed name "Regina M. Hunter El" in a smaller font.

I Am: Regina M. Hunter El
All Rights Reserved
A Natural Person, In Full Life, In Propria Persona, Sui Juris

Regina M. Hunter El
1165 Broad St. #16
Sumter, S.C. 29150
(803) 883-0600
reginamhunter@gmail.com

RECEIVED
Oct 25 2021
SC Court of Appeals

Service List:

Elijah Hunter
3400 Hwy. 261 North
Rembert, S.C. 29128

Attn: James C. Campbell, Clerk of Court
Sumter County Court of Common Pleas
Sumter County Judicial Center, third floor
215 N. Harvin St
Sumter, SC 29150
Tel.: 803-436-2227
Fax: 803-436-2223

Judge W. Mattison Gamble
Sumter County Summary Court
190 East Canal Street
Sumter, South Carolina 29150
Tel. (803) 436-2280
Fax: (803) 436-2789
E-mail: mgamble@sumtercountysc.org

Hon. Dale Atkinson, Probate Judge
Sumter County Judicial Center
215 N. Harvin St
Sumter, S.C. 29150
Phone: 803-436-2166
Fax: 803-436-2407

The Honorable Henry McMaster
State House
1100 Gervais Street
Columbia, SC 29201
Tel. (803) 734-2100
Fax: (803) 734-5167

The Honorable Alan Wilson
c/o Barry Bernstein (Constituent Services)
P.O. Box 11549
Columbia, S.C. 29211
(803) 737-3953

STATE OF SOUTH CAROLINA)
)
COUNTY OF SUMTER)
)
)
)

CIVIL CASE NUMBER
IN THE MAGISTRATE'S COURT
APPLICATION FOR NOTICE TO QUIT PREMISES

Elijah Hunter
3400 Hwy 261 N
Rembert, SC 29128
(803) 499-9294
PLAINTIFF (Name, address, phone #)

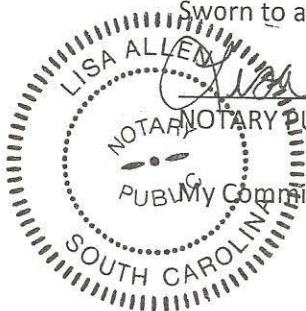
VS

Regina Mack
(alias) Hunter
3400 Hwy 261 N (Box # 3390)
Rembert, SC 29128
DEFENDANT (Name, address, phone #)

I, Elijah Hunter, Plaintiff in this action, state that I am the owner / agent of the premises within the jurisdiction of the Sumter Magistrate which is described as: (address and description of premises) 3400 Hwy 261 N, Hunter immediate heir only property not limited to 21 acres and 3 structures (2 cottages and 1 mobile home)

I further state that with regard to the above described premises, that the Defendant is in possession of the premises without my consent and that I have requested that the Defendant yield possession and vacate the property. The Defendant has refused. Therefore, I request that the Defendant be removed from the premises according to the SC Code of Laws, Section 15-67-0610.

Sworn to and Subscribed Before Me:



Commission Ends: 11/14/2036

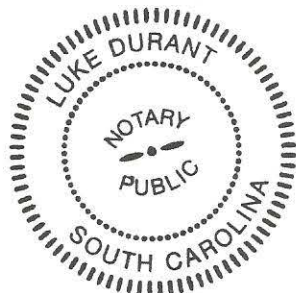
[Signature]
PLAINTIFF/ AGENT/ PLAINTIFF'S ATTORNEY

AFFIDAVIT OF HEIRSHIP

I, Regina M. Hunter ("Affiant"), residing at 3390 Highway 261 North, Rembert, South Carolina, 29150, duly sworn, and state:
28 m h e l

1. I am over the age of eighteen years and have personal knowledge of the following facts:
2. The decedent Sarah B. Hunter, who died on April 29, 1959 from congestive heart failure, was my great grandmother and her place of death was Sumter County, South Carolina (S.C. Certificate of Death, State File No. 59 008980 Vital Statistics—State Board of Health). Her ninth child, James Hunter, was a son among her issue.
3. The decedent James Hunter, who died on July 10, 1988 from chronic obstructed pulmonary disease, was my grandfather. His place of death was Rembert, Sumter County, South Carolina (S.C. Department of Health and Environmental Control, State File No. 88 016393). His second son, Samuel Hunter was a son among his issue.
4. My father is Samuel Hunter, born on March 1, 1942 (S.C. Department of Health and Environmental Control, Birth No. 139-42-012220. I am his second daughter, born on November 16, 1972 (Sumter County Family Court Order May 24, 2012).
5. At the time of death, Sarah B. Hunter was widowed and her heirs do have and hold the premises (Sumter County Register of Deeds, February 23, 1956, plat book Z-13, pg. 68).
6. I declare that, to the best of my knowledge and belief, that the information contained herein is true, correct and complete as of September 2, 2021, the date I affixed my signature to this Affidavit.

Regina M. Hunter *Regina M. Hunter* *September 2, 2021*
 STATE OF South Carolina, COUNTY OF Sumter ss:



Luke Durant
 Notary Public
Luke Durant
 Title
Aug 19th 2021
 My commission expires:

MARGIN RESERVED FOR BINDING

N. B. - WRITE PLAINLY, WITH UNF. - G. INK - THIS IS A PERMANENT RECORD. Do not use ball point pen. Do not use ink. Do not use pencil. Do not use red ink. Do not use blue ink. Do not use green ink. Do not use purple ink. Do not use black ink. Do not use white ink. Do not use gold ink. Do not use silver ink. Do not use bronze ink. Do not use copper ink. Do not use nickel ink. Do not use zinc ink. Do not use iron ink. Do not use lead ink. Do not use tin ink. Do not use antimony ink. Do not use bismuth ink. Do not use cadmium ink. Do not use mercury ink. Do not use arsenic ink. Do not use selenium ink. Do not use tellurium ink. Do not use iodine ink. Do not use bromine ink. Do not use chlorine ink. Do not use fluorine ink. Do not use oxygen ink. Do not use nitrogen ink. Do not use carbon ink. Do not use hydrogen ink. Do not use helium ink. Do not use neon ink. Do not use argon ink. Do not use krypton ink. Do not use xenon ink. Do not use radon ink. Do not use uranium ink. Do not use thorium ink. Do not use radium ink. Do not use polonium ink. Do not use astatine ink. Do not use francium ink. Do not use actinium ink. Do not use protactinium ink. Do not use thorium-232 ink. Do not use thorium-230 ink. Do not use uranium-238 ink. Do not use uranium-235 ink. Do not use plutonium ink. Do not use americium ink. Do not use curium ink. Do not use berkelium ink. Do not use californium ink. Do not use einsteinium ink. Do not use fermium ink. Do not use mendelevium ink. Do not use nobelium ink. Do not use lawrencium ink. Do not use rutherfordium ink. Do not use dubnium ink. Do not use seaborgium ink. Do not use bohrium ink. Do not use hassium ink. Do not use meitnerium ink. Do not use darmstadtium ink. Do not use roentgenium ink. Do not use copernicium ink. Do not use nihonium ink. Do not use flerovium ink. Do not use tennessine ink. Do not use oganesson ink. Do not use unbinilium ink. Do not use untrium ink. Do not use unquadrium ink. Do not use unquadium ink. Do not use unseptium ink. Do not use unhexium ink. Do not use unheptium ink. Do not use unoctium ink. Do not use unennium ink. Do not use unbinilium ink. Do not use untrium ink. Do not use unquadrium ink. Do not use unquadium ink. Do not use unseptium ink. Do not use unhexium ink. Do not use unheptium ink. Do not use unoctium ink. Do not use unennium ink.

Registration Dist. No. <u>4106</u>		CERTIFICATE OF DEATH		Vital Statistics - State Board of Health		59 008980	
Registrar's No. _____		South Carolina		State File No. _____			
Birth No. _____							
1. PLACE OF DEATH				2. USUAL RESIDENCE (Where deceased lived. If institution, residence before admission)			
a. COUNTY <u>Sumter, County</u>		b. CITY, TOWN, OR LOCATION <u>R.F.D. 2 Box 183 Rembert,</u>		a. STATE <u>S.C.</u>		b. COUNTY <u>Sumter,</u>	
c. LENGTH OF STAY <u>2 1/2</u>		d. NAME OF HOSPITAL OR INSTITUTION <u>None</u>		c. CITY, TOWN, OR LOCATION <u>R.F.D. 2 Box 183 Rembert, S.C.</u>		d. STREET ADDRESS	
e. IS PLACE OF DEATH INSIDE CITY LIMITS? YES <input type="checkbox"/> NO <input type="checkbox"/>				e. IS RESIDENCE INSIDE CITY LIMITS? YES <input type="checkbox"/> NO <input type="checkbox"/>		f. IS RESIDENCE ON A FARM? YES <input type="checkbox"/> NO <input type="checkbox"/>	
3. NAME OF DECEASED (Type or print) <u>Mrs Sarah B. Hunter</u>		4. DATE OF DEATH Month <u>4-</u> Day <u>29-</u> Year <u>59</u>		5. SEX <u>Female</u>		6. COLOR OR RACE <u>Co. 2</u>	
7. MARRIED <input type="checkbox"/> NEVER MARRIED <input type="checkbox"/>		8. DATE OF BIRTH Month _____ Day _____ Year _____		9. AGE (In years last birthday) <u>75</u>		10. UNDER 1 Yr. (If Under 24 Hrs. Mo. Days Hours Min.)	
10a. USUAL OCCUPATION (Give kind of work done during most of working life, even if retired) <u>house wife</u>		10b. KIND OF BUSINESS OR INDUSTRY <u>Farmer</u>		11. BIRTHPLACE (State or foreign country) <u>Sumter, County</u>		12. CITIZEN OF WHAT COUNTRY?	
13a. FATHER'S NAME <u>Paul Brown</u>		13b. MOTHER'S MAIDEN NAME <u>Mrs Minnie Reynolds</u>		14. HUSBAND OR WIFE'S NAME <u>decd</u>			
15. WAS DECEASED EVER IN U. S. ARMED FORCES? (Yes, no, or unknown) (If yes, give war or dates of service) <u>no</u>		16. SOCIAL SECURITY NO. <u>110</u>		17. INFORMANT Address <u>Mr Paul B. Hunter</u>			
18. CAUSE OF DEATH (Enter only one cause per line for (a), (b), and (c). 1)							INTERVAL BETWEEN ONSET AND DEATH
PART I. DEATH WAS CAUSED BY:							<u>8 hrs.</u>
IMMEDIATE CAUSE (a) <u>Congestive Heart Failure</u>							
DUE TO (b) <u>Art. Heart Disease</u>							
DUE TO (c)							
PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO THE TERMINAL DISEASE CONDITION GIVEN IN PART I(a)							
19a. ACCIDENT <input type="checkbox"/> SUICIDE <input type="checkbox"/> HOMICIDE <input type="checkbox"/>		19b. DESCRIBE HOW INJURY OCCURRED. (Enter nature of injury in Part I or Part II of item 18.)		19c. TIME OF INJURY Hour _____ Month _____ Day _____ Year _____		19d. WAS AUTOPSY PERFORMED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
20a. INJURY OCCURRED While at Work <input type="checkbox"/> Not While at Work <input type="checkbox"/>		20b. PLACE OF INJURY (e. g., in or about home, farm, factory, street, office bldg., etc.)		20c. CITY, TOWN, OR LOCATION County _____ State _____			
21. I attended the deceased from <u>4/1/59</u> to <u>4/29/59</u> and last saw her alive on <u>4/28/59</u> . Death occurred at _____ m. on the date stated above; and to the best of my knowledge, from the cause stated.							
22a. SIGNATURE <u>[Signature]</u>		22b. ADDRESS <u>Sumter, S.C.</u>		22c. DATE SIGNED <u>5/1/59</u>			
23a. BURIAL OR CREMATION REMOVAL <input type="checkbox"/>		23b. DATE <u>5-3-59</u>		23c. NAME OF CEMETERY OR CREMATORY <u>Raftern Creek Cemetery</u>		23d. LOCATION (City, town, or county) (State) <u>Sumter, County</u>	
24. FUNERAL DIRECTOR'S SIGNATURE <u>James and Harvin</u>		25. DATE RECD. BY LOCAL REG. <u>JUN 9 1959</u>		26. REGISTRAR'S SIGNATURE <u>[Signature]</u>			

STATE OF SOUTH CAROLINA

CERTIFICATION OF VITAL RECORD

STATE OF SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
CERTIFICATE OF DEATH 88 018393

STATE BIRTH NUMBER		SEX		DATE OF DEATH	
James Hunter		Male		07/10/1988	
RACE		DATE OF BIRTH		COUNTY OF DEATH	
Black		4-18-1919		Sumter	
CITY, TOWN OR LOCATION OF BIRTH		HOSPITAL OR OTHER INSTITUTION		PLACE OF DEATH	
Rembert		7, Rt. 2, Box 199A		Rembert	
STATE OF BIRTH (If not in U.S.A., name country)		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED		WAS DECEASED FATHER OR MOTHER OF DECEASED	
SC		Married		No	
SOCIAL SECURITY NUMBER		SOCIAL OCCUPATION (Give kind of work done during week of death)		KIND OF BUSINESS OR INDUSTRY	
[REDACTED]		Construction worker		Ship builder	
RESIDENCE - STATE		COUNTY		CITY, TOWN OR LOCATION	
SC		Sumter		Rembert	
FATHER - NAME		MOTHER - NAME		MIDDLE	
Sam Hunter		Sarah		Brown	
PRECEDENT - NAME (Type or Print)		MAILING ADDRESS		CITY OR TOWN	
Melle Hunter		Rt. 2, Box 199A		Rembert	
BURIAL, CREMATION, REMOVAL, Other (Specify)		CEMETERY OR CREMATORIUM NAME		LOCATION	
Burial		Rafting Creek Baptist Church Cemetery		Rembert	
FUNERAL DIRECTOR OF PERSON ACTING AS SUCH		LIC. NO.		EMBALMER'S SIGNATURE	
William Williams Jr.		1417		[Signature]	
NAME OF FACILITY		LIC. NO.		ADDRESS OF FACILITY	
Williams Funeral Home, Inc.		346		221 North Main Street	
CITY OR TOWN		STATE		ZIP CODE	
Rembert		SC		29128	
DATE SIGNED		HOUR OF DEATH		DATE SIGNED	
[Signature]		[Signature]		[Signature]	
NAME AND ADDRESS OF CERTIFIER (Physician, Medical Examiner or Coroner)		DATE SIGNED		HOUR OF DEATH	
D. G. Gamble, 70 Lemmon St., Sumter, S.C.		[Signature]		[Signature]	
REGISTRAR		DATE RECEIVED BY REC'D OFFICE		HOUR OF DEATH	
[Signature]		[Signature]		[Signature]	
PART		MARRIAGE LICENSE		MARRIAGE LICENSE	
[Signature]		[Signature]		[Signature]	
SAR TO, OR AS A COMMISSIONER OF		SAR TO, OR AS A COMMISSIONER OF		SAR TO, OR AS A COMMISSIONER OF	
[Signature]		[Signature]		[Signature]	
SAR TO, OR AS A COMMISSIONER OF		SAR TO, OR AS A COMMISSIONER OF		SAR TO, OR AS A COMMISSIONER OF	
[Signature]		[Signature]		[Signature]	
PLACE OF INTERMENT		DATE OF INTERMENT		HOUR OF INTERMENT	
[Signature]		[Signature]		[Signature]	

ISSUED MAR 02 2011

SC01476928

This is a true certification of the facts on file in the Division of Vital Records, SC Department of Health and Environmental Control.

C. Earl Hunter
C. Earl Hunter
 Commissioner and State Registrar

This copy is not valid unless prepared on an engraved border displaying the state seal and issuing agency logo.

Revision Date: 08/01/2009

Guang Zhao
Guang Zhao
 Assistant State Registrar

TO REMOVE CARD--CAREFULLY SEPARATE FORM

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Division of Vital Records, Columbia, S. C.
IF ANY ALTERATION OR ERASURE, VOID THIS CARD

DATE ISSUED	BIRTH NO.
MAR 23 2004	[REDACTED]
NAME	
SAM HUNTER	
BIRTH DATE	SEX
MAR 01 1942	MALE
BIRTH PLACE--COUNTY	DATE OF BIRTH
SUMTER	MAR 09 1942

This is a true certification of name and birth facts received in this office.

C. Carl Hunter *William R. Hudson*
COMMISSIONER AND STATE REGISTRAR DIRECTOR AND ASSISTANT STATE REGISTRAR

IMPORTANT DOCUMENT
THIS BIRTH CERTIFICATION CARD IS VALUABLE
PROTECT IT.

Note: Please record your birth number and indicate your number on any correspondence directed to the South Carolina Department of Health and Environmental Control.

The birth certification card is an official document issued by the South Carolina Department of Health and Environmental Control as legal proof of the recorded facts of birth.

43 029610
00

DO NOT LAMINATE CARD

ISSUANCE DATE MUST CORRESPOND

RECORDED

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER)
MAY 24 PM 3:17 IN THE FAMILY COURT
THIRD JUDICIAL CIRCUIT

JAMES D. DANFELLS
CLERK OF COURT
SUMTER COUNTY

In Re: Change of Name

OF Regina Michelle Mack

TO Regina Michelle Hunter

EX PARTE:

Plaintiff

ORDER AND CERTIFICATE OF NAME
CHANGE AND AMENDMENT OF
BIRTH RECORD

Docket No: 12-DR-43-730

I find the (1) this Court has jurisdiction over this matter pursuant to Section 20-7-420(8) & (9), Code of Laws of South Carolina, 1976, as amended; (2) the party is entitled and not in any way disqualified to have his/her name changed; (3) that the applicable provisions of Section 15-49-10, Code of Laws of South Carolina, 1976, as amended, have been complied with; and (4) that the following reasons exist for the change of name:

To correct birth certificate and more easily assist with probate of my grandfather's estate, James Hunter

I further find that the following information appears on the birth certificate of the party whose name is to be changed:

Regina Michelle Mack
Full Name at Birth

Samuel Hunter
Full Name of Father

November 16, 1972
Date of Birth

Barbara Ann Mack
Full Maiden Name of Mother

Kings County, New York
Birthplace (County and State)

THEREFORE, IT IS ORDERED THAT, the name of the party be changed and may be so reflected in the birth certificate of the party,

From: Regina Michelle Mack

To: Regina Michelle Hunter

DATE: May 21, 2002

[Signature]
PRESIDING JUDGE, THIRD JUDICIAL CIRCUIT

ATTEST A TRUE COPY
Regina B. Smith
CLERK OF COURT, FAMILY COURT

Petitioner's Ex. 3a PFR

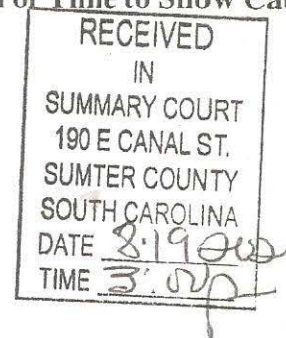
With the Name of Allah, the Most Gracious, the Most Merciful



Notice to the Principal is Notice to the Agent; Notice to the Agent is Notice to the Principal

19 August 2021, C.E., 11 Muharram 1443 A.H.

URGENT REQUEST
Extension of Time to Show Cause



B. Keith Griffin, Chief Magistrate
Sumter County Magistrate Court
190 E. Canal Street
P.O. Box 1428
Sumter, S.C. 29151-1428
Tel. (803) 436-2280,
Fax: (803) 774-6170

Dear Judge Griffin et al.:

On 18 August 2021, I was served a "Notice to Quit Premises" based on an affidavit and application by my 89 year old second cousin, Elijah Hunter. Since, Elijah and both reside on our family estate and there is no landlord-tenant relationship, S.C. Code of Laws, §15-67-610 et seq. applies. The statute requires the defendant to contact your office within five (5) days to show cause why ejection from the premises should not occur. I am requesting an addition seven (7) days to show cause for the following reasons:

1. The same action was heard in Case No. 2011CV431012009 and disposed of but I need time to obtain a copy of the case file.
2. The same action was brought before the court in Case No. 201CV4310102695 was dismissed and I need time to research the case file.
3. I legally changed my name from Regina M. Mack to Regina M. Hunter with the Sumter County Family Court and I need time to obtain a copy of the order.
4. An action for an Order of Determination of Heirs was heard in the Probate Court and I need additional time to obtain a copy of the case file (2011ES4300446).
5. In addition, I need research the Register of Deeds to learn of any changes to deed for the Heirs of Sarah B. Hunter (Parcel No. 0770002015).
6. Finally, although the South Carolina Supreme Court ordered the resumption of Summary Court, due to the coronavirus pandemic, generally, I request these additional days.

Respectfully,

I Am: Regina M. Hunter El

Petitioner's Ex. 3a PFR

All Rights Reserved
A Natural Person, In Full Life, In Propria Persona, Sui Juris

Regina M. Hunter El
1165 Broad St. #16
Sumter, S.C. 29150
reginamhunter@gmail.com

Cc:

Hon. Dale Atkinson, Probate Judge
Sumter County Judicial Center
215 N. Harvin St
Sumter, S.C. 29150
Phone: 803-436-2166
Fax: 803-436-2407

The Honorable Henry McMaster
State House
1100 Gervais Street
Columbia, SC 29201

The Honorable Alan Wilson
P.O. Box 11549
Columbia, S.C. 29211

With the Name of Allah, Most Gracious, Most Merciful

AFFIDAVIT

I, Regina M. Hunter, El ("Affiant"), am over the age of eighteen years and have personal knowledge of the following facts, residing at 1165 Broad St. #16, Sumter, South Carolina, 29150, duly sworn, and state:

1. On 7 September 2021, I served a copy of the Notice of Appeal filed with the Clerk of Court for Sumter County Circuit Court of Common Pleas on Carla Brayboy ("Brayboy"), a Clerk for the Civil Division of the Sumter County Magistrate Court at 190 E. Canal Street, Sumter, S.C. 29151-1428.
2. On 7 September 2021, after serving notice, Brayboy asked me to remain seated in her office because I needed to pay a bond. I remained while she went to consult with the magistrate.
3. On 7 September 2021 Brayboy returned to the clerk's office and Magistrate Fred H. Gordon, Jr. appeared at the door at the same time. He waved his hand downward indicating that a bond payment was not to be collected from the Defendant. Thereafter, Brayboy told me my bond payment was not required, that I was complete, and free to leave her office. I exited.
4. On 20 October 2021, at 4:36 p.m. I called Brayboy at her office again from my cell phone regarding payment of a bond for an injunction pending appeal.
5. On 20 October 2021, Brayboy confirmed she specifically asked the judge about the bond and was directed not to collect a bond payment. Brayboy stated she did not collect any bond in an amount fixed by the magistrate because there was no landlord-tenant relationship.
6. Pursuant to S.C. Code of Laws §15-67-640, the ^{Magistrate, Fred} Clerk gave the wrong directive to Clerk Brayboy because either party has the right of appeal, paying the required bond to restrain the execution of the writ of ejectment pending appeal.

I declare that to the best of my knowledge and belief, that the information contained herein is true, correct and complete as of October 23, 2021, the date I affixed my signature to this Affidavit. Executed this day 23 of October 2021, 18 Rabi' I 1443 A.H.

Regina M. Hunter
Print Name

Regina M. Hunter
Signature

STATE OF South Carolina, COUNTY OF Sumter ss:

Lisa Allen
Notary Public
11/16/2030
My commission expires:



OLINA RECORDED COURT OF COM...

Phone #8038830600

FaxZero.com

p.2

the Most Gracious, the Most Merciful



Notice to the Agent is Notice to the Principal

- Defendant reply to Notice to Quit filed 8-16-21

- Defendant served by sheriff 8-18-21

- Defendant response dated 8-19-21

Defendant chose NOT to appear 9-2-21

it Premises" based on an affidavit and
nter. Since, Elijah and both reside on our
, S.C. Code of Laws, §15-67-610 et seq