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Oct 29 2021

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

FROM LEE COUNTY COURT OF COMMON PLEAS

Honorable Kristi F. Curtis, Judge

Case No.: 2019-000131

Benita Dinkins-Robinson..... APPELLANT

v.

Alan Ratner,..... RESPONDENTS

APPLICATION OF LIBERAL APPLICATION

As a pro se movant, with limited resources the movant is entitled to and contemporaneously invokes the full measure of the liberal pleading and constructive doctrine first expressed in *Estelle v. Gamble*, 429 U.S. 97 (1976). The doctrine obliges the court to apply the law liberally and with a duty of monsternance under any Instant memorandum of the Law and Motion Pursuant to 28 U.S.C. must be held to a less stringent standard than those drafted by attorney's (*Harris v. Kenner*) 404 U.S. 519 (1972); *Blesdoe vs Johnson*, 188 F. 3d 250, 255 (5th Cir. 1999).

Further, the allegation raised herein must be taken as true and consequently constructed in light most favorable to movant's position, in any issue not specifically rebutted or which may be procedurally waived by the movant.

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Benita Dinkins-Robinson..... APPELLANT

v.

Alan Ratner,..... RESPONDENTS

ANSWER TO MOTION TO DISMISS

Benita Dinkins-Robinson
482 Pine Crest Street
Camden, SC 29020

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(803) 400-1200 Fax

Pro Se Appellant

Bryan Doby
Jennings and Jennings Law Firm
1201 Main Street, Suite 1110
Bishopville, South Carolina 29201
(803) 484-6504 Phone
(803) 484-6509 Fax

*Counsels for Respondents
Alan Ratner*

We hereby request that the court deny the respondents motion to dismiss.

The appellant from the onset applied the APPLICATION OF LIBERAL APPLICATION and not being an attorney tried to comply with all rules and regulations as best as she could.

“As a pro se movant, with limited resources the movant is entitled to and contemporaneously invokes the full measure of the liberal pleading and constructive doctrine first expressed in Estelle v. Gamble, 429 U.S. 97 (1976). The doctrine obliges the court to apply the law liberally and with a duty of monstrence under any Instant memorandum of the Law and Motion Pursuant to 28 U.S.C. must be held to a less stringent standard than those drafted by attorney’s (Harris v. Kenner) 404 U.S. 519 (1972); Blesdoe vs Johnson, 188 F. 3d 250, 255 (5th Cir. 1999).”

In response to the respondent motion:

1. All the numbers of the record on appeal was number.
2. An addendum was filed to include documents in the respondents Designation of Matters., within the special referee order it clear shows that the respondent did not file a “Writ of Assistance” but clearly just took the ownership of the appellant property. This case is not about the foreclosure.
3. All documents are included in the record on appeal and again the appellant is requesting that the application of liberal application be applied in this case.
4. The appellant filed a Final Brief to the best of her knowledge and again the appellant is requesting that the application of liberal application be applied in this case.
5. The Final Brief was filed and was mailed to the respondent on October 11, 2021. The appellant also filed for late filing due to the death of three of her family members. See Attachment of Obituary.
6. The appellant filed a Final Brief to the best of her knowledge and again the appellant is requesting that the application of liberal application be applied in this case. If the court wishes that the appellant file a new brief, we will gladly do so.
7. This is a simple case, we are not contesting the foreclosure proceeding, nor the respondent regaining his property, but him unlawful taken ownership of the appellant’s content within the building.

We ask that this court not dismiss this case, but here it on the merits of the case.

Respectfully Submitted



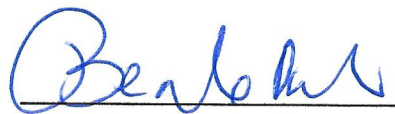
Benita Dinkins-Robinson

482 Pine Crest Street

Camden, SC 29020

CERTIFICATE OF SERVICE

I, Benita Dinkins-Robinson hereby this *Answer to Motion to Dismiss* on October 29, 2021 to Bryan Doby, attorney for respondent/defendant via mail at 1 Court House Square, Bishopville, SC 29010 and PO Box 106, Bishopville, SC 29010 fax: (803) 484-6044.



Benita Dinkins-Robinson

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