

**FORM 13
INITIAL REPLY BRIEF**

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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals
[In the Supreme Court]**

**APPEAL FROM BERKELEY COUNTY
Court of Common Pleas
Roger M. Young, Sr.
Trial Court case No. 2020CP0800267**

Case No. 2020-000629

**Paul B. Ferrara, III as representative
Of Parkway Village Apartments,
775 Sangaree Parkway Blvd., APT 22A
Summerville, SC 29486
Respondent**

**Lisa Michelle Ray
(Mailing address)
PO Box 62
Goose Creek, SC 29445
(Physical address)
775 Sangaree Parkway Blvd., APT 5C
Summerville, SC 29486
Appellant**

**December 20, 2021 - Lisa Michelle Ray
PO Box 62
Goose Creek, SC 29445**

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RESPONSE TO THE BRIEF OF THE RESPONDENT

In Ms. Jacquetta Elias's Brief of the Respondent (received on 10/26/21), there are several points that I want to address.

1. INITIAL BRIEF (Statement of the Case)

- a. On January 10, 2020 I did receive a notice that my rent was late (due on the 5th of the month). On that date I went in to the office and talked to Trudy Huber (apartment complex coordinator), explaining that I did not have all of the rent money at that time. Trudy told me that I could just pay a late fee of \$5 plus \$1/day, with no mention of any eviction. However, I then received an eviction notice on January 14th, 2020. On February 3, 2020 I paid my January rent and then proceeded to pay my February and March rent on time (they were not late).
- b. There were an additional fifteen (15) people who were late with their payments, and each one of them was allowed to make their payment, without being evicted. One gentleman specifically, told me on 01/22/20 that he was late on his January payment as well, but was given time to make the late payment, with no threat of being evicted. I should have the same opportunity as the other apartment tenants. This information was not available during my earlier court appearance. I need to be able to obtain the records from Parkway Village, to confirm this information.

2. INITIAL BRIEF (Conclusion)

- a. This is concerning Ms. Elias' statement that since they have not been accepting any of my monthly rent payment attempts lately (every month I make an attempt to pay them, but they return the checks), I should be able to get alternative housing. They actually did deposit my checks from January, February, and March of 2020, after which they started returning them to me. Also, I believe that, while they are no longer accepting my check each month, they are still accepting money from HUD each month. I believe this does keep us in the Landlord/Tenant Relationship.
- b. Also, even though they no longer accept my monthly rent payments, and that I do have that money available, it is not enough money to cover any kind of rent, except for HUD housing. If I were to be evicted, I would lose my ability to obtain HUD housing. I have been looking for alternate HUD housing for the past year-plus, and am on several waiting lists, but HUD housing is very difficult to get, and until I can get this housing, I can NOT afford to pay any other kind of rent payments, and cannot leave my current apartment.
- c. She states that I can ride my bike any time I want and can walk anywhere I want to. While this might have been true a year ago, I have been unable to ride my bike at all for the last year, and some days I can barely walk at all, let alone walk somewhere outside of my apartment.

Plus, I am not sure how my disabilities have anything to do with my eviction. They really have no reason to evict me, whether I am disabled or not. However, since I am disabled, I am including documentation from my Dr. concerning my various disabilities.

Thank You

Lisa Michele Ray



South Carolina Diagnostic Imaging
www.SCDiag.com

Tricounty Radiology West Ashley
1975-H Magwood Drive, Charleston, SC 29414
p: (843) 529-0600 f: (843) 769-5450

PATIENT NAME: Ray, Lisa M.
DOB: 11/01/1965
MRN: 08-932762
PHONE: 843-530-1132
PHYSICIAN: Kelsie Requa, PA
EXAM DATE: 12/09/2019

MRI
my Lumbar
Spine

EXAM: MR-Lumbar Spine without contrast

REASON FOR EXAM: M54.9 - Dorsalgia, unspecified

TECHNIQUE: Multiplanar multisequence images lumbar spine without contrast.

COMPARISON: None.

FINDINGS: Alignment and bony structures: L1-2, L3-4, and L4-5 mild degenerative retrolistheses. L5-S1 mild anterolisthesis with chronic left-sided L5 pars defects. Diffuse disc desiccation becomes moderate caudally. L4-5 and L5-S1 mild type 1 modic changes. Conus medullaris: Normal signal and caliber. Findings by level:

T12/L1: Mild disc bulge. No stenosis.

L1/2: Shallow left paracentral protrusion with annular tear. Mild facet hypertrophy. No stenosis.

L2/3: Mild disc bulge and facet hypertrophy. Mild exit narrowing.

L3/4: Disc bulge extends biforaminally. Mild facet hypertrophy. Mild exit narrowing.

L4/5: Disc bulge converts to shallow protrusion centrally to right extraforaminally. Mild facet hypertrophy. Mild exit narrowing. Mild deflection exiting right L4.

L5/S1: Congenital nonunion posterior elements. Moderate right and mild left facet hypertrophy. Left L5 pars defect with slight anterolisthesis. Brought shallow protrusion extends biforaminally. Moderate bilateral exit crowding L5's with possible impingement on the left due to anterolisthesis and exiting nerve root compressed between pars fragments and foraminal protrusion.

IMPRESSION:

- 1. Left L5's chronic pars defect with slight anterolisthesis. Moderate exit crowding bilaterally with

Radiology

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PATIENT NAME: Ray, Lisa M.
DOB: 11/01/1965
EXAM: MR-Lumbar Spine without contrast
EXAM DATE: 12/09/2019

possible impingement exiting left L5 as described above.
2. Diffuse mild spondylosis otherwise. Deflection exiting right L4 as described.

Troy J Marlow, MD

*** THIS IS AN ELECTRONICALLY VERIFIED REPORT ***
12/10/2019 8:47 AM: Troy J Marlow, MD

TJM/tjm
DD: 12/10/2019 08:43 am
DT: 12/10/2019 08:47 am
Accession #: 08-3213922

Radiology

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Medical Assessment Page 5

HOLY CITY MED



Date: 7/16/2020

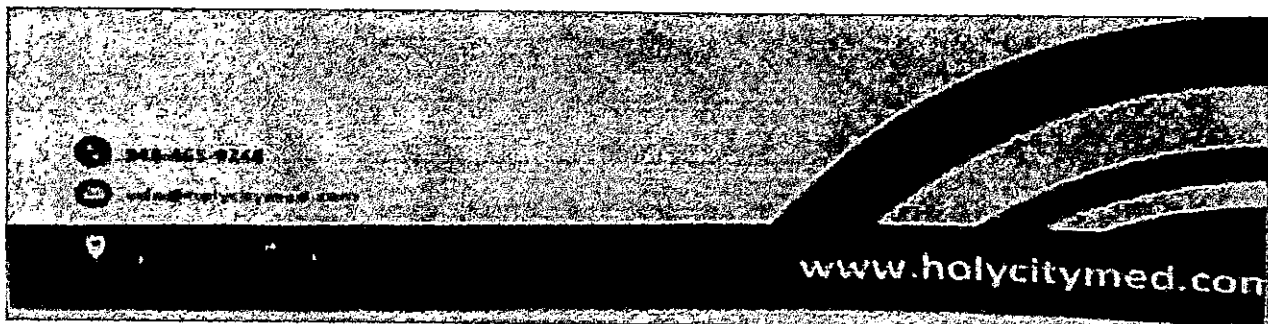
Patient: Lisa Ray
Des: 11/01/1965

To Whom It May Concern:

The above referenced patient has been under my care for an ongoing illness and is unable to perform daily functions involving anything other than mild ambulation.

Sincerely,

Dr. Richard Rhodes
Holy City Med Urgent and Primary Care
S43-HOLYCITY (465-9248)
2039 Savannah Highway
Ourieston. SC 29407



[REDACTED]

[REDACTED]

Date: 5-14-2020

Patient: Lisa Ray
DOB: 11/01/1965
Date of service: 05/15/2020

To Whom It May Concern:

The above referenced patient is severely disabled. She has numerous problems and is on 9 different medications. Patient was in a recent accident, which impaired her even more. It would be in her best interest to not be evicted at this time.

Sincerely,

[REDACTED]

Dr. Richard [REDACTED]

[REDACTED]

FORM 7
PROOF OF SERVICE OF AN INITIAL REPLY BRIEF
THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

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APPEAL FROM BERKELEY COUNTY
South Carolina Court of Common Pleas
Berkeley County Summary Magistrate Court
Honorable Judge Roger M. Young
Berkeley County, SC
Trial Court Case No.: 2020CP0800267
Appellate case number 2020 000629

Paul B. Ferrara, III as representative
For Parkway Village Apartments,
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Summerville, SC 29486
Appellant

PROOF OF SERVICE

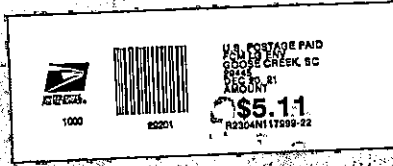
I certify that I have served a copy of the Initial Reply Brief to all respondents by depositing a copy via Certified USPS, postage prepaid, on December 20th, 2021, addressed to:

Ferrara Law Firm,
Paul Ferrara III,
8887 Old University Blvd.,
North Charleston, SC 29406

State of South Carolina Court of Appeals, case number 2020-00629
Appeal from Berkeley County South Carolina, Court of Common Pleas, case number 2020-CP 0800267

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LISA RAY
PO Box 62
GOOSE CREEK SC 29945



SC Court of Appeals
Supreme Court
1220 SENATE ST.
COLUMBIA SC 29201

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