

State of South Carolina )  
County of York )  
  
Bernard Gill, )  
Plaintiff, )  
  
-vs- )  
  
Ezekiel Grier, )  
Defendant. )

In the Court of Common Pleas  
Sixteenth Judicial Circuit  
Case No. 2022-CP-46-00225

**RECEIVED**

**Apr 20 2022**

**SC Court of Appeals**

Transcript of Record

March 27, 2022  
Via WebEx

**B E F O R E:**

The Honorable Daniel D. Hall, Judge

**A P P E A R A N C E S:**

Bernard Gill

Proceedings taken down electronically

Transcribed by:  
Krystal J. Smith  
Official Circuit Court Reporter

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E X H I B I T S

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(No Exhibits Presented)

COURT REPORTER LEGEND

dashes --	intentional or purposeful interruption
	or change in thought
ellipses . . .	trailing off
[ph]	phonetically written
[sic]	written as said

1 MARCH 17, 2022

2 (WHEREUPON, the proceedings began via WebEx.)

3 THE COURT: The next matter is Bernard Gill versus  
4 Ezekiel Grier. Is there anybody? This is also an appeal  
5 from magistrate's court. Is Bernard -- Mr. Gill, you're  
6 showing up on my screen. I don't -- you need to unmute and I  
7 need you to turn on your video if you're able to.

8 THE CLERK: Judge, Mr. Gill is on the phone. He's  
9 having some issues with his computer. Would you like for me  
10 to have him call in?

11 THE COURT: He's showing up on my screen. Donna, just  
12 instruct him that if he's not able to -- if he's not able to  
13 -- to come on, then -- let's see. What do I -- tell him that  
14 he just needs to be prepared to -- well, yeah, get him to  
15 call in. We'll handle it that way.

16 THE CLERK: Okay. I'll let him know right now.

17 (WHEREUPON, there was a break in the proceedings for  
18 other matters to go forward, after which these  
19 proceedings resumed as follows.)

20 THE COURT: Mr. Gill, this is Judge Hall. Can you hear  
21 me? Mr. Bernard --

22 THE PLAINTIFF: Yes, I hear.

23 THE COURT: Mr. Bernard Gill, this is Judge Hall. Can  
24 you hear me?

25 THE PLAINTIFF: Yes, I hear.

1 THE COURT: Okay. I can see you now. All right.

2 MR. GILL: Yes, sir.

3 THE COURT: All right. Let me take care of your -- your  
4 case, Mr. Gill. This was scheduled earlier and then I  
5 believe you had some issues with -- with your computer. Let  
6 me go back where I can pull the -- that file up, if you'll be  
7 just -- be patient with me just a moment.

8 MR. GILL: No problem.

9 THE COURT: All right. The next matter before the Court  
10 is an appeal from magistrate's court. This is 2022-CP-46-  
11 0225, Bernard Gill versus Ezekiel Grier.

12 It appears that, Mr. Gill, this is your motion. I will  
13 be glad to hear from you.

14 Let me remind you that the -- this Court, the circuit  
15 court, sits as a court of appeals or an appellate court for  
16 magistrate's court. We're not here today to hear the details  
17 of the case and -- and retry the case. This Court sits in a  
18 position of determining whether there was an error made by  
19 the lower court.

20 So just keep that in mind. I'll be glad to hear from  
21 you. I do not -- it appears that Mr. Grier is not present.  
22 However, I'll be glad to hear the basis for what you believe  
23 your appeal is.

24 THE PLAINTIFF: Yes, sir. Yes, Your Honor. Thank you  
25 for taking the time to hear it.

1 First of all, I just want to say that as I went to the  
2 court I was accused of -- let me see what this word is saying  
3 -- oustering, and I was charged a \$3,000 fine, I guess you  
4 want to call it.

5 And my case is with this here is that I was accused of  
6 something without any evidence. I presented the pictures. I  
7 presented my case before the Court, and they did not accept  
8 that, and I was told before I was -- when I was accused, I  
9 was accused, and I was told that no matter what I say that  
10 the rulings wasn't going to change.

11 When the process said that I was accused of oustering --  
12 and according to the -- to the system here, it was saying the  
13 oustering got to be willfully -- willfully doing something to  
14 cause someone to ouster.

15 And so I don't see why I willfully did anything. I  
16 brought evidence to the Court as well where I tried to reach  
17 out to the clerk's office also, and I presented -- questioned  
18 them as well that I haven't seen the guy. My house was left  
19 unattended. It was unsecured. It was unlocked, and I asked  
20 someone to call me so I can rather deal with my house.

21 No one reached out to me. When I presented to the  
22 Court, they threw it out and said that they could not use  
23 that matter. I asked the same -- the same question about --  
24 I reached out to you. Why can't nobody call me back? And I  
25 was told that they didn't have to call me back.

1           And also I was accused of -- of a \$3,000 penalty where  
2 they charged me the guy's rent for \$1,000 where he hasn't  
3 paid nothing. He hasn't paid. He hasn't paid me a dime in  
4 five years. And that's when I had put a notice to quit in  
5 for that, and they threw out the notice to quit and I was  
6 told that my notice to quit was the wrong form to fill out.

7           When I went to the clerk's office, that's the form they  
8 gave me. The -- the sheriff's officer as well was at the  
9 desk. He looked at the form. He charged me for the form.  
10 Then in court, they threw it out of court saying that it was  
11 the wrong form for a notice to quit.

12           So, therefore, I feel like I'm being -- I need this to  
13 be looked at to be dropped because I don't feel like I should  
14 be paying \$3,000 for someone that's in my home, have totally  
15 destroyed my home. My home -- I done send pictures to show  
16 it. Left my house abandoned. I got all kind of proof and  
17 documents that that happened and took place as well.

18           And my question is why am I paying someone \$3,000 for  
19 rent that they haven't paid in over five years and why am I  
20 accused of something that I did not do without any evidence.  
21 So that's where I stand on this case right now.

22           And then furthermore, even with the amendment, I realize  
23 that if you do an amendment, that mean everything should stop  
24 until after that amendment process take place. The same guy  
25 went down to the sheriff office and tried to claim where I --

1 gave me -- gave me five days to pay the \$3,000 which was  
2 being amended. So I had to reach back out to the sheriff  
3 department and say, hey, this thing is an amendment. You  
4 have to wait until this go through before you try to have me  
5 pay \$3,000.

6 And, Your Honor, I'm being accused of this, and also I  
7 was accused of disobeying an order from the Court. And like  
8 I told the judge there, you know, I'm a service member. I  
9 have served 20+ years for my country. One thing, if I don't  
10 know anything, I know how to obey an order.

11 I was given an order to give this gentleman immediate  
12 access to my house, which I totally disagreed with, but I did  
13 it because that's what the Court ordered me to do. He kept  
14 giving false documents saying that I refused to let him in.  
15 I got copies of a text that I sent him and told him I'd meet  
16 him at the house to get his things out.

17 And every time I go before the Court, it's like the  
18 judge is at me and treating me like I'm a criminal over a  
19 house that I own, I pay the taxes on, I pay the light bill, I  
20 pay everything in that house, and I'm being convicted of  
21 allowing someone -- saying that I owe someone \$3,000.

22 So what I'm asking the Court to do is release those  
23 charges of oustering, whatever that is, oustering, and also  
24 the \$3,000 fine, which I'm not paying that because I don't  
25 feel like that is fair to me as a homeowner to own a house

1 and to pay everything in my house and someone have not paid  
2 me anything. And I have no lease agreement or anything with  
3 this gentleman or rental contract or anything like that.

4 I had -- I was doing it out of a favor to my daughter  
5 and my grandchildren to having a place to stay. And because  
6 they didn't have a place to stay, I allowed them to stay in  
7 my house also and I'll work out something with my daughter.

8 My house is -- like I say once again, it's totally  
9 destroyed. The gentleman done punched holes in my wall, left  
10 my house in abandoned condition. It is still in that  
11 condition today, and all I'm asking the Court to do is to  
12 remove those charges of a \$3,000 fine and also accusing me of  
13 oustering without any support documents.

14 THE COURT: All right. What I'll do is -- I have what  
15 you have filed in the case. I've got the record from the  
16 magistrate's court. I'll take a close look at that, and I'll  
17 issue my ruling by the end of next week.

18 I am curious. Again, this -- this Ezekiel Grier, the  
19 defendant/respondent -- he was living in -- in this house  
20 that you own with your daughter and grandchildren; is that  
21 right?

22 THE PLAINTIFF: Well, what -- yeah. He was living there  
23 some years ago, but what I did, Your Honor -- my daughter and  
24 my grandchildren -- I found out that they were living in a  
25 hotel room, and I --

1 THE COURT: Well, my --  
2 THE PLAINTIFF: -- questioned my daughter --  
3 THE COURT: Okay. My question simply is was --  
4 THE PLAINTIFF: I'm sorry.  
5 THE COURT: -- your daughter and grandchildren ever  
6 living in the house with Mr. Grier?  
7 THE PLAINTIFF: Yes, sir. Yes, sir.  
8 THE COURT: All right. Well, that just -- that answered  
9 that question.  
10 All right. I'll issue my ruling by the end of next  
11 week. All right?  
12 THE PLAINTIFF: Thank you, sir.  
13 THE COURT: Thank you.  
14 (WHEREUPON, the proceedings ended.)  
15  
16 --- END REQUESTED TRANSCRIPT ---  
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