

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

JUL 26 2022

APPEAL FROM GEORGETOWN COUNTY

SC Court of Appeals

HONORABLE BENJAMIN H. COLBERTSON

CARLOS DENNISON

APPELLANT

v.

GEORGETOWN CITY

POLICE DEPARTMENT, ET AL

RESPONDENT

APPELLANT CASE NO. 2022-000948

INITIAL BRIEF OF APPELLANT

CARLOS DENNISON

PRO SE

1516 OLD GILTIARD RD.
RIDGEVILLE, S.C 29472

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CASES

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- CHARACTERISTIC OF FORGERY 6
- TRUDEL V. HUNT 67 F. SUPP. 2d 569 9-29-1999, . . . 5, 6
- STATE V. COURT 382 S.C. 205 675 5
- STATE V. WILBUSH 9 S.C. 309 3-12-1878 5

STATUTES

- S.C. CODE ANN. 16-9-10 PERJURY 9
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OTHER AUTHORITIES

- RULE 407, RULE 3-8 A, G, G2, AND H 10
- RULE 901, B, B2, B3 7

STATEMENT OF ISSUE ON APPEAL

WHETHER TRIAL COURT ERRORED IN GRANTING
SUMMARY JUDGMENT FOR RESPONDENTS JUNE 23, 2022.
FURTHERMORE, DID TRIAL COURT AND DEFENDANTS PURPOSELY
FILE AND ALLOWED A PIOUS MOTION TO ABUSE
LEGAL PROCEDURE?

STATEMENT OF THE CASE

JUNE 20, 18 APPELLANT WAS ARRESTED ON FIVE(5)
ARREST WARRANTS. 2018A2220200078, 79, 80, 120, AND
133. CONTRABAND WAS FOUND ON APPELLANT PERSONS.
APPELLANT WAS CHARGED WITH TWO(2) MORE ARREST
WARRANTS 2018A2220200345, AND 346. JULY 8-10 2019
APPELLANT WENT TO TRIAL FOR THE TWO(2) WARRANTS,
2018A2220200345, AND 346. IN THE TRIAL APPELLANT FILE
A "DEFECTIVE WARRANT" MOTION, AND THE MOTION
WAS DENIED. APPELLANT WAS CONVICTED AND SENTENCED TO
TWO(2) TEN(10) YEAR SENTENCE RAN CONCURRENT.
APPELLANT APPEALED HIS CASE. CASE # "2019-001161"
APPELLANT LAWYER AT THE TIME WAS

"JOANNA DELANY" AND SHE DID NOT BRIEF THE
"DEFECTIVE WARRANT MOTION" OR ANY ISSUE
PERTAINING TO THE ISSUING SUBJECT'S SIGNATURE ON THE
FOUR (4) ARREST WARRANTS, BETWEEN AUGUST 2019 TO
JANUARY 2020 APPELLANT FOUND OUT THE FIVE (5) ARREST
WARRANTS 2018A2220200078, 79, 80, 120, AND 133 WERE DIS-
MISSED. ON MARCH 8, 2021 APPELLANT FILE A COMPLAINT
"2021-CP-22-00158" WITH EXHIBITS AS EVIDENCE.
MAY 21, 2021 THE RESPONDENTS REPLY WITH "THE ANSWER".
SEPTEMBER 9, 2021 APPELLANT MOVE FOR SUMMARY JUDGMENT.
CIRCUIT JUDGE DENIED THE MOTION STATING: "THE
SIGNATURES HAS TO GO TO TRIAL" AND THE RESPONDENTS
STATED: "WE HAVE TO GET MORE DISCOVERY!" APPELLANT TRY TO
APPEAL THE JUDGE'S DECISION OF THE SEPT. 9, 2021 HEARING,
BUT THE CASE WAS PLACE ON THE TRIAL DOCKET.
JUNE 20, 2022 APPELLANT AND RESPONDENTS HAD A MEDIATION
HEARING. APPELLANT WANTED \$500,000.00, RELEASE FROM
PRISON, AND A CAB RIDING BACK TO 215 N. CONDON ST.
GEORGETOWN, S.C. BOTH PARTIES COULD NOT COME TO AN
AGREEMENT. JUNE 23, 2022 RESPONDENTS FILE FOR SUMMARY

JUDGMENT, AND CIRCUIT JUDGES GRANTED RESPONDENTS

SUMMARY JUDGMENT.

STANDARD OF REVIEW

SUMMARY JUDGMENT PAPERS FILED BY THE MOVANT MUST SEEK TO ESTABLISH THAT THERE EXIST NO GENUINE DISPUTE WITH RESPECT TO THE MATERIAL FACTS OF THE CASE, IF THE MOVANT SATISFIES THAT REQUIREMENT, THE NON-MOVANT MUST POINT TO EVIDENCE SHOWING THAT A GENUINE DISPUTE OF MATERIAL FACT DOES EXIST

ARGUMENT

TRIAL COURT SHOULD HAVE GRANTED APPELLANT SUMMARY JUDGMENT SEPT. 9, 2021; FURTHERMORE TRIAL COURT ERRED GRANTING RESPONDENT SUMMARY JUDGMENT JUNE 23, 2022

— AT THE HEARING, APPELLANT RAISED A GENUINE ISSUE OF MATERIAL FACT WITH RESPECT TO THE AUTHENTICITY OF ROBERT O'DONNELL, RH O'DONNELL SIGNATURE, AS ISSUING JUDGE TO SAZO WARRANTS, SEPT. 9, 2021 AND JUNE 23, 2022

- CIRCUIT COURT GRANTING OF SUMMARY JUDGMENT FOR RESPONDENTS AS STATED: "THIS COURT FINDS THAT PLAINTIFF'S PRIOR MOTION FOR SUMMARY JUDGMENT WAS PREMATURE AS DISCOVERY WAS INCOMPLETE. DEFENDANT'S MOTION WAS FILED AFTER SUFFICIENT DISCOVERY WAS CONDUCTED AND TRIAL TRANSCRIPT FROM RELATED CRIMINAL PROCEEDINGS HAD BEEN OBTAINED."

- APPELLANT PRODUCED THE SAME EVIDENCE AS EXHIBIT: I IN THE SEPT. 9, 2021 SUMMARY JUDGMENT HEARING.
"APPELLANT CLAIMS THE OFFICERS DID NOT HAVE AUTHORIZATION TO MAKE AN ARREST, BECAUSE ON THE FACE OF THE PAGE (5) ARREST WARRANTS, AT THE FOOT, WHERE IT STATES: "SIGNATURE OF ISSUING JUDGE" THE ORIGINAL COPY PURPORTED SIGNATURE IS DIFFERENT FROM THE DEFENDANTS COPY PURPORTED SIGNATURE, FURTHERMORE EITHER OF THESE PURPORTED SIGNATURES ARE SIMILAR WITH MUNICIPAL COURT JUDGE ROBERT HARVEY O'DONNELL AUTHENTIC SIGNATURE (RH O'DONNELL) THAT APPELLANT PRODUCED INTO EVIDENCE IN THIS COMPLAINT.

CONTROLLING CASES

- A WARRANT ISSUED UPON A STATEMENT OF FACTS NOT SWORN TO IS UNCONSTITUTIONAL, NULL, AND VOID

STATE V. WIMBUSH 9 S.C. 309 (3-12-1878)

- A WARRANT NOT ISSUED IN COMPLIANCE WITH THE CONSTITUTIONAL REQUIREMENT OF "OATH OR AFFIRMATION" IS VOID AND AN OFFICER ATTEMPTING TO SERVE IT CAN LAWFULLY RESIST STATE V. WIMBUSH (1878)

- A WARRANT, WHICH WAS NOT SUBSCRIBED BY THE ISSUING OFFICER, WAS INSUFFICIENT TO JUSTIFY AN ARREST.

DAVIS V. SANDERS 40 S.C. 507, 19 S.C. 138 (1894)

- ABSENCE OF MAGISTRATE SIGNATURE ON SEARCH WARRANT WHEN SEARCH WARRANT WAS SERVED RENDERED THE SEARCH WARRANT INVALID UNDER GENERAL SEARCH WARRANT

STATUTE 19-13-140 STATE V. COVERT 382 S.C. 205 (1975)

S.G.2d 740 4-13-2009

- FOR SUMMARY JUDGMENT PURPOSES, LAW ENFORCEMENT OFFICERS ALLEGED ENTRANCE INTO HOME, DETENTION OF IT'S OCCUPANTS, AND REMOVAL OF THEIR CHILD FROM THEIR CUSTODY, BASED UPON FORGED, PATENTLY FALSE, FACZALLY

INVALID CUSTODY ORDER ISSUED BY NON EXISTENT COURT
AMOUNTED TO VIOLATION OF OCCUPANTS FOURTH AMENDMENT
RIGHTS. ALTHOUGH PARTIALLY VALID ARREST WARRANT,
SEARCH WARRANT, OR COURT ORDER MAY HAVE CONFERRED
CERTAIN LIMIT OF AUTHORITY TO ENTER HOME, ORDER AT
ISSUE WAS PATENTLY FORGED, AND OFFICERS USING ORDER
AS MEANS OF ENTRY THEREFORE ACTED WITHOUT AUTHORITY

TRAYLOR V. HUNT 67 F.SUPP. 2d 569 9-29-1999

- AMERICAN JURISPRUDENCE PROOF OF FACTS
HANDWRITING IN LITIGATION

CHARACTERISTIC OF FORGERY

- APPELLANT CLAIMS THE ISSUES "A-D" THAT RESPONDENTS
RAISED IN THE SUMMARY JUDGMENT MOTION ARE ALL

FRIVOLOUS. THE RECORD "APPELLANT EXHIBIT: I AND

RESPONDENTS EXHIBIT: A" SHOWS OF JUDGE O'DONNELL

VALID STATE I.D DRIVERS LICENSE WITH HIS

AUTHENTIC SIGNATURE THATS CONSISTANT WITH HIS

TESTIMONY, "RESPONDENTS EXHIBIT: A TT.P.142 LINES 14-17"

ALSO THE STAMP SIGNATURE THAT JUDGE O'DONNELL TESTIFY

70. RESPONDENTS EXHIBIT: A TT P. 141, LINES 6-25. THIS EVIDENCE

PROVES THE STATE I.D DRIVERS LICENSE AND STAMP

SIGNATURE ARE MUNICIPAL COURT JUDGE ROBERT O'DONNELL

AUTHENTIC SIGNATURE (KH O'DONNELL) RULE 901(B), (B2),
(B3)

THERE IS OVER WHELMING SUBSTANTIAL EVIDENCE TO

SHOW THE CRIME OF S.C. STATUTE 16-13-10 FORGERY TO S.C.

STATUTE 17-13-140 WARRANT REQUIREMENT.

- 1) THE STAMP SIGNATURE AND STATE I.D DRIVERS LICENSE PROVES AUTHENTICITY
- 2) THE PURPORTED SIGNATURE AND DATE ON BOTH ORIGINAL AND DEFENDANTS COPY ARE DIFFERENT ON SAID WARRANTS
- 3) WHY ARE THEY DIFFERENT? DO A JUDGE HAS TO SIGN TWICE TO MEET THE SIGNATURE REQUIREMENT?
- 4) THE SIGNATURE REVEAL AT LEAST FOUR (4) AUTHORS NOT PRINTING JUDGE O'DONNELL SIGNATURE.
- 5) THE TWO (2) BOND PROCEEDING FORM II WITH ONE (1) THE STAMP SIGNATURE OF JUDGE O'DONNELL AND THE OTHER WITH APPELLANT INITIALS, "CAD", THE PURPORTED SIGNATURE OF JUDGE O'DONNELL, AND THE DIFFERENT

CHARACTERISTIC OF THE BRIDGES THAT APPELLANT MEMBER
 A MURDERER, ELITE AFRICAN AMERICAN WOMAN BEHOLD
 63 TO 74 YEARS OF AGE THAT WAS THE AUTHOR OF THE
 INSTRUMENT ALONG WITH APPELLANT.
 6) APPELLANT: 2018A220200346 AND 346, BOTH ORIGINAL
 AND DEFENDANTS COPY ARE ALL DATED 6-21-2018 AND
 THE FORGED SIGNATURE ON ALL FOUR (4) INSTRUMENTS
 HAD DIFFERENT "CHARACTERISTIC" AND EITHER FORGED
 SIGNATURE ARE SUBSTANTIALLY SIMILAR TO
 RICH O'DONNELL
 7) THE INCONSISTENCY OF STATEMENTS OF THE SIGNATURE BY
 THE STATE'S WITNESSES WHO (THE STATE) KEITH POWELL
 IN THE "DEFENSE WARRANT NOTICE" HEARING THATS
 STATED, APPELLANT EXHIBIT: 4 TT P.22 LINES 24-25,
 TT P.23 LINES 22-24, ~~TT P.24 LINES 1-6~~,
 TT P.24 LINES 24 TO P.25 LINES 1, FURTHERMORE THE
 COURT JUDGE IN THAT TRIAL DID NOT HAVE ANY
 "FACIAL FINDINGS" STATED BY THE APPELLANT, AND
 SUPREME COURT, APPELLANT EXHIBIT: 4 TT P.24 LINES
 12-19 ALSO THE COURT JUDGE ALSO THE STATE

TO COMMIT THE CRIME OF S.C. STATUTE 16-9-10 PERJURY.

8) JUDGE ROBERT O'DONNELL TESTIFIED HE SIGN BOTH ORIGINAL AND DEFENDANTS COPY OF BOTH WARRANTS:

~~REDACTED~~ 2018A2220200120, AND 133,

AND ALL FOUR (4) SIGNATURES ARE NOT SUBSTANTIALY

SIMILAR WITH EACH OTHER NOR SIMILAR TO

"RH O'DONNELL" APPELLANT EXHIBIT: I AND

RESPONDENT EXHIBIT: A TT P. 135 LINES 5-25 TO P. 136

LINES 1-18 AND P. 147 LINES 5-23.

THIS IS WHEN JUDGE ROBERT O'DONNELL JUDGE

CODE: 6217 COMMITTED THE CRIME OF S.C. STATUTE

16-9-10 ~~REDACTED~~ PERJURY.

THE ISSUES RESPONDENTS RAISED IN THEIR SUMMARY

JUDGMENT MOTION ARE FRIVOLOUS. THEY WERE GRANTED

SUMMARY JUDGMENT BASED ON RESPONDENTS EXHIBIT: A,

BECAUSE OF THIS EXHIBIT AS EVIDENCE, ARE THE COURTS

GOING TO ALLOW TESTIMONY THAT ARE "IMPONSISTANT"

WITH THE FACTS, EVIDENCE, AND TESTIMONY THATS

SET BY PRECEDENTS, SO THAT POLICE OFFICERS GET

TO KILL POTENTIAL SUSPECTS AND SAY: "I DID NOT

DO IT " GET TO ESCAPE PROSECUTION. IS THE
15TH JUDICIAL CIRCUIT IN GEORGETOWN SC VIEW
CASES BY THE "BUDDY BUDDY SYSTEM" AS WELL AS
THE "SIM CROW SOUTH LAW" WHERE "IN THE SOUTH"
AFRICAN AMERICANS GET TREATED UNJUSTLY BECAUSE
OF THEIR RACE AND NOT BY LAW OF THE CONSTITUTION.

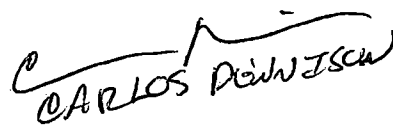
CONCLUSION

BASED ON THE FOREGOING ARGUMENTS, APPELLANT RESPECTFULLY
REQUEST THAT THE GRANTING OF SUMMARY JUDGMENT FOR
THE RESPONDENTS BE REVERSED, AND GRANTING OF
SUMMARY JUDGMENT FOR THE APPELLANT BE GRANTED, BASED
ON THE FIVE (5) UNAUTHORIZED ARREST WARRANTS
THAT CAUSED THE INJURY OF THE TWO (2) TEN (10) YEAR
CONVICTION AND SENTENCE, RULE 407, RULE 3-8 (A),
(B), (G2), AND (H) THAT THE COURTS OR THE
DEFENDANTS CONTACT ATTORNEY GENERAL
ALAN WILSON, AND SCOTT MATTHEWS TO HAVE
THE CONVICTION AND SENTENCE REVERSED AND VACATED
BECAUSE RESPONDENTS ARE RESPONSIBLE FOR THE INJURY.

ALSO BASED ON THE FRIVOLOUS ISSUES IN RESPONDENTS
SUMMARY JUDGMENT HEARING, BOTH CIRCUIT JUDGE
AND RESPONDENTS KNOWINGLY PASSING AND
UTTERING WITH INTENT TO DEFRAUD THE ARREST
WARRANTS USING THOSE INSTRUMENTS IN "
"BAD FAITH" AND SHOULD BE SANCTIONED.

NO ONE IS ABOVE THE LAW

JULY 18, 2022


CARLOS DELWISCH
PRO SE

STATE OF SOUTH CAROLINA

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SC Court of Appeals

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RESPONDENT

CERTIFICATE OF SERVICE

TITLE UNDER SIGN HEREBY CERTIFIES A TRUE COPY OF
THE INITIAL BRIEF OF APPELLANT AND DESIGNATION
OF MATTER IN THE ABOVE REFERENCE CASE HAS BEEN
SERVED UPON PAYTON HOOVER VIA MAIL AT:

P.O. BOX 21203 CHARLESTON, S.C 29413

JULY 18, 2022



CARLOS DENNISON

PRO SE

JULY 20, 2022

UZA U.S MAIL

JENNY KITCHINGS

P.O. BOX, 11629

COLUMBIA, S.C 29211

RE: CARLOS DENNISON V. GEORGETOWN CITY

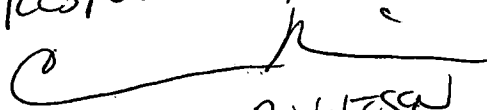
POLICE DEPT.

APPELLATE CASE NO. 2022-000948

DEAR MS. KITCHINGS

ENCLOSED IS THE INITIAL BRIEF OF APPELLANT,
THE DESIGNATION OF MATTER, THE CERTIFICATE OF
SERVICE, AND BOTH PROOF OF SERVICE FOR NOTICES
OF APPEAL TO CIRCUIT COURT, AND IN FORMA
PAUPERIS IN THE ABOVE REFERENCE CASE.

RESPECTFULLY SUBMITTED



CARLOS DENNISON

7-20-2022

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JUL 26 2022

SC Court of Appeals

CARLOS DENNIS #245321

MEZ-131 A24A

1516 OLD GILLIARD ROAD

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JUL 26 2022
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