

Solar

I

Solar's Violations Findings Facts, and Conclusions of Law, Violated my Constitutional Civil Rights, in a Conspiratorial Plan, Criminal Conspiracy, with all parties listed, Deprivation

- 1- The Right to be from excessive force, Unlawful force, Charging my Documented Directive court date, by tricking me in to going to Court of July 26, 2016 when you told me on Video Visit July 23, 2016 that something came up and would <sup>not</sup> be able to make it to the Aug 8, 2016, with a year recommendation, if you hadn't conspired with paid parties things would have been different. 5<sup>th</sup> & 14<sup>th</sup> amend.
- 2- The right to effective assistance of counsel, right to appeal withheld & denied a letter I sent the same day, and is on lower court Records.
- 3- The right to appeal my sentence, it is established that per U.S. court of appeals 4<sup>th</sup> circuit court states counsel is required in writing to inform client of his right to petition to the Sup. Court of the U.S. for further review. US v. Scott. Fourth Cir rule 32.1 if counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that the copy thereof was served on the Client. We despoise

# Solar's Parties

II

with oral argument, because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

Reaffirmed, U.S. v. Scott, Fourth Cir., Rule 32.1

Solar denied my Constitutional Right to appeal, sent letters,

Solar purposely didn't call my witnesses, She said she did and wrote it on her Notes, <sup>Supp</sup> appx p 9 - I sent the witnesses a copy of Order for 8-8-2016, Solar purposely went along with conspired parties to change that Directive Order to an earlier date for the Parties own benefit knowing that Harrington was going to give me full revocation for the benefit of one main party who I had a dispute with, conspired/Planned from July 15, 2016 appolizy letter to July 23, 2016 visit with Solar, went to court July 26, 2016 with another agent presents and it wasn't the same one at the May 17, 2016 documented letter Recommendation, Violated separations of power, and the agreement is as good as a contract therefore Judge Harrington, Agent Holmes was out of Jurisdiction, Subject matter, the documented Administrative first hearings officers reports, Sanctions Process, proceedings were legal and will override the Civil Conspiracy, Turning Leaf Back, Started by my dumb but letting her know I was in DAODAS where Solar told me to go 12 weeks treatment had been in 6 weeks,

# Solar's Parties

III

these for Separation of Powers, they do not have the Authority to Charge a documented Court date, it was done illegally, Public Policy, Due to a retaliation these parties/Defendants, went way over their Boundaries, applying State v Pauling (2006) your court state have no right to witness, 436 Eddie Pauling appeals the revocation of his probation. "We affirm." (2) The July 26, 2016 undocumented Revocation hearing transcript is all they have cause the first Administrative hearing is the Power of the Court,

Subject matter jurisdiction, due to the fact that the first Documented, recorded May 17, 2016 Neutral Hearing and affidavit in lieu of a warrant, Under the Administrative Procedures Act (APA) Act No. 176 of 1977, S.C. Code Reg R. 6931 as stated in (APA) those record has to be put on file, that will clearly show a Separation of power in the same office, and Hemington was Bias Prejudice and condoned a felony by participating in Borch's, agent Holmes and Counsel Solar, and Solar supervisor, Charged a sentence court date, to you all's benefit, I know for a fact that Judge Hemington and the Court Reporters Heard Solar say look around Mr Stone Look around where's you witnesses where's Mr Wayne, then when solar stated 15 years Mr Stone See ya! and then the Fake Reconsideration hearing Dec 5, 2016, denied Same day "Waste of Time" and to put on record to cover Solar But, But Solar said one thing that Agent Holmes said she'd go along with the

with the original Recommendation, until the end of the hearing Agent Holmes stated it on transcript I did not say I don't oppose to the recom, I said I didn't oppose to the motion for reconsideration, So Solar, Agent Holmes broke the law by going over another Administrative Agent, changing her documented Directive, ~~make~~ a agreement/contract, I got the case some where on Statute, I'm sure the Sup. Ct. Chief J, Beattie knows, But the parties even violated the Judges Canons 3B along with her OATH, she broke, "Civil Rights, Disparate Treatment" Plaintiff is required to prove that parties acted with, discriminatory intent or Motive, Effect of Prima Facie "case" Shifting the Burden, weight and sufficiency of evidence, but Plaintiff should be straight, Had Parties not go through a Civil Conspiracy to Charge all those Under Processes, to Retaliated, by Changing all those issues, facts and allegations, retaliation in DAODAS and mental Health classes for 6 week @ well, But the First (reminder) Hearing officers ruling has the Power of the court, and she'll be a witness in a jury trial I hope she isn't a party to, cause I still have a copy of the 2 letters I wrote to her and so do my Pro Se Brief and the Chief Justice, Rule 403 Excluding Relevant Evidence for Prejudice, Confusion, waste of time "Unfair Prejudice Solar tried "Confusing the issue" She was found deficient Performance that Prejudiced her client, I Begged Pennister for another attorney, he Conspiratorial Plan

403 Pennington, and Solar, Really Truthfully should be investigated. Their office need to be changed, from the intracorporate Conspiracy. There's two types of Civil conspiracy: ① principal-agent conspiracy

② Conspiracies between agents of a corporation.

Solar intentionally, purposely, Unfair Prejudice, confusing the issues, misleading undue delay or needlessly presenting cumulative evidence. Statutory Scheme, who in the world in there right mind couldn't see the Legal Malpractice, corruption that Polluted the Dept of Administration of Justice, I do believe this is the most vilest case I had ever seen, it is so cruel, that when I pull up questions in my tablet about the Retaliatory Dispute one political party who has relations with all said parties, then I learn new extraordinary Evidence, that Back fires, (parties stated at reevaluation I committed a felony on probation) misleading the Judge already made up her mind, but when a Recommendation on a guilty Plea, (1 year continue thereafter to a full 15 years) it makes you think don't it, And all that Changin and Pennington condoned, Barch is the one dispute. (3) elements ① abuse of process. ② Civil Conspiracy ③ Violation of the S.C. Frivolous Civil Proceedings Act. S.C. Code Ann Section 15-36-10, "A So Called Intracorporation Conspiracy Doctrine. Your Honor, in a very long and great case

Your Honor I would to apply this case is suppose  
 to be in all States" Russell Dodson V. Polk County Public  
 Defender office, Martha Sheppard, may 5, 1981, Cert. to U.S.  
 Court of appeals for the 8<sup>th</sup> Cir 1981 (Oct. Term 1980) No. 80-824  
 IOWA, Polk County got a new public Defender System, and  
 it's states it 8<sup>th</sup> cir, court of appeals United States, has it  
 Polk County Board of Supervisor offender Advocate.  
 And the U.S. Justice State that Law should past  
 everywhere, but unfortunately not in S.C. But you being  
 the Chief Justice, you are probably familiar with  
 it, and he cited & Applied over a hundred cases, "Feri"  
 I was so confused appx pg 59 L16 at Revocation  
 I told the judge thank you, Your Honor thinking Solar  
 did what she said she was going to do, Please see  
 the Retaliatory Conduct turns in my case, I  
 hoping to file Charges for Civil Conspiracy and  
 Statutory Scheme, Also See enclosed Attachments  
 of said transcripts, appendix, Supplemental Appx.

This Dec 6<sup>th</sup>, 2022  
 at mail room

Respectfully Submitted  
 Allen Stone 267003  
 Tiger River C.I. U-8-212  
 200 Prison Rd.  
 Enoree, S.C. 29335

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 DEC 16 2022  
 S.C. SUPREME COURT

I

Todd has 3 elements, Civil Conspiracy  
Vaught v Waite 300 S.E.2d 91, 95 App 1989

The difference between, Civil & Criminal, is in  
Criminal Con. the gravamen of the ~~offense~~ offense  
is the agreement itself, whereas in Civil Con.,  
the gravamen of the tort is the damages resulting  
to plaintiff from an overt act done pursuant to a  
Common design to also Pye v Estate of Fox 369 S.C. 2006  
The gravamen of the tort of Civil Conspiracy claim  
is the special damages resulting to the plaintiff from  
an overt act done pursuant to the combination, not  
the agreement or combination per se)

A claim for C.C. must allege additional acts  
in furtherance of a conspiracy rather than  
re-allege other claims within the Complaint.  
Todd v S. Farm Bureau Mut. Ins. Co. (1984) reversed  
(1984) quashed in part on other grounds (1985)  
moreover, because the quiddity of a C.C. claim is  
the Special Damage resulting to the plaintiff, the  
damage alleged must go beyond the damage alleged  
in other cause of action Vaught 300 S.E.2d 91, 95 App 1989

1- conduct which amounts to a false representation  
and concealment of Pivocney, false testimony in  
open court of material facts, or at least, which is  
calculated to convey the impression that the  
facts are otherwise than, and inconsistent with  
those which the party subsequently attempts

to assert:

- 2<sup>e</sup> intention, or at least expectation, that such conduct shall be acted upon by the other party,
- 3- Knowledge, actual or constructive, of the real facts, or records, as related to the party claiming the estoppel, they are: (1) Lack of knowledge and the means of knowledge of the truth as to the facts in question; (2) reliance upon the conduct of the party estopped; and (3) action based thereon of such a character as to change his position prejudicially.

There is clearly Substantial Evidence in the records, Plaintiff (Stone) has shown to the best of his ability to show by testimony and evidence of material facts that has been determined in civil judgement, P.C.R. Order, and that Summary Judgement should be granted as well.

Government agencies and officers  
Good Faith + reasonableness, Knowledge + Clarity of law; motive and intent! Government officials are entitled to defense of Qualified immunity unless 1983 Claims Satisfies the following 2 prong test:  
1) allegations underlying the Claim, if true, substantiate the violation of a federal statutory or constitutional right; (2) this violation was of a clearly established right of which

which a reasonable person would have known  
42 USCA 1983, Some for Doctrine of Qualified  
immunity, reasonable person would have  
known,

Protection and Deprivation of liberty  
interest protected by Due Process,  
Public employee and employer implied  
existence of Serious Civil conspiracy of a  
felony, dishonesty, Retaliation, Statutory  
violations, of Judicial Conspiratorial Plan,  
and public speech involves a "matter of  
Public concern" Disruption or interference  
For "Rickering Balancing" portions of the First  
Amendment retaliatory and civil conspiracy  
Criminal Conspiracy, of my attorney's Corruption  
deliberate indifference found Prejudice to  
call witnesses, with held records intentionally  
Violated Civil Rights 1<sup>st</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup> & 14<sup>th</sup> amendments.  
abused authority, and public accountability  
Separation of powers in Administrative Hearing  
Proceeding, Circuit Court, false testimony,  
Extraordinary Circumstance, like your  
Superior, is on Notice, his superior is on  
notice, informed of action, And, Previously  
recognized "subjective" aspect of qualified  
immunity or "good faith" immunity - whereby

IV

Such immunity is not available if the "Supervisory officials asserting the defense" took the actions with the malicious intent to cause a deprivation of constitutional Rights or other injuries, like Prison Conditions, mental, anguish, lost of life, life, liberty, property, "Prison Conditions"

Respectfully Submitted,

Allu Stone 262003

Tyger River Ct U-8-212

200 Prison Rd.

Enoree, S.C. 29335

<sup>TK</sup>  
This Dec 6, 2022  
mailroom

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S.C. SUPREME COURT

V

5. Sanctions could be imposed against defendants and counsels representing them for repeatedly disobeying the court orders to produce documentary material / withheld Brady, (c) contempt citations against plaintiffs attorney were not warranted,

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24-21-230 probation officers duties of hearing officers

A The Director MUST employ agent received adequate training until the initial employment requirements are met,

B, The Director must employ hearing officers who conduct preliminary hearing to determine probable cause, or violation (Documented) by law. Also conduct preliminary hearing as required by law, shall promulgate regulations for the qualifications of the hearing officers and the procedures for the preliminary hearing, unit regulations are adopted the qualifications & procedures shall be based on guidelines developed by the Director

S added (B) 2010 Act No. 273 § 66

C The Director in his discretion, may employ officers of supervision specialists to oversee, the supervision regulation for the qualifications of offenders, supervision as standard and low risk offenders for classifying offenders Criminal Risk Factors

2017 Act No. 75 § 1 add (C)

Act No 75 § 1 add C Director Discretion may employ supervision specialists to oversee, the supervision of standard and low risk offenders

Barlow - Probation Hearing officer - by Statute, he regarded as the official representative of the court (Disregarded my Recom. Code 1976-24-21-280(B) 24-21-250 (Public Corruption misconduct in office => 14-7-1630A(3))

Contradictory statements by witness  
false testimony undermines a witness's credibility  
and there is any reasonable likelihood that the false  
testimony could have effect on the justice.

Monroe v Angelone Director V. DC  
suppression of exculpatory material effect the  
Due process / Misconduct of Counsel for prosecution  
adequacy of effectiveness of state proceedings  
full and fair litigation

availability of remedy Despite Procedural Default  
or want of Exhaustion (cause and prejudice in general,  
1) satisfy the cause and prejudice standard (2) demonstrate  
that failure to consider the claim will result in  
fundamental miscarriage of justice 28 U.S.C. 2254

Review de Novo / Clear error

perjury during Court proceedings; (had Recommendation)  
1) the witness made a declaration under oath "Counsel"  
2) the Declaration was false  
3) the witness knew the Declaration was false  
4) the false Declaration was material to the Court's inquiry  
U.S. v Strom 671 F.3d (10th Cir 2011) It goes without  
saying proof beyond a reasonable doubt.

Solely letter stating she was shocked, Didn't even mention the Recommendation, and Pennington still made me go forward with, Deliberate indifference, prejudiced client app supp pg 35 and asking for another attorney supp app pg 34 from Pennington. Boss Public Defender turns a blind eye. Supervisory Liability!

Respectfully Submitted  
Allen Stone 267003  
Tyger River Ct U-8-212  
200 Prison Rd  
Enore, S.C.

#  
Dec 6, 2022  
Allen Stone  
mailroom,

29335

Merry Christmas  
and

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S.C. SUPREME COURT

Happy New Years,

The Best of my ability. Appellate Defender does not want oral arguments or won't conduct investigation on Civil Conspiracy - Violation Civil Rights Clause or Act. Tells me do not write the Courts. Their ineffective as well. Your Honor.