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Dec 14, 2022

Hon Honor Chief Justice Beatty Allen Stone 267003

Action - Nature & elements of Cause of Action and enumeration of remedies - negligence, Bias, Prejudice, abuse of discretion, total abandonment.

2 Action is a proceeding at first instance in court having original jurisdiction of Subject matter of dispute. May 17, 2016 document. Recommendation would have and should have stood.

Admin. Law & Procedures - Attorney Fees (APA)

Procedures under the Admin Law Proceed Act, is considered a civil action for purposes of recovering attorney fees, Code 1976, 1-23-310- (1986) 1-23-400

17 The Trial Procedure, & Action & Proceeding in which remedy is available,

Proceeding for judicial review under APA of ^{UNIV} decision to terminate tenured professor was not an "Action" in which discovery under rules of civil procedures could be had.

Code 1976 §§ 1-23-310 to 1-23-400 ^{misc} _{Univ} ^{Proc} _{Rule 1}

Art V § 11 of the Const S.C. provides that the Circuit Court shall be a general trial with original Jurisdiction in Civil & Criminal case and shall have such appellate jurisdiction as provided by law

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S.C. SUPREME COURT

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and things depending shall be made to the next Succeeding Court in Course in the SAME Manner, as if such Succeeding Court, had been the Same Court, to which such process should continue or such return or appearance should have been made, and recognizances, bond and obligations for appearance should have been and all returns shall be of the same force, and validity for the appearance for any person at such Succeeding Court, and all summonses for witnesses as effectual as if the Succeeding Court had been expressly mentioned therein.
SC Statute 14-1-110, Enacted Leg 1785 (7) 218
14-1-80

2021 WH 5054343 | SC Compl
Kimberly Childer v Herbert Croft, Defend.

Cross references 3

- 1 Constitution provisions regarding the Judicial Dept, generally See SC Const, Art V, § 1, et seq.
- 2 Enforcement by the SC, Courts of tax liabilities imposed by other States, See § 12-49-90.

Separation of Powers SC Const Art I § 8

(3)

Conspiracy

to commit a lawful act by unlawful means, the principal Elements of which is an agreement between parties to inflict wrong against or injury upon another and an overt act that results in damage (15 years vs. 1 year) Patton back Sec 191

Direct Circumstantial Evidence

In order to prove existence of Civil Conspiracy, plaintiff is not required to prove direct evidence of agreement between conspirators, circumstantial evidence may provide adequate proof of conspiracy, "in its self".

Particular Subjects of Conspiracy

Question of whether an agreement exists, should not be taken from a jury in a C. C. case so long as there is possibility that jury can infer from circumstances that alleged conspirator objectives.

Knowledge & intent as to Combination, Agreement and Participation - a plaintiff seeking redress in a civil conspiracy case need not prove that each participant in conspiracy knew exact limits of its illegal plan or identity of all participants therein.

Form of agreement, express or implied agreement, Express agreement among all conspirators is not a necessary element of a civil conspiracy.

Knowledge and intent as to Combination, Agreement and participation - Participants in Civil Con must share

direct evidence appx pg 74, 78 (documented 5-17-2016) appx pg 75, 76 ^E
Summary of administrative hearing
also Date, May-17, 2016.

among conspirators to continue to act in concert in order to cover up, for their own self-protection, traces of crime after its commission; absent such evidence concealment is independent of original conspiracy and original conspiracy is not considered ongoing simply because concealment of conspiracy continues; thus persons who participate in concealment are not ipso facto participants in original conspiracy; agent Holmes or Solari's name is nowhere on documents.

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Particular Subjects of Conspiracy "Probation/Borch"

Since existence of multiple conspiracies is really a fact question as to nature of agreement, it is for jury to decide whether there is one agreement or several.

Existence of independent claim; necessity of relationship to underlying right or violation.

In order to have adequate claim for relief under civil rights statute, plaintiff must allege and prove both a conspiracy and an actual deprivation of right; mere proof of conspiracy actionable under civil rights statute 42 USCA § 1983

intent, motive, or animus

Proof of class base animus underlying conspiracy is a requirement of civil rights conspiracy claim. 42 USCA § 1985(3). Conspiracy to interfere with civil rights 42 USCA 1985,

Your Honor, the facts are clearly as a bell, when I wrote that letter of apology July 14, 2016 to Amy Borch, my attorney completely abandoned.

appx pg 74, 75, 76, 78, Direct evidence, I

Officers Kathleen Nadobny at the May 17, 2016 recorded and documented, and signed by my agent Albeck and myself, that part was left out. According to (APA) official hearing officer is the one that counts as the representative of the court, it was a Sham by the retaliatory Conduct when counsel abandoned, legal services started Date was final Video Visit July 23rd, 2016, Remington wouldn't respond to letter asking his office what was it that Solar had to do on Aug 8, 2016, Directive Order she abandoned, I'll bet another 15 year sentence that Bitch was there Aug 8th, 2016, and the more I think about them pieces of trash out there the more I'm liable to screw up. I've been studying these things in the past 12 months really hard, Even the appellate Defense had abandoned. That Remington Guy needs to get out from under these Judges names, every Circuit Court Judge Remington Name popped up, he knows what occurred and Turned a blind eye, there's plenty of conflict of interest, Solar told the court we had a relationship, what more do I need, my Probation Administrative officer were to be regarded as the official representative of the court Code 1976 § 24-21-280(B) 24-21-450 The court July 26, 2016 did not have an evidentiary hearing violated my rights to Due Process, 5th, 14th amendments, attorney abandoned my service trying to use Strategic Decision, to go less that the hearing officers.

Solar, Holmes, Berch, Ashley Pennington (K)
Judge Hornington, 5 parties, not counting Clerk of Court,
original Hearing officer, Agent Albach, Ben Carter, on and on.

Preliminary Hearing

- 1- Breached agreement Completed, - May 17, 2014,
- 2- Changed a Documented Directive ORDER from a different agent's perspective on July 23, to July 24, 2014, with only the weekend to get prepared, and witnesses Counsel Stated She'll call them, Never happen Violated 5th, 14th,
- 3- Counsel abandoned his Client completely, purposefully didn't call witness, or bring up the more relevant recommended, ineffective and prejudice, Violated 6th, 8th completely, ^{ABANDONED}
- 4- Due Process client was entitled to Counsel's articulated reasonable Strategy of Changing a hearing date without my consent, or signing any consent. 1st 6th 8th
- 5- Appellate defender was ineffective when I tried to tell him he can't get nothing in the brief to the Court of appeals, to cause my case to be reversed, fact-finders in 2014 transcript appx pg 34 I assist, Solicitor Worring told the Court I had 10 burglaries, in 42 years 1980, in the final reply brief pg 1 1st paragraph LN 5 Stone was carrying a bag containing Drugs & when Judge Nicholson 2014, appx pg 34 Ln 9 asked Worring what was in the bag, 2 blue paper syringes and various things, Petty Stuff. Then Jamison Atten, Stated that Solar articulated Strategy Decision to go less than a year, when that is not the case, Solar told me on Video Visit that