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Record Appeal Hearing / Motion

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Within Admiralty, Savings to Suitor: In Personam,
In Common Law

JAN 13 2023

S.C. SUPREME COURT

IN THE COURT OF COMMON PLEAS
The Honorable J. Cordell Maddox, Jr., Judge

State of South Carolina)	Claim Case: <u>2022 CP 04 01976</u>
)	
County of <u>Anderson</u>)	
)	Appeal from: (<u>2022 CV 0410700014</u>)
)	Magistrate Civil Case Number
<u>Danny L. Ivester, Sr.</u>)	JUDGMENT IN FRAUD: VOID.
Appellant)	
)	
vs)	BARRATRY BY DEFENDANTS
)	
<u>EYZC, RE, LLC</u>)	
Defendant(S))	

1. Appellant's Cross Claim: South Carolina Supreme Court case: 2019 001742. Original jurisdiction Suit.
2. Defendants: > FAIL to identify in the court of Common Pleas as in the inferior courts. Made no objection in court or answered any affidavits in truth by Appellant. NO verifiable individual as required for a true lawful process has been made. Therefore ALL claims are based on hearsay. This is a fraud Perpetrated as define by the FBI as house stealers. All in conspiracy with (WEF) - World Economic Forum, acts around the world with register of deeds informers and the judiciary's (lawyers). This avers courts collusion as is verified with the magistrate court by said affidavit of a John Hanratty, (schemer) as his declared profession, and acting for and with said the largest law firm out of London, England. So, Barratry exist with EYZC, their legal agents and by agents from onset of this extortion, fraud.

ARTICLE 1
ARTICLE 1
CLERK OF COURT

Barratry, SECTION 16-17-10. - (1) - (b), (c), (d), (e) and (2), (a), (b), (c), (d),. Malum in se. <

3. Appellants action should require by this Court: A Permanent Injunction against the defendants, so actions at law to begin.
4. Appellants case should call for investigation by a grand jury and SC attorney general, or may require an U.S. District Attorney.
5. Appellant was at hearing 11/30/2022 at 1000. Enter the gallery & was told by bailiff & deputy that he could not keep his personal protection equipment (a cap) for EYE shade relief of his malady disability (Glaucoma). He was told to leave and wait in lobby. Malady of low vision and extreme light sensitivity (Blinding) requires his shading of a hat to relieve disability and henceforth. Therefore discrimination facts exist, corrections, pending.
6. Appellant demands further: That ALL South Carolina Judiciary's or government, comply to: The American Disabilities Act of 1990, Title 42 U.S. Code, chap 126 section 12101 and 12102, Blindness and Low vision. Also, S.C. protection & Advisory for People with disabilities.
7. Information for the court, Motion presented in court attached.

Jurisdiction

U.S. & S.C. Constitutions; **Explicitly**: Preamble & Bill of RIGHTS.

In: Common Law; Within The Admiralty, Savings to Suitor, In Personam & Rem. 28 U.S.C. 1333 (1) or 1337, 1331. USC Title 42, 1982 - 83 - 85 - 86 - 88. **South Carolina 15-67-100, Jury.**

Want of Form: (a) " Judiciary Act of September 24, 1789.

Title 18 USC, 241, 242. Foreign Sovereign Immunity act.

Uniform Commercial Code: 1-308, 1-103.6. 3rd: Sovereign: Hoover

Supra 1945. 28 USC 2284 (b), (2), (3). 28 U.S.C 1343. Title 18, Part 1, Chapter 63, § 1341: Frauds and swindles

TRUE COPY

DEC 29 2022

CLERK OF COURT

Appellate Here: **first serves:** The Sovereign Kingdom of Yahweh GOD.
Christian appellation Danny L. Ivester, Sr. is: The only true owner of
the Constitutional property of guaranteed RIGHT. The Secured party,
and ONLY: Party of **interest** and **Holder** in due course, UCC 1-308.
Pertains to all: Psalms 37, Jn 8:32, Jude 1:9.

Explicitly: All rights reserved. UCC 1-308, 1-103.6.

Date: Dec 29, 2022

[Signature]

In Propria Persona, Sui juris:

Danny L Ivester, Sr.
c/o 211 Hwy 17
Piedmont, South Carolina
Postal zone (29673)
864 741 9054

Phone:

Defendant contact information:

EYZC RE, LLC,
C/O M. Stokely Holder
Holder, Padgett, Littlejohn & Pickett, LLC
800 E. North Steet, PO Box 1804
Greenville, SC 29602
(864) 335-8808

Witness

[Signature]

Print

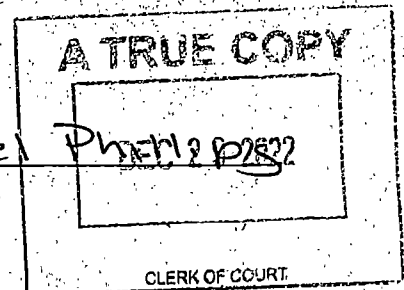
Bethany N Harris

Witness

Rachel Parris

Print

Rachel Parris



Pamela C Ritter Notary, Certify: On this 29th day of
December, 2022, a man of good faith: Christian Appellat-
ion Danny L. Ivester, Sr. - Sui juris, In Propria Persona, PERSONALLY
APPEARED BEFORE ME with this document he: Constituted entirely **as**
true, correct and complete. NO consent or trespass: Upon his private
property, Bill of Rights, or other. **Penalty of perjury attaches.**

April 25, 2027
My Commission Expires

Pamela C Ritter
Signature of Notary

PAMELA C RITTER
Notary Public - State of South Carolina
My Commission Expires April 25, 2027

A TRUE COPY
DEC 29 2022
CLERK OF COURT

THE STATE OF SOUTH CAROLINA
IN THE COURT OF COMMON PLEAS

Appeal From Anderson County Magistrate Court
Williamston Office, Magistrate: Mary Francis Cole

Case NO: 2022 CP 04 01976

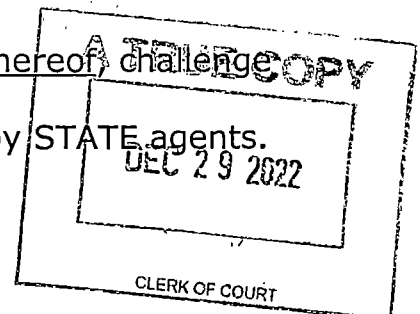
<u>EYZC, RE, LLC</u>)	
)	FORMAL MOTION OF APPEAL
Plaintiff-Respondent)	
)	TO: S.C. SUPREME COURT
vs)	BY APPELLANT RIGHT
)	AND MOTION TO SUPPRESS
<u>Danny L. Ivester, Sr.</u>)	DUE TO FRAUD: MALUM IN SE
Defendant - Appellant)	
)	

HEARING MOTION OF APPELLANT

EYZC RE, LLC,
M. Stokely holder, LLC
PO Box 1804
Greenville, SC 29602
(864) 335-8808
Respondent's Attorney

Danny L. Ivester, Sr. (Man)
c/o 211 Hwy 17
Piedmont, South Carolina
Postal zone 29673
(864) 741-9054
Appellant Sui juris

1. Appellant Motions to the Courts Honorable Justice & through
discovery a limited jurisdiction exist, and as with the Court of Appeals.
SC code Ann- sec 14-8-200 / 260 limit final judgment due this case is
absolute S.C & U.S. Constitutional based in violation thereof challenge
SC statutes, but more so process in malice & FRAUD by STATE agents.

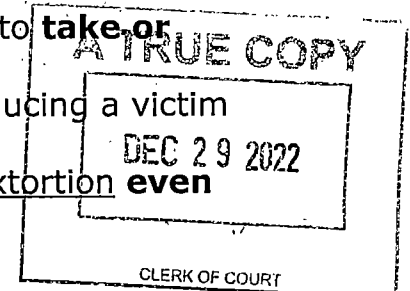


2. Magistrate court err by FRAUD: Trespass Trespass on the Case: SECTION 15-67-100. Right to jury trial unchanged. [SC ST SEC 15-67-100] Nothing in this article shall be construed or held to change the existing law in reference to **trials by jury** in all actions of trespass to try titles, trespass quare clausum fregit or ejection or other action to recover possession of real estate. Org jurisdiction S.C. Supreme court.

3. Summary Judgment is without jurisdiction; Fraud on the court. "When we concluded that the integrity of the judicial process has been harmed, **however**, and the fraud rises to 'an unconscionable plan or scheme which is designed to improperly influence the court in its decisions', we not only can act but should. England, 281 f2d at 309; Levander vs. Prober, 180 f3d 1114, 1119, (9th Cir, 1999); Intermagnetics Am., Inc. vs, China Int'l Trust and Inv. Corp., 926 f2d 912, 916-917, (9th Cir. 1991)."

4. Extortion under color of official right: Malum in se / prohibitum.
The wrongful taking by a public officer of money or property not due to him or his office, whether or not the taking was accomplished by force, threats, or use of fear. In other words, the wrongful use of otherwise valid official power may convert lawful action into unlawful extortion.

So, if a public official misuses his office by threatening to ~~take or~~ **withhold** official action for the wrongful purpose of inducing a victim to part with property, such a threat would constitute extortion even



though the official was already duty bound to take or withhold the action in question. Criminal / Civil fraud arise and may be entertained.

5. Appellant demands Art III (2) & Art 6 (2) Judicial and all other related thereof The United States & South Carolina Constitutions.

6. Motion to Suppress any allege evidences is base on FRAUD.

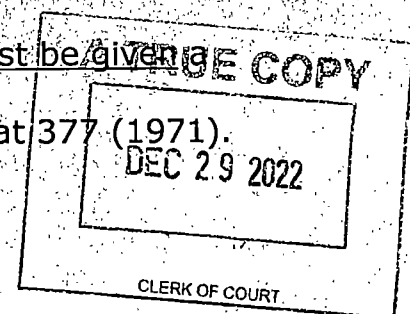
From onset of this matter Fraud entered, Fraud vitiates everything and a judgment equally with a contract, id at 66. Cited by SCOTUS in U.S. vs Throckmorton, 98 US 61, (1878). Therefore Appellant never by any circumstance gave jurisdiction or consent entirety for the actions matter at hand. Direct violation of Appellants 1st, 4th, 5th, & 14th, equal protections and due process have been infringed with malice.

7. The U.S. Constitution Art I sec 9 (3) (4) & Sec 10 (1) and same is for South Carolina, No bill of attainder or defacto laws can stand.

Miranda v. Arizona, 384 U.S. 436 (1966) (111 pages); -- Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them. Claims & judgment are void.

8. Due to Appellants injuries to date he demands right to proceed in forma pauperis for equal due process. SCOTUS stated in Boddie:

"due process requires, at a minimum, that absent a **countervailing** state interest of overriding significance, persons forced to settle their claims of right and duty through the judicial process must be given a meaningful opportunity to be heard." Boddie, 401 U.S. at 377 (1971).



Jurisdiction

U.S. & S.C. Constitutions; **Explicitly:** Preamble & Bill of RIGHTS.

In: Common Law; Within The Admiralty, Savings to Suitor, In Personam & Rem. 28 U.S.C. 1333 (1) or 1337, 1331. USC Title 42, 1982 - 83 - 85 - 86 - **88.** **South Carolina 15-67-100, Jury.**

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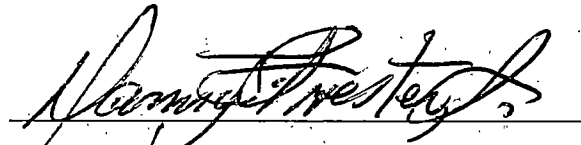
Uniform Commercial Code: 1-308, 1-103.6. 3rd: Sovereign: Hooven Supra 1945. 28 USC 2284 (b), (2), (3). 28 U.S.C 1343. Title 18, Part 1, Chapter 63, § 1341: Frauds and swindles

Appellate Here: **first serves:** The Sovereign Kingdom of Yahweh GOD. Christian appellation Danny L. Ivester, Sr. **is:** The only true owner of the Constitutional property of guaranteed RIGHT. The Secured party, and ONLY: Party of **interest** and **Holder** in due course, UCC 1-308. Pertains to all: Psalms 37, Jn 8:32, Jude 1:9.

Explicitly: All rights reserved.

UCC 1-308, 1-103.6.

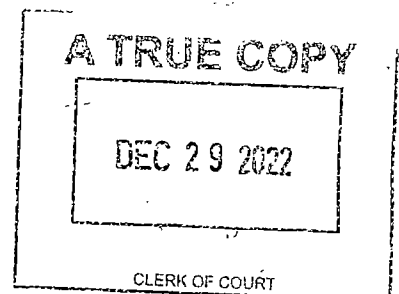
Date: Nov 29, 2022



In Propria Persona, Sui juris:

Danny L Ivester, Sr.
c/o 211 Hwy 17
Piedmont, South Carolina
Postal zone (29673)
864 741 9054

Phone:



AFFIDAVIT IN FACT

REGISTER OF DEEDS
PUBLIC NOTICE BUYER BEWARE

RECEIVED

JAN 13 2023

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

ANDERSON COUNTY

DATE October 11, 2022

DEMAND: FULL ADVERSE POSSESSION

DEED ABSOLUTE: ESTOPPEL BY & CORRECTIVE GRANTEE

1. This Affidavit is to be file: IN THE COURT OF COMMON PLEAS APPEALS, Case: 2022 CP 04 01976. In Admiralty, USC 1333 1.
2. SC ST Sec 15-67-210: Without presumption. Dominion of this property has been held **38 years** by the TRUE Absolute Sole Owner Danny L. Ivester, Sr., Allodial. ALL RIGHTS RESERVED. Affiant demands: **Corrective Deed** for the Property as follows: Tax map No: 216-01-03-011-000, Cason Heights, LT 6+PT LT 7 at 211 Hwy 17, Piedmont S.C. (29673). Property deed said, to: ALLEGE buyer in fraud: (EYZC RE LLC). Sale of: Perpetrated **in collusion & Constructive Fraud** against an U.S. & S.C. National. RECORD verifies Danny L. Ivester, Sr. is True Owner since 1984.
3. Affiant is exempt from deed re-recording fees as it will constitute a corrective deed used to confirm title: **Already vested in the true grantee owner: Danny L. Ivester, Sr. since 1984**. And as: The ONLY absolute owner in FEE SIMPLE ABSOLUTE, **AND: The only GRANTOR** for **any** sale of this property. AND: ONLY by **His** signature on a lawful agreement / contract for: His sale price. Any allege quit-claim by affidavit **or** other are in fraud: And void.

4. Affiant: First, Standing Upon The Land & demands all rights of The S.C. & U.S. Constitutions . Any **of** socage is denied, as it **is**: Un-constitutional, Un-GODLY, Un- American and void.


Affiant, Here: **first serves**: The Sovereign Kingdom of Yahweh GOD. Christian appellation Danny L. Ivester, Sr. **is**: The only true owner of The Constitutional property of guaranteed RIGHT. The Secured party, and ONLY: Party of **interest** and **Holder** in due course, UCC 1-308.

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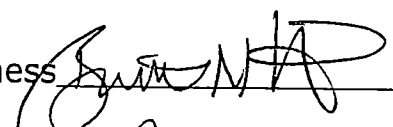
Date: October 11, 2022



In Propria Persona, Sui juris:

Danny L. Ivester, Sr.
c/o 211 Hwy 17
Piedmont, South Carolina
Postal zone (29673)
864 741 9054

Phone:

Witness 

Print Brittany N. Harris

Witness 

Print Karen Couch

On this day of October 11, 2022 sworn before this Notary, a man in good faith: Christian Appellation Danny L. Ivester, Sr. - Sui juris, In Propria Persona, Constituted entirely as true, correct and complete.

For **all in** claim or judgment, no consent or trespass:

Penalty of perjury attach.

ACKNOWLEDGMENT
FOR: REGISTER OF DEEDS

RECEIVED

JAN 13 2023

STATE OF SOUTH CAROLINA

S.C. SUPREME COURT

ANDERSON COUNTY

I, Pamela C Ritter, DO HEREBY CERTIFY THAT,

Danny Ivester, PERSONALLY APPEARED BEFORE ME

THIS THE 11 DAY OF OCTOBER, 20 22.

Pamela C Ritter

SIGNATURE OF NOTARY

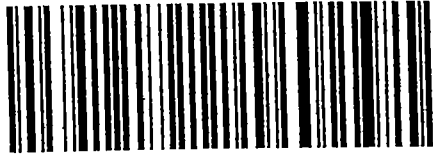
PAMELA C RITTER
Notary Public - State of South Carolina
My Commission Expires April 25, 2027

April 25, 2027

NOTARY COMMISSION EXPIRES

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Bk: 16420 Pg: 00190 Pages: 003
Rec Fee: 10.00 St Fee:
Co Fee:
REGISTER OF DEEDS, ANDERSON CO, SC
Cynthia D. Rodford

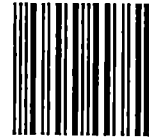
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JAN 13 2023

S.C. SUPREME COURT

*The Supreme Court of South Carolina
P.O. Box 11330
Columbia, S.C. 29211*

