

RECEIVED

FEB 27 2023

SC Court of Appeals

Affidavit
Cease & Desist

Foundation: Delinquent tax sale (By unity of Communist 1st plank), and State of SC, Anderson County @ IVESTER DANNY L SR = State creation Strawman, that: is **NOT** the living flesh & blood man, **Or: OWNER** of said property as identified > Lot 6+Part lot 7 Highway 17, Deed book: 11853 – page: 108. This private property is posted No Trespassing through-out & NO Consent to invaders stands by TRUE owner, here: one of the Sovereign South Carolina people in Common law ONLY that came by way of Yehovah God's law. The true man or owner is NOT lawfully identified thereto.

Libel arises by this commercial UCC Presentment @ Constructive Fraud: Within the Admiralty / Maritime frauds being perpetrated upon the American people of USA.

Considered: Complainants / Plaintiffs acting without Due Process are:
STATE OF SC – Notice to the agent is notice to the principal
ANDERSON COUNTY – Anderson, S.C. 29622
Jason P. Phillips – Anderson county treasurer
PO Drawer 8002
Anderson, S.C. 29622
Phone- 864 260 4033

1. On the day of May 16, 2018 received the **first** subscribed instrument from Anderson county treasury in form of **allege** delinquent tax sale. Subscribed by Jason P. Phillips treasurer, he accepting full commercial liability in his personal capacity, with in this State conspirators STATE OF SC, SC Dept.- of revenue or other under oath and REQUIRED BONDS, for Nature & Cause.
2. I Danny Lane Ivester, Sr. Sui juris, Natural born Sovereign in the republic state South Carolina REFUTES any / all presumptions of Strawman labels or other implied assumption and due to being one of **Yehovah God's children**.
3. I Danny Lane Ivester, Sr. REFUTES any / all presumptions of contract relative commercial or other that was assume into with State of SC or in this State voluntarily- **after** explicit full disclosure, in all Without Prejudice UCC 1-308.
4. I Danny Lane Ivester, Sr. Here: Repudiates as unconscionable UCC 2-302 the tax sale commercial presentment & any legislative laws in Admiralty/Maritime form. and accept NO implied associated liabilities. Entitled in Common Law.
5. I Danny Lane Ivester, Sr. when signing anything has in fact over 20 years and specifically on ID applications or anything government in form have done so under RESERVATION of RIGHTS – Without Prejudice UCC 1-207 now 1-308.
6. I Danny Lane Ivester, Sr. sign to penalty of perjury clause upon allege tax notices in hand written refusal for cause UCC 3-501 & Entitled Bill of Rights as always under Explicit reservation of Rights and UCC 1-308, who can deny?

7. I Danny Lane Ivester, Sr. have filed a Homestead Declaration by Common Law Right - UCC 1-301.6 & **only** holder of security interest in Allodium private property household goods UCC 9-102 (a), (26), Without prejudice UCC 1-308.
8. I Danny Lane Ivester, Sr. refutes tax sale notice as regular on its face and as **non-assumpsit**. Facts REQUIRE: DUE PROCESS 4th, 5th, 6th, 7th amend-'s of Our Entitled Bill of Rights being infringed by guise of Maritime rule wanton for persona and subject matter jurisdiction, **denied**, by this Sovereign Citizen.
9. I Danny Lane Ivester, Sr. at nature shows Takings, injury, damages already are prevalent by actions of State of SC and its agents, acting outside of their Uniform Commercial Code law with aforethought of misrepresentation of fact, conspiracy and perjury, with intent to harm, here: a Sovereign state Citizen.
10. FACT: All property private or other or wherever belongs to Yehovah GOD. If, a child of God contributes a said tax it is in interest of / for the people & NOT dead representation of tyrannical government or political gain. Regret seeing this treasonous act that unites 1st plank of communist manifesto. There is no duty to contract with plaintiffs now or ever, if so, Where's the CONTRACT?
11. I Danny Lane Ivester, Sr. may pursue suit in The proper competent court at a later date – reserving all rights to time allowed by law, upon said plaintiffs for the aforethought with intent to injure, by violation of the 5th amend – Takings clause & other laws and even possible federal criminal acts apply. Note: Lucas v. South Carolina, 505 U.S., Monterey v. Del Monte Dunes, 526 U.S.
12. I Danny Lane Ivester, Sr. have tried diligently in good faith to follow UCC § 1-303. Course of Performance by handwritings on donations to the people and community for years pass, creating a record. Now, asserts that plaintiffs are bad faith actors in violation of the UCC code by an instrument dead in law.
13. I Danny Lane Ivester, Sr. donated in full of said amount to county operations. But, did Refuse for cause by RIGHT to NOT volunteer when direct violation of the 1st amend- that is a direct attack on ones Religious Faith by use of schools in assault of our U.S. & State Constitutions - Preamble & Bill of Rights. NOTE: Known by faith in Yehovah GOD by truth in FACT reason for the school killings is the corrupt Political and Judiciary government that threw GOD out.
14. I Danny Lane Ivester, Sr. supports rights of 1st amendment free speech for people to protest issues. But NOT when being propogandized by government agents acting under sheep's clothing. There should have never been need of

police presents imposed upon the minds of school children. Better could be putting Yehovah GOD back w/all attributes for the ONLY TRUE protection.

At result may Yehovah God bless all in Jesus name? He knows all hearts, Jude 1:9. Notice: Here: Sinners, cradle to grave. YET: First serve Kingdom of Yehovah GOD.

You have 15 days to respond. Future, Sheriff may be required to summon a full and competent due process Superior State court in Common Law with jury. End.

Date

June 14, 2018



Danny Lane Ivester, Sr. Sui juris
c/o 211 Hwy17, Piedmont, South Carolina
Postal zone (29673)
864 354 4124
Without Prejudice: UCC 1-308

Witness

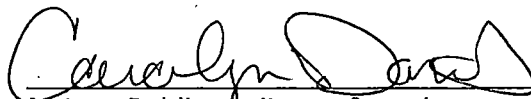
Kathryn Blackstone

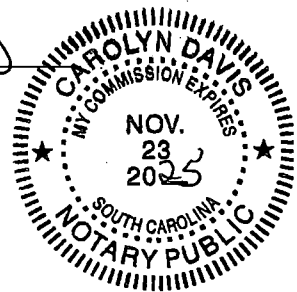
Print

KATHRYN BLACKSTONE

On this day of June 14, 2018 attested before this Notary, a flesh & blood man in good faith: Danny Lane Ivester, Sr. - Sui juris, that he **Constituted in full and Truth** by conviction of The Kingdom of Yehovah God. All: Penalty of perjury applies.

Nov. 23, 2025
My commission expires

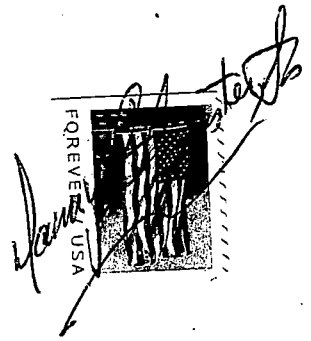

Notary Public - witness & seal



In event of default:

Cc's - Governor, SC, Attorney General, SC, Other by law, Savings may arise.

Affidavit



In Admiralty, Savings to Suitor: In Personam;
In Common Law
In Special & not General appearance
Constructive & Public Notice

State of South Carolina
Anderson County

Constitutional case: Trespass and Trespass
on the case: SC SupCt Case: 2019-001742

Justice: Mary Francis Cole
Williamston Summary Court
12 West Main Street
Williamston, South Carolina 29697

(Case: 2022-CV-0410700014)

RE: EYZC RE, LLC vs. Danny L. Ivester, Sr.

1. Here: **first serves**: The Kingdom of Yahweh GOD. Christian appella - tion Danny L. Ivester, Sr. is: The only true owner of the Constitutional property of guaranteed RIGHT, NOW under (star chamber) attack: The Secured party, and ONLY: Party of interest and Holder in due course.
2. Defendant is: A Strictly political Constitutional entity, federal question arises. Any assumed contracts, resident or other are void in: recision.
3. Defendant clarifies: (a) Affidavit: Show Cause, ONLY 1 Motion made to Quash, vacate, set aside w/prejudice. Of which the summary court should have done. (b) With this motion defendant reference of SCRPC **Rule 82 (b)** Action venue & **wrong court**, being the summary court has **NO** jurisdiction, is NOT a court of record, no seal & a questionable title of real estate case, FRAUD based, exceeds: All the courts limits.
4. To avoid FRAUD on the court, summary judgment **Is: opposed**. In the court honor it may decline this matter due to limitations set in S.C. & U.S.C: law. Notwithstanding, plaintiff / debtor, **IF: Real claim exist (?)** can file in a court of record, competent jurisdiction, In: Common pleas. **Other**: Deny's defendant Constitutional Right of due process remedy.
5. Defendant is NOT learn in law, has disability due to age related malady of blindness. Presently there is NO State of SC competent counsel.
6. Maintains: "(a)[of] Judiciary Act of September 24, 1789, Section 342, First Congress, Sess. 1, ch. 20, 1789", Sav-Suitor, In: Common law.

FILED

SEP - 8 2022

Williamston Summary Court
Anderson County, S.C.

CERTIFIED
TRUE COPY

WILLIAMSTON
SUMMARY COURT

7. **Invoke:** Bill of Lading Act, all paperwork before, to or after are cargo, UCC 1-308 or other of code attach. **Jury RIGHT** In SC Common pleas. Discovery: US Postal Fraud exist on the court, diversion, as witnessed.

First serve: Kingdom of Yehovah God. Psalms 37, Jn 8:32, Jude 1:9,

Explicitly: All rights reserved.

UCC 1-308, 1-103.6,

Date: Wed, Sept 07, 2022

[Handwritten 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: Caller ID must appear:

Witness Rachel Phillips

Print Rachel Phillips

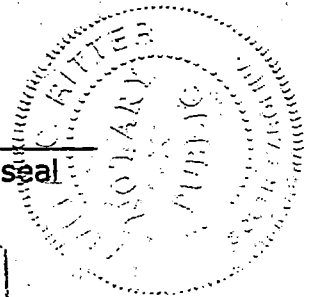
Witness Bethany N Harris

Print Bethany N Harris

On this day of September 7, 2022 maintains 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 applies.

April 25, 2027
My commission expires

Pamela C Ritter
Notary Public - witness & seal



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

CC: South Carolina Supreme Court
Clerk of Court, Daniel Shearhouse
Chief Justice, Donald W. Beatty
P.O. Box 11330
Columbia, S.C. 29211

~~Bill of Lading: Cargo - Letter, Affidavit CC to: Chief Justice.~~

CERTIFIED
TRUE COPY

WILLIAMSTON
SUMMARY COURT

FILED

SEP - 8 2022

Williamston Summary Court
Anderson County, S.C.



AFFIDAVIT
DEMAND: Appearance Bond FOR due process

In: Admiralty Claim, Savings to Suitor, In Personam,
In: Common Law
In Special & not General appearance
Constructive & **Public Notice**

State of South Carolina
Anderson County

Constitutional case: Trespass and Trespass
on the case: SC Sup Ct Case: 2019-001742

Justice: Mary Francis Cole
Williamston Summary Court
12 West Main Street
Williamston, South Carolina 29697

(Case: 2022-CV-0410700014)

RE: EYZC RE, LLC vs. Danny L. Ivester, Sr.

Jurisdiction

Within The Admiralty, Savings to Suitor, In Personam & Rem, **In: Common Law.** U.S. & S.C. Constitution, Preamble & Bill of RIGHTS explicitly.
28 U.S.C. 1333 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. Uniform Commercial Code.
Foreign Sovereign Immunity act. 3rd: Sovereign So: Hooven Supra 1945.

1. Here: **first serves: The Sovereign Kingdom of Yahweh GOD.** Christian appellation Danny L. Ivester, Sr. demands, Explicitly: Preamble, Bill of Rights in all of property RIGHTS. True owner maintains In: Fee Simple ABSOLUTE. Holder True Title, sellable only in order of: Constitution, to contract or not.
2. Invoke: Suits in Admiralty Act, Bills of Lading Act, Admiralty extension act, Foreign Sovereign Immunity act and Public **vessels** act, or other.
3. Allege Defendant did NOT cause this action to be done. State of SC & Anderson county by their agents in direct 1st amendment trespass, cause: this action to be done. In: Malice aforethought, a **Constitutional tort**. Under **color** of statute/custom, war power,(Fi. Fa.) or other **color** of law are: Void.
4. There is NO SIGNED CONTRACT, SO: **NO** Subject Matter Jurisdiction.

CERTIFIED
TRUE COPY

WILLIAMSTON
SUMMARY COURT

FILED

SEP 13 2022

Williamston Summary Court
Anderson County, S.C.

5. Ethical, judicial immunity exist: Except, in excess of jurisdiction. The summary court lacks jurisdiction for judgment, all is: Void in making.

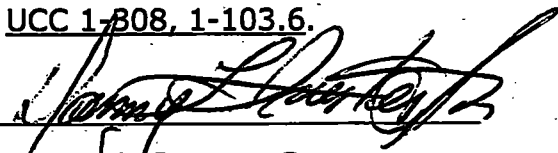
6. Defendant is Foreign with immunity of this color of law forum, in **true allegiance to the U.S. of America. Sovran**, in "3-Union States" Hooven supra.

First serve: Sovereign Kingdom of Yahweh God. Psalms 37, Jn 8:32, Jude 1:9.

Explicitly: All rights reserved.

UCC 1-808, 1-103.6.

Date: Tues, Sept 13, 2022



In Propria Persona, Sui juris:

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

Phone: Caller ID must appear:

864 741 9054

Witness Rachel Phillips Print Rachel Phillips

Witness Baren Couch Print Baren Couch

On this day of September 13, 2022 maintains 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 applies.

April 25, 2027
My commission expires

Pamela C Ritter
Notary Public - witness & seal

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

CC: South Carolina Supreme Court,
Patricia A Howard, Clerk of Court
P.O. Box 11330
Columbia, S.C. 29211

Bill of Lading: Cert-USPS - Affidavit: Williamston Summary 9/13/22. **FILED**

CERTIFIED
TRUE COPY

WILLIAMSTON
SUMMARY COURT

SEP 13 2022

Williamston Summary Court
Anderson County, S.C.

Oct 2, 2019

Criminal Complaint In Fact

Malicious Persecution by: Bill of pains & penalties.

De facto State of SC: (RICO) Criminal Gross Negligence on Sovrans
Treason against the Sovereign South Carolina and USA People of the
Republic by: **Impeding** due exercise of: Their (Natural Inalienable)
rights by: **Conspiring** against their Constitutions under: Color of law,
Lacking: Persona, Subject Matter and In Rem jurisdiction, in **Fraud**.

Demand Jury for all claims

State of South Carolina
County of Anderson

Date Oct 2, 2019

Summon: State of SC, **Attorney General:**

Respectively: Mr. Alan Wilson
1000 Assembly St., Room 519
Columbia, South Carolina 29201
Phone 1 803 734 3970
Fax 1 803 734 6679

RECEIVED

FEB 27 2023

SC Court of Appeals

Defendants

State of SC Inc. – Bill of pains & penalty, Domestic Terrorism
SC department of revenue – Malicious Negligence, Domestic Terrorism
Anderson County Inc. – SC Subordinate – Willful, reckless Negligence
Jason P. Phillips – Anderson / State Agent – Malicious use of process
Don Sullivan – Anderson / State Agent – Abuse of office conspirator
Anderson County Sheriffs' Use: Strictly political Domestic Terrorism
Inevitable Discovery: Other or others: All Rights Reserved.

Plain Statement of facts

Cause of this action is State of SC Inc. fell to properly train its agents of 4th & 5th Am- Constitutional due process for People not in contract. There is probable cause in fact to believe State agents have acted in criminal negligence upon a Republic South Carolina Sovereign People. Absolute: Lacking Persona, Subject matter and In Rem jurisdiction. Defendants violates commercial law. Plaintiff, not at all under contract. **Agent:** Jason P. Phillips Anderson county Treasurer conferred to the Plaintiff verbally use of the senior Homestead a \$ 250.00 deduct and it would offset the protest sum of \$ 254.90. A reasonable compromise, as protest was made and over (?). Agent Phillips **knew** that Plaintiff is one: Of the Sovereign South Carolina People in Common Law of the Republic state, and a: U.S. American National. The protest **being** a 1st Amendment Petition / Redress of state gov- through: **14th amendment** and equal protection for: **Violating** the People's Bill of Rights that are Declaratory and Restrictive. State of SC and Anderson county allowed Schools to be used to **propagandize** Peoples Bill of Rights: Religion, Speech and the 2nd amendment. This is a legitimate **cause** for protest. Plaintiff researched SC Homestead, saw its color of law ploy, in fraud. So, in good faith to agent Phillips bequest Plaintiff filed an official and notarized Allodium Homestead Right In Common Law. The gross sum of community attributes for (County Operations) with the People was submitted, Paid in full, yet denied. Thereafter agent Phillips **reneged** offer and **Resume:** Bill of pain & penalty, conspiring with SC Department of revenue and agent Don Sullivan. Defendants: Seizure threats under color of law arise: Barratry, Extortion, Fraud and Grand Larceny, **criminal** acts, with many **other** Federal and State. Judgment ploy as allege is fraud, based on a fictional person or thing, that is **NOT** the Plaintiff or the presumed (sold) property. Affidavits are in evidence to

these facts. Plaintiff is a flesh & blood man in character rights that are Allodium and Unalienable **In** Common Law by: The United States and South Carolina Constitutions authority and that of Natural Rights. Fact: Defendants assume power as a court of justice denying remedy Inlaw. Illegally: Impersonating article III Judges duty when lacking: Persona, Subject matter or In Rem jurisdiction, **under** State color of law. All: Jurisdiction is explicitly required on the record. Fact: No official Article III JUDGE & court of justice at probable cause, NO: Jurisdiction. Fact: Plaintiff, In the 0900 hour, at the Powdersville office, on 10/15/2018 sheriffs allege sale day (again No Consent), and again offered in **full sum** for Peoples attribute to (County operations) and paying under protest until **some** remedy Inlaw arises, is refused. This act of criminal injustice **by state agents** allows **no reasonable** remedy in: Denying actual due process under State of SC color of law. Fact: NO: **Exigency** arises whatsoever. However, Plaintiffs' injury inflicted by State of SC, agents in practices, custom and policy, abuse by Police state tactics, **inflicting** Admiralty psychological operations upon the People, by: Bill of pain & penalty and grand theft of property. These acts inflicted are criminal and evil upon the People and severely stressing. (Even more so: Plaintiffs' case of severe glaucoma, was having major effects in latter 2017 and first of 2018 around onset for community attribute, (allege tax due) to county operations. Also: Making it very stressful and challenging to prepare these necessary defenses, yet! By: The grace of Yehovah GOD and the Sovereign U.S. American People, under Constitutional unity / Jury we will prevail over this act of Treason and principalities.) Defendants: Criminal acts **inflicts cruel** distress on the Sovereign South Carolina & USA People. **Fact:** Allege sheriff sale (No Consent - Not for sale) buyer conspiracy may be adversarial contrived against Plaintiff (?). Buyer beware of sheriff sale fraud, True owner: No

Trespass – No Consent. Note: Subject property value by: Homestead True owner under Fifth amendment Just compensation is \$ 250,000.00 + but: Not for sale. The Federal and State Constitutions specifically state that compensation is to be made BEFORE Takings of the Peoples property. So, as is under State color of law it is **criminal grand theft**. Damages now exist and are required, due to: State of SC vague color of law statutes, Bill of pain & penalty violations and extortion in: Direct abuse and violation of eminent domain and Plaintiffs' **4th, 5th and 8th**' amendments, and other: This action arises on. **End**.

People's Special and Extraordinary Constitutional Matter

Demand Jury for all claims

With this matter: Plaintiff request and avers that all petitions will be through: The South Carolina Supreme Court, and at the discretion of The Honorable Chief Justice and Associates or His direct: Delegation, by: Procedural due process in Original Jurisdiction, In Common Law. This is due to biases of the circuit courts **and venue right is reserved**. Plaintiff is not learned in law. However, must and will defend Inlaw to the fullest Constitutional extent, in respect to absolute due process. Also: **Plaintiff moves for Supersedeas to stay matter for court**, (if damages are not met) and since cause of action originates from State of SC creations in color of law and Bill of pains & penalty. **Invoke: Want of form:** (a)" Judiciary Act of September 24, 1789, Section 342, FIRST CONGRESS, Sess. 1, ch. 20, 1789.

Complaint Supporting Inlaw Crimes

Demand Jury for all claims

United States Constitution, Art.1, sec.9, CL.3, & Art.1, sec.10

Attorney General: Respectfully: Plaintiff is very aware that you are the main defense agent for the De jure and De facto STATE OF SC. All: Allege criminal claims made by Plaintiff are directed at the corporate and De facto State, and its agents using the same customs, practices and policy. All defendants were acting under color of law at all times in their individual and official capacity. However, this case requires your full oath and professional service for the De jure South Carolina People and Their Constitutions as required by OATH'S of office, and to your professional duty and expertise to ferret out criminal acts. Again and respectfully, since there could be a conflict of interest and with all due respect for: True Constitutional, Bill of Rights and Procedural due process entitled for the People. This claim **requires** a full and **Special Grand Jury** of the People, and petition through: The South Carolina Supreme Court Honorable Chief Justice. The proficient Grand Jury can ferret out a Constitutional order for the only true due process, securing justice for the People and Plaintiff. **Plaintiff moves for Supersedeas**, since cause of action originate from State of SC creations, color of law. This criminal complaint is preliminary to a suit in law, 42 USC § 1983.

SC Code of law: 19-5-70, **Robbery:** 16-11-310 (1) (a), (2), (3) (b).

Barratry: > 16-17-10 (1) (b),(c),(d),(e). (2) (a),(b),(c),(d).

And: 16-17-30. And: 16-17-560. **Burglary First Degree:** 16-17-311 (A) (1), (a),(c). **Blackmail:** 16-17-640 (1), (2), (3), many other -.

Federal >>>:

United States Constitution, Art.1, sec.9, CL.3, & Art.1, sec.10.

42 USC 2000d-4a (1) (A) (B) Government agency's subsistence. Note: True due process Demands: Quid pro quo, Plaintiff equal Subsistence:

In Forma Pauperis, since cause of action originates by State of SC creation of subordinates actors, agents in conspiracy and color of law. **42 USC** Sections 1983, 1985, 1986, 1988- quid pro quo subsistence to equally qualify TRUTH in Constitutional due process and Common Law. **18 U.S.C.** Federal crimes relevant: Are sections: -241, -242, -2381, -2382, -2383, -2384, -1621, -1509, -872, -1962, -201, -1506, -113, -1025, -112, -1583, -911, -1201, -873 = 17 confirm 2421

JURISDICTION

Demand Jury for all claims

The United States and South Carolina Constitutions and Bill of Rights.

The Honorable South Carolina Supreme Court. **Original** Jurisdiction:

Constitutional Tort, Common Law at **Procedural** Due Process

SC: 15-7-100, 15-67-10, 15-67-100, 16-5-10, 16-5-60, 19-3-120,

16 Am, Jur, 2nd, §§ 167, - 362, - 364,

16 Am.Jur. (2nd), Const. Law, Sect.81

16 Am.Jur. (2nd), Const. Law, Sect.70

Also: Jurisdiction of this court arises under:

United States Constitution, Art.1, sec.9, CL.3, & Art.1, sec.10.

(Holy Bible, Ten Commandments, Mosaic law)

28 U.S.C. §§ **1331**, 1337, 1343(a) (civil rights and elective franchise), and 1367(a) (supplemental jurisdiction); 42 U.S.C. §§ **1983** (civil action for deprivation of rights), 1985(3) (conspiracy to interfere with civil rights), 1986, and **1988** [Quid pro quo: Subsistence, True equal protection (bundle of Rights) Due Process] (proceedings in vindication of civil rights); (Declaration to rights) - 28 U.S.C. §§2201 and 2202 (Holy Scriptures): Here Plaintiff First serves: Kingdom of Yehovah God. **42 USC** 2000d-4a (1) (A) (B) Government agency's subsistence. Note: True due process Demands: Quid pro quo, Plaintiff equal Subsistence:

In Forma Pauperis, since cause of action originates by State of SC
creations of actors in conspiracy to destroy By: Bill of pains & penalty
and State color of law.

Want of form: All rights reserved. Judicial Act of September 24, 1789.
Special Grand Jury. End without prejudice.

Notice to the agent is notice to the principal

Notice to the principal is notice to the agent

Following: is NOTICE of damages and has nothing to do with the
criminal aspects. Those rest with the State and Attorney General.

However, NOTICE of suit and damages are included thereto for easier
understanding of the plain statement of facts and are copied from an
official suit complaint to be filed < soon after > unless matter is
quickly settled. Seeking Yehovah God's guide, Plaintiff did not want
any such action as this, however, forced into the position of offense by
defense. Bless is The Kingdom of Yehovah GOD and may He be first
glorified always by and in all His anointed People, Psalms 105: 15.

NOTICE: 42 USC § 1983 Suit intent, Just compensation damages
Suit is based entirely on Deprivation of Rights entitled under
The Constitutions of The United States and South Carolina
Damages are based on that extortion sum of \$ 4229.74 and by:
Bill of pains & penalty of 1659.37 % interest on protest sum.

This extortion sum to redeem Plaintiffs' property seized without any
regards to the specific violations of 4th, 5th, 8th amendments, are done
with intent to destroy (Bill of Attainder?) Plaintiff. Fact: Without cause
or consent acts of the defendants violated the specific rights of Plaintiff
under the Fourth Amendment to the Constitution to be free from

unreasonable searches and seizures and to be free from the use of excessive force. Regardless of any allege sums for seizure, offer to pay in full was twice made **and refused**. So, on its face logic shows beyond any reasonable doubt that the seizure was not by required exigency requirements. But, it was to persecute a declared Sovereign American National: People, Foreign domiciled, and: Exercising at will the entitled Constitutional rights afforded to all USA and Union States People (Hooven & Allison vs Evatt, US - 1945 - **3 Rd** reference) that wish to stand. So, it was direct Bill of pains & penalty to persecute in intent and punish with malice, without any true judicial oversight. All created by: De facto State of SC under color of law customs, practices and policy. Therefore defendants, acting in concert and conspiracy, **violated** established and clear rights of the plaintiffs, **to be free** from: Unreasonable excessive force or seizure under the Bill of Rights specifically by the Fourth Amendment. Defendants acted with reckless or callous indifference to the Plaintiffs' constitutional rights at intent to destroy Plaintiff by way of his property and Bill of pains & penalties, a direct Constitutional violation and forbiddance.

Irreparable Injury

The Plaintiff have suffered and will in the future, suffer irreparable injury as a result of the defendants' unconstitutional conduct and actions. There is an actual controversy between the Plaintiff due to defendants acting in bad faith concerning true Constitutionality. Therefore, Plaintiff is entitled to Supersedeas and in all temporary and permanent injunctive relief to prevent any future violation of rights by these defendants, and to a declaration of Plaintiffs' rights and immediate Supersedeas to stay matter for a true court.

WHEREFORE, Plaintiff moves for the following relief:

A. A declaration of all rights and remedies; immediate Supersedeas;

B. A preliminary and permanent injunction enjoining defendants, their agents, employees, assigns, and all persons acting in concert or participation with them from violating plaintiffs' rights. And, free from unconstitutional searches or seizures and the use of excessive force of the type engaged in by the defendants severely violating the Plaintiffs' Fourth, Fifth, Eighth, 14th amendments due process, seizure, Takings.

C. Just Compensatory damages presented by Plaintiff, and reasonable.

D. Punitive damages; [allowable in 1983 action, By: Jury and Court]

E. Costs and reasonable attorneys' fees pursuant to 42 U.S.C. §1988;

Quid pro quo 1988 fees, In Forma Pauperis for: True due process.

F. Such other relief as the Court deems proper.

Agents extortion sum of \$ 4229.74 can only be based on the protest sum of \$ 254.90 since the full sum was offered; twice. Consequently: the excessive fine accrues at 1659.37 % interest by defendants. Since defendant entered fraud any fees, cost or other allege are amply irrelevant null & void. Consequently the Damages are now required:

Anderson County Inc., created by State of SC Inc.,

the sum of \$ 491,309.25.

State of SC Inc. & department of revenue,

the sum of \$ 3,439,164.70.

State agent Phillips in his individual and official capacity

the sum of \$ 70,187.00.

State agent Don Sullivan in his individual and official capacity

the sum of \$ 70,187.00.

These sums are a reasonable Quid pro quo of that excessive interest fine – 8th amendment violation, projected to persecute and destroy Sovereignty in ALL South Carolina and (USA) American People, that has harm no one. The formula as is required of Plaintiff, is based on

his absolute conscience faith in The Kingdom of Yehovah God. And the number 7 known for Our True God and for conscience sake in bringing this action is used to multiply that excessive fine rate. This equation is reasonable to suffer and sacrifice this irreparable injury on a senior for the People, and blinding appears more rapid due to this Bill of pains & penalty persecution. However, may our hearts lose all deceptive greed and keep in check with our Heavenly Father Yehovah GOD, that is: The Sovereign over the earth and all therein, forever. I am thankful. End. Explicitly: All rights reserved.

Danny L. Ivester, Sr. Date Oct 2, 2019
Witness: Plaintiff: In Special Appearance:

Danny L. Ivester, Sr., Sui juris: In Propria Persona
c/o 211 Highway 17
Piedmont, South Carolina, postal zone (29673)
Phone: 864 354 4124 (Persons ID name Required)

Witness *Lynne B. Holcomb* Print Lynne B. Holcomb

On this day of October 2, 2019 attested before this Notary, a flesh & blood man in good faith: Danny Lane Ivester, Sr. - Sui juris, that he **Constituted in full and Truth** in conscience first for The Kingdom of Yehovah God. To All in claim: Penalty of perjury applies. John: 8:32.

Nov. 23 2025
My commission expires

Carolyn Davis
Notary Public - witness & seal



CC: Jason P. Phillips – Notice to agent is notice to principal. God's seal

CC: Leon Harmon Anderson County Attorney, PO Box 8002,
Anderson, S. C. 26622 8002 Phone- 864 260 4000

State of South Carolina
The South Carolina Supreme Court

RECEIVED

FEB 27 2023

SC Court of Appeals

INJUSTICE ORDERS: VOID.
Refusal for Cause:
Notice to Cure.

Continuing Action: Case No.: 2019-001742

Complaint as is, First: In this courts: Original Jurisdiction.

TIME: All Rights reserved, due Covid 19: SC State of emergency.

Plaintiff Demands: Want of form judiciary act 1789 absolute.

Jurisdiction: STATE OF SC & defendants fail to state a claim.

In Special Appearance: Sui juris)	<u>Case No.: 2019-001742</u>
Danny L. Ivester, Sr., In Propria Persona)	Demands: Decision By Jury.
Plaintiff)	
)	Injustice Orders: Void.
Vs.)	Refusal for Cause:
)	Notice to cure.
STATE OF SC, INC.)	
SC DEPT- OF REVENUE, AGENCY)	Within the Admiralty
ANDERSON COUNTY INC, SUBORDINATE)	Savings to Suitor
Jason P. Phillips, Anderson Co. Treasurer)	Common Law
Don Sullivan, Treasurer agent)	
All Rights Reserve, Others related.)	
Defendants)	

1. Clerk please take notice to: The original Complaint as is Bill of Lading / (summons, 'court denied official seal & time stamp') please correct error by CC of org- w/ seal & org- time stamp. Action stands: Plaintiff is in court with affidavits entirety standing, into: The record.
2. Clerk please be advised that defendants are in default and by the SC courts FRCP 55 "Default Judgment on Award" is put into the record as required & The Honorable Clerk put defendants on notice.

rule **8{f}** of the rules of civil procedure, 28 U.S.C., which requires that all pleadings shall be construed **as to do substantial justice** **BURT VS. CITY OF NEW YORK**, 2Cir., (1946) 156 F.2d 791 [**DIOGUARDI VS. DURNING**, 2 CIR., (1944) 139 F2d 774.] Accordingly, the complaint will **not be dismissed for insufficiency.**" **STEIN VS. BROTHERHOOD OF PAINTERS, DECORATORS, AND PAPER HANGERS OF AMERICA**, DCCDJ (1950), 11 F.R.D. 153.

3. "A complaint will **not** be dismissed for failure to state a claim, even though inartistically drawn and lacking in allegations of essential facts, it cannot be said that under no circumstances will the party be able to recover." **JOHN EDWARD CROCKARD VS. PUBLISHERS, SATURDAY EVENING POST MAGAZINE OF PHILADELPHIA, PA** (1956) Fr Serv 29, 19 F.R.D. 511, DCED Pa 19 (1958) [**LYNN VS VALENTINE VS. LEVY**, 23 Fr 46, 19 FDR, DSCDNY (1956)]

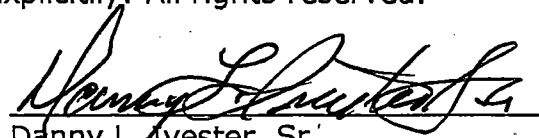
4. Want of form: (a)" Judiciary Act of September 24, 1789, Section 342, FIRST CONGRESS, Sess. 1, ch. 20, 1789. "Suit cannot be dismissed for errors in service".

5. " The Constitution is a written instrument. As such its meaning does not alter. That which it meant when adopted, it means now."

South Carolina v. United States, 199 U.S. 437, 448 (1905)

First serve; Kingdom of Yahweh God. Explicitly: All rights reserved.

Date: September 25, 2020



Danny L. Ivester, Sr.
211 Hwy 17
Piedmont, S.C. (29673)
864 354 4124

Phone: Callers ID must appear:

RECEIVED

OCT 17 2019

S.C. SUPREME COURT

State of South Carolina
The South Carolina Supreme Court

Respectively; Petitions: Original Jurisdiction for:

Extraordinary Writ: Constitutional & Bill of Rights Violations by:

Malice in law: Bills of pains & penalties, custom & policy

Special interest (Fraud?) arises with this matter for the People

0947 Time
(DL)

Date [Oct 17, 2019] Case No. [2019-001742]

In Special Appearance: Sui juris)
Danny L. Ivester, Sr., In Propria Persona)
Petitioner)

Jury Demand

v.)

STATE OF SC, INC.)
SC DEPT- OF REVENUE, AGENCY)
ANDERSON COUNTY INC, SUBORDINATE)
Jason P. Phillips, Anderson Co. Treasurer)
Don Sullivan, Treasurer agent)
All Rights Reserve, Others related.)
Defendants)

RECEIVED

FEB 27 2023

SC Court of Appeals

Introduction

Most Respectively: To case cites relevant in Honor to many Justices with **numerous** Constitutional cites: South Carolina v. United States, 199 U.S. 437, 448 (1905). Mr. Justice Brewer gave opinion: ' The Constitution is a written instrument. As such its meaning does not alter. That which it meant when adopted, it means now.' Other, by Mr. Justice Gray in United States v. Wong Kim Ark, 169 U.S. 649, 654, 42 S. L. ed. 890, 892, 18 Sup. Ct. Rep. 456, 459; ' In this, as in other respects, it must be interpreted in the light of the common law,

the principles and history of which were familiarly known to the framers of the Constitution.' [At God's will may we so: Hold.di]

Plain Statement of facts

Action in law, tort and in cause: State of SC Inc. fell to properly train its agents in Bill of Rights Constitutional due process for People **not** in contract. There is cause in fact that State agents/officers have acted in criminal negligence and malicious abuse of process upon a Sovereign South Carolina Republic People. And, Lacking: Persona, Subject matter and In Rem jurisdiction, also defendants violates UCC commercial law.

Plaintiff is: Not at all under contract. **Agent:** Jason P. Phillips Anderson county Treasurer conferred to Plaintiff verbally of / to use the senior Homestead a \$ 250.00 deduct and it would offset the protest sum of \$ 254.90. So, a reasonable compromise, as protest was made and over (?). By record agent Phillips **knew**

Plaintiff is: One of the Sovereign South Carolina People in Common Law of the Republic state, and a: U.S. American National, transient foreign. The protest **being** a 1st Amendment Petition for Redress of state government through: 14th amendment and equal protection for: Violating the People's Bill of Rights that are declaratory and restrictive. State of SC and Anderson county allowed Schools to be used to **propagandize**

Peoples Bill of Rights: Religion, Speech and the 2nd amendment.
This is a legitimate **cause** for protest. Plaintiff researched SC Homestead, saw its color of law ploy, in fraud. So, in good faith to agent Phillips bequest Plaintiff filed an official and notarized Allodium Homestead Right In Common Law. Attributed: The gross sum for community (County Operations) with the People was submitted, paid in full, yet denied. Thereafter agent Phillips **reneged** offer and **Resume:** Direct violation of Bill of pain & penalty, conspiring with SC Department of revenue and agent Don Sullivan, by: State of SC custom, practices and policy, **color of law.** Defendants: Acting under color of law allege seizure of property, arises: Barratry, Extortion, Fraud and Grand Larceny, **criminal** acts, with many **other** Federal and State. Judgment ploy as allege **is fraud,** based on a fictional person or thing, that is **NOT** the Plaintiff or the presumed (sold) property. Affidavits are in evidence to these facts. Plaintiff is a flesh & blood man in character rights that are Allodium and Unalienable In Common Law by: The United States and South Carolina Constitutions authority and that of Natural Rights. **Fact:** Defendants assume power as a court of justice denying remedy Inlaw. Illegally: Impersonating article III Judges duty when lacking: Persona, Subject matter or In Rem jurisdiction, **under** State color of law.

All: Jurisdiction is explicitly required on the record. Fact:
Plaintiff, In the 0900 hour, at the Powdersville office, on
10/15/2018 sheriffs allege sale day and **before** any sale by
public auction could be made. Again: No Consent, and **again**
offered in **full sum** for Peoples attribute to (County operations)
and paying under protest until **some** remedy Inlaw arises, is
refused. This act of criminal injustice **by state agents** allows
no reasonable remedy in: Denying actual due process under
State of SC color of law. Fact: No: **Exigency** arises whatsoever.
However, Plaintiffs' injury inflicted by agents are in custom and
policy practices by: State of SC. Abuse of office in using Police
state tactics, **inflicting** Admiralty psychological operations upon
the People, by: Bill of pain & penalty and grand theft of property.
These acts inflicted are criminal and evil upon the People and
severely stressing. (Even more so: Plaintiffs' case of severe
glaucoma, was having major effects in latter 2017 and first of
2018 around **onset** for **community** attribute, (**allege** tax due)
to county operations. Also: Making it very stressful and
challenging to prepare these necessary defenses, yet! By: The
grace of Yehovah GOD and the Sovereign U.S. American People,
under Constitutional unity / **Jury** we will prevail over this act of
Treason and principalities.) Defendants: Custom acts **inflicts**

cruel distress on the Sovereign South Carolina & USA People.
Fact: Allege sheriff sale (No Consent - Not for sale) buyer
conspiracy may be adversarial contrived against Plaintiff (?).
Buyer beware: Of fraud in sheriff sale, True owner: No Trespass
– No Consent, **this, as is - in register of deeds is posted &**
private property. Note: Subject property value by: Homestead
True owner under Fifth amendment Just compensation is \$
250,000.00 + but: Not for sale. The Federal and State
Constitutions specifically state that compensation is to be made
BEFORE Takings of the Peoples property. So, as under State
color of law arises **criminal grand theft.** Damages now exist
and are required, due to: State of SC vague color of law
statutes, Bill of pain & penalty violations and extortion. In: Direct
abuse and violation of eminent domain and Plaintiffs' Bill of
Rights in all amendments, strictly 4th, 5th, 6th, 7th, & 8th, or
other: This action in law and tort arises under Title 42 USC §
1983, other, malice deprivation to exercise a natural right, **End.**

JURISDICTION

Demand Jury for all claims

The United States & South Carolina Constitutions, Bill of Rights.

The South Carolina Supreme Court. **Original** Jurisdiction:
Deprivation in Tort, Common Law at **Procedural** Due Process

SC: 15-7-100, 15-67-10, 15-67-100, 16-5-10, 6-5-60, 19-3-120,

70 Am. Jur. 2nd Sec. 50, (VII Civil Liability)

16 Am, Jur, 2nd, §§ 167, - 362, - 364,

16 Am.Jur. (2nd), Const. Law, Sect.81

Therefore, the Court's decision in the instant case must be made without the issue of cost to the state being taken into consideration, as that issue is irrelevant. The state cannot lose money that it never had a right [duty, or other, di] to demand from the "Sovereign People."

Finally, we come to the issue of "public policy." It could be argued that the "licensing scheme" of all persons is a matter of "public policy."

However, if this argument is used, it too must fail, as: [Fraud & evil arises, di] "No public policy of a state can be allowed to override the **positive** [law,di] guarantees of the U.S. Constitution."

<> 16 Am.Jur. (2nd), Const. Law, Sect.70 <>

Also: Jurisdiction of this court arises under:

United States Constitution, Art.1, sec.9, CL.3, & Art.1, sec.10.

(Holy Bible, Ten Commandments, Mosaic law)

28 U.S.C. §§ **1331**, 1337, 1343(a) (civil rights and elective franchise), and 1367(a) (supplemental jurisdiction); 42 U.S.C.

§§. **1983** (civil action for deprivation of rights), 1985(3)

(conspiracy to interfere with civil rights), 1986, and **1988** [Quid

pro quo: Subsistence, True equal protection (bundle of Rights)

Due Process] (proceedings in vindication of civil / natural rights);

(Declaration to rights) - 28 U.S.C. §§2201 and 2202 (Holy

Scriptures): Here: Plaintiff First serves: Kingdom of Yehovah God and prays TRUTH in, with and upon all. Jude:1:9.

42 USC 2000d-4a (1) (A) (B) Government agency's subsistence.

Note: True due process Demands: Quid pro quo, Plaintiff equal

Subsistence: In Forma Pauperis, since cause of action originates

by State of SC creations of actors in conspiracy to destroy By:
(Bill of Attainder) in Bill of pains & penalty under State color of
law. Same in evil to effects.

Want of form: All rights reserved. Judicial Act of September 24,
1789. Does this matter require a Special Grand Jury?

End: Without prejudice.

Writ for: People's **Special** & Extraordinary Constitutional Matter
Demand Jury for all claims

With this matter: Plaintiff request and avers that all petitions
will be through: The South Carolina Supreme Court, and at the
discretion of The Honorable Chief Justice and Associates or in
direct: Delegation, by: Procedural due process in Original
Jurisdiction, In Common Law.

Again: Plaintiff is NOT learn in law and in need of proficient
counsel that is unavailable due to extrajudicial process, a Right
depravation, and due to biases of other inferior courts. And:
Plaintiff reserves all rights to venue in respect to this courts
Honor in Original jurisdiction and procedure (only) advisory.
Plaintiff tho' not learned in law defends in Positive Constitutional
law in respect to absolute due process: 1st, 4th, 5th, 6th, 7th, 8th,
amend-. Also: **Plaintiff moves for Supersedeas to stay**
matter for court, and since cause of action originates from
STATE OF SC, INC. creations in color of law and by: Bill of pains
& penalty. **Invoke: Want of form:** (a)" Judiciary Act of
September 24, 1789, Section 342, FIRST CONGRESS, Sess. 1,
ch. 20, 1789. Only: Procedure due process is seek by petition.

Irreparable Injury

The Plaintiff have suffered and will in the future, suffer irreparable injury as a result of the defendants' unconstitutional conduct and actions. There is an actual controversy between the Plaintiff due to defendants acting in bad faith concerning true Constitutionality. Therefore, Plaintiff is entitled to Supersedeas and in all temporary and permanent injunctive relief to prevent any future violation of rights by these defendants, and to a declaration of Plaintiffs' rights and immediate Supersedeas to stay matter for a true court.

WHEREFORE, Plaintiff moves for the following relief:

- F. A declaration of all rights and remedies; immediate Supersedeas;
 - B. A preliminary and permanent injunction enjoining defendants, their agents, employees, assigns, and all persons acting in concert or participation with them from violating plaintiffs' rights. And, free from unconstitutional searches or seizures and the use of excessive force of the type engaged in by the defendants severely violating the Plaintiffs' Fourth, Fifth, Eighth, 14th amendments due process, seizure, Takings.
 - C. Just Compensatory damages presented by Plaintiff, and reasonable.
 - D. Punitive damages: [allowable in 1983 action, By: Jury and the Court]
 - E. Costs and reasonable attorneys' fees pursuant to 42 U.S.C. §1988; Quid pro quo 1988 fees, In Forma Pauperis for: True due process.
 - F. Such other relief as the Court deems proper.
- Agents extortion sum of \$ 4229.74 can only be based on the protest sum of \$ 254.90 since **ALL** other was offered: TWICE.

Consequently: the excessive fine accrues at 1659.37 % interest by defendants. Since fraud arises by: Defendants any fees, cost or other allege are amply irrelevant null & void.

Consequently following damages are now required:

ANDERSON COUNTY INC., CREATED BY STATE OF SC INC.,

Injury: Damages \$ 491,309.25.

STATE OF SC INC. & DEPARTMENT OF REVENUE,

Injury: Damages \$ 3,439,164.70.

Treasurer Phillips in his individual and official capacity

Injury: Damages \$ 70,187.00.

State agent Don Sullivan in his individual and official capacity

Injury: Damages \$ 70,187.00.

These sums are a reasonable Quid pro quo of that excessive interest fine – 8th amendment violation, projected to persecute and destroy Sovereignty in ALL: South Carolina and (USA) American People, that has harm no one. The formula as is required of Plaintiff, for conscience sake and conscience faith in The Kingdom of Yehovah God. And that number 7 known for Our True God is used to multiply that excessive fine rate and depravation of all order of Plaintiffs Constitutional Rights. This equation is reasonable for suffer and sacrifice of the irreparable injury on a senior man for the People, as blinding appears more rapid due to this imposed Bill of pains & penalty by: Malicious prosecution. However, may our hearts lose all its deceptive greed and keep in check with our Heavenly Father Yehovah GOD, that is: The Sovereign over the earth and all therein, forever. I am thankful. End.

Notice to Principle is notice to agent

Notice to agent is notice to principle

Explicitly: All rights reserved, to inevitable discovery or revise.

Danny L. Ivester, Sr. Date 10/16/2019-1448

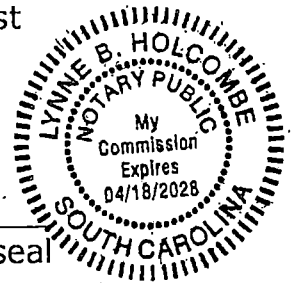
Petitioner: In Special Appearance: Sui juris:
Danny L. Ivester, Sr., In Propria Persona
c/o 211 Highway 17
Piedmont, South Carolina, postal zone (29673)
Phone: 864 354 4124 (Peoples' ID name Required)

Witness *Kathryn Blackstone* Print KATHRYN BLACKSTONE

On this day of October 16, 2019 attested before this Notary, a
flesh & blood man in good faith: Danny Lane Ivester, Sr. - Sui
juris, that he **Constituted in full and Truth** in conscience first
for The Kingdom of Jehovah God. To All in claim: Penalty of
perjury applies. John: 8:32.

04/18/2028
My commission expires

Lynne B. Holcombe
Notary Public - witness & seal



Following CC: Are served according to SCRCF, US postal, receipt.

CC: Leon Harmon Anderson County Attorney, PO Box 8002,
Anderson, S. C. 26622 8002 Phone- 864 260 4000

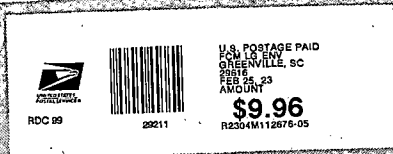
CC: Jason P. Phillips, PO Box 8002, Anderson, S.C. 26622 8002

CC: Don Sullivan, PO Box 8002, Anderson, S.C. 26622 8002

CC: STATE OF SC, INC, Attorney General:
Respectively: Mr. Alan Wilson
1000 Assembly St., Room 519
Columbia, South Carolina 29201
Phone 1 803 734 3970

To best of my knowledge: Plaintiffs and defendants reside in the District of South Carolina, and all the events giving rise to the claims herein arose in the District of South Carolina, Anderson district, [SC 13 th circuit, di]. End.

Ivester
Co. 211 Hwy. 17
Piedmont, SC (29673)



RECEIVED
FEB 27 2023

RECEIVED
FEB 27 2023
SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings, CLERK
Post Office Box 11629
Columbia, S.C. 29211

2/28

