

PROOF OF SERVICE

STEVE FRANTZ
536 S. SUMMIT ST.
SMITHVILLE, OH 44677
APPELLATE CASE NO. 2023-000790

RECEIVED
JUN 02 2023
SC Court of Appeals

22 MAY 2023

APPELATE COURT OF SOUTH CAROLINA
1220 SENATE ST.
COLUMBIA, SC 29201

This APPEAL has been filed with the APPELATE COURT OF SOUTH CAROLINA and the SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES.

This appeal was also filed with the JASPER COUNTY CLERK OF COURT. My word as my witness.

Steve Frantz
Steven Frantz

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APPELATE COURT OF SOUTH CAROLINA
1220 SENATE ST.
COLUMBIA, SC 29201

8 MAY 2023

NOTICE OF APPEAL

The following is a NOTICE OF APPEAL of INNOCENT for the guilty disposition ORDERED by Magistrate S. Joanne McDonald (deceased) and Honorable R. Keith Kelly of JASPER COUNTY, SOUTH CAROLINA.

•JUDGEMENT from Judge Kelly was received 1 MAY 2023.

*Trial was held 30 JUN 2021 and Magistrate McDonald ORDERED her disposition on 30 SEP 2021, accruing a total of 93 days to come up with her decision. This is in violation of time limits with which to render a decision. Her violation voids her decision.

*This was the first time it was brought up I was late in a filing. For over a year this has not been an issue. In fact, Margaret Rostic, Jasper County Clerk of Court asked me to provide the COURT with a date to schedule this hearing. This letter was dated 20 APR 2022!

•A hearing was held 20 APR 2023 by Honorable R. Keith Kelly. Honorable Kelly refused to hear facts pertinent to this case. Instead he focused on any illegal activities performed by Magistrate McDonald. He mentioned her taking 93 days with which to render her decision. I agreed with him. At this point he admonished me for taking longer than 10 days (which is false) with which to file an appeal quoting (I assume) pertinent laws. He asked what laws I could quote. I tried to explain I am not a lawyer. He dismissed my lack of legal knowledge and informed me he would render his decision. He made his decision the next day. The State of South Carolina did not appear for this APPEAL hearing. In my opinion, Judge Kelly acted on behalf of the STATE and did not conduct himself in an impartial manner, violating Judicial Cannons which he is bound by.

*Magistrate McDonald denied me a trial by a jury of my peers.

•The STATE OF SOUTH CAROLINA refused to comply with not one, but two DISCOVERY MOTIONS, rendering me unable to fully present the facts in this case. This also prevented me from facing my accusers (kept shielded and hidden by the STATE OF SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES), the owners of the Okeetee Hunting Club. The Okeetee Hunting Club employees implied the owners were too important to be at a criminal trial such as this.

•At the onset of this hearing, I informed Magistrate McDonald I would not be crossing the bar even though this was conducted via ZOOM. Magistrate McDonald was confused, to me, and stated she did not know what her bar was.

•Throughout this entire proceeding, the STATE OF SOUTH CAROLINA vacillates between a name someone gave to me and a legal fiction. I do not know who or what this pertains to.

•A man with a gun, Robbie Smith, committed a felony (taking pictures of my FEDERAL MILITARY ID) while detaining me in SOUTH CAROLINA. Magistrate McDonald failed to comment on this man committing a felony while detaining a people (me) nor was there any argument against him committing a felony. Robbie Smith witnessed me walking along a PUBLIC road.

•Deputy Dupree issued a "ticket" rendering a fine almost three times (\$260.00) the maximum (\$100.00) allowable by the SOUTH CAROLINA REVISED CODE. I questioned his supervisor, Sergeant Pope, about this and was laughed off stating this was their normal business practice and if this were true, he would have to pay back people a whole lot of money. I also spoke with the chief legal counsel for the STATE OF SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES, V. Craig Jones, Jr., and was informed Deputy Dupree was proceeding with this case because I had spoke with his supervisor, Sergeant Pope. Mr. Jones stated normally this type of issue would be resolved in a form letter stating I would not go near their property again and therefore no criminal charges would be filed, especially with my medical condition and me being from out of state. Thus, this was brought forward by Deputy Dupree, THE STATE OF SOUTH CAROLINA, as retaliation for speaking with Deputy Dupree's supervisor. I questioned Deputy Dupree's supervisor under the advice of the JASPER COUNTY SHERIFF'S DEPARTMENT, Corporal Evans, who was also there when Deputy Dupree arrived and questioned what really was going on and a later conversation with Lieutenant Wright.

•Deputy Dupree committed perjury on the stand, under oath, when he swore the property lines in JASPER COUNTY, SOUTH CAROLINA were defined by ditches along the side of the road. When questioned by me, he changed his story to reflect signage posted now truly represents property lines. If the STATE OF SOUTH CAROLINA had abided by my DISCOVERY MOTION, this could have easily been avoided, but by trying to hide vital information to this case, Deputy Dupree, lied and subsequently perjured himself in court, under oath. Magistrate McDonald did nothing when Deputy Dupree intentionally lied on the stand.

•One of the STATE OF SOUTH CAROLINA'S witnesses (name not recorded, but a stated employee of the Okeetee Hunting Club) also committed perjury when he stated, under oath, it was "common sense" to be able to see 250 yards into the forest. The photographic evidence provided is in direct conflict with his claim of "common sense." At no time did he recognize me as the people he was speaking about. This was the first time I had met this person.

•When under questioning, by myself, the Okeetee Hunting Club manager, Bert Shifflett, went on an inflammatory racist rant concerning African American basket weavers. As someone who is in an interracial marriage, and am the father of two biracial children, I was appalled this overt racism is still alive and well in JASPER COUNTY, SOUTH CAROLINA and Magistrate McDonald allowed such vitriol to be allowed in her court. This was the first time I had met Mr. Shifflett.

•When Magistrate McDonald ruled against the STATE OF SOUTH CAROLINA concerning viewing evidence of Officer DuPree's cell phone, Officer DuPree rushed the bench to show Magistrate McDonald whatever was on his phone. Magistrate McDonald did not afford me the opportunity to view what was on his phone.

•The STATE OF SOUTH CAROLINA held Magistrate McDonald's order for 2 days, delaying me being able to receive her ORDER in a timely matter.

•The STATE OF SOUTH CAROLINA did not even address, much less prove, the basic tenants of trespass. 1. No damage of health, reputation, or property 2. No injury of another person or property 3. No act, real or implied, causing injury to a person, property, or relative rights of another.

•Magistrate McDonald, in her order, states she supplied me time to provide her with documents and pictures. These were mailed within a week of the trial. Did she receive them? This is never stated in her order. These are the same documents and pictures presented during trial. This would not be the first time the JASPER COUNTY MAGISTRATES COURT did not receive mailings from myself if this indeed is the case.

•Magistrate McDonald states in her ORDER she conducted research. As a research scientist myself, I would like to know what research methodology she used and what, beyond the courtroom, needed to be researched, which should have been disclosed for my response. I have not been privy to any additional information Magistrate McDonald may have obtained, nor was I afforded any investigation or cross-examination into this material beyond the courtroom. I can only imagine this was pertinent to this case and something I had filed in one of my DISCOVERY MOTIONS denied by the STATE OF SOUTH CAROLINA. This begs the question what information Magistrate McDonald was shown that I was not privy to.

•I would like to obtain a copy of Magistrate McDonald's notes and file the references in her ORDER.

•I maintain my plea of NOT GUILTY of SIMPLE TRESPASS and cannot stress my INNOCENSE enough to the APPELATE COURT OF SOUTH CAROLINA.

•On 26 FEB 2023 I filed a MOTION TO DISMISS. Judge Kelly, Judge Bonds, or the COURT never addressed this MOTION.

•On 26 FEB 2023 I filed a MOTION TO CHANGE VENUE. Judge Kelly, Judge Bonds, or the COURT never addressed this MOTION.

•On 26 FEB 2023 I filed a MOTION OF RECUSATION. Judge Kelly, Judge Bonds, or the COURT never addressed this MOTION.

•Throughout this process, the COURT has insisted to have me appear IN-PERSON, a clear violation of the 14th Amendment. Because of my medical condition, Pyroderma Gangrenosum, the COURT is demanding me to commit an act of self-harm.

•On 28 OCT 2021, Quatray Truesdale, Jasper County Common Pleas Clerk, returned a filing fee and states in her letter, "There is no fee for filing criminal appeals." I've included a copy of this letter for your convenience.


•In conclusion, Judge Kelly wrote, "The appeal was not perfected." John 8:1-12 reads, "but Jesus went to the Mount of Olives. At dawn he appeared again in the temple courts, where all the people gathered around Him, and he sat down to teach them. The teachers of the law and the Pharisees brought in a woman caught in adultery. They made her stand before the group and said to Jesus, "Teacher, this woman was caught in the act of adultery. In the Law Moses commanded us to stone such women. Now what do you say?" They were using this question as a trap, in order to have a basis for accusing him. But Jesus bent down and started to write on the ground with his finger. When they kept on questioning him, he straightened up and said to them, "Let any one of you who is without sin be the first to throw a stone at her." Again he stooped down and wrote on the ground. At this time, those who heard began to go away one at a time, the older ones first, until only Jesus was left, with the woman still standing there. Jesus straightened up and asked her, "Woman, where are they? Has no one condemned you?" "No one, sir," she said. "Then neither do I condemn you," Jesus declared. "Go now and leave your life of sin."

Thank you for your time and thoughtful consideration of this dire situation and correct a wrongful decision. Please feel free to contact me if you need any further information.

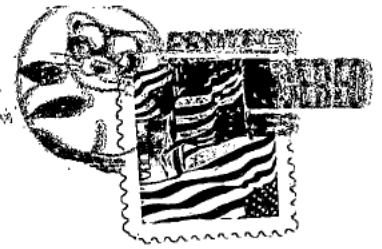
Steve Frantz

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NOTHING FOLLOWS

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30 MAY 2023 PM 4 L



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