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**Aug 11 2023**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

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**APPEAL FROM BERKELEY COUNTY**

**Court of Common Pleas**

**The Honorable Daniel Coble**

**Berkeley County**

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**Court Case No.2022CP0802427**

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**Appellant Case No. 2023-00460**

Joe Clemons,

Appellant,

vs

William S. Helmly/President & CEO o Home Telecom

and Home Telecom Co,

Respondent,

-----  
**APPELLANT'S INITIAL BRIEF**

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S/Joe Clemons

Joe Clemons, Appellant

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Appellant, *Pro se*

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## **Table of Authorities**

Because of the uniqueness of this case and the unjudicial things that were done in this case, there is no authority that can be found to validate and support, also they are no valid transcript for this reason and because of this there is no authority that can be found to validate this case.

## STATEMENT OF THE CASE

On July 18, 2022, I Joe Clemons the appellant had a hearing before Judge Rodger Young (Case #2021-CP-08-02709) concerning William S. Helmly who is the president and CEO of Home Telecom and Home Telephone Company, which is my land line phone company for over 30 years. When State Farm Life and Peggy Pinnell Insurance Agency committed forgery by placing my name on a document that the appellant did not ever see or sign, Appellant's case No. 2021-000183. Doing that time when I was trying to prove to the Department of Insurance of South Carolina that I made calls to State Farm and Peggy Pinnell office about the forgery. The Department of Insurance of South Carolina told me to get a copy of my phone call, so I could show that I made the calls, so they could get the recording of those calls, especially the ones made on March 10, 2017, that would have prove that I spoke to a person named Randy about my policy. All this information was heard by Judge Roger Young on January 11, 2021, when Judge Young ruled in the Case Hearing,

No. 2019-CP-08-00424, he granted me (appellant) the right to add Home Telecom to my lawsuit that I have with State Farm & Peggy Pinnell. On July 18, 2022, as I have stated before I was back in front of Judge Young about the very same issue about my phone calls records being held back by Home Telecom and producing false documents wherein I reminded and presented to Judge Young those same facts & more, but that case was dismissed because the Lower Court in Berkeley County protect certain people & certain lawyers. After that case No. 2021-CP-08-02709 was dismissed, I filed a new case against Home Telecom & William Helmly case No. 2022-CP-08-02427 and that was a hearing before Judge Daniel Coble concerning dismissal of my case again concerning Home Telecom crime of holding back needed information and facts & proof from me to prove what State Farm did. During that hearing on January 31, 2023, before Judge Daniel Coble, the judge allowed Mr. Robert Kneece III to give his reasons for dismissal of my case and he stated that I had the very same case before Judge Young and everything was exactly the same and he used all of the same reasoning that was used before Judge Young, he told a lied to Judge Daniel Coble saying that He and Mr. William Helmly was present at the first hearing that was dismissed before Judge Young, he and Mr. William

Helmly was not present at the first hearing before Judge Young, he and Mr. William Helmly were not there, so not only did he (respondent) have lied to the court, but that is Hearsay and Hearsay is not acceptable in a court of law. For those reasons and more my case should Not have been Dismissed.

### **Statement of The Facts**

On November 14, 2017, my first attorney was Mrs. Stefanie Huffer of Cobb, Dill & Hammett, LLC., when she contacted State Farm concerning the forging of my name, she stated that if State Farm did not do the things, she has requested she stated to State Farm “we are in the process of obtaining Mr. Clemons’s phone records to verify the existence of the calls since you seen to not remember this conversation.” Well, after going to Home Telecom requesting and paying for my detailed phone records, Home Telecom gave me a copy, but all of my calls that was made to State Farm and Peggy Pinnell office was missing from March 1, 2017 to May 31, 2017 and when I went back to Home Telecom on three different occasions

requesting and complaining that I made calls to State Farm, and I have letters from State Farm proving that I made calls to them. I also have a letter from the Department of Insurance of South Carolina stating that State Farm stated I have been calling them using my land line phone number. State Farm also gave me (appellant) copy of most of my call (but not the one I needed to prove my conversation with Randy on March 10, 2017, but Home Telecom record shown no calls made to State Farm. In the deposition where I deposed William Helmly C.E.O of Home Telecom and he stated at the deposition, "If those calls were made it would be permanently on their server of data base, he also stated that Peggy Pinnell was his neighbor."

I have presented all these facts with the proofs & documents to prove everything, I have stated in this brief to all the judges I have come before in all my lower court's Case No. 2019-CP-08-00424,

Case No. 2021-CP-08-02709 and Case No. 2022-CP-02427 and

Appellate Court Case 2021-00-1183. I also have a letter from Home Telecom & William Helmly that came on March 18, 2020, that states if I want any subsequent requests related to this matter, I will need to submit a

valid subpoena.” I have subpoenaed requested, begged and gone to the courts, but still no accurate phone records and is openly & blatantly obstruction of justice.

### **Argument**

If the judges in the lower courts would base their decisions on the facts, proofs, evidence and the documents that was presented at those hearing and not hearsay, lies, opinions and influence and the law, my case (the appellate) could not have been dismissed by judge Daniel Coble because the respondent and his lawyer was not at the first hearing before judge Young and Mr. Roberg Edward Knece the Respondent lawyer never presented any facts or proofs to validate or verify and prove anything he was saying because all of his statements was based on hearsay and lies. For these reasons this case should have gone to trial to be judged by a jury because a jury trial is poor man only hope.

## Prayer

For reasons outlined above, appellant is asking this court to vacate or reverse lower court's dismissal of the case and remand this matter for this case to go to trial to allow a jury to reach a verdict.

s/Joe Clemons

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Appellant, Pro se

August 10, 2023

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Appellant hereby certifies that copies of his Initial Brief are filed and served electronically, this 10<sup>th</sup> day of August 2023 to

Appellate Court Administration

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