

THE STATE OF SOUTH CAROLINA

In The Court of Appeals  
[In The Supreme Court]

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SC Court of Appeals

APPEAL FROM Berkeley County  
Court of Common Pleas

Judge Jennifer B McCoy

Case No. 2022 CP-08-02508

Hanahan Police Department & Other Law Enforcement Officials  
Defendants

Respondent,

v.

Muhammad Nathaniel Wilson Pro  
Se

Appellant.

This Matter is before the Court on the Defendants (Hanahan Police Department & other Law Enforcement officials) hereinafter this plaintiff will move ten days hence or as soon as, I may be heard pursuant to Rules 12(b)(5) and 12(b)(6) of the South Carolina Rules of Civil Procedure to appeal the judge's order to Dismiss Based on Bias Discrimination by the Honorable (Jennifer B McCoy  
(Factual Back ground)

**a)** Right Preserved. The right of trial by jury as declared by the Constitution or as given by a statute of South Carolina shall be preserved to the parties inviolate. Issues of fact in an action for the recovery of money only or of specific real or personal property must be tried by a jury, unless a jury trial be waived. **(b)** Demand. Any party may demand a trial by jury of any issue triable of right by a jury by serving upon the other parties a demand therefor in writing at any time after the commencement of the action and not later than 10 days after the service of the last pleading directed to such issue. Such demand may be endorsed upon a pleading of the party. **(c)** Same: Specification of Issues. In his demand a party may specify the issues which he wishes so tried; otherwise, he shall be deemed to have demanded trial by jury for all the issues so triable. If he has demanded trial by jury for only some of the issues, any other party within 10 days after service of the demand or such lesser time as the court may order, may serve a demand for trial by jury of any other or all of the issues of fact in the action. **(d)** Waiver. The failure of a party to serve a demand as required by this rule and to file it as required by Rule 5(d) constitutes a waiver by him of trial by jury. A demand for trial by jury made as herein provided may not be withdrawn without the consent of the parties, except where an opposing party is in default under Rule 55(a).  
DISCUSSION

### Fourteenth Amendment to the United States Constitution

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

*S.C. R. Civ. P. 38* the Honorable (Jennifer B McCoy gave no Legal reason for agreeing with the defendants' attorneys the Domestic Dispute that involved 2 People the Plaintiff Showed no sign of being Complicit with the Child Being in the Room Around Adults Indecent the Mother and Legal custodian was Obviously Complicit but was not Charged With neglect because of the Defendants Malice Against Black Men the Defendants Was to focus on Racial Profiling the Plaintiff To acknowledge that the Plaintiff made the 911 call to Report what was going on with , indisputable evidence that Not Only was the other party legally responsible she was abusing and neglecting the child the officer in charge Violated my Civil Rights but the Plaintiff Could Not File the Civil case without the Charges being Dismissed. Using Litigation tactics, the Defendants Attorneys Ran up the Time in order to make other Attorneys Afraid to represent my case

Applicable law The statute of limitations begins to run when the plaintiff "knew or by the exercise of reasonable diligence should have known" that they had a cause of action. See S.C. Code § 15-3-535.

Personal Injury

Statutes of limitations set the length of time that a plaintiff, prosecutor, or government agency has to bring a lawsuit or charges against a defendant. After that period, a suit is time-barred; "the statute has run."

In South Carolina, a plaintiff has three years to file a claim against another person or corporation for personal injury or property damage. This covers many common causes of action, such as:

*Emotional Distress*

The Plaintiffs Motion Section 1983 allows the Plaintiff Muhammad Nathaniel Wilson under the Bivens act may recover for the violation of certain constitutional rights if The Defendant's to be found liable when they have acted under color of any statute, ordinance Applicable law Statute 421 USc 1983 which allows Individuals to Sue the Government for Violation, s of Civil Rights Attorney Evan Sobocinski )has wasted Enough of the Courts Time seeking to use legal Tactics to Run out the Statute of limitation like a Criminal avoiding the Truth to Come out and has Profited The Warrant Indictment Status Change Proves The date the Charges was Dropped,(January 9 2020 ) because of Federal law I could not file the case before January 9 2020 ) represents the day the case ended without prosecution my personal injury or Emotional Distress has a 3 year time Statue it also Proves the Defendants case did not End in Prosecution. the only problem is my lack of Legal Representation, because of My Skin Color and the Defendants Attorneys Connections Affiliates of Attorney Evan Sobocinski they refuse to represent me so the Defendants Attorney seeks to send a Powerful message of White Supremacy that Black Men lives do not matter if they cannot get legal representation! first the defendants Affiliates refused to give me a preliminary hearing so I could not defend myself Forcing me to stay in Berkeley

Color and the Defendants Attorneys Connections Affiliates of Attorney Evan Sobocinski they refuse to represent me so the Defendants Attorney seeks to send a Powerful message of White Supremacy that Black Men lives do not matter if they cannot get legal representation! first the defendants Affiliates refused to give me a preliminary hearing so I could not defend myself Forcing me to stay in Berkeley County Housing they used Delaying Court time to Run out the time of the Statute of limitation because of the Corona epidemic . I stated in open court on the record about the Bias Discrimination By The attorneys the Racist bias Racist beliefs are that Black Men cannot call 911 is Unacceptable I Muhammad Wilson the Plaintiff Previously requested a Jury trial unfortunately the Defendants Attorney Evan Sobocinski has made sure the case Dose not get a Fair Chance at a Jury Trial because BERKELEY county Works with the Defendant and the Only way for a Fair Judgement is to Not Violate my Civil Rights and treat me as an American Citizen THE COURT OF COMMON PLEAS refuse to Honor my Civil Rights this Proves to The District Court that State Court is to Corrupt to deal with this Civil case that involves their affiliates and they made a bad Judgement Trusting the Case to be resolved by BERKELEY County Affiliates Of Hanahan Police Department & Other Law Enforcement This Motion is supported by the applicable statutory and common laws of the State of south Carolina and may be supplemented by memorandum's and/ or affidavit's also the Defendants Attorneys Failed to prove probable cause and the indictment/warrant status change form proves that the underlying Criminal Charges ended without a Conviction the Emotional distress is considered personal injury under Extenuating circumstances ,and covers all statute of limitations involved I have demonstrated by using the defendants own evidence the Malicious prosecution by Sgt Ellen Lanphere the officer in charge who used Hanahan Police Authority to Violate My Fourth Amendment unreasonable seizures by Law enforcement officials see( Thompson v. Clark ) the only other issue is Due Compensation the Defendants Attorney Evan Sobocinski is making

the Department look like Guilty parties who is Afraid to do what is Right and Allow the City to Give Justice to the Victim of one of their officers Malicious prosecution and allow The States Insurance Reserve Funds to pay me I am not seeking

Nothing I have not earned or deserved this case has Cost the Plaintiff Everything please imagine the Emotional Distress this case has Caused and the Loss of Housing that included Books, Music Previously Written over 5000 songs also Material invested in along with the court cost and money spent on bail the only person profiting is the defendants Attorney Evan Sobocinski not to forget transportation costs the amount of money spent going to mental health for treatment any Jury would see me as a Victim Me Representing Myself Pro Se is Problem to Attorneys who believe in White Supremacy But I Refuse to Allow My Rights to be Violated and do nothing about it Black Men Lives do Matter even if the Berkeley county plea Court refuse to acknowledge our Civil Rights All the Fourteenth Amendment, which protects violation of rights and liberties by the state governments persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Muhammad W. Wilson  
November  
18, 2023

October 20, 2023

*U.S. Mail, Certified Mail & Via E-Mail*

Muhammad Nathaniel Wilson  
[Creyolab@gmail.com](mailto:Creyolab@gmail.com)  
In Town Suites  
8082 Rivers Ave, Room 309  
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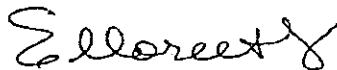
Re: Muhammad Nathaniel Wilson, Pro Se v. Hanahan Police Department & Other Law Enforcement  
official's  
C/A No. and Jurisdiction: 2022-CP-08-02508, Berkeley CP  
HLF File No. 1.361

Dear Mr. Wilson:

Enclosed please find a filed copy of Judge Jennifer B. McCoy's Order granting Defendants' Motion to Dismiss, or in the alternative, Motion for Summary Judgment in the above-referenced case.

Kind regards,

Yours truly,



Ellorece A. Ganes

EAG/mde  
Enclosures