

Objection to state return to petition for writ of certiorari

In the matter of the petition for a writ of Certiorari received on 11-030-23 and the objection to the state extension, received on 11-28-23 it is crucial to examine the reasons why this extension should not be granted. This case still falls under the purview of Governor Henry McMaster's South Carolina Executive Order 2021-22 State of Emergency and is further compounded by the breach of contract outlined in Article 12 Section 2 of Title 24-1-205C. Code Annotated 1976. Additionally, we must consider the recent Supreme Court case of *Roer v Wade* which further pertains to this ongoing case. It is imperative to highlight that despite the passage of two years, this case remains pending due to the extraordinary circumstances surrounding Governor McMaster's State of Emergency. Therefore the request for yet another extension is unwarranted and

Unjustifiable. This article will scrutinize the violation of the South Carolina State of Emergency and advocate for the immediate release of Jamie Goss

State Extension Violation

The present request for a state extension raises significant concerns regarding its compliance with the South Carolina State of Emergency. Under Governor McMaster's executive order, situations of extraordinary nature demand swift and efficient resolution. However, this case seem to be continuously delayed despite the clear Intentions established by the State of Emergency directive.

The case at hand should have been resolved promptly, considering the circumstances outlined in the Executive Order

Breach of Contract and legal Ramificatio

Furthermore, it is crucial to address the breach of contract as specified in Article 12 Section 2 of Title 24-1-20 S.C. Code Annotated 1976. This breach adds an additional layer of complexity and justifies the Necessity for

expedited proceedings. The obligations and commitment mentioned in the contract have been undermined, perpetuating the injustice experienced by Jamie Gosz. The violation of this contractual agreement cannot be overlooked and swift action is required.

The Relevance of Roe v. Wade

Moreover, it is imperative to recognize the implications of the recent Supreme Court case of Roe v. Wade. The verdict handed down in this landmark case holds significance for the ongoing matter. The principles established by this ruling underscore the importance of individual rights and the protection of personal liberties. Considering the nature of the case at hand it becomes increasingly crucial to adhere to the principles enshrined in Roe v. Wade, ensuring that ~~the~~ fundamental rights are protected and upheld.

Governor McMaster's State of Emergency
Governor Henry McMaster's declaration of a State of Emergency in 2021-22

was meant to address extraordinary circumstances swiftly and effectively. The extensive duration of this case and the numerous extensions granted highlight the continued failure to resolve the matter as intended. The exceptional circumstances ~~are~~ invoked by Governor McMaster's State of Emergency necessitate a timely resolution to mitigate the adverse impact on the individuals involved.

Rule 245. Original Jurisdiction of The Supreme Court

Governor McMaster's State of Emergency, Compassion Release for Extraordinary Reason
The S.C. Pardon and Parole Board is abusing their discretion and discriminatory practices by election not to have a Legislative act of law which will govern their practices. The General Assembly of South Carolina does not have such law enacted or propose Legislation S.C. Code 24-21-610 that will create such an eligibility requirement

Article 1 section 15 and S.C. 24.13.230.

This problem has damage my life with pain and suffering injury from Neglect.

I want 600,000,000 IN this suit. I have wrote them about this on going problem, which as of today this issue is still at hand.

S.C.D.C have violate all my right do to

~~Short~~ Short of Staff in every department which almost lead to my death in the Shower do to Gross Negligence in Safety,

Gross Negligence in Sanitation, Gross Negligence in Maintance, Gross Negligence in training under these Extraordinary

Circumstance, Gross Negligence in Medical, Gross Negligence in polices, Gross Negligence in procedures, Gross

Negligence in Covid 19 policies and procedures which has change because of my pending case, The unprecedented global pandemic caused by the outbreak of Covid-19 has affected every aspect of our lives, From personal health to economic

stability the impact has been profound. However, for individual incarcerated within S.C.D.C the situation has been particularly dire. In this article will explore the Federal or 1983 tort claim deal with Covid-19, highlighting the violation of both the U.S. and S.C. Constitution, Executive Order, Cruel and unusual punishment and even the landmark case Roe v. Wade. I pray that the court examine the policies and procedures implemented by S.C.D.C, emphasizing the Gross Negligence in safety, sanitation, maintenance, training, and Medical care under these extraordinary circumstance. Gross Negligence in Safety Measure one of the fundamental responsibilities of any correctional facility is to ensure the safety of other inmate. However the S.C.D.C has demonstrated a shocking level of Gross Negligence in this regard during the Covid-19 pandemic.

The lack of safety, measures, such as adequate personal protective equipment (P.P.E.) for both staff and inmates, has put countless lives at risk. This failure to prioritize safety violate the basic right granted by the U.S. Constitution.

Lack of (P.P.E.)

The S.C.D.C failure to provide essential P.P.E. to inmates is a clear violation of their duty to protect and uphold their constitution right. Without proper mask, gloves and other protective gear inmates are left defenseless against the highly contagious virus. This Gross Negligence demonstrates a blatant disregard for their safety and well-being. Inadequate Test and Screening do to over-crowding and short of staff Close confinement with people or inmates sicker and Etc. Which lead to retaliation and someone stealing out of my personal property As of today Nothing have change in

the condition of S.C.D.C which still put
me in the mind frame to be stress out and
worried about this deadly and painful
environment. Now somebody don't want
to mail or file my paper in court

Question Presented

- 1 Was the court of Appeal Negligent in considering these exceptional Circumstance pertaining to obstruction of Mail by third party as outlined in Section 18, U.S Code 1701?
- 2 Was the Court of Appeal unaware of the significant importance when the Horry County Clerk of Court sent faxed document prior to case being denied?
- 3 Was the Force Majeure ~~the~~ Clause, which was submitted prior to the denial of the case over look by the Court of Appeal in accordance?
- 4 Did the Court Of Appeal Overlook the Frustration Doctrine?
- 5 Was the court of Appeal unaware of the significant significance of my sudden and intense or distressing prolonged duress stress disorder resulting from Covid-19 during which I nearly lost my life in shower which continues to afflict me with difficulties?
- 6 Has the Court of Appeal Neglected to consider Article 12 section 2 of S.C Constitution, thus breach my right to due process and denying

me the freedom to comply with a court order a Guaranteed by the United States Constitution?

- 7 Did the Court of Appeal overlooked the United State Guideline for force Majeure Clause about the important of the case as a whole before making a ruling?

Argument 1

I was notified of a rejection of my appeal on June 13 2023 with the order being signed by Honorable John Geathers, This order was officially filed in the court of appeal on June 9 2023 granting me a 30 day window to further appeal this Issue as per the regulation outlined in Rule 5(b) of court of appeal, As per the regulation outlined in Rule 5(b) of court of appeal this information stand? In light of the exceptional circumstance it is imperative to apply the mail box rule as establish in the case of Houston V. Lack 487 U.S. 266, 276 (1988) which allows for a five-day grace period Regrettably, my case dismissed by the court of Appeal on July 17 2023 as per Rule 5) b the court of Appeal

Should have only dismissed my case
after July 18 2023

Argument 2

Recently I had an unsettling experience with the court Administrative Procedures, I had the Harry County Clerk of Court sent the necessary paperwork via fax, but after waiting for almost 3 to 4 week, I still hadn't received any information concerned about the delay. I contacted the Court of Appeal Clerk over the phone, To my surprise they ~~was~~ informed me that the Cas would be dismissed as of July 13 2023 due to my failure to provide the required document. This unexpected turn of event caused me great distress especially considering the on going Covid-19 Pandemic.

Argument 3

The term Force Majeure ~~is~~ encompass a wide range of event and circumstance that are beyond the control of part involve. These include act of God, such a Natural disaster as well as action by public enemies. Additionally it includes occurrence like fire accident break down

available to individuals working within the legal system. The absence of tables for eating or doing legal system, ~~The absence of tables for eating or doing legal~~. The absence of tables for eating or doing legal work can greatly hinder productivity and overall well-being. It is disheartening to witness people struggling to find a place to eat or work especially in an environment where time is of the essence.

Insufficient Time Allocation

Additionally, Individuals may not have been granted the proper time to adequately prepare their cases. The courts failure to provide sufficient time for individuals to gather evidence, consult with legal professionals or even review their own arguments can severely impact the outcome of a case. Justice should not be compromise due to the constraints.

The Consequences

Doc. The consequences of overlooking the Frustrat and failing to address these issues are significant. People lives are at stake and justice must prevail. When the law

library is closed sometimes for week on end, individuals are left without vital resources that could potentially make or break their cases. This lack of access to legal materials can result in severe injustice.

Inadequate Internet Connectivity

Moreover the ~~unreliable~~ unreliable and frequently malfunctioning Wi-Fi further exacerbates the challenges faced by those trying to navigate the legal system. In today's digital age access to the internet is crucial for conducting research, communicating with legal professionals and staying up to date with legal development without a stable internet connection, individuals are left at a severe disadvantage.

Reevaluating Facilities

Firstly step must be taken to provide suitable facilities within court premises, having tables available for eating and working would greatly enhance productivity and alleviate the stress faced by individuals

Allocating Sufficient Time

Secondly the court should reevaluate its time allocation practices. It is

disturbance in the industrial, civil or public domain. It as refers to act or omissions that are beyond the party control due to legal restriction or restraint imposed by law. The motion Force Majeure Clause was file in the court of Appeal before the case was dismissed and should be consider as a matter of law. This was file on

Argument 4

The frustration doctrine is a legal principle that allows parties to be released from their contractual obligations if unforeseen circumstance make it impossible or impracticable to fulfill those obligation.

In recent year, there have been concerns that the court of appeals may have overlooked this doctrine is case where individuals face significant challenges while trying to carry out their legal work. This article aim to explore the issue and shed light on the potential consequences of such oversight.

Lack of Basic Facilites

One of the primary argument raised is the lack of basic facitites

Individuals, myself included. This article aim to shed light on the profound impact of my sudden intense or distressing prolonged duress stress disorder resulting from Covid-19 from the fear of losing my life to the debilitating symptoms that persisted long after recovery. I have been left traumatized and struggling to cope. The circumstance in the environment continue to afflict me with difficulty exacerbating my already fragile state of mental health. The shortage of staff within the prison system and overcrowding have created an environment that further hampers my ability to heal and find solace. The third-party responsible for passing out mail often falls short resulting in delay that hinder progress on my case and impede justice from being served. In an effort to address these challenges, I took matter into my own hands and filed a force majeure motion in court of Appeal on ~~the~~ June 13 2023 demanding a resolution to my case

I was met with a dismissive and loud voice. This dismissive attitude only serves to exacerbate my stress and trauma. The inability to comply with court order due to the stressful prison environment further compounds my distress. Life within the prison system has been nothing short of arduous. The scarcity of staff has led to a breakdown in communication and empathy towards inmates. When I bring forward concerns regarding mail and court orders, my pleas fall on deaf ears. The short-staffed and overcrowded prison environment creates an atmosphere where no one can focus or effectively address the need of those within its wall. Under these extraordinary circumstances it becomes increasingly ~~more~~ difficult to find respite and cope with the ongoing stressors. The toll on my mental ~~and~~ health is immeasurable and the lack of support within the prison system only exacerbates this burden. It is imperative that we recognize the importance of mental

essential that individuals are given ample time to prepare their cases thoroughly. This will promote a more equitable legal process and prevent rushed decisions that may lead to injustice. The court of appeals must not overlook the Frustration Doctrine and the challenges individuals face while trying to carry out their legal work. By addressing lack of basic facilities, allocating sufficient time and enhancing connectivity, the court can ensure a fair and just legal system. It is only through acknowledging and rectifying these issues that we can hope for a society where justice prevails.

Argument 5

My Sudden Intense or Distressing prolonged Duress stress Disorder Resulting from Covid-19, The global Covid-19 pandemic has unleashed unprecedented challenges upon individuals, communities, and societies at large. Among the myriad of repercussions, the mental health toll has been particularly severe for many

and the overall ability to fight legal case under such extraordinary circumstances. Individuals who find themselves under a contract with S.C.D.C. face significant limitations in carrying out court order and meeting associated deadlines. The department restriction on mailing out and receiving mail, as well as transporting it to and from the courthouse, hinder an individuals ability to fulfill their legal obligation. The contractual restraint raises question about the exercise of free will and the extent to which individuals can be held accountable for court deadlines while bound by such a contract

Violation of Article 12 Section 2

For staggering period of 17 years, the S.C.D.C. has consistently violated Article 12 section 2 of South Carolina Constitution and Title 24: ~~1~~-20 The Constitutional and Declaration of Policy provision guarantees certain

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~~State and Liberty~~
right and liberties, which have been compromised by the department actions. The violation stems from the S.C.D.C persistent shortage of staff and overcrowding within prison. These conditions prevent the proper operation and functioning of department in accordance with Article 12 section 2 consequently impeding individuals access to justice and violating their right under the United States constitution. Under the exceptional circumstances caused by the S.C.D.C violation of Constitutional provision individuals find them selves grappling with limited freedom, liberty and equity. The inability to exercise their free will due to contractual obligation with the department places an undue burden on them. By restricting access to vital legal resources and hindering their ability to meet court deadlines, the S.C.D.C actions undermine the principles of freedom

Argument 7

The Court must consider the exceptional importance dealing with Extraordinary Circumstance guideline Force Majeure with the over all case Especially Henry McMaster Executive Order State Of Emergency 2021-22 during Covid-19.

Issue 1 Did the appeal court Judge err in failing to give Jamie Goss bond according to the Gov. Executive Order 2021-22 State of emergency as a life and death situation?

Issue 2 Did the appeal court err in failing to use injunction power during Covid-19 because S.C.D.C. cannot follow C.D.C. Guidelines?

Issue 3 Did appeal Judge err in failing to release Jamie Goss under extraordinary circumstance pertaining to the CARE ACT?

Issue 4 Did appeal Judge err in failing to give Jamie Goss due to overcrowding and short of staff in every department

health, particularly in times of crisis and provide the necessary resources and support for individual grappling with the aftermath of Covid-19

Argument 6

In the realm of legal matters, it is crucial to thoroughly understand and ~~appreciate~~ appreciate the significance of constitutional provisions specifically Article 12 section 2 of the South Carolina Constitution holds exceptional importance as it directly affects the fulfillment of court orders and an individual's exercise of free will. This article aims to delve into the implications of this constitutional provision, particularly in relation to hindrances imposed by the South Carolina Department of Corrections. The South Carolina Department of Corrections' restriction on mailing, receiving, and transporting mail have created a challenging environment for individuals bound by contracts with the department. Consequently, it is essential to evaluate the potential impact on court deadlines.

Issue 5 Was Jamie Goss argument raised in proper form and Venue?

Issue 6 Did Judge err in failing to Apply Federal Statutes where State Statutes did not exist?

Issue 7 Issue Due to all Institution operating under S.C.D.C Recognized Short of Staff and prison overcrowded Security concerns, Not providing proper disinfecting cleaning Supplies and poor air?

Issue 8 My mother is hosting a life threatening illness which requires her to rely on respiratory breathing machines whom is also the legal guardian of two petitioner Children 14 and 15? (The lower Court Violate Art 12 section 2 and Supreme Law)

Issue 9 My wife is currently in the custody of the Dept of Immigration awaiting deportation to South America She is or has custody of our 2 children singly providing child care for both our children 15 and 16? (low Court Violate Art 12 section 2 and Supreme Law)

Issue 10 Did courts fail to acknowledge Covid-19 as a condition in the language of Statute Governing Compassionate release in South Carolina Constitution?

CONCLUSION

In conclusion, the objection to granting the state return to petition for a writ of certiorari extension is justified on Multiple grounds. The violation of the South Carolina State of Emergency coupled with the breach of contract as outlined in Article 12 Section 2 and Title 24-1-20 S.C. Code Annotated 1976 further accentuates the urgency for resolution. Additionally, the recent landmark Supreme Court case Roe v. Wade underscores the importance of protecting personal liberties and individual rights. Consequently the repeated requests for extension have only prolonged the ordeal for all parties involved. It is in the interest of justice and fairness that this extension is denied and Jamie Goss is release from prolonged state of uncertainty

Cause of Action from Covid 19 and
short of staff in every department,
prison overcrowded

- Covid 19 has led to a cause of action due to the consequences it has brought about in my life damage
- Short of staff in healthcare facilities has exacerbate the situation
- Inability to breath through the nose from Covid-19 can lead to tooth damage
- Lack of Cleaning supplies pose risk to oral hygiene and can result in skin problem.
- Skin problem may ~~lead~~ lead to heart troubles and other Cardiovascular issues
- Shortage of necessary resources can cause significant damage to all aspect of Patient Care

S.C.D.C. ~~Article~~ Article 12 section 2
and Title 24 provide guideline for
healthcare facilities to address these
Issues,

- Covid-19 patient to the compromised provision of essential services, the lack of resources can lead to substantial damage. This damage may extend not only to physical health but also to mental and emotional well being.

Certificate of Service

I Jamie Goss 294885, Petitioner, hereby states under penalty of perjury, that all statements stated herein today are true and correct. Appellant further states that he has served copies of this Motion under Rule 245 Original Jurisdiction of the Supreme Court and objection to state extension and objection to state RETURN TO PETITION FOR WRIT OF CERTIORARI. APPELLANT FURTHER STATES THAT HE HAS SERVED COPIES OF MOTION ON ATTORNEY GENERAL, COURT OF APPEAL AND SUPREME COURT ON DECEMBER 7 2023.

Jamie Goss

RECEIVED

Dec 11 2023

SC Court of Appeals