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Feb 12 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT
The Honorable ALJ Durden

ALC Case No. 22-ALJ-17-0398-CC

J.K. Holmes and C.C. Holmes,

Appellants,

v.

Chas. Cty. Assessor,

Respondent.

MOTION FOR DISPOSITION BY THE COURT

Without being disagreeable, there seems to be a misunderstanding. We are requesting timely motion for reconsideration and disposition by the Court on an unauthorized filing dated February 7, 2024. The record reflects appellants previously made the reasonable request for the clerk to provide “greater than or equal to ten (10) days notice.” Despite timely notice of that request, the clerk willfully neglects to provide reasonable notice. The Courts are for the people and not everyone has a smart phone and not everyone is computer literate. To the extent the clerk engages in discrimination against protected class members, that discrimination is against public policy and, to say the least, abhorrent.

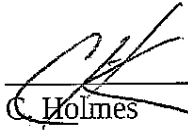
Moreover, in the unauthorized filing dated February 7, 2024, the clerk misconstrues ministerial duties which do not include interpretation of the law. The record reflects there is no notice of appearance and no counsel of record for unrepresented pro se parties. The clerk overlooks and/or misapprehends the record herein. To the extent the clerk engages in impermissible favoritism bestowed upon her anointed party, impermissible ex parte contact, and/or discrimination against protected class members, including but not limited to, requiring unrepresented taxpayers, over the age of 65 years, to pay an unearned filing fee of \$50.00 for motion to resolve her unauthorized attempts to “construe” or interpret the law, that discrimination is against public policy and is, to say the least, abhorrent. The clerk is not nominated, vetted, or voted to the bench. Accordingly, the clerk’s unauthorized February 7, 2024, filing should be vacated which is hereby requested.

The record reflects the tax collector’s private transcriptionist herein failed and refused to timely respond in writing to multiple requests regarding transcript, therefore, appellants respectfully motion this Honorable Court for excerpts from the tax collector’s taxpayer-funded transcript for record on appeal regarding matters of great public importance, including but not limited to, the failure of the tax collector to provide fundamental fairness and to comply with statutory mandates for taxpayer protections. The Legislature enacted statutory protections for taxpayers knowing that lack of fundamental fairness breeds unrest. In fact, it led to the birth of this great Nation. The record reflects

the tax collector as well as the clerk have failed to comply with the rule of law. Failure of the tax collector to abide by the rule of law adversely affects every citizen of this great State. Excerpts from the tax collector's taxpayer-funded transcript evidence the tax collector's wrongdoing which are hereby requested.

For substantial justice affecting substantial rights, appellants respectfully request that the filing fee be returned and the motion be granted with abeyance pending resolution.

Dated 2.11.24


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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

The Honorable Deborah Brooks Durden

ALC Case No. 22-ALJ-17-0398-CC

J.K. Holmes and C.C. Holmes,

Appellants,

v.

Chas. Cty. Assessor,

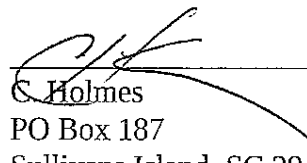
Respondent.

PROOF OF SERVICE

I certify that a true copy of the above document was served upon the respondents by regular first class mail postage pre-paid on this date at this address:

Chas. Cty. Atty.
4045 Bridge View Dr.
North Chas., SC 29405

Dated 2.12.24


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Hard copy
available
on request -

Thank you!

Fax Cover:

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