

DAVID ANTONIO LITTLE, JR.,  
PETITIONER,

IN THE SUPREME COURT OF  
SOUTH CAROLINA

v.

No. : 23-6912

(0:22-CV-03851-RMC1)

DAVID BROWN AND CODY  
DIXON,  
DEFENDANTS.

MEMORANDUM OF LAW

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S.C. SUPREME COURT

THE PETITIONER, DAVID ANTONIO LITTLE, JR., DO HEREBY SHOWS THE FOLLOWING TO PROVE THAT THE DEFENDANTS VIOLATED CLEARLY ESTABLISHED RIGHTS OF THE PETITIONER:

1. PURSUANT TO CODE 1976 § 44-17-410 "EMERGENCY ADMISSION OF PERSON LIKELY TO CAUSE SERIOUS HARM; PROCEDURES; COURT REVIEW; ASSESSMENT BY EXAMINERS; INITIATION OF EMERGENCY COMMITMENT PROCEDURES; HEARING; RIGHT TO COUNSEL.

CLEARLY THE DEFENDANTS AND THE SHERIFF JAMES DIXON, WHO IS NO LONGER IN OFFICE AT THE CHESTERFIELD COUNTY SHERIFF'S OFFICE, VIOLATED THE RIGHTS OF THE PETITIONER. JAMES DIXON GIVING ORDERS TO THE DEFENDANTS, WHO ACTED, WHETHER KNOWINGLY OR UNKNOWINGLY, VIOLATED § 44-17-410. SEE: (1) WRITTEN AFFIDAVIT UNDER OATH BY A PERSON STATING:

(A) A "BELIEF" THAT THE INDIVIDUAL IS A PERSON WITH A MENTAL ILLNESS AS DEFINED IN SECTION 44-23-10(21) AND BECAUSE OF THIS CONDITION THERE IS THE LIKELIHOOD OF SERIOUS HARM AS DEFINED IN SECTION 44-23-10(13) TO HIMSELF OR OTHERS IF NOT IMMEDIATELY HOSPITALIZED;

(B) THE "SPECIFIC" TYPE OF SERIOUS HARM THOUGHT PROBABLE IF THE PERSON IS NOT IMMEDIATELY HOSPITALIZED AND THE "FACTUAL" BASIS FOR THIS BELIEF;

2. CLEARLY THE DEFECTIVE WARRANT DOES NOT FOLLOW THE CRITERION OF THE SC ST § 44-17-410 CODE OF LAWS, PURSUANT TO 44-23-10(21) THE PETITIONER WAS NOT A "PERSON WITH A MENTAL ILLNESS". THE STATE NOR THE DEFENDANTS HAVE SHOWN ANY "PROOF" PURSUANT TO 44-23-10(13) (A)(B) AND (C). THE AFFIDAVIT FAILS TO SHOW ANY "EVIDENCE" TO PROVE THAT DEFENDANTS HAD A RIGHT TO REMOVE PETITIONER FROM CCDC JAIL AND TRANSPORT HIM TO MCLEOD HEALTH. NO MEDICAL RECORDS SHOW "ANY" EVIDENCE OF A "LIKELIHOOD OF SERIOUS HARM". SEE: [MONROE V. PAPE, 365 U.S. 167, 187, 81 S. CT. 473, 5 L. ED. 2D 492 (1961)] [FRANKS V. DELAWARE] **LEGAL**

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THE PETITIONER HAS PRODUCED EVIDENCE OF MEDICAL RECORDS MADE BY GENIE CHISHOLM AND JAIL LOG REPORTS TO SHOW THAT THE NURSE GENIE CHISHOLM, WHO IS NO LONGER AT CCDC JAIL, DID NOT DO ANY ASSESSMENT AS SHE ALLEGES IN HER REPORT, WHICH FAILS TO MEET THE CRITERIA OF § 44-17-410(2).

PURSUANT TO SECTION 44-52-50, SECTION 44-52-10, AND SECTION 44-17-570 THE STATE OF SOUTH CAROLINA ACTING THROUGH ITS AGENTS VIOLATED THE RIGHTS OF THE PETITIONER. THE COURTS ARGUE THAT THE PETITIONER WAS NOT ADMINISTERED "ANTIPSYCHOTIC INJECTIONS", EVEN IF THAT BE TRUE, HE STILL HAD THE RIGHT TO NOT CONSENT TO THE TREATMENT OF "ANY" FORCED DRUGGING OR FORCED TAKING OF HIS DNA. [ID. AT 211, 110 S.C.T. 1028] IF THE GOVERNMENT CAN JUST ARREST A PERSON AND FORCE MEDICAL TREATMENT ON A PERSON WITHOUT FIRST PRODUCING "STRICT PROOF" OTHER THAN PRESUMPTIOUS HEARSAY THEN THE GOVERNMENT CLEARLY HAS NOT LEARNED ANYTHING FROM ITS PAST MISTAKES. SEE, [REMARKS IN APOLOGY TO AFRICAN-AMERICANS ON THE TUSKEGEE EXPERIMENT, WILLIAM J. CLINTON] IF THIS BE THE CONSTANT ACTIONS OF THE GOVERNMENT AND ITS ENTITIES THEN AMERICA IS DOOMED. BUT THE BIBLE INFORMS US OF THE DAMNATION AND FALL OF THIS COUNTRY.

THE STATE IN THE CASE OF THE PETITIONER DID NOT SEEK TO RESTORE THE COMPETENCY OF THE PETITIONER, BUT RATHER THE AGENTS ACTING FOR THE STATE SOUGHT TO OBTAIN DNA THROUGH CATHETERIZATION AND BLOOD SAMPLES, WHICH IS ODD WHEN THEY COULD HAVE SIMPLY ASKED. [HARPER 494 U.S. AT 235, 110 S.C.T. 1028] SEE, [SOC POLICY 600.30] WHERE IS THE EVIDENCE TO SAY THE PETITIONER WAS MENTALLY-ILL ... WHERE IS THE EVIDENCE TO SHOW THAT THE STATE COULD COMPEL BODILY FLUIDS BASED ON "PRESUMPTIONS" THAT THE PETITIONER WAS ON DRUGS AND HOW WOULD HIM BEING ON DRUGS SATISFY THE GOVERNMENT'S INTERESTS...

THE PETITIONER SEEKS JUSTICE ... THE PAPER FIAT IS WORTHLESS. IF THE PETITIONER CANNOT FIND RELIEF BY TRYING TO FOLLOW THE "LAWS OF MAN", THEN HE MUST GAIN JUSTICE BY FOLLOWING THE LAWS OF GOD ... THE SHARIAH LAW. THEREFORE, BY ANY MEANS NECESSARY, THE PETITIONER WILL RECEIVE HIS JUSTICE FOR WHAT HAS BEEN DONE TO HIM. THEREFORE, WOE TO THOSE ENACTING CROOKED STATUTES AND WRITING OPPRESSIVE LAWS TO KEEP THE POOR FROM GETTING A FAIR TRIAL AND TO DEPRIVE THE NEEDY AMONG THE PEOPLE OF JUSTICE. (ISAIAH 9:6-7)

APRIL 8, 2024

  
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