

The State of South Carolina  
In The Court of Appeals

Appeal From Greenwood County  
Court of Common Pleas

Donald B. Hocker Circuit Court Judge

Case No. 2024-000029

Zaatnure Xi-Amaru  
Appellant

Vs.

Dane Earl Finley Sr  
Respondent

**Initial Brief of Appellant**

Zaatnure Xi-Amaru  
Appellant Prose Litigant  
P.O. Box 1601  
Region 3 Yamasih Aboriginal Region  
Clinton South Carolina 29325

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### Cases

HAROLD BERNARD MASON vs Vickie Churchman

Flint RiverQuarium inc., et. al.

(Whereas the matter is limited to controlling intervening circumstances of obstructing justice, which did in fact occur to manipulate decision making Whereas not filing, the destruction of or discarding of key information, actions committed does in fact directly affect the Decision making with consequential affects and violates due process and equal protection under the law. **18 U.S. Code § 1519**)

Haines v. Kerner, 404 U.S. 519,

*McGirt v. Oklahoma*

the federal government—not the state—has jurisdiction over crime (s) committed by Native Americans

MARYLAND, Petitioner, v. Jerry Lee WILSON.

Row vs Wade, all federal rights composed within the term liberty protected by the federal constitution from invasion of the state

Kent Vs Dulles US 116, 125 “The right to travel is part of Liberty of which the natural person, citizen cannot be deprived without due process of Law under the fifth Amendment of the United States Constitution, the right to travel on public highways and to transport one’s property Theron either by carriage or automobile is not a mere privilege that the city may prohibit or admit at will but a common right which he/she has under the right of life, liberty and the pursuit of happiness

Thompson V. Smith 154 SE 579

the reasonableness of the particular governmental invasion of a citizen's personal security, 434 U.S., at 108-109, 98 S.Ct., at 332, and that reasonableness depends on a balance between the public interest and the individual's right to personal security free from arbitrary interference by officers,

Rice v. Cay-

etano, 528 U. S. 495, 517. Pp. 9-16.

“distinctions between citizens solely because of their ancestry are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality.”

Bridges v. Wixon, 326 U.S. 135, 152-53 (1945) (agency "rules are designed to protect the interests of the alien and afford him due process of law" by providing "safeguards against essentially unfair procedures"). In United States ex rel. Accardi v. Shaughnessy, 347 U.S. 260 (1954), the Court reaffirmed the principle that an agency must follow its own rules,

United States Vs Dow, enclosed deliberate concealment of material information in a setting of fiduciary for the public and if he deliberately conceals information from him he is guilty of fraud.

## Statutes

1<sup>st</sup> Amendment United States Constitution “Congress shall make no Law prohibiting Free exercise and the freedom to assemble, the right to petition the Government for redress of Grievances

5<sup>th</sup> Amendment United States “No person shall be deprived of Life, Liberty or property without due process of the Law; Prohibits anyone from being prosecuted twice for the same offense”

6<sup>th</sup> Amendment United States Constitution “The accused shall enjoy the right to a fair and impartial Jury in which district have been previously ascertained by Law”.

8<sup>th</sup> Amendment United States Constitution “Excessive Fines shall not be required nor cruel and unusual Punishment inflicted”.

14<sup>th</sup> Amendment “due process and equal protection of the Law”

### **Other Authorities**

solis and Jus Sanguinis rights; UN 61/195 All Articles Incorporated - UN 60/147 Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law

United Nations Declaration of Human rights of Indigenous People UN 61/ 195, United States Code title 18 section 112 Protections of Internationally protected persons and 2442 Deprivation of rights under the color of Law, United States Code title 18 section 241 conspiracy against rights article 1 section 2 clause 3; USC 28 section 1609 Immunity from attachment and execution of property of a foreign estate; United States Constitution 14<sup>th</sup> Amendment Life, Liberty, Property Equal protection clause

### **Statement of Issues on Appeal**

- 1.) Was the Summons and Complaint properly served on the Appellant (Improper Service) ?
- 2.) Do Greenwood County have Jurisdiction over a a Diversity of Citizenship Issue
- 3.) Do Greenwood County have Jurisdiction over tribal property
- 4.) Do Greenwood County have Jurisdiction over a Non-Citizen Non Resident

- 5.) Was the Appellant an Authorized User
- 6.) Do Greenwood County have subject matter jurisdiction on this Issue
- 7.) Do Greenwood County have Personal Jurisdiction Concerning the Appellant
- 8.) Did Greenwood County Municipal Judge, Police and Attorney denying the appellant right to assemble directly facilitate to the issuing of a default against the Appellant
- 9.) Did the Commissioner of South Carolina department of Motor Vehicles cruel and unusual punishment against the Appellant directly facilitate the issuing of a default against the Appellant.
- 10.) Did the Commissioner of the the Department of Motor Vehicles denying the Appellant right to contract Facilitate the issuing a default against the Appellant
- 11.) Is the Judge presiding over this case Bias against the Appellant
  
- 12.) Can the Appellant Receive a Fair Trail In Greenwood County
- 13.) Did the Appellant Receive a fair Trail In this case
- 14.) Is The Respondent testimony Credible
- 15.) Is The Respondent Attorney testimony Credible
- 16.) Was the Amount rewarded in this case accurate (disputed amount of Debt)?

- 17.) Is there a contract between the Appellant and Respondent and if so who does the contract favor
- 18.) Do the Judge presiding over this case have to follow the rule of law
- 19.) Did the Judge in this case, the respondent and the respondent attorney act in concert to deny the Appellant his United States constitutional rights
- 20.) Did the respondent attorney in this case violate South Carolinas rules of misconduct including Rule 8.4 (a); (b); (c); (d); (e); (f) and (g)
- 21.) Is there a collateral estoppel issue in this case
- 22.) Is the Respondent and Respondent Attorney practicing Fraud in this case
- 23.) Is the Judge Presiding Over this Case Practicing Denationalization against the Appellant
- 24.) Did The Respondent Attorney Have Permission to Represent the Respondent on December 1<sup>st</sup> December 2<sup>nd</sup> 2023
  
- 25.) Is the Respondent Attorney in Violation of South Carolina Rule 1.6 (b) (3)
- 26.) Did Greenwood County Municipal Court Violate the Appellant Eighth Amendment rights excessive Fines and fees on the Date of October 23, 2023
- 27.) Did the Judge presiding Judge over this case violate the Appellant Right to Petition the Government for redress of Grievances under the First Amendment United States Constitution .

28.) Did the Presiding Judge ascertain Jurisdiction over the Appellant by Law according to the Six Amendment United States Constitution

29.) Do the Presiding Judge of this case have to submit to Res Judicata in which the highest District Court of South Carolina Confirms that the respondent have no right to the property which was awarded default judgment in this case.

30.) Was the Respondent Attorney coerced by the presiding Judge of this case practice Slander and Defamation of Character Against the Appellant

31.) Was the Respondent attorney coerced by the Presiding Jude in this case

32.) Did the Respondent and the Respondent Attorney slander and defame the Appellant Character

33.) Is the Respondent Attorney coerced by the Presiding Judge of this case participating in a continued public hate speech and hate crime against the Appellant

34.) Is The The Appellant Completely innocent noble with clean hands

35.) Should this Case be dismissed with prejudice in Favor of the Appellant

## Statement of The Case

Aa.) On the Dates between January 6, 2023, and February 2, 2023, The Appellant was improperly Served a Summon and Complaint (Summons number 2023CV2410100030 Complaint Number 2023CP2400116 by the Greenwood Sheriff Department.

Bb.) On the Date of February 2,2023, The Appellant showed up to Greenwood Court 5 minutes Late in which a default judgement was issued against the Appellant.

Cc.) On the Date of February 3<sup>rd</sup> 2023 the Appellant appealed the Default Judgement (case number 2023-CP-24-0016)

Dd.) On the Date of July 10<sup>th</sup>, 2023, The Appellant appeared in person to address the Summons, Complaint and and default appeal hearing case number 2023-CP-24-0016)

Ee.) On the Date of November 13<sup>th</sup> 2023 The Appellant received yet another Summons and Complaint via Mail Summons Case number 2023CV2410103029; Complaint number 2023-2029 dated October 23 2023 For the same exact Offenses in the Same exact Court for the Same Exact Amount of \$7,500 Seven thousand Five Hundred Dollars that the previous Summons and Complaint requested in Summons Number 2023CV2410100030 and Complaint Number 2023CP00116 Requested....

Ff.) on the date of November 13<sup>th</sup> 2023 the Appellant Now Have a Default Judgement against him In Which the Appellant appeal of the default order has yet to be ruled on in the amount of \$7,500 concerning letters Bb,) and Cc) herein... Now the Respondent (Not the Respondent attorney) sends another Complaint on the same exact issue for another amount of \$7,500 which makes the total of

\$15,000 fifteen thousand Dollars in a smalls claim court which only grants up to \$7,500 seven thousand five hundred dollars in maximum amount awarded. That's \$7,500 Judgement against the Appellant in Default and another \$7,500 dollars is the Appellant fails to appear to Summons for Complaint on the same Exact Issue in the Same Exact Court already previously awarded.

Gg.) On the Date of November 22, 2023 the Appellant responded to the Respondent Summons and Complaint with a Answer and Counter Claim

Hh.) On the Date of November 30<sup>th</sup> 2023 the Appellant received a Magistrate Summons to Answer for The Second Civil Case Number 2023CV2410103029 while the First Civil case number 2023CP2400116 is still pending appeal

Ii.) On The date of December 2, 2023 the Appellant received a email communication between the Presiding Judge of Case Number 2023CP2400116 and the Respondent Attorney in Which the Presiding Judge asked the Respondent Attorney to produce an order denying the appeal of the Appellant in which the Respondent attorney attached a proposed order denying the appellant appeal.

Jj.) On the date of December 21<sup>st</sup> 2023 the Appellant received a Order denying the Appellant appeal for case number 2023CP2400116 while attending the Civil suit for case number 2023CV2410103029. The Order denying the Appellant appeal for case number 2023CP2400116 was dated December 4<sup>th</sup> 2023.

Kk.) The Appellant was never served a copy of civil case number 2023CP2400116 either by Greenwood Court Presiding Judge of case number 2023CP2400116 or Respondent Attorney Concerning case number 2023CP2400116.

## **Facts**

36.) The Appellant Zaatnure Xi-Amaru for here on in Named Appellant is an Aboriginal America, Indigenous Native America for here on in Named Aboriginal America. The Appellant since February 16, 2021 Inhabitants

Tribal Lands of 112 Centepede Court Region 3 Southeast Yamasih  
misnomer Greenwood County 29649.

The Appellant is a Non-Citizen, The Appellant is a Non-Resident, The Appellant is a Inhabitant. The appellant is a US National non enemy Combatant that is a part of his own Tribal Government that practice a Natural Law body politic.

- 37.) On The date of February 16<sup>th</sup> 2021 the Respondent Dane Earl Finley Sr, for here on in Named Respondent signed away all right, title interest to property located at 112 Centepede Court as mentioned and the respondent which contract detailed that the Respondent administrators, executors and successors shall have any claim, demand right to aforesaid property premises or appurtenances or any part thereof.
- 38.) The Appellant property at 112 Centepede Court is Owed by the Appellant Tribal Tax-exempt business which is registered under the appellant Tribal Government which is located in the Appellant Aboriginal Regional Jurisdiction of Region 3 Southeast Yamasih not Greenwood County.
- 39.) On the date of on or Around March 20<sup>th</sup> 2021 the respondent and the respondent attorney Jamison Tensely for here on in named Respondent Attorney took out a Mortgage in Favor of HUD (Federal Government) with out the Appellant knowledgeable or Approval practicing fraud against the appellant Indigenous estate located at 112 Centepede Court in the Sum of \$17,844.78 cents seventeen thousand eight hundred fourth four dollars and seventy eight cents
- 40.) On the date of May 17<sup>th</sup> 2022, the Appellant was driving his vehicle which is registered under his tribal business the vehicle was insured under his tribal business the vehicle used tribal license plates, The Appellant was traveling under his tribal international drivers License and Affidavit of Vehicle exemption within the 50 states as a Non-Resident. Greenwood Police Department, Municipal Judge, Attorney acting as prosecutor and Jury unlawfully convicted the Appellant of Driving without a South Carolina Drivers License and Failure to Register his vehicle with the state which make the appellant a Prisoner

as the appellant life, Liberty, freedom, happiness and freedom to assemble is being denied, which in return limits the appellant right to petition the government for redress, grievance and serve and or appear in a timely manner.

The Appellant is still currently a prisoner and have since been incarcerated since May 17<sup>th</sup> 2022. Greenwood Police Department in its initial Traffic Tickets declared the appellant race as Black. Greenwood Police Department, Greenwood Municipal Judge, Greenwood Attorney acting as Prosecutor or the Jury never produced any evidence that the Appellant is Black. The Appellant is not Black.

- 41.) On the date of July 7<sup>th</sup> 2022 civil case number 2022CV2410101329 In Greenwood Court at Zaat vs Hailey, Judge Belinda ordered the Appellant Vehicle BMW X5 be returned to the Appellant

On the date of November 17<sup>th</sup> 2022 The Appellant and Hailey arrived at the Department of Motor Vehicles in Blythewood South Carolina located at 10311 Wilson Blvd C 29016 so that The Appellant can take Hailey name off the title as the Appellant Indigenous estate is the lean Holder. After all the paperwork was filled out and the Appellant was going to get his Vehicle back, the department of motor vehicles received a call from the commissioner who told them to not process the appellant application until the appellant register his Business with the state...

Once again the Unlawfulness of depriving the appellant right to contract and denying the Appellant his tribal vehicle make the appellant a Prisoner as the appellant life, Liberty, freedom, happiness and freedom to assemble is being denied, which in return limits the appellant right to petition the government for redress, grievance and serve and or appear in a timely manner.

- 42.) On the Date of April 16<sup>th</sup> 2022 the Appellant called the Respondent Sister to complain about the Respondent who is her brother stealing from the Appellant Indigenous estate located at 112 Centepede Court. The Respondent stole the appellant tools. The Respondent brought the Appellant tools back and threaten the Appellant to never call his sister again or the respondent will commit bodily harm upon the Appellant.

- 43.) On the date of December 14<sup>th</sup> 2022 the Appellant once again caught the Respondent stealing the appellant property out of the Appellant indigenous estate which prompt the appellate to call the Police/ 911. The Greenwood Sheriff Department arrived and asked respondent what the Problem? The Respondent explained that he has Gave everything to the Appellant (see number 37 herein) which prompt the Sheriff department to issue a no trespassing notice against the respondent. The respondent tried to protest but the Sheriff department quoted the respondent "You just said that you Gave the Appellant everything".
- 44.) On the date of January 6, 2023 the Respondent filed a complaint In Greenwood Magistrate court case number 2023-CP-00116 and 2023CV241010030 against the Appellant.
- 45.) Between the dates of January 6, 2023 and February 2, 2023 the Appellant was improperly served the summons and Complaint Concerning 2023-CP-00116 and 2023CV241010030
- 46.) On the date of February 2, 2023 due to inclement weather, Denationalization of Greenwood county and South Carolina Department of Motor vehicles , first amendment, eighth amendment, fifth and fourteenth amendment violations of the aforementioned state agencies the Appellant appeared fifteen minutes late to the hearing proceedings Concerning Concerning 2023-CP-00116 and 2023CV241010030 In which a default judgement was entered against the Appellant.
- 47.) On the Date of February 03, 2023 the appellant filed a appeal of the default decision dated February 2, 2023 case number 2023CP2400116
- 48.) On the date of July 10<sup>th</sup> 2023, the Appellant appeared in Person to address the Default issued in case Number 2023CP240016/ 2023CV241010100030 under case Number 2023CP2400116
- 49.) On the date of July 25<sup>th</sup> 2023 at The Appellant Zaatnure Xi-Amaru Vs United States Department of Housing and Urban Development case #

22-02435-hb chapter 7; adv. Pro. No. 23-80 -ub

And One the date of August 29<sup>th</sup> 2023 case # 22-02-02435-hb adv. Pro. No. 23-80040-hb a Chief district court Judge of South Carolina ordered that “HUD Mortgage is not a valid lien on the residence (112 Centepede court) or proceeds thereof, and that Hid has no interest that attaches to the proceeds of the sale of the residence and is not entitled to any of the proceeds of sale. (See Number 39 herein)

50.) On the date of November 13<sup>th</sup> 2023 The Appellant received yet another Summons and Complaint via Mail Summons Case number 2023CV2410103029; Complaint number 2023-2029 dated October 23 2023 For the same exact Offenses in the Same exact same Court for the Same Exact Amount of \$7,500 Seven thousand Five Hundred Dollars that the previous Summons and Complaint requested in Summons Number 2023CV2410100030 and Complaint Number 2023CP00116 Requested....

51.) On the date of November 22, 2023 the Appellant submitted an answer and counter claim Concerning Summons Case number 2023CV2410103029; Complaint number 2023-2029 dated October 23 2023 and Summons and Complaint requested in Summons Number 2023CV2410100030 and Complaint Number 2023CP00116

52.) On The date of December 2, 2023 the Appellant received a email communication between the Presiding Judge of Case Number 2023CP2400116 and the Respondent Attorney in Which the Presiding Judge asked the Respondent Attorney to produce an order denying the appeal of the Appellant in which the Respondent attorney attached a proposed order denying the appellant appeal.

53.) On the date of December 21<sup>st</sup> 2023 the Appellant received a Order denying the Appellant appeal for case number 2023CP2400116 while attending the Civil suit for case number 2023CV2410103029. The Order denying the Appellant appeal for case number 2023CP2400116 was dated December 4<sup>th</sup> 2023.

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54.) The Appellant wish to appeal case number 2023CP2400116 based on the following laws, statute, legitimacy, contracts and resjudicata.

### Arguments

Improper service Upon the Appellant concerning 2023-CP-24-00116  
And 2023CV2410100030

A.) According to Case Law McGrit Vs Oklahoma “The Federal Government-not the State- has Jurisdiction over crimes committed by Native Americans”..

As stated in the appellate facts herein in numbers 36 and 38, the Appellant is an Aboriginal America, Indigenous Native American for here on in Named Aboriginal America. The Appellant since February 16, 2021 Inhabitants Tribal Lands of 112 Centepede Court Region 3 Southeast Yamasih misnomer Greenwood County 29649.

The Appellant is a Non-Citizen, The Appellant is a Non-Resident, The Appellant is an Inhabitant. The appellant is a US National non enemy Combatant that is a part of his own Tribal Government that practice a Natural Law body politic.

The Appellant property at 112 Centepede Court is Owed by the Appellant Tribal Tax-exempt business which is registered under the appellant Tribal Government which is located in the Appellant Aboriginal Regional Jurisdiction of Region 3 Southeast Yamasih not Greenwood County.

Accordingly the Sheriff Department cannot Serve Summons and complaint upon the Appellant

2023-CP-24-00116 And 2023CV2410100030 as no subject matter or Personal Jurisdiction was established by South Carolina State Greenwood county according to the Six Amendment United States Constitution of the United States which proclaim “States and Districts in which shall have been previously

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ascertained by Law”.

As Mentioned in the Appellant appeal of The Default order in 2023-CP-24-00116, Greenwood County have no personal jurisdiction or Subject matter Jurisdiction over the Appellant and the Appellant property which such default order in case number 2023-CP-24-0016, 2023CV2410100030 and 2023-CP-24-00116 is a violation of the appellant constitutional rights under the six amendment of the United States Constitution.

This Court is Bound By the Laws of Resjudicata which makes the Denial Of the Appellant appeal 2023-CP-24-00116 Void ab initio

B.) This matter was Decided by a superior Court in which the Appellant Deed has priority over the Federal Government (HUD Mortgage) which makes the deed Superior over the Respondent who's a Subject citizen 14<sup>th</sup> amendment see Numbers 39 and 49 herein

According, Due to to Laws of Resjudicata, the respondent complaint and Summons 2023-CP-24-00116, 2023CV2410100030 is Void From the very beginning, In which appeal of default 2023-CP-24-00116 complete favor of the Appellant

Due to the Bias of the Presiding Judge and Greenwood County the Appellant appeal Must Prevail under The First Amendment, Six Amendment, the Eight Amendment and the Fourteenth Amendment of the United States Constitution.

C.) In the Appellant Writ of certiorari at Zaatnure Xi-Amaru Petitioner (Appellant) Vs Greenwood County (Respondent) Appellate case no. 2023-000036 at number 53,) the Appellant (Petitioner) stated that

“The Respondents Traffic tickets as mentioned in Appendix F, state that the Petitioner race is Black even though the Petitioner tribal credentials label the Petitioner as Indigenous, Aboriginal, Native American. The respondents classifying the Petitioner as Black is an act of Denationalization, dehumanization and FRAUD as the respondents have no proof and offered no proof of such claims.”

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Now in this Case the Judge changed strategies and used the Sovereign Citizen Charge which later was used against the Appellant by the respondents Attorney.

the Appellant is Indigenous, Aboriginal, Native American. The respondents classifying the Petitioner as A Sovereign Citizen is an act of Denationalization, dehumanization, FRAUD and a Hate Crime as the respondents have no proof and offered no proof of such claims.”

During the Appellant Appeal of the default Judgment concerning 2023-CP-24-00116 on the date of July 10<sup>th</sup> 2023, (see letters Dd herein) the Presiding Judge asked in a concerned and sympathetic voice (watch the psychology of this psychopath) so you are of the moorish ideology, which the respondent respondent “No I am a Aboriginal American, Moors have to do with the people of Africa.” Oh he responded, in a much comforting and similar sympathetic tone “so you are a Sovereign Citizen”? “No! the appellant responded. The Sovereign Citizen Ideology was created by European Settlers who now call themselves white Americans that was Upset with their Government the United States”.

The Presiding Judge nor the Respondent attorney made any objections as the truth need no adlib.

In the respondents proposed motion that the Presiding judge requested be sent to him so that he may deny the Appellants appeal see Number 52 herein, the Respondent previously coerced by the presiding Judge in the court room claimed that the Appellant “Made Sovereign citizenship type arguments”, in the respondents second paragraph of proposed motion to deny the Appellant appeal of default judgement.

In the Appellant (Petitioner) Writ of certiorari at Zaatnure Xi-Amaru Petitioner (Appellant) Vs Greenwood County (Respondent) Appellate case no. 2023-000036

At number 63.) entitled “Reason for Granting Writ of Certiorari” the Petitioner (appellant) stated “ That the Petition addressing multiple U.S Constitutional rights violations herein allow the Respondents an opportunity to fine tune their attack against citizens, nationals, natural persons and indigenous people with more malicious and sadistic strategies and tactics to deprive Americans of their fundamental rights, liberty and Freedom”

When denationalization is practiced by Greenwood Police and Municipal Judge the Appellant was Black (See letter C herein) Now after the Appellant writ of Certiorari the Appellant becomes a Sovereign Citizens. Tomorrow who knows what these Europeans in State Uniforms a Call the Appellant but as of this Appeal it's all Denationalization against the Appellant (see, **Denationalization** - The Political act of an Agency and its Agents or political body and its officers of forcefully removing another from their political status in violation of their natural or human rights.)

By the Presiding Judge coercion of the Respondents attorney to Defame and Slander the Appellant character in the Court room with weird questions of Moorish and Sovereign citizen Ideology than to Contact the Respondent on December 2, 2023 (See Letters li herein) After the Appellant Petition the Government for redress and Grievance on November 22, 2023 (See Letters Gg Herein) in which the Presiding Judge allowed the Respondent attorney to use defamatory language “Sovereign citizenship” to describe the Appellant address after the appellant previously debunked and defeated such a argument July 10<sup>th</sup> 2023 in person (See Letters Dd herein) is Cruel and Unusual Punishment, slander denationalization of character and a hate crime.

The Presiding Judge of this Case Violated the Appellant Six Amendment rights of the United States Constitution Which States “the accused shall enjoy the right to a impartial Jury”. By the Judge contacting the respondent on December 2, 2023, (See letters li herein) after the appellant submitted his counter claim proving that the respondent and the respondent attorney practiced fraud against the appellant estate on November 22, 2023, (see Letters Gg herein) shows the Presiding Judge is Bias against the Appellant and the Appellant would never have a right to a fair and Impartial trail In Greenwood County.

The Presiding Judge of this Case Violated the Appellant First Amendment rights

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of the United States Constitution Which States " Congress shall make no Laws

Prohibiting the free exercise and the right to Petition the Government for redress of Grievances". By the Judge contacting the respondent on December 2, 2023, (See letters li herein) after the appellant submitted his counter claim proving that the respondent and the respondent attorney practiced fraud against the appellant estate on November 22, 2023, (see Letters Gg herein) shows the Presiding Judge is Bias against the Appellant and the Appellant would never have a right to a fair and Impartial trail In Greenwood County and the Appellant Free right to Petition the Government for redress of Grievances are Violated as the Presiding Judge denial of the Appellant appeal is only a Retaliatory act against the Appellant Counter Claim dated November 22, 2023 (see letters Gg) herein; also a violation of the Plaintiff eight amendment right cruel and unusual Punishment and a denial of the appellant fifth and fourteenth amendment rights Due process and denial of the appellant equal protection of the Law.

The Appellant has been a Prisoner since May 17,2022 due to the Appellant right to assemble, life, liberty and Freedom being Deprived by Greenwood County in which the Default upon the defendant imposed by the Initial proceeding of this case should not determine the outcome but only the Merit and Lawfulness of this action which completely Favors the Appellant

D.) On the date of May 17<sup>th</sup> 2022, the Appellant was traveling in his tribal vehicle with his tribal license plate with his international tribal drivers license insured under his tribal business with his affidavit of vehicle exemptions of registration within the 50 states. Greenwood county Arrested the Appellant for driving with out a license and failure to register his vehicle destroyed the Appellant license plates and denationalization the appellant Indigenous person by labeling the Appellant race as Black. Greenwood County Municipal Judge and Attorney prosecuted the Appellant, convicted the appellant which officially made the Appellant a PRISONER since May of the 17<sup>th</sup> 2022 (See Writ of certiorari at Zaatnure Xi-Amaru Petitioner (Appellant) Vs Greenwood County (Respondent) Appellate case no. 2023-000036)

The Appellant Right to assemble has subsequently been deprived along with the Appellant Life, Liberty and Freedom which contributed to the appellant arriving 5 minutes Late to this initial proceeding in which a default Judgment was issued

(See letters Bb herein) along with the Fact that it was inclement weather on the date of the Initial hearing on this Issue February 2, 2023

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In which the Presiding Judge of this case Confirmed when Questioning the Respondents attorney on July 10<sup>th</sup> 2023 (See Letters Dd herein) The Respondents attorney told the Judge that he did see me entering the court room and that it was raining. South Carolina State has no side walks or no public transportation.

The Respondents filing of this action January 6, 2023 (See Letters Aa herein) is fraud and this Void Ad Initio (Void From the Beginning)

E,) The first contract that the Respondent have with the defendant is a written contract under a quit claim deed which removed the property out of the Respondent Custody into the Appellants custody (see quit claim deed number 202100001370 Greenwood county dated 2/16/2021) in which the Grantor the Respondent gave away all right to the Grantee the Appellant which states that the Respondent or it's Administrators (which at this time would be this court as this is an administrative proceeding) shall not have any claim, demand, right or title to property, premises or appurtenances (bits and pieces) or any part thereof. This contract is concerning the property located at 112 Centepede Court misnomer Greenwood South Carolina in which a Default Judgment against the Appellant is somehow responsible for alleged property in question in which two years later today 2024 in the sum of seven thousand five hundred dollars is ridiculous. The Contact Completely Favors the Appellant.

The Second Contact that the Respondent and the Appellant have is a verbal (oral contact) which again completely favors the Appellant. In this action case number 2023CP2400116 the defendant submitted evidence that the Respondent stole the Appellant tools which prompted the Appellant to call the Respondent sister after which the Respondent returned the Appellant tools. The Respondents never objected to this fact at the court appearance dated 07/10/2023. The Respondent stole multiple items out of the Appellant custody which prompted the Appellant to call the Greenwood sheriff department Upon arrival the sheriff asked the Respondent the problem in which the Respondent told the sheriff department that he "the Respondent"

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have gave everything to the Appellant which prompted the Sheriff to issue a no trespassing notice against the Appellant (see case number 2023CP2400116 exhibits sheriff no trespassing notice against the Respondent dated December 14<sup>th</sup> 2022)..

The Third Contract between the respondent and the appellant which again completely favors the Appellant bind this court under the laws of Resjudicata which totally rely on the first contract mentioned herein According to Federal District chief Judge Ruling which states “HUD has no interest that attaches to the proceeds of sale of the Residence and is not entitled to any proceeds of the sale”. (See Zaatnure Xi-Amaru vs United States department of housing and urban development case# 22-02435-hb chapter 7 adv. Pro. No. 23-80\_-hb; see Zaatnure Xi-Amaru vs Department of Housing and Urban Development chapter 7 case# 22-02435-hb adv.Pro. No. 23- 23-80040-hb)

This is a case where the Respondent and the Respondent attorney practiced fraud against the Appellant estate taking out a second mortgage in the sum of \$17,844.78 seventeen thousand eight hundred forty four dollars and seventy eight cents leaving the Appellant to have to fight with the federal government until the Appellant was vindicated. “The Respondent did not have any rights to the Residence which he Conveyed to HUD”.

Using Default Judgments as a Strategy to Steal out of the Appellant Indigenous Estate while the Appellant has been Incarcerated Since May 17. 2022 is Fraud. Collateral Estoppel

F.) The Respondent Filed a secondary Complaint against the appellant in the Same Court for the Same Issue for the same amount of \$7,500 while the Presiding Judge never issued a Ruling concerning this case herein (see Letters Ff herein) Since the Appellant is incarcerated the Respondent practice Fraud and File frivolous Lawsuits against the Appellant in hopes that the Appellant will not show to be rewarded large sums of Money absent of any Legitimate, Contractual, or Lawful right other than Greenwood’s Court Bias Discretion.

### **Conclusion**

The Appellant is completely innocent of any allegation alleged by the Respondent against him.

The Respondent and the Respondents Attorney is committing Fraud, Slander, defamation of character and Hate Crimes against the Appellant Indigenous Person

The Respondent and the Respondent attorney is Guilty of Multiple counts of Fraud against the Appellant

The Respondent attorney is In Violation of south Carolinas rules of misconduct including Rule 8.4 (a); (b); (c); (d); (e); (f) and (g) in its entirety.

The Respondent attorney is in violation of South Carolina Rule 1.6 (b) (3)

The Appellant did make a good faith effort to appear before these unwarranted accusations against him although his right to assemble, life and freedom is being deprived by the same county who issued a default Judgment against him in this case

The Respondent Stole Multiple Items out of the Appellant Indigenous estate

The Appellant is not an authorized user for the amount in controversy

The respondent never presented no witness on his behalf

All pictures provided by the Respondent In Their Initial Filing of this Complaint was taken Illegally on the Appellant Indigenous estate which belongs to the Appellant Indigenous estate

The Respondent never provided any proof as to make the Appellant liable for the Amount in Question

The Appellant have a completely different citizenship and Nationality than the Respondent which makes this case a complete Diversity of Citizenship Issue

The Presiding Judge of this case Failed to follow the Rule of Law

Greenwood County have No Jurisdictions over the Appellant or his Indigenous estate

### **Remedy and Relief Requested**

- 25.) That the Appellant Zaatnure Xi-Amaru is not Liable for the sum of \$7,500 Seven thousand Five Hundred Dollars rewarded to the Respondent in default Judgement in this Action herein
- 26.) That the Magistrate Claim and Delivery concerning case numbers 2023CV2410100030 and 2023CP2400116 be dismissed with Prejudice
- 27.) That Case numbers 2023CV2410100030, and 2023CP2400116 Be Dismissed with Prejudice

Respectfully Submitted.



Zaatnure Xi-Amaru  
Appellant/ Prose Litigant in Person

Dated: February <sup>28-14</sup> 28<sup>th</sup> 2024



The State of South Carolina  
In The Court of Appeals

Appeal From Greenwood County  
Court of Common Pleas

Donald B. Hocker Circuit Court Judge

Case No. 2024-000029

Zaatnure Xi-Amaru  
Appellant

Vs.

Dane Earl Finley Sr  
Respondent

Affidavit of Service for  
Appellant Initial Brief; Appellant Proposed order

I Zaatnure Xi-Amaru born March 1<sup>st</sup> 1983 in Aboriginal Region 1 North East Wabanaki (misnomer Queens New York) is a Age of Maturity Mentally Competent and have personal knowledge of the facts herein and do swear under the penalties of perjury that the forgoing is true and correct under the Xi-Amaru Constitution the United States Constitution and any applicable jurisdiction

On the Date of February <sup>29<sup>th</sup></sup> 28<sup>th</sup> 2024 I Zaatnure Xi-Amaru Appellant Herein did serve a copy (s) Initial Brief, Appellant Proposed order concerning Judge Order in which appellant wish to appeal dated 12/4/2023 case # 2023-CP-24-0016 judge Donald B Hocker Greenwood Court of Common Pleas on the Following Parties

- A.) Court of Common Pleas 528 Monument Street #114 Greenwood South Carolina 29646
- B.) South Carolina Court of Appeals 1220 Senate Street Columbia SC 29201
- C.) Respondent Attorney Tinsley 109 Oak Ave Greenwood SC 29646 and Respondent Mr Finley Sr 303-9 Elizabeth Ave

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SC Court of Appeals

Greenwood SC 29646

by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with certified mail return receipt at 202 Elizabeth Street Clinton South Carolina 29325

Respectfully Submitted



Zaatnure Xi-Amaru

Appellant/ Prose Litigant in Person


**Zaatnurexiamaru@gmail.com**

**646-387-9205**

**Aboriginal Region 3 Southeast Yamasih**

**P.O. Box 1601**

**Clinton South Carolina 29325**

  
Dated: February 28<sup>th</sup> 2024

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