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SC Court of Appeals

**FORM 1
NOTICE OF APPEAL IN A CIVIL CASE**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

George E. Brown, Circuit Court Judge

Case No.

Wallace Mac Haggins III

Appellant,

v.

Tamra H. Gentry
Expungement Coordinator,
Benjamin A Dennis
Circuit Solicitor,
South Carolina Law Enforcement
Division (SLED)

Respondent.

NOTICE OF APPEAL
Writ Of Mandamus
Dismissal With Prejudice

Wallace Mac Haggins III appeals the order [judgment] of the SLED Agency, Ninth Judicial Circuit Solicitor, Berkeley County Court Expungement Coordinator dated August 13, 2024. Appellant received written notice of entry of this order [judgment] on August 16, 2024. Appellant challenges the decision, and jurisdiction, of being arbitrarily deprived of mandated rights, under the mandate clause Due Process as well as Dismissal With Prejudice for expungement. Petition was for a YOA Grand Larceny in 2008, for which the Respondents declined to consent the Appellant for a conviction of a DUI in 2010 stating within 5 years after

completion. Not that the Appellant was Determined Ineligible, Sled states for expungement purposes they can use the pardoned against the Appellant due to the fact that it only restores civil rights and has nothing to do with the convictions. However South Carolina Codes of Law defines a pardon in addition to the plain wording within the pardon itself, the Appellant is Absolved from all the legal consequences of his Crime and of his Conviction, direct and collateral, including the punishment, whether of imprisonment, pecuniary penalty or whatever else the law has provided. This re-litigation is a violation of rights, the the Appellant is requesting the judge's readdress for a Dismissal With Prejudice and the equivalent of a Writ of Mandamus for expungement. Appellant completed probation successfully in 2012 with no further law enforcement encounters, and received a full pardon for both Grand Larceny from 2008 and the DUI from 2010 convictions in 2016. Appellant seeks legal liability, damages for penalties, and legal action to enforce adjudicated rights.

Constitutional Violations

1. Denied provisions in the United States and South Carolina Constitutions (42 USC § 1981 and 42 USC § 2000d) - \$250,000: depriving due process, conspiring to do the same,
2. Deprivation of rights under color of law, including emotional distress damages (18 USC § 242) - \$250,000: for their conduct under the color of state law as the head of, supervisory agent/employees and/or agents/employees for SLED and their efforts to act independently and/or conspire with others to violate the Appellants constitutional rights and/or to cover-up the constitutional violations against the Appellant.

Enforcement Provisions

1. Enforcement provisions for Title VII, including emotional distress damages (42 USC §

2000e-5) - \$200,000.

This has been an ongoing effort since being granted a full pardon in November 2016, it is now 2024.

Evidence and Due Process

1. Denied right to truth in evidence (18 USC § 3571) - \$250,000. Presenting false or misleading evidence. Not only was a letter from the General counsel submitted within a pardon certificate copy providing clear plain language of the law of a pardon. It was deliberately ignored.

Neglect/Failure to Protect/Act

1. Neglect/Failure to protect/act (18 USC 91621, 42 USC 91986) - \$200,000. With the understanding of what a pardon is and its effects, the denial as an attempted discretionary measure, in which a decline to consent instead of consent or determined ineligible for expungement was made. And this was outside of the law in a statement made within the SLED department that asserted, a pardon does not fully clear the conviction and for expungement purposes it can be held against myself or an individual despite the statutory and constitutional language. The board is authorized by constitutional authority.

Costs and Fees

1. Unnecessary appeals, time, research, and resources and travel – \$3,000

In final, there are Supreme Court rulings that support efforts in expungement after a pardon and the effects of a pardon for such measures. Constitutionally justice needs to be served as well for rights violated which are a obligation by all parties to be protected within their legal capacities

of office.

September 08, 2024

Wallace M. Haggins III

Wallace M. Haggins III

2715 Kirkwood Dr.

Manhattan, Kansas 66502

(843) 843-425-9765

Pro Se Appellant