

**RECEIVED**

**Dec 10 2024**

**SC Court of Appeals**

**FORM 15  
RECORD ON APPEAL**

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

Appeal from Berkeley County  
Court of Common Pleas

Judge Jennifer B McCoy

\_\_\_\_\_  
\_\_\_\_\_

Case No. 2022 CP-08-02508

*Appellate case No. 2023-001837*

Muhammad Nathaniel Wilson Pro Se

Appellant,

v.

Hanahan Police Department &  
Other Law-Enforcement Officials

Respondent,

\_\_\_\_\_  
RECORD ON APPEAL  
\_\_\_\_\_

*Muhammad Nathaniel Wilson  
In Town Suites 8082 Rivers Ave, Room  
309  
North Charleston Sc 29406  
Respectfully*

\_\_\_\_\_  
*12-10-2024*

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210(d): and 267, SCACR.  
 Order of October 20, 2023

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### Complaint

1. The Honorable Judge Jenifer b Mc Coy made a Ruling based on Nepotism, & dilatory Tactics just to Delay the Process in open Court, statutory prohibition under SECTION 15-3-40.Exceptions as to persons under disability.

If a person entitled to bring an action mentioned in Article 5 of this chapter or an action under Chapter 78 of this title, except for a penalty or forfeiture or against a sheriff or other officer for an escape, is at the time the cause of action accrued either:

(1) within the age of eighteen years; or

(2) insane;

the time of the disability is not a part of the time limited for the commencement of the action, except that the period within which the action must be brought cannot be extended: (August 17 2021 ) [C/A No.2:20-3567 BHH] I was receiving Disability

for Multiple Mental Disabilities I made all 3 Judges aware of my mental disabilities

3. The Attorney for the Respondent failed to deny any of the Allegation's in the Presence of, the Honorable Judge Jenifer b Mc Coy after I made the Judges aware of my mental disabilities the Defendants Probable cause is based off a demonstrable unreliable witness & a Fabricated Police Report that Excluded Corroborating Evidence abuse & Neglect By The Victims Mother Furthermore There is no Mention of arresting me For breach of peace The Plaintiff Statement was Changed From Cuddling to lying and saying I was Masturbating When the Victim Clearly said She Over Heard intimacy between me & the Mother . Fabrication & Coercion of an Informant Who is above the law?

4. The undisputed facts show that the Defendants did not investigate the Victims Mother for any kind of abuse who is above the law? Speculation & hear say is Not Enough for Probable Cause when the original reason for the Defendants to visit the Plaintiffs Residence was to investigate the mother!

4. The Victim Clearly Told the Defendants She did not see my Penis only over heard me & the mother being intimate with each other? Why was the Mother Not charged with Neglect? Gross Negligence Happened When the Defendants Failed to Notify

Child Protective Service.

5. What part of the law allows the Victims mother to be Naked and allowed to sleep with her 9-year-old Daughter? And have a sexual relationship that allows her to be intimate with her daughter?

6. The Defendants undisputedly knew that the mother was Abusive but allowed Coercion to continue which is pure Negligence on the Defendants behalf the victim's mother was abusive & clearly Mentally Disturbed (See State Vs Susan Smith)

7. When the defendants failed to contact DSS they showed Negligence See Judges Response to the Allegations on the Record,

8. The Respondents didn't produce any evidence supporting that there was Probable cause to Forcefully Violate the fourth Amendment and Disregard the fourteenth amendment Equal Protection Right to Fair Trial.

9. The Victim was the only credible witness that could have Corroborated the Truth The Attorney for the Respondents was Deliberate in Delaying the Time to avoid the Appellant getting Legal Representation & the Question Presented is Who is Above the Law when the Respondents failed to notify Child Protective Service or D.S.S they failed to Follow Procedure creating the Fruit of the poisonous tree doctrine by Coercion of the Witness the Real Victim in this case the Child who was being abused by her Mother.

10. The Attorney for the Respondent used Nepotism & dilatory Tactics to Delay the Process & confuse the Courts from acknowledging the Wanton behavior by the Respondent Female officer in Charge!

11. The Appellant is a Victim Of Emotional Distress and has a 30 year History of Mental Disorders such as Post-traumatic stress disorder, Extreme anxiety, Bipolar disorder The Respondents are aware of My Intellectual Disability & has Been using My Incompetency & being Transient Because of this case to create a red herring fallacy to avoid being accountable for the Negligence & Kidnapping that caused More Mental Disorders & Physical Complications Such as High Blood pressure, I am Diagnosed with Post-traumatic stress disorder, Extreme anxiety, Bipolar disorder I Have been Transient, Situationally homeless Since this Case &

12. The Respondents have a Copy of My Mental Health Records because I was being treated for mental disorders; I was also hospitalized 4 times inside a Mental Health Facility where I was treated because of being falsely Confined Forcefully inside their Jail the respondent's lack of Denial in Every Response Proves & Shows Their guilt! Emotional distress refers to mental suffering as an emotional response to an experience that arises from the effect or memory of a particular event, occurrence, and pattern of events or condition. Emotional distress can usually be discerned from its symptoms (ex. mental disorders

Facts

Cause of Action

13. The allegations of the foregoing paragraphs are incorporated by reference.

\_\_\_\_\_

14. The complainant is a person with a disability because he has mental impairments that substantially limit one or more major life activities, *e.g.*,

15. The Attorney for the Respondents Failure to Produce Any Form of Evidence that Supports Probable cause!

16. Speculation hear say & Fabrication by Changing the Narrative because of my disability I was incoherent so they used Vagueness as an Excuse to Forcefully detain me until they found something to try to make me Plead Guilty to the Plaintiff never said I was Masturbating I made a Hand Jester about the mother & I were Cuddling touching each other in a Intimate way when I noticed her Child was in the Bed with us fabrication & Wanton behavior if the Defendants would have Properly Investigated the Mother I would have never Been Detained so it not only proves the officer in charge was Malicious & it Clearly supports Wanton Behavior & Deliberate Disregard for Police Procedure as well as Civil Rights Fruit of the poisonous tree doctrine Who is Above the Law the Transcript of the Court Ruling Proves the Attorney for the Respondents Failure to Produce Any Form of Evidence that Supports Probable cause it also proves the respondents were Malicious & Clearly supports Wanton Behavior & Deliberate Disregard for Police Procedure as well as Civil Rights? During the Deposition I am introducing Supporting Facts of Abuse, & Neglect, by the mother corroborating that the Respondent failed to investigate because of Wanton Behavior towards the Appellant, The Honorable Judge Jenifer b Mc Coy made a Ruling that was biased & discriminated against the Plaintiff because of my Mental health Disability Honorable Judge Jenifer b Mc Coy Acknowledged I was the Person who Called the Respondent to the Place of the Domestic Dispute but Disregarded it for Bias reasons!

Deposition of Muhammad Wilson

\_\_\_\_\_  
See transcript

Testimony of Muhammad Wilson

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See transcript

Deposition of

---

Evan Sobieski

Testimony of Evan Sobocinski

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**Jury Demand**

Plaintiff Muhammad Wilson requests a trial by jury so that the Respondents can't Use Nepotism.

Respectfully submitted,

**Prayer for Relief**

WHEREFORE, the Appellant prays that this Court:

Grant judgment in favor of the Appellant and declare that Defendant has violated, **SECTION 15-3-40.**, (*S.C. Code Ann. § 22-5-320*) *S.C. R. Civ. P 382019-2020 Bill 5271: Coercive control*

- a. and its accompanying regulation;
- b. award the complainant compensatory damages, including damages for emotional distress, for injuries suffered as a result of Defendant's failure to comply with the requirements
- c. enjoin Defendant and its agents, employees, successors and all persons in active concert or participation with it, from engaging in discriminatory arrest towards
- d. award the complainant compensatory damages, including damages for emotional distress, for injuries suffered as a result of Defendant's failure to comply with the requirements of Title I of the ADA pursuant to and within the statutory limitations of Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a; and

- e. black men who are mentally disabled
- f. Order such other appropriate relief as the interests of justice require.

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### Exhibit 1 Gross Negligence Evidence

Noun: **negligence**; plural noun: **negligence's**

1. Failure to take proper care in doing something.

South Carolina Code § 63-7-20 A person required under Section 63-7-310 to report cases of suspected child abuse or neglect, including workers of the department, who has reason to believe a child has died as the result of child abuse or neglect, shall report this information to the appropriate medical examiner or coroner.

South Carolina law allows mandated reporters to report to either DSS or law enforcement in the county where the child resides or is found. If the alleged perpetrator is the child's parent, guardian, or other person responsible for the child, August 14 the defendants failed to investigate an abusive mother the defendants disregarded the law because of Wanton behavior the defendants discriminated against me because of my mental health Disability

### Exhibit 2

**SECTION 15-3-40. :** Exceptions as to persons under disability.

#1: The right of trial by jury as declared by the Constitution or as given by a statute of South Carolina shall be preserved to the parties inviolate. Issues of fact in an action for the recovery of money only or of specific real or personal property must be tried by a jury, unless a jury trial be waived. (b) Demand. Any party may demand a trial by jury of any issue triable of right by a jury by serving upon the other parties a demand therefor in writing at any time after the commencement of the action and not later than 10 days after the service of the last pleading directed to such issue. Such demand may be endorsed upon a pleading of the party. (c) Same: Specification of Issues. In his demand a party may specify the issues which he wishes so tried; otherwise, he shall be deemed to have demanded trial by jury for all the issues so triable. If he has demanded trial by jury for only some of the issues, any other party within 10 days after service of the demand or such lesser time as the court may order, may serve a demand for trial by jury of any other or all of the issues of fact in the action. (d) Waiver. The failure of a party to serve a demand as required by this rule and to file it as required by Rule 5(d) constitutes a waiver by him of trial by jury. A demand for trial by jury made as herein provided may not be withdrawn without the

consent of the parties, except where an opposing party is in default under Rule [Set out exhibit.] October 18 2023 I was still disabled I told the court & told them I was Mentally Disturbed Because I am illiterate the Judge Took Advantage of me 7/13/2021 the case was in Federal Court the court did not Dismiss the case only sent it back where I originally filed the case because they knew there was no Sufficiency or Probable cause if the case was Dismissed like the Defendants Fabricated Brief Suggest how did it get sent Back to state court? I would have filed an appeal

### Exhibit 3

#6: Thompson v Clark. The court recognized a claim for malicious prosecution under the fourth amendment when an individual is detained by law enforcement officers without probable cause. The court further held that the plaintiffs bringing such a claim must only show that the prosecution ended without a conviction, not that the prosecution ended with an affirmative indication of innocence a standard that would have been impossible to meet in many cases since the Charges was Dropped because they Did Not want the witness to testify the Plaintiff does not have to prove innocence only Negligence

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exhibit.4]

The U.S. Supreme Court interprets these clauses to guarantee a variety of protections: procedural due process (in civil and criminal proceedings); substantive due process (a guarantee of some fundamental rights); a prohibition against vague laws; incorporation of the Bill of Rights to state governments; and equal protection under the laws of the federal government. A citizen's right to a trial by jury is a central feature of the United States Constitution.<sup>[1]</sup> It is considered a fundamental principle of the American legal system

exhibit.5]

Who is above the law? Witness coercion, Kidnapping

- : Obstruction of Jurors and Court Officers 18 U.S.C. § 1503: makes it illegal for someone to “corruptly” or through threats or force influence a juror or officer of the court in carrying out their duties before a judicial proceeding. The punishment for this crime can reach over 20 years imprisonment in the most extreme cases.: Obstructing Witnesses and Evidence 18 U.S.C. § 1512: makes it illegal in any way to harm, threaten, (delay, or otherwise influence a witness) to an official proceeding, punishable by up to 30 years imprisonment. The law also makes it a crime to destroy, change, or hide evidence that could be used in an official proceeding

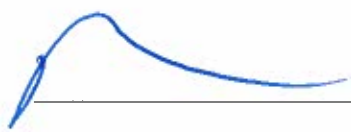
**SECTION 15-3-40.** : Exceptions as to persons under disability.  
exhibit.6]

§ 15-3-535. Personal Injury Statutes of limitations set the length of time that, or government agency has to bring a lawsuit Except as to actions initiated under Section 15-3-545, all actions initiated under Section 15-3-530(5) must be commenced within three years after the person knew or by the exercise of reasonable diligence should have known that he had a cause of action.

exhibit.6] Emotional Distress

Intentional infliction of emotional distress (IIED) involves terrible conduct. It must be so awful it causes severe emotional trauma. IIED is an intentional tort, a civil wrong committed on purpose. The victim can recover damages from the person causing the emotional distress. Courts are more likely to allow recovery when the emotional distress damages come with some form of physical injury. The physical harm must result from the defendant's conduct.

Exhibit: 7 Proof of disability I will submit Proof of disability but require time to go to social security office to get Proof the Defendants have Access to my mental health Records so they know I can prove disability

 12-10-2024

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

December/10/2024

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*V.*

*Hanahan Police Department & Other Law Enforcement Officials*

*Respondent,*

**PROOF OF SERVICE**

*I certify that I have served the Final Brief & Record on appeal for the Appellant by depositing a copy of it in the United States Mail, postage prepaid, on December 9, 2024, 2024 addressed to the attorney of record, Hood Law Firm attorney of record,*

*Ellore A Gains, at her office at  
172 Meeting Street Charleston SC,  
29401 on December 9, 2024*

*Muhammad Nathaniel Wilson  
In Town Suites 8082 Rivers Ave,  
Room 309 North Charleston Sc 29406*

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*Respondent,*

*Certificate of service*

*The undersigned certifies that on this day 3th day of December a copy of the Final brief & record on an appeal on behalf of the Appellant Muhammad N Wilson Pro se that I have served the Final Brief & Record on appeal for the Appellant by depositing a copy of it in the United States Mail, postage prepaid, on December 9, 2024 addressed to the attorney of record, Hood Law Firm attorney of record,*

*Elloree A Gains, at her office at  
172 Meeting Street Charleston SC,  
29401 on December 9, 2024*

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