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STATE OF SOUTH CAROLINA

IN THE SUPREME COURT S.C. SUPREME COURT

ALDIZO TARELL JONES
PETITIONER

v.

STATE OF SOUTH CAROLINA
RESPONDENT

APPELLATE CASE NO:
2022-000158

MOTION TO DISMISS

Relief sought:

ALDIZO TARELL JONES PETITIONER (HEREINAFTER)
"JONES", MOVES TO DISMISS THIS ACTION.

Grounds For Relief:

THE GROUNDS FOR THIS MOTION ARE THAT THE KERSHAW COUNTY COURTS LACKS SUBJECT MATTER JURISDICTION OVER THIS ACTION. IN PARTICULAR, THE ACTION SHOULD BE DISMISSED BECAUSE THE STATE COURT WHICH FIRST TOOK THE SUBJECT-MATTER OF THE LITIGATION INTO ITS CONTROL, NAMELY, THE PROPERTY PURSUANT TO [DESCRIBE THE CIVIL], WAS NOT PERMITTED TO EXHAUST ITS REMEDY TO ATTAIN WHICH IT ASSUMED CONTROL BEFORE THE FEDERAL DISTRICT COURT TOOK IT FOR

its purpose. Thus the state court was precluded from exercising its jurisdiction over this cause of action because it surrendered subject-matter jurisdiction when the property was [GUN] release to the control of the federal district court.

In support of this motion, JONES, Petitioner shows:

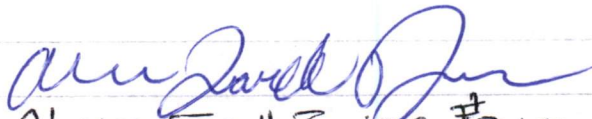
1.) THE STATE COURT LACK SUBJECT MATTER JURISDICTION OF THIS CASE, BECAUSE THE STATE COURT OF SOUTH CAROLINA HAD PRIOR EXCLUSIVE JURISDICTION OVER THE [GUN]. WHEN THE FEDERAL COURT SUPERSEDED THE STATE COURT JURISDICTION IN THIS SIMILAR AND SUBSTANTIAL CAUSE OF ACTION.

2.) HOWEVER, AS THE ATTACHED MEMORANDUM OF POINTS AND AUTHORITIES MORE FULLY EXPLAINS, "THE LAW IS ESTABLISHED IN BOTH CIVIL AND CRIMINAL CASE THAT WHERE A STATE COURT AND A COURT OF THE UNITED STATES MAY EACH TAKE JURISDICTION, THE COURT WHICH FIRST TAKES JURISDICTION HOLDS IT TO THE EXCLUSION OF THE OTHER.

3.) AS THE MEMORANDUM OF POINTS AND AUTHORITIES ALSO EXPLAIN THERE IS NO OTHER POSSIBLE BASIS FOR THIS ACTION

Support for motion:

This motion is based on the pleadings and papers on file in this action. This motion, the accompanying memorandum of points and authorities, and the evidence and petitioner arguments needs to be presented at the hearing of this motion.


ALWZO TARELL JONES #70680-053
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P.O. BOX 50020
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CC. HONORABLE JUDGE
TERRY L WOOTEN
901 RICHLAND ST.
COLUMBIA S.C. 29201

DECEMBER 9, 2024