

IN THE COURT OF APPEALS, SOUTH CAROLINA

THE STATE V. STEVEN FRANTZ

CIVIL CASE NUMBER 880295

TRIAL COURT CASE NUMBER 2021-CP-27-00475

APPELLANT COURT CASE NUMBER 2023-000790

RECEIVED
DEC 17 2024
SC Court of Appeals

On Appeal from the Judgement of the Magistrate Court and Circuit Court 14 in Jasper County,
South Carolina

APPELLANT'S REPLY BRIEF

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RULE 208(b) SCAR

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APPELLANT'S REPLY BRIEF

The following is a NOTICE OF APPEAL of INNOCENT for the guilty disposition ordered by Magistrate Joanne McDonald (deceased) and upheld(?) by the Honorable R. Keith Kelly of JASPER COUNTY, SOUTH CAROLINA.

It must be challenged Magistrate McDonald did not have jurisdiction in this case, as Deputy Dupree (in violation of my 14th Amendment Rights) assessed a fine of \$260.00, far in excess of Magistrate McDonald's statutory limit with which to render a decision (SC Code of Laws, Chapter 3, Article 1, Section 22-3-20).

I find it perplexing Magistrate McDonald, the Jasper County Court, Judge Kelly or anyone else does not have a transcript of this Jasper County, South Carolina criminal court hearing, thus denying me the ability to defend myself against this charge rendered against me (South Carolina Rule 607). Since Magistrate McDonald can no longer be asked, I can only imagine this was intentional as I have yet to find any Court in the United States of America who does not require a transcript in order to appeal any lower court's decision for any and all matters. I have filed, with Margaret Bostic, Clerk, Jasper County, South Carolina Courts a Notice of Transcript Request, Notice of Public Records Request, and Notice of Freedom of Information Act (FOIA) Request without receiving any anything for any and all three Notices as if totally ignored (SC Code of Laws, Section 30-4-30). Every people has the right to appeal a court's decision. By the actions of the Jasper County Court and its tax-payer funded employees, I ask the Appellate Court to render a not-guilty decision (or equivalent action) to render me whole once again.

Trial was held 30 JUN 2021 and Magistrate McDonald ORDERED her disposition on 30 SEP 2021, accruing a total of 93 days to come up with her decision. This is in violation of the 90-day time limit with which to render her decision. I would think this would also void her decision.

An APPEAL was sent 8 OCT 2021, well within the Court's 10-day time limit and received 15 OCT 2021 by the South Carolina Appellate Court. Jasper County Court also has two mailing addresses, one of which is not checked with regularity. This was subsequently forwarded to the Jasper County Court and time stamped 28 OCT 2021. Judge Kelly had this dated appeal, United States Postal Service date-stamped, and Appellate Court time-stamped appeal from myself. Of course, I am at the mercy of the United States Postal Service. This initial 10 days was reduced by 6 sending the decision from South Carolina to Ohio. The appeal request took 7 days from Ohio back to South Carolina time-stamping the appeal. The part I don't understand is it taking 13 days from Jasper County, South Carolina to the Appellate Court in South Carolina. To refuse a people appellate rights based on the speed of United States Postal Service just doesn't seem right. Is the Jasper County, South Carolina Court the only agency in the United States of America which does not use post mark dates as valid? If expediency is now the reason whether a people can appeal a lower court's decision, why then didn't the Jasper County, South Carolina send this next day, or, even faster, email? I followed the methodology of the Jasper County, South Carolina Court.

The Jasper County Court then waited until 20 APR 2022 sending me a letter asking me to provide them with a date to schedule a hearing. Is it common practice to have people schedule their own dates with the courts? When tapped for jury duty, the courts in Ohio tell me when I

have to be there, not the other way around.

A hearing (of which a transcript was provided by Legal Eagle, P.O. Box 5682, Greenville, South Carolina 29606) was held 20 APR 2023 by Honorable R. Keith Kelly (he did not inform me Magistrate McDonald had passed away, a violation of Judicial Cannon 2). Judge Kelly refused to hear facts pertinent to this case. Instead, he focused on any illegal activities performed by Magistrate McDonald (deceased). He mentioned Magistrate McDonald taking 93 days with which to render her decision. At this point Honorable Kelly admonished me for taking longer than 10 days to file an appeal (which I addressed above). The time stamps and postal stamps clearly contradict Honorable Kelly's claim. Honorable Kelly also stated he did not have jurisdiction. Honorable Kelly dismissed my lack of legal knowledge and informed me he would render his decision. Honorable Kelly made his decision dated the very next day. No representative for the State of South Carolina even appeared for this appeal hearing. In my opinion, Honorable Kelly acted on behalf of the State and did not conduct himself in an impartial manner, violating Judicial Cannons (1) which he is bound by.

The State of South Carolina refused to comply with not one, but two Discovery Motions (SC RULE 26), rendering me unable to fully present the facts in this case. This also prevented me from subpoenaing and facing my accusers (kept shielded and hidden by the State of South Carolina Department of Natural Resources), the owners of the Okeetee Hunting Club. Employees of the Okeetee Hunting Club stated the owners were too important to be subpoenaed at a criminal trial such as this (SC RULE 45 SCRPC).

A man with a gun, Mr. Robbie Smith, committed a felony (taking pictures of my Federal

Military ID) (TITLE 18 USC) while detaining me in South Carolina. Magistrate McDonald failed to comment on this man committing a felony while detaining a people nor was there any argument or even disagreeing he committed a felony. Robbie Smith acknowledged not being a witness to anything I was being accused of.

Deputy DuPree, of the South Carolina Department of Natural Resources, issued a "ticket" rendering a fine almost three times (\$260.00) the maximum (\$100.00) allowable by the South Carolina Revised Code, violating my 14th Amendment. I questioned his supervisor, Sergeant Pope, about this and he laughed this off stating this was their normal business practice. I also spoke with chief legal counsel for the State of South Carolina Department of Natural Resources, V. Craig Jones, Jr., and was informed Deputy DuPree was proceeding with this because I had called his supervisor, Sergeant Pope. It was V. Craig Jones Jr's. opinion Deputy DuPree was acting in retaliation.

Deputy DuPree committed perjury on the stand (SECTION 16-9-10 (A)(1)), under oath, when he swore the property lines in Jasper County, South Carolina were defined by ditched along the side of the road. When questioned by me, he changed his story to reflect signs posted now truly represent property lines (this also is not true). If the State of South Carolina and abided by my Discovery Motion, this could have easily been avoided. By trying to hide vital information in this case, Deputy Dupree lied and subsequently perjured himself in court, under oath. Magistrate McDonald did nothing when Deputy DuPree intentionally lied on the stand.

Deputy DuPree also made sworn testimony stating there were to be no blacks in his courtroom (14TH AMMENDMENT). Not the last racial slur directed toward African Americans in

Magistrate McDonald's Jasper County, South Carolina courtroom. Perhaps this is the reason Jasper County, South Carolina does not record, or provide transcripts of their courtroom hearings.

When Magistrate McDonald ruled against the State of South Carolina concerning looking at pictures on Deputy DuPree's cell phone, Deputy DuPree rushed to the bench to show Magistrate McDonald whatever was on his cell phone. Magistrate McDonald did not afford me the opportunity to view what was on his cell phone (SC RULE 404). It was confusing as to what might be on Deputy DuPree's cell phone as Deputy Dupree testified to not witnessing anything relating to this case. Deep Fakes involving Dr. Adobe technology are an increasing concern in this respect.

One of the State of South Carolina's witnesses was a Mr. Glenn Smith. He was not included on the State's list of witnesses (SC RULE 16) as requested by my Discovery Motion, yet Magistrate McDonald allowed him to speak. Under oath, Mr. Smith, testified it was "common sense" to be able to clearly see 250 yards into the thick pine forests of the South Carolina Low Country and positively identify people, yet could not identify me on Zoom camera in court. Photographic evidence was provided of the forested area Mr. Smith spoke about, which disputed his claim. This was another example of perjury Magistrate McDonald allowed in her court. This was the first time I had met this Mr. Smith.

Another of the State of South Carolina's witnesses (again, not included on the State's list of witnesses), Bert Shiflett, went on an inflammatory racist rant concerning African American basket weavers being "dirty blacks". His testimony was not about me, but about "dirty blacks." I

am someone who is in an interracial and am the father of two biracial children, I was appalled this display of overt racism is still alive and well in Jasper County, South Carolina and that Magistrate McDonald would sit idly by and allow such vitriol to be allowed in her court. I could only conclude his threats were directly applied to me. This was the first time I had met Mr. Shiflett. At the least, Mr. Shiflett admitted to not witnessing anything involved with this case.

The State of South Carolina did not even address, much less prove, the basic tenants of trespass. 1. No damage of health, reputation, or property 2. No injury of another person or property 3. No act, real or implied, causing injury to a person, property, or relative rights of another. King v. Citizens Bank of DeKalb, Waco Cotton Oil Mill of Waco v. Walker, and Mawson v. Vess Beverage Co.

Magistrate McDonald, in her Order, states she supplied me with time to provide her with documents and pictures. These were mailed within a week of the trial. Did she receive them? This is never stated in her order. These are the same pictures presented during trial.

Magistrate McDonald states in her Order she conducted research. Nowhere could I find legal definition for “research” in the 5th Edition of Black’s Law Dictionary. As a research scientist myself, I would like to know what research methodology she used and what, beyond the courtroom, needed to be researched, which should have been disclosed for my response. I have not been privy to any additional information Magistrate McDonald may have obtained, nor was I afforded any investigation or cross-examination into this material used beyond the courtroom. I believe this was something Magistrate McDonald used what was pertinent to this case and possibly something I had filed in one of my Discovery Motions denied by the State of South

Carolina. This begs the question what information Magistrate McDonald was shown through her "research" I was not privy to.

I would like to obtain a copy of Magistrate McDonald's notes, research notes, and file she references in her Order. This has been requested previously, but, to date, I have had no response from the Jasper County Magistrate's Office.

I maintain my plea of NOT GUILTY of simple trespass and cannot stress my INNOCENSE enough to the Appellate Court of the State of South Carolina.

On 26 FEB 2023 I filed a motion to dismiss. Judge Kelly, Judge Bonds, or the Court never addressed this motion (SC COURT RULE 240).

On 26 FEB 2023 I filed a motion to change venue. Judge Kelly, Judge Bonds, or the court never addressed this motion.

On 26 FEB 2023 I filed a motion of recusation. Judge Kelly, Judge Bonds, or the court never addressed this motion.

Throughout this process, the Jasper County, South Carolina COURT has insisted to have me appear in-person, a clear violation of my 14th Ammendment. Because of my medical condition, Pyroderma Gangrenosum, the Jasper County, South Carolina COURT has repeatedly demanded me to commit acts of self-harm.

On 28 OCT 2021, Quatray Truesdale, Jasper County, South Carolina Common Pleas Clerk, returned my appellate court filing fee and states in her letter, "There is no fee for filing criminal appeals."

In conclusion, Judge Kelly wrote, "The appeal was not perfected." John 8:1-12 reads,

“but Jesus went to the Mount of Olives. At dawn he appeared again in the temple courts, where all the people gathered around Him, and he sat down to teach them. The teachers of the law and the Pharisees brought in a woman caught in adultery. They made her stand before the group and said to Jesus, “Teacher, this woman was caught in the act of adultery. In the Law Moses commanded us to stone such women. Now what do you say?” They were using this question as a trap, in order to have a basis for accusing Him. But Jesus bent down and began to write on the ground with his finger. When they kept on questioning Him, he straightened up and said to them, “Let any one of you who is without sin be the first to throw a stone at her.” Again, He stooped down and wrote on the ground. At this time, those heard began to go away one at a time, the older ones first, until only Jesus was left, with the woman still standing there. Jesus straightened up and asked her, “Woman, where are they? Has no one condemned you?” “No one, sir,” she said. “Then neither do I condemn you,” Jesus declared. “Go now and leave your life of sin.””

I will end as I began. The Jasper County, South Carolina criminal court has never provided a transcript of their proceedings, denying me the ability to defend myself to a higher court. Their actions alone have drug this out for years now. I ask the Appellate Court to find my innocence, find me not guilty, and make me whole once again.

Thank you for your time and thoughtful consideration of this dire situation and correct a wrongful decision. Please feel free to contact me if you need any further information.

NOTHING FOLLOWS

STATEMENT OF ISSUE ON APPEAL

The 6th Amendment to the Constitution of the United States sets forth my rights regarding criminal prosecutions. Local or State rules do not supersede guaranteed Constitutional Rights. The State has delayed not once, but twice to proceed with this case. Additionally, the Jasper County Court even asked me to choose my own date for a hearing without any deference to Local or State rules regarding timelines.

The State of South Carolina is attempting to extort \$260.00 for a charge which the maximum amount of fine is \$100.00, clearly a violation of my 14th Amendment rights.

Roadways are public access routes.

Through the threat of a gun, Mr. Smith committed a felony by taking pictures of my Federal Military ID (TITLE 18 U.S.C.). When brought to the attention to of Mr. Smith's supervisor at SLED, I was informed he had done no wrong and his actions were in accordance of SLED's rules of engagement.

The State of South Carolina is proceeding through an Appellate Court process without transcripts of the original hearing, making it impossible to defend myself (S.C. Rule 607).

STATEMENT OF THE CASE

On April 20, 2021 I filed a Discovery motion. The State did not respond fully to this filing. On May 19, 2021 I filed a Discovery Motion. The state did not respond fully to this filing. By not responding, the State prevented me from defending myself in this case.

On June 30, 2021 a trial was held. Magistrate McDonald Ordered her disposition on September 30, 2021, in violation of her 90-day time limit with which to render a decision.

On October 8, 2021, well within the Court's ten-day time limit to file an Appeal and time stamped October 15, 2021.

On April 20, 2022, Jasper County Court sent me a letter asking me to provide them a date to schedule a hearing.

On February 26, 2023 I filed a Motion of Dismissal. The State did not respond.

On February 26, 2023 I filed a Motion of Change of Venue. The State did not respond.

On February 26, 2023 I filed a Motion of Recusation. The State did not respond.

On December 6, 2024 there is still no transcript from Magistrate McDonald's trial, preventing me from defending myself on appeal.

STATEMENT OF FACTS REPLY

On September 30, 2021 Magistrate McDonald Ordered her decision three days beyond her required 90-day time lime to issue an Order.

On August 4, 2023 a Transcript Request Form was filed with the South Carolina Judicial Branch. No transcript was provided as requested.

On August 18, 2023, a Public Records Request was made to obtain transcript and link for my trial with Magistrate McDonald. I received no response.

On August 18, 2023, a FOIA (Freedom of Information Act) Request was made for the aforementioned case. I received no response.

On August 18, 2021 I filed a Notice of Transcript Request to Margaret Bostic, Clerk of Courts Jasper County. I received no response.

Mr. Powell claims to have transcripts dated June 4, 2019. I have also asked for these transcripts, but received no response from the state of South Carolina. Additionally, no Miranda Rights were issued, nor was I under any oath or affirmation leaving them inadmissible as "evidence."

Mr. Powell claims to have access to transcripts of my trial which I have been denied. Or perhaps Mr. Powell is using a recording clandestinely made at the court hearing. What is Mr. Powell's reference?

If it is transcripts, I have been denied access, making it impossible to proceed with an Appeal without them. If it is a recording at the scene along the side of the road, this is NEW evidence, not provided during Magistrate McDonald's trial. I am under the understanding NEW

evidence cannot be presented at the Appellate Court. Only the original evidence provided at trial can be presented here. Also, as long as he claims to have a recording along the side of the road, could Mr. Powell provide the recording of the reading of my Constitutionally protected Miranda Rights? In fact, no Miranda Rights were given, rendering Mr. Powell's narrative here not admissible a second time. Perhaps this was illegally recorded at trial by one of the numerous employees of South Carolina Department of Natural Resources in attendance.

What is the source of your recording?

I understand during an appeal one cannot bring up what was not brought up in a lower court. Picking up a tractor is the first time I am hearing this evidence (among other evidence). This is new evidence which was not brought up in a lower court. This would be nice to prove this based on the transcript, however, there is no transcript, making Mr. Powell's Statement of Facts irrelevant. This is not how things stood at the time of the hearing.

I do not know what the "Return" numbers mean throughout Mr. Powell's narrative. Please advise.

Mr. Powell states in his narrative, "The hearing began with testimony from Glen [sic.] Smith who was on the property to pick up a tractor during the incident. (Return 7)" I have requested numerous times, in a variety of formats for a transcript and link to this hearing. Obviously, Mr. Powell has access I am being denied. Glenn Smith was not on the witness list, rendering his testimony inadmissible. Mr. Powell states Mr. G. Smith was on "the property" (how many tens of thousands of acres is this "property" Mr. G. Smith is referencing?) to pick up a tractor. Robbie Smith, in his written statement has Mr. G. Smith "on a tractor." Picking up a

tractor or on a tractor. Which is it? It cannot be both.

Mr. Powell continues, "Glen [sic.] Smith alerted Robbie Smith, an employee of the club, that Appellant's vehicle was approximately 250 feet into the property. (Return 7)" In Mr. R. Smith's written statement, he says, "Glenn said a grey vehicle was left parked off the paved portion of Old Charleston Road." Mr. Smith further states, "...crossed the ditch on the same side of the road as the vehicle was parked." Again, which is it? It cannot be both. For the record, I was not driving a tractor. I was driving a Honda van. Clearly, I stopped along the side of the road. Driving a family van through a ditch (3 to 4 feet deep), then continuing on through dense woods another 250 feet defies any logic. During the trial, Mr. R. Smith stated he could see 250 **yards** (emphasis mine) into the thick pine woods. Which is it, Mr. Powell, feet or yards? Walking or driving? It is very difficult for me to keep up with this ever-changing story. It truly is so much easier to tell the truth. Lies always keep changing. Two pictures are available to view where our van was parked along the side of a road.

Mr. Powell continues, "On his way to the scene Robbie Smith called Jasper County police. (Return 7)" Who are the Jasper County Police? I fail to find them listed in any directory, or on line. Robbie Smith, former South Carolina Department of Natural Resources employee, in fact, called in collusion with South Carolina Department of Natural Resources employee Deputy Dupree. Jasper County Sheriff Department heard the call and sent a Deputy to try to expedite this matter. Mr. R. Smith refused to allow the Sheriff deputy conduct his sworn duty.

Mr. Powell continues, "Appellant stated he was on the property to take pictures of snakes. (Return 7)" Please clarify "property" here. I was out of my van, on the side of the road

taking pictures of flowers blooming. I did show Deputy DuPree pictures of flowers, my children, the landscape, pictures of birds, lizards, and a snake which were taken at Congaree National Park the day before and testified to such. Simply taking pictures of flowers along a road does not rise to the legal bar of trespass. In court when trying to define “trespassing” using Black’s Law Dictionary, Deputy DuPree became very animated and proclaimed he did not allow blacks in “his” court. Magistrate McDonald, suffering from a severe bout of pneumonia, allowed such proclamations.

Mr. Powell continues, “Other testimony established Appellant was in possession of a hook and bag commonly used to capture snakes. (Return 8)” Testimony from who? Deputy Dupree, in his written, sworn statement stated, “...he opened the trunk of his vehicle Inside there was a snake hook as well as bags and buckets commonly used for collecting. I wrote him a citation for simple trespass...” Were buckets bags and a hook trespassing in my van? What was collected? Deputy DuPree never says. Is it illegal to carry golf clubs (or as Deputy Dupree calls hooks), bags, or buckets in South Carolina? I also had binoculars in the van. I guess I should be thankful I wasn’t charged with being a peeping Tom. My children also had their dirty clothes in the van. Pedophile! I’m glad I did not get charged with that one. My children also had a couple of pieces of tree bark they found and thought interesting. Illegal logging? I was also in possession of my van. I suppose vans have been used as getaway vehicles during bank robberies. This list could go on and on. Accordingly, virtually any item in my van, and even including the van, could be used for illegal purposes if one’s brain were wired that way.

Mr. Powell continues, Appellant stated (5th Amendment?) he had been going to the club

since 1979 and was given permission by an employee named Brent Ritchie. (Return 8). The superintendent of Okeetee plantation could not find any record of Brent Ritchie ever being employed by the plantation. (Return 8). The superintendent testified that in his thirty years of employment the policy was that written permission rather than verbal was to be granted. (return 9).” The “superintendent” of Okeetee plantation was identified as Mr. Bert Shiflett. Mr. Shiflett was not on the witness list nor was he along the road, although he was allowed to testify and Mr. Powell has grabbed on to this as though it were the Gospel. Yes, I, and now, my family and I, have stopped in this area as an overnight rest on our way to Florida for many years, even decades by now. I have met many wonderful people in this area over many decades. I also live in a small town and understand why some people in a small community despise visitors wishing to enjoy the beauty of where they live also. Had you continued the transcript of Mr. Shiflett’s testimony for this court, you would have heard him yelling at how dirty black people are when I asked him about the sweetgrass basket makers in the area. Mr. Shiflett also could not produce a single written permission paper, he claimed everyone must have to enter Okeetee plantation, for the hundreds of people picking sweetgrass for over a century and a half. A convenient edit to be sure.

Mr. Powell continues, “Employees of the Okeetee club testified that there are hundreds of no trespassing signs on the premises. (Return 10)” Again, who are these mystery “employees” you refer to? “Hundreds of no trespassing signs” is very interesting. This is one of my Discovery Motion requests. Of course, the State, did not comply with discovery, and now the State wants to use this alleged information against me. Through photographic evidence I

supplied, these bright yellow signs are placed up to 75 feet away from the road, obscured from vegetation in front of them. Some are even nailed to trees on the opposite side, so as to be invisible from the road. Of course, Deputy Dupree testified that road ditches are property lines in South Carolina. That was disproved when he purgered himself under oath in court. Around here, in Ohio, once caught purgering (lying) in court, all other testimony by the purgerer is thrown out. I do wish Mr. Powell would have provided all testimony to the Court instead of cherry picking. Mr. Powell continues, "The magistrate noted that based on the testimony and other evidence it was "obvious" that Appellant was trespassing. (Return 10)." It is most unfortunate Magistrate McDonald passed away and now we are only left with her historical record, of which I have request numerous times and ways and at every attempt have been denied. To make it perfectly clear, "testimony" was based on people not on the witness list, obvious racists, and a confirmed purgerer. I have also been asking what her "other evidence" was. I am left to conclude this was information, testimony, or witnesses outside of the trial hearing. In her Order, Magistrate McDonald, used the words, "After conducting research...". This, again, leaves me with the conclusion this was something done outside the trial courtroom. I also am left without know what Methodology was employed by Magistrate McDonald. Both instances leave me without the ability, once again, to defend myself.

Mr. Powell continues, "On September 30th the Magistrate found Appellant guilty of trespassing and imposed a \$260 fine. (Return 2). However, due to a potential clerical error Appellant's \$260 fine was waived. (Return 2)." Seems a violation of the Eighth Amendment and Fourteenth Amendment to the United States Constitution is now being severely downgraded to

a “potential clerical error”. And now Mr. Powell is stuck on me filing something late. Perhaps I did not file late and was the victim of another “potential clerical error”. Who exactly made this “potential clerical error”? Simply put, Deputy DuPree when he wrote \$260 on my ticket. That very same day, March 29, 2021, Deputy DuPree was worried I would complain to his supervisors. I spoke with FSGT Pope at length about the severity of Deputy DuPree’s fine on my ticket. It is over two and a half times the maximum fine allowed by South Carolina law. FSGT Pope told me I was from out of state and this is the way we do business down here. He continued telling me if everyone complained about the severity of fines, he’d be writing a lot of checks. “Potential clerical error.”

Magistrate McDonald thought this “potential clerical error” was appropriate. Judge Kelly and Judge Bonds thought this “potential clerical error” was appropriate. FSGT Pope thought this “potential clerical error” was appropriate. V. Craig Jones, Chief Legal Counsel for the South Carolina Department of Natural Resources thought this “potential clerical error” was appropriate. Several Appellate Court attorneys thought this “potential clerical error” was appropriate. Thank you, Mr. Powell for finally identifying this clear violation of my 8th Amendment Rights. I do disagree, however, in you assessing this as a “potential clerical error.” In my heart of hearts, I can’t help think this is business as usual when viewing an easy target, such as tourists from out of state. Who would have thought some old Army guy would still be trying to defend himself? I certainly did not think the State of South Carolina would still be supporting this injustice.

If Magistrate McDonald rendered her decision late, we would not be to this point. If I

filed legitimately late, we would not be to this point. If I filed late, why is the fine dropped? Mr. Powell feels the need, in light of everything stated herein, to drop the fine, but not the charge. This just makes no logical sense. I hereby call for Mr. Powell to do the right and honorable action and drop the fine and the charge. Please let me be free.

ARGUMENT

The trial court did not address the violation of my 8th Amendment Rights under the United States Constitution (which is now being attributed to a “potential clerical error”).

The trial court allowed witnesses not on the witness list.

The trial court did not allow witnesses to be subpoenaed by my defense.

The trial court allowed Deputy Dupree to claim the trial court as his own.

The trial court allowed perjured testimony.

The trial court allowed obscene racial commentary during trial more than once.

I am not a lawyer. That is not a standard by which people are admitted to Heaven. Therefore, I do not know all of your “S.C. Codes” by which Mr. Powell so eloquently references. I am just an old retired soldier, with honors, who affirmed an oath to uphold the Constitution of the United States of America. I am also a retired middle school teacher who has been so blessed as to have travelled the world with my students representing the United States of America at many scientific conferences. I have never had a criminal charge, let alone conviction. It has been decades since receiving insomuch as a speeding ticket. Even though I am not a lawyer, I do know our laws (even South Carolina’s) are based on Biblical truths, the foundation of our nation. The following are just but a very few in the Bible which directly apply to this situation.

As Matthew 7:1-5 states in the words of Jesus, “Judge not, that you be not judged. For with the judgement, you pronounce you will be judged, and the measure you give will be the measure you get. Why do you see the speck that is in your brother’s eye, but do not notice the

log that is in your own eye? Or how can you say to your brother, 'Let me take the speck out of your own eye,' when there is the log in your own eye? You hypocrite, first take the log out of your own eye, and then you will see clearly to take the speck out of your brother's eye." R.S.V.

Luke 7:37-38 Jesus says, "Judge not and you will not be judged; condemn not, and you will not be condemned; forgive, and you will be forgiven; give, and it will be given to you; good measure, pressed down, shaken together, running over, will be put into your lap. For the measure you give will be the measure you get back." R.S.V.

Romans 2:1-4 Therefore you have no excuse, O man, whoever you are, when you judge another; for in passing judgement upon him, you condemn yourself, because you, the judge, are doing the very same things. We know that the judgement of God rightly falls upon those who do such things. Do you suppose, O man, that when you judge those who do such things and yet do them yourself, you will escape the judgement of God? Or do you presume upon the riches of his kindness and forbearance and patience? Do you not know that God's kindness is meant to lead you to repentance? R.S.V.

Proverbs 10:22 Lying lips are an abomination to the Lord, but those who act faithfully are his delight. R.S.V.

In John 8:44 Jesus tells us, "You are of your father the devil, and your will is to do your father's desires. He was a murderer from the beginning, and has nothing to do with the truth, because there is no truth in him. When he lies, he speaks according to his own nature, for he is a liar and the **father of lies** (emphasis mine). R.S.V.

Colossians 3:9 (a) Do not lie to one another... R.S.V.

Exodus 20:16 From the 10 Commandments (truly the bedrock of our laws today) You shall not bear false witness against your neighbor. R.S.V.

I could go on and on. Hopefully my point is understood; this is God's jurisdiction. No matter this outcome, I will continue to pray for all of you embroiled in this situation. For as Jesus said in Matthew 5:44, "But I say to you, Love your enemies and pray for those who persecute you..." R.S.V. I do not know where your spiritual journey is, but if you ever feel the need, I would be more than filled with joy to be able to share the Good News of Jesus with you.

FORM 7

PROOF OF SERVICE TO FILE A COPY OF MOTION ON THE REPLY BRIEF

RECEIVED
DEC 17 2024
SC Court of Appeals

THE STATE OF SOUTH CAROLINA In The Court of Appeals

APPEAL FROM JASPER COUNTY Court of Common Pleas

S. Joanne McDonald (deceased), Magistrate Court Judge

R. Keith Kelly, Circuit Court Judge

CIVIL CASE NUMBER 880295

TRIAL COURT CASE NUMBER 2021-CP-27-00475

APPELLATE COURT CASE NUMBER 2023-0007909

THE STATE OF SOUTH CAROLINA

v.

STEVEN FRANTZ

Appellant.

PROOF OF SERVICE

I certify that I have served this **PROOF OF SERVICE TO FILE A COPY OF MOTION FOR EXTENSION OF TIME** on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on December 18, 2024, addressed to the State of South Carolina's attorney of record, Andrew D. Powell, Esquire, Assistant Attorney General, Post Office Box 11549, Columbia, South Carolina 29211-1549 and Alan McCrory Wilson, Esquire, Attorney General, Post Office Box 11549, Columbia, South Carolina 29211. In addition, electronically filed on December 17, 2024.

December 17, 2024

Steven Frantz, Pro Se