

1 STATE OF SOUTH CAROLINA) IN THE SOUTH CAROLINA CIRCUIT COURT 10
2 COUNTY OF OCONEE) COURT C.A NO. 2024-CP-37-00451

3
4 Jason Michael Boyle,)
5 Plaintiff,))
6 Versus))
7 Danny Singleton, et al,)
8 Defendant.))

RECEIVED
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SC Court of Appeals

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10 H E A R I N G

11
12 DATE: September 12, 2024

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14 LOCATION: South Carolina Circuit Court 10

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16 JUDGE: R. Lawton McIntosh

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18 TRANSCRIBED BY: ERIN REILLY

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10 (THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH IS
11 REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)
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PROCEEDINGS

1
2 THE COURT: And I ask you did you understand and you
3 told me, absolutely. You made a motion the other day for a
4 continuance based on an email meeting. I'm not trying to beat
5 up on you, Mr. Boyle. You got to file things, you got to pay
6 your motion fee or it's not a proper motion, that's why that
7 was not heard. Okay? But going back to my order, I mean, this
8 is what it says. "Now, as the Defendant, his service agents,
9 employees or anyone acting on his behalf, including legal
10 counsel are under a gag order. Prohibiting them from speaking
11 publicly about this case including, but not limited to news
12 agency, social media to anyone not necessarily to the
13 preparation of this case."

14 Now, I read some of your initial responses and you
15 said some of these things were posted prior to me issuing that
16 order and that you had nothing to do with it being reissued.
17 However, since you -- that may be -- that very well may be. I
18 don't know if it is or not. I do know, I was contacted
19 yesterday by people here in this courthouse and given pictures
20 of things you're filing and you have a right to have your
21 opinion about me and I don't care. It doesn't matter if you
22 like me, despise me, whatever or Mr. Logan or Mr. McDuff or
23 Judge Singleton. However, you tied me into this case. And
24 when you did that, you completely violated this order and my --
25 yeah, you did. And then I looked at it, my law clerk looked up

1 | you were out here handing out these little pictures around.
2 | I'm going to make them part of the Court's record in this case.
3 | You were seen holding signs up about the case with Judge
4 | Singleton. And again, you have a right to have your opinion
5 | about anybody, anyone involved in the system.

6 | But your prohibition was about you saying things
7 | about this case which you violated. Now, my options are revoke
8 | your bond, let you set your time out in jail while you're
9 | pending. I still think that wouldn't be the way to do things,
10 | because if you were vindicated on your appeal then you would
11 | have served more time than you would have to serve under the --
12 | in other words, you'll serve more time than you have to --
13 | while you're waiting for your appeal you serve all your time.
14 | And then while -- any win that you may have on appeal if you
15 | win would be kind of meaningless you've already spent your time
16 | in jail. So, what I'm going to do is this. I'm going to find
17 | that you are in contempt of court from my order that is my bond
18 | order, nothing to do with Mr. Singleton or Judge Singleton.

19 | I'm going to wait to the end of this litigation to
20 | see how you act from here on out. I'm going to give you a
21 | chance to not do this anymore. And if you do that will be
22 | given a lot of consideration in whatever the Court may order.
23 | On the other hand, if you decide that you want to keep, you
24 | know, violating this -- a gag order and tying everything into
25 | this case then that's your choice. Each violation is a

1 separate violation that carries up to six months. Okay? So,
2 I'm going to warn you to do that, I'm going to urge you to do
3 live by the terms of the bond that I gave you. I didn't grant
4 you an injunction, I felt like the proper thing to do is let
5 you out pending resolution. That's the only thing I did. I'm
6 the one that let you out of jail and I don't know why you want
7 to beat me up but that's okay. But I will not allow you to go
8 violate the terms of this gag order anymore. Okay? And if you
9 do then there will be repercussions at the end of this process.
10 Do you understand me?

11 MR. BOYLE: I do, sir. May I defend myself, or no?

12 THE COURT: Well, I tell you what I will let you hear
13 yourself, but you going to have a chance to defend yourself
14 further when we have a punishment hearing at the end of the
15 day. There's no way you can get around saying this wasn't
16 about this case. There's no -- I mean, I'm just -- I can look
17 at it and read it but I'll be glad to hear what you have to
18 say.

19 MR. BOYLE: Well, so I appealed the case at some
20 point and then at some point I got something --

21 THE COURT: Stand up, please.

22 MR. BOYLE: Yeah, sorry.

23 THE COURT: It's fine.

24 MR. BOYLE: So, I appealed the case, the gag order at
25 some point and then I got some notice that that had been --

1 well, actually, I have that here. I have noticed that the
2 appeal was denied on August 12th but I didn't receive that
3 until a much later date in the mail. And then I filed a motion
4 to reconsider because it violated my fundamental rights. And I
5 believe that motion to reconsider is still being held in the
6 appeals court now which I --

7 THE COURT: Well, when you filed your notice of
8 appeal, did you happen to bother sending copies to the Court?
9 So, we know anything about that or your motion reconsideration?

10 MR. BOYLE: Yes, sir. I sent it to Amanda

11 THE COURT: Or to me.

12 MR. BOYLE: Well, and to your clerks and to the -- I
13 sent it to everybody.

14 THE COURT: Let me see your appeal.

15 MR. BOYLE: The --

16 THE COURT: I haven't received anything along those
17 lines. You haven't been served?

18 MR. LOGAN: No, sir.

19 MR. BOYLE: Where do I take it?

20 THE COURT: Again, it's what we were talking about
21 earlier. Everybody's got to start serving these things on
22 everybody because it -- they can start having problems

23 MR. BOYLE: And then the motion --

24 THE COURT: Hang on, stop. I can tell you that you
25 haven't served me with this at all but that's the first I've

1 | seen of it.

2 | MR. BOYLE: Really?

3 | THE COURT: It is.

4 | MR. BOYLE: I sent it to your clerk, I believe in an
5 | email. And then I brought it -- and it's also filed with
6 | Amanda, I believe.

7 | THE COURT: Well, it was not served on me or served.
8 | Did you get notice of appeal?

9 | MR. LOGAN: I did not, Your Honor.

10 | THE COURT: You didn't serve the opposing party?

11 | MR. BOYLE: I'm pro se. I'm going -- I tried to do
12 | my best.

13 | THE COURT: You're not pro se. I mean, you are pro
14 | se but you got to serve the opposing party.

15 | MR. BOYLE: All right. And then here's the motion to
16 | reconsider that I filed on August 26th after I received that
17 | motion, which I received quite late saying that the Court --
18 | the Supreme Court had denied my motion for appeal. I filed a
19 | motion to reconsider and I have not received any response from
20 | that motion to reconsider at this point.

21 | THE COURT: Okay. So, your basis is and if you've
22 | got under appeal, you don't have to abide by the order?

23 | MR. BOYLE: I'm not a lawyer, sir. I don't know.

24 | THE COURT: Well, you're acting as you are. So, your
25 | position is you don't have to abide by the order?

1 MR. BOYLE: I believe the order is stayed if it's
2 under appeal. Correct.

3 THE COURT: And so that gives you a right to go out
4 and put these things out about this case and direct violation
5 of that order. Is that what your position is?

6 MR. BOYLE: I believe that the everything --

7 THE COURT: Stand -- please stand up.

8 MR. BOYLE: All right. Yeah. Sorry, sir. I didn't
9 -- I don't know the procedure. It's only my -- I've never been
10 in court before

11 THE COURT: That's all right -- I'm just -- that's
12 just protocol. Okay.

13 MR. BOYLE: Yeah. All right. So, the -- I forgot
14 what the question was, I got distracted.

15 THE COURT: I -- well, the question is to me I issued
16 a PR bond and put conditions on it and I told you in the bond
17 order you can't talk about this case. I -- and I in fact, told
18 you I can't violate your First Amendment rights but I can order
19 that you not talk about this case which I do have authority to
20 do that and I did. And, you know, apparently you decided you
21 just weren't going to abide by that and you didn't. And so,
22 what I'm telling you is that at some point, we're going to have
23 a hearing. Now, if the Supreme Court says you're right then
24 they said then I'm wrong, it won't be the first time I've been
25 told I'm wrong and it won't be the last time. I don't think I

1 will be, but if I am wrong then we won't have a hearing. But
2 probably, I don't think they won't find me wrong and we're
3 going to have a hearing about what punishment you'll have. And
4 I'm trying to get you to hear me clearly that from this point
5 forward, your conduct until the end of this matter will
6 determine in great measure what kind of punishment you may
7 receive. If you want to continue to throw your thumb in the
8 face of my order that's your -- that's what you want to do. If
9 you don't then that will be considered as well. Okay?

10 MR. BOYLE: And then -- so then if I can just add it
11 on August 20th, I found my appeal brief and I think anything
12 that was written after that was also included in that appeal
13 brief. So, it was of the public record and if it's going to be
14 a criminal trial, I would like to have an attorney. I'd like a
15 jury trial and I'd like a special prosecution.

16 THE COURT: Well, I have the option of make -- having
17 it civil, I have the option of doing criminal. I have the
18 option of making it less than six months, at which time you do
19 not have a right to an attorney. But I have no problem. I
20 would suggest that you do get an attorney and talk to him or
21 her about what you should do between here and the time that you
22 going to get sanctioned if I get -- if I go there.

23 MR. BOYLE: Well, I certainly can't afford one so.

24 THE COURT: Well, you know, you can afford to do
25 these other things and stay out here all day, handing out

1 leaflets but you can't afford an attorney but that's up to you.
2 So -- and Mr. Boyle, I can't tell you any more clear terms than
3 what I'm telling you but that's going to be my ruling. I'm
4 finding that you are in contempt subject to me being ruled
5 wrong by the Court of Appeals. Okay? Then we'll defend --
6 we'll decide that way.

7 MR. BOYLE: I'd like to appeal that.

8 THE COURT: Sir?

9 MR. BOYLE: I would like -- if you do make that
10 ruling, I would like to appeal it --

11 THE COURT: You certainly can.

12 MR. BOYLE: All right. Thank you.

13 THE COURT: All right.

14 MR. LOGAN: Would -- I like --

15 THE COURT: It's going to be a -- it's not a final
16 ruling yet though because to the punishment comes that's when
17 you will feel to appeal it. Well, go ahead.

18 MR. LOGAN: I'd like to make two requests to add on
19 to what you've just said. It's my understanding that this
20 article has been published -- has been the subject of
21 additional articles more than 24 times. We would like this
22 article withdrawn if that is at all possible. And I don't see
23 why it isn't and that we would like for the order to provide
24 him with an order to stay off of public -- off of social media.

25 THE COURT: I can't order him off of social media. I

1 -- I'm just going to do again what I just said. I'm going to
2 leave it up there. If you want to leave it up there, that's
3 going to be considered by me at the end of the day. Okay? I
4 would urge you to take it down as it -- if it involves this
5 case. I saw a lot of other things you were writing that are
6 fine, that didn't have any violations at all because they
7 didn't talk about this case. Okay? But when you do and you tie
8 it all together, this case that's when you violate the order.
9 So, I'm going to leave that up to you. I would urge you to
10 talk to counsel. That being said the next matter before us is
11 the -- your motion and appeal --

12 MR. LOGAN: Whose motion?

13 THE COURT: Is -- he is Mr. Boyle's appeal from Judge
14 Singleton's finding him in contempt. It's my understanding that
15 the first matter on the docket?

16 MR. LOGAN: No, sir. The first matter is Defendant's
17 motion to dismiss the Plaintiff's appeal.

18 MR. BOYLE: The motion to dismiss wasn't on the
19 docket, was it?

20 MR. LOGAN: Well, it's on this docket that I'm
21 looking at right here and I'll pass it up to the Court for 3:00
22 o'clock today.

23 THE COURT: I have -- it doesn't matter to me but I'm
24 -- that's not what I'm seeing it but if it's on there whatever,
25 what's -- I will call them in the order they appear.

1 MR. BOYLE: Was I given notice of this motion to
2 dismiss hearing today?

3 MR. LOGAN: It's a public roster.

4 MR. BOYLE: I don't even --I don't go on the computer
5 system much, Dorothy does it --

6 THE COURT: Let me tell you something. If you are
7 going to represent yourself, once they publish a roster, you're
8 deemed to have notice. That's just a rule. So --

9 MR. BOYLE: When did they publish? I looked a week
10 ago.

11 THE COURT: Okay.

12 THE CLERK: His roster is the same one that you have.

13 THE COURT: It is.

14 THE CLERK: It's a motion to dismiss.

15 THE COURT: Okay. So, what happened?

16 THE CLERK: There is a motion to dismiss. It's the
17 appeal, [indiscernible]

18 MR. LOGAN: Yeah. I -- so these are --

19 THE CLERK: Those are the motions.

20 MR. LOGAN: Before the Court. All right.

21 THE CLERK: Yes.

22 MR. LOGAN: Well, that's right. So, the motion --
23 first motion is my motion.

24 THE COURT: The first motion that I have on my docket
25 is the motion -- the appeal from Mr. Boyle.

1 MR. BOYLE: Yes, sir.

2 MR. LOGAN: The probate appeal.

3 THE COURT: Then there's a motion or do you want an
4 injunction option to strike transcript and then a mandamus.
5 That's what I have. Is that what is on the docket for today?

6 THE CLERK: Yes, sir.

7 THE COURT: Okay. Let me give you this stuff back to
8 you.

9 MR. LOGAN: My motion -- may I, my motion to dismiss
10 the Plaintiff's appeal is not on this roster?

11 THE COURT: It's not did I see -- come here, go give
12 that to him. It was filed September the ninth. You know, Mr.
13 Logan, I'm sorry. I -- you know, I don't publish it. I -- it
14 is just it is what it is. So, we will have opportunity.

15 MR. LOGAN: Well, I would request that we schedule a
16 hearing as soon as possible on this motion.

17 THE COURT: Sir?

18 MR. LOGAN: I said I would ask the Court to schedule
19 a hearing on this motion.

20 THE COURT: Sure.

21 MR. LOGAN: As soon as possible because it is
22 critical to this case proceedings.

23 THE COURT: Okay, I will. And if you would just get
24 with Amanda and Mr. Boyle, y'all get with Amanda, we can get
25 this put on the docket as soon as we can. Okay. Mr. Boyle,

1 | this is your motion on your appeal or your appeal?

2 | MR. BOYLE: Yes, sir. I believe hearing this is
3 | premature because the record hasn't been updated. I filed that
4 | writ of mandamus asking that the probate court update the
5 | record. And again, I need my --

6 | THE COURT: Well, first that motion is denied. I'm
7 | not going to tell them what to do. They have the -- this is
8 | not appropriate motion but go ahead.

9 | MR. BOYLE: See I don't know they say -- I know that
10 | somehow there has to be a court record. There's no case number
11 | for my case, so I don't have any way of looking up any of the
12 | records that they have --

13 | THE COURT: Well, you know, Mr. Boyle, you're the one
14 | who have filed this thing and this is your job to do this. I
15 | mean, the Court if you filed it, you must have filed it under a
16 | case number. Did you put a case number on it when you filed
17 | it?

18 | MR. BOYLE: Yeah, I used the Doyle Pierce's estate
19 | case number, but that case number has been thrown out by the
20 | probate court. The Doyle Pierce state case number is no longer
21 | the case number on that thing. If you go to probate court --

22 | THE COURT: When you -- let me ask Amanda, when you
23 | appeal the probate court, don't we assign it a new case number
24 | when it gets up here?

25 | THE CLERK: Right. It's the common police case

1 number.

2 THE COURT: It's the what?

3 THE CLERK: Common police case number. I think he's
4 referring to the probate court case number.

5 THE COURT: Okay. What is the common police case
6 number on this case? It's 00451.

7 MR. BOYLE: Yes.

8 THE COURT: Okay. Then that's your case number.

9 MR. BOYLE: All right. And then I would just say
10 it's premature on 62-1-308, there's a schedule set forth. I
11 have followed that schedule immaculately, I filed my appeal
12 brief on October -- or sorry, on August 20th, which means my
13 initial appeal brief which means my final appeal brief will be
14 due by September, I think 19 because there was 31 days in
15 August. And then the --

16 THE COURT: Well, let me ask you. I've got that in
17 front of me here. Did you file your notice of intent to appeal
18 within 10 days and serve it on the probate court and the
19 circuit court?

20 MR. BOYLE: Yes, sir.

21 THE COURT: Did -- and within 45 days, did you write
22 the statement of the issues on appeal?

23 MR. BOYLE: Yes, sir.

24 THE COURT: And how about the transcript? Have you
25 obtained the transcript?

1 MR. BOYLE: Yes sir. Well, the transcript is under
2 debate because the case number. I've put a motion to strike on
3 the transcripts, it uses the incorrect case number but other
4 than that I haven't --

5 THE COURT: Motion to strike I don't even know what
6 you're talking about.

7 MR. BOYLE: So, in the probate court during -- on the
8 June 17th hearing I was called in front on a summons, which
9 included the case number of the Doyle Pierce estate case.

10 THE COURT: Okay. And that's the one that you were
11 found in contempt for violating the order from the Supreme
12 Court?

13 MR. BOYLE: Correct, sir.

14 THE COURT: Okay.

15 MR. BOYLE: And so -- and then if you look at page 14
16 of that transcript, I was confused because I couldn't
17 understand why I was under the Doyle Pierce estate case number
18 and I was -- couldn't get a public defender for this criminal
19 case because the public defender said it was a civil case
20 because it was the Doyle Pierce estate case. And so, then
21 here's a quote from Judge Singleton on June 17th at my criminal
22 trial. Judge Singleton says, "No, this is not under the Doyle
23 Pierce case. This is not under -- this is -- you may have
24 attached a case number to it, but this is your conduct. It has
25 nothing to do with the estate of Doyle Pierce. This has to do

1 with you recording on the date and time in question, recording
2 at the clerk's window." I reply, "The summons you sent had
3 Doyle Pierce's estate number," and Singleton replies, Judge
4 Singleton replies, "It is associated somewhat with the case
5 because you were here on the matter to allegedly pay an invoice
6 for -- on the behalf of someone else." All right. But in
7 reality, technically does not have anything to do with Pierce
8 estate. All right. This time the Court is going to call
9 Jessica Lowman," and he moves on.

10 So, it doesn't -- the case doesn't have anything to
11 do with the Doyle Pierce estate case by Judge Singleton's
12 admission. But on the front of the transcript is the Doyle
13 Pierce estate case number. So, I would like to have a
14 transcript that removes this number. And I -- that's my motion
15 to strike because I actually submitted a transcript that did
16 not have this case number on the front of it.

17 And then they pleaded with you to have Legal Eagle produce
18 the transcript. And then Legal Eagle came back with a
19 transcript, which has this incorrect case number on. So, I
20 filed a motion to strike today, because I'd like to strike this
21 transcript from the record and get a transcript that's more
22 consistent with what actually occurred in the hearing.

23 THE COURT: Are you saying that other than having the
24 probate case number, that the transcript is somehow not
25 indicative of what happened?

1 MR. BOYLE: No, I think that -- I think the
2 transcript does lay it out. I think that having that case
3 number on --

4 THE COURT: Why don't we just amend it to provide
5 that the case number is one you have in this case going on now?

6 MR. BOYLE: Whatever you feel is appropriate is fine
7 by me, sir. I just feel like that is --

8 THE COURT: Let me tell you, I got a lot of feelings
9 about what is and what's not appropriate, but that's not
10 relevant. It just seems to me that that would be the way to do
11 it since it's got a new case number when it came up. You
12 didn't actually stay -- you didn't actually have a case that
13 you brought and you were found in contempt in a case that was
14 proceeding for the Court. I -- quite frankly, I'm not sure how
15 to handle that if you want to.

16 MR. BOYLE: Well, right. I mean, I was held in
17 detention for 40 days with no case number or no publicly listed
18 crime. I think that, you know, there's reason to investigate.
19 That's my understanding is that that's not appropriate to hold
20 someone for 40 days with no case number or no crime listed.

21 THE COURT: You know what, I can't answer that or not
22 quite frankly but --

23 MR. LOGAN: Your Honor, can I hopefully provide some
24 clarity here. This is the motion that I was referring to and I
25 had sent a memorandum to the Court with the --- with some

1 | attachments

2 | MR. BOYLE: And have I received these?

3 | MR. LOGAN: Yes sir, I have served you with
4 | everything I have filed. It has both case numbers on it. My
5 | memorandum does because his cover sheet when he filed his first
6 | notice of appeal contained both numbers. So, I have carried
7 | that forward in my motion to dismiss his appeal. He has a copy
8 | -- has had it for weeks.

9 | I had Legal Eagle transcribe the hearing. His copy or
10 | whoever produced his transcript starts about halfway, Legal
11 | Eagle starts from the beginning. There is a certification
12 | attached to the Legal Eagle just like there always is, that it
13 | is as accurate transcript of the hearing. He has that as well
14 | as what the condensed version which he has and I have. There
15 | basically -- the only difference is Legal Eagle starts from the
16 | beginning of the hearing.

17 | THE COURT: Let me stop you right there. Any -- do
18 | you have any argument that the transcript that has been
19 | provided by Legal Eagle is somehow not accurate or doesn't
20 | accurately reflect what happened in the hearing?

21 | MR. BOYLE: Yes sir. Only in a couple places.
22 | There's a whole dialogue between Judge Singleton and Jessica
23 | Lowman in the transcript, but I don't believe that's actually
24 | Jessica Lowman in the transcript. I believe that that's a
25 | different clerk. And I think that --

1 THE COURT: That well may be but that's what we've
2 always done is had somebody certify this is a legitimate
3 transcript. That's what they did in this case, Legal Eagles.
4 They don't have anybody to reward or punish in this case, they
5 just were doing what the transcript says. I'm glad to put a
6 new number on it for you but other than that I'm going to leave
7 the transcript just as it was done by Legal Eagle. Okay. Sir?

8 MR. LOGAN: Does the Court have a copy of my
9 memorandum that I filed on this case, which is my motion --
10 actually my motion to dismiss his appeal.

11 THE COURT: Okay.

12 MR. LOGAN: So, I'll be glad to have -- I thought we
13 served it on him. I'll give him another copy, but I'll be glad
14 to hand this up but it does have a stamp that it was filed.

15 THE COURT: Okay. I don't doubt it, I never did.

16 MR. LOGAN: Okay. But I -- if it is a little
17 technical but I can explain, but I do ask the Court to study a
18 little bit because it is significant --

19 THE COURT: Asking me to study a bit, are you trying
20 to say that I don't study --

21 MR. LOGAN: I'm sorry, Your Honor. I know you study
22 everything. So, I just ask that -- I'll withdraw my statement,
23 I should not have said it and I'm sorry.

24 THE COURT: I'm sorry, go ahead.

25 MR. LOGAN: Thank you. All right. This is what he -

1 -

2 MR. BOYLE: Is this the motion to dismiss we're
3 hearing now?

4 MR. LOGAN: Motion to dismiss, Your Honor.

5 MR. BOYLE: That was not on the docket, sir. I'm not
6 prepared for that at all.

7 MR. LOGAN: It says motion/appeal on the docket.

8 THE COURT: And his motion is -- the response is the
9 motion to dismiss your appeal and that is a response.

10 MR. BOYLE: The response -- again, I'm pro se I don't
11 really -- I try my best. I work a full-time job and I have a
12 kid and I have a life. I try my best.

13 THE COURT: Please --

14 MR. LOGAN: Your Honor, he can't come into court and
15 keep saying because --

16 THE COURT: Stop, I know that. Let's do this. Do
17 your appeal, do your motion to dismiss, argue your motion for
18 your appeal. Stand up while you're doing it, please.

19 MR. BOYLE: All right. Yes, sir. Again, I would
20 like to state that this seems very premature because the Rule
21 62-1-308 sets forth the schedule, which we have not adhered to.
22 In this case, a lot of things happened that -- for example, I
23 had an attorney approved by the Public Defender's Office. I
24 gave Judge Singleton prior to the hearing my approved public
25 defender. And he said it wasn't approved for some reason and

1 | then he called the public defender down to the courtroom. At
2 | the time of the court hearing, the public defender said that I
3 | was not permitted to have a public defender because of the case
4 | number, basically that said that it was a civil case because I
5 | was being held in contempt of the Doyle Pierce estate case,
6 | when in fact I was being held in contempt of a Supreme Court
7 | administrative order.

8 | And if I had been held in contempt of the Supreme
9 | Court Administrative order under a new case number, then I
10 | would've been permitted a public defender. But either way, at
11 | the day of the hearing, I was given no notice. I requested a
12 | continuance for a public defender and that was denied. I
13 | submitted a full motion to dismiss, which pointed out the
14 | glaring contradiction of Judge Singleton asking -- acting as
15 | the victim, the moving party, the primary witness, the
16 | investigator, the judge, and who knows what else.

17 | The -- and so this motion to dismiss was -- I don't even
18 | think he had time to read it, but it -- he dismissed it at the
19 | start of the hearing. But that dismissal was never put on the
20 | public record. There's no public record of my motion to
21 | dismiss being dismissed. So, I think that that is a
22 | significant thing that we need to look into.

23 | And then that during the hearing, Judge Singleton
24 | acted as the prosecutor calling witnesses and the witnesses he
25 | called were largely his subordinates. He called his clerks and

1 he called -- I think he just called his two clerks. And he
2 even collected affidavits from his clerks. He's being the
3 investigator and he's going -- you know, he's a witness and
4 he's gathering information.

5 He wasn't even present for what he's calling the direct
6 criminal contempt. He got it through hearsay from other people
7 and so it doesn't really feel like direct criminal contempt to
8 me. And again, there was a litany of other things. For some
9 reason I had believed that once we recognized that we had not
10 adhered to the schedule of 62-1-308, that we would all agree to
11 talk about this on a later date.

12 THE COURT: Well, let me point out something for you
13 right quick.

14 MR. BOYLE: Yes.

15 THE COURT: That's a probate court schedule, you just
16 asked the probate court not be part of this case. It's not a
17 part of this case. As you rightly pointed out, this is not a
18 probate case. So, it's not relevant to your appeal at all.

19 MR. BOYLE: Interesting.

20 THE COURT: Okay. It's not.

21 MR. BOYLE: Well, I don't -- again, I'm not a lawyer,
22 sir.

23 THE COURT: I know. And that doesn't work for you
24 anymore because you are a pro se litigant. I -- you know, I've
25 urged you to go talk to counsel. I really think you should but

1 go ahead if you would.

2 MR. BOYLE: Let's see. The -- you know, and I think
3 that there was a reason to think that Judge Singleton had held
4 a lot of animosity against me for a long time. On October
5 24th, 2023, I was in the probate lobby with my son. And as I
6 was waiting for papers to be delivered to me assistant Judge
7 Green was in the lobby.

8 And Judge Green was talking with an older man. And it
9 sounded to me like she was giving the option of he could either
10 sign these documents or get an attorney. I jumped in and kind
11 of interrupted maybe a little bit, but I said that you could
12 also act pro se of informing the man of his rights. This is
13 all actually really clearly detailed in the transcript of the
14 June 17th hearing. And so, Judge Green then apparently told
15 Singleton something. She apparent -- she says in the
16 transcript, she didn't tell him I broke the law, but Judge
17 Singleton somehow interpreted this into me breaking the law as
18 the giving legal advice illegally, when in fact all I did was
19 inform the man of his rights.

20 Judge Singleton then sent an email to all the parties
21 of the Doyle Pierce's estate case that didn't include me and
22 said that I was breaking the law in the court lobby and was
23 never again allowed in the Court lobby. So, he made an order
24 over an email against me that I was never served. Of course, I
25 did return to the lobby many times because I have to file

1 paperwork on behalf of my wife. She can't always make it. And
2 so, I feel like he's been holding a grudge from then ever
3 since. When I went into the probate court lobby itself on the
4 day, luckily, I filmed myself entering the room. The Supreme
5 Court order that I am accused of violating, it says very
6 clearly that it shall be posted on the Court door and as, you
7 know, sir, shall as a mandatory directive.

8 And so, Judge Singleton's office violated that order
9 by not posting it correctly on the door. During my time of
10 filming the entire time, I was obviously unaware of the order.
11 I'd never been notified of the order in any way. And I was
12 filming to protect myself because there had been
13 inconsistencies at the window and accusations made at the
14 window related to the clerks and Judge Singleton.

15 I felt the need to protect myself with a recording. And
16 it really helped because in this hearing, one of them says I
17 was intimidating and one of the clerks said I was very loud.
18 But luckily, we have it all recorded and we can watch it and
19 see that I was not either of those things. And so, the order
20 was never posted, I filmed the entire duration. I was never
21 informed of the order; I was never asked to stop filming.

22 No one asked me to stop filming from the time I
23 started filming till the time I left. No one informed me it
24 was against the order. So, I did not willingly violate any
25 order on that day. So, there is a ton of reasons why I feel

1 that this appeal is very valid. That's probably the most
2 blatant one is that and then there's these two incidences of
3 May 29th and May 24th. There was never a hearing on May 29th.
4 I was sentenced to direct criminal contempt in the lobby for
5 filming in the lobby, I was never accused of violating the
6 order on May 29th. So, I assume the sentence is for the
7 potential violation of May 24th.

8 In this transcript, there's a really troubling part,
9 sir. So, I was sentenced on May 29th to 10 days in jail. That
10 order includes the events of May 24th and May, 2019. Both
11 incidents that I was filming in the court lobby. The first
12 incident I was filming at the clerk's window, unaware of the
13 order. And then in the second sentencing of June 5th, which
14 turned out to be a mistrial because my lawyer ended up being a
15 fake lawyer, I was sentenced to 60 days. Again, that trial
16 only heard the events of May 24th.

17 THE COURT: Say that again?

18 MR. BOYLE: The events of the second trial on June
19 5th only included the events of May 24th. The day where I was
20 obviously unaware of any order, I had no idea that any order
21 existed that I supposedly violated. And then that was a
22 mistrial, in which case I was released and I was brought back
23 on June 17th. On the June 17th hearing, I asked three times in
24 this transcript, are we only hearing May 24th? He said yes, all
25 three times. Both the clerks testified to having no knowledge

1 of me being aware of the Supreme Court Administrative Order.
2 Judge Green testified to me having no way of knowing that I'm
3 aware to the Supreme Court. Judge Singleton being the primary
4 witness, refused to be cross-examined. So, I don't know what
5 his position is, but I did actually ask to cross-examine Judge
6 Singleton as the primary witness and he denied my petition to
7 cross-examine him. So, I don't think there's any evidence --

8 THE COURT: Let me ask you this?

9 MR. BOYLE: Yes, sir.

10 THE COURT: When you appeal or finding of contempt is
11 what you're doing?

12 MR. BOYLE: Yes, sir.

13 THE COURT: What is the scope of review for me to
14 look at that to give you any relief?

15 MR. BOYLE: I guess, I don't really understand the
16 legal language but I think that the --

17 THE COURT: In other words, what do I have to find in
18 order to say, okay, yeah, you are entitled to some relief here.

19 MR. BOYLE: I would think that you'd have to find
20 that I was never notified of the order itself that I didn't
21 willingly violate it. Because the transcript clearly shows
22 there's no evidence that I willingly violated that order at any
23 level, at any time. And then I want to go back to that
24 sentencing thing, if you don't mind for a second. So, I was
25 sentenced to 10 days and then later in 60 days. And if you get

1 to the end of this, it's very troubling. When he gives the
2 sentence of 50 days on the last one, he's really talking like
3 he gave me 10 days and then he gave me 60 days as if he feels
4 that was one sentence. Like he took the 10-day sentence and
5 extended the 10-day sentence up to 60 days. But that's
6 actually not what I believe the record shows. I believe the
7 record shows that I was sentenced to 10 days and then I was
8 sentenced completely separately to 60 days for the exact same
9 crime, which would've been a double jeopardy because I think
10 we're only just -- there's no trial ever held or no accusation
11 ever held that I violated the order on May 29th.

12 So, we're talking only about May 24th now was
13 sentenced twice. And in this case, he sentenced me to 50 days
14 saying I already served 10 days of the 60-day sentence. That
15 he -- I mean this convolution of what is one crime and what is
16 double jeopardy, I think is also a major, major problem. And
17 even if we want to say that the May 29th order for some reason
18 stands because who knows how that could be justified, but the
19 May -- the June 17th order, there's no way it stands, it's
20 double jeopardy. He already sentenced me for that crime on May
21 29th.

22 THE COURT: Anything further?

23 MR. BOYLE: I'm sure there is more at the top of my
24 head right now.

25 THE COURT: I'll give you a chance to respond.

1 MR. LOGAN: Okay.

2 THE COURT: All right.

3 MR. LOGAN: I'm a little confused now. Did he file a
4 notice of appeal? I haven't been served with it.

5 THE COURT: Did you not serve him a notice of appeal?

6 MR. BOYLE: I put things in the mail several times.

7 THE COURT: That doesn't answer my question. Guys,
8 let me ask you this. Either we're going to have a hearing
9 today or I'm going to continue it and let y'all come back at
10 another day.

11 MR. LOGAN: Well, I can't respond completely to what
12 he has argued.

13 THE COURT: We're going to continue everything.
14 Okay. Give him a copy of your notice of appeal. You give him
15 a copy or y'all do whatever you do to get the transcript done.

16 MR. LOGAN: Sure, he got a copy of my notice.

17 THE COURT: Okay.

18 MR. LOGAN: If I file them up.

19 THE COURT: All right. And so, before you leave get
20 with Amanda. It doesn't have to be me to hear the case. It
21 can be any sort of court judge. However, I'm more than happy
22 to hear the case, it doesn't matter. Then we'll reschedule it
23 once everybody gets their paperwork ready to go, ready. It's
24 fair for you, fair for you. This is not a probate court appeal.
25 I would -- those things that you're talking about don't have

1 any --

2 MR. BOYLE: Well, just have the probate -- the
3 summons was given with the probate case number. So, I kind of
4 fell under the rule.

5 THE COURT: I don't -- you know, I don't blame you
6 for thinking that. I mean, quite frankly, I'm just you know --

7 MR. LOGAN: Your Honor, are you saying that Section
8 621-308 dealing with appeals from the probate court is not
9 applicable?

10 THE COURT: I don't think it is. That's where
11 probate -- he's finding him in contempt for doing -- for what
12 I've gathered -- for using his direct contempt -- inherent
13 direct contempt powers or inherent powers for direct contempt
14 in the -- around or near the Court's presence. That doesn't
15 have anything to do with the probate court. It might have been
16 put under that number but it has to do with conduct outside of
17 the Court case.

18 MR. LOGAN: Can I make a comment?

19 THE COURT: You certainly may.

20 MR. LOGAN: It says in Section A, the notice of
21 intention to appeal to the circuit court must be filed in the
22 office of the circuit court, et cetera.

23 THE COURT: I know that.

24 MR. LOGAN: And one of my arguments is that he did
25 not make the filings on time under this court. And it deals

1 with what comes from the circuit court. I mean from the
2 probate court to the circuit court and the timeliness of that.
3 So --

4 THE COURT: Well, here's the thing. You know, you
5 have two types of -- you have direct contempt, you have
6 constructive contempt, you have criminal contempt, and you have
7 civil. I mean civil contempt and they're all different things
8 and standards are different. You know, I have to find the
9 civil contempt by clear and convincing evidence, criminal by
10 proof beyond a reasonable doubt.

11 And the punishment kind of dictates which it is and civil
12 contempt, as you know better than I do is you get the keys to
13 the jailhouse and if you do something to comply then you get
14 out. Of criminal contempt you can't get out. You have to do
15 what they do. So, it seems to me this case is a case of
16 criminal contempt because it was an order that you're going to
17 do 60 days and there's no way to him not to do that.

18 So, I think that is criminal contempt. But it is for
19 conduct outside the scope of this case, it's for conduct that
20 occurred in the lobby of this case is my understanding. And an
21 alleged violation of an order from the Court administration
22 saying you can't film or whatever the order said. That's my
23 understanding. So, therefore why it might have taken place at
24 the probate court location, it's not a probate court matter.
25 That's my interpretation of it.

1 MR. LOGAN: Well, I'll reserve my right.

2 THE COURT: Yeah. And if you can prove me wrong, I -
3 - you know, I get proven wrong about every other day and I
4 don't -- I'm not so thick that it bothers me, I'm glad to be
5 corrected. I just think that if he were sitting out here doing
6 something out that I thought he was guilty or you of direct
7 criminal intent and I said, "Hey, you're -- you've got --
8 you're under contempt of court.

9 You under the inherent authority that I have to control of
10 the court proceedings, you have directly violated that and so
11 I'm sentencing you 30 days. That is a criminal contempt and --
12 but it has nothing to do with the fact that I'm trying a civil
13 case or a criminal case at the time.

14 MR. LOGAN: Well, I'm sure I may have some additional
15 arguments but it just seems that if you are appealing something
16 that happened from the probate court that the time to do that,
17 not anything else but the time to do that would be governed by
18 these rules. Now that I -- that I've attached to my --

19 THE COURT: Well, let me ask you this. What is the
20 time to appeal a criminal order?

21 MR. LOGAN: I -- I've got to go back and look at
22 this.

23 THE COURT: It's 10 days.

24 MR. LOGAN: Okay.

25 THE COURT: Same timeframe.

1 MR. LOGAN: Okay. And also, to what about filing the
2 -- because this rule talks about filing a -- must be filed a
3 written notice. Excuse me, within 45 days after receipt of the
4 notice of the order so and so forth, the appellate must file
5 with the clerk of the circuit court a statement of issues on
6 appeal. And it's my -- the crux of my motion is that he did
7 not file that notice within that 45-day time period.

8 THE COURT: My law clerk just said that the notice of
9 appeal was filed on 6-14-24 with the Court and the amended
10 appeal served on Singleton 6-26-24. That's what she just told
11 me based on the record.

12 MR. LOGAN: Well, I just -- I would like for her to
13 read my memo and since y'all didn't have it you apparently
14 haven't done that as how I distinguish that. He's got two
15 notices of appeal here. The first one he filed within 10 days;
16 the problem is he didn't file within 45 days that started
17 running from the filing date of that notice -- first notice of
18 appeal. And if that goes away because that's dismissed then
19 there is no double jeopardy and that throws out his second
20 appeal. That's where I'm coming from.

21 THE COURT: I got you.

22 MR. LOGAN: Okay.

23 THE COURT: And we're not arguing it today, I'm going
24 to let you have a chance. My view and subject to either one of
25 you proving me wrong. You still -- I can't tell you what to

1 do. You have a right to represent yourself, I would urge you
2 to talk to a lawyer at a minimum.

3 MR. BOYLE: I'm broke, sir.

4 THE COURT: Huh?

5 MR. BOYLE: I'm broke, I'm financially broke.

6 THE COURT: Well, that's up to you. But either my
7 judgment is that this is not a probate matter in the classical
8 sense that I'm working within the state or some other issue
9 that's contained in the probate court. This is a matter that
10 occurred in the perimeters of the probate court that violated
11 administrative order from South Carolina Supreme Court. And it
12 does not involve only the probate court it just involves the
13 inherent authority of the Court.

14 MR. LOGAN: And I'm not -- the 10-day time period is
15 the same. Well, I've got to go back now based upon what you've
16 said is, is there a time period for filing the transcript just
17 like there is here and I don't know what that time period is or
18 I don't know if it's the same as what's in here.

19 THE COURT: I -- you know what? The only thing I can
20 tell both of you is when I was looking and getting ready for
21 this hearing, said that probate court specialized appellate
22 rules. You don't follow the general rules that you have for
23 the other appellate rules is 241 or whatever it is. Anyway, I
24 don't know but don't go until you -- we have a hearing
25 scheduled. Okay? It -- and again, I don't -- you're not going

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CERTIFICATE OF TRANSCRIBER

I, ERIN REILY, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 10, South Carolina, on the 12th day of, September 2024.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

December 10th, 2024

ERIN REILLY
TRANSCRIBER

