

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPELLATE CASE No. #2024000269

Kalishwar Das, Appellant,
v.
York County, Appellee.

Request to Reconsider Misconstrued Fact-Based Order denying Motion

To the Honorable Appellate Court Judge(s)

Through the Clerk of the Court of Appeals

I respectfully submit this response to the Court's recent order, which contains a fundamental misinterpretation of the basis of my motion. The order states that I, as the Petitioner-Appellant, sought permission to present evidence that were not presented to the Circuit Court prior to the filing of Notice of Appeal. However, this assertion is entirely erroneous and lacks factual support.

The actual basis of my motion was to update the facts provided in the Appeal Petition with crucial developments that arose after the Notice of Appeal was served. The Honorable Court is already aware that the **Circuit Court improperly removed Magistrate Jennifer Colton as an individual defendant and redefined a Security Breach case into a Tort Claim against York County.** This unjustified alteration **distorted the core issues** and left me, the Appellant, vulnerable without proper legal justification.

Retaliation and Dynamic Change in Circuit Court's Conduct Post-Appeal

Since this appeal was filed, the Circuit Court's actions have escalated into **open retaliation.** Specifically, **York County is now attempting to domesticate a foreign judgment despite its lack of legal merit and in direct violation of the Uniform**

Enforcement of Foreign Judgments Act (UEFJA). This judgment is based on a **forfeited lease** and is subject to multiple fraud challenges **under Rule 60(d)(3)** of the North Carolina Rules of Civil Procedure (NCRCP).

Additionally, in **South Carolina case 2024-CP-46-03372**, Judge Hall **dismissed this key fraud case without addressing clear evidence of illegal domestication attempts** and refused to provide a **detailed written order**. These actions **demonstrate a pattern of procedural manipulation in retaliatory vendetta**, reinforcing the Appellant's loss of trust in the Circuit Court's ability to adjudicate fairly.

The Appellant has already requested that the **Chief Administrative Judge assume jurisdiction over all related cases** for a comprehensive reconsideration. Allowing the Circuit Court to continue handling this matter would empower a biased court that has already obstructed justice.

Whistleblower Security Breach – Central to the Appeal

The Appellant's **Security Breach case** involves highly sensitive issues, particularly in relation to my role as a **Whistleblower in the 9/11 terror attack-related investigation**. While the actual intent of forced rejection through change of defendant and conversion of this Breach case, which now involves a national security threat matter, into a Tort Claim is a matter of serious concern and investigation, –Court's further retaliatory actions have exacerbated this breach, leaving me exposed without legal protection and **without addressing the ethical and legal issues** central to my security concerns. These concerns have **direct implications for both my personal safety and national security**, which the Circuit Court has attempted to suppress throughout this case.

The continued **retaliation against the Appellant** and the **failure to address this crucial issue**—the 9/11 security breach—requires immediate corrective action from this Court.

Given the **significant due process violations** and **continued suppression of crucial facts**, which may constitute a **federal offense**, the Appellate Court must carefully **consider whether remanding this case would serve the interests of justice**. The **Circuit Court's retaliatory actions** create a serious risk of further procedural misconduct, making **meaningful relief unattainable**.

Therefore, the Appellant **sought to urge through an amended filing** that this Court **exercise its discretion to retain jurisdiction** and ensure fair adjudication at the appellate level rather than returning the matter to a lower court **whose impartiality is already in question.**

Clarification Requested from the Court

As this Court's ruling will shape the future course of this matter, the Appellant formally wanted to request that the Honorable Court **expressly clarify whether it has fully considered these issues.** If the Court deems these concerns **irrelevant to this appeal** or determines that it **lacks jurisdiction to intervene,** the Appellant notes that these matters remain subject to **ongoing legal and procedural scrutiny beyond this proceeding due to their implications for both personal and national security.**

Under these circumstances, the Honorable Court should have approved my motion **to include critical post-appeal updates** rather than rejecting it based on a **misconstrued purpose and an incorrect procedural timeline.** The **misinterpretation of my motion** has resulted in a significant **procedural error affecting the integrity of this appeal.**

Accordingly, I respectfully request that the Court **reconsider its ruling** and allow the necessary factual updates to ensure a fair and just review of this case.

Respectfully submitted,

*/s/***Kalishwardas**

Date: February 17, 2025

Kalishwar Das (Appellant)

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CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing **Request to Reconsider Misconstrued Fact-Based Order denying Motion** upon the Appellee's counsel in this matter by electronic mail while serving this petition with court clerk and through USPS mail, postage prepaid, to the following:

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This service was made on **February 17, 2025**, in compliance with the South Carolina Appellate Court Rules.

/s/kalishwardas

Kalishwar Das

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Date: February 17, 2025
