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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Berkeley County
Court of Common Pleas

Judge Jennifer B McCoy

Case No. 2022 CP-08-02508
Appeal case No. 2023-001837

Muhammad Nathaniel Wilson Pro Se

Appellant,

v.

Hanahan Police Department &
Other Law-Enforcement Officials

Respondents,

Motion to Schedule a Settlement Conference, or in the alternative, File an Amended Final Brief to Compel Berkeley County to Comply with Rule Rules 38 - Jury Trial of Right based on & conflict of interest rules **18 u.s.c. § 2081** & **Section 15-3-40**: Exceptions as to persons under disability

Prayer for Relief

WHEREFORE, the Plaintiff prays that this Court of appeal Grants an order that accommodates the Plaintiff/appellate Disabilities: If the Defendant/Respondent Refuse to Schedule a Settlement Conference the Amended Final Brief Consolidated all discerning evidence that corroborates the claim & in dire Need of a Trial in Front of an unbiased impartial peers

1. Exhibit A: Plaintiffs only accommodations for courts
 - (A). **Section 15-3-40:** Exceptions as to persons under disability.
 - (B). Rules 38 - Jury Trial of Right, S.C. R. Civ. P. 38
 - (C). Notification of any discrepancy's & time to Process information

Exhibit B: Accommodations Hanahan Police Department & Berkeley County Court House Refuse to Accommodate

1. Section 22-5-320. :
2. Rules 38 - Jury Trial of Right, S.C. R. Civ. P. 38
3. **Section 15-3-40:** Exceptions as to persons under disability

Exhibit C: Civil right Violations & Procedures disregarded

1. Section 63-7-10.: Child welfare service principles; purpose.
2. Section 22-5-320. : Defendant's demand for preliminary investigation
3. *Coercive control - South Carolina 2019-2020 Bill 5271*
4. **Section 8-14-60: Filing false or fraudulent statement or report**
5. 18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant
6. Section 16-3-910. Kidnapping

Exhibit D: Proof of Emotional Distress Damages;

Loss of Housing & Government Assistance including Medical Insurance

7. Conflict of interest rules **18 U.S.C. § 208 with implementing regulations at 5 C.F.R. § 2635.402.** Essentially, these rules prohibit you from taking official action in a particular matter involving any entity in which you, or someone whose interests are imputed to you, have a financial interest. Dec 27, 2019
Berkeley county Made a judgment based on a case that they had **financial interest.**

2. To prove malicious prosecution in South Carolina, a civil plaintiff must show:
 - (A)The institution or continuation of judicial (civil or criminal) proceedings; By, or at the insistence of, the defendant; Termination of such proceeding in plaintiff's favor; or Malice in instituting such proceedings; Lack of probable cause, and resulting in injury or damage.
 - (B). In South Carolina, malice is defined as "the deliberate intentional doing of an act without just cause or excuse. Probable exists when "the facts within the prosecutor's knowledge would lead a reasonable person to believe the plaintiff was guilty of the crimes charged." To decide whether there was probable cause, the court must consider the facts from the officer's point of view. In other words, the question isn't what the facts were, but what the officers (the

prosecuting party) honestly believed them to be.

(C) Sgt Ellen Lanphere Knew without a Doubt that Bernadette Owens was unfit, mentally disturbed Violent & Required Investigation!

Subsequently The Victims Statement Corroborated that she did not see the Plaintiffs Penis so therefore there was no unlawful conduct towards a child!

(D) Sgt Ellen Lanphere Indisputably knew about the Vagueness doctrine

The vagueness doctrine is a **Constitutional** requirement **criminal laws** must explicitly state and define what conduct is prohibited and punishable. Under the vagueness doctrine, a criminal law cannot be too obscure for the average American citizen to understand and follow. Criminal laws that violate this requirement are then **void for vagueness**. The vagueness doctrine is commonly associated with **overbreadth**.

Vagueness doctrine rests on the **due process** clauses of the **Fifth** and **Fourteenth Amendments** of the **U.S. Constitution**. The Supreme Court stated in *Winters v New York*, that U.S. citizens should not have to speculate the meaning of a law due to its vagueness, the law should be clear on its face.

The vagueness doctrine protects due process because a law that is too vague does not provide adequate direction to law-abiding citizens or the justice system resulting in unfair trials. By requiring fair notice of what is punishable and what is not, vagueness doctrine also helps prevent arbitrary enforcement of the laws. Under vagueness doctrine, a **statute** is also void for vagueness if a legislature's delegation of authority to judges and/or administrators is so extensive that it would lead to arbitrary **prosecutions**.

3. Who is above the law? The Respondents blatant disregard for these laws

(a) SECTION 15-3-40.,

(b)(S.C. Code Ann. § 22-5-320)

(c)S.C. R. Civ. P 382019-2020 Bill 5271: Coercive control and its accompanying regulation;

(d) Relief options for respondents

enjoin Defendant and its agents, employees, successors and all persons in active concert or participation with it, from engaging in discriminatory arrest towards other Mentally Disabled Black Men 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;

4. Black Men who are mentally disabled deserve such other appropriate relief as the interests of justice require.

(a)The Plaintiff Challenges Rick Gebhardt Chief of Hanahan Police to address the Compromised Integrity of Sgt Ellen Lanphere

(b)(See) {Mental health Evaluation Cover sheets: It would say I was supposed to be Violent and Not Cooperative with the officers :((August 14 2018) details I will never forget on the Footage you will see me having a Panic attack while being arrested! I called for help in a situation I mentally had no control over see proof of disability.

Factual vs Non-Factual Statements: Indisputable- evidence. Conflict of interest rules
18 U.S.C. § 208 :with implementing regulations at 5 C.F.R. § 2635.402.

Essentially, these rules prohibit you from taking official action in a particular matter involving any entity in which you, or someone whose interests are imputed to you, have a financial interest. Dec 27, 2019

1: judicial misconduct Both Berkeley County Judges Made a judgment based on a case that they had financial interest.

_____. (a) Bond Reduction Order dated August 15, 2019 2018A0820300279/2018GS0802185 Children/Legal custodian, unlawful neglect of child or helpless person: The Respondents Hanahan Police Department Used. The Vagueness doctrine to hold the Plaintiff for Ransom no mention of unlawful Conduct in the warrant for Bond Reduction

(B) Indictment/Warrant Status Change Form

Unable to go forward with prosecution of the case due to victim being deceased and unable to testify

Red herring Fallacy: The Respondents Hanahan Police Department left the Child with a Unfit Legal Custodian Subsequently Resulting in the death of a Child or Long term Abuse

Exhibit (c):2022-CP-08-02508 hand written request for a trial dated 10-24-2022

_____. (c) : Omnibus Motion Dated 4-28-2018 Hand Written Letter Complaining about Berkeley County Refusal to grant a preliminary hearing & the public defender Discriminations in case Exhibit (e): Hand Written letter dated March/26-2018 to Solicitor of case complaining about My Disabilities & Not receiving a Preliminary hearing

(D) The Real Red Herring Fallacy Everything the Respondents/Defendants Submitted never has & never will indisputably contain Proof that they complied with Police Procedures to Contact Child protective service, or that Sgt Ellen Lanphere did her due diligence by investigating the Victims Mother Bernadette Owens

(E) [State v. Smith, 359 S.C. 481](#)

The arrest and trial of Susan Smith after she killed her children

Investigators came in to get Susan Smith's written confession, where she explained that she drove off Highway 49 and onto the road leading to John D. Long Lake because she wanted to kill herself. Susan Smith believed her sons were better off with her and God than if they were left without a mother. The choice was made. Susan Smith, Michael and Alexander would die together.

Investigators said Susan Smith put the car in neutral and let it roll down the boat ramp in an attempt to end all of their lives, but she pulled the parking brake and stopped the car. Susan Smith said she did this three times before she stood outside

the car and reached in to release the parking brake, which sent the car into John D. Long Lake.

Susan Smith told investigators how much she loved her sons and that she never meant to harm them. Immediately after sending her kids into the lake, she regretted her choice and wished to undo it, but it was too late. As she ran to the closest home, she planned out the story of the carjacker.

After Susan Smith's confession, Wells was left to confirm her statements. Wells also wanted to confirm her confession before telling her husband, David Smith.

Wells requested a team of divers from the South Carolina Department of Natural Resources and SLED agents to search John D. Long Lake for Susan Smith's car. The first dive yielded no results, but after one of the divers was told the details of Susan Smith's confession, the underside of the upside-down Mazda was found six minutes into the second dive. The car was found at a depth of about 18 feet, at which the visibility was only 12 inches.

During the initial attempts to search John D. Long Lake, experts made a big mistake when they told divers to assume anyone attempting to hide a car would drive the vehicle into the water at high speeds. The experts did not consider someone would let the car roll into the water from the shore. This meant the vehicle was deeper in the water than expected and nearly 100 feet from the shore.

The divers were able to confirm an occupant on either side of the vehicle and reported their findings to Wells. Wells immediately flew from the lake in the SLED helicopter to tell David and Susan Smith's parents that Michael and Alexander had been found. The family had already heard about Susan Smith's confession to murdering her children from an unconfirmed Associated Press article. Wells told the family that Susan Smith had been arrested and charged with two counts of murder and that a bond hearing was scheduled for the following day, Nov. 4.

Following Susan Smith's arrest, strong hatred was directed toward her. She was greeted with shouts of "murderer" and "baby killer" as she was escorted to the car taking her to the York County Jail.

Summary and conclusion

1. Who is above the law? If a Civilian committed Witness coercion, Kidnapping

(A): Obstruction of Jurors and Court Officers 18 U.S.C. § 1503: would they be allowed to get away with it in front of the Court? What makes it illegal for an officer of the law or 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.

(B). Gross Negligence & Discrimination discernable Argument 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

(C). statutory limitations argument SECTION 15-3-40: Exceptions as to persons under disability. If the Court of appeal is willing to accommodate my multiple disabilities why couldn't Berkeley County accommodate 1?

2: Social Security Administration Retirement, Survivors, and Disability Insurance Notice of Over payment. Loss of Government assistance because of plaintiff/appellate inability to get this case resolved my Anti-Social disorder impedes me from my ability to maintain Employment so I'm forced to work more Jobs & more Hours to pay Court fees & housing at Inn Town Suite. Regretfully Because of this case I have been forced to work extra hours in spite of my disabilities &,it has placed me in debt & caused me to be unable to receive insurance in order to continue treatment at the department of mental health !

3: SECTION 15-3-40

South Carolina Code Section 15-3-40 is about the statute of limitations for actions brought by people who were under a disability when the cause of action occurred. This includes being under 18 or being insane.

How does this section apply?

- The time of the disability is not part of the time limit for starting the action.
- The disability cannot extend the time limit by more than five years, except for infancy.
- The action must be brought within one year after the disability ends.
- For example, if property damage occurs when the owner is under 18 or insane, they have one year to file a lawsuit after they turn 18 or are declared sane.

4: Emotional Distress

Intentional infliction of emotional distress (IIED)

(a): Proof of disability Discharge Date: 07/15/2024 it proves Prior to this case not only was I receiving Mental health treatment for the Emotional Distress the impact on my life!

(b)Proof of Discrimination: by Both Berkeley County & Hanahan police department.

(c) Consolidated Evidence from the Respondent & the appellate that corroborates future complaint of discrimination by Berkeley County court

(d). (Indictment/warrant change Status form 11/09/2020) proves the charge was dismissed/

(e)Proof of Wanton Behavior/Pure Gross Negligence: Victim not being able to testify because

she is deceased: Note I pray this is not factual because the plaintiff/appellant sacrificed my freedom to save the 9-year-old Victim!

5: The Respondents/Defendants Red Herring Fallacy:

(a) Probable cause obtained under the Vagueness Doctrine law & that the Child was left in an unfit mother's care because of mental health Discrimination.

(b). Hand Written Request for a Jury Trial October 24, 2022; Proves Discrimination by Berkeley County Court because the request was done in a timely Fashion.

(c) Complaint, (LDF Media) Statement April 4, 2022; corroborates without Probable cause the Supreme Court Ruled in Favor of False imprisonment based on Malicious arrest

(d) Transcript of court Proceedings Plaintiff Statement to all both Judges Received by the court on June, 2024 I made both judges aware of my mental disabilities & Sgt Ellen lanphere refusal to help me when I called 911

(e) Bond order, dated 1/2/2019 it proves the plaintiff was held for \$75,000,00 Ransom after the Kidnapping

(f). City of Hanahan police Department, dated 8/14/2018 nowhere in their report was Child Protective service Contacted or The Victims Mother Investigated or charged for her Involvement

(g) Complaint, filed October 17, 2022 with Exhibits Because Of My Mental Health Disabilities & lack of legal Counsel this Case Required a Trial by Non-Bias Impartial peers who won't discriminate

(h) Defendants Motion to Dismiss; Filed November 14, 2023 the Defendants always used dilatory tactics to keep the Evidence from getting to Trial implicates Berkeley County lack of accommodating a Mentally Disabled Victim

(I) Defendants Memorandum in Support of Motion to dismiss, in the alternative, Motion for Summary Judgement, filed July, 5, 2023) Dilatory Tactics to Delay Time Implicates Berkeley County In Discrimination

(J). Transcript of Motion Hearing July 10, 2023 see Designation filed 10/9/24 Proof both judges were aware of my Mental Disabilities

6: Emotional distress proof of Damage: Department of Mental Health Cover Sheets Proves Disabilities Prior To arrest, Shows the Emotional Distress Inflicted during this process since arrest it proves I am still suffering because of Berkeley County Refusal to accommodate the Plaintiff with a Trial !

Discernable Argument Valid Relevant Key points

(a) The Respondents Attorneys Reason for not Settling with the plaintiff/appellate Is that I did not identify any issue articulated any discernable argument challenging this collateral estoppel ruling.

(b) Mental discrimination is the unfair treatment of people with mental health conditions. It can be direct and obvious, or it can be more subtle and unintentional

(c) Why did Sgt Lanphere fail to not only help the mentally disabled Plaintiff why was the Mother Never Investigated?

(d) Vagueness A law that defines a crime in vague terms is likely to raise due-process issues. Courts in the United States give particular scrutiny to vague laws relative to First Amendment issues because of

their possible chilling effect on protected rights.
Because of the Vagueness' Doctrine & the Victim Clearly telling the

7: 18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant &
Section: 16-3-910. Kidnapping

(a) Truth I did not expose myself & it proves the Defendants knew they had no Probable cause

(b) This case turned in to kidnapping the moment the Respondents Moved me from my Residence with no Probable Cause!

(c) Statutory time is prohibited during the time Plaintiff/appellate an insane proof of Disability was submitted the court must accommodate anyone with multiple disabilities

(d) Hanahan police department can never produce evidence that Child Protective Service was notified & that SGT lanphere did not discriminate against the plaintiff, because my arrest proves she did not respond to my 911 call for help & my mental health records proves my disabilities.

(e) The Defendants are not immune from liability under the Tort Claims Act, because the arresting officer did not do the Job she was called to do

- (g) The Plaintiff have identified multiple issues articulated discernable argument such as **SECTION 15-3-40 that says** the action must be brought within one year after the disability ends.

Who is above the law Key Points that Questions Hanahan Police Integrity? The Reason for the 911 call to the Plaintiffs/appellants Residence

1: Statement of facts under penalties of perjury, I declare that to the best of my knowledge and belief, this statement is true, correct, and complete

(a) The Defendants Left a 9-year-old child to continue to be Abused Mentally, sexually and physically (see State vs Susan Smith): Gross Negligence, Discernable indisputable argument,

(b) the Respondent/Defendants used Coercion/kidnapping/witness tampering/Just to Enable a Violent Mother to Continue Abuse & neglect of her Child. All matters included in FORM 14 DESIGNATION OF

**MATTER TO BE INCLUDED IN THE RECORD ON APPEAL
will be used to prove Berkeley county Court Judges & Public
defenders Corroborated with The defendants/Respondents to
Conceal the Facilitation of the Civil Rights Violation &
Discrimination of a Black Mentally Disabled Witness.**

(c) Berkeley County Discrimination Complaint Report for ADA
conflict of interest rules 18 U.S.C. § 208: with implementing regulations at 5
C.F.R. § 2635.402. Essentially, these rules prohibit you from taking official
action in a particular matter involving any entity in which you, or someone
whose interests are imputed to you, have a financial interest. Dec 27, 2019

*(d) August 14 2018 the Plaintiff, called for help at his residence, but was discriminated against, because
of his mental health disabilities subsequently the Plaintiff called to report a crime as a witness identified
a Woman who could be another Susan Smith resulting in kidnapping/coercion/witness tampering just to
keep the Victim and the Plaintiff from testifying about the Abuse by the Victims Mother Bernadette
Owens.*

*(e) Sgt Ellen Lanphere acted with Gross Negligence, & displayed Wanton Behavior under Hanahan
police Department authority! Thankfully Because Of all the positive people who I met In Charleston
County & North Charleston County Police Department I Have Tremendous amount of Respect for Law
enforcement &*

*(f) I Pray the Chief of Hanahan Police Honor the Code of Ethic's unlike Attorneys Who Get Paid per
Hour to twist the Laws to Protect the Guilty! Regretfully they have No Honor or Morals, Subsequently No
attorney will represent me because Of Hood Law Firm Dilatory Tactics Just because it is fitting to take
advantage of a mentally disabled black Man don't mean its proper!*

*(g) The attorneys previous Arguments Never Addresses the Evidence Submitted it only serves as a red
herring Fallacy! Avoiding Accountability of Everything Submitted in My Amended Final Appeal! Please
Disregard the Bad Grammar & Mispunctuations and Focus on the Facts that Corroborates The case:*

*(h) An officer of the law refused to do her due diligence or investigate a violent suspect because of
discrimination towards the plaintiff*

*2: Berkeley County Collaborated with Hanahan During this Kidnapping & used the Plaintiffs Disabilities
to Keep him From a Preliminary hearing & trial in spite of being aware of Mental Disabilities Fact vs
Fiction -(The Plaintiff Called 911 for help)*

(A) Fact (The defendants did not help the plaintiff):

(b) Fact (The defendants knew that the Plaintiff had a Mental Disability):

*(C) Fact (The defendant's Violated Multiple Civil Rights to keep 2 Innocent people From Testifying):
Fact*

*(d) (a 9 year old Child is either Dead or was Left to be Abused until Child Protective Service finally was
called by the plaintiff ,Subsequently When I was Released on Bond after paying the \$ 25,000,00 Ransom
)*

*(e) Fact (The defendant's Stated I masturbated in front of the 9 year old Victim) this is a False statement
(The 9 year old clearly said in her statement she did not see my penis) the victims statement contradicts
the Defendant's & the Mother Statement because if I did any unlawful conduct towards the child she*

would have said she saw my Penis clearly they are liars!

3: (a) The Evidence submitted by the respondents is indisputable they used the Vagueness! Doctrine regretfully Do to Extenuating Circumstances I would like to Schedule a "settlement conference

(b) This Prayer for Relief Brief Consolidated & Made all Evidence concise & The Plaintiff is willing to Sign a NDA & make this case about SGT Ellen Lanphere Lack of Due Diligence if Chief Rick Gebhardt is willing to address the Compromised Integrity of The Officer in Charge who made the Malicious Bad Choice to Violate a Mentally Disabled Black Man's Right.

(C) Subsequently, Because of this Case The Plaintiff has Stopped Treatment at The Department of Mental Health & is In Severe Need Of Treatment (see loss of Government assistance Proof)

(d) If The Court of Appeal Refuse to Accommodate me With a Trial I appreciate the accommodations received but will assume that all South Carolina Courts Discriminate Against People With Mental Health Disability, and will Make This Case About the Compromised Integrity of (Berkeley County Court & Hanahan Police Department) !

(e) I am truly thankfully so Far; The Court of Appeal has been the only one to accommodate my Disabilities by notifying me of any Discrepancy's unlike (Berkeley County court Judges)

(f) I pray this Prayer for Relief Brief Touch Rick Gebhardt Moral integrity. Objectivity Professionalism

4: The Code of Ethics stands as a preface to the mission and commitment law enforcement agencies make to the public they serve. Please let's put this case to Rest I Deserve Justice How can a Witness Become a Suspect? But the officer refused to investigate the Real Suspect Then Used her Power in Law Enforcement to cover it up.

(a) Law enforcement supposed to never act officiously or permit bias or personal gain to influence decisions. They will strive to protect the vulnerable from harm.

Brief description of The Civil rights violated to cover up the Discrimination for ADA Complaint purpose & conflict of interest rules 18 u.s.c. § 2081

(b) This Case arises out of the City of Hanahan police Department unlawful Arrest & discrimination of a Mentally Disabled Black Man August 14, 2018 The Plaintiff called the Defendants for help but they took advantage of his Mental Disabilities used Coercion/kidnapping/witness tampering/ to Force the plaintiff/appellate to Plead Guilty to a Crime he did not Commit Berkeley County

collaborated to facilitate, Conceal & to enable Co/defendants to Violate, Discriminate & disregard the Rules they are paid to enforce.

(C) The law enforcement officers performed discretionary tasks of Disregarding State Law to Contact Child Protective Service & refused to acknowledge the Complaint made about the Child's Mother. Reported by the Mentally disabled black Witness

(d) Deliberate, Wanton Behavior Who is above the law the general theme of the Appellants Brief Now that I have Submitted Proof of Disabilities

2-year time statute limitations *Discernable Argument*

1. Section 15-3-40: Exceptions as to persons under disability it challenges the 2-year time statute limitations, DURING THE TIME OF Judges Orders I was insane so all orders are non-valid
(A). I Challenge Hanahan Police Department to Hold Them Selves in accountability & ask their selves why I was not afraid to call 911. & Why would the officer in Charge not investigate the mother?

(b). Even if the Court of appeal rules in Favor of the Respondents this case will not go away because my Next Step is Suing Berkeley County Court for Mental Discrimination!

(C) Please Have Mercy & Please let's Settle this Dispute, unfortunately for the Defendants I am innocent & Hood law Firm Case is only based off lies & my lack of Legal representation they are only making Money because Nobody would help me, because of my mental Disabilities, but thankfully.

(d) **Section 15-3-40** protects me from greedy Evil attorneys who Win cases off Dilatory Tactics

(e) {Please be More like North Charleston police Department Admit When 1 of your officers made a mistake & allow the South Carolina reserve to pay me!

2: Appellant/plaintiffs Future Settlement Proposal

Wherefore, based on the foregoing the Plaintiff Would like To Request to Settle with Hanahan police Department While waiting on the Court of appeal

- (a) Compensation Damages will be billed by each Hour Held in Confinement during the Emotional Distress if the Court of Appeal Orders this case to trial at

(\$1000, 00) per each hour of arrest 366 days plus the 5 hours held in Hanahan Police Jail 8789 hours total value \$8,789,000 plus Court fees, self-Attorney fees & punitive Damages loss of housing, including Government funding medical insurance & expense's

(b) Because of conflict of interest *rules 18* u.s.c. § 2081 it impedes the plaintiff/appellate ability to obtain! Legal representation for the Discrimination case against Berkeley County If it makes it to the Supreme Court

(c) We can settle for a Sufficient Amount starting at \$500,000,00 More significantly my incoherent rants about discrimination can all be Fact Checked by the Defendants lack of accommodating me for having a Mental Disability They won't even Respond to my 911 call without arresting me!

(d): I Submitted Proof of My disabilities to the Court Regretfully Berkeley County Circuit Court Judges Agrees with Mental Discrimination & Gross Negligence by an Officer Who Maliciously Didn't Contact Child protective Service & Refuse to Help a Disabled Black American.

(e) officer Lanphere displayed Wanton behavior by refusing to do her Job Based on the plaintiffs Race & Disability Hopefully the Court of appeal Don't agree with Complete Gross Negligence & Discrimination by Not Doing Her Job

(f) C/A No.2020 CP-08-01987 let the record show that I was mentally disabled & Insane at The time the case was in Federal court

(g) {C/A No.2:20-3567-BHH let the record show the court & the Respondents were Both Aware of my Disabilities'

3: conflict of interest *rules 18* u.s.c. § 2081

(a) 7/13/2021 Judge Young order of 8//15/22 let the record show I had a mental break down inside of the court room & told the Judge I was Mentally Disabled he just looked at me with an evil Grin

(b) Let the Court Record Show the Honorable Jennifer B. McCoy on July 10,2023 court order 10/18/23 agrees with Discrimination Based on Mental Disabilities' & has No Problem with SGT Ellen Lanphere under Hanahan Police Jurisdiction Disregarding Police Procedures & not Calling Child Protective

Service because of the Witness being Black & Mentally Disabled the Respondents & all the Judges as well as Berkeley County Had Copies of all the plaintiffs Mental Health History.

- (c) they Maliciously have been taking advantage of the appellate & if the Court of appeals Wish to Agree with Berkeley County Judges, I will Request the Supreme Court To investigate all cases involving Mentally disabled Complaints that have been made about SGT Ellen Lanphere under Hanahan Police Jurisdiction &
- (d) I will seek the ADA help in finding all cases involving Mentally Disabled Black Men or Domestic Violence with kids Involved.
- (e) Who is above the law?: How Many Other Mentally Disabled Black Men Civil Rights has the Berkeley County Court Agreed with Because they Profit the Most off the False Arrest of Mentally Disabled Black Men, : conflict of interest **rules 18** u.s.c. § 2081
- (f) How Many Other Kids did Sgt Lanphere or Hanahan police did not help because their Parents were black ?
- (g) I request my Right to a fair Trial based on : conflict of interest **rules 18** u.s.c. § 2081 This statute prohibits all employees (including SGEs) from participating in any **particular Government matter** that will have a **direct and predictable effect** on their **financial interests**. It also prohibits employees from acting in Government matters that will affect the financial interests of others with whom they have certain relationships. These relationships are:
- Spouse
 - Minor child
 - General partner
 - Organization which the individual serves as officer, director, trustee, general partner or employee
 - Person or organization with which the employee is negotiating or has an arrangement concerning prospective employment.
- (h) regretfully the Respondents attorneys are too greedy to settle with me they hate my skin color please ignore the Red herring Fallacy If The Respondents don't wish to settle & seek to keep paying the greedy Hood Law Firm I will Make Sure the Higher Courts are aware of the Bigger Problem of South Carolina Court System Enabling Berkeley County & Hanahan Police to Profit of Violating Mentally Disabled Black Men Civil Rights & accepting Discrimination based on Mental Disabilities and Refusing to accommodate people with mental disabilities I beg the court to the Grant Plaintiff Relief; articulated Brake Down of this Entire Case in front (a Non-Bias Impartial Peers Jury!)

4: They are relying on Nepotisms & dilatory tactics please don't be confused by their Red Herring fallacy:

- (a) The exercise of discretion or judgement by the governmental entity or employee or the performance or failure to perform any act or service which is in the discretion or judgement of the governmental entity or employee;
- (b) it was Sgt Ellen Lanphere Job & responsibility or duties including but not limited to supervision, protection, control, confinement, or custody of any student, patient, prisoner, inmate, or client of any governmental entity, except when the responsibility or duty is exercised in a gross negligent manner refusing to investigate a Violent Neglectful Mentally disturbed Woman just because of Discrimination towards a Peaceful Respectful Black Mentally disabled WITNESS IS not only gross negligence it's against
- (c) The law the Respondent/Defendants Argument is The Plaintiffs Claims are barred by the Two-year Statute of Limitations found in the Tort Claims Act SC Code 15-78-110

This Proof of Disability Proves I have to be seen by a doctor & labeled sane 1 year Before the 5-year Statue begins.

Argument Conclusion:

(d): ADA Title II: State and Local Government Activities

Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding.

(e) Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

(f) State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens.

(g) They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

(h) Complaints of title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. (Note from Plaintiff/Appellate)

I have tried to resolve this case & get Accommodations from Berkeley County Court Judges the Complaint used for Appeal, Evidence Submitted by the Defendants & Request for Settlement Conferences Implicates all Parties Involved in my future Discrimination lawsuit the Final Judgement from the Court of Appeal will prove this matter could not be solved by South Carolina Courts

For more information, contact:
U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section
Washington, D.C. 20530
800-514-0301 (voice)
1-833-610-1264 (TTY)

Conclusion

5 : ADA.gov

(a) Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the Department of Justice (DOJ) or any other Federal agency, or to receive a “right-to-sue” letter, before going to court.

(b) My Next Step is The Supreme Court To file a case with the U.S. Supreme Court, you can: **Petition for a writ of certiorari**

This is the primary way to ask the Supreme Court to hear a case. You must file this petition within 90 days of the final judgment in the highest state appellate court or the U.S. court of appeals.

(c) Undoubtedly Hanahan Police Department Forgets the Power of The Truth They May feel Black Men are More Valuable in Jail in Monetary Value

(d) **Red herring Fallacy Bullet Points:**

The Truth is Something the Supreme Court Would Understand Leaving a Child to be abused & Murdered By her Abusive Mother then Arresting the only creditable witness because he is Mentally Disabled & Black is Not What America is About

- (e) The South Has Always been the Last to accept Black Americans Civil Rights But it is Getting Worse They are Attacking Our Kids & Mentally Disabled Black Men they are Unjustly Robbing our people of our Civil Rights & the Courts find us more Valuable in Jail or Paying attorney fees & bail
- (f) North Charleston Police Department was the First to do right by the people falsely arrested in 2024 because of the mayor (**Reggie” Burgess** was elected as **Mayor**) of the City of North Charleston in 2024, serving as the chief elected and administrative.
- (g) I Urge Hanahan Aka Klan a Han to Stop Falsely Arresting & taking advantage OF OUR Kids & Mentally Disabled Black Americans

(h): Due Compensation for Emotional distress for 366 days or 8784 hours Kidnapped by the Defendant’s/respondents Compensation for loss of housing & Government assistance & funding including medical insurance: allow the South Carolina reserves to compensate me! I will never give up & there is no way for you to produce evidence saying that the Respondent’s followed procedures, because everything I said in final brief is indisputable.

6: 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: (a) more than five years by

any such disability

7: In Conclusion both Berkeley County Judges knew it was complete Judicial misconduct conflict of interest rules 18 u.s.c. § 2081

I have Submitted Substantial valid information that is indisputable That the Judges orders were made with conflict of interest during a period of time the Plaintiff/appellate was insane Mental health records will corroborate this Motion

Best Regards & Special thanks to the Staff at the Court of Appeal

Respectfully, & humbly Submitted
Muhammad N Wilson Pro Se
8082 Rivers Ave in town suite room 309
North Charleston SC 29406
creyolab@gmail.com 843-468-3432

RECEIVED

Mar 03 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of

Appeals

FROM Berkeley

County

Judge Jennifer B McCoy

Case No. 2022 CP-08-02508

Appeal No. 2023-001837

Muhammad Nathaniel Wilson Pro Se

Appellant,

V.

Hanahan Police Department & Other Law Enforcement Officials

Respondent,

PROOF OF SERVICE

*I certify that I have served the revised **DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** & Motion to Schedule a Settlement Conference, or in the alternative, File an Amended Final Brief to Compel Berkeley County to Comply with Rule Rules 38 - Jury Trial of Right based on & conflict of interest rules 18 u.s.c. § 2081 & **Section 15-3-40: Exceptions as to persons under disability***

for the Appellant by depositing a copy of it in the United States Mail, postage prepaid, on February, 27, 2025, addressed to the attorney of record, Hood Law Firm attorney of record,

Via email South Carolina Court of Appeals
1220 Senate Street, Columbia, SC 29201
803-734-1890
E-filing: ctappfilings@sccourts.org

Catherine S Harrison, Chief Deputy Clerk
The South Carolina Court of Appeal
Post Office Box 11629

Mr. Evan M Sobocinski, Esquire
172 Meeting Street,
Charleston, SC 29401

Rick Gebhardt Chief of Hanahan Police Department
1255 Yeamans Hall Rd, Hanahan, SC 29410

*Ellore A Gains, at her office at
172 Meeting Street Charleston SC,
29401 on February, 27, 2025 &
Gmail @ elloree.gains@hoodlaw.com*

*Muhammad Nathaniel Wilson
in Town Suites 8082 Rivers Ave, Room 309
North Charleston Sc 29406
creyolab@gmail.com 843-468-3432*

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Mar 03 2025
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Mr. Evan M Sobocinski, Esquire
172 Meeting Street,
Charleston, SC 29401

Rick Gebhardt Chief of Hanahan Police Department
1255 Yeamans Hall Rd, Hanahan, SC 29410

Re: Muhammad Nathaniel Wilson Pro se V Hanahan Police Department
C/A no. and Jurisdiction: 2022-CP-08-02508, Berkeley CP
Appellate Case No.2023-001837

Dear: Ms. Harrison I would like to begin this formal letter by first showing Appreciation to the Court of appeal for accommodating my Mental & learning Disabilities by: not siding with the Respondents, dilatory Tactics, & red herring, Fallacy! And furthermore, I pray Ms. Ellore A Gains & most importantly: Rick Gebhardt Chief of Hanahan Police Department subsequently allows the Prayer of relief to touch Rick Gebhardt heart & Conscious and appeal to The Chief of Hanahan Police Department Morals, integrity & remember the Oath he took, subsequently. If the Respondents Hanahan Police Department decide to Settle & not listen to greedy Hood Law Firm advice subsequently this Motion will explain, the case as brief & Coherent as possible so please excuse, any Typographical Errors and Misspellings! Regretfully, because of the Respondents Dilatory Tactics; I am unable to find an impartial non bias attorney. Regretfully the Respondents Attorneys Hood Law Dilatory Tactics; Impedes the Appellant from getting an Attorney to represent me because of Bias interest connected to Berkeley County Judges orders please allow the statement of facts to elaborate briefly on this Case! The \$50.00 court fee for this Motion will be on the way with the DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL With love Respect & peace & Humility!
Sincerely, Muhammad N Wilson Pro Se