

March/10/2025

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172 Meeting Street,
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Leah Guerry Dupree
PO Box 219
Moncks Corner SC 29461
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

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Mar 10 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court
of Appeals

RECEIVED

Mar 10 2025

SC Court of Appeals

Appeal from Berkeley County
Court of Common Pleas

Judge Jennifer B McCoy

Case No. 2022 CP-08-02508

Appellate case No. 2023-001837

Muhammad Nathaniel Wilson Pro Se

Appellant

v.

Hanahan Police Department &
Other Law-Enforcement Officials

Respondent,

Dear: Ms. Harrison and Ms. Ellore A Gains & Most importantly: Rick Gebhardt
Chief of Hanahan Police Department & Leah Guerry Dupree

Due to the severity & Extenuating Circumstances I will Be Filing a Formal
Civil Suit against Hood law Firm & the Defendants/respondent's former Co
defendant as well as former Client of Hood Law Firm Berkeley County
Court of Common Pleas if the respondents Hanahan Police Wish to
Continue to inflict Emotional Distress by Refusing to accept any
Accountability under the misrepresentation of Hood law firm& waste the

Court Time & Money as a Tax Payer & Civilian I am Ashamed Of Berkeley County judges for their Disrespect For the same Laws they are Paid to Judge regrettably Lawyers Are paid to be Dishonest Hood Law Firm Only do what they are Paid to do Profit off Guilty Parties! Please allow the me time to process the Additional information because of the Severity Thanks to the Court of appeal I am getting Better because of their accommodation's unfortunately for Hanahan police department I am innocent & 33 pieces of Evidence is Indisputable I can afford any Court fees so if Hood law Firm believes by impeding me from obtaining any legal representation they have Under estimated me because I would love to face hood Law firm at trial & call both Berkeley county judges to take the Stand & testify about their Involvements!

Who is above the law Legal Malpractice Discrimination towards a Peaceful Respectful Black Mentally disabled WITNESS, by impeding the Right to trial through violating the Conflict-of-interest Rule IS not only gross negligence it's against the law?

Argument

NEXT

RULE 1.7: CONFLICT OF INTEREST: CURRENT CLIENTS

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

- (1) the representation of one client will be directly averse to another client; or
- (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:

- (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law;
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and

(4) each affected client gives informed consent, confirmed in writing.

Comment

General Principles

[1] Loyalty and independent judgment are essential elements in the lawyer's relationship to a client. Concurrent conflicts of interest can arise from the lawyer's responsibilities to another client, a former client or a third person or from the lawyer's own interests. For specific Rules regarding certain concurrent conflicts of interest, see Rule 1.8. For former client conflicts of interest, see Rule 1.9. For conflicts of interest involving prospective clients, see Rule 1.18. For definitions of "informed consent" and "confirmed in writing," see Rule 1.0(g) and (b).

[2] Resolution of a conflict-of-interest problem under this Rule requires the lawyer to: 1) clearly identify the client or clients; 2) determine whether a conflict of interest exists; 3) decide whether the representation may be undertaken despite the existence of a conflict, i.e., whether the conflict is consentable; and 4) if so, consult with the clients affected under paragraph (a) and obtain their informed consent, confirmed in writing. The clients affected under paragraph (a) include both of the clients referred to in paragraph (a)(1) and the one or more clients whose representation might be materially limited under paragraph (a)(2).

[3] A conflict of interest may exist before representation is undertaken, in which event the representation must be declined, unless the lawyer obtains the informed consent of each client under the conditions of paragraph (b). To determine whether a conflict of interest exists, a lawyer should adopt reasonable procedures, appropriate for the size and type of firm and practice, to determine in both litigation and non-litigation matters the persons and issues involved. See also Comment to Rule 5.1. Ignorance caused by a failure to institute such procedures will not excuse a lawyer's violation of this Rule. As to whether a client-lawyer relationship exists or, having once been established, is continuing, see Comment to Rule 1.3 and Scope.

[4] If a conflict arises after representation has been undertaken, the lawyer ordinarily must withdraw from the representation, unless the lawyer has obtained the informed consent of the client under the conditions of paragraph (b). See Rule 1.16. Where more than one client is involved, whether the lawyer may continue to represent any of the clients is determined both by the lawyer's ability to comply with duties owed to the former client and by the lawyer's ability to represent adequately the remaining client or clients, given the lawyer's duties to the former client. See Rule 1.9. See also Comments [5] and [27].

[5] Unforeseeable developments, such as changes in corporate and other organizational affiliations or the addition or realignment of parties in litigation, might create conflicts in the midst of a representation, as when a company sued by the lawyer on behalf of one client is bought by another client represented by the lawyer in an unrelated matter. Depending on the circumstances, the lawyer may have the option to withdraw from one of the representations in order to avoid the conflict. The lawyer must seek court

approval where necessary and take steps to minimize harm to the clients. See Rule 1.16. The lawyer must continue to protect the confidences of the client from whose representation the lawyer has withdrawn. See Rule 1.9(c).

Identifying Conflicts of Interest: Directly Adverse

[6] Loyalty to a current client prohibits undertaking representation directly adverse to that client without that client's informed consent. Thus, absent consent, a lawyer may not act as an advocate in one matter against a person the lawyer represents in some other matter, even when the matters are wholly unrelated. The client as to whom the representation is directly adverse is likely to feel betrayed, and the resulting damage to the client-lawyer relationship is likely to impair the lawyer's ability to represent the client effectively. In addition, the client on whose behalf the adverse representation is undertaken reasonably may fear that the lawyer will pursue that client's case less effectively out of deference to the other client, i.e., that the representation may be materially limited by the lawyer's interest in retaining the current client. Similarly, a directly adverse conflict may arise when a lawyer is required to cross-examine a client who appears as a witness in a lawsuit involving another client, as when the testimony will be damaging to the client who is represented in the lawsuit. On the other hand, simultaneous representation in unrelated matters of clients whose interests are only economically adverse, such as representation of competing economic enterprises in unrelated litigation, does not ordinarily constitute a conflict of interest and thus may not require consent of the respective clients.

[7] Directly adverse conflicts can also arise in transactional matters. For example, if a lawyer is asked to represent the seller of a business in negotiations with a buyer represented by the lawyer, not in the same transaction but in another, unrelated matter, the lawyer could not undertake the representation without the informed consent of each client.

Identifying Conflicts of Interest: Material Limitation

[8] Even where there is no direct adverseness, a conflict of interest exists if there is a significant risk that a lawyer's ability to consider, recommend or carry out an appropriate course of action for the client will be materially limited as a result of the lawyer's other responsibilities or interests. For example, a lawyer asked to represent several individuals seeking to form a joint venture is likely to be materially limited in the lawyer's ability to recommend or advocate all possible positions that each might take because of the lawyer's duty of loyalty to the others. The conflict in effect forecloses alternatives that would otherwise be available to the client. The mere possibility of subsequent harm does not itself require disclosure and consent. The critical questions are the likelihood that a difference in interests will eventuate and, if it does, whether it will materially interfere with the lawyer's independent professional judgment in considering alternatives or foreclose courses of action that reasonably should be pursued on behalf of the client.

Lawyer's Responsibilities to Former Clients and Other Third Persons

[9] In addition to conflicts with other current clients, a lawyer's duties of loyalty and independence may be materially limited by responsibilities to former clients under Rule 1.9 or by the lawyer's responsibilities to other persons, such as fiduciary duties arising from a lawyer's service as a trustee, executor or corporate director.

Personal Interest Conflicts

[10] The lawyer's own interests should not be permitted to have an adverse effect on representation of a client. For example, if the probity of a lawyer's own conduct in a transaction is in serious question, it may be difficult or impossible for the lawyer to give a client detached advice. Similarly, when a lawyer has discussions concerning possible employment with an opponent of the lawyer's client, or with a law firm representing the opponent, such discussions could materially limit the lawyer's representation of the client. In addition, a lawyer may not allow related business interests to affect representation, for example, by referring clients to an enterprise in which the lawyer has an undisclosed financial interest. See Rule 1.8 for specific Rules pertaining to a number of personal interest conflicts, including business transactions with clients. See also Rule 1.10 (personal interest conflicts under Rule 1.7 ordinarily are not imputed to other lawyers in a law firm).

Interest of Person Paying for a Lawyer's Service

[11] A lawyer may be paid from a source other than the client, including a co-client, if the client is informed of that fact and consents and the arrangement does not compromise the lawyer's duty of loyalty or independent judgment to the client. See Rule 1.8(f). If acceptance of the payment from any other source presents a significant risk that the lawyer's representation of the client will be materially limited by the lawyer's own interest in accommodating the person paying the lawyer's fee or by the lawyer's responsibilities to a payer who is also a co-client, then the lawyer must comply with the requirements of paragraph (b) before accepting the representation, including determining whether the conflict is consentable and, if so, that the client has adequate information about the material risks of the representation.

Prohibited Representations

[12] Ordinarily, clients may consent to representation notwithstanding a conflict. However, as indicated in paragraph (b) some conflicts are nonconsentable, meaning that the lawyer involved cannot properly ask for such agreement or provide representation on the basis of the client's consent. When the lawyer is representing more than one client, the question of consentability must be resolved as to each client.

[13] Consentability is typically determined by considering whether the interests of the clients will be adequately protected if the clients are permitted to give their informed consent to representation burdened by a conflict of interest. Thus, under paragraph (b)(1), representation is prohibited if in the circumstances the lawyer cannot reasonably conclude that the lawyer will be able to provide competent and diligent representation. See Rule 1.1 (competence) and Rule 1.3 (diligence).

[14] Paragraph (b)(2) describes conflicts that are non-consentable because the representation is prohibited by applicable law. For example, in some states substantive law provides that the same lawyer may not represent more than one defendant in a capital case, even with the consent of the clients, and under federal criminal statutes certain representations by a former government lawyer are prohibited, despite the informed consent of the former client. In addition, decisional law in some states limits the ability of a governmental client, such as a municipality, to consent to a conflict of interest.

[15] Paragraph (b)(3) describes conflicts that are non consentable because of the institutional interest in vigorous development of each client's position when the clients are aligned directly against each other in the same litigation or other proceeding before a tribunal. Whether clients are aligned directly against each other within the meaning of this paragraph requires examination of the context of the proceeding. Although this paragraph does not preclude a lawyer's multiple representations of adverse parties to a mediation (because mediation is not a proceeding before a "tribunal" under Rule 1.0(q)), such representation may be precluded by paragraph (b)(1).

Informed Consent

[16] Informed consent is defined in Rule 1.0(g). The information required depends on the nature of the conflict and the nature of the risks involved. When representation of multiple clients in a single matter is undertaken, the information should include the implications of the common representation, including possible effects on loyalty, confidentiality and the attorney-client privilege and the advantages and risks involved. See Comments [28] and [29] (effect of common representation on confidentiality).

[17] Under some circumstances it may be impossible to make the disclosure necessary to obtain consent. For example, when the lawyer represents different clients in related matters and one of the clients refuses to consent to the disclosure necessary to permit the other client to make an informed decision, the lawyer cannot properly ask the latter to consent. In some cases, the alternative to common representation can be that each party may have to obtain separate representation with the possibility of incurring additional costs. These costs, along with the benefits of securing separate representation, are factors that may be considered by the affected client in determining whether common representation is in the client's interests.

Consent Confirmed in Writing

Hood law firm Works for defendant

The Plaintiffs Claims are Exempt from 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 Before the 5 year Statue begins.

because The Honorable Judge Young & Jenifer b McCoy Are Both employees of Berkeley County they are Prohibited from making any Form of judgment on

there selves because Berkeley County has in disputed financial interest in this case Hood law firm was being paid By Both Hanahan police department 7 Berkeley county

Judicial misconduct

A "judicial misconduct conflict of interest rule" refers to ethical guidelines that require judges to disqualify themselves from cases where their personal interests or relationships could potentially bias their decision-making, essentially preventing them from presiding over cases where they might have a conflict of interest, which is considered a form of judicial misconduct if not properly disclosed and recused from the case.

Key points about judicial conflict of interest rules:

- **Appearance of impropriety:**

Even if a judge's personal interest does not directly influence their decision, the mere appearance of a conflict can be considered misconduct and necessitate recusal.

- **Examples of conflicts:**

- Financial interest in a party to the case
- Family relationship with a party or attorney involved in the case
- Prior legal representation of a party in the case
- Personal bias or prejudice against a party

- **Disclosure and recusal:**

Judges are typically required to disclose any potential conflicts of interest and recuse themselves from the case if a conflict is deemed significant.

- **Model Code of Judicial Conduct:**

Most jurisdictions base their judicial conduct rules on the American Bar Association's Model Code of Judicial Conduct, which outlines specific guidelines regarding conflicts of interest.

Rule 2.11: Disqualification

Share:

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality* might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge* of facts that are in dispute in the proceeding.

6) The judge:

(a) served as a lawyer in the matter in controversy, or was associated with a lawyer who participated substantially as a lawyer in the matter during such association;

(b) served in governmental employment, and in such capacity participated personally and substantially as a lawyer or public official concerning the proceeding, or has publicly expressed in such capacity an opinion concerning the merits of the particular matter in controversy;

(c) was a material witness concerning the matter; or

(d) previously presided as a judge over the matter in another court.

(B) A judge shall keep informed about the judge's personal and fiduciary economic interests, and make a reasonable effort to keep informed about the personal economic interests of the judge's spouse or domestic partner and minor children residing in the judge's household.

(C) A judge subject to disqualification under this Rule, other than for bias or prejudice under paragraph (A)(1), may disclose on the record the basis of the judge's disqualification and may ask the parties and their lawyers to consider, outside the presence of the judge and court personnel, whether to waive disqualification. If, following the disclosure, the parties and lawyers agree, without participation by the judge or court personnel, that the judge should not be disqualified, the judge may participate in the proceeding. The agreement shall be incorporated into the record of the proceeding.

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. 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).

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. 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.

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. 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)
ADA.gov

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.

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.

- **Pay the docket fee**

Undoubtedly Hanahan Police Department Forgets The Power Of The Truth They May feel Black Men are More Valuable in Jail in Monetary Value But 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 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 North Charleston Police Department 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 I Urge Hanahan Aka Klan a Han To Stop Falsely Arresting & taking advantage OF OUR Kids & Mentally Disabled Black Americans Due Compensation for Emotional distress for 366 days or 8784 hours allow the South Carolina reserves to compensate me because I will never give up & there is no way for you to produce evidence saying that the Respondent’s followed procedure’s because everything I said in final brief is True undoubtedly Hanahan Police Department

Case:

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, except infancy; nor

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

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