

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

CIRCUIT COURT

Judge Jocelyn Newman

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MAY 27 2025

SC Court of Appeals

Circuit Court Case No. 2025-000964 (Ct. of Appeals Docket #)

Trial Court Cause # 2019CP4004271

John S. Stritzinger III, (Appellant/Counter-Petitioner)

v.

James R. Stritzinger, Jr. (Appellee/Counter-Respondent)

NOTICE OF APPEAL

John S. Stritzinger appeals the order of the Honorable Jocelyn Newman who heard oral arguments and no direct evidence on a DeNovo Appeal from the Probate court, while other parties on the appellate docket appearing in the same setting all were able to call witnesses and proceed on direct actions. The order was rendered on April 17th for a hearing held on April 14th of this year.

CONTENT

Ms. Newman's order claims the Probate court did not abuse its discretion even though Appellant had felony cross-claims, and large civil actions which were not permissible to try in the Probate court all of which were dismissed in the Circuit court based on a judgment filed in the Probate court based entirely on partial stolen evidence from the State of Virginia which had in fact already tried and found John S. Stritzinger innocent. The claims made by James R. Stritzinger, are not admissible in the State of South Carolina under the South Carolina Rules of Evidence and the South Carolina Constitution, yet alone Article IV of the US Constitution. These same stolen documents were used by Richland County Deputies to serve the complaint in the first place on a probable cause basis. Ms. Newman said she would provide no findings of fact or conclusions of law, and could not have done so anyway as there was no trial court record available from the Probate court.

John S. Stritzinger was not a South Carolina resident, and was served by tag jurisdiction of the Richland county police while he was staying in Lexington County only to try a case in the US District Court. The Richland County Sheriff made no effort to collect his statement or his possessions from his hotel rooms. Appellant traveled to Columbia on approximately St. Patrick's Day 2018, and has been denied a trial on the merits for close to seven years, and all his worldly possessions seized on a perjured filing by James R. Stritzinger which he has never seen or served all due process of law violations.

Appellant received written notice of entry of this order which is attached as Exhibit A, which is a further appeal from a Probate Cause which has no known reporters record. Appellant believes that lack of a reporters record available on appeal is grounds for an automatic retrial under most state laws including **TRAP 34.6(f) (Texas Rules of Appellate Procedure)** – Lost or Destroyed Reporters record the basis for an immediate new trial, and Appellant believes that the Virginia Supreme Court has already ruled on such actions under *Santen v Tuthill* (VA Supreme - 2003 Record No. 021781) even though there are no related cases we have found in South Carolina. Appellant is seeking a remand to the trial court for an original action with the other three circuit court cases being relevant to the consolidated action (Bank of America,



Verizon, Wright). Appellant was involved in a complex action in Virginia Beach Circuit court filed by Verizon so that they didn't have to pay him on an employment dispute, and so they could kidnap his young son(quite literally).

Appellant has simply stated that Appellee's original action was filed on a perjured basis and completely without merit, that Appellee had no standing to request relief against a Virginia Resident litigating in the US District Court who was not staying with him, and for the same reason the Richland County courts had no grounds to proceed as they had no jurisdiction over the case(which had already been tried **twice** in two other states. These cross-felony claims are above the jurisdiction of the Probate court, and the Magistrates courts who ORIGINATED THE ACTION, but before Appellant/Respondent could respond.

BASIS OF APPELLATE REVIEW – DE NOVO OR WRIT OF ERROR(AUDITA QUERELLA), MANDAMUS

Appellant notes that clearly the Circuit courts in nearly every State in the United States are the highest trial courts, and certain members of the Judiciary of South Carolina believe that they do not have full jurisdiction over complex trials in this state. In this case, there was no way to try this case except in its highest court, the probate courts have general jurisdiction on estates under 25,000 in value. Appellant owned a home in Texas at the start of this action which was more than 600,000. Motions to move the case to the right jurisdiction were all denied by other Circuit Judges who were friends with Judges Belton & Smiley whose own orders contradicted each other. Difference of opinion in two other states, and two judges in the same bench is grounds for this court alone to review the matter. Differences in opinions between three states (Delaware, Virginia and South Carolina also provides the power for the US Supreme Court to review the case under Article III of the US Constitution.

Appellant

John S. Stritzinger
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Columbia, SC
Appellant/CounterPetitioner Pro/Se

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on James R. Stritzinger via US Mail, and Electronic service via email on this day 5/27/2025.

John S. Stritzinger
1800 Washington Street
Columbia, SC 29201

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