

No. 2025-000642

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED

JUN 23 2025

SC Court of Appeals

In the Matter of the Estate of Eartha Mae Green Cintron

Edward Riley..... Appellant

v.

Rosalie C Cintron Respondent

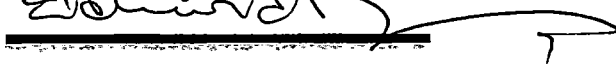
On APPEAL FROM ORANGEBURG COUNTY Probate
Court Pandora Jones-Glover, Orangeburg County
Probate Judge (Lower Court Case No. 2024ES3800207

Submitted: March 31,2025 Decided: April 10, 2025,

APPELLANT INITIAL BRIEF
ORAL ARGUMENT REQUESTED

Monday, June 23, 2025.

Respectfully submitted



Edward Riley
P.O.BOX 1353,
Columbia, SC 29202-1353
(803) 626-2558
cerrecords@gmail.com
Appellent pro se litigants

TABLE OF CONTENTS

TABLE OF CONTENTS ii

TABLE OF AUTHORITIES iii vi. vii, viii

PARTIES TO THE PROCEEDING 1

STATEMENT REGARDING ORAL ARGUMENT 2

STATEMENT OF JURISDICTION 2,3,4,5,6

STATUTES INVOLVED 6,7

STANDARD OF REVIEW 7,8

STATEMENT OF ISSUES ON APPEAL 8,9

STATEMENT OF THE CASES 9,10,11,12,13,14,15,16,17,18

SUMMARY OF THE ARGUMENT 15,16,17,18

ARGUMENT 18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33

CONCLUSION ,34,35,36,37

CERTIFICATE OF SERVICE 37,38

CERTIFICATE OF COMPLIANCE.... 38

TABLE OF AUTHORITIES

Cases

Supreme Court of the United States *Kimberly v. Arms*:129
U.S. 512 (1889)..... 18
See McCabe, *The Federal Magistrate Act of 1979*, 16 Harv. J.
Legis. 343, 364–79 (1979))..... 18
See House Rep. No. 96–444, 96th Cong. 1st Sess. 8 (1979)..... 19
Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc., 526
U.S. 344 (1999)..... 19
Byrne v. Nezhat, 261 F.3d 1075, 1125 (11th Cir. 2001) 19
Crowe v. Smith, 151 F.3d 217, 239 (5th Cir. 1998) 20
State v. Price (2023) 20
Smith v. Ocean Lakes Family Cam 1, 433 S.E.2d 909,
910(Ct.App.1993)..... 20
Cox v. Fleetwood Homes of Ga., Inc., 329 S.C. 157, 161, 494
S.E.2d 462, 464 (Ct.App.1997) 20
Barnett v. Piedmont Shirt Corp., 230 S.C. 34, 38,94 S.E.2d 1,
3 (1956) 20
Bunkum v. Manor Properties, 321 S.C. 95, 99, 467 S.E.2d 758,
761(Ct.App.1996) 20
Johnson v. State, 319 S.C. 62, 64, 459 S.E.2d 840, 841(1995)..... 21

TABLE OF AUTHORITIES

Scheuer v. Rhodes, 416 U.S. 232, 94 S. Ct. 1683, 1687(1974)21

Javone v. Bacon, 6 Ill. 2d 245, 249, 218 N.E.2d 706, 708(1955).....21

See City of Columbia v. S.C. Pub. Serv. Comm'n, 242 S.C. 528,
532, 131 S.E.2d 705, 707 (1963)..... 22

Martin v. Moore, 54 S.C. 556, 560, 32 S.E. 700, 701 (1899). 22

State v. Ansel, 76 S.C. 395, 412, 57 S.E. 185, 191 (1907) 22

See State ex rel. McLeod v. Canty. Ct. of Richland Canty., 261
S.C. 478, 481, 200 S.E.2d 843, 844 (1973)..... 22

Davis v. Wechler, 263 U.S. 22, 24)..... 22

Stromberb v. California, 283 U.S. 359) 22

NAACP v. Alabama, 375 U.S. 449) 22

Elmore v. McCammon (1986) 640 F. Supp. 905)..... 23

Haines v. Kerner, 404 U.S. 519 (1972) 23

Hagans v Lavine 415 U. S. 533)..... 23

Poindexter v. Greenhow, 114 U.S. 270, 303 (1885)..... 23

Brady v. U.S., 397 U.S. 742, 748, (1970) 23

Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958) 23

Alexander v. Bothsworth, 1915) 24

HALE V. HENKEL 201 U.S. 43 at 89 (1906)..... 24

TABLE OF AUTHORITIES

in *Monroe v. Pape* (1961).....24

Cpc Patent Technologies Pty Ltd v. Apple, Inc., No. 21-16212
(9th Cir. 2022)).....24

SEC v. CMKM Diamonds, Inc., 729 F.3d 1248, 1260 (9th Cir.
2013))25

See *Flam v. Flam*, 788 F.3d 1043, 1046 (9th Cir. 2015).....25

United States v. Reyna-Tapia, 328 F.3d 1114, 1118 (9th Cir.
2003).....25

Wellness Intern. Network, Ltd. v. Sharif, 575 U.S. 665, 678
(2015)26

Bailey v. Bailey, 312 S.C. 454, 441 S.E.2d 325 (1994).....,28

S.C. Constitution Article V, § 16: Compensation of Justices and
Judges. practice of law and dual office holding)28,31

States v. Sciuto, 521 F.2d 842, 845 (7th Cir. 1996)4

Browning Manufacturing Co. v. Brunson, 187 S.C. 278, 197 S.E.
311 (1938).....29,36

Statutes and Rules

18 U.S.C. § 12914,7,8

42 U.S.C. § 1983 31

28 U.S.C. § 1367(a) 5

28 U.S.C. § 455(a).....31,32

28 U.S.C. § 455(b). 32

28 U.S.C. § 455(1). 32

28 U.S.C. § 455(2). 4

28 U.S.C. § 455(3). 4

28 U.S.C. § 455(i). 33

28 U.S.C. § 455(ii). 33

28 U.S.C. § 455(iii). 33

28 U.S.C. § 455(d). 33

28 U.S.C. § 455(d)(1). 34

28 U.S.C. § 455(d)(2). 33,34

28 U.S.C. § 455(d)(3). 33,34

28 U.S.C. § 455(d)(4). 34

28 U.S.C. § 636(b)(2)..... 3,7,8,15,34,35,36

28 U.S.C. § 636(b)(1)(A)..... 8,15,16,25,34

28 U.S.C. § 636(c)(1)..... .8,16,26,35

28 U.S.C. §636(c)(2)8,16,35

28 U.S.C. § 636(c)	3,7,16,17,26,36
28 U.S.C. §§ 636(c)(1) & (c)(3)	3,4,7,8,35,36
28 U.S.C. §636(c)(4).....	3,7,8,26,27,35,36
28 U.S.C. §636(c)(5).....	3,7,36
S.C. Code Ann. § 14-3-310 (2012).....	27
S.C. Code Ann. § 22-33-400 (1985).....	4
S.C. Code Ann. § 22-3-20 (2023).....	27
S.C. Const. art. V, § 5)	
S.C. Const. art. I, § 9).....	27
S.C. R. Civ. P. 17).....	1,27
S.C. Code Ann. § 62-2-106).....	12
S.C. Code §15-65-10(1).....	11,12
S.C. Code Ann.§ 62-2-901(a)(c)	13
S.C. Code Ann. § 62-3-405).....	4
S.C. Code Ann. § 62-2-106).....	1
S.C. Code Ann. § 15-67-610).....	4
S.C. Code Ann. § 27-37-160).....	4
Federal Rule of Civil Procedure 73).....	17,26,35
Federal Rule of Civil Procedure 73(a)	16
Federal Rule of Civil Procedure 73(b)(1)	16,17,26
Federal Rule of Civil Procedure 73(b)(3).....	8,27,35

Federal Rule of Civil Procedure 72 (a).....	25,26
Federal Rule of Civil Procedure 72 (b)(3).....	25,26
Federal Rule of Civil Procedure 72(b)(1).....	8,34
Rule 53(b).....	3,4,7,15,17,32,35,36
Rule 65, Fed. R. Civ.	12
RULE 8.4(a) MISCONDUCT).....	30
RULE 8.4(g) MISCONDUCT).....	30
RULE 18 CONFLICTS OF INTEREST).....	30

PARTIES TO THE PROCEEDING

All parties appear in the caption of the case on the cover page.

Pursuant as to rule 29.6 Corporate of Disclosure the Respondent Rosalie C Cintron has no lawful parent company nor is it registered and operating lawfully. Respondent, Rosalie C Cintron, is being used in a scheme or artifice to Defraud – S.C. Code Ann. § 62-2-106 Representation. disclaimer by intestate beneficiary [Also See: S.C. R. Civ. P. 17 (a) Real Party in Interest Every action shall be prosecuted in the name of the real party in interest, Appellant of The subject property of this Instant case by a conspiracy of Rosalie C Cintron.

The undersigned-Appellant pro se, certifies that All parties appears in the caption of the case on the cover page. persons and

entities as described in the fourth sentence of Fourth Circuit Rule 28.2.1 has an interest in the outcome of this case. These representations are made so that the judges of this court may evaluate possible disqualification or recusal.

STATEMENT REGARDING ORAL ARGUMENT

Appellants request oral argument pursuant to Federal Rule of Appellate Procedure 34(a)(1) and Fifth Circuit Rule 28.2.3, only to the extent it would aid the Court in understanding the factual background of this case and clarify the legal issues presented. Appellant suggests that the issues presented can be determined upon the record in Court,

STATEMENT OF JURISDICTION

This Appeal is from ORANGEBURG COUNTY Probate Court Hon. Pandora LaShawn Jones Glover, Orangeburg County Probate Judge, United States Magistrate Judge, SC Bar #: 68567, As (“the United States Magistrate Probate Judge”), That on March 25, 2025, through An Email from Courtney Cooper-Davis Law Clerk/Litigation Supervisor, Orangeburg County Probate Court, stating that Edward Riley was duly notified to Appear on March 26, 2025, at 1:00pm, before the United States Magistrate Probate Judge, Hon. Pandora

LaShawn Jones Glover, at 1:00pm (Lower Court Case No. 2024ES3800207, on a Petition for Temporary Restraining Order And Preliminary Injunction and a Motion of Ejectment pursuant to Code of Civil Procedure section 15-67-610, Ejectment is based in statutory law. See 27-37-160, The Petitioner was logged in on the virtual hearing but failed to respond to the questions being asked by the Judge. Hon. Pandora LaShawn Jones Glover, Orangeburg County Probate Judge, United States Magistrate Judge, SC Bar #: 68567, As (“the United States Magistrate Probate Judge”), IT IS HEREBY ORDERED on April 10, 2025, that this case be dismissed without prejudice for failure to participate in the virtual hearing on the Petition for Temporary Restraining Order and Preliminary Injunction. IT IS SO ORDERED. (See **Appendix 1**, Order, April 10, 2025, Hon. Pandora LaShawn Jones Glover, Orangeburg County Probate Judge, United States Magistrate Judge, SC Bar 68567, did violated The General Assembly in including the Specific requirements of section See FED. R. Civ. P. 53(b), 28 U.S.C. §§ 636(c)(1) & (c)(3). See 28 U.S.C. § 636(b)(2) 28 U.S.C. § 636(c)(4); 28 U.S.C. §636(c)(5), that must be satisfied before Authority to Rule 28 U.S.C. §§ 636(c) as South Carolina Supreme

Court has held, "The term 'shall' in a statute means that the action is mandatory, (See **Appendix 2**, AO 85A (Rev. 02/17) Notice, Consent, and Reference of a Dispositive Motion to a Magistrate Judge, on April 10, 2025, that this Court Take Judicial Notice Supreme Court of South Carolina ADMINISTRATIVE ORDER June 3, 2021, Rule 53(b) provides no authority for the order of reference in this case. In matters brought to our attention, the Probate Judge appointed by the circuit court is typically a lawyer. See 28 U.S.C. § 636(c)(3). FED. R. CIV. P. 73(c), also See 28 U.S.C. §§ 636(c)(1) & (c)(3). on March 31, 2025 Decided: April 10, 2025, A timely Notice of Appeal (Case No: 2024ES3800207), The Court of Appeals Court is asked to exercise jurisdiction under 28 U.S.C. § 1291, This Court has appellate jurisdiction pursuant to 28 U.S.C. § 1291.

Also, (See **Appendix 3**, Order February 19, 2025, the Supreme Court of South Carolina RE: Use of Remote Communication Technology by the Trial Courts¹ Appellate Case No. 2021-001032, Hon. Pandora LaShawn Jones Glover Exceeded her Authority on March 26, 2025, for violating Mr. Riley Due process demands an opportunity to be heard. It is satisfying when the parties are afforded

a fair and reasonable opportunity to explain their respective sides of the controversy. Where an opportunity to be heard either through oral arguments or through pleadings is Accorded, there is no denial of procedural due process, on March 26, 2025, the scheduled a Via for Enhanced Remote Communication Technology (ERCT): a form of RCT, such as Zoom and Microsoft Teams which allows audio and video to be shared at differing locations in real time. When this order indicates ERCT is to be used, that form of RCT must be used. A Zoom and Microsoft Teams use Internet-based video conferencing Platform to conduct a virtual trial.

The virtual Trial conducted in this case was plagued by technological issues and inadequate safeguards, resulting in the self-represented Mr. Riley inability to participate either by video or phone, because the conduct of the trial violated Mr. Riley right to due process under the Fourteenth Amendment to the United States Constitution and art. 10 of the South Carolina Declaration of Rights, on March 26, 2025, scheduled a Via Zoom and Microsoft Teams Hearing that violates Constitutional Rights of Parties. In the absence of a waiver, judges should not allow RCT to be used in a manner which would violate the rights of a party under either the State or

Federal Constitution. Hon. Pandora LaShawn Jones Glover Exceeded her authority by violating The General Assembly in including the specific requirements of section See FED. R. Civ. P. 53(b), 28 U.S.C. §§ 636(c)(1) & (c)(3). See 28 U.S.C. § 636(b)(2) 28 U.S.C. § 636(c)(4); 28 U.S.C. §636(c)(5), that must be satisfied before authority to Rule 28 U.S.C. §§ 636(c), the blind consent provision of 28 U.S.C. §636(c)(2) as The South Carolina Supreme Court has held, "The term 'shall' in a statute means that the action is mandatory. [See Also the Supreme Court ORDER) RE: Use of Remote Communication Technology by the Trial Courts¹Appellate Case No. 2021[See Also by Violating the Supreme Court ORDER) RE: Use of Remote Communication Technology by the Trial Courts¹Appellate Case No. 2021-**Id at**

Appendix 4,

¹ "According to past decisions of the Supreme Court, the primary reason for establishing procedural safeguards - once a life, liberty, or property interest is affected by government action - is to prevent inaccurate or unjustified decisions. In addition to notice and an opportunity to be heard, due process may include a hearing before an impartial person."

STATUTES INVOLVED

Fifth Amendment to the Constitution

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in

any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Fourteenth Amendment to the Constitution

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

STANDARD OF REVIEW

This is an appeal from the grant of a motion to dismiss for lack of Subject matter jurisdiction by violating The General Assembly in including the specific requirements of section See FED. R. Civ. P. 53(b), 28 U.S.C. §§ 636(c)(1) & (c)(3). See 28 U.S.C. § 636(b)(2) 28 U.S.C. § 636(c)(4); 28 U.S.C. §636(c)(5), that must be satisfied before authority to Rule 28 U.S.C. §§ 636(c), the blind consent provision of 28 U.S.C. §636(c)(2), the Courts of Appeals have unanimously upheld the constitutionality of 28 U.S.C. § 636(c).” Id. at 1948, as The South Carolina Supreme Court has held, "The term 'shall' in a statute means that the action is mandatory., Rule 12(b)(1), SCRPC. [See: Capital City Ins. Co. v. BP Staff, Inc., 382 S.C. 92, 99, 674 S.E.2d 524, 528 (Ct. App. 2009), Because the (“Probate Judge”), concerns a “dispositive” matter, this Court’s review 28 U.S.C. §

1291 vests federal courts of appeal with jurisdiction over “All final decisions of the Circuit courts See. Fed. R. Civ. P. 72(b)(3). See also 28 U.S.C. § 636(b)(1), CPC Patent Tech. Pty Ltd. v. Apple, Inc., 34 F.4th 801, 805 (9th Cir. 2022) Id at U.S.C. §636(c)(1)

STATEMENT OF ISSUES ON APPEAL

1. Did the Probate court have the authority under section 28 U.S.C. § 636(b)(1)(A)—i.e., authority to rule on); Fed. R. Civ. P. 72(b)(1) those that a magistrate judge may not decide without the parties’ consent— “are dispositive a that the magistrate judge here lacked consent from the parties to rule on dispositive matters neither the Hon, Pandora LaShawn Jones Glover, SC Bar #: 68567 (“Probate Judge.”) lack subject-matter jurisdiction. See 28 U.S.C. § 636(b)(2), under 28 U.S.C. § 636(c)(1), 28 U.S.C. §636(c)(2). is not authorize nor the district court otherwise complied with the requirements and 28 U.S.C. §§ 636(c)(1) & (c)(3). of the sections?
2. Did the Probate court Judge erred Under 28 U.S.C. § 636(c)(4); by not vacating the transfer “for good cause shown on its own motion, or under extraordinary circumstances shown by any party.” 28 U.S.C. § 636(c)(4); see also Fed. R. Civ. P. 73(b)(3). But § 636(c)(4)?
3. Did the Probate court clerk of court erred Under U.S.C. § 636(c)(2), and Rule 73(c).: by not sending the form AO 85A Notice, Consent, and Reference of a Dispositive Motion to a Magistrate Judge This notice provided that to consent to the jurisdiction of a special referee judge, a party must sign for the order of reference form and return it to the clerk’s office See Id at Appendix-2?

4. Appellants is not the object of the statute charged violated and when jurisdiction is challenged it must be proven. There is no evidence of jurisdiction established in the Record?

STATEMENT OF THE CASE

I. Factual and Procedural Background

Appellant Edward Riley last surviving heir of -legal heir of the late James Green who died on September 3, 1988 **Id at Appendix 5** Riley is in turn Inheritance. An heirs is the last surviving sibling who The entire Estate will go to from a father complete property Asset, Eartha Mae Cintron ("Green") Deceased legal heir of the late James Green who died on September 3, 1988 Id at **Appendix 5**, Eartha Mae Green Cintron. who died on November 30, 2023, Eartha Mae Green Cintron, the purpose of a deed is to pass title to land; it is the Appropriate method of making a voluntary transfer of real property in the lifetime of the grantor prescribed by law before any property or right could be passed on to the heirs. **Absent any probate, there can be no property transmission by virtue of a written instrument, even if said instrument was executed in accordance with law.** Deed was invalid June 12, 1963, January 2, 1979, by James Green to Eartha Mae Green Cintron, and whereas said deed

Dated gifted for sum of Five Dollars, her heirs and assigns, but was
Never probated in Orangeburg County Probate Court, [**See:**

Appendix 6

a. James Green who died on September 3, 1988

- This will though was never probated.

b. Deed was invalid June 12, 1963, Id at **Appendix 6**

- This will though was never probated.

c. Deed January 2, 1979,

- This will though was never probated

d. Eartha Mae Green Cintron. who died on November 30, 2023

- She left a Holographic (handwritten) Will
- This will though was never probated.

e. Rosalie C Cintron filed Intestate beneficiary. March 25, 2024,
Case No-2024ES3800207.

- This will though was never probated

Therefore, the Deed Absent any probate never transfer to the Estate
Of Eartha Mae Green Cintron, and Eartha Mae Green Cintron, the
Deed to the Property located at 493 A-D Lawton Rd Orangeburg, SC
29115, Map. Number -0173--08-10-004.001, Map Number: 017308
10004000, Remains in the original Property owner Name Mr. James

Green who died on September 3, 1988, and is still on the Deed Id at

Appendix 6,

In addition, Appellant hereby moves the Court pursuant to S.C. Code §15-65-10(1) for an Order appointing Edward Riley Appellant as - receivers over all of the James Green Assets (collectively, "the Subject

2 For purposes of these motion, the term "James Green Assets" means any or all of the James Green Assets (as defined herein) and all other assets, interests, real property, personal property, rights, chattel and any other thing whatsoever without limitation which has value or can be monetized for value that were or will be gifted, inherited by, sold or in any other manner transferred to Edward Riley from James Green or any other person, whether such transfer was direct or indirect, whether such transfer involved intermediary third persons that are alive, deceased, operating or defunct, whether such transferred assets are held, owned and/or controlled by James Green directly or indirectly and in whole or in part.

The grounds for the appointment of Edward Riley Receiver are that Appellant has an apparent interest in the Subject Assets, and the Subject Assets are in danger of being lost or materially injured or impaired. Therefore, the appointment of the receivers is just and proper in the instant circumstances, as described below. See S.C. Code §15-65-10.

Thus, the Supreme Court also Stated if a will is not probated but one of the heirs goes ahead with the sale of the inherited property on the basis of said written instrument that the sale be void.

There is good cause to believe the grounds for the injunction sought by Edward Riley are that irreparable injury, loss or damage will result in the absence of an injunction to this effect. Further, the

balance of the parties' respective equitable considerations clearly weighs in favor of granting temporary injunctive relief to prevent irreparable damage to Edward Riley ability to recover financial damages from these Respondent for his claims. Therefore, a temporary injunction is warranted pursuant to Rule 65, SCRCP and South Carolina caselaw.

S.C. Code §15-65-10(1) Before judgment, on the application of either party, when he establishes an apparent right to property which is the subject of the action and which is in the possession of an adverse party and the property, or its rents and profits, are in danger of being lost or materially injured or impaired, except in cases when judgment upon failure to answer may be had without application to the court;

Weighing the equities and considering Appellant likelihood of ultimate success on the merits, a preliminary injunction with an asset freeze, expedited discovery as to the existence and location of assets and documents, and other equitable relief is in the public interest;

See: S.C. Code Ann. § 62-2-106. Representation; disclaimer by intestate beneficiary. If representation is called for by this Code,

The estate is divided into as many equal shares as there are surviving heirs in the nearest degree of kinship and deceased persons in the same degree who left issue who survive the decedent each surviving heir in the nearest degree receiving one share and the share of each deceased person in the same degree being divided among his issue in the same. manners. If an interest created by intestate succession is disclaimed, the beneficiary is not treated as having predeceased the decedent for purposes of determining the generation at which the division of the estate is to be made.

When siblings are legally determined to be the surviving kin highest in the order of succession, they will inherit the assets in their Deceased sibling's Estate. And they inherit it equally. If there is One surviving sibling, the entire Estate will go to them. If there are four surviving siblings, each sibling will inherit 25% of the Estate.

1. Siblings of Late James Green.
2. Elizabeth Greene") Deceased
3. James Green Jr") Deceased
4. Yulee Green.) Deceased
5. Geneva Greene") Deceased
6. Thelma Dalrymple") Deceased
7. Eartha Mae Cintron ("Green") Deceased
8. Petitioner Edward Riley") surviving sibling

See: SC Code § 62-2-901(a)(c), Any person who intentionally or

fraudulently destroys, suppresses, conceals, or fails to deliver the will to the judge of the probate court having jurisdiction to admit it to probate, after being ordered by the court in a proceeding. brought for the purpose of compelling delivery, is subject to a penalty for contempt of court.

Before her death, her caretaker Ms. Eileen Moore. I Edward Riley came to see my sister on November 29 at 5pm, her caretaker Ms. Eileen Moore took pictures that afternoon of me and sister Eartha Mae Cintron ("Green") See: (¶¶ 18.19.) Id at **Appendix** , After the decedent died; her caretaker Ms. Eileen Moore found my sister. unresponsive. At 6:30 Am on November 30, 2023. Mr. Riley alleges that. prior to being notified. of his sister's death by Her caretaker Ms. Eileen Moore, I was already on my way to my sister's house. Also, I contacted. Rosalie C Cintron she Inform me to sit in the house with Ms. Eileen Moore to make sure of that. Her Mother's caretaker at the time of her Death. Ms. Eileen Moore was. Dealing decedent's death. In other words. Comfort her.

See: **In Wellin v. Wellin**, Judge David C. Norton predicted That South Carolina would adopt the intentional interference with

inheritance cause of action if faced with the question. 135
F.Supp.3d 502 (D.S.C. 2015). The court in Wellin articulated that
based on dicta. from the Supreme Court of South Carolina, the
adoption of the tort by 25 other states, the recognition of the tort by
treatises such as the Restatement (Second) of Torts, and relevant
South Carolina case law, intentional interference with inheritance
will be accepted as a valid cause of action in South Carolina

SUMMARY OF THE ARGUMENT

The Plaintiffs-Appellant for Review should be granted, and the case
Remanded Because Section 636 prescribes the jurisdiction of
("special referee.") judges. Subsection (b) relates to pretrial See
FED. R. Civ. P. 53(b) (limiting nonjury master appointments to
"exceptional" conditions); note 76 infra (construction of exceptional
conditions). These restrictions apply to magistrates serving as
special. Master's except when the parties' consent to the master
reference. 28 U.S.C. § 636(b)(2) (1976); see note 43 infra. Under
that provision, a district court may refer to certain pretrial 4 See
28 U.S.C. § 636(b)(1)(A) (providing "a judge may designate a
magistrate judge to hear and determine any pretrial matter
pending before the court," except in specified circumstances,
including "a motion . . . for summary judgment"). These limited

referrals do not require the consent of the parties. matters to a magistrate judge.¹ See 28 U.S.C. §636(b)(1)(A) (providing “Judge May designate a magistrate judge to hear and determine any pretrial matter pending before the court,” except in specified circumstances, including “a motion. . . for summary judgment”). These limited referrals do not require consent from the parties. Subsection 636(c) addresses referring to the entire case to the magistrate judges. Under that provision, a district court may refer the entire case to a magistrate judge, but only if all parties consent.² See 28 S.C. §636(c)(1) (empowering a magistrate judge to “Conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case” upon “consent of the parties”); *see also* Fed. R. Civ.P. 73(a) (providing that “a magistrate judge may, if all parties consent, conduct a civil action or proceedings. This case involves the referral of the entire case to the magistrate judge under §636(c). Section 636(c)(2) and Federal Rule of Civil Procedure 73 combine to provide the baseline procedure for obtaining consent to magistrate judge jurisdiction. Those procedures focus on the clerk of court—not the judges—to ensure consent is truly voluntary. See 28 U.S.C. §636(c)(2) (Explaining the purpose to protect “the voluntariness of the party’s ‘consent’”); Fed. R. Civ P. 73(b)(1) advisory committee’s notes to the

1983 amendments.

¹ “[A] the Supreme Court of South Carolina ADMINISTRATIVE ORDER The power of the circuit court to appoint a referee is governed by Rule 53 of the South Carolina Rules of Civil Procedure. Subsection (b) of the Rule provides only that "causes of action in a case" may be referred under the circumstances listed in the Rule. A discovery dispute is not a "cause of action." Thus, Rule 53(b) provides no authority for the order of reference in this case. In matters brought to our attention; the special referee appointed by the circuit court is typically a lawyer

² “The entitlement to an article III adjudicator is ‘a personal right’ and thus ordinarily ‘subject to waiver.’” *Wellness Intern. Network, Ltd. v. Sharif*, 575 U.S. 665, 678(2015). A party waives their right to adjudication by an article III judge by convention goer jurisdiction of a magistrate judge.

Both require the clerk of court to notify the parties of the magistrate judge’s availability to exercise jurisdiction under §636(c). The parties may then communicate with their consent to The clerk of court by “jointly or separately fil[ing] a statement consenting to the referral. Fed. R. Civ P. 73(b)(1). Only “if all parties have consented to the referral” may the clerks inform a district court judge or magistrate judge of a party’s response. And both §636(c) and Rule 73 permit the district court to remind the parties of the magistrate judge’s availability.³ Even after a case is referred entirely to a magistrate judge, the district court retains the ability

to vacate the referral. Section 636(c)(4) provides that a district court may vacate the transfer “for good cause shown on its own motion, or under extraordinary circumstances shown by any party.” *Id.* §636(c)(4); *see also* Fed. R. Civ. P. 73(b)(3). With that background in mind, STATE OF SOUTH CAROLINA, IN THE COURT OF COMMON PLEAS, COUNTY OF RICHLAND, at Richland County the Clerk of Court, Thus, Rule 53(b) provides no authority for the **Order of Reference** in this case. In matters brought to our attention, the Special referee appointed by the circuit court is Typically, a lawyer Violated the procedural history of this case.

ARGUMENT

Supreme Court of the United States **Kimberly v. Arms**: 129 U.S. 512 (1889, Holding a court may not, through appointment of a master or otherwise, "abdicate its duty to determine by its own judgment the controversy presented **See McCabe**, *The Federal Magistrate Act of 1979*, 16 Harv. J. Legis. 343, 364–79 (1979). In order to exercise this jurisdiction, a magistrate must be specially designated under 28 U.S.C. §636(c)(1) by the district court or courts, he serves 28 U.S.C. §636(c)(2) and is designed to ensure that neither the judge nor the magistrate attempts to induce a party to consent to reference of a civil matter under this rule to a

magistrate. **See House Rep. No. 96-444**, 96th Cong. 1st Sess. 8 (1979). The rule opts for a uniform approach in implementing the consent provision by directing the clerk to notify the parties of their opportunity to elect to proceed before a magistrate and by requiring the execution and filing of a consent form or forms setting forth the election. However, flexibility at the local level is preserved in that local rules will determine how notice shall be communicated to the parties, and local rules will specify the time period within which an election must be made See: U.S. Supreme Court decision in **Murphy Bros. v. Michetti Pipe Stringing, Inc.** that the due process clause entitles a named defendant to procedural protections. Such protection includes choosing between an Article I and an Article III judge, **See In re Prudential Ins. Co. America Sales Practice Litig. Agent**, 278 F.3d 175, 181 (3d Cir.2002). Was Bad faith being a necessary predicate for a court to use its inherent authority, an untrue Statement is made in bad faith if the statement was made for a harassing or frivolous purpose. **Byrne v. Nezhad**, 261 F.3d 1075, 1125 (11th Cir. 2001). Bad faith can be inferred where an Attorney knowingly and deliberately makes blatantly incorrect

statements. **See Crowe v. Smith**, 151 F.3d 217, 239 (5th Cir. 1998) (Finding adequate support in the record for the conclusion that an attorney acted in bad faith in providing “Blatantly incorrect discovery response” counsel Knew to be untrue at that the time it was offered). **See State v. Jeroid J. Price, 28177 (S.C. 2023), Smith v. Ocean Lakes Family Campground**, 315 S.C. 379, 381, 433 S.E.2d 909, 910 (Ct.App.1993) After The master has Exercised that authority, the order of reference terminates, and the power to Dispose Of the case returns to the circuit courts. Id **see also Cox v. Fleetwood Homes of Ga., Inc.**, 329 S.C. 157, 161, 494 S.E.2d 462, 464 (Ct.App.1997) (“[O]nce the Judge issues a ruling disposing of the case, his jurisdiction of the Matter, except for the correction of merely clerical Errors, end[s] **Barnett v. Piedmont Shirt Corp.**, 230 S.C. 34, 38,94 S.E.2d 1, 3 (1956), cert. Pending. A master who acts after the reference Terminates does so without subject Matter jurisdiction, and the resulting Orders are void. **Bunkum v. Manor Properties**, 321 S.C. 95, 99, 467 S.E.2d 758, 761 (Ct.App.1996), (After the master Had entered final judgment, He Had no subject matter jurisdiction to hear the Motion for

assessment of costs, Fees, expenses and damages against an appeal Bond.). Issues relating to subject Matter jurisdiction may be raised at any time, cannot be waived even by consent and should be taken notice of by this court on Our own motion, **See Johnson v. State**, 319 S.C. 62, 64, 459 S.E.2d 840, 841(1995) 18. **See: Scheuer v. Rhodes**, 416 U.S. 232, 94 Sc.D. 1683, 1687 (1974) Note: By law, A judge is a state officer. The judge then acts not as a judge, but as a private individual (in his person). When A judge acts as a trespasser of the law, when a judge does not follow the law, the Judge loses subject-matter jurisdiction and the judges' orders are not voidable, but VOID, and of no legal force or effect. The U.S. Supreme Court stated that "when a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the Supreme authority of the United States. **See Janove v. Bacon**, 6 Ill. 2d 245, 249, 218 N.E.2d 706, 708 (1955). Where service of

process was not made pursuant to statute and Supreme Court Rules, See City of Columbia v. S.C. Pub. Serv. Comm'n, 242 S.C. 528, 532, 131 S.E.2d 705, 707 (1963) ("A writ of certiorari is used to keep an inferior tribunal within the scope of its powers." (Citing *Ex parte Schmidt*, 24 S.C. 363, 364 (1886); *State ex rel. Martin v. Moore*, 54 S.C. 556, 560, 32 S.E. 700, 701 (1899))); State v. Ansel, 76 S.C. 395, 412, 57 S.E. 185, 191 (1907) ("The Writ of certiorari is issued by a superior Court to an inferior judicial or quasi-judicial tribunal or officer to certify the record of trial to the superior Court for its review to ascertain whether the inferior tribunal exceeded its powers, or committed Substantial errors of law, but not to review the facts." (Citing *Ex parte Riggs*, 52 S.C. 298, 302, 29 S.E. 645 646 (1898). *See State ex rel. McLeod v. Cnty. Ct. of Richland Cnty.*, 261 S.C. 478, 481, 200 S.E.2d 843, 844 (1973) ("The matters involved in this opinion is before the Court as A result of writs of *certiorari*, issued by the Chief Justice, ordering the Richland County Court to certify and return to this Court true copies of all Records- also See in Davis v. Wechler, 263 U.S. 22, 24; Stromberb v. California, 283 U.S. 359; NAACP v. Alabama, 375 U.S. 449 "The assertion of federal rights,

when plainly and reasonably made, are not to be defeated under the name of local practice." also **See Elmore v. McCammon** (1986) 640 F. Supp. 905 "... the right to file a lawsuit pro 'se is one of the most important rights under the constitution and laws." **Haines v. Kerner**, 404 U.S. 519 (1972), "Allegations such as those asserted By petitioner, however in artfully pleaded, are sufficient"... "which we hold to less stringent standards than formal pleadings drafted by lawyers." **Hagans v Lavine** 415 U. S. 533. "A judgment rendered by a court without personal jurisdiction over the defendant is void. It is a nullity." **Poindexter v. Greenhow**, 114 U.S. 270, 303 (1885). **Brady v. U.S.**, 397 U.S. 742, 748, (1970)"Waivers of Constitutional Rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness." **Cooper v. Aaron**, 358 U.S. 1, 78 S. Ct. 1401 (1958). "No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it." The constitutional theory is that we the people are the sovereigns, the state and federal officials only our agents." "The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is an artificial entity which owes its existence and charter powers to the state; but the individual's rights to live and own property are natural rights for the

enjoyment of which an excise cannot be imposed." **Alexander v. Bothsworth**, 1915. "Party cannot be bound by contract that he has not made or authorized. Free consent is an indispensable element in making valid contracts." also **See HALE V. HENKEL** 201 U.S. 43 at 89 (1906) **Hale v. Henkel** is binding on all the courts of the United States of America until another Supreme Court case says it isn't. No other Supreme Court case has ever overturned **Hale v. Henkel** None of the various issues of **Hale v. Henkel** has ever been overruled since 1906, **Hale v. Henkel** has been cited by the Federal and State Appellate Court systems over 1,600 times! In nearly every instance when a case is cited, it has an impact on precedent authority of the cited case. Compared with other previously decided Supreme Court cases, no other case has surpassed **Hale v. Henkel** in the number of times it has been cited by the courts. "The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government." **in Monroe v. Pape** (1961), the U.S. Supreme Court clarified that Section 1983 applies even in cases where state laws or remedies are available. This ruling emphasized that Section 1983 was intended to provide a federal remedy independent of state-level protections, thereby ensuring that individuals had recourse in federal courts when state courts might be inadequate or biased. See **Cpc Patent Technologies Pty Ltd v. Apple**, Inc., No. 21-16212

(9th Cir. 2022), But when a magistrate judge issues a report and recommendation on a dispositive matter, a district judge must "Make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* § 636(b)(1)(C); *see also*. Fed. R. Civ. P. 72(b)(3), also See **SEC v. CMKM** Diamonds, Inc., 729 F.3d 1248, 1260 (9th Cir. 2013) A decision that effectively denies "the ultimate relief sought" by a party or disposes of "any claims or defence's" is dispositive. *Flam v. Flam*, 788 F.3d 1043, 1046 (9th Cir. 2015) (quoting *United States v. Reyna-Tapia*, 328 F.3d 1114, 1118 (9th Cir. 2003) (en banc)). When a magistrate judge rules on a non-dispositive matter, a district judge may "reconsider" that ruling only if it is "Clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); accord Fed. R. Civ. P. 72(a). But when a magistrate judge issues a report and recommendation on a dispositive matter, a district Judge must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* § 636(b)(1)(C); *see also* Fed. R. Civ. P. 72(b)(3). See *Flam v. Flam*, 788 F.3d 1043, 1046 (9th Cir. 2015) (quoting *United States v. Reyna-Tapia*, 328 F.3d 1114, 1118 (9th Cir. 2003) (enbanc)). When a magistrate judge rules on a non-dispositive matter, a district judge may "reconsider" that ruling only if it is "Clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A);

accord Fed. R. Civ. P. 72(a). But when a magistrate judge issues a report and recommendation on a dispositive matter, a district judge must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." Id. § 636(b)(1)(C); see also Fed. R. Civ. P. 72(b)(3). Also **See Wellness Intern. Network, Ltd. v. Sharif**, 575 U.S. 665, 678 (2015). A party waives Their right to adjudication by An article III judge by consenting to the jurisdiction of a magistrate judge. Both require the clerk of court to notify the parties of the magistrate judge's availability to exercise jurisdiction under § 636(c). The parties may then communicate with their consent to the clerk of court by "Jointly or separately fil[ing] a statement consenting to the referral." Fed. R. Civ P. 73(b)(1). Only "if all parties have consented to the referral" may the clerks inform a district court judge or magistrate judge of a party's response. And both § 636(c) and Rule 73 permit the district court to remind the parties of the magistrate judge's availability even after a case is referred entirely to a magistrate judge, the district court retains the ability to vacate the referral Section 636(c)(4) provides that a district court may vacate the transfer "for good cause shown on its own motion, or under extraordinary circumstances shown by

any party.” Id. § 636(c)(4); see also Fed. R. Civ. P. 73(b)(3). With that background in mind, Appellant Edward Riley requested the procedural history of this case. That this matter be Followed by the Court in order to ensure that all statutory rights and procedures are followed correctly, See: **SC Code Ann. § 14-3-310 (2012)**, the Supreme Court shall have the power to issue writs or orders of injunction, Mandamus, quo warranto, prohibition, certiorari, habeas corpus and other remedial and original writs. See: **S.C. Code Ann. § 22-3-20 (2023)**, Civil actions in which magistrate has no jurisdiction. Also See: **S.C. Const. art. I, § 9** All courts shall be public, and every person shall have speedy remedy therein for wrongs sustained. (1970 (56) 2684; 1971 (57) 315.), Also See: S.C. R. Civ. P. 17 **(a)** Real Party in Interest. Every action shall be prosecuted in the name of the real party in interest. An executor, administrator, guardian, bailee, trustee of an express trust, a party with whom or in whose name a contract has been made for the benefit of another, or a party authorized by statute may sue in his own name without joining with him the party for whose benefit the action is brought, and when a statute so, provides is mandatory under S.C. R. Civ. P. 17 (a), To have standing, one

must have a personal stake in the subject matter of the lawsuit. i.e., one must be the "real party in interest." E.g., **Bailey v. Bailey**, 312 S.C. 454, 441 S.E.2d 325 (1994). A real party in interest is one who "has a real, actual, material or substantial interest in the subject matter of the action, as distinguished from one who has only a nominal, formal, or technical interest in, or connection with, the action." Id. at 458, 441 S.E.2d at 327, [Also See **S.C. Constitution Article V, § 16: Compensation of Justices and Judges. practice of law and dual office holding**. The Justices of The Supreme court and the judges of the Court of Appeals and Circuit Court shall Each receive compensation for their services to be fixed by law, which shall not. be diminished during the term. They shall not, while in the office, engage in the practice of law, hold office in a political party, or hold any other office or position of profit under the United States, the State, or its political subdivisions except in the militia, nor shall they be allowed any fees or perquisites of office. Any such Justice or judge who shall become a candidate for a popularly elected office shall there by forfeit his judicial office. ***Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution. United States v. Sciuto***, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based,

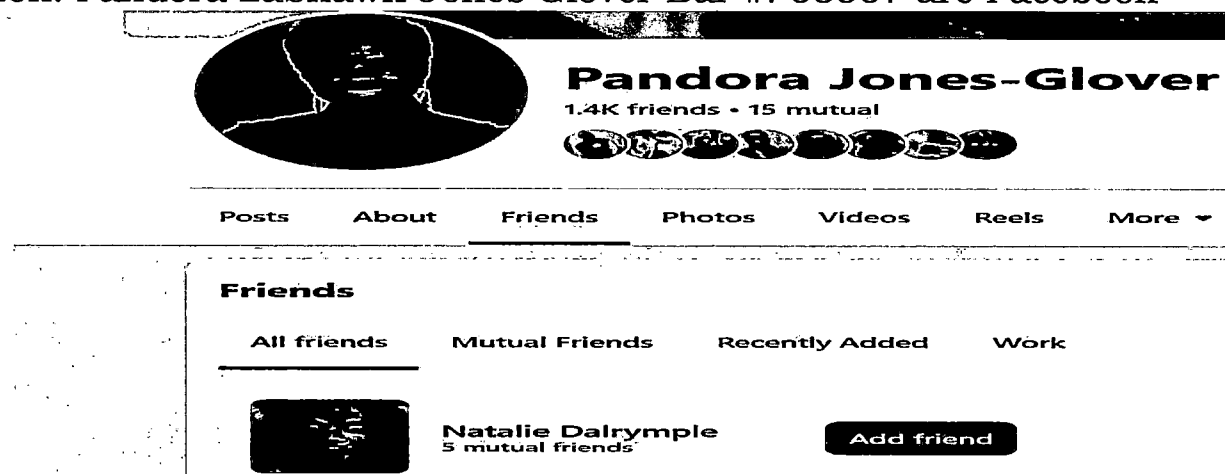
not on section 144, but on the Due Process Clause."). **Should a judge issue any order after he has been disqualified by law, and if the party has been denied of any of his / her property, then the judge may have been engaged in the Federal Crime of "interference with interstate commerce"**. The judge has acted in the judge's personal capacity and not in the judge's judicial capacity. It has been said that this judge, acting in this manner, has no more lawful authority than someone's next-door neighbor (provided that he is not a judge). However, some judges may not follow the law. The Current venue violates procedure. If for any reason, clerical or otherwise, the case is being handled by the wrong court or a court with no jurisdiction, the venue may be changed to a more suitable court in a different location Once the sufficiency of the affidavit is determined, such that belief that a fair trial cannot be obtained is justified, a change of venue is mandatory (**Browning Manufacturing Co. v. Brunson**, 187 S.C. 278, 197 S.E. 311 (1938), and all the papers relating to the action should be turned over to the nearest magistrate in the county who is not disqualified from hearing the case, so that he may proceed as if the action had been originally filed with him. Section 22-3-920 points out specifically, that only "one such transfer" shall be allowed. each party in any case." Changes of venue may be sought for a variety of reasons, from emotional causes of action preventing the drawing of

an impartial jury to the personal knowledge or involvement of the magistrate before whom the action was brought, but in every case, the change should only be granted where reasons sufficient to justify a belief that a fair trial is not possible are alleged in the affidavit, See Rule 18. CONFLICTS OF INTEREST In case of a conflict of interest or disqualification of a circuit chair and any co-chair in a given case, the circuit chair shall request assistance from the chair in another circuit and transfer the case to that circuit.

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.

(g) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.

Attorneys Ms. Natalie Dalrymple Bar#:102940, and Attorneys/Judge Hon. Pandora LaShawn Jones Glover Bar #: 68567 are Facebook



Friends and Delta Sigma Theta Sorority Inc. Sisters: strict proof

Therefore, the judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this language [455(a)] imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed." Balistreri, at 1202. This is a claim for violation of Appellants civil rights as Protected By the Constriction and laws of the United States Under. S.C. §§ 983,1985, And 1986, 42 U.S.C. § 1988, However, since not all judges keep up to date in the law, and since not all judges follow the law, it is possible that a judge may not know the ruling of the U.S. Supreme Court and the other courts on this subject. Notice that it states, "disqualification is required" and that a judge "must be disqualified" under certain circumstances. Hon, Pandora L Jones-Glover Judge, South Carolina

Probate Court

1. See: LPS Real Estate Group Inc-Bloomberg
2. See: Hon. Pandora L Jones-Glover- Bloomberg.com
3. See: Industries: Real Estate – Bloomberg
4. LPS Default Solutions Inc- Bloomberg

5. I MOVE TO DISQUALIFY Hon. Pandora LaShawn Jones Glover Attorney SC Bar #: 68567, and dual as the Probate Judge in this Processing, See: S.C. Constitution Article V, § 16: Compensation of Justices and Judges. practice of law and dual office holding, "The Court Take Judicial Notice the Supreme Court of South

Carolina ADMINISTRATIVE ORDER The power of the circuit court to appoint a referee is governed by Rule 53 of the South Carolina Rules of Civil Procedure. Subsection (b) of the Rule provides only that "causes of action in a case" may be referred to under the circumstances listed in the Rule. A discovery dispute is not a "cause of action." Thus, Rule 53(b) provides no authority for the order of reference in this case. In matters brought to our attention, the Special referee appointed by the circuit court is typically a lawyer.

6. I MOVE TO DISQUALIFY Hon. Pandora LaShawn Jones Glover Attorney SC Bar #: 68567/ Real Estate, Hon. Pandora LaShawn Jones Glover Bloomberg .com, See: Industries: Real Estate – Bloomberg (**See Exhibit 3** Judges, /Attorney, lack subject-matter. jurisdiction ("Judge Glover") as judge in this Case,

7. I MOVE TO DISQUALIFY Hon Pandora LaShawn Jones Glover **28 U.S.C. § 455(a)** Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

a. 28 U.S.C. § 455(b) He shall also disqualify himself in the following circumstances:

b. 28 U.S.C. § 455(1) Where he has a personal bias Or prejudice concerning a party, or personal knowledge of disputed

evidentiary facts concerning the proceeding.

c. 28 U.S.C. § 455(2) Where in private practice he Served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

d. 28 U.S.C. § 455(3) Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy.

e. 28 U.S.C. § 455 (i) Is a party to the proceeding, or An officer, director, or trustee of a party.

f. 28 U.S.C. § 455 (ii) Is acting as a lawyer in the proceeding.

g. 28 U.S.C. § 455 (iii) Is known by the judge to have An Interest that could be substantially affected by the outcome of the proceeding.

h. 28 U.S.C. § 455 (d) For the purposes of this section the following words or phrases shall have the meaning

indicated:

i. 28 U.S.C. § 455 (d) (1) "proceeding" includes Pretrial, trial, appellate review, or other stages of litigation.

j. 28 U.S.C. § 455 (d) (2) the degree of relationship is calculated according to the civil law system.

k. 28 U.S.C. § 455 (d) (3) "fiduciary" includes such relationships as executor, administrator, trustee, and guardian.

l. 28 U.S.C. § 455 (d) (4) "financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or another active participant in the affairs of a party, excepted that:

CONCLUSION

mandatory under section 28 U.S.C. § 636(b)(1)(A)"—i.e., authority to rule on); Fed. R. Civ. P. 72(b)(1) those that a magistrate judge may not decide without the parties' consent— "Are dispositive Hon. Pandora LaShawn Jones Glover SC Bar # : 68567, as Probate judge ("Probate judge"), here lacked consent from the parties to rule on dispositive matters neither the Pursuant to Rules 53(b) of the South Carolina Rules of Civil Procedure, without the parties' consent to the master reference. 28 U.S.C. § 636(b)(2), Hon.

pandora LaShawn Jones Glover SC Bar #: 68567, as (“Probate judge.”) lack subject-matter jurisdiction. See 28 U.S.C. § 636(b)(2), under 28 U.S.C. § 636(c)(1), 28 U.S.C. §636(c)(2). is not authorized in the case **No. 2025-000642** in this action [See: Appendix-1, See 28 U.S.C. § 636(b)(2) (1976), (Magistrate Probate judge appointment). Appointment of special Master’s to hear entire cases or evidence on key motions is tightly Restricted. See FED. R. Civ. P. 53(b) (Limiting nonjury master Appointments to "exceptional" conditions); note 76 infra (construction of exceptional conditions). These restrictions apply to magistrates serving as special Master’s except when the parties’ consent to the master Reference. 28 U.S.C. § 636(b)(2) (1976); see note 43 infra. [**See: Appendix-1**, otherwise complied with the requirements and 28 U.S.C. §§ 636(c)(1) & (c)(3). of the sections and Under 28 U.S.C. § 636(c)(4); by not vacating the transfer “for good cause shown on its own motion, or under extraordinary circumstances shown by any party.” 28 U.S.C. § 636(c)(4); see also Fed. R. Civ. P. 73(b)(3). But § 636(c)(4) error. Under U.S.C. § 636(c)(2), and Rule 73: by not sending the form AO 85A Notice, Consent, and Reference of a Dispositive Motion to

A Magistrate Judge This notice provided that to consent to the jurisdiction of a magistrate judge, a party must sign the form and return it to the clerk's office, A record must be made in accordance with 28 U.S.C. §636(c)(5). error. Appellants ask this court to enter findings of fact, and conclusions of law based upon the record, consistent with the holding in **No. 2025-000642** and to reverse and Vacate, Hon. Pandora LaShawn Jones Glover SC Bar #: 68567, as Probate judge /Attorney fundamentally failed to follow the law. without satisfying any of the requirements set forth in the statute. The General Assembly in including the specific requirements of section See FED. R. Civ. P. 53(b), 28 U.S.C. §§ 636(c)(1) & (c)(3). See 28 U.S.C. § 636(b)(2) 28 U.S.C. § 636(c)(4); 28 U.S.C. §636(c)(5), that must be satisfied before authority to Rule 28 U.S.C. §§ 636(c) as South Carolina Supreme Court has held, "The term 'shall' in a statute means that the action is mandatory, Appellant Edward Riley a change of venue is mandatory (Browning Manufacturing Co. v. Brunson, 187 S.C. 278, 197 S.E. 311 (1938), and all the papers relating to the action should be turned over to the nearest magistrate in the county who is not

APPENDIX-1

(Hon, Pandora Jones-Glover Order)

APPENDIX-2
(AO 85A (Notice, Consent))

UNITED STATES DISTRICT COURT
for the

_____)
Plaintiff)
v.) Civil Action No.
_____)
Defendant)

NOTICE, CONSENT, AND REFERENCE OF A DISPOSITIVE MOTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings and enter a final order dispositive of each motion. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have motions referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's consideration of a dispositive motion. The following parties consent to have a United States magistrate judge conduct any and all proceedings and enter a final order as to each motion identified below (identify each motion by document number and title).

Motions: _____

<i>Printed names of parties and attorneys</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Reference Order

IT IS ORDERED: The motions are referred to a United States magistrate judge to conduct all proceedings and enter a final order on the motions identified above in accordance with 28 U.S.C. § 636(c).

Date: _____

District Judge's signature

Printed name and title

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.

Print **Save As...** **Reset**

APPENDIX-3

(The Supreme Court ORDER)

**RE: Use of Remote Communication Technology
by the Trial Courts¹ Appellate Case No. 2021-001032**

The Supreme Court of South Carolina

RE: Use of Remote Communication Technology by the Trial Courts¹

Appellate Case No. 2021-001032

ORDER

(a) Purpose. Pursuant to Rule 612 of the South Carolina Appellate Court Rules (SCACR), this Court may provide for the use of remote communication technology by the courts of this State to conduct proceedings, including, but not limited to trials, hearings, guilty pleas, discovery, grand jury proceedings, and mediation or arbitration under the South Carolina Court-Annexed Alternative Dispute Resolution Rules. The purpose of this order is to provide guidance on the use of remote communication technology by the trial courts, including appellate proceedings before the circuit court. Although this Court continues to believe the vast majority of proceedings should be conducted in person, utilizing remote communication technology to conduct certain court proceedings may preserve limited resources, reduce travel and wait times for parties, increase courtroom safety and security, and permit courts to conduct proceedings during emergencies where the travel to or the conduct of in-person proceedings may be difficult.

While this order addresses some specific types of matters, it is impossible for it to address every type of matter that can possibly come before a trial court. For matters not specifically addressed in this order, judges should consider the general guidance along with how this order deals with similar matters to determine if a particular use of remote communication technology is appropriate.

¹ This order was initially issued on August 27, 2021. A September 21, 2021 order amended sections (d)(9) and (d)(15) of that order. The February 19, 2025 amendments eliminate prefatory language based on the passage of time, provide instructions about the proper conduct of these proceedings, and clarify when judges have discretion to conduct proceedings using Remote Communication Technology in certain civil proceedings without the consent of all parties.

When this order indicates that a proceeding may be conducted in whole or part using remote communication technology, it means that the use of remote communication technology can range from allowing a single person, such as a witness or other participant in the proceedings, to participate by remote means, to a proceeding in which all of the participants (judge, counsel, parties, witnesses, etc.) are participating by remote means, or anything in between.

(b) Definitions. For the purpose of this order:

(1) Judge: a judge of the circuit court, family court, probate court, magistrate court and municipal court, including masters-in-equity and special referees.

(2) Remote Communication Technology (RCT): technology such as video conferencing and teleconferencing which allows audio and/or video to be shared at differing locations in real time. This can range from a telephone call or conference call which provides only audio to sophisticated software products like WebEx, Zoom or Microsoft Teams which allow both audio and video to be shared. When this order refers to using RCT, Enhanced Remote Communication Technology (ERCT) may be used instead.

(3) Enhanced Remote Communication Technology (ERCT): a form of RCT such as WebEx, Zoom and Microsoft Teams which allows audio and video to be shared at differing locations in real time. When this order indicates ERCT is to be used, that form of RCT must be used.

(4) Trial Court: the circuit court (including masters-in-equity court), family court, probate court, magistrate court and municipal court.

(c) General Guidance Regarding Use of RCT.

(1) Discretion of Judges. In various provisions of this order, the decision to allow RCT to be used rests in the discretion of the judge. Even when the language in this order indicates RCT may be used or the parties request it be used, the facts and circumstances in a particular case or matter may indicate that the use of this technology is inappropriate. To some extent, the exercise of this discretion will necessarily be influenced by the technical skill of the judge, attorneys, self-represented litigants, other case

participants and any supporting staff who will be using this technology. Finally, for some proceedings, this order may restrict this discretion. For example, this order may indicate that certain proceedings must be conducted using ERCT. Another example is that for some types of proceedings, especially certain criminal proceedings, the consent of the parties or a sufficient justification must exist before RCT of any type may be used.

(2) Constitutional Rights of Parties. In the absence of a waiver, judges should not allow RCT to be used in a manner which would violate the rights of a party under the either the State or Federal Constitution.

(3) Victims' Rights. Victims' rights under Article I, Section 24 of the South Carolina Constitution and Article 15 of Chapter 3 of Title 16 of the South Carolina Code of Laws must be honored when RCT is used to conduct court proceedings. Nothing in this order shall be construed as preventing a judge, in the exercise of discretion, from allowing a victim to hear and/or view a proceeding or trial by RCT.

(4) Public Access. When a hearing, trial or other court proceeding is of a nature that it would normally be open to the public, the judge should take reasonable measures to provide public access to the portion of the proceeding that is being conducted using RCT. When a portion of a proceeding is being conducted in a courtroom open to the public, this requirement is satisfied if the testimony presented using RCT can be heard by any observers in the courtroom. In other situations, this may be accomplished by other methods such as live streaming the proceeding over the internet, broadcasting the proceeding at a publicly accessible room at a courthouse or other facility, or utilizing a process that permits members of the public to view and/or listen to the proceedings.

(5) Use of ERCT. Even when the use of ERCT, an enhanced form of RCT, is not required by this order, judges should consider using ERCT when the ability to both see and hear the persons participating remotely will assist in reaching a resolution of the matter under consideration.

(6) Authority; Consent of the Parties. In non-criminal matters, the judge, on motion of a party or on the judge's own initiative, may permit or require a proceeding to be conducted using RCT unless the judge finds the use of RCT would be likely to cause substantial prejudice to a party or

adversely affect the fairness of the proceeding. However, even when the parties have consented to or requested the use of RCT in a proceeding, the judge may find it is inappropriate to use RCT based on the specific facts and circumstances of the case, including, but not limited to, the number of parties in the case, the number of witnesses expected to testify, the complexity of the legal issues involved, or where a party may lack the means or ability to participate by RCT. A judge may not order a proceeding be conducted by RCT without obtaining the consent of the parties in cases where State or Federal Constitution or this order so requires.

(7) Attorney-Client Communications. If the use of RCT results in the attorney and the client being at different locations, a means must be available for the attorney and client to communicate confidentially while RCT is being used. This could be done outside of the RCT software using telephonic or text communication, and judges should allow persons to possess cell phones or other electronic devices in the courtroom when necessary for this purpose. Further, this private communication may be possible using the features of the RCT software, such as virtual breakout rooms. In any event, it is the responsibility of the attorney to ensure that an adequate method of communication is available.

(8) Recording Remote Proceedings. Other than the judge or court staff assisting the judge, no person shall record any court proceedings which are conducted using RCT except when the recording is authorized by the judge under Rule 605, SCACR.

(9) Conducting Remote Proceedings to Facilitate Transcript Preparation in Courts of Record. Where a court reporter or court monitor is unavailable, the judge shall conduct the RCT proceedings in a manner that will allow a court reporter to create a transcript at a later date. This would include, but is not limited to, making sure the names and spelling of all of the persons speaking or testifying are placed on the record; ensuring exhibits or other documents referred to are clearly identified and properly marked; controlling the proceeding so that multiple persons do not speak at the same time; and noting on the record the start times and the time of any recess or adjournment.

(10) Remote Administration of Oaths. Where this order authorizes a hearing, trial or other matter to be conducted by RCT, any oath necessary

during that hearing, trial or other matter may be administered using RCT. While it is preferable that the person administering the oath have both audio and visual communication with the person taking the oath, the oath may be administered if only audio communication is available, provided the person administering the oath can reasonably verify the identity of the person taking the oath. Notaries who are authorized to administer oaths may administer oaths utilizing RCT in the case of depositions. Nothing in this order shall be construed as authorizing remote administration of oaths for any other purpose than those contained in this order. For the purpose of this provision, the term "oath" includes an affirmation.

(11) Powers and Decorum; Direct Contempt.

(A) Powers and Decorum. Proceedings conducted using RCT shall have the same effect as if all of the participants had been physically present in the courtroom to the extent practicable and possible. Any remote location(s) from which participants appear shall be considered extensions of the courtroom. The judge's pronouncements, instructions, and rulings shall have the same force and binding effect as if all participants had been physically present in the courtroom. Participants—especially judges, lawyers, and court personnel—should wear the same professional attire they would in a courtroom and follow ordinary courtroom protocol to the extent practicable.

(B) Contempt. For the purpose of any direct contempt, a person participating by RCT shall be deemed to be in the presence of the judge.

(12) Exhibits. In the event an exhibit is to be introduced during the course of a proceeding conducted using RCT, the party introducing the exhibit must ensure that the judge, the other parties and counsel, and any court reporter all have a copy of the exhibit prior to the time it is introduced. This copy may be provided in paper or electronically. Nothing in this order shall be construed as preventing a judge from requiring the original of an exhibit to be presented to the court.

(d) Guidance as to Specific Proceedings and Other Matters.

(1) County Grand Jury Proceedings. The Solicitor or the Attorney General is authorized to present an indictment to the grand jury using RCT, and any necessary oath may be administered using RCT (see section (c)(10) above). Consistent with the law regarding the secrecy of county grand jury proceedings,² any recording feature in the RCT must not be used, and the person presenting testimony by RCT must be warned that no recording of any of the proceedings before the grand jury can be made.

(2) South Carolina Court-Annexed Alternative Dispute Resolution Rules (SCADR). RCT and ERCT may be used for Online Dispute Resolution under Rule 5(h), SCADR.

(3) Discovery in Civil Cases. The parties in a civil case may agree to use RCT to conduct any discovery under the South Carolina Rules of Civil Procedure. Further, in the exercise of discretion, a judge may require discovery in a case to be conducted using RCT, and may direct that ERCT be used.

(4) Arrest and Search Warrants. An officer seeking the issuance of an arrest warrant or search warrant may appear before a judge using RCT. During this appearance, the judge may administer the oath to the officer (see section (c)(10) above) and, if appropriate, may take sworn testimony to supplement the allegations in the warrant. The judge shall make a notation on the warrant indicating the oath was administered remotely and the officer was not available to sign the warrant in the presence of the judge. If probable cause is found, the judge shall sign the warrant and return the warrant to the officer for execution. While the officer may sign the warrant when it is returned, the failure to do so shall not affect the validity of the warrant. The warrant may be transmitted to the judge and returned to the officer by e-mail, fax or other electronic means. For the purpose of this section, the term "search warrant" shall also include applications under the South Carolina Homeland Security Act, S.C. Code Ann. §§ 17-30-10 to - 145.

² *Ex parte McLeod*, 272 S.C. 373, 377-78, 252 S.E.2d 126, 128 (1979) (In a case involving a county grand jury, the Court stated "the investigation and deliberations of a grand jury should be conducted in secret, and that for most intents and purposes all its proceedings are legally sealed against divulgence" and "the presence or use of a court stenographer in proceedings before the grand jury is likewise not permissible.").

(5) Determination of Probable Cause Following Warrantless Arrest. If after considering the affidavit submitted to support a warrantless arrest, a judge determines it is appropriate to supplement the affidavit with sworn testimony, a judge may take the testimony using RCT and administer the oath (see section (c)(10) above).

(6) Bail Hearings in Criminal Cases. At the discretion of the judge, a hearing to set bail, modify the terms of bail or to revoke bail for a criminal defendant may be conducted in whole or part using RCT.

(7) Preliminary Hearings. With the consent of the defendant and the representative of the State, a preliminary hearing may be conducted using RCT. Further, even without consent, a judge may allow a witness to testify at a preliminary hearing using RCT if the judge finds there is sufficient justification to do so.

(8) Defense of Persons and Property Act. A hearing under the Defense of Persons and Property Act (S.C. Code Ann. §§ 16-11-410, 16-11-440(C), and 16-11-450) can have far reaching consequences not only on the criminal case itself, but also on the civil remedies available to the victim. In light of this, any use of RCT in these hearings shall be limited to that provided by section (d)(12) below for non-jury trials.

(9) Guilty Pleas.

(A) General Rule. Except as provided in (B) below, the judge, the defendant, any counsel for the defendant, and the prosecutor must be physically present in the courtroom during a guilty plea. A judge may allow another person, including but not limited to a victim, interpreter, or law enforcement officer, to participate in the guilty plea by RCT. Once the plea has been accepted, the use of RCT in sentencing is governed by section (d)(13) below.

(B) Incarcerated Defendants. If the defendant is in pretrial confinement or other incarceration, the judge may, with the consent of the parties, conduct a guilty plea in whole or part using RCT. The consent shall be placed on the record during the proceedings.

(10) Trials in General. As a general rule, trials, whether jury or non-jury, should be conducted with all the necessary participants (i.e., judge, jury (if applicable), criminal defendant, counsel, self-represented litigant, etc.) being present in the courtroom, with witnesses appearing in the courtroom to testify. In addition to being consistent with our longstanding practice and tradition in this State, this Court continues to believe there is great value in conducting trials live and in-person. In light of this, the following provisions relating to jury and non-jury trials restrict the use of RCT in these trials.

(11) Use of RCT in Jury Trials.

(A) If all the parties consent, the judge may allow a witness to testify using ERCT. The consent shall be placed on the record and, in a criminal case, the judge must question the defendant to ensure this consent is being made knowingly and intelligently.

(B) Without the consent of the parties, a judge may allow a witness to testify using ERCT if the judge finds there is sufficient justification to do so. In a criminal case, this justification must rise to a level to satisfy the standard established by *Maryland v. Craig*, 497 U.S. 836 (1990).³

(12) Use of RCT in Non-Jury Trials.

(A) If all the parties consent, the judge may allow a non-jury trial to be conducted in whole or part using RCT or ERCT. The consent shall be placed on the record and, in a criminal case, the judge must question the defendant to ensure this consent is being made knowingly and intelligently.

³ "That the face-to-face confrontation requirement is not absolute does not, of course, mean that it may easily be dispensed with. As we suggested in *Coy* [*v. Iowa*, 487 U.S. 1012, at 1021 (1988)], our precedents confirm that a defendant's right to confront accusatory witnesses may be satisfied absent a physical, face-to-face confrontation at trial only where denial of such confrontation is necessary to further an important public policy and only where the reliability of the testimony is otherwise assured." *Craig*, 497 U.S. at 850.

(B) Without the consent of the parties, a judge may allow a witness to appear by ERCT if the Court finds there is an adequate justification for allowing the witness to testify by ERCT. In criminal cases, this justification must rise to a level to satisfy the standard established by *Maryland v. Craig*, 497 U.S. 836 (1990) (see footnote 3).

(13) Criminal Sentencing.

(A) **Non-Capital Cases.** Consistent with the broad discretion given to judges in sentencing,⁴ a judge may allow testimony or other information to be presented using RCT during sentencing in a non-capital case.

(B) **Capital Cases.** In capital sentencing proceedings, the use of RCT shall be limited to that provided by section (d)(11) above if sentencing involves a jury, or by section (d)(12) above if sentencing is by a judge without a jury.

(14) **Other Proceedings.** Except for those proceedings addressed in other sections of this order, judges may, in their discretion, use RCT, either in whole or part, for pretrial proceedings. This includes, but is not limited to, hearings on motions, proceedings on procedural matters such as rights advisements or waivers of those rights, and status conferences. Further, in the discretion of the judge, post-trial proceedings, including hearings on post-trial motions under Rule 29, SCRCrimP, or Rules 50, 52, 59 or 60, SCRCrP, may be conducted in whole or part using RCT.

(15) Family Court Proceedings.

⁴ *State v. Gullledge*, 326 S.C. 220, 229, 487 S.E.2d. 590, 594 (1997) ("A court may consider any relevant information without regard to its admissibility under the rules of evidence applicable at trial, provided the information has sufficient indicia of reliability to support its probable accuracy."); *State v. Franklin*, 267 S.C. 240, 246, 226 S.E.2d 896, 898 (1976) (in sentencing, "a judge may appropriately conduct an inquiry broad in scope, largely unlimited either as to the kind of information he [or she] may consider or the source from which it may come."); Rule 1101(d)(3), SCRE ("rules of evidence are inapplicable to sentencing except in the penalty phase of capital trials").

(A) Juvenile Delinquency Cases. During the adjudicatory hearing in a juvenile delinquency case, ERCT may be used to the same extent as permitted in a non-jury criminal case under section (d)(12) above. In the dispositional hearing, RTC may be used to the same extent permitted for non-capital sentencing under section (d)(13)(A) above. Further, for guilty pleas, RTC may be used to the same extent provided under section (d)(9) above.

(B) Other Hearings or Proceedings. In many situations, a provision of this order will be directly applicable, and the family court should follow the guidance given in that provision. Due to the wide ranging and diverse matters which come before the family court, it is simply impossible to provide specific guidance that can be made applicable to every situation that may come before the family court, and this order does not attempt to do so. Instead, for matters not specifically covered by this order, this Court is confident the family court judges will consider the general guidance and make analogies to the specific guidance given for similar proceedings to determine the extent to which RCT should be used.

(16) Appellate Proceedings Before the Circuit Court. In appeals to the circuit court, the circuit court may, in its discretion, conduct any necessary hearings either in whole or part using RCT.

This order is effective immediately, and shall remain in effect until modified or rescinded by this Court.

s/ John W. Kittredge C.J.

s/ John Cannon Few J.

s/ George C. James, Jr. J.

s/ D. Garrison Hill J.

s/ Letitia H. Verdin J.

Columbia, South Carolina
August 27, 2021
Last amended February 19, 2025

APPENDIX-4

**(Waiver of In-Person Court Appearance and Consent to
Video/Audioconferencing)**

STATE OF SOUTH CAROLINA)

COUNTY OF _____)

IN THE MATTER OF:)

(An alleged incapacitated individual))

IN THE PROBATE COURT
CASE NUMBER: _____

**WAIVER OF IN-PERSON COURT
APPEARANCE AND
CONSENT TO VIDEO/AUDIOCONFERENCING**

I have been advised that I have the legal right to personally appear in the Probate Court in _____ County, and I understand this right. I give up and waive this right to personally appear in court and consent to appear in court by use of video/audioconferencing.

I acknowledge that I want to handle the following matter by video/audioconferencing by initialing the type of hearing below:

1. _____ Emergency Relief Hearing pursuant to S.C. Code Ann. § 62-5-108
2. _____ Formal Hearing on Petition for Appointment of Guardian
3. _____ Informal Proceeding on Petition for Appointment of Guardian
4. _____ Formal Hearing on Petition for Appointment of Conservator
5. _____ Informal Proceeding on Petition for Appointment of Conservator
6. _____ Formal Hearing on Petition for Protective Order
7. _____ Informal Proceeding on Petition for Protective Order
8. _____ Hearing on Temporary Consent Order
9. _____ Other: _____

I also acknowledge that the outcome or consequence of this matter would be no different if I appeared in person. The court will maintain the audio or video recording within the main office of the Probate Court for not less than 75 years from case initiation and until all administrative action has been completed. By my signature below, I consent to the use of video/audioconferencing in this proceeding. I have been fully informed of my right to be personally present before the court and, with that knowledge, I freely, knowingly and voluntarily waive that right. I further acknowledge, if I have an attorney, that I have been given an adequate opportunity to confer privately with my attorney on this decision.

Party Consenting to Video/audioconferencing:

Witness:

(Signature)

(Print Name)

(Signature)

(Print Name)

_____, 20_____
_____, South Carolina

STATE OF SOUTH CAROLINA
CERTIFICATION OF VITAL RECORD

DEATH CERTIFICATION

STATE OF SOUTH CAROLINA
DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
CERTIFICATE OF DEATH 88 020168
STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT INK FOR INSTRUCTIONS SEE HANDBOOK

DECEDENT IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS

PARENTS

DISPOSITION

CERTIFIER

CAUSE OF DEATH

DECEDENT—NAME—FIRST MIDDLE LAST James Green		SEX Male	DATE OF DEATH—MO., DAY, YEAR Sept. 3, 1988
RACE—(In U.S., White, Black, Other (Specify)) Black	AGE—Last Birth-day (Yrs.) 81	UNDER 1 YEAR—MOS. DAYS HOURS MINS. 5c	DATE OF BIRTH—MO., DAY, YEAR Jan. 27, 1907
CITY, TOWN OR LOCATION OF DEATH Orangeburg		HOSPITAL OR OTHER INSTITUTION—Name (if not in either, give street and number) The Regional Medical Center	
STATE OF BIRTH (if not in U.S.A., name country) S.C.	CITIZEN OF WHAT COUNTRY U.S.A.	MARRIED, NEVER MARRIED, WIDOWED, DIVORCED Married	SURVIVING SPOUSE (if wife, give maiden name) Leanna Ellis
SOCIAL SECURITY NUMBER 247 48 5694	USUAL OCCUPATION (Give kind of work done during most of working life, even if retired) Shady Grove Nurse	KIND OF BUSINESS OR INDUSTRY Care taker	
RESIDENCE—STATE S.C.	COUNTY Orangeburg	CITY, TOWN OR LOCATION Orangeburg	STREET AND NUMBER 493 Lawton
FATHER—NAME—FIRST MIDDLE LAST Charlie Green	MOTHER—MAIDEN NAME—FIRST MIDDLE LAST Jeanne Green	CITY OR TOWN STATE ZIP Orangeburg S.C. 29115	
INFORMANT—NAME (Type of Print) Leanna Green		MAILING ADDRESS 493 Lawton St, Orangeburg, S.C. 29115	
BURIAL, CREMATION, REMOVAL, Other (Specify) Burial	CEMETERY OR CREMATORY—NAME St. Paul A.M.E. Church cemetery	LOCATION Hwy #6, Cleston S.C.	
FUNERAL DIRECTOR OR PERSON ACTING AS SUCH Alphonse Jenkins		EMBALMER'S SIGNATURE Alphonse Jenkins	LIC. NO. 1013
NAME OF FACILITY Jenkins funeral Home		LIC. NO. 280	ADDRESS OF FACILITY P.O. Box 1586, Orangeburg, S.C. 29116
DATE SIGNED 9/16/88		DATE SIGNED 9/16/88	HOUR OF DEATH 11:45 AM
NAME OF ATTENDING PHYSICIAN (IF OTHER THAN CERTIFIER) (Type of Print) Dr. Henry J. Marion		PREPARED BY Henry Marion	PREPARED BY Henry Marion
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type of Print) Dr. Henry J. Marion FHC 2310 Magnolia St. Orangeburg, SC		LIC. NO. 11904	DATE RECEIVED BY REGISTRAR Sept. 12, 1988
REGISTRAR Salena B. Dentis		DATE RECEIVED BY REGISTRAR Sept. 12, 1988	
IMMEDIATE CAUSE OF DEATH Cardiovascular arrest		INTERNAL BETWEEN ARREST AND DEATH	
DUE TO, OR AS A CONSEQUENCE OF Arteriosclerotic Cardiovascular Disease		INTERNAL BETWEEN ARREST AND DEATH	
DUE TO, OR AS A CONSEQUENCE OF Diabetic Mellitus		INTERNAL BETWEEN ARREST AND DEATH	
PART OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not related to cause shown in PART I (a) Right testicular Prostatic Carcinoma		AUTOPSY NO	WAS CASE REFERRED TO MEDICAL EXAMINER OR CORONER NO
ACCIDENT, SUICIDE, HOMICIDE, OR PENDING INVESTIGATION NO	DATE OF INJURY NO	HOUR OF INJURY NO	DESCRIBE HOW INJURY OCCURRED NO
INJURY AT WORK NO	PLACE OF INJURY—At home, farm, street, factory, office, building, etc. NO	LOCATION NO	STREET OR P.O. NO. CITY OR TOWN STATE NO

DHIC-670
8-1088

SC12160527

ISSUED JAN 5 2024

This is a true certification of the facts on file in the Division of Vital Records, SC Department of Health and Environmental Control.



Edward D. Simmer
Edward D. Simmer, MD, MPH, DFAPA
Director and State Registrar

Caleb N. Cox
Caleb N. Cox
Assistant State Registrar

This is watermarked paper. Do not accept without noting watermark. Hold to light to verify watermark.
Revision Date: 08/09/2022



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

State of South Carolina,
County of Orangeburg.

THIS IS REAL ESTATE
IN THE COUNTY OF ORANGEBURG, SOUTH CAROLINA

C O R R E C T I V E D E E D

KNOW ALL MEN BY THESE PRESENTS, That I, James Green of Orangeburg County, South Carolina, having conveyed the following real estate to my daughter Eartha Mae Green, now known by her married name Eartha Mae Green Cintron, and whereas said deed dated June 12, 1963 had an erroneous distance stated for one of the parcels described, and further since the overall dimensions of the property is now different due to road widening, the said James Green do hereby make this corrective deed to correct and clarify the parcel described in Deed Book 255, page 313 Clerk's records, said County & State of South Carolina, for the sum of Five Dollars, Love and Affection for my daughter, Eartha Mae Green Cintron to me paid by Eartha Mae Green Cintron in the State aforesaid, the receipt whereof is hereby acknowledged, - have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said Eartha Mae Green Cintron, her heirs and assigns, the following described real estate, to-wit:

J
C

All that certain piece, parcel or lot of land, with all of the improvements thereon, situate, lying and being in School District No. 3 (outside) in the Northeast suburbs of the City of Orangeburg, Orange Township, said County and State and being bounded and measuring as follows: **NORTHEAST** by Lawton Road measuring thereon Ninety (90) feet; **SOUTHWEST** by property formerly of W.T. Murden, measuring thereon Ninety (90) feet; **SOUTH** by property formerly of W.T. Murden, measuring thereon Eighty (80) feet; **EAST** by Anna Street, measuring thereon Eighty (80) feet. Being the same lot conveyed to James Green by W.T. Murden by deed dated November 13, 1948 and recorded in the office of the Clerk of Court for Orangeburg County, S.C. in Deed Book 152, page 123. Also being a portion of Lots 4 & 5 on a plat made by Franklin Frederick, Engr. dated May 6, 1911 of property of Dr. M.G. Salley recorded in said Clerk's office in Plat Book 4 page 183.

Also:
All that certain piece, parcel or lot of land, with all improvements thereon, situate, lying and being in School District No. 3 (outside) Orange Township, Orangeburg County, South Carolina and being bounded and measuring as follows: **NORTHWEST** by Anna Street, measuring thereon (56) fifty-six feet and by the above described lot of James Green Eighty (80) feet; **NORTHEAST** by Lawton Road, measuring thereon One Hundred nine feet eight inches (109' 8"); **SOUTHEAST** by property of W.T. Murden formerly and now property of Franklin and Covington, measuring thereon One Hundred fifty feet formerly, but now One Hundred thirty-six (136) feet (fourteen feet having been lost due to the widening of Lawton Road); **SOUTHWEST** by Property of Maria W. Murphy, measuring thereon Two Hundred (200) feet. Being the same land conveyed to James Green and Isaac Ellis by W.T. Murden by deed dated March 1, 1952, Isaac Ellis having conveyed his interest to James Green by deed dated September 8, 1952 and recorded in the said Clerk's office in Deed Book 175 page 315. This lot is a portion of Lots 4 & 5 on a plat made by Franklin Frederick, Engr. dated May 6, 1911 of Dr. M.G. Salley's property and recorded in Plat Book 4 page 183.

This deed will serve as a corrective deed to that certain deed in said Clerk's office in Deed Book 255 at page 313.

FILED FOR RECORD

JUN 19 11 04 AM '74

CLERK OF COURT
ORANGEBURG COUNTY, S.C.
BOOK 391 PAGE 509

Em
Ma

Witness my hand and seal this 15th day of May 1974
J. B. Whittle

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said

Bartha Mae Green Cintron, her Heirs and Assigns forever.

And I do hereby bind myself, my Heirs, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said

Bartha Mae Green Cintron, her

Heirs and Assigns, against myself and my Heirs and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS My Hand and Seal this 2nd day of January

in the year of our Lord one thousand nine hundred and seventy-four and in the one hundred and ninety-eighth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

William C. Smith E. B. Blackmon

James Green

(SEAL)

(SEAL)

STATE OF SOUTH CAROLINA, ORANGEBURG COUNTY

PERSONALLY appeared before me William C. Smith and made oath that he saw the within-named James Green sign, seal and, as his act and deed, deliver the within-written Deed for the uses and purposes therein mentioned, and that he, with E. B. Blackmon, witnessed the execution thereof.

SWORN to before me this 2nd day of January 1974

Notary Public of S. C. (L. S.)

Comm. Expires 12-27-79

STATE OF SOUTH CAROLINA, ORANGEBURG COUNTY

RENUNCIATION OF DOWER

I, E. B. Blackmon, Notary Public, South Carolina, do hereby certify unto all whom it may concern, that Mrs. Learnna E. Green the wife of the within-named James Green

did this day appear before me, and upon being privately and separately examined by me, did declare that she does, freely, voluntarily and without any compulsion, dread or fear of any person or persons whomsoever, renounce, release and forever relinquish unto the within-named

Bartha Mae Green Cintron, her

and assigns, all her interest and estate, and also all her right and claim of Dower of, in or to all and singular the premises within mentioned and released.

Witness under my Hand and Seal, this 2nd day of January 1974

Notary Public of S. C. (L. S.)

Comm. Expires 12-27-79

Learnna E. Green

McL... Bright... S.C.

State of South Carolina ORANGEBURG County of

JAMES GREEN TO Bartha Mae Green Cintron

TITLE TO REAL ESTATE

I hereby certify that the within Deed was filed for record in my office at M. O'clock on the 18th day of January 1974 and was immediately entered upon the proper indexes and duly recorded in Book

of South Carolina, 391 PAGE 509 Clerk of Court of Orangeburg County, South Carolina

I hereby certify that the within Deed has been duly recorded this day of January 1974 A. D. 19

of Deeds, page Auditor County

A. L. COURTNEY, Notary Public, S. C. E. B. BLACKMON ATTORNEY AT LAW ORANGEBURG, S. C.

EXHIBIT-7

(The Supreme Court of South Carolina)

ADMINISTRATIVE ORDER, June 3, 2021

The Supreme Court of South Carolina

ADMINISTRATIVE ORDER

We issue this administrative order to enjoin the practice in some circuit courts of referring discovery disputes to so-called special referees for resolution.

The power of the circuit court to appoint a referee is governed by Rule 53 of the South Carolina Rules of Civil Procedure. Subsection (b) of the Rule provides only that "causes of action in a case" may be referred under the circumstances listed in the Rule. A discovery dispute is not a "cause of action." Thus, Rule 53(b) provides no authority for the order of reference in this case.

In matters brought to our attention, the special referee appointed by the circuit court is typically a lawyer. The lawyer assigned to resolve the discovery dispute generally charges his or her customary hourly rate, a fee not contemplated by the parties when they elected to file the action in circuit court. We are mindful of the burden imposed on our circuit judges in resolving discovery disputes. However, while we recognize that discovery disputes can be complicated and time-consuming, it is the duty of the circuit court to address and resolve discovery disputes. We remind the circuit court judges that the seldom-utilized rule for awarding fees and imposing sanctions, SCRPC 37, is available to deter discovery abuses.

The circuit court shall discharge its duty by addressing and resolving discovery disputes. To the extent some circuit courts have utilized the practice of referring discovery disputes to special referees, that practice is enjoined, effectively immediately.

IT IS SO ORDERED.

s/Donald W. Beatty C.J.

s/John W. Kittredge J.

s/Kaye G. Hearn J.

s/John Cannon Few J.

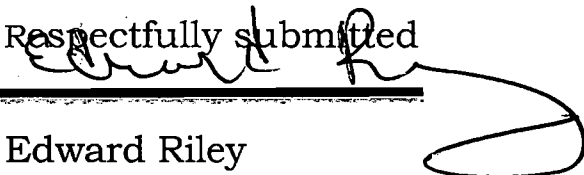
s/George C. James, Jr. J.

Columbia, South Carolina
June 3, 2021

disqualified from hearing the case, Appellant Edward Riley has in His opening Brief where reasons sufficient to justify a belief that a Fair trial is not possible under Hon. Pandora LaShawn Jones Glover

Monday, June 23, 2025.

Respectfully submitted



RECEIVED

JUN 23 2025

SC Court of Appeals

Edward Riley
P.O.BOX 1353,
Columbia, SC 29202-1353
(803) 626-2558
cerrecords@gmail.com
Appellant pro se litigants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed into Action **No. 2025-000642** and served on this 23 day of June 2025, as indicated on Monday June 23, 2025, was served by Certified Registered which constitutes service on all parties.

Rosalie C Cintron
111 N 3rd Ave Apt 35,
Mount Vernon,
NY 10550-1337
1 646-319-5836

Tyaisha Green
3 Sunny Pl, Walden,
NY 12586-1341

Rosemary Green,
493 B, Lawton Rd,
Orangeburg, SC 29115

Rosalie C Cintron
493 D, Lawton Rd,
Orangeburg, SC 29115

Ms. Eileen Moore
493 C, Lawton Rd,
Orangeburg, SC 29115

RECEIVED

JUN 23 2025

SC Court of Appeals

CERTIFICATE OF COMPLIANCE

This brief complies with the word limit of Local Rule 32.1(a)(4)(A) because, excluding the portions exempted by Fed. R. App. R. 32(f), this brief contains 9,267 words.

This brief also complies with the typeface requirements of Fed. R. App. P. 32 (a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Bookman Old Sty.