

IN THE COURT OF APPEALS, SOUTH CAROLINA

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THE STATE V. STEVEN FRANTZ

JUL 14 2025

SC Court of Appeals

CIVIL CASE NUMBER 880295

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On Appeal from the Judgement of the Magistrate Court in Jasper County, South Carolina

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APPELLANT'S REQUIRED FILING OF A RECORD ON APPEAL  
BRIEF IN SUPPORT

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STEVEN FRANTZ, PRO SE  
536 SOUTH SUMMIT STREET  
SMITHVILLE, OHIO 44677  
330-317-4916

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Mr. Alan Wilson, Attorney General, South Carolina  
Andrew D. Powell, Assistant Attorney General, South Carolina  
Honorable Henry McMaster, Governor, South Carolina  
Senator Lindsey Graham, United States Senator  
Congresswoman Nancy Mace, United States Representative  
Congressman Max Miller, United States Representative  
Jasper County Legislative Delegation  
South Carolina BAR Association

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- I do not accept the merit of this Criminal Case as no Notice was given informing me how this case magically became Criminal from a Civil case.
- I have tried to defend myself upon the mercy of this court but, seemingly, no avail. It is clear concern lie within following the Court's form and rules, not simply presenting the truth, thus making the Court blind. My phone calls to the Court remain unanswered, with no return phone call courtesy. Based upon The Attorney General's latest Motion to Strike I question why the Attorney General is involved at all. This is the first time an attorney has been involved at all in this Civil Case. All I have provided to the Court, it seems obvious, to me, you wish not to see the truth of this case. I would, however, like to still clarify some points along this journey.
- I had an unidentifiable man (later identified as Robbie Smith) with a gun approach me while I was stopped along the side of a road. Myself and my family were threatened with his violence, to even find us in Ohio if I did not concede myself to his demands. Terrified of him, I did, under duress. Therefore, nothing I may have said or done can be held against a man under duress.
- Robbie Smith asked for identification, of which I gave him my US military ID. This upset Mr. Smith because of my military affiliation. He then took pictures of my US military ID with his phone, in violation of Federal Law.
- Robbie Smith held me with the threat of a gun, to the point of not allowing a Sheriff deputy to perform his duty, instead waiting for a South Carolina Department of Natural Resources Officer (Carter DuPree) to arrive. I later found out Robbie Smith, a former SCDNR officer was working in collusion with current SCDNR employee Carter DuPree.
- Officer Carter DuPree got involved in a Civil matter, no wildlife or wildlife lands were involved. The Sheriff Deputy informed myself, Officer Carter Dupree, and Robbie Smith there was no probable cause. Furthermore, there was no witness to any alleged Civil offense. Even after searching our van, Officer Carter DuPree concluded there was no wildlife violations, agreeing with the Sheriff Deputy.
- Even though there was no trespass warning or verbal warning given, standing alongside on the road, Officer Dupree wrote a ticket for \$260.00 (a "potential clerical error" according to Mr. Powell), over two and a half times the maximum allowable \$100.00 fine for simple trespass. This "potential clerical error" is a clear violation of my 8<sup>th</sup> and 14<sup>th</sup> Amendment Rights. It seems

this Officer has gone rogue, having no probable cause, no jurisdiction, and practicing law without being a member of the BAR.

- I filed two Discovery Motions for the State of South Carolina with the Ridgeland Court, which were ignored and not replied to. Of particular note, by denying my Discovery Motions, I was not allowed to or allowed to have the property owners present in court.
- The Jasper County Court Civil Trial had not been recorded according to information provided by local and state courts. I, therefore, do not have a transcript of the Civil Trial. I have filed FOIA requests multiple times and they have gone unanswered or telling me there is no transcript of the Civil Trial.
- Magistrate McDonald allowed South Carolina Department of Natural Resources Officer Carter Dupree to represent the State of South Carolina without having a law license BAR membership, allowing the unauthorized practice of law by Officer Carter DuPree. The Civil Trial was presided over and represented the State of South Carolina by Officer Carter DuPree.
- During the Civil Trial, where there is no transcript, Officer DuPree stated there will be “no blacks in my court.” Not only has Officer Carter DuPree represented himself as a member of the BAR, now Officer Carter DuPree began to represent himself as the Judge of this Civil proceeding. It seems as though it was really was his court as Officer Carter Dupree was allowed to question witnesses, call on witnesses, and cross examine witnesses as if he was a member of the BAR. Or, was this really his court?
- During the Civil Trial, where there is no transcript, one of the state’s witnesses, Bert Shiflett, the manager of the Okeetee Hunting Club, said “black people are dirty.”
- During the trial, where there is no transcript, Officer Dupree testified under oath that property lines in South Carolina are the ditches along roads. When questioned why there were no trespassing signs at least 30 feet beyond the ditch, Officer DuPree had to admit he had purgered himself to the court and recanted his statement to reflect no trespassing signs were property lines. As an aside, I had requested property lines in one of my Discovery Motions which went ignored.
- During the trial, where there is no transcript, Officer Dupree testified under oath he did not see me trespass, Robbie Smith testified under oath he did not see me trespass, Bert Shiflett testified under oath he did not see me trespass, Glenn Smith testified under oath he did see somebody, many miles away, through dense pine forest at a distance of 250 yards trespass, but could not and never did identify me as the person he saw trespassing April 28, 2021. It could not have been me as I was on the road and not in the woods.
- The Magistrate, S. Joanne McDonald, was very ill with pneumonia during the trial and unfortunately died shortly thereafter.

- Magistrate S. Joanne McDonald upheld, without jurisdiction or probable cause. even though there was no trespass warning or verbal warning given, standing alongside on the road, "potential clerical error" of a \$260.00 fine, in violation of my 8<sup>th</sup> and 14<sup>th</sup> Amendment rights.
- This obvious clerical error has vacillated many times between being a Civil offense (originally) to a Criminal offense (presently) even at one point calling it a Civil offense and Criminal offense on the same sheet of paper. Nowhere is it possible to magically change a Civil offense, at the stroke of a pen or wand, to a Criminal offense.
- Circuit Judge R. Keith Kelly upheld, even though there was no trespass warning or verbal warning given, standing alongside on the road, "potential clerical error" of a \$260.00 fine, violating my 8<sup>th</sup> and 14<sup>th</sup> Amendment rights.
- Officer Carter Dupree's supervisor, FSGT Pope, stated "potential clerical error" fines over 2 ½ times the maximum allowed, which violate the 8<sup>th</sup> and 14<sup>th</sup> Amendments, are the normal way of doing business with the South Carolina Department of Natural Resources.
- FSGT Pope has stated the normal way this is addressed is to simply sign a letter promising to not do what you are accused of doing, in this case stopping along the road to take pictures of flowers. FSGT Pope also stated Officer Carter DuPree is pursuing this is because he is retaliating against my complaint. This is a 1<sup>st</sup> Amendment violation.
- Mr. Powell is presenting the Court with a False Legal Argument; the facts of this case must remain and not be changing. The appeal is based upon the facts at the time of the hearing.
- Mr. Powell has rescinded the "potential clerical error" \$260.00 fine, then requested the "potential clerical error" to be reinstated because rescinding the \$260.00 fine was also a "potential clerical error," again, further violating of my 8<sup>th</sup> and 14<sup>th</sup> Amendment rights.
- The original charge by Officer Carter Dupree was as a Civil charge (Civil Case Number 880295). The State of South Carolina was not injured. Who was the injured party? Officer Carter DuPree should not and cannot represent the Okeetee Hunting Club or the State of South Carolina as he did during the Civil Trial. By pretending to be an attorney, Officer Carter DuPree committed unauthorized practice of the law.
- Somehow Mr. Alan Wilson, Attorney General for the State of South Carolina and Mr. Andrew Powell have, evidently, in error, changed this to the Court from a Civil Case (880295) to a Criminal Case (2023-0007909) with no notice to me, no jurisdiction, no probable cause. How did this magically change?
- Attorney General Alan Wilson was not at the Civil Case, why is he involved now? I do not understand why Attorney General Alan Wilson is allowing the unauthorized practice of law by Officer Carter DuPree. Attorney General Alan Wilson has little concern for probable cause, lack

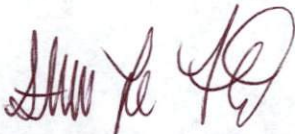
of jurisdiction or unauthorized practice of the law as well as using this law to punish me more than they are allowed to, even rewriting the law. This all seems a little strange to me.

- Mr. Powell, and now including Mr. Alan Wilson, Attorney General for South Carolina are, once again, praying to this Court. I believe this to be a clear violation of the 1<sup>st</sup> and 14<sup>th</sup> Amendments. Mr. Powell has elevated this Court as his god, making this Court his religion. Mr. Powell clearly shows there is no separation between his church (Court) and his state (South Carolina).

- Because I am from out of state, and a 35-year veteran of the United States Army is no reason to try to change established legal doctrine. As someone who has sworn to uphold the Constitution for 35 years of my adult life, I expected the system to work, not just for me, but for everyone, regardless of race, creed, religion, or military affiliation.

- It is my wish this entire case be dismissed. There is no violation on my part due to the aforementioned statements.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven Frantz". The signature is stylized and cursive.

Steven Frantz, SFC Ret. United States Army

**FORM 7  
PROOF OF SERVICE REQUIRED FILING OF A RECORD ON APPEAL**

THE STATE OF SOUTH CAROLINA In The Court of Appeals

APPEAL FROM JASPER COUNTY Court of Common Pleas

S. Joanne McDonald (deceased), Magistrate Court Judge

CIVIL CASE NUMBER 880295

THE STATE OF SOUTH CAROLINA

v.

STEVEN FRANTZ

Appellant.

PROOF OF SERVICE

I certify that I have served this **PROOF OF SERVICE AMENDED RECORD ON APPEAL AND MOTION FOR A DIRECTED VERDICT OF NOT GUILTY, BRIEF IN SUPPORT** on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on July 7, 2025, addressed to the State of South Carolina's attorney of record, Andrew D. Powell, Esquire, Assistant Attorney General, Post Office Box 11549, Columbia, South Carolina 29211-1549; Alan McCrory Wilson, Esquire, Attorney General, Post Office Box 11549, Columbia, South Carolina 29211; Honorable Henry McMaster, Governor, State House, 1100 Gervais Street, Columbia, SC 29201; Senator Lindsey Graham, United States Senate, 211 Russell Senate Office Building, Washington, DC 20510; Congresswoman Nancy Mace, United States Representative, 710 Boundary Street, Beaufort, SC 29902; Congressman Max Miller, United States Representative, 72 Public Square, Medina, OH 44256; and the Jasper County Legislative Delegation, P.O. Box 2433, Ridgeland, SC 29936.

July 7, 2025



Steven Frantz, SFC Ret. United States Army

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