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Aug 26 2025

SC Court of Appeals

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Case No.: 2024-001241

The matter of Jason Michael Boyle

EMERGENCY MOTION FOR INJUNCTION PENDING APPEAL

INTRODUCTION

COMES NOW, the Appellant, Jason M. Boyle, Ph.D., pro se, and respectfully moves this Honorable Court to issue an injunction prohibiting the Tenth Judicial Circuit Court from sentencing or otherwise imposing sanctions pursuant to its September 16, 2024 contempt ruling, during the pendency of this appeal.

This motion is necessary to protect the jurisdiction of this Court and to prevent the imminent loss of Appellant's liberty through reckless judicial action. Judge McIntosh, acting sua sponte and outside the bounds of lawful authority, entered a contempt finding **on September 16, 2024, while jurisdiction had already been divested and was resting exclusively with this Court under Rule 241, SCACR.** He now threatens to impose incarceration based on an order he has no power to enforce.

Without this Court's intervention, Appellant faces not only irreparable constitutional harm, but the immediate danger of unlawful imprisonment for alleged conduct that occurred during a period in which this Court—not the circuit court—held sole jurisdiction. To allow sentencing to proceed on such a void order would not only jeopardize Appellant's liberty but also undermine the appellate authority of this Court itself.

FACTUAL BACKGROUND

1. On **July 17, 2024**, the circuit court issued an emergency release order granting Appellant a personal recognizance bond. This order, however, imposed severe restrictions on Appellant's constitutional rights, including a gag order prohibiting protected speech, limitations on freedom of travel, and restrictions on the right to bear arms.
2. On **July 25, 2024**, Appellant filed a notice of appeal contesting the July 17 release order. Pursuant to **Rule 241, SCACR**, this filing triggered an **automatic stay** of the appealed order, divesting the circuit court of jurisdiction over matters contained in that order unless the stay was formally lifted.
3. On **August 12, 2024**, this Court issued an order dismissing the appeal of the July 17 order as interlocutory. However, Appellant did not receive notice of this dismissal until **August 22, 2024**.
4. On **August 25, 2024**, Appellant filed a **motion for reconsideration**, asserting that the restrictions imposed by the July 17 order infringed substantial rights and therefore were properly subject to appellate review.
5. On **September 8, 2024**, while the appeal and reconsideration were still pending, Appellant engaged in alleged conduct later cited as a violation of the July 17 order.
6. On **September 16, 2024**, Judge Lawton McIntosh of the Tenth Judicial Circuit, acting sua sponte, found Appellant in contempt of the July 17 order based on the alleged September 8 conduct. Judge McIntosh explicitly refrained from sentencing at that time, stating that sanctions would be imposed later.

7. On **September 21, 2024**, Appellant filed a **motion to amend the notice of appeal** to include the September 16 contempt ruling.
8. On **October 30, 2024**, Appellant filed a **Motion for Clarification** under Rule 240, SCACR, asking this Court to confirm that the automatic stay barred enforcement of the July 17 order while the appeal was pending.
9. On **November 14, 2024**, this Court issued an order granting Appellant's motion to reinstate the appeal as to the September 16 contempt order, and holding that Appellant could raise arguments regarding the July 17 release order in the contempt appeal. This ruling confirmed that the September 16 contempt finding fell within the jurisdiction of this Court.
10. On **February 7, 2025**, the circuit court issued an additional order affirming the probate court's contempt ruling.
11. On **August 25, 2025**, this Court dismissed the appeal of the September 16, 2024 contempt finding as interlocutory, on the grounds that sanctions had not yet been imposed. However, this Court denied the State's motion to dismiss Appellant's appeal of the February 7, 2025 order, leaving that appeal active.
12. As a result of the **August 25, 2025** ruling, the circuit court may now act to impose sentencing for the September 16 contempt finding. Yet that contempt ruling was issued at a time when jurisdiction had already been transferred to this Court, rendering the contempt order **void or ultra vires**.

LEGAL ARGUMENT

I. The Circuit Court Lacked Jurisdiction to Enter the September 16 Contempt Finding

- **Rule 241(a), SCACR** provides that service of a notice of appeal “acts to automatically stay matters decided in the order ... and to automatically stay the relief ordered in the appealed order.”
- Appellant filed a **notice of appeal on July 25, 2024** from the July 17 release order, and then filed a **second appeal on August 25, 2024** asserting that the restrictions imposed by that order infringed substantial rights. Together, these appeals transferred jurisdiction over the July 17 order and its conditions — including the gag order — exclusively to this Court under Rule 241, SCACR. Once jurisdiction vested here, the circuit court was divested of authority to enforce or modify the order. *Runyon v. Wright*, 322 S.C. 15, 471 S.E.2d 160 (1996).
- Despite this, on **September 16, 2024**, the circuit court, acting sua sponte, launched into a monologue from the bench and summarily held Appellant in contempt of the stayed order. Appellant was declared guilty without being afforded an opportunity to speak, much less to present a defense. Such proceedings are the very antithesis of due process. Because jurisdiction had already been divested by Rule 241, the contempt ruling was entered without lawful authority and is void. *Ex parte Stroman*, 283 S.C. 472, 323 S.E.2d 445 (1984).

II. The Contempt Finding Mixed Civil and Criminal Standards and Enforced an Unconstitutional Gag Order

- The September 16 contempt order fails to specify whether it is civil or criminal in nature. This ambiguity alone violates due process. *See Mictronics, Inc. v. S.C. Dep't of Revenue*, 345 S.C. 506, 548 S.E.2d 223 (2001) (orders must be clear and unambiguous).
- The circuit court threatened Appellant with **six months in jail per publication** — a punitive sanction that can only be imposed through criminal contempt proceedings, which require the full protections of criminal process, including the right to counsel, the right to present a defense, and the right to proof beyond a reasonable doubt. *Bloom v. Illinois*, 391 U.S. 194 (1968).
- At the same time, the court conditioned the severity of Appellant's punishment on how Appellant behaved in future hearings — a hallmark of civil, coercive contempt. This “hybrid” approach deprived Appellant of the safeguards of either civil or criminal proceedings, leaving him without any clear avenue to defend his liberty. *See Hicks v. Feiock*, 485 U.S. 624 (1988).
- Compounding the problem, the underlying gag order was itself **unconstitutionally vague and overbroad**. It barred Appellant from publicly discussing “this case” without specifying which case or what information was prohibited. Under the order, even disclosing the **date of a hearing** would constitute contempt. Such sweeping restrictions on speech cannot survive constitutional scrutiny because they are not narrowly tailored to a compelling state interest. *See Nebraska Press Ass'n v. Stuart*, 427 U.S. 539 (1976) (prior restraints on publication are presumptively unconstitutional).

- Importantly, the publications at issue contained **only publicly available information**, underscoring that the gag order and the contempt ruling sought to suppress lawful speech on matters of public concern.

III. Sentencing on a Void Contempt Order Would Cause Irreparable Harm

- The contempt finding reserved sentencing, exposing Appellant to possible incarceration for up to six months per count, without any of the due process protections guaranteed in criminal proceedings, such as a jury trial, the right to counsel, or a prosecuting authority.
- Loss of liberty is the clearest form of irreparable harm. *Argersinger v. Hamlin*, 407 U.S. 25 (1972).
- Enforcing contempt for speech that occurred while an order was stayed also violates **First Amendment protections**, compounding the harm. *Greene v. McElroy*, 360 U.S. 474 (1959).
- If sentencing is permitted to proceed, Appellant faces the imminent loss of his liberty at the hands of a judge who has already acted without jurisdiction. The circuit court proceeded to hold Appellant in contempt at a time when it was divested of authority under Rule 241, and it has made plain its willingness to punish Appellant for conduct that occurred during the stay. This Court is therefore the only safeguard against unlawful incarceration.
- Liberty, once lost, cannot be restored retroactively. While appellate review might eventually correct an error, that correction cannot undo days or months of unlawful imprisonment. The Supreme Court has recognized that the prospect of incarceration, even briefly, demands heightened constitutional protection. *Argersinger v. Hamlin*, 407 U.S. 25 (1972). In this case, the threat is not hypothetical. It is imminent, and it arises not from a

neutral enforcement of law but from judicial actions that disregard jurisdictional limits and constitutional protections.

IV. The Balance of Equities Strongly Favors Injunction

- Enjoining sentencing preserves the status quo while this Court resolves the live appeal of the February 7, 2025 order.
- Respondents suffer no prejudice from delay, while Appellant faces unconstitutional imprisonment if no injunction is granted.

V. The Public Interest Requires Protecting Appellate Jurisdiction and Constitutional Rights

- It is in the public interest to ensure that jurisdictional boundaries are respected and that lower courts do not act ultra vires during the pendency of appeals.
- Protecting liberty and free expression is of paramount concern in maintaining public trust in judicial proceedings.

VI. Pro Se Litigants Are Entitled to Liberal Construction

- Appellant proceeds pro se and respectfully requests that this Court liberally construe his filings in light of his lack of counsel. South Carolina courts, like federal courts, have recognized the need to afford pro se litigants reasonable leniency. *See Goodson v. Am. Bankers Ins. Co.*, 295 S.C. 400, 368 S.E.2d 687 (Ct. App. 1988) (recognizing leniency toward pro se filings); *Haines v. Kerner*, 404 U.S. 519, 520–21 (1972) (pro se filings held to less stringent standards than formal pleadings drafted by lawyers).

EVIDENCE RELIED UPON

In support of this motion, Appellant relies on the following evidence already contained in the record below:

1. **Transcript of September 12, 2024 hearing** – showing that the contempt charge was brought sua sponte by the circuit court, delivered in a monologue from the bench, and that Appellant was declared guilty without being afforded an opportunity to speak or present a defense.
2. **Order of Contempt dated September 16, 2024** – reflecting that Appellant was found in contempt of court but with no specification as to whether the finding was civil or criminal in nature, leaving the matter procedurally ambiguous and constitutionally defective.

Appellant requests that this Court take judicial notice of these documents as part of the record, and consider them in evaluating the jurisdictional and due process violations described herein.

RELIEF REQUESTED

WHEREFORE, Appellant respectfully requests that this Court:

1. **Issue an injunction** prohibiting the Tenth Judicial Circuit Court from sentencing or otherwise imposing sanctions pursuant to its September 16, 2024 contempt ruling;
2. **Declare** that the September 16 contempt ruling is void because it was entered at a time when jurisdiction rested exclusively with this Court under Rule 241, SCACR, and any attempt to enforce it is ultra vires;
3. **Alternatively, vacate** the September 16 contempt ruling outright;
4. If this Court declines to enjoin or vacate, **direct that any further proceedings be conducted before an impartial tribunal** where Appellant may receive a fair hearing consistent with constitutional due process;
5. **Require that any contempt sentencing be submitted to a jury** where incarceration is sought, consistent with *Bloom v. Illinois*, 391 U.S. 194 (1968), which holds that serious criminal contempt sanctions require the full protections of criminal procedure;
6. **Order that, should sentencing be imposed, the sentence be automatically stayed** long enough to allow Appellant to perfect an appeal before incarceration, to prevent irreparable loss of liberty without appellate review; and
7. **Grant such further relief** as this Court deems just and proper.

Respectfully Submitted, this August 26, 2025.

A handwritten signature in blue ink that reads "Jason Boyle". The signature is written in a cursive style and is positioned above a horizontal line.

DR. JASON MICHAEL BOYLE, Ph.D., Appellant

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1 STATE OF SOUTH CAROLINA) IN THE SOUTH CAROLINA CIRCUIT COURT 10
2 COUNTY OF OCONEE) COURT C.A NO. 2024-CP-37-00451

3
4 Jason Michael Boyle,)
5 Plaintiff,))

6 Versus)
7 Danny Singleton, et al,)
8 Defendant.))

9
10 H E A R I N G

11
12 DATE: September 12, 2024

13
14 LOCATION: South Carolina Circuit Court 10

15
16 JUDGE: R. Lawton McIntosh

17
18 TRANSCRIBED BY: ERIN REILLY

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APPEARANCES:

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Jason Boyle (Pro Se)

Attorney for Defendant.

James W. Logan, Jr., Esquire

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10 (THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH IS
11 REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)
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PROCEEDINGS

1
2 THE COURT: And I ask you did you understand and you
3 told me, absolutely. You made a motion the other day for a
4 continuance based on an email meeting. I'm not trying to beat
5 up on you, Mr. Boyle. You got to file things, you got to pay
6 your motion fee or it's not a proper motion, that's why that
7 was not heard. Okay? But going back to my order, I mean, this
8 is what it says. "Now, as the Defendant, his service agents,
9 employees or anyone acting on his behalf, including legal
10 counsel are under a gag order. Prohibiting them from speaking
11 publicly about this case including, but not limited to news
12 agency, social media to anyone not necessarily to the
13 preparation of this case."

14 Now, I read some of your initial responses and you
15 said some of these things were posted prior to me issuing that
16 order and that you had nothing to do with it being reissued.
17 However, since you -- that may be -- that very well may be. I
18 don't know if it is or not. I do know, I was contacted
19 yesterday by people here in this courthouse and given pictures
20 of things you're filing and you have a right to have your
21 opinion about me and I don't care. It doesn't matter if you
22 like me, despise me, whatever or Mr. Logan or Mr. McDuff or
23 Judge Singleton. However, you tied me into this case. And
24 when you did that, you completely violated this order and my --
25 yeah, you did. And then I looked at it, my law clerk looked up

1 | you were out here handing out these little pictures around.
2 | I'm going to make them part of the Court's record in this case.
3 | You were seen holding signs up about the case with Judge
4 | Singleton. And again, you have a right to have your opinion
5 | about anybody, anyone involved in the system.

6 | But your prohibition was about you saying things
7 | about this case which you violated. Now, my options are revoke
8 | your bond, let you set your time out in jail while you're
9 | pending. I still think that wouldn't be the way to do things,
10 | because if you were vindicated on your appeal then you would
11 | have served more time than you would have to serve under the --
12 | in other words, you'll serve more time than you have to --
13 | while you're waiting for your appeal you serve all your time.
14 | And then while -- any win that you may have on appeal if you
15 | win would be kind of meaningless you've already spent your time
16 | in jail. So, what I'm going to do is this. I'm going to find
17 | that you are in contempt of court from my order that is my bond
18 | order, nothing to do with Mr. Singleton or Judge Singleton.

19 | I'm going to wait to the end of this litigation to
20 | see how you act from here on out. I'm going to give you a
21 | chance to not do this anymore. And if you do that will be
22 | given a lot of consideration in whatever the Court may order.
23 | On the other hand, if you decide that you want to keep, you
24 | know, violating this -- a gag order and tying everything into
25 | this case then that's your choice. Each violation is a

1 separate violation that carries up to six months. Okay? So,
2 I'm going to warn you to do that, I'm going to urge you to do
3 live by the terms of the bond that I gave you. I didn't grant
4 you an injunction, I felt like the proper thing to do is let
5 you out pending resolution. That's the only thing I did. I'm
6 the one that let you out of jail and I don't know why you want
7 to beat me up but that's okay. But I will not allow you to go
8 violate the terms of this gag order anymore. Okay? And if you
9 do then there will be repercussions at the end of this process.
10 Do you understand me?

11 MR. BOYLE: I do, sir. May I defend myself, or no?

12 THE COURT: Well, I tell you what I will let you hear
13 yourself, but you going to have a chance to defend yourself
14 further when we have a punishment hearing at the end of the
15 day. There's no way you can get around saying this wasn't
16 about this case. There's no -- I mean, I'm just -- I can look
17 at it and read it but I'll be glad to hear what you have to
18 say.

19 MR. BOYLE: Well, so I appealed the case at some
20 point and then at some point I got something --

21 THE COURT: Stand up, please.

22 MR. BOYLE: Yeah, sorry.

23 THE COURT: It's fine.

24 MR. BOYLE: So, I appealed the case, the gag order at
25 some point and then I got some notice that that had been --

1 well, actually, I have that here. I have noticed that the
2 appeal was denied on August 12th but I didn't receive that
3 until a much later date in the mail. And then I filed a motion
4 to reconsider because it violated my fundamental rights. And I
5 believe that motion to reconsider is still being held in the
6 appeals court now which I --

7 THE COURT: Well, when you filed your notice of
8 appeal, did you happen to bother sending copies to the Court?
9 So, we know anything about that or your motion reconsideration?

10 MR. BOYLE: Yes, sir. I sent it to Amanda

11 THE COURT: Or to me.

12 MR. BOYLE: Well, and to your clerks and to the -- I
13 sent it to everybody.

14 THE COURT: Let me see your appeal.

15 MR. BOYLE: The --

16 THE COURT: I haven't received anything along those
17 lines. You haven't been served?

18 MR. LOGAN: No, sir.

19 MR. BOYLE: Where do I take it?

20 THE COURT: Again, it's what we were talking about
21 earlier. Everybody's got to start serving these things on
22 everybody because it -- they can start having problems

23 MR. BOYLE: And then the motion --

24 THE COURT: Hang on, stop. I can tell you that you
25 haven't served me with this at all but that's the first I've

1 | seen of it.

2 | MR. BOYLE: Really?

3 | THE COURT: It is.

4 | MR. BOYLE: I sent it to your clerk, I believe in an
5 | email. And then I brought it -- and it's also filed with
6 | Amanda, I believe.

7 | THE COURT: Well, it was not served on me or served.
8 | Did you get notice of appeal?

9 | MR. LOGAN: I did not, Your Honor.

10 | THE COURT: You didn't serve the opposing party?

11 | MR. BOYLE: I'm pro se. I'm going -- I tried to do
12 | my best.

13 | THE COURT: You're not pro se. I mean, you are pro
14 | se but you got to serve the opposing party.

15 | MR. BOYLE: All right. And then here's the motion to
16 | reconsider that I filed on August 26th after I received that
17 | motion, which I received quite late saying that the Court --
18 | the Supreme Court had denied my motion for appeal. I filed a
19 | motion to reconsider and I have not received any response from
20 | that motion to reconsider at this point.

21 | THE COURT: Okay. So, your basis is and if you've
22 | got under appeal, you don't have to abide by the order?

23 | MR. BOYLE: I'm not a lawyer, sir. I don't know.

24 | THE COURT: Well, you're acting as you are. So, your
25 | position is you don't have to abide by the order?

1 MR. BOYLE: I believe the order is stayed if it's
2 under appeal. Correct.

3 THE COURT: And so that gives you a right to go out
4 and put these things out about this case and direct violation
5 of that order. Is that what your position is?

6 MR. BOYLE: I believe that the everything --

7 THE COURT: Stand -- please stand up.

8 MR. BOYLE: All right. Yeah. Sorry, sir. I didn't
9 -- I don't know the procedure. It's only my -- I've never been
10 in court before

11 THE COURT: That's all right -- I'm just -- that's
12 just protocol. Okay.

13 MR. BOYLE: Yeah. All right. So, the -- I forgot
14 what the question was, I got distracted.

15 THE COURT: I -- well, the question is to me I issued
16 a PR bond and put conditions on it and I told you in the bond
17 order you can't talk about this case. I -- and I in fact, told
18 you I can't violate your First Amendment rights but I can order
19 that you not talk about this case which I do have authority to
20 do that and I did. And, you know, apparently you decided you
21 just weren't going to abide by that and you didn't. And so,
22 what I'm telling you is that at some point, we're going to have
23 a hearing. Now, if the Supreme Court says you're right then
24 they said then I'm wrong, it won't be the first time I've been
25 told I'm wrong and it won't be the last time. I don't think I

1 will be, but if I am wrong then we won't have a hearing. But
2 probably, I don't think they won't find me wrong and we're
3 going to have a hearing about what punishment you'll have. And
4 I'm trying to get you to hear me clearly that from this point
5 forward, your conduct until the end of this matter will
6 determine in great measure what kind of punishment you may
7 receive. If you want to continue to throw your thumb in the
8 face of my order that's your -- that's what you want to do. If
9 you don't then that will be considered as well. Okay?

10 MR. BOYLE: And then -- so then if I can just add it
11 on August 20th, I found my appeal brief and I think anything
12 that was written after that was also included in that appeal
13 brief. So, it was of the public record and if it's going to be
14 a criminal trial, I would like to have an attorney. I'd like a
15 jury trial and I'd like a special prosecution.

16 THE COURT: Well, I have the option of make -- having
17 it civil, I have the option of doing criminal. I have the
18 option of making it less than six months, at which time you do
19 not have a right to an attorney. But I have no problem. I
20 would suggest that you do get an attorney and talk to him or
21 her about what you should do between here and the time that you
22 going to get sanctioned if I get -- if I go there.

23 MR. BOYLE: Well, I certainly can't afford one so.

24 THE COURT: Well, you know, you can afford to do
25 these other things and stay out here all day, handing out

1 leaflets but you can't afford an attorney but that's up to you.
2 So -- and Mr. Boyle, I can't tell you any more clear terms than
3 what I'm telling you but that's going to be my ruling. I'm
4 finding that you are in contempt subject to me being ruled
5 wrong by the Court of Appeals. Okay? Then we'll defend --
6 we'll decide that way.

7 MR. BOYLE: I'd like to appeal that.

8 THE COURT: Sir?

9 MR. BOYLE: I would like -- if you do make that
10 ruling, I would like to appeal it --

11 THE COURT: You certainly can.

12 MR. BOYLE: All right. Thank you.

13 THE COURT: All right.

14 MR. LOGAN: Would -- I like --

15 THE COURT: It's going to be a -- it's not a final
16 ruling yet though because to the punishment comes that's when
17 you will feel to appeal it. Well, go ahead.

18 MR. LOGAN: I'd like to make two requests to add on
19 to what you've just said. It's my understanding that this
20 article has been published -- has been the subject of
21 additional articles more than 24 times. We would like this
22 article withdrawn if that is at all possible. And I don't see
23 why it isn't and that we would like for the order to provide
24 him with an order to stay off of public -- off of social media.

25 THE COURT: I can't order him off of social media. I

1 -- I'm just going to do again what I just said. I'm going to
2 leave it up there. If you want to leave it up there, that's
3 going to be considered by me at the end of the day. Okay? I
4 would urge you to take it down as it -- if it involves this
5 case. I saw a lot of other things you were writing that are
6 fine, that didn't have any violations at all because they
7 didn't talk about this case. Okay? But when you do and you tie
8 it all together, this case that's when you violate the order.
9 So, I'm going to leave that up to you. I would urge you to
10 talk to counsel. That being said the next matter before us is
11 the -- your motion and appeal --

12 MR. LOGAN: Whose motion?

13 THE COURT: Is -- he is Mr. Boyle's appeal from Judge
14 Singleton's finding him in contempt. It's my understanding that
15 the first matter on the docket?

16 MR. LOGAN: No, sir. The first matter is Defendant's
17 motion to dismiss the Plaintiff's appeal.

18 MR. BOYLE: The motion to dismiss wasn't on the
19 docket, was it?

20 MR. LOGAN: Well, it's on this docket that I'm
21 looking at right here and I'll pass it up to the Court for 3:00
22 o'clock today.

23 THE COURT: I have -- it doesn't matter to me but I'm
24 -- that's not what I'm seeing it but if it's on there whatever,
25 what's -- I will call them in the order they appear.

1 MR. BOYLE: Was I given notice of this motion to
2 dismiss hearing today?

3 MR. LOGAN: It's a public roster.

4 MR. BOYLE: I don't even --I don't go on the computer
5 system much, Dorothy does it --

6 THE COURT: Let me tell you something. If you are
7 going to represent yourself, once they publish a roster, you're
8 deemed to have notice. That's just a rule. So --

9 MR. BOYLE: When did they publish? I looked a week
10 ago.

11 THE COURT: Okay.

12 THE CLERK: His roster is the same one that you have.

13 THE COURT: It is.

14 THE CLERK: It's a motion to dismiss.

15 THE COURT: Okay. So, what happened?

16 THE CLERK: There is a motion to dismiss. It's the
17 appeal, [indiscernible]

18 MR. LOGAN: Yeah. I -- so these are --

19 THE CLERK: Those are the motions.

20 MR. LOGAN: Before the Court. All right.

21 THE CLERK: Yes.

22 MR. LOGAN: Well, that's right. So, the motion --
23 first motion is my motion.

24 THE COURT: The first motion that I have on my docket
25 is the motion -- the appeal from Mr. Boyle.

1 MR. BOYLE: Yes, sir.

2 MR. LOGAN: The probate appeal.

3 THE COURT: Then there's a motion or do you want an
4 injunction option to strike transcript and then a mandamus.
5 That's what I have. Is that what is on the docket for today?

6 THE CLERK: Yes, sir.

7 THE COURT: Okay. Let me give you this stuff back to
8 you.

9 MR. LOGAN: My motion -- may I, my motion to dismiss
10 the Plaintiff's appeal is not on this roster?

11 THE COURT: It's not did I see -- come here, go give
12 that to him. It was filed September the ninth. You know, Mr.
13 Logan, I'm sorry. I -- you know, I don't publish it. I -- it
14 is just it is what it is. So, we will have opportunity.

15 MR. LOGAN: Well, I would request that we schedule a
16 hearing as soon as possible on this motion.

17 THE COURT: Sir?

18 MR. LOGAN: I said I would ask the Court to schedule
19 a hearing on this motion.

20 THE COURT: Sure.

21 MR. LOGAN: As soon as possible because it is
22 critical to this case proceedings.

23 THE COURT: Okay, I will. And if you would just get
24 with Amanda and Mr. Boyle, y'all get with Amanda, we can get
25 this put on the docket as soon as we can. Okay. Mr. Boyle,

1 | this is your motion on your appeal or your appeal?

2 | MR. BOYLE: Yes, sir. I believe hearing this is
3 | premature because the record hasn't been updated. I filed that
4 | writ of mandamus asking that the probate court update the
5 | record. And again, I need my --

6 | THE COURT: Well, first that motion is denied. I'm
7 | not going to tell them what to do. They have the -- this is
8 | not appropriate motion but go ahead.

9 | MR. BOYLE: See I don't know they say -- I know that
10 | somehow there has to be a court record. There's no case number
11 | for my case, so I don't have any way of looking up any of the
12 | records that they have --

13 | THE COURT: Well, you know, Mr. Boyle, you're the one
14 | who have filed this thing and this is your job to do this. I
15 | mean, the Court if you filed it, you must have filed it under a
16 | case number. Did you put a case number on it when you filed
17 | it?

18 | MR. BOYLE: Yeah, I used the Doyle Pierce's estate
19 | case number, but that case number has been thrown out by the
20 | probate court. The Doyle Pierce state case number is no longer
21 | the case number on that thing. If you go to probate court --

22 | THE COURT: When you -- let me ask Amanda, when you
23 | appeal the probate court, don't we assign it a new case number
24 | when it gets up here?

25 | THE CLERK: Right. It's the common police case

1 number.

2 THE COURT: It's the what?

3 THE CLERK: Common police case number. I think he's
4 referring to the probate court case number.

5 THE COURT: Okay. What is the common police case
6 number on this case? It's 00451.

7 MR. BOYLE: Yes.

8 THE COURT: Okay. Then that's your case number.

9 MR. BOYLE: All right. And then I would just say
10 it's premature on 62-1-308, there's a schedule set forth. I
11 have followed that schedule immaculately, I filed my appeal
12 brief on October -- or sorry, on August 20th, which means my
13 initial appeal brief which means my final appeal brief will be
14 due by September, I think 19 because there was 31 days in
15 August. And then the --

16 THE COURT: Well, let me ask you. I've got that in
17 front of me here. Did you file your notice of intent to appeal
18 within 10 days and serve it on the probate court and the
19 circuit court?

20 MR. BOYLE: Yes, sir.

21 THE COURT: Did -- and within 45 days, did you write
22 the statement of the issues on appeal?

23 MR. BOYLE: Yes, sir.

24 THE COURT: And how about the transcript? Have you
25 obtained the transcript?

1 MR. BOYLE: Yes sir. Well, the transcript is under
2 debate because the case number. I've put a motion to strike on
3 the transcripts, it uses the incorrect case number but other
4 than that I haven't --

5 THE COURT: Motion to strike I don't even know what
6 you're talking about.

7 MR. BOYLE: So, in the probate court during -- on the
8 June 17th hearing I was called in front on a summons, which
9 included the case number of the Doyle Pierce estate case.

10 THE COURT: Okay. And that's the one that you were
11 found in contempt for violating the order from the Supreme
12 Court?

13 MR. BOYLE: Correct, sir.

14 THE COURT: Okay.

15 MR. BOYLE: And so -- and then if you look at page 14
16 of that transcript, I was confused because I couldn't
17 understand why I was under the Doyle Pierce estate case number
18 and I was -- couldn't get a public defender for this criminal
19 case because the public defender said it was a civil case
20 because it was the Doyle Pierce estate case. And so, then
21 here's a quote from Judge Singleton on June 17th at my criminal
22 trial. Judge Singleton says, "No, this is not under the Doyle
23 Pierce case. This is not under -- this is -- you may have
24 attached a case number to it, but this is your conduct. It has
25 nothing to do with the estate of Doyle Pierce. This has to do

1 with you recording on the date and time in question, recording
2 at the clerk's window." I reply, "The summons you sent had
3 Doyle Pierce's estate number," and Singleton replies, Judge
4 Singleton replies, "It is associated somewhat with the case
5 because you were here on the matter to allegedly pay an invoice
6 for -- on the behalf of someone else." All right. But in
7 reality, technically does not have anything to do with Pierce
8 estate. All right. This time the Court is going to call
9 Jessica Lowman," and he moves on.

10 So, it doesn't -- the case doesn't have anything to
11 do with the Doyle Pierce estate case by Judge Singleton's
12 admission. But on the front of the transcript is the Doyle
13 Pierce estate case number. So, I would like to have a
14 transcript that removes this number. And I -- that's my motion
15 to strike because I actually submitted a transcript that did
16 not have this case number on the front of it.

17 And then they pleaded with you to have Legal Eagle produce
18 the transcript. And then Legal Eagle came back with a
19 transcript, which has this incorrect case number on. So, I
20 filed a motion to strike today, because I'd like to strike this
21 transcript from the record and get a transcript that's more
22 consistent with what actually occurred in the hearing.

23 THE COURT: Are you saying that other than having the
24 probate case number, that the transcript is somehow not
25 indicative of what happened?

1 MR. BOYLE: No, I think that -- I think the
2 transcript does lay it out. I think that having that case
3 number on --

4 THE COURT: Why don't we just amend it to provide
5 that the case number is one you have in this case going on now?

6 MR. BOYLE: Whatever you feel is appropriate is fine
7 by me, sir. I just feel like that is --

8 THE COURT: Let me tell you, I got a lot of feelings
9 about what is and what's not appropriate, but that's not
10 relevant. It just seems to me that that would be the way to do
11 it since it's got a new case number when it came up. You
12 didn't actually stay -- you didn't actually have a case that
13 you brought and you were found in contempt in a case that was
14 proceeding for the Court. I -- quite frankly, I'm not sure how
15 to handle that if you want to.

16 MR. BOYLE: Well, right. I mean, I was held in
17 detention for 40 days with no case number or no publicly listed
18 crime. I think that, you know, there's reason to investigate.
19 That's my understanding is that that's not appropriate to hold
20 someone for 40 days with no case number or no crime listed.

21 THE COURT: You know what, I can't answer that or not
22 quite frankly but --

23 MR. LOGAN: Your Honor, can I hopefully provide some
24 clarity here. This is the motion that I was referring to and I
25 had sent a memorandum to the Court with the --- with some

1 | attachments

2 | MR. BOYLE: And have I received these?

3 | MR. LOGAN: Yes sir, I have served you with
4 | everything I have filed. It has both case numbers on it. My
5 | memorandum does because his cover sheet when he filed his first
6 | notice of appeal contained both numbers. So, I have carried
7 | that forward in my motion to dismiss his appeal. He has a copy
8 | -- has had it for weeks.

9 | I had Legal Eagle transcribe the hearing. His copy or
10 | whoever produced his transcript starts about halfway, Legal
11 | Eagle starts from the beginning. There is a certification
12 | attached to the Legal Eagle just like there always is, that it
13 | is as accurate transcript of the hearing. He has that as well
14 | as what the condensed version which he has and I have. There
15 | basically -- the only difference is Legal Eagle starts from the
16 | beginning of the hearing.

17 | THE COURT: Let me stop you right there. Any -- do
18 | you have any argument that the transcript that has been
19 | provided by Legal Eagle is somehow not accurate or doesn't
20 | accurately reflect what happened in the hearing?

21 | MR. BOYLE: Yes sir. Only in a couple places.
22 | There's a whole dialogue between Judge Singleton and Jessica
23 | Lowman in the transcript, but I don't believe that's actually
24 | Jessica Lowman in the transcript. I believe that that's a
25 | different clerk. And I think that --

1 THE COURT: That well may be but that's what we've
2 always done is had somebody certify this is a legitimate
3 transcript. That's what they did in this case, Legal Eagles.
4 They don't have anybody to reward or punish in this case, they
5 just were doing what the transcript says. I'm glad to put a
6 new number on it for you but other than that I'm going to leave
7 the transcript just as it was done by Legal Eagle. Okay. Sir?

8 MR. LOGAN: Does the Court have a copy of my
9 memorandum that I filed on this case, which is my motion --
10 actually my motion to dismiss his appeal.

11 THE COURT: Okay.

12 MR. LOGAN: So, I'll be glad to have -- I thought we
13 served it on him. I'll give him another copy, but I'll be glad
14 to hand this up but it does have a stamp that it was filed.

15 THE COURT: Okay. I don't doubt it, I never did.

16 MR. LOGAN: Okay. But I -- if it is a little
17 technical but I can explain, but I do ask the Court to study a
18 little bit because it is significant --

19 THE COURT: Asking me to study a bit, are you trying
20 to say that I don't study --

21 MR. LOGAN: I'm sorry, Your Honor. I know you study
22 everything. So, I just ask that -- I'll withdraw my statement,
23 I should not have said it and I'm sorry.

24 THE COURT: I'm sorry, go ahead.

25 MR. LOGAN: Thank you. All right. This is what he -

1 -

2 MR. BOYLE: Is this the motion to dismiss we're
3 hearing now?

4 MR. LOGAN: Motion to dismiss, Your Honor.

5 MR. BOYLE: That was not on the docket, sir. I'm not
6 prepared for that at all.

7 MR. LOGAN: It says motion/appeal on the docket.

8 THE COURT: And his motion is -- the response is the
9 motion to dismiss your appeal and that is a response.

10 MR. BOYLE: The response -- again, I'm pro se I don't
11 really -- I try my best. I work a full-time job and I have a
12 kid and I have a life. I try my best.

13 THE COURT: Please --

14 MR. LOGAN: Your Honor, he can't come into court and
15 keep saying because --

16 THE COURT: Stop, I know that. Let's do this. Do
17 your appeal, do your motion to dismiss, argue your motion for
18 your appeal. Stand up while you're doing it, please.

19 MR. BOYLE: All right. Yes, sir. Again, I would
20 like to state that this seems very premature because the Rule
21 62-1-308 sets forth the schedule, which we have not adhered to.
22 In this case, a lot of things happened that -- for example, I
23 had an attorney approved by the Public Defender's Office. I
24 gave Judge Singleton prior to the hearing my approved public
25 defender. And he said it wasn't approved for some reason and

1 | then he called the public defender down to the courtroom. At
2 | the time of the court hearing, the public defender said that I
3 | was not permitted to have a public defender because of the case
4 | number, basically that said that it was a civil case because I
5 | was being held in contempt of the Doyle Pierce estate case,
6 | when in fact I was being held in contempt of a Supreme Court
7 | administrative order.

8 | And if I had been held in contempt of the Supreme
9 | Court Administrative order under a new case number, then I
10 | would've been permitted a public defender. But either way, at
11 | the day of the hearing, I was given no notice. I requested a
12 | continuance for a public defender and that was denied. I
13 | submitted a full motion to dismiss, which pointed out the
14 | glaring contradiction of Judge Singleton asking -- acting as
15 | the victim, the moving party, the primary witness, the
16 | investigator, the judge, and who knows what else.

17 | The -- and so this motion to dismiss was -- I don't even
18 | think he had time to read it, but it -- he dismissed it at the
19 | start of the hearing. But that dismissal was never put on the
20 | public record. There's no public record of my motion to
21 | dismiss being dismissed. So, I think that that is a
22 | significant thing that we need to look into.

23 | And then that during the hearing, Judge Singleton
24 | acted as the prosecutor calling witnesses and the witnesses he
25 | called were largely his subordinates. He called his clerks and

1 he called -- I think he just called his two clerks. And he
2 even collected affidavits from his clerks. He's being the
3 investigator and he's going -- you know, he's a witness and
4 he's gathering information.

5 He wasn't even present for what he's calling the direct
6 criminal contempt. He got it through hearsay from other people
7 and so it doesn't really feel like direct criminal contempt to
8 me. And again, there was a litany of other things. For some
9 reason I had believed that once we recognized that we had not
10 adhered to the schedule of 62-1-308, that we would all agree to
11 talk about this on a later date.

12 THE COURT: Well, let me point out something for you
13 right quick.

14 MR. BOYLE: Yes.

15 THE COURT: That's a probate court schedule, you just
16 asked the probate court not be part of this case. It's not a
17 part of this case. As you rightly pointed out, this is not a
18 probate case. So, it's not relevant to your appeal at all.

19 MR. BOYLE: Interesting.

20 THE COURT: Okay. It's not.

21 MR. BOYLE: Well, I don't -- again, I'm not a lawyer,
22 sir.

23 THE COURT: I know. And that doesn't work for you
24 anymore because you are a pro se litigant. I -- you know, I've
25 urged you to go talk to counsel. I really think you should but

1 go ahead if you would.

2 MR. BOYLE: Let's see. The -- you know, and I think
3 that there was a reason to think that Judge Singleton had held
4 a lot of animosity against me for a long time. On October
5 24th, 2023, I was in the probate lobby with my son. And as I
6 was waiting for papers to be delivered to me assistant Judge
7 Green was in the lobby.

8 And Judge Green was talking with an older man. And it
9 sounded to me like she was giving the option of he could either
10 sign these documents or get an attorney. I jumped in and kind
11 of interrupted maybe a little bit, but I said that you could
12 also act pro se of informing the man of his rights. This is
13 all actually really clearly detailed in the transcript of the
14 June 17th hearing. And so, Judge Green then apparently told
15 Singleton something. She apparent -- she says in the
16 transcript, she didn't tell him I broke the law, but Judge
17 Singleton somehow interpreted this into me breaking the law as
18 the giving legal advice illegally, when in fact all I did was
19 inform the man of his rights.

20 Judge Singleton then sent an email to all the parties
21 of the Doyle Pierce's estate case that didn't include me and
22 said that I was breaking the law in the court lobby and was
23 never again allowed in the Court lobby. So, he made an order
24 over an email against me that I was never served. Of course, I
25 did return to the lobby many times because I have to file

1 paperwork on behalf of my wife. She can't always make it. And
2 so, I feel like he's been holding a grudge from then ever
3 since. When I went into the probate court lobby itself on the
4 day, luckily, I filmed myself entering the room. The Supreme
5 Court order that I am accused of violating, it says very
6 clearly that it shall be posted on the Court door and as, you
7 know, sir, shall as a mandatory directive.

8 And so, Judge Singleton's office violated that order
9 by not posting it correctly on the door. During my time of
10 filming the entire time, I was obviously unaware of the order.
11 I'd never been notified of the order in any way. And I was
12 filming to protect myself because there had been
13 inconsistencies at the window and accusations made at the
14 window related to the clerks and Judge Singleton.

15 I felt the need to protect myself with a recording. And
16 it really helped because in this hearing, one of them says I
17 was intimidating and one of the clerks said I was very loud.
18 But luckily, we have it all recorded and we can watch it and
19 see that I was not either of those things. And so, the order
20 was never posted, I filmed the entire duration. I was never
21 informed of the order; I was never asked to stop filming.

22 No one asked me to stop filming from the time I
23 started filming till the time I left. No one informed me it
24 was against the order. So, I did not willingly violate any
25 order on that day. So, there is a ton of reasons why I feel

1 that this appeal is very valid. That's probably the most
2 blatant one is that and then there's these two incidences of
3 May 29th and May 24th. There was never a hearing on May 29th.
4 I was sentenced to direct criminal contempt in the lobby for
5 filming in the lobby, I was never accused of violating the
6 order on May 29th. So, I assume the sentence is for the
7 potential violation of May 24th.

8 In this transcript, there's a really troubling part,
9 sir. So, I was sentenced on May 29th to 10 days in jail. That
10 order includes the events of May 24th and May, 2019. Both
11 incidents that I was filming in the court lobby. The first
12 incident I was filming at the clerk's window, unaware of the
13 order. And then in the second sentencing of June 5th, which
14 turned out to be a mistrial because my lawyer ended up being a
15 fake lawyer, I was sentenced to 60 days. Again, that trial
16 only heard the events of May 24th.

17 THE COURT: Say that again?

18 MR. BOYLE: The events of the second trial on June
19 5th only included the events of May 24th. The day where I was
20 obviously unaware of any order, I had no idea that any order
21 existed that I supposedly violated. And then that was a
22 mistrial, in which case I was released and I was brought back
23 on June 17th. On the June 17th hearing, I asked three times in
24 this transcript, are we only hearing May 24th? He said yes, all
25 three times. Both the clerks testified to having no knowledge

1 of me being aware of the Supreme Court Administrative Order.
2 Judge Green testified to me having no way of knowing that I'm
3 aware to the Supreme Court. Judge Singleton being the primary
4 witness, refused to be cross-examined. So, I don't know what
5 his position is, but I did actually ask to cross-examine Judge
6 Singleton as the primary witness and he denied my petition to
7 cross-examine him. So, I don't think there's any evidence --

8 THE COURT: Let me ask you this?

9 MR. BOYLE: Yes, sir.

10 THE COURT: When you appeal or finding of contempt is
11 what you're doing?

12 MR. BOYLE: Yes, sir.

13 THE COURT: What is the scope of review for me to
14 look at that to give you any relief?

15 MR. BOYLE: I guess, I don't really understand the
16 legal language but I think that the --

17 THE COURT: In other words, what do I have to find in
18 order to say, okay, yeah, you are entitled to some relief here.

19 MR. BOYLE: I would think that you'd have to find
20 that I was never notified of the order itself that I didn't
21 willingly violate it. Because the transcript clearly shows
22 there's no evidence that I willingly violated that order at any
23 level, at any time. And then I want to go back to that
24 sentencing thing, if you don't mind for a second. So, I was
25 sentenced to 10 days and then later in 60 days. And if you get

1 to the end of this, it's very troubling. When he gives the
2 sentence of 50 days on the last one, he's really talking like
3 he gave me 10 days and then he gave me 60 days as if he feels
4 that was one sentence. Like he took the 10-day sentence and
5 extended the 10-day sentence up to 60 days. But that's
6 actually not what I believe the record shows. I believe the
7 record shows that I was sentenced to 10 days and then I was
8 sentenced completely separately to 60 days for the exact same
9 crime, which would've been a double jeopardy because I think
10 we're only just -- there's no trial ever held or no accusation
11 ever held that I violated the order on May 29th.

12 So, we're talking only about May 24th now was
13 sentenced twice. And in this case, he sentenced me to 50 days
14 saying I already served 10 days of the 60-day sentence. That
15 he -- I mean this convolution of what is one crime and what is
16 double jeopardy, I think is also a major, major problem. And
17 even if we want to say that the May 29th order for some reason
18 stands because who knows how that could be justified, but the
19 May -- the June 17th order, there's no way it stands, it's
20 double jeopardy. He already sentenced me for that crime on May
21 29th.

22 THE COURT: Anything further?

23 MR. BOYLE: I'm sure there is more at the top of my
24 head right now.

25 THE COURT: I'll give you a chance to respond.

1 MR. LOGAN: Okay.

2 THE COURT: All right.

3 MR. LOGAN: I'm a little confused now. Did he file a
4 notice of appeal? I haven't been served with it.

5 THE COURT: Did you not serve him a notice of appeal?

6 MR. BOYLE: I put things in the mail several times.

7 THE COURT: That doesn't answer my question. Guys,
8 let me ask you this. Either we're going to have a hearing
9 today or I'm going to continue it and let y'all come back at
10 another day.

11 MR. LOGAN: Well, I can't respond completely to what
12 he has argued.

13 THE COURT: We're going to continue everything.
14 Okay. Give him a copy of your notice of appeal. You give him
15 a copy or y'all do whatever you do to get the transcript done.

16 MR. LOGAN: Sure, he got a copy of my notice.

17 THE COURT: Okay.

18 MR. LOGAN: If I file them up.

19 THE COURT: All right. And so, before you leave get
20 with Amanda. It doesn't have to be me to hear the case. It
21 can be any sort of court judge. However, I'm more than happy
22 to hear the case, it doesn't matter. Then we'll reschedule it
23 once everybody gets their paperwork ready to go, ready. It's
24 fair for you, fair for you. This is not a probate court appeal.
25 I would -- those things that you're talking about don't have

1 any --

2 MR. BOYLE: Well, just have the probate -- the
3 summons was given with the probate case number. So, I kind of
4 fell under the rule.

5 THE COURT: I don't -- you know, I don't blame you
6 for thinking that. I mean, quite frankly, I'm just you know --

7 MR. LOGAN: Your Honor, are you saying that Section
8 621-308 dealing with appeals from the probate court is not
9 applicable?

10 THE COURT: I don't think it is. That's where
11 probate -- he's finding him in contempt for doing -- for what
12 I've gathered -- for using his direct contempt -- inherent
13 direct contempt powers or inherent powers for direct contempt
14 in the -- around or near the Court's presence. That doesn't
15 have anything to do with the probate court. It might have been
16 put under that number but it has to do with conduct outside of
17 the Court case.

18 MR. LOGAN: Can I make a comment?

19 THE COURT: You certainly may.

20 MR. LOGAN: It says in Section A, the notice of
21 intention to appeal to the circuit court must be filed in the
22 office of the circuit court, et cetera.

23 THE COURT: I know that.

24 MR. LOGAN: And one of my arguments is that he did
25 not make the filings on time under this court. And it deals

1 with what comes from the circuit court. I mean from the
2 probate court to the circuit court and the timeliness of that.
3 So --

4 THE COURT: Well, here's the thing. You know, you
5 have two types of -- you have direct contempt, you have
6 constructive contempt, you have criminal contempt, and you have
7 civil. I mean civil contempt and they're all different things
8 and standards are different. You know, I have to find the
9 civil contempt by clear and convincing evidence, criminal by
10 proof beyond a reasonable doubt.

11 And the punishment kind of dictates which it is and civil
12 contempt, as you know better than I do is you get the keys to
13 the jailhouse and if you do something to comply then you get
14 out. Of criminal contempt you can't get out. You have to do
15 what they do. So, it seems to me this case is a case of
16 criminal contempt because it was an order that you're going to
17 do 60 days and there's no way to him not to do that.

18 So, I think that is criminal contempt. But it is for
19 conduct outside the scope of this case, it's for conduct that
20 occurred in the lobby of this case is my understanding. And an
21 alleged violation of an order from the Court administration
22 saying you can't film or whatever the order said. That's my
23 understanding. So, therefore why it might have taken place at
24 the probate court location, it's not a probate court matter.
25 That's my interpretation of it.

1 MR. LOGAN: Well, I'll reserve my right.

2 THE COURT: Yeah. And if you can prove me wrong, I -
3 - you know, I get proven wrong about every other day and I
4 don't -- I'm not so thick that it bothers me, I'm glad to be
5 corrected. I just think that if he were sitting out here doing
6 something out that I thought he was guilty or you of direct
7 criminal intent and I said, "Hey, you're -- you've got --
8 you're under contempt of court.

9 You under the inherent authority that I have to control of
10 the court proceedings, you have directly violated that and so
11 I'm sentencing you 30 days. That is a criminal contempt and --
12 but it has nothing to do with the fact that I'm trying a civil
13 case or a criminal case at the time.

14 MR. LOGAN: Well, I'm sure I may have some additional
15 arguments but it just seems that if you are appealing something
16 that happened from the probate court that the time to do that,
17 not anything else but the time to do that would be governed by
18 these rules. Now that I -- that I've attached to my --

19 THE COURT: Well, let me ask you this. What is the
20 time to appeal a criminal order?

21 MR. LOGAN: I -- I've got to go back and look at
22 this.

23 THE COURT: It's 10 days.

24 MR. LOGAN: Okay.

25 THE COURT: Same timeframe.

1 MR. LOGAN: Okay. And also, to what about filing the
2 -- because this rule talks about filing a -- must be filed a
3 written notice. Excuse me, within 45 days after receipt of the
4 notice of the order so and so forth, the appellate must file
5 with the clerk of the circuit court a statement of issues on
6 appeal. And it's my -- the crux of my motion is that he did
7 not file that notice within that 45-day time period.

8 THE COURT: My law clerk just said that the notice of
9 appeal was filed on 6-14-24 with the Court and the amended
10 appeal served on Singleton 6-26-24. That's what she just told
11 me based on the record.

12 MR. LOGAN: Well, I just -- I would like for her to
13 read my memo and since y'all didn't have it you apparently
14 haven't done that as how I distinguish that. He's got two
15 notices of appeal here. The first one he filed within 10 days;
16 the problem is he didn't file within 45 days that started
17 running from the filing date of that notice -- first notice of
18 appeal. And if that goes away because that's dismissed then
19 there is no double jeopardy and that throws out his second
20 appeal. That's where I'm coming from.

21 THE COURT: I got you.

22 MR. LOGAN: Okay.

23 THE COURT: And we're not arguing it today, I'm going
24 to let you have a chance. My view and subject to either one of
25 you proving me wrong. You still -- I can't tell you what to

1 do. You have a right to represent yourself, I would urge you
2 to talk to a lawyer at a minimum.

3 MR. BOYLE: I'm broke, sir.

4 THE COURT: Huh?

5 MR. BOYLE: I'm broke, I'm financially broke.

6 THE COURT: Well, that's up to you. But either my
7 judgment is that this is not a probate matter in the classical
8 sense that I'm working within the state or some other issue
9 that's contained in the probate court. This is a matter that
10 occurred in the perimeters of the probate court that violated
11 administrative order from South Carolina Supreme Court. And it
12 does not involve only the probate court it just involves the
13 inherent authority of the Court.

14 MR. LOGAN: And I'm not -- the 10-day time period is
15 the same. Well, I've got to go back now based upon what you've
16 said is, is there a time period for filing the transcript just
17 like there is here and I don't know what that time period is or
18 I don't know if it's the same as what's in here.

19 THE COURT: I -- you know what? The only thing I can
20 tell both of you is when I was looking and getting ready for
21 this hearing, said that probate court specialized appellate
22 rules. You don't follow the general rules that you have for
23 the other appellate rules is 241 or whatever it is. Anyway, I
24 don't know but don't go until you -- we have a hearing
25 scheduled. Okay? It -- and again, I don't -- you're not going

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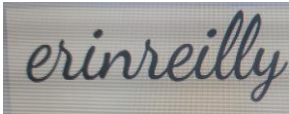
CERTIFICATE OF TRANSCRIBER

I, ERIN REILY, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 10, South Carolina, on the 12th day of, September 2024.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

December 10th, 2024

ERIN REILLY
TRANSCRIBER



STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE)
)
Jason Michael Boyle)
)
Plaintiff,)
)
vs.)
)
Danny Singleton)
Probate Judge et al)
)
Defendant.)
_____)

**IN THE COURT OF COMMON PLEAS
TENTH JUDICIAL CIRCUIT**

Civil Action No: 2024-CP-37-00451

**ORDER ON DEFENDANT'S
MOTION FOR A RULE
TO SHOW CAUSE**

This motion came before this Court under an alleged appeal from Probate Court based upon the Appellant, Jason Michael Boyle, having been held in contempt by the Probate Court and sentenced accordingly.

Initially, the Court notes that this is not an appeal from Probate Court controlled by S.C. Code Ann. Section 62-1-308 (2014). Rather, this is an appeal of the Probate Court's order holding Appellant in contempt along with the associated sentence.

On or around 07/17/2024, the undersigned issued an order releasing Appellant from custody pending the outcome of his appeal of the underlying finding of contempt and associated sentence.

This Court's rationale for releasing Appellant on bond was that by the time his appeal could be determined, he would have served the entirety of the contempt sentence. It was explained to Appellant who expressed his understanding that his present release is subject to a future order affirming the Probate Court's order and requiring Appellant to serve the contempt sentence.

As part of the Personal Recognizance Bond, issued by this Court, the following was ordered:

“Defendant, his servants, agent, employees and or any one acting on his behalf, including legal counsel, are under a gag order prohibiting them from speaking publicly about this case, including but not limited to news agencies, social media and to anyone not necessary to the preparation of this case.” Ord. of Release/Discharge, para. 2, *Jason m Boyle v. Danny Singleton et al*, No. 2024CP3700451 (Ct. Com. Pl. Oconee Cty., S.C.).

At the hearing setting the Personal Recognizance Bond, the Court reviewed with Appellant the requirements of the Court’s gag order to which Appellant expressed his understanding. During the hearing, the Court acknowledged that it did not have the authority to violate Appellant’s First Amendment rights, however, the Court did have the authority to prohibit him from discussing this case. Again, Appellant expressed his understanding.

Subsequent to the issuance of the Release Order and Personal Recognizance Bond, it was brought to the Court’s attention by the attorney for Judge Singleton that Appellant had posted an entry online on Appellant’s website in violation of this Court’s gag order.

As a result, this Court requested Judge Singleton’s attorney to prepare a Rule to Show Cause which is the subject of today’s hearing. In response, Appellant filed a denial that he posted the entry subsequent to this Court’s order asserting that he posted the video prior to the Court’s gag order and any evidence of a subsequent posting of that video had been fabricated.

Notwithstanding, prior to the hearing, Appellant distributed fliers at the Oconee County Courthouse, a copy of which is attached hereto, as well as posted at least an entry on his website about this case in violation of the gag order.

Accordingly, the Court finds that Appellant is hereby in contempt for violation of this Court's bond order. However, the Court will refrain from issuing sanctions presently until the matter is concluded at the Circuit Court level. Appellant's conduct between now and the Circuit Court's final order in this matter will play a large part in the sanctions that Appellant will receive.

IT IS SO ORDERED.



R. Lawton McIntosh
Circuit Court Judge

September 16, 2024
Anderson, South Carolina



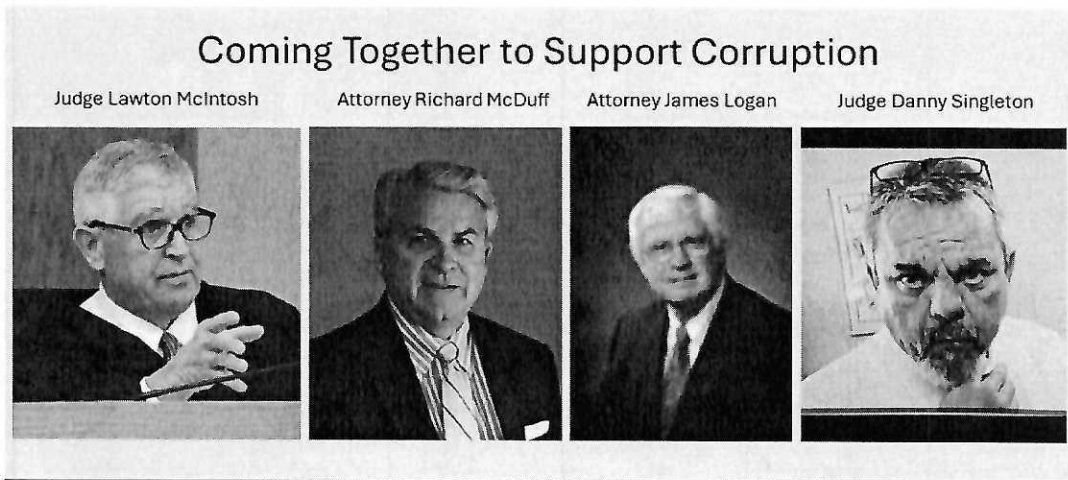
Oconee County Courts: A Deepening Crisis of Corruption and Judicial Misconduct

Corruption works better with more players!!

10 CIRCUIT COURT

Jason M. Boyle

9/8/2024 - 6 min read



Oconee County, South Carolina, has become a breeding ground for judicial misconduct, where those in power manipulate the court system not for justice but for vengeance. My name is Jason Boyle, and I am a victim of this system—incarcerated by Judge Danny Singleton in a blatant abuse of authority. As I appeal this wrongful imprisonment, the misconduct has only escalated. Attorney Jim Logan, representing Singleton in my appeal, has joined this scheme to silence me through intimidation and unlawful procedures. This corruption is not an isolated case; it is a systematic abuse of power that has festered, unchecked, for too long.

McDuff and Singleton: Collusion in the Courtroom

During my emergency release hearing on July 17, 2024, held in the Tenth Circuit Court of South Carolina, attorney Richard Hunt McDuff—a man deeply involved in my fiancée's probate case—was seen consulting with Judge Singleton and his attorney, Jim Logan. McDuff had no standing in my case, yet he brazenly coached Singleton and Logan from the sidelines, in the direct observation of Judge McIntosh, advising them on how to ensure my continued incarceration. McDuff's involvement is troubling, given his role in conspiring with Singleton to have my fiancée sentenced to 180 days in jail for daring to criticize the judge and hold the judge accountable to the law. This was not only illegal but vindictive—a clear abuse of power.

McDuff's participation in my case, despite having no legal grounds to do so, is a violation of court rules. His behavior, far from appropriate, exposes the incestuous relationships between lawyers and judges in Oconee County. These backroom dealings foster an environment where *ex parte* communications and

unethical alliances are not just tolerated but encouraged. Singleton's willingness to collaborate with McDuff, whose clear conflict of interest in my fiancée's case should have disqualified him from involvement, is another glaring example of how deep the corruption runs in this small town.

Incarceration Without Due Process

On June 17, 2024, Judge Danny Singleton sentenced me to 50 days in jail without legitimate cause. After 30 days of unlawful confinement, I was released early on July 17, 2024, thanks to an emergency order from Judge McIntosh. Upon my release, no release papers were provided to me—a clear violation of legal procedure. Worse, no crime or case number was ever listed on the public record during my imprisonment, underscoring the sheer illegality of the entire process. The lack of a case number or publicly listed crime was the result of Probate Judge Danny Singleton acting so far out of jurisdiction that he had no means to create a case number. The County jail was just doing its part in covering for Singleton by not providing me release papers I could later use as evidence. This may have been the reason I was never served the release order that included a gag order and other restrictions.

Although a gag order was ordered, I was never officially served. The purpose of this order was transparent: it was designed to stifle my voice, prevent me from defending myself publicly, and stop me from gathering the support I needed to expose the corruption in Oconee County's legal system. On July 22, Judge McIntosh's clerk sent an email instructing Logan to draft a Rule to Show Cause—an order meant to hold me in contempt of court yet again. This is the very tactic that was used to jail me in the first place, and they were prepared to use it once more to silence me.

Ex Parte Violations and Inappropriate Evidence

The request for the Rule to Show Cause raises serious concerns, chief among them being the blatant violation of laws prohibiting *ex parte* communications. For Judge McIntosh to be aware of my supposed contempt without my knowledge means there must have been improper communication between him and Logan or Singleton. *Ex parte* communication—any discussion between a judge and one party without the other present—is strictly forbidden. Yet, in Oconee County, this type of judicial malpractice is standard operating procedure.

The so-called evidence of my contempt? A screenshot of a YouTube video, allegedly posted after the gag order was issued. However, my account information clearly shows this video was posted on June 19—before the gag order was issued. It is clear that the evidence used to accuse me of contempt was incorrect. On my YouTube account, the video clearly shows a posting date of June 19, a day I spent in jail without access to my YouTube account. It was not posted by me.

When I requested discovery regarding this allegation, I was met with vague and incomplete responses. The discovery revealed that Maggie Bonadee, Judge Singleton's clerk, had taken a screenshot of the video. However, a second screenshot—one that was issued to Judge McIntosh by Singleton or Logan—was somehow introduced later. The discovery process did not clarify who took this second screenshot or how it ended up in Judge McIntosh's office. This dishonest manipulation is just one example of how the Oconee County legal system routinely disregards the rule of law to protect its own.

Bonadee, who had already falsely testified against me in a previous contempt hearing—claiming I was “very loud”, despite video evidence to the contrary—had no business working with Singleton as an investigator. This behavior, which exceeds the boundaries of the probate court jurisdiction, violates the separation of powers. In Oconee County, however, it seems that judges and clerks act as law enforcement, prosecutors, and executioners all rolled into one.

Illegal Subpoena of Phone Call Recordings

The corruption doesn't end there. Jim Logan deepened the conspiracy by subpoenaing recordings of phone calls I made during my incarceration. Over the 30 days I spent in jail, my fiancée and I paid more than \$300 for phone calls, discussing legal strategies and exposing the depth of corruption in Oconee County. On September 3, 2024, Logan issued a subpoena to Jeremy Chapman, the deputy in charge of the detention center, seeking recordings of my phone calls from June 19.

This raises several critical questions. How did Logan and Singleton know precisely which calls to target? I made calls almost every day during my incarceration. Their ability to pinpoint a specific date suggests they had access to information they should not have had. When I contacted the officer in charge of the detention center, Jeremy Chapman, he denied that he had released any recordings and directed me to Captain Jimmy Dixon of Investigations. Dixon, who, according to Chapman, has access to these recordings for criminal investigations, is the same officer who, while off duty, attempted to intimidate my fiancée into withholding evidence from the Circuit Court. This conflict of interest, with Singleton and the Sheriff's office unlawfully engaging in investigatory actions, underscores the corrupt relationship between the courts and law enforcement in Oconee County.

Moreover, Logan and Singleton's attempt to introduce these phone recordings as new evidence violates South Carolina law. Appeals are limited to reviewing evidence presented at trial; new evidence cannot be introduced. The call they are attempting to use occurred two days after my trial and clearly has no relevance to the judicial decision being appealed. Singleton and Logan's efforts to introduce this evidence are not just unethical—they are blatantly illegal.

Motions to Quash and for Sanctions: Seeking Justice in a Corrupt System

In response to these flagrant violations, I filed motions to quash the subpoena and to impose sanctions on both Singleton and Logan. Their response? A dismissive, boilerplate motion for summary judgment—essentially a request for the court to ignore my requests for justice. Their arrogance is staggering. They didn't even bother to mount a legitimate defense because, in their minds, they are the law in Oconee County. They've become so entrenched in their own power that they believe they can operate with absolute impunity.

Singleton and Logan's actions—illegal subpoenas, discovery during appeal, investigations lead by a judge, and *ex parte* communications—demonstrate a complete disregard for the judicial process. They are betting that the Circuit Court, like the rest of Oconee County's legal system, will turn a blind eye to their misconduct. And why wouldn't they believe that? For years, Oconee's legal system has operated as if it's above the law, accountable to no one.

Where Is the Outrage?

Oconee County is a case study in judicial corruption, where those entrusted with upholding the law are the very ones undermining it. My case is not an isolated incident; it is a symptom of a system that no longer serves the people it was designed to protect. The courts, which are supposed to be pillars of justice, have instead become tools of oppression in Oconee County.

The only way to fight back against this entrenched corruption is through public awareness and collective action. This is why I was placed on a gag order. I have appealed that gag order, and that is why I can write this article. **If they would have had their way, I would be going to jail for writing this!!** The people of Oconee County, and indeed all Americans, need to demand accountability from their legal institutions.

America, are you listening? Do you care that courts meant to serve justice are being used as weapons by corrupt individuals?

As I await my next hearing on September 12, I urge the public to pay attention. The outcome of my case will not just determine my future—it will serve as a litmus test for the integrity of Oconee County's courts. If corruption is allowed to continue unchecked, no one in Oconee County can expect to receive fair treatment in the courts.

The time for complacency is over. This is not just my fight—it's all of ours. I hope to see you at my hearing on September 12. Your presence, your watchful eyes, can bring accountability to a corrupt system.



Oconee News

Justice through Journalism

MUST READ!!
Stop Corruption In Oconee Courts
Now!!

Coming Together to Support Corruption

Judge Lawton McIntosh

Attorney Richard McDuff

Attorney James Logan

Judge Danny Singleton



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Aug 26 2025

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA,
IN THE COURTS OF APPEALS
APPEAL FROM THE OCONEE COUNTY COURT OF COMMON PLEAS
TENTH JUDICIAL CIRCUIT

Order of Honorable Judge Lewton McIntosh

APPELLATE CASE NO: 2024-001241

The Matter of Jason M. Boyle

PROOF OF SERVICE

EMERGENCY MOTION FOR INJUNCTION PENDING APPEAL

I hereby certify that a copy of this reply was delivered to the following parties:

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Respectfully Submitted, this August 26, 2025,


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