

The state  
Respondent,  
v  
Pierrie Brisbane  
Appellant.

Motion for a  
rehearing  
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SEP 22 2025  
SC Court of Appeals

In the Court of Appeals  
Appeals From Administrative Law Court  
Deadra L. Jefferson administrator Judge  
Case# 2022A1010203492; 2022A1021000050; 2022A1010204758;  
2022A1010204759; 2022A1021000051; 2022A1021000052;  
2022A1021000053  
Court of General sessions for 9th Judicial Circuit Court  
Appellate Court Judge Vinson  
Appellate Case # 2025-001061

Please take Notice that Appellant, Pierrie Brisbane, a Pro se litigate here by gives notice of his intent to move the appellate court of south Carolina, to do so move, for a rehearing of Appellate Court Judge Vinson order.

Due to the order of judge vinson, Petitioner rights is being violated without any protection. The order; Case # 2025-001061, delivered & filed June 20, 2025 was decided in opposition of the constitution & case law of South Carolina. Basis For claims, is Petitioner rights are being violated:

- 1) s.c. Const. Art 1 sec. 2
- 2) s.c. Const. Art. 1 sec. 3
- 3) s.c. Const. Art. 1 sec. 11
- 4) s.c. Const. Art. 1 sec. 14
- 5) s.c. Const. Art. 1 sec. 22

6) The subject matter in which Petitioner is appealing from the 9th Circuit court is civil in nature. Petitioner request that the appellate court give Petitioner this opportunity to Plead his case in said letter.

### Violation of Petitioner Constitutional Rights.

On May 8, 2025 A hearing for a summary judgment was had in which Petitioner motion was denied. Petitioner making a special appearance informed both the court & opposing party of this fact, then there proceeded by using the "Power of Appointment" appointed Presiding judge Deadra L. Jefferson as acting Trustee over the proceedings, while addressing his self as <sup>the</sup> beneficiary of said proceedings.

Due to Petitioner previous fiduciary Taylor H. Currin <sup>willful</sup> <sup>neglect</sup> to protect Petitioner interest in above case captions Ms. Taylor H. Currin has repeatedly refused to answer Petitioner legal questions, including, refusing to obey her contractual duties as Petitioner fiduciary which in turn caused her to be discharged of her duties in open court's quest which were directed to both the Court & fiduciaries:

- 1) is the proceeding a in-rem or in-personam proceeding
- 2) is the proceeding Criminal or civil in nature
- 3) is the proceeding a forfeiture proceeding

1) who is the defendant

Honeycutt v. U.S. Supreme Court of the United States June 5, 2017 581 U.S. 443 137

S.Ct. 1626 148 L.Ed. 2d 73:

Traditionally forfeiture was an action against the tainted property itself; thus proceed in rem, that is, proceeding in which the thing was primarily considered as the offender or rather the offence was attached to the thing...

Richardson on behalf of 15<sup>th</sup> Circuit Drug Enforcement Unit v. Twenty thousand seven hundred seventy one; 00/100 Dollars Supreme Court of South Carolina sept. 14, 2022 437 S.C. 290878 S.E. 2d 868. Justice James

significantly, this statutory scheme is civil in nature...

Petitioner under S.C. Const. Art. ~~1~~ 1 sec. 11; Art 1 sec. 14; Art 1 sec. 22 has the right to

- 1) Petition the government or any department thereof for a redress of grievance.
- 2) shall not be denied equal protection of the laws.
- 3) to be indicted by Presentment or indictment by a properly empaneled Grand Jury
- 4) to know the nature of the charges
- 5) to be given due notice; a opportunity to be heard

in which all above rights has been violated.

Case # 2022#1010203492; 2022#1010204758; 2022#1010204759 being civil in nature, Petitioner has informed Ms. Jefferson of this fact also informing the court that under S.C.

Title: 12 CH: 21 Art: 25 ~~1~~ The Marijuana; Controlled ~~substance~~ Tax Act

mere possession of a ~~quantity~~ quantity of controlled substance was made a violation of said act but under case law of the U.S., Congress to make the possession of person not required to register; Pay tax, unlawful, was doubtful.

Fyke v. U.S. Court of Appeals 5<sup>th</sup> Circuit December 10, 1918 254 F. 225165 C.C.A 513:

The narcotic act made it unlawful for any person not registered under the act, who had not paid the tax provided for by the act, to have in his possession any prohibited drugs. The grounds of the decision was that the act being a revenue not a police measure, the competency of congress to make the possession of person not required to register; pay the tax, unlawful, was doubtful; to preserve its constitutionality, the court would construe this prohibition of the act as not embracing those not required by it to register; pay the tax; that it was not unlawful for one not embraced in the clause to have possession of the prohibited drugs...

U.S. v. Jin Fuey Moy supreme Court of United States June 5, 1916 241 U.S. 39436

S.C. 65860 L.Ed. 1061...

Any person not registered, cannot be taken to mean any person in the United States, but must be taken to refer to the class with which the statute under takes to deal, the person who are require to register...

Petitioner has repeatedly requested for all; any evidence showing that he has been engaged in any conduct that would make him liable to register

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making him apart of this class of persons.

• Right of summary Judgment.

By way of operation of law Petitioner has been denied a preliminary hearing against his demands for one which has been a 3½ yrs time span, also petitioner 9<sup>th</sup> Circuit Court Charge has fail to be indicted as stated by s.c. Constitution. The order of appellat court Judge ~~vinson~~ Vinson : 9<sup>th</sup> Circuit Court administrator Judge Deadra L. Jefferson is a violation of Petitioner Constitutionally protected : Petitioner has yet to be informed of how the court of General session has obtained jurisdiction of Petitioner said Charges. Petitioner through a affirmative defense : Confession : aviodance, utilized a officer of the 9<sup>th</sup> Circuit Court to complete a Notarial Process by which Petitioner used said Notary to default all opposing parties of interest, being officals who has a oath of office had a duty to respond to Petitioner Process in which they failed to do, even after being put on notice that their non-response will stand as fact : there acquiesce to stated letter would stand as true.

Petitioner <sup>is</sup> in alignment with MATTHEW : CH:5 sec: 25-26 : further seeks to have a rehearing of appellate court judge Vinson order : have Case # 2025-001746 reinstated.

• In Conclusion.

In Conclusion Petitioner has objected to the jurisdiction of General session over his said 9<sup>th</sup> Circuit Court Charges having not been ~~indicted~~ indicted or a preliminary not being had in the demanded time : officer Deadra L. Jefferson never had jurisdiction of stated Charges or Petitioner. Petitioner further states that due to the spoiilation of said evidence : the fact that the nature of his Charges are Civil in nature, a rehearing of Judge Vinson order stating that said Charges are in the court of General session even though No. indictment or Preliminary hearing has been had is a error : in justice done to Petition which is in need of correction. Petitioner ~~here~~ here in gives notice of his intent : do so moves the appellate court for a rehearing, : request that he be granted a summary judgment.

Pierre Brisbane

Pierre Brisbane

sept. 14, 2025

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# The South Carolina Court of Appeals

The State, Respondent,

v.

Pierrie Carlos Brisbane, Appellant.

Appellate Case No. 2025-001061

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## ORDER

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This appeal arises out of an order denying summary judgment that was filed in the court of general sessions. Because an order denying summary judgment is never reviewable on appeal, the appeal is dismissed. *See Bank of N.Y. v. Sumter Cnty.*, 387 S.C. 147, 154, 691 S.E.2d 473, 477 (2010) ("[I]t is well-settled that an order denying summary judgment is never reviewable on appeal. . . ."); Rule 1, SCRCPP (indicating the South Carolina Rules of Civil Procedure (SCRCPP) apply in all suits of a civil nature); Rule 81, SCRCPP ("These rules, or any of them, shall apply to every trial court of civil jurisdiction within this state. . . ."); Rule 56, SCRCPP (setting forth the mechanism by which a party may seek summary judgment); *see generally* Rule 37, SCRCrimP (mimicking the language of Rule 81, SCRCPP, and indicating the South Carolina Rules of Criminal Procedure (SCRCrimP), which do not include a mechanism to seek summary judgment, are applicable to every trial court of criminal jurisdiction). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Rules of Appellate Procedure.



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FOR THE COURT

Columbia, South Carolina

cc:

Pierrie Carlos Brisbane, 0001338730

Robert Michael Dudek, Esquire

Mark Reynolds Farthing, Esquire

Jordan Alyssa Norvell, Esquire

**FILED**  
**Jun 20 2025**

Pierrie Brisbane  
3941 Leeds Ave.  
N. Charleston, S.C. 29405

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S.C. Court of Appeals  
Jenny Abbott Kitchings, Clerk  
~~██████~~ P.O. box 11629  
~~██████~~ Columbia, SC. 29211

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