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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM THE CHARLESTON COUNTY JUDICIAL CENTER
COMMON PLEAS**

Deadra L. Jefferson, Circuit Court Judge

Appeals No: 2025-000851

Case No: 2024CP1004687

ERIC HOLLAND ROBERT WRIGHT

Appellant

VS.

STATE OF SOUTH CAROLINA

Respondent

INITIAL BRIEF OF APPELLANT

Eric Holland Robert; Wright

C/of 545 West 126th Street 12-J

New York, New York near 10027

Appellant In Propria Persona

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STATEMENT OF THE CASE

For the Record: Judicial Notice for Presentation: I am a born alive living common man, known to the men and women to the several union states to the United States of America Republic by my lawful name Eric Holland Robert from the Wright family, Sui Juris, In Propria Persona. I am a born American South Carolinian, a Citizen as described in the Bill of Rights and to the **Privileges and Immunity Clause**, A Citizen to the several states. I, Eric Holland Robert from the Wright family, sui juris, reserve my natural unalienable human common law rights and liberty secured by the Bill of Rights to the Constitution for the United States of America Republic. **In the interest of justice**, please take reconsideration of the lower court's decision regarding due process errors for this alleged criminal matter within the application of law to both Constitutions, pursuant to the Constitution for the United States of America Republic, **Article 6 Clause 2, the Supremacy Clause** reads the supreme law of the land is the Constitution.

For the Record: Judicial Review: The Charleston County Judicial Center Common Pleas Judge Deadra L. Jefferson, in her official capacity and The Town of Mount Pleasant Municipal Court, Municipal Chief Judge Thomas H. Hesse, in his official capacity both was willfully negligent and made willful errors by not being in honor as sworn oath public officials as public trustees to the Bill of Rights to the Constitution for the United States of America Republic and to the South Carolina State Constitution **Article 1 Declaration of Rights**. The two judges did not make their decision based on due process substantive procedures, right to be heard, right to face my accuser, right to trial by jury, right to speedy trial and with no valid contract doing interstate commerce or any type of evidence on the record concerning an alleged crime nor a sworn Affidavit of complaint autographed under penalty of perjury on the record for the record and did not take consideration to the Judicial Notice by Affidavit under penalty of perjury, taking advantage of the fact that I did not enter the well of the court that is quasi-judicial and not a judicial court of record before a duly elected judicial officer as required in my Special Appearance Affidavit so there won't be a determination of guilt by committing prosecutorial misconduct by non-duly elected judicial officers and not violate separation of powers for this alleged criminal matter from Municipal Chief Judge Thomas H. Hesse. Common Pleas Judge Deadra L. Jefferson did not perform her judicial fiduciary duties for the record to ensure my rights to due process substantive procedures was not infringed and made a non-judicial determination giving favor to the lower court and did not overturn the lower court decision.

STATEMENT OF THE FACT

1. **For the Record:** The Town of Mount Pleasant Police Department, Captain Carter in his official capacity made contact with me for an alleged traffic violation using the system SCDMV to identify me as a driver using a South Carolina Driver's License account number that has been closed since February 2008 due to change of domicile, **see 2018CP1000760**. The negligence and error first began when the Town of Mount Pleasant Municipal Court Administrator Laurie Wilson pursued alleged traffic violation using the closed account that the Town of Mount Pleasant Patrolman Captain Carter gave using Uniform Traffic Ticket entered on the court record forcing me under duress to make a special appearance.

2. **For the Record:** During my first and second special appearance by giving notice both times by Affidavit under duress under penalty of perjury as Aggrieved Defendant-in-error, sui juris, in pro per, by not entering the well of THE TOWN OF MOUNT PLEASANT MUNICIPAL COURT, a quasi-judicial court, I was violated to the **First Amendment** Freedom of Speech to a fair hearing. Municipal Chief Judge Thomas H. Hesse in his official capacity was not neutral, fair and impartial by threatening me multiple times for allegedly disrupting the court every time I tried to present myself for the record and ask questions to correct the record and intimidating me and my three witnesses to arrest by having many armed policemen around the courtroom saying that I will be arrested. I rebutted the error for the record by Affidavits under penalty of perjury, the Municipal Chief Judge Thomas H. Hesse willfully neglected to read the Affidavits that are not motions and made a willful error by ruling them as motions denied without giving denial reason. Due Process Substantive Procedures was overlooked and not applied when he made a guilty plea on my behalf and pleaded me guilty forcing me to make an appeal.

3. **For the Record:** I made a special appearance with a witness giving notice by Affidavit under penalty of perjury as Aggrieved Petitioner, sui juris, in pro per, not entering the well to the Charleston County Judicial Center Appeals Court before Common Pleas Judge Deadra L. Jefferson, in her official capacity, who is a duly elected judicial officer, did allow me to make my presentation before the court record but did not read any of my Affidavits to ask me any questions or gave me the answers I did ask her pertaining to the matter more than she saying, "the STATE OF SOUTH CAROLINA can't hear You".

4. **For the Record:** Common Pleas Judge Deadra L. Jefferson was not neutral for the STATE OF SOUTH CAROLINA is the Respondent, she was not judicially fair and impartial and did not apply due process substantive procedures or ask any questions to me about my complaints to the matter for the record before making her non judicial decision giving favor to the lower court.

SUMMARY OF THE ARGUMENT

For the Record: The Charleston County Judicial Center Common Pleas Court is a Judicial Court of record and all sworn oath public officials to this court is to uphold both Constitutions to protect both parties' constitutional rights during all hearing and/or proceedings and to not violate the constitutional provisions that will alarm the public trust.

For the Record: The Common Pleas Judge Deadra L. Jefferson, a South Carolina Bar member, is a duly elected judicial officer, in her official capacity was not neutral, fair and impartial in violation to due process substantive procedures by lack of fair hearing, improper procedures, insufficient evidence and inconsistent application of law to me as the Aggrieved Petitioner, in pro per. The Respondent, who is Ira Allen Grossman, a South Carolina Bar attorney representing the STATE OF SOUTH CAROLINA, did not have to prove any evidence or say anything other than he didn't see any errors on the record from the lower court.

For the Record: In my opinion, Common Pleas Judge Deadra L. Jefferson in her official capacity, showed favoritism to the Respondent, by not doing an actual judicial review for the record and transcript, to hold the lower court record accountable to the standards to due process substantive procedures not being infringed to prosecutorial misconduct while making a non-judicial decision for the record in favor to the lower court as the STATE OF SOUTH CAROLINA is the Respondent that she sworn an oath to and receives benefits and privileges in her official capacity as a duly elected Judicial officer and her actions in the transcript on the record gives me the opinion to say that she was not neutral, fair and impartial in her decision as a judicial judge.

ARGUMENT

For the Record: I, Eric Holland Robert from the Wright family, sui juris, as the Aggrieved Petitioner, in pro per, in the Circuit Court for Common Pleas before Common Pleas Judge Deadra L. Jefferson who made a non-judicial decision in favor of the lower court not meeting the requirements of due process substantive procedures. The error began as I am standing outside of the well of the court and she wanted me to as the Aggrieved Petitioner, in pro per, to enter the well of the court but in legal proceedings, a Petitioner does not have to cross the bar to receive a fair hearing, a right and fundamental principle that ensures that both parties can present arguments and evidence regardless of my physical presence in the courtroom for the judicial officer to be neutral, fair and impartial by making her judicial decision.

For the Record: Common Pleas Judge Deadra L. Jefferson was not acting as a duly elected judicial officer as a Common Pleas judge in her official capacity to her sworn oath in violations to both Constitutions, the Bill of Rights 5th Amendment Substantive Due Process and 6th Amendment and South Carolina Constitution Declaration of Rights Article 1 Section 3 - Substantive Due Process, Equal protection of law, to make sure that she was clear to the complaint of my rights being violated that was filed by Affidavit under penalty of perjury and to ask questions pertaining to the complaint to be clear if my rights were in fact infringed by the lower court so that the record would reflect that her decision was based in a judicial manner and because the STATE OF SOUTH CAROLINA is the Respondent it raises concern about her judicial neutrality for a fair decision.

For the Record: The Constitution to the United States and South Carolina provide the fundamental law of the judicial system. All other laws, regardless of their source, must not conflict with the U.S. Constitution. All State laws, regulations and ordinances must not conflict with the state constitution. All summary court judges must strictly heed the provisions of both constitutions. **The two constitutions are printed in volume 21 of the S.C. Code of Laws. See, State of South Carolina Municipal Court Handbook (2011)**

For the Record: The lower court is the Town of Mount Pleasant Municipal Court and is not a full court and is a quasi-judicial court with some judicial functions and its authority is derived from statutes or regulations instead of the Constitution alone and is not part of the formal judicial system. When a quasi-judicial court, a court of no record makes the determination of guilt in criminal matters it is in violation to the United States Constitution Separation of Powers and to Article 1 Section 8 - Separation of Powers in the South Carolina State Constitution Declaration of Rights, it is not a Constitutional court.

For the Record: The Municipal Chief judge Thomas H. Hesse is not a duly elected judicial officer, and the Town of Mount Pleasant Municipal Court is not a court of record or a judicial court of record as required by my Affidavits sworn under penalty of perjury. The STATE OF SOUTH CAROLINA cannot be both the party to as Plaintiff and judge its own case due to principal of impartiality and fairness that is rooted in the concept of judicial independence and ensure that cases are heard by an unbiased tribunal. The Plaintiff being the STATE OF SOUTH CAROLINA, where the judge is allowing a policeman to make hearsay complaints as evidence without sworn Affidavit under penalty of perjury from a corpus delicti injured party and act as prosecutor when there's no State BAR Member representing the STATE OF SOUTH CAROLINA on the record only the Town of Mount Pleasant Policeman Captain Carter and it's the unauthorized practice of law, a police officer cannot represent the state and if he is representing himself then he would lose immunity and could be countersued. There wasn't any evidence shown to me or placed on the record for the alleged criminal matter violating judicial impartiality and fairness and substantive due process and the 6th Amendment and Separation of Powers while making a plea of guilty on my behalf for the record. Chief Municipal Judge Thomas H. Hesse abandoned his fiduciary duty as public trustee to his sworn oath to the Bill of Rights 5th Amendment, 6th Amendment and to the South Carolina Declaration of Rights for Article 1 Section 3 - Substantive Due Process, Equal protection of law, Section 8 - Separation of Powers in a quasi-judicial court. I object to The Town of Mount Pleasant Municipal Court Municipal Chief Judge Thomas H. Hesse to be judge and jury allowing the policeman Captain Carter in his official capacity, who is an informant doing interstate commerce doing business with the Town of Mount Pleasant Police Department as a sworn oath public official to act as a witness by using the Uniform Traffic Tickets to gain revenue that is reported to the STATE OF SOUTH CAROLINA who is the Plaintiff. The STATE OF SOUTH CAROLINA is the Plaintiff and this shows concern for neutrality and fraud because the police gain profits for his role to be an informant and the judge gains profit for his role to rule against me hoping that I won't pay in 10 days to make appeal See, S.C. CODE SECTION 14-25-95 Notice of Intention to appeal.

For the Record: Question: Is it a violation to my constitutional rights to make an appeal for an alleged criminal matter forcing me to pay the Town of Mount Pleasant Municipal Court any fines or fees first before getting a hearing in the Court of Common Pleas? According to S.C. CODE SECTION 14-25-95, Any party shall have the right to appeal from the sentence or judgement of the municipal court to the Court of Common Pleas of the county in which the trial is held. According to S.C. CODE SECTION 14-25-95, Notice of Intention to appeal, The party appealing shall enter into bond, payable to the municipality, to appear and defend the appeal at the next term of the Court of Common Pleas or shall pay the fine assessed.

CONCLUSION

For the Record: Traffic laws are often defined in relation to commerce. In legal terms, the concept of "traffic" primarily pertains to trade, commerce, and the movement of goods and services. This definition allows local and federal governments to regulate activities on public roads under the guise of commerce regulation.

For the Record: "No public policy of a state can be allowed to override the positive guarantee of the U.S. Constitution. "16 Am.Jur. (2nd), Const. Law, Sect. 70. The due process violation is the most violated act by the public officials in the lower courts mentioned above when it concerns me and my rights. There can't be sworn oath public officials to uphold both constitutions as then proceed to break their own oath to not simply be neutral, fair and impartial, when they're being paid to do a job and in return not be a good example to me a Citizens to the several states. The record shows that there is no response from the Respondent just like there is no evidence on their behalf on the record that I have seen that shows that due process substantive procedures have been applied properly. If I am wrong in a manner that shows I injured anyone then apply the proper application of law to due process substantive procedures, so I won't be harmed by the willful negligence and willful error because the judges mentioned above have immunity for the STATE OF SOUTH CAROLINA and that alone raises the question of their neutrality.

For the Record: In the interest of justice: The lower court's interest is revenue not public safety. The lower courts decision must be overturned for failure of due process substantive procedures and equal protection of law as required by both Constitutions and my Affidavit's under penalty of perjury and using S.C. CODE SECTION 14-25-95, to coerce me for an alleged criminal matter to make a profit in the amount of \$309.38 and be returned back to me immediately. Without Due Process of the Law, by the Law of the land, In my opinion, it's extortion and coercion, a 8th Amendment violation to pay any fines or fees if it's my right to make an appeal at the Charleston County Judicial Center Common Pleas Court being enforced by the agencies or organization of the State pursuant to Hale v. Henkel 201 U.S. 43 at 89 (1906) Hale v. Henkel was decided by the United States Supreme Court in 1906. The opinion of the court states: "The "individual" may stand upon "his Constitutional Rights" as a Citizen. He is entitled to carry on his "private" business in his own way. "His power to contract is unlimited." HE owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate his life and property. "His Rights" are such as "existed" by the Law of the land (Common Law) "long antecedent" To the organization of the State" and can only be taken from

him by "Due Process of the Law", and "in accordance with the Constitution." "He owes nothing" to the public so long as he does not trespass upon their Rights.

FOR THE RECORD: All State Judges are bound to Article 3 Section 2, Article 4 Section 4, Article 6 Section 2, Article 6 Section 3 and the 14th Amendment Paragraph 3 of the Constitution for the United States of America.

For the Record: Article 6 Section 2: This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

For the Record: Article 6 Section 3: The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

For the Record: 14th Amendment Paragraph 3: No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Under penalty of perjury, under Common law, All rights reserved,

Appellant, Eric Holland Robert; Wright Sui Juris In Pro Per April 23, 2026

Eric Holland Robert; Wright Sui Juris In Pro Per

In care of 545 West 126th Street Apt 12-J

New York, New York near 10027

CERTIFICATE OF SERVICE

Now comes from the Wright family, Eric Holland Robert with an Initial Brief of Appellant, to be hand delivered and be put on the **South Carolina Court of Appeals record and by Certified Mail No: 9589 0710 5270 3731 3299 04**, to Opposing Counsel and/or other parties information: **(Attorney) Ira Allen Grossman (Respondent) South Carolina State of address 100 Ann Edwards Lane, Mt. Pleasant SC 29464, on this 24th day of April in the year 2026.**

I am, *Eric Holland Robert, Wright sui juris 24 April 2026*

Eric Holland Robert from the Wright family, Sui Juris

In Care of: 545 West 126th Street Apt. 12-J

New York, New York, near 10027

United States of America Republic

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