DATE: September 8 2026

From: Harold Simmons, Jr. ~~invictor59@gmail.com~~

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RECEIVED
Sep 08 2026
SC Court of Appeals

RE. Case No. 2026-UP-353

12 pages including page

Form 18

In the State of South Carolina Supreme Court

From The Court of Appeals

Petition for a Writ of Certiorari

In The Court of Circuit Court

Judge Roger M. Young, Sr

In The Court of North Charleston Municipal Court

Judge Myeshal Brown

Appeal to the Supreme Court

From South Carolina Court of Appeals

Unpublished Opinion No. 2026-UP-353

Appellant Tracking Case No. 2024-001803

Case No. 2023-CP-10-05002

City of North Charleston Respondent,

Vs

Harold Simmons, Jr. Appellant

PETITION FOR A WRIT OF CERTIORARI

NOTICE OF APPEAL

Harold Simmons, Jr., Pro Se

$250.00 forwarded via USPS 9/8/26

Harold Simmons, Jr

3042 North Carolina Avenue

North Charleston, SC 29405

(843)480-8694 invictor59@gmail.com

North Charleston Municipal Court
Judge Myeshal Brown

Case No. 2021-CP-10-02563

Court of Common Pleas
Honorable Judge Roger M. Young, Sr.
100 Broad Street, suite 266
Charleston, South Carolina 29401

Case No. 2024-001803
Case No. 2023-CP-10-05002

South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Case No. 2023-CP-10-05002
Unpublished Opinion No. 2024-UP-353

Supreme Court of South Carolina
1231 Gervais Street
Columbia, South Carolina 29201

STATEMENT OF THE CASE

Dear Honorable Judge,

I, the Appellant, Harold Simmons,Jr.,ask that the motion of this Case No. 2021-CP-10-02563 be dismissed.

Two months ago, I was represented by Attorney Thomas Goldstein from 2023 until July 2026. On July 22, 2026 and July 29, 2026, attorney Thomas Goldstein submitted letters to the court to be released from my case. On August 5, 2026, attorney Goldstein was granted relief from the case and represented me.

For over 20 years, the City of North Charleston has been working very hard to shut down my business operations, claiming false allegations and filing false reports on the condition of my business of operations and my building. The city's representatives have written a total of [42] violations, and have only been able to charge [2] out of the 42.

In review of the transcript of this case, I found that the attorney of North Charleston, did purposely steer this case in the wrong direction. This case is a violation of the Cook vs. Taylor Case Law. That says a lot about the representatives of the City of North Charleston.

I ask the Honorable Judge of court to review the transcript of the trial hearing of August 9, 2023. I ask that the order of Judge Myesha Brown be addressed first before I can be charged with a new violation and a new case no. and allowed due process.

Honorable Judge, these things that I ask of the court to be reviewed on this case.

Harold Simmons, Jr.

3042 North Carolina Avenue

North Charleston, SC 29405

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PETITION FOR REHEARING OR REVIEW

1. Did the court overlook the August 9, 2023 hearing that was only about cars that were able to run or not able to run.

2. Did the court overlook in the August 9, 2023 transcript (of the court) the court Judge coach the defendant into taking the plea ROA030, page ROA028, line 10 thru 25, page ROA030, line 3 thru 25, page ROA031, entire page, page ROA032, entire page and page ROA033, entire page.

3. Did the court overlook the court terms prescribed in the August 9, 2023 transcription, stated in ROA032, page 30, line 3 thru 9, the word [Or]?

4. Did the court overlook the prescript terms of the court, for the hearing on August I, 2023, for Case No. 2021-CP-10-02563 / Case No. 410+, page ROA030, 032 and 033?

5. Did the court overlook the violation of Appellant Due Process, on September 12, 2023, by not addressing the court terms or order of August 9, 2023, with new violation?

6. Did the court overlook that there are no new photos or evidence to justify the violation for the time period of August 9, 2023 thru September 9, 2023?

7. Did the court overlook Appellant Demand for Jury Trial (Rule 38b) SCRCP, record on appeal, page ROA040 or page ROA088, 089, 090?

8. Did the court overlook the jurisdiction ended on the day the appellant paid the fine for $1,087.00 on August 9, 2023, record appeal page ROA043 and 044, page ROA033 and page ROA031 line 4 thru 7?

9. Did the court overlook the transcript prescript term on page ROA032 line 13 thru 14, 20 thru 24 and page ROA033 line 4 thru 7?

10. Did the court overlook that Appellant was charged without due process?

11. Did the court overlook that the 30 day jail charge is not related to the August 9, 2023 hearing Case No. 2021-CP-10-02563, and is something new and needed a new case no.?

12. Did the court overlook who the witnesses were at the August 9, 2023 hearing, and the names of the witnesses?

13. Did the court overlook the number of witnesses [5] that participated in the August 9, 2023 hearing?

14. Did the court overlook the names of the witnesses that participated in the August 9, 2023 hearing: 1) Myesha Brown [Judge], 2) Harold Simmons, Jr. [Defendant], 3) Carlton Bourne [Prosecutor], 4) Angela McJunkin [Code Officer] and 5) Thomas Goldstein [Defentant's Attorney]?

The South Carolina Court of Appeals

Harold Simmons, Appellant,

v.

City of North Charleston, Respondent.

Appellate Case No. 2024-001803

ORDER

After careful consideration of Appellant's *pro se* petition for rehearing, the Court is unable to discover that any material fact or principle of law that has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

_____ J.

_____ J.

_____ J.

Columbia, South Carolina

FILED
Aug 05 2026

cc:
Harold Simmons
Thomas R. Goldstein, Esquire
David J. Parrish, Esquire
Kriston D. Neely, Esquire
The Honorable Roger M. Young, Sr.

The South Carolina Court of Appeals

Harold Simmons, Appellant,

v.

City of North Charleston, Respondent.

Appellate Case No. 2024-001803

The Honorable Roger M. Young, Sr.
Charleston County
Trial Court Case No. 2023CP1005002

ORDER

Thomas R. Goldstein filed a motion to be relieved as counsel for Appellant Harold Simmons. Appellant filed a return to the motion, and Thomas R. Goldstein filed a reply to the return. After careful consideration, the motion is Granted. Thomas R. Goldstein is relieved as counsel of record for Appellant, and Appellant is proceeding *pro se*.

FOR THE COURT

BY Catherine Hammond, deputy
CLERK

Columbia, South Carolina

FILED
Aug 05 2026

cc:
Harold Simmons
Thomas R. Goldstein, Esquire
David J. Parrish, Esquire
Kriston D. Neely, Esquire

MR. GOLDSTEIN: You can if they're under repair.

MR. SIMMONS: You're talking to me so it's becoming impossible.

THE COURT: No, No, no. Mr. Simmons, let me just say this: That's for anyone that has -- that's in the City of North Charleston, they're all subject to the same ordinance.

MR. SIMMONS: (Inaudible.)

THE COURT: No one is -- all I can say is everyone is subject to the same ordinance. And right now, the ordinance requires that if you have -- if you have any vehicles on your property, they must be running. And if they are not running, can you put them in a garage? Do you have a shed that you can put them in while you're waiting on your parts or while those people that -- other cars are coming in and out, can those cars that are not running be put in your garage? That way the City won't see them. They have no idea what's in your garage if they're not running.

MR. BOURNE: We'd be content with that, Judge.

THE COURT: I mean, that would avoid all of these tickets and all of these court appearances and all of these legal fees, you could avoid all that.

THE COURT: That's the ordinance.

MR. BOURNE: That's the ordinance.

THE COURT: So those are the terms. I mean, you have to be in compliance by having it in a shed or having them running, or you have to be in compliance, if they're not going to run, have some proof that you have ordered parts. That's the only way that you're going to avoid 30 days in jail.

MR. BOURNE: And he has 72 hours that they can be there without kicking up to the 90 day exception, Your Honor, 72 hours of being out there.

THE COURT: Yeah, so, okay. So you've got 72 hours. Do we have any questions about both views of compliance? Because I think that's going to be very important after these 30 days. Because after 30 days, you know, the fight for the Court, I would imagine, or the opposing views is going to be, no, we're in compliance.

And they're going to say, no, you're not in compliance. And I'm going to say, or at least if it's me, that I sat here for 30, 45 minutes to make sure that we all understood what compliance looked like. And compliance means that if the cars are not running, you have to have proof that you've ordered a part.

If the cars are in your shed or in your

garage, City can't bother you. They have no idea what's going on with you. Run your business however you want to run your business, because it's covered. They can't see it. (2) But if you have a vehicle that's not running and you cannot demonstrate that you've ordered parts for the vehicle at the time that you are approached, then you're not in compliance. Mr. Goldstein?

MR. GOLDSTEIN: That's my understanding. I don't know if -- I thought Mr. Simmons and I were on the same page, but would you like me to go outside and talk?

MR. BOURNE: No, I don't have time for that. It's either a deal or it's not, Judge.

THE COURT: Yeah, because we've been here --

MR. GOLDSTEIN: Well, then I would ask Mr. Simmons to speak honestly, freely, voluntarily, openly and tell us, is that --

THE COURT: Mr. Simmons, let me just say this: You're getting the benefit of 14, maybe $14,000 that the City is going to walk away from in order to reach this resolution with you. And I'm just going to tell you, that sounds like a pretty good deal to me.

MR. SIMMONS: It's a pretty good deal. If I was -- (guilty)

THE COURT: If all you have to do is keep cars off your property of put it in a shed.

MR. SIMMONS: Okay.

THE COURT: Or a garage for 30 days.

MR. SIMMONS: That --

THE COURT: They're not asking for -- you know, normally when Code comes here, they want me to do things for six months and one year, and I'm like, no, that's just so long. Thirty days is what your attorney has done exceptionally well by you. I don't know --

MR. SIMMONS: I can do that for 30 days. I can do that, perform that within the 30 days.

THE COURT: Thirty days.

MR. SIMMONS: Okay. I --

THE COURT: And I'm going to tell you this right now. I'm going to accept this as a resolution, but I don't know whether or not I would under ordinary circumstances, but only because Mr. Goldstein has worked really, really hard, and I know he's worked exceptionally hard to give you the best outcome possible of all of these charges.

MR. SIMMONS: Yeah, that's very true.

THE COURT: Very true. You should take it.

MR. SIMMONS: But -- can I say something?

THE COURT: You should take it.

MR. SIMMONS: I have been targeted.

THE COURT: You should take it.

MR. SIMMONS: Since 2006. For --

THE COURT: I'm just going to tell you right now --

MR. SIMMONS: I'm going to take it, but I'm being targeted one hundred percent with made-up charges.

THE COURT: Then you can do whatever you think is necessary or talk to your attorney about what you need to do if you're a target, but right now you've got tickets that have to be resolved. You're going to get 13 dismissed in exchange for this resolution. Do you understand the conditions?

MR. SIMMONS: Yes.

THE COURT: All right. Anything further relating to this no contest plea?

MR. BOURNE: No, Judge.

MR. GOLDSTEIN: None from me, Your Honor.

THE COURT: No one else? Thank you all. Good luck to everyone. I really appreciate resolving this.

(The hearing concluded.)

* * *

STATE 0F SOUTH CAROLINA	)	IN THE CITY OF NORTH CHARLESTON
	)	MUNICIPAL COURT
COUNTY OF CHARLESTON	)	CITATIONS NOS.: 29927 & 4102P0169386
City of North Charleston,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	MOTION TO DISMISS
	)	DEMAND FOR JURY TRIAL
Harold Simmons,	)	
Defendant.	)	
	)	

The defendant, above named, demands trial by jury.

The defendant, named above, moves for an Order of the Court dismissing the City's prosecution for the above citation for lack of subject matter jurisdiction. This motion is based on the fact that the Court imposed a fine and a suspended sentence on August 9, 2023, and more than thirty days has elapsed depriving the Court of jurisdiction to impose additional penalties. See § 17-25-110, S. C. Code, ann., a copy of which is attached here and incorporated by this reference.

Based on the foregoing, even if the Court retained subject matter jurisdiction, the defendant is entitled to a trial by jury for allegations of criminal violations that expose him to a penalty of 30 days incarceration, and the Municipal Court no longer possesses subject matter jurisdiction over the case by operation of law.

October 4, 2023

/s/Thomas R. Goldstein
Thomas R. Goldstein, S. C. Bar No. 2186
Belk, Cobb, Infinger & Goldstein, P.A.
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N. Charleston, S. C. 29415-1121
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tgoldstein@cobblaw.net

Form 18

PETITION FOR A WRIT OF CERTIORARI TO THE COURT OF APPEALS

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

Harold Simmons — Appellant,

Vs

City of North Charleston — Respondent.

Appellate Case No. 2024-001803

Appeal From Charleston County

Roger M. Young, Sr., Circuit Court Judge

Unpublished Opinion No. 2026-UP-353

Submitted April 1, 2026 – Filed July 8, 2026

PETITION FOR A WRIT OF CERTIORARI

David J. Parrish of Maynard Nexsen PC of Charleston

Kriston D. Neely of North Charleston for Respondent

Harold Simmons, Pro Se

Harold Simmons, Jr.

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Harold Simmons, Jr.

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Form 7

PROOF OF SERVICE OF A NOTICE OF APPEAL

The State of South Carolina

In The Court of Appeals

In The Supreme Court

RECEIVED
Sep 08 2026
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Roger M. Young, Sr. Circuit Court Judge

Appellate Case No. 2024-001803

Unpublished Opinion No. 2026-UP-353

City of North Charleston Respondent,

Vs

Harold Simmons, Jr. Appellant.

I certify that I have served the Notice of Appeal on the City of North Charleston, Honorable Roger M. Young, Sr., Circuit Court Judge., South Carolina Court of Appeals; and Supreme Court of South Carolina, by depositing a copy of it via US Mail or via Email, on Saturday, September 5, 2026, addressed to all above mentioned at their respectable addresses stated below.

David J. Parrish of Maynard PC of Charleston
dparrish@maynardnexsen.com

Kriston D.Neely of North Charleston, for Respondent
Kneely@northcharleston.org

Harold Simmons, Jr.
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Pro Se

Filing fees will be forwarded via USPS