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SC Court of Appeals

Tuesday, September 22, 2026

Jennifer D. Powers
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Jdpowers1031@yahoo.com
Appellant pro se litigants

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SEP 22 2026
SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629 Columbia,
South Carolina 29211

RE: Estate of Robert E. Powers Jr. v. The Hon. Bradley Caulder Appellate Case No. 2026-000263
RE: Circuit Court Appellate Case No. 2025CP2000274

Dear Ms. Kitchings:

Enclosed herewith please fine the original and one copy of the following:

1. APPELLANT RESPONSE/MOTION TO: (1) ADDRESS NEW EVIDENCE/INFORMATION; (2) VALIDATE JUDICIAL OATH; (3) ADDRESS LEGAL CONSEQUENCES RE JURISDICTION; AND (4) PETITION FOR RE-HEARING/TRANSFER

2. A clerk is not permitted to refuse filing a document for form as Required by rule 5.(d)(4) of the Federal Rules of Civil Procedures specifically, state.
3.(d)(4) Acceptance by the clerk. A clerk must not refuse to file A paper solely because it is not in the form prescribed by these rules or by a local rule or practice

Kindly return a time stamped copy of all documents to us. A return envelope Has been provided for this purpose.

Very truly yours

Jennifer D. Powers

JP,

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM THE CIRCUIT COURT COUNTY OF FAIRFIELD
Court of Common Pleas

Hon, Brian M. Gibbons Magistrate Judge

Circuit Court Appellate Case No. 2025CP2000274

Estate of Robert E. Powers Jr., Jennifer D. Powers, Personal Representative..... Appellant,

v.

The Hon. Bradley Caulder as an individual, Law Office of Barbara E. Brunson, as guardian ad litem for Robert Edward Powers, Jr., Barbara Brunson, individual, Family Services, Inc., d/b/a Origin SC, as Conservator for Robert E. Powers, Jr., Caprice Atterbury, As an individual, Traci Strickland, as an individual, Leslie P. Taylor, as Guardian for Robert E. Powers, Jr., Leslie P. Taylor, Individual, Attorney Brian Dumas, individual, and Attorney Brandon Keith Poston, individual..... Respondents.

Submitted: February 6. 2026 Decided: January 30, 2026,

ORDER AND JUDGMENT *

Before THOMAS, Circuit Judge, and KONDUROS, and CURTIS, Circuit Judges.

APPELLANT RESPONSE/MOTION TO: (1) ADDRESS NEW EVIDENCE/INFORMATION; (2) VALIDATE JUDICIAL OATH; (3) ADDRESS LEGAL CONSEQUENCES RE JURISDICTION; AND (4) PETITION FOR RE-HEARING/TRANSFER

BEFORE THE COURT Pursuant to Rule 240, SCACR, The Appellant – **Jennifer D. Powers**, acting pro se and **who is NOT A**

LEGAL EXPERT, respectfully files this **RESPONSE**, as an **EGREGIOUS PATTERN OF CORRUPT CONDUCT** continues to be Exemplified by this Federal Judiciary. The most recent example, Evidenced in **FULL PUBLIC VIEW** is the September 14, 2026, Attempt to Re-issue a JUDGEMENT ORDER,1 when Three (3) of Three(3)NEWLY ASSIGNED Appeal Judges, **LACK JURISDICTION. Judge Paula Hinson Thomas dual office holding. Judge/ Attorney SC Bar#: 7978,** and **Circuit Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284,** And **Judge Kristi Fisher Curtis dual office holding. Judge/ Attorney SC Bar#:8595, Article XVII, Section 1 A of the State Constitution provides that** "no person may hold two offices of honor or profit at the same time ... " with exceptions specified for an officer in the militia, member of a lawfully and regularly organized fire department, constable, or notary public. For this provision to be contravened, a person concurrently must hold two offices which have duties involving an exercise of some portion of the sovereign power of the State. **Sanders v. Belue**, 78 S.C. 171, 58 S.E. 762 (1907). Other relevant considerations are whether statutes, or other such authority, establish the position, prescribe

its duties or salary, or require qualifications or an oath for the position. **State v. Crenshaw**, 274 S.C. 475, 266 S.E.2d 61 (1980). **All Judges have previously been identified as INFERIOR JUDGES,** for their collective failures to uphold the Constitution, Numerous Federal Law(s), and their Judicial Oath. **In Shields v. Caldwell,** 207 S.C. 194, 35 S.E.2d 184 (1945), our Supreme Court Observed that "every public officer is bound to perform the duties Of his office honestly, faithfully and to the best of his ability, in a Manner so as to be above suspicion or irregularity, and to act Primarily for the benefit of the public." At the same time, it must be remembered that Article V of the South Carolina Constitution places the Municipal Courts, including the Municipal Judges thereof under the auspices and control of the Supreme Court of South Carolina as part of the unified judicial system. Pursuant to Article V authority, the Supreme Court disciplines municipal judges for violations of the Code of Judicial Conduct. **See, In the Matter of Martin,** 315 S.C. 370, 434 S.E.2d 262 (1993); **In the Matter of Derrick,** 30 I S.C. 367, 352 S.E.2d 180 (1990). And the Supreme Court maintains oversight over the Municipal Court and Its judges as it does any other court in the unified judicial system.

The municipal courts possess jurisdiction to try all cases arising Under the ordinances of the municipality as well as "all such Powers, duties and jurisdiction in criminal cases made under state Law and conferred upon magistrates." A thorough review of the Historical record will reveal a very clear and articulated Explanation of how the Appellant arrived at these conclusions. Neither Judge Thomas

[1] **See Exhibit A**

Nor Judge Konduros, nor Judge Curtis have ever once denied Or Even attempted to argue, a single judicial misconduct Claim Against them – including acts of TREASON. "When a Judge knows that he lacks jurisdiction, or acts in the face of Clearly valid statutes expressly depriving her of jurisdiction, Judicial immunity is lost." **Rankin v. Howard**, (1980) 633 F.2d 844, cert den. **Zeller v. Rankin**, 101 S. Ct. 2020, 451 U.S. 939, 68 L. Ed 2d 326. What is clear to this Appellant (and should be to **ANY OBJECTIVE OBSERVER)**, is a continued judicial effort - NOW by this **NEWLY ASSIGNED Circuit Panel to brush aside ALL Appellant motions in order to reach a CORRUPT and PRE-DETERMINED OUTCOME.** The Court of Appeals Court has

Continuously failed to address (and correct) judicial misconduct Claims which have long been evidenced in **full public view**. As a Result, the **INTEGRITY** of this Appeals (and the District) Court is Severely damaged and the **APPEARANCE OF IMPARTIALITY** has Long been compromised. Based on the Appellant's interpretation of Federal Law, the conscious decision by this newly assigned Circuit Panel to **CONTINUE IGNORING: (1) JURISDICTION**; and **(2) the Appellant's evidenced judicial misconduct claims** - and instead Issue an **invalid judgment** (at minimum) raises the following Issues and necessitates the following actions:

I. THE JUDGEMENT IS VOID

A. If there is **a jurisdictional failing appearing on the face of The record,** the matter is **VOID, subject to vacation with Damages, and can never be time barred.**

B. A judgment is void under Rule 60(b)(4) if the court that Rendered the decision lacked jurisdiction over the subject matter Or parties.2A lack of subject-matter jurisdiction, however, will not Always render a final judgment void under Rule 60(b)(4).3 A party Seeking to void the judgment must demonstrate more than the Court erred in asserting subject-matter jurisdiction over the claim.

Rather, the party must establish the court's exercise of jurisdiction Over the claim amounted to a "plain usurpation of judicial Power."4 Only when the jurisdictional error is "egregious" will a Court treat The judgment as void.5 A judgment may also be void Under Rule 60(b)(4) if it is entered in a manner inconsistent with Due process.

The record(s) show that the Appellant has **CLEARLY** set forth Meritorious arguments **IN EACH** of the **IDENTIFIED – EXTRAORDINARY, UNRESOLVED ISSUES (See Below).**

ORDINARILY, Judicial economy would suggest that VALIDATING **JURISDICTION** prior to moving forward with this appeal is certainly appropriate. **HOWEVER, what has been evidenced by The historical record(s) exemplifies what MAY be collectively Considered one of the largest, and certainly most egregious ABUSE OF AUTHORITY by a Federal Judiciary in US history**.

The argument can certainly be made, and should be clear to **ANY** Objective observer, that **there appears to be a set agenda by this Federal Judiciary to ensure that the Appellant-Jennifer D. Powers**,

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2 **Oldfield v. Pueblo De Bahia Lora**, S.A., 558 F.3d 1210, 1216

(11th Cir. 2009); Wendt, 431 F.3d at 412.

3 **See Wendt v. Leonard**, 431 F.3d at 413 (4th Cir. 2005).

4 **In re Valley Food Services LLC**, 377 B.R. 207, 212 (8th Cir. 2007) citing Hunter v. Underwood, 362 F.3d 468, 475 (8th Cir. 2004).

5 Id.; **United States v. Tittjung**, 235 F.3d 330, 335 (7th Cir. 2000).

Powers, DOES NOT receive a FAIR or JUST RESOLUTION here, Or in any related litigation.

C. An order that exceeds the jurisdiction of the court is void, and can be attacked in any proceeding in any court where the validity of the judgment comes into issue. (**See Rose v. Himely** (1808) 4 Cranch 241, 2 L ed 608; **Pennoyer v. Neff** (1877) 95 US 714, 24 L ed 565; **Thompson v. Whitman** (1873) 18 Wall 457, 21 l ED 897; **Windsor v. McVeigh** (1876) 93 US 274, 23 L ed 914; **McDonald v. Mabee** (1917) 243 US 90, 37 Sct 343, 61 L ed 608.

D. "If a court grants relief, which under the circumstances it hasn't any authority to grant, its judgment is to that extent void." (1 Powers on Judgments,9/14/26) "A void judgment is no judgment at all and is without legal effect." (**Jordon v. Gilligan**, 500 F.2d 701, 710 (6th Cir. 1974) "a court must vacate any judgment entered in excess of its jurisdiction." (**Lubben v. Selective Service System**

Local Bd. No. 27, 453 F.2d 645 (1st Cir. 1972).

E. A void judgment does not create any binding obligation. Federal Decisions addressing void state court judgments include **Kalb v. Feuerstein** (1940) 308 US 433, 60 S Ct 343, 84 L ed 370.

F. "Lack of jurisdiction cannot be corrected by an order nunc pro tunc. The only proper office of a nunc pro tunc order is to correct a mistake in the records; it cannot be used to rewrite history." **E.g., Transamerica Ins. Co. v. South,** 975 F.2d 321, 325-26 (7th Cir. 1992); **United States v. Daniels**, 902 F.2d 1238, 1240 (7th Cir. 1990); **King v. Ionization Int'l, Inc**., 825 F.2d 1180, 1188 (7th Cir. 1987). And **Central Laborer's Pension and Annuity Funds v. Griffee**,198 F.3d 642, 644(7th cir.1999). **LACK OF JURISDICTION** Is just ONE (1) of (at least) **TWENTY (20) EXTRAORDINARY, UNRESOLVED ISSUES** associated with this Appeal (and previously in the lower Court), as recognized by POWERS.6 This Court ALSO recognized the **ENTIRE** list of unresolved issues (Below), following the recusal of all the Judges, after they disclosed having a **FINANCIAL INTEREST** with the – BLOOMBERG.COM.7 A review of the record will show that the Appellant has repeatedly brought this list of extraordinary/unresolved issues before the

Court, only to be **IGNORED** as if they do not exist – **EVEN NOW**, as Indicated by the attempt to issue a **(VOID)** judgment order. As a Respectful reminder and for documentation purposes, the list of Extraordinary/unresolved issues include (but is not limited to) the Following:

APPELLANT RESPONSE/MOTION TO: (1) ADDRESS NEW EVIDENCE/INFORMATION; (2) VALIDATE JUDICIAL OATH; (3) ADDRESS LEGAL CONSEQUENCES RE JURISDICTION; AND (4) PETITION FOR RE-HEARING/TRANSFER, Appellant – **Jennifer D. Powers**, This **PETITION** in Support of Appellant Motion to Recuse or Disqualify Judges the Hon. **Paula Hinson Thomas dual office holding. Judge/Attorney SC Bar#: 7978,** And **Circuit Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284,** And **Judge Kristi Fisher Curtis Dual office holding. Judge/Attorney SC Bar#:8595,** Article XVII, Section 1 A of the State Constitution, Pursuant to 28 U.S.C.§ 455(a),28 U.S.C. § 455(b), 28 U.S.C. § 455(1), 28 U.S.C. § 455(2), 28 U.S.C. § 455((3),28 U.S.C. § 455 (i), 28 U.S.C. § 455 (ii), 28 U.S.C. § 455 (iii), 28 U.S.C. § 455 (d), 28 U.S.C. § 455 (d) (1), 28 U.S.C. § 455

(d)(2), 28 U.S.C. § 455 (d) (3), 28 U.S.C. § 455 (d) (4), and pursuant To Rule 501 SCACR and Rule 502, SCACR, Rule 502.1, SCACR) Canon 3 E (1) of the Code of Judicial Conduct (Rule 501SCACR "South Carolina Court Rules") Rule 501, SCACR Canon 1, Canon1A, Canon 2, Canon 2A, Canon 2B, Canon 3, Canon 3(B)(2), Canon 3B (7) 3C (1) Canon 3 E (1) (c) or (d) Canon 3F Canon 4, Canon 4 A (1) Canon 4A (2) Rule 502.1, Rule 7(a)(1) 7(a)(1)(3) Rule 7(a)(9) of the Code Judicial Conduct, and All other relevant Statutory and case law, as well as the first, Fifth, Eighth, and the 14th Amendment to the United State Constitutions, Due Process Clause of the Fifth Amendment U.S. Constitutions, of The State of South Carolina, and the Court's inherent powers. And Pursuant to The South Carolina Supreme Court in Including the Specific Requirements of section See FED. R. Civ. P. 53(b), 28 U.S.C. §§ 636(c)(1) & (c)(3). See 28 U.S.C. § 636(b)(2) 28 U.S.C. § 636(c)(4); 28 U.S.C. §636(c)(5), that must be Satisfied Before Authority to Rule 28 U.S.C. §§ 636(c) as South Carolina Supreme Court has held, "The

Term 'shall' in a statute Means that The Action Is mandatory, RULE 8.4: (a) (b)(c)(d)(e)(f)(g) MISCONDUCT

Purpose of Statement of Recuse and Disqualifications Note that Rule 501 SCACR requires the judge to disqualify Himself/herself in Those enumerated situations regardless of Whether or not a party To the action requests a change of venue.

The use (abuse) of judicial powers by Paula Hinson Thomas dual Office holding. Judge/Attorney SC Bar#: 7978, And Circuit Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284, And Judge Kristi Fisher Curtis Dual office holding. Judge/Attorney SC Bar#:8595, Presiding Judges is evidenced by the Following facts and Undertaken with actual bias and partial Treatment of the Appellant – Jennifer D. Powers, and Helping Defense Counselors warranting disqualification of Hon. Paula Hinson Thomas Dual Office holding. Judge/Attorney SC Bar#: 7978, And Circuit Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284, And Judge Kristi Fisher Curtis Dual office holding. Judge/Attorney SC Bar#:8595, pursuant to Rule 501 SCACR

And Rule 502, SCACR, Rule 502.1, SCACR) Canon 3 E (1) of the Code Of Judicial Conduct (Rule 501SCACR "South Carolina Court Rules") Rule 501, SCACR Canon 1, Canon1A, Canon 2, Canon 2A, Canon 2B, Canon 3, Canon 3(B)(2), Canon 3B (7) 3C (1) Canon 3 E (1) (c) Or (d) Canon 3F Canon 4, Canon 4 A (1) Canon 4A (2) Rule 502.1, O Rule 7(a)(1) 7(a)(1)(3) Rule 7(a)(9)

Pursuant to U.S.C. §455, and **Marshall v. Jerrico Inc**., 446 US 238, 242, 100 S. Ct. 1610, 64 L. Ed. 2d 182 (1980).“The neutrality Requirement helps to guarantee that life, liberty, or property will not Be taken on the basis of an erroneous or distorted conception of the Facts or the law. **See Mathews v. Eldridge**, 424 U.S. 319, 344 (1976) ..., by ensuring that no person will be deprived of his interests In the absence of a proceeding in which he may present his case with Assurance that the arbiter is not predisposed to find against him.”

In 1 994, the U.S. Supreme Court he'd that "Disqualification: Is. required if an objective observer. would entertain reasonable. Questions about the judge's impartiality. If a judge's attitude or state Of mind leads å detached observer to conclude that a fair and

Impartial hearing is unlikely; the judge must be Disqualified." [Emphasis added]. **Litekv v. U.S**., 114 1 1162 (1994)

That Court also stated that Section 455(a) "requires a judge To recuse herself in any proceeding in which her impartiality might Reasonably be questioned." **Taylor v. O'Grady**, 888 F.2d 1189 (7th Cir. 1989). **In Pfizer Inc. v. Lord**, 456 F.2d 532 (8th Cir. 1972), the Court stated that "It is important that the litigant not only actually Receive. justice, but that he believes that he has received justice "Recusal under Section 455 is self-executing; a party need Not. file affidavits in support of recusal and the judge are obligated "To Recuse. herself sua sponges under the stated Circumstances." **Taylor v. O'Grady**, 888 F.2d 1189 (7th Cir. 1989) None of the orders Issued by any judge who has been. disqualified by law would appear To be valid. It would appear that they are void as a matter of law and Are of no legal force or effect.

Should a judge not disqualify himself, then the judge is Violation of The Due Process Clause of the U.S. Constitution. **United States v. Scioto**, 521F.2d 842, 845 (7th Cir. 1996) ("The right to a Tribunal

Free from bias or prejudice is based, not on section 144, but On the Due Process Clause.).

Should a judge issue any order after he has been Disqualified by law, And if the party has been denied of any of his / Her property, then The judge may have been engaged in the Federal Crime of "Interference with interstate Commerce". The judge has Acted in the Judge's personal Capacity and not in the judge's judicial Capacity. It Has been Said that this judge, acting in this manner, has No more Lawful authority than someone's next-door neighbors (Provided That he is not a judge). However, some judges may Not Follow the Law.

If you were a non-represented litigant and should the Court. Not Follow the law as to non-represented litigants, then the Judge has. Expressed an "appearance of partiality" and, under the Law, it would. Seem that he/she has disqualified him/herself

However, since not all judges keep up to date in the law,

And Since not all judges follow the taw, it is possible that a judge may

Not Know the ruling of the U.S. Supreme Court and the other courts On This subject.: Notice that it states, "disqualification is required" and That a judge "must be disqualified" under certain circumstances.

JUDGE
HAVE BEEN AUTOMATICALLY DISQUALIFIED BY LAW

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6 **The Supreme Court has also held that if a judge wars against the Constitution, or if he acts without jurisdiction, he has engaged in treason to the Constitution.** If a judge acts after he has been automatically disqualified by law, then he is acting without jurisdiction, and that suggest that he is then engaging in criminal acts of treason and may be engaged in extortion and the interference with interstate commerce

Since Courts have repeatedly ruled that judges have no Immunity: For their criminal acts. Since both treason and the Interference with Interstate commerce are criminal acts; no judge has Immunity to Engage in such acts.

The above is applicable to this court by application of Article VI of the United States Constitution and **Stone v Powell**, 428 US 465, 483 n. 35, 96 S. Ct. 3037, 49 L. Ed. 2d 1067 (1976). "State Courts, like Federal courts, have a constitutional obligation to Safeguard Personal liberties and to uphold federal law. "The facts as Stated Clearly satisfies the standards of the statute since any Reasonable

Person, apprised of these circumstances, would Reasonably question The Court's impartiality. **See Liteky v. United States**, 510 U.S. 540, 114 S. Ct. 1147,127 L. Ed. 2d 474 (1994). The Plain language of 28 U.S.C. 455(b)(2) is clear:

28 U.S.C. 455(b)(2) :(a) Any justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

Canon 3E(l) of the South Carolina Code of Judicial Conduct Provides a judge shall disqualify. himself or herself in a Proceeding in which the judge's impartiality might reasonably be questioned. The Commentary to 3E(l) states that under this rule, a Judge is Disqualified. Whenever the judge's impartiality might Reasonably be Questioned, regardless of whether any of the specific Rules in Section 3E(l) apply. The question whether disqualification of A judge is Required to focus on those matters from which a litigant May because I fear because I'm White, I will not receive a fair trial or Hearing Because of specifically described prejudice or bias of the judge

"Due Process Defect" refers to violations of the legal requirement That the government must respect all legal rights owed to a person,

Ensuring fair treatment through the judicial system. Due Process Defect.

7 Following the January 14, 2026 judgment issued by the initial panel, the Appellant filed a APPELLANT RESPONSE/MOTION TO: (1) ADDRESS NEW EVIDENCE/INFORMATION; (2) VALIDATE JUDICIAL OATH; (3) ADDRESS LEGAL CONSEQUENCES RE JURISDICTION; AND (4) PETITION FOR RE-HEARING/TRANSFER with the South Carolina Court of Appeals on September 22, 2026, acknowledging the list extraordinary/ unresolved issues warranting such Petition and motion.

8 The Court is respectfully reminded that the Appellant has requested additional disclosures regarding the judge's improper relationship, however, no information has been provided.

9 The record shows that the Appellant has filed over FIFTY (50) + court documents which raise a JURISDICTION issue, ALL of which have been IGNORED by referenced Federal (District and Circuit) Judges. claims pursuant to 18 U.S.C. § 1832 and c.) matters believed to impact National Security;

10. Refusing to exercise judicial discretion by wrongfully denying or Unnecessarily delaying **WITHOUT VALID CAUSE**

11. Refusing to address the **EVIDENCED** and **UNOPPOSED FRAUD on the COURT claims under Fed. R. Civ. P. 60(b)(3);**

12. Refusing to address evidenced **UNOPPOSED** claims of **JUDICIAL FRAUD on the COURT**, pursuant to Fed. R. Civ. P. 60(b)(3) and **Clear violations to the Judicial Code of Conduct And Judicial Oath;**

13. Refusing to address identified **DUE PROCESS VIOLATIONS**, including (but not limited to) refusing a **TRIAL BY JURY;**

14. Refusing to address **Title 18, U.S.C., Section 242 Deprivation Of Rights Under Color of Law;**

15. Refusing to address **Title 18, U.S.C., Section 1001 Fraud and False Statements;**

16. Refusing to address **Title 42 Sec. 1983, Civil action for Deprivation of Rights;**

17. Refusing to address **Title 18, U.S.C., Section 241 Conspiracy Against Rights;**

18. Refusing to address **DEMAND(S) for CLARIFICATION HEARINGS,** with the presence of an **INDEPENDENT COURT REPORTER;**

19. Failing to address evidenced argument(s) as **FACT – PRIOR** to moving to **DISCOVERY** and **PREMATURELY** moving for Dismissal.

20. "The practice of law cannot be licensed by any state/**State. Schware v. Board of Examiners, United States Reports 353 U.S. pgs. 238, 239. In Sims v. Aherns, 271 S.W. 720 (1925)** "The Practice of law is an occupation of common right." A bar card is not A license, it's a dues card and/or membership card. A bar Association is that what it is, a club, an association is not license, it Has a certificate though the State, the two are not the same....

21. Further, as a **CERTIFICATE IS NOT A LICENSE** then it also Gives no power to anyone **to practice Law AS AN OCCUPATION**, Nor to **DO BUSINESS AS A LAW FIRM**.

22. Judge Paula Hinson Thomas dual office holding. Judge/ Attorney SC Bar#: 7978, Refusing to Disqualified Herself as SC Admission Date: November 14, 1986), SC Bar Membership Class: Judicial Member), SC Bar Membership Status: Good Standing Attorneys are nothing less than **'foreign agents'** on our land as

they are foreign to a constitutional government. They have **NO POWER OR AUTHORITY** for joining of Legislative,

23. Judge Aphrodite K. Konduros dual office holding. Judge /Attorney SC Bar#:3284, Refusing to Disqualified Herself as SC Admission Date: May 21, 1985), SC Bar Membership Class: Judicial Member), SC Bar Membership Status: Good Standing), Law School: University of South Carolina School of Law Graduation Year: 1984, Attorneys are nothing less than **'foreign agents'** on our land as they are foreign to a constitutional government. They have **NO POWER OR AUTHORITY** for joining of Legislative,

24. Judge Kristi Fisher Curtis dual office holding. Judge/Attorney SC Bar#:8595, Refusing to Disqualified Herself as SC Admission Date: November 13, 1995,), SC Bar Membership Class: Judicial Member,), SC Bar Membership Status: Good Standing,) Law School: University of South Carolina School of Law Graduation Year: 1995 Attorneys are nothing less than **'foreign agents'** on our land as they are foreign to a constitutional government. They have **NO POWER OR AUTHORITY** for joining of Legislative,

It is a **COMBINATION** of these factors – **RECUSAL AND THIS LIST OF EXTRAORDINARY/UNRESOLVED ISSUES** which initially led to withdrawing the Mandate and Vacating Judgment. After reviewing this NEW Panel's explanation (below), there is now an **INCREMENTAL EXAMPLE OF RECORD** that shows a continued **INTENT to IGNORE the referenced list of extraordinary**

circumstances; and instead brush aside all motions in order to reach a corrupt and pre-determined outcome:

Suggesting that automatic recusal is based **solely** on the act of suing a judge is a complete **misrepresentation of the facts** and the associated case references (above) are therefore improperly applied. **The significance of tying the separate lawsuit to necessary recusal comes from the Appellant's evidenced Arguments of record that irrefutably define the referenced Judges as INFERIOR**. Any objective observer who reads through The Judgment and compares it to the Appellant's motion (and Historical record) will undoubtedly agree:

It is the failure(s) to uphold their Judicial Oath, the Constitution And Federal Law that: (1) irrefutably disqualifies Judge Thomas and Judge Konduros; and Judge Curtis (2) Voids the Judgment. The Civil and criminal complaints will be filed against them personally Are secondary contributing factors where collectively, the totality of These issues **MUST result in their disqualification**. Any failure by This Court to disqualify Judge Thomas and Judge Konduros; and Judge Curtis will further expose and re-affirm the failure to show Impartiality.

II. DEMAND TO VALIDATE 28 U.S. Code § 453 - Oaths of justices and judges

Each justice or judge of the United States shall take the following oath or Affirmation before performing the duties of his office: "I, ___ ___, do solemnly swear (or Affirm) that I will administer justice without respect to persons, and do equal right to The poor and to the rich, and that I will faithfully and impartially discharge and

perform all the duties incumbent upon me as ___ under the Constitution and laws of the United States. So help me God."

Any judge who does not comply with his oath to the Constitution of The United States, wars against that Constitution and engages in Violation of the Supreme Law of the Land. If a judge does not fully Comply with the Constitution, then his orders are void, In re Sawyer, 124 U.S. 200 (1888), he is without jurisdiction, and he/she Has engaged in an act or acts of treason. **U.S. v. Will**; **Cohens v. Virginia.**

By issuing the September 14, 2026 Judgement Order (and for reasons stated within and throughout the record), JUDGE THOMAS, JUDGE KONDUROS and JUDGE CURTIS have Consciously disregarded their Judicial Oath of Office. Therefore, the Appellant shows just cause for their removal from the Bench and Potential impeachment, pursuant to 28 U.S. Code § 453.

III. INCREMENTAL Act of TREASON Under ARTICLE III

Based on the Appellant's interpretation of Federal Law, it has been Evidenced that **Judge Paula Hinson Thomas dual office holding. Judge/Attorney SC Bar#: 7978,** and **Circuit Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284,** And **Judge Kristi Fisher Curtis dual office holding. Judge/ Attorney SC Bar#:8595,** - **LACK JURISDICTION** to rule in this Litigation. Despite multiple efforts by the Appellant respectfully Requesting clarification for their actions, these judges have refused

To do so. Instead, they have continued to rule in the absence of Jurisdiction - as if some form of exemption has allowed them to Ignore their judicial oath, the Constitution and Federal Law(s). The Appellant is **NOT AWARE** of any such exemption. Any judge who Does not comply with his oath to the Constitution of the United States, **wars against that Constitution** and engages in violation of The Supreme Law of the Land. If a judge does not fully comply with The Constitution, then his orders are void, **In re Sawyer**, 124 U.S. 200 (1888), **he is without jurisdiction**, and he/she has engaged in An act or acts of **treason**. **U.S. v. Will**; **Cohens v. Virginia:**

"You have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution." See Cohen v. Virginia; U.S. v. Will.

THEREFORE, by consciously issuing the **JUDGEMENT** order **WITHOUT JURISDICTION** on September 14, 2026, it is interpreted That JUDGE THOMAS, JUDGE KONDUROS and JUDGE CURTIS have committed an **INCREMENTAL** act of **TREASON under ARTICLE III, Section 3** of the US Constitution. Serving as **WITNESS** to these incremental acts of Treason, aside from the Appellant, are The following parties:

1. The Circuit Clerk of the Court – The Hon. Dorothy Boyd Belton;
2. ALL Respondents; and
3. Representing counselors to the Respondents;

For the record, the Appellant respectfully reminds the Court - Any party (referenced above) who refuses to serve as witness to these (NEW) evidenced claims of Treason will incur the following incremental claims against them: **1.) MISPRISION OF TREASON 18 U.S. Code § 2382; 2.) 18 U.S. Code § 371 - Conspiracy to commit offense or to defraud United States; and 3.) ECONOMIC ESPIONAGE (Economic Espionage Act) 18 U.S. Code § 1831.**

See Rule 18. CONFLICTS OF INTEREST in case of a conflict of Interest or disqualification of a circuit chair and any co-chair in a Given case, the circuit chair shall request assistance from the chair In another circuit and transfer the case to that circuit. violate or Attempt to violate the Rules of Professional Conduct, knowingly Assist or induce another to do so, or do so through the acts of Another.

RULE 8.4: (a) (b)(c)(d)(e)(f)(g) MISCONDUCT

(g) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law. Judge Paula Hinson Thomas dual office holding. Judge/Attorney SC Bar#: 7978, and Circuit Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284, And Judge Kristi Fisher Curtis dual office holding. Judge/Attorney SC Bar#:8595, Article XVII, Section 1 An of the State Constitution provides that "no person may hold two

Offices of honor or profit at the same time, it is professional misconduct for a lawyer to: (a) violate or attempt to violate the Rules Of Professional Conduct, knowingly assist or induce another to do So, or do so through the Acts of another;

(b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;

(c) commit a criminal act involving moral turpitude;

(d) engage in conduct involving dishonesty, fraud, deceit or Misrepresentation;

(e) engage in conduct that is prejudicial to the administration of Justice;

(f) state or imply an ability to influence improperly a government Agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law; or

(g) knowingly assist a judge or judicial officer in conduct that is a Violation of applicable rules of judicial conduct or other law

Therefore, the judge has a legal duty to disqualify herself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this language [455(a)] imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed." Balistrieri, at 1202. This is a

claim for violation of Appellants civil rights as Protected by the Constriction and laws of the United States Under. S.C. §§ 983,1985, And 1986, 42 U.S.C. § 1988, However, since not all judges keep up to date in the law, and since not all judges follow the law, it is possible that a judge may not know the ruling of the U.S. Supreme Court and the other courts on this subject. Notice that it states, "disqualification is required" and that a judge "must be disqualified" under certain Circumstances. Judge Paula Hinson Thomas dual office holding. Judge/Attorney SC Bar#: 7978, and Circuit Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284, And Judge Kristi Fisher Curtis dual office holding. Judge/Attorney SC Bar#:8595, Article XVII, Section 1 An of the State Constitution Provides that "no person may hold two Offices of honor or profit at The same time:

1. See: LPS Real Estate Group Inc.-Bloomberg
2. See: Hon. Paula Hinson Thomas- Bloomberg.com
3. See: Hon. Aphrodite K. Konduros-Bloomberg.com
4. See: Hon. Kristi Fisher Curtis-Bloomberg.com
5. See: Industries: Real Estate – Bloomberg
6. LPS Default Solutions Inc.- Bloomberg
7. **Therefore, demand strict proof thereof**
8. **I MOVE TO DISQUALIFY** Hon Judge Paula Hinson Thomas

Dual office holding. Judge/Attorney SC Bar#: 7978, and Appeals Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284, And Judge Kristi Fisher Curtis dual Office holding. Judge/Attorney SC Bar#:8595, in this Processing, See: S.C. Constitution Article V, § 16: Compensation of Justices and Judges. Practice of law and dual office holding, "The Court Take Judicial Notice the Supreme Court of South Carolina AMINISTRATIVE ORDER The power of the circuit court to appoint a referee is Governed by Rule 53 of the South Carolina Rules of Civil Procedure. Subsection (b) of the Rule provides only that "causes of action in a Case" may be referred to under the circumstances listed in the Rule. A discovery dispute is not a "cause of action." Thus, Rule 53(b) provides no authority for the order of reference in this case. In Matters brought to our attention, the Special referee appointed by The circuit court is typically a lawyer.

9. I MOVE TO DISQUALIFY Hon Judge Paula Hinson Thomas Dual office holding. Judge/Attorney SC Bar#: 7978, and Appeals Judge Aphrodite K. Konduros dual office holding. Judge/Attorney SC Bar#:3284, And Judge Kristi Fisher Curtis dual Office holding. Judge/Attorney SC Bar#:8595, **28 U.S.C. § 455(a)** Any justice, Judge, or magistrate judge of the United States shall disqualify Himself in any proceeding in which his impartiality might Reasonably be questioned.

a. 28 U.S.C. § 455(b) He shall also disqualify himself in the following circumstances:

b. 28 U.S.C. § 455(1) Where he has a personal bias Or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding.

c. 28 U.S.C. § 455(2) Where in private practice he Served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

d. 28 U.S.C. § 455((3) Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy.

e. 28 U.S.C. § 455 (i) Is a party to the proceeding, or An officer, director, or trustee of a party.

f. 28 U.S.C. § 455 (ii) Is acting as a lawyer in the proceeding.

g. 28 U.S.C. § 455 (iii) Is known by the judge to have An Interest that could be substantially affected by the outcome of the proceeding.

h. 28 U.S.C. § 455 (d) For the purposes of this section the following words or phrases shall have the meaning indicated:

i. 28 U.S.C. § 455 (d) (1) "proceeding" includes Pretrial, trial, appellate review, or other stages of litigation.

j. 28 U.S.C. § 455 (d) (2) the degree of relationship is calculated according to the civil law system.

k. 28 U.S.C. § 455 (d) (3) "fiduciary" includes such. relationships as executor, administrator, trustee, and guardian.

l. 28 U.S.C. § 455 (d) (4) "financial interest" means. ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or another active participant in the affairs of a party, excepted that:

CONCLUSION

WHEREFORE, for the reasons stated within, the **Appellant** – **JENNIFER D. POWERS** has **CONCLUSIVELY** evidenced as a matter Of court record, a number of legal claims requiring (at minimum)

The following next steps:

1. Before anything else – **JURISDICTION** must be re-established, Either: (a) in this Court (if still a legal option), (b) by **TRANSFER** to Another Circuit with jurisdiction, (c) by **REMOVAL** to **ORIGINAL JURISDICTION of SUPREME Court**. or (d) by removal to a Congressional panel;

2. The ADMISSION OF GUILT by Representing counselors to the Respondents- re-affirms the Appellant's consistent claims and adds Incrementally to their Fraud on the Court claim(s). Therefore, the Court should bring a DEFAULT JUDGMENT, pursuant to Fed. R. Civ. P. 60(b)(3), in favor of the Appellant – **JENNIFER D. POWERS,** With prejudice and AWARD The maximum reimbursement of cost And civil damages as Is Allowed by law;

3. The Appellant has also demonstrated that a Court with jurisdiction should ultimately VACATE the referenced judgment, pursuant to Fed. R. Civ. P. 60(b)(4) and AWARD the Appellant the maximum reimbursement of Cost and civil damages as is allowed by law (It is unclear whether Conclusion #2 or Conclusion #3 has legal precedence);

4. That this Court should consider the existing Appeals

Panel as **INFERIOR Judges** who are **WITHOUT JURISDICTION** And are **DISQUALIFIED** from ruling further in this, or any related litigation;

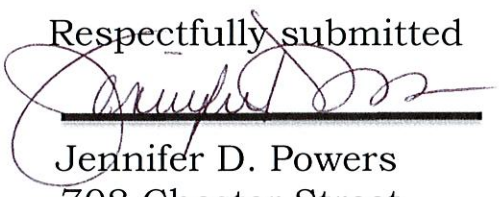
5. Since the judgment is considered **VOID,** there are several MOTIONS which are still pending, **BEGINNING WITH the Appellant's Emergency Motion for an Injunction and to re-Establish a BALANCE OF HARDSHIPS.;**

6. **The Appellant also requests timely clarification regarding his right to file a Petition for re-hearing, pursuant to FRAP Rule 40. Based on Mrs. Power's interpretation of Federal law, filing the petition at this time is NOT believed to be necessary, since the referenced judgment is considered VOID**. If somehow it is determined that filing a petition for re-hearing becomes necessary, the Appellant respectfully requests that this response **ALSO** serve as said petition; also requesting that the Court accept this oversized petition as compliant with FRAP Rule 40(b), considering the number and severity of issues. Re-stating that the ever-increasing complexity of legal issues warrants the Court's assistance with the assignment of Counsel;

7. A Court with jurisdiction should assess maximum professional penalties against ALL Representing counselors to the Respondents (where applicable), including (but not limited to) disbarment.

September 22, 2026

Respectfully submitted



Jennifer D. Powers
708 Chester Street
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(803)381-1031
Jdpowers1031@yahoo.com
Appellent Pro Se litigants

RECEIVED
Sep 25 2026
SC Court of Appeals

Other Counsel of Record:

CERTIFICATE OF SERVICES

UNDER PENALTY OF PERJURY, I, JENNIFER D. POWERS HEREBY CERTIFY that a copy of the foregoing documents listed below have been filed in the APPELLANT RESPONSE/MOTION TO: (1) ADDRESS NEW EVIDENCE/INFORMATION; (2) VALIDATE JUDICIAL OATH; (3) ADDRESS LEGAL CONSEQUENCES RE JURISDICTION; AND (4) PETITION FOR RE-HEARING/TRANSFER, On Respondents Tuesday, September 22, 2026, was served by Certified Registered Letter and email on September 22, 2026 to the below listed parties:

The Hon. Dorothy Boyd Belton
Fairfield County Clerk of Court
PO Drawer 299
Winnsboro, SC 29180-0299

Brian Dumas, Attorney LLC
718 Clemson Road
Columbia, SC 29229
Office: (803) 699-4996
Fax: (803) 699-4995
brian@briandumasattorney.com

Mr. Brandon Keith Poston
Bar Number: 78397
County: Richland
U.S. Department of Justice
1835 Assembly Street
Suite 953
Columbia, SC 29201
Office: (803) 765-5218
keith.poston@usdoj.gov

Ms. Barbara Ellen Brunson
Bar Number: 12940
County: Richland
Law Office of Barbara E. Brunson
3614 Landmark Drive, Suite B
Columbia, SC 29204

Office: (803) 799-0425
barbara@brunsonlawsc.com

Family Services, Inc. DBA Origin SC
ATTN: Mrs. Caprice Atterbury, CEO
ATTN: Ms. Tracy Strickland, Director
8084 Rivers Ave. Suite 100
N. Charleston, SC 29410 USA
Phone: 843.628.3000
Fax: 843.574.8598

The Hon. Bradley Caulder
Probate Court Judge, Fairfield County.
260 Bratton St
Winnsboro, SC 29180
Office: (803) 712-6519 Ext: 0000
Fax: (803) 712-6939

Leslie P. Taylor
831 Williams Circle
West Columbia,
South Carolina 29172

GALLIVAN WHITE & BOYD P.A.
John E. Cuttino (SC Bar 1519).
1201 Main Street – Suite 1200
Columbia, SC 29201
(803)724-1714

NELSON MULLINS RILEY & SCARBOROUGH LLP
Matthew A. Abee, SC Bar No. 101100
Madison C. Guyton, SC Bar No.105205
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
(803) 799-2000
Email: matt.abee@nelsonmullins.com
Email: madison.guyton@nelsonmullins.com

The Honorable Kristi F. Curtis
215 North Harvin Street
Sumter, SC 29150
OFFICE: (803) 436-2152
FAX: (803) 774-2825
kcurtissc@sccourts.org

Judge Paula H. Thomas
Court of Appeals
1220 Senate Street
Columbia, SC 29201
Office: (803) 734-1890
ELangston@sccourts.org

Judge Aphrodite K. Konduros
Court of Appeals
1220 Senate Street
Columbia, SC 29201
Office: (803) 734-1890
mmcleer@sccourts.org

EXHIBIT-A

(Judge THOMAS - KONDUROS, and CURTIS Order)
September 14, 2026

The South Carolina Court of Appeals

Estate of Robert E. Powers Jr., Jennifer D. Powers, Personal Representative, Appellant,

v.

The Hon. Bradley Caulder as an individual, Law Office of Barbara E. Brunson, as guardian ad litem for Robert Edward Powers, Jr., Barbara Brunson, individual, Family Services, Inc., d/b/a Origin SC, as Conservator for Robert E. Powers, Jr., Caprice Atterbury, as an individual, Traci Strickland, as an individual, Leslie P. Taylor, as Guardian for Robert E. Powers, Jr., Leslie P. Taylor, individual, Attorney Brian Dumas, individual, and Attorney Brandon Keith Poston, individual, Respondents.

Appellate Case No. 2026-000263

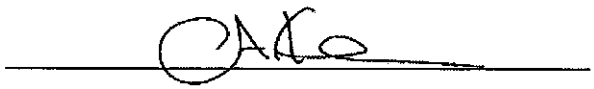
ORDER

After careful consideration of the motions to reconsider,[1] which the court construes as petitions to rehear the dismissal, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petitions for rehearing are denied.[2]

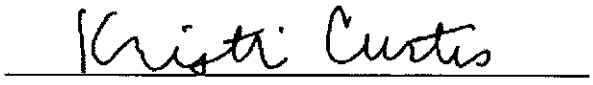
_____ J.

[1] Appellant has filed a motion to reconsider as to each circuit court order appealed, despite the appeals being consolidated.

[2] To the extent Jennifer D. Powers requests oral argument on the motion to reconsider, that request is denied. Otherwise, the court takes no action on the request for oral argument in light of the denial of the motion to reconsider.



J.



J.

Columbia, South Carolina

FILED
Sep 14 2026

cc:
Jennifer D. Powers
Gray Thomas Culbreath, Esquire
John Edward Cuttino, Esquire
Matthew A. Abee, Esquire
Connor Taylor Jasso, Esquire
Traci Strickland
Leslie P. Taylor
Brian Dumas, Esquire
The Honorable Bradley Caulder

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE CIRCUIT COURT COUNTY OF FAIRFIELD
Court of Common Pleas

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Hon, Brian M. Gibbons Magistrate Judge

Circuit Court Appellate Case No. 2025CP2000274

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Submitted: February 6. 2026 Decided: January 30, 2026,

ORDER AND JUDGMENT *

Before THOMAS, Circuit Judge, and KONDUROS, and CURTIS, Circuit Judges.

PROOF OF SERVICE

I certify that I have served the APPELLANT RESPONSE/MOTION TO: (1) ADDRESS NEW EVIDENCE/INFORMATION; (2) VALIDATE JUDICIAL OATH; (3) ADDRESS LEGAL CONSEQUENCES RE JURISDICTION; AND (4) PETITION FOR RE-HEARING/TRANSFER NOTICE TO THE COURT, on Brian Dumas, Attorney LLC 718 Clemson Road Columbia, SC 29229 by depositing a copy of it in the United States Mail, postage prepaid, on September 22, 2026, address Brian Dumas, Attorney LLC 718 Clemson Road Columbia, SC 29229 by delivering a copy of it to his, at his 718 Clemson Road Columbia, SC 29229

- Respectfully submitted on this 22 day of September 2026

Jennifer D. Powers
708 Chester Street
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(803)381-1031
Jdpowers1031@yahoo.com
Appellent Pro Se litigants

THE STATE OF SOUTH CAROLINA
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•Respectfully submitted on this 22 day of September 2026

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- Respectfully submitted on this 22 day of September 2026

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●Respectfully submitted on this 22 day of September 2026

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●Respectfully submitted on this 22 day of September 2026

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●Respectfully submitted on this 22 day of September 2026

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Columbia, South Carolina 29201
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•Respectfully submitted on this 22 day of September 2026

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Estate of Robert E. Powers Jr., Jennifer D. Powers, Personal Representative..... Appellant,

v.

The Hon. Bradley Caulder as an individual, Law Office of Barbara E. Brunson, as guardian ad litem for Robert Edward Powers, Jr., Barbara Brunson, individual, Family Services, Inc., d/b/a Origin SC, as Conservator for Robert E. Powers, Jr., Caprice Atterbury, As an individual, Traci Strickland, as an individual, Leslie P. Taylor, as Guardian for Robert E. Powers, Jr., Leslie P. Taylor, Individual, Attorney Brian Dumas, individual, and Attorney Brandon Keith Poston, individual..... Respondents.

Submitted: February 6. 2026 Decided: January 30, 2026,

ORDER AND JUDGMENT *

Before THOMAS, Circuit Judge, and KONDUROS, and CURTIS, Circuit Judges.

PROOF OF SERVICE

I certify that I have served the APPELLANT RESPONSE/MOTION TO: (1) ADDRESS NEW EVIDENCE/INFORMATION; (2) VALIDATE JUDICIAL OATH; (3) ADDRESS LEGAL CONSEQUENCES RE JURISDICTION; AND (4) PETITION FOR RE-HEARING/TRANSFER NOTICE TO THE COURT, The Honorable Kristi F. Curtis 215 North Harvin Street Sumter, SC 29150, by depositing a copy of it in the United States Mail, postage prepaid, on September 22, 2026, The Honorable Kristi F. Curtis 215 North Harvin Street Sumter, SC 29150, by delivering a copy of it to her, at her 215 North Harvin Street Sumter, SC

●Respectfully submitted on this 22 day of September 2026

Jennifer D. Powers
708 Chester Street
Columbia, South Carolina 29201
(803)381-1031
Jdpowers1031@yahoo.com
Appellent Pro Se litigants

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE CIRCUIT COURT COUNTY OF FAIRFIELD
Court of Common Pleas

RECEIVED
SEP 22 2026
SC Court of Appeals

Hon, Brian M. Gibbons Magistrate Judge

Circuit Court Appellate Case No. 2025CP2000274

Estate of Robert E. Powers Jr., Jennifer D. Powers, Personal Representative..... Appellant,

v.

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- Respectfully submitted on this 22 day of September 2026

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●Respectfully submitted on this 22 day of September 2026

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