

1 of 27

Dear Jenny Abbott Kitchings

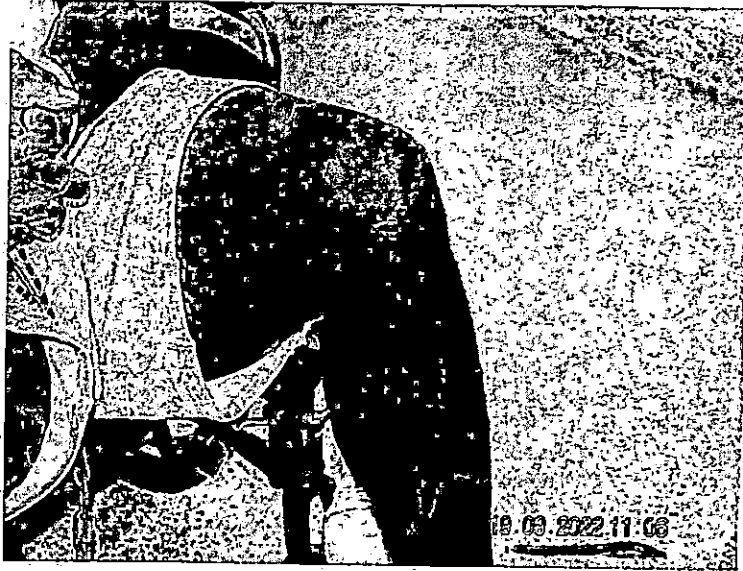
I Craig Ninja Antonio Brewton, need my documents sent with this letter to be filed & notarized. These documents are picture proof of me injured after getting unlawfully arrested by Deputy Smith at 11:06 am on 9/19/22 seen in evidence "XK" & the search warrant that was signed late after I was arrested an injured at 11:56 am on 9/19/22 seen in evidence "SW". This is 100% proof that I was injured by Deputy Smith violating my Constitutional rights before the search warrant was late signed arresting me without probable cause or a active warrant for Craig Brewton. Also with these documents is the Deputy Report By Deputy Smith seen in evidence "14" with fabricated lies, perjury, & fraud in the courts. The search warrant also was fabricated with lies that I was detained when I was actually already arrested. The Deputy Report also states that Dep. Smith knew that I had a shoulder injury that was dislocated that required surgery, that he wouldn't let the nurses diagnose by taking off the handcuffs to see if I could move my arms. The Deputies involved with Dep. Smith & Dep. Branson violated my due process using excessive force & pretrial punishment denying me medical locking me in a isolated jail cell injured. Also with this letter is 19 pages of lawsuit documentation as proof I need filed as evidence as due process violations by the Spartanburg County Sheriff's please. There is in all 25 pages of evidence that needs to be filed on notarized in case 2026-000808. The abuse of discretion & errors of the law caused by Spartanburg Co. Court of General Sessions by Judge Keith R. Kelly denying Mr Brewton his pretrial motion for a evidentiary hearing for Brady violations on sanctions, Franks hearing, exclusionary hearing for suppression of the evidence illegally obtained evidence obtained violative of Mr Brewton's 4th & 14th amendments of the U.S. Const. that caused prejudice in his case to his substantial rights of due process that he was entitled to have for the procedures of the courts.

RECEIVED

OCT 05 2026

SC Court of Appeals

Craig Ninja Antonio Brewton 9/22/26



09/19/2022 : 22091911505900.JPG



09/19/2022 : 22091911525000.JPG

2.18x10.03"

← Time Evidence (K)

← Time

\*

REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY

SOUGHT IS ON THE SUBJECT PREMISES

Evidence "Sw"

ORIGINAL

0125-CV-01073-RMG, 8126-CV-03071-RMG-USB  
8126-CV-01213-RMG

Your Affiant, Investigator J. Gilstrap, swears and deposes that;

I am employed as an Investigator with the Spartanburg County Sheriff's Office and assigned to the Narcotics Division. I have been employed as a law enforcement officer for 17 years and have been specifically investigating narcotic related cases since June of 2015. I received my Basic Law Enforcement Certification at the South Carolina Law Enforcement Academy in Columbia, SC, graduating in June of 2006. Since then, I have attended multiple classes and seminars and have received multiple certifications in areas dealing with the enforcement of the South Carolina Controlled Substances Act {SCCSA}, which included courses conducted at the SC criminal justice academy and other locations across the state. I have supervised or participated in hundreds of controlled narcotic buys, arrests, reversals, and undercover operations.

I further state there is probable cause to search 141 Teeanna Drive Moore, SC for illegal narcotics, specifically marijuana, based on the following facts:

On 09/19/2022 Investigators with the Spartanburg County Sheriff's Office Warrant Division and the South Carolina Department of Corrections went to 141 Teeanna Drive to serve an arrest warrant on Marcus Barlow (DOB [REDACTED]) for providing contraband to SCDC inmates. Upon arrival to the residence they knocked on the door which was answered by a resident, Craig Brewton. Investigators identified themselves and Brewton shut the door of the residence and then fled the scene but was detained a short distance away by perimeter units. When Brewton initially opened the door of the residence Deputy Clark observed the odor of Marijuana coming from inside the residence.

I further state probable cause exists, based on the above facts, that illegal narcotics/drugs, specifically marijuana, will be located inside the residence of 141 Teeanna Drive in the Moore community of Spartanburg County, SC and I ask the Honorable Magistrate of Spartanburg County to grant this search warrant.

This 19<sup>th</sup> day of September; 20 22

Signature of Judge

John J. Kessler 10:53 PM

Investigator J. Gilstrap

Affiant

Address: 8045 Howard Street

Spartanburg, SC 29303

Phone: 864-503-4501

Now, therefore, you are hereby authorized to search premises for the property described below, and to seize such property if found:

#### DESCRIPTION OF PROPERTY SOUGHT

Any illegal drugs/narcotics, specifically Marijuana, or any other controlled substance as defined in section code 44-53-370 and 44-53-375 as amended in 1976 as a SC Code of Laws. This is to include:

Any and all illegal drugs/narcotics, drug/narcotic paraphernalia, drug/narcotic equipment, containers of various types (locked or unlocked) where illegal drugs/narcotics may be stored, and all implements used in the distribution, administering, and/or ingesting of any drugs/narcotics.

Any and all firearms or other weapons which are commonly used to protect property to include controlled substances, drug proceeds in the form of US currency, real property, or other items of value which may be considered illegal. These firearms include but are not limited to handguns, pistols, revolvers, rifles, shotguns, machine guns, other weapons and other firearm related items which may include, but are not limited to, magazines and/or ammunition.

Any and all U.S. currency, precious metals, jewelry, or other various unexplained assets and/or any financial instruments indicative of the proceeds related to the possession, distribution of, and/or trafficking of drugs/narcotics.

Any and all records, books, receipts, notes, formulas, calculations, instructions and/or ledgers associated with the illegal possession, distribution, manufacturing and/or trafficking of illegal drugs/narcotics.

Any and all surveillance cameras, recorders, tapes, or other equipment, either visual or audio, used to record or document the activities at the location to be searched.

Any and all high speed data processing devices to include electronic, magnetic, and/or optical computer systems capable of accessing the internet or cellular service to further any narcotic related crimes; to include the stored data of these high speed data processing devices that may contain information related to the furtherance of drug possession, distribution, and/or trafficking of drugs/narcotics, money laundering, and criminal associates.

Any and all items of personal property tending to establish the identity of the person(s) in control of the premises to be searched.

**ORIGINAL**

This Search Warrant shall not be valid for more than ten days from the date of issuance. A written inventory of all property seized pursuant to this Search Warrant shall be made to:

8:26-CV-03071-RMG-WSB

8:26-CV-01213-RMG

Evidence "SW"

ANY SPARTANBURG COUNTY MAGISTRATE

ORIGINAL

Within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant Inventory shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable: in the event the identity of such person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Spartanburg, SC  
19 September, 2022  
11:53<sup>hr</sup>

[Signature] (L.S.)  
Signature of Judge John J. Ker

RETURN

I received the attached Search Warrant September 19th, 2022, and have executed it as follows: On September 19th, 2022 at 12:18 o'clock P M,

I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with At Residence

Name of person searched or "at the place of search" with.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

- 1) Zip lock bag containing GPM - Kitchen
- 2) Mason jar containing baggies w/ GPM - Kitchen
- 3) Taurus G2 SER: TKY81534 - Hallway Bathroom
- 4) 1 benfiber container containing white powder substance. 1 mason jar containing GPM. 1 zip lock bag containing GPM. 3 gas god packages - Kitchen
- 5) Quantity of U.S currency - Living Room in black bag
- 6) Black gun box containing magazines and ammo
- 7) Taurus .45 SER: NGP67828
- 8) Clear baggie containing GPM - Kitchen Table
- 9) 2 cellphones
- 10) Gas god package - Far right bedroom

Nothing to follow, Search Warrant closed at 1321 hours

This inventory was made in the presence of Sgt. Ruane, Gilstrap, Kyle, Rojas, Clark, Watson

AND Lt. Longshore, BJ Robinson

I swear this inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 19

Day of Sept 2022

(Signature of Executing Office)

Signature of Judge

(L.S.)

6 PM

0125-CV-01073-RMG  
8126-CV-01213-RMG  
Evidence 1411**Supplement Smith M C****SUPPLEMENTAL REPORT:**

On 9/19/22 I responded to 141 Teeanna Dr in Spartanburg County in reference to a warrant service. I was with Deputy Clark and two officers with South Carolina Department of Corrections. The SCDC officers had a warrant in hand for Marcus Barlow for introducing contraband into a prison. I was advised that the contraband he assisted with getting into the prison was a large quantity of meth. A vandalism report from 8/25/22 showed that Marcus was living at a trailer at 141 Teeanna Dr.

Upon our arrival I saw a blue Chrysler 200 (SC tag TUV 218) parked in front of the house that was registered to Marcus Barlow. The front door was initially standing open when we pulled up. A black male, later identified as Craig Ninja Brewton, quickly came out and shut the front door behind him. Craig appeared to be overly nervous and would not identify himself at first. The strong odor of marijuana was present in front of the house and Craig's eyes were glassy and bloodshot. Craig also admitted to me that he had just finished smoking marijuana. Deputy Clark advised he also smelled marijuana on the other side of the trailer and heard more movement in the house even though Craig stated nobody was home. Craig said that he had just taken Marcus to work at Home Depot in Greenville. I made several attempts to get someone to come to the door but they would not. At this point I had probable cause to obtain a search warrant and I told Craig he was not free to leave the scene.

I advised Lt Longshore of my findings and told him that I would be contacting narcotics investigators to obtain a search warrant on the house due to the smell of marijuana emanating from it. Since we were obtaining a search warrant for the residence I decided to place Craig in investigative detention. This was in part due to his nervous behavior and the fact he kept reaching in his pockets. The moment we told him he was being detained he took off on foot and I gave pursuit.

Craig ran across Old Anderson Mill Rd through a patch of woods and then completely crossed over I-26 almost causing a collision. Once I caught back up with Craig on the other side of the highway I gave verbal commands for him to get on the ground. I knew that I would be arresting Craig for pedestrian in the roadway since he had ran into the highway almost causing wrecks. As I followed him on foot he kept backing away from me ignoring my verbal commands. He then stopped took a fighting stance and advanced toward me for a couple of steps. I then drew my taser due to his large muscular size and the fact that he was showing signs of active aggression towards me. I chose not to immediately deploy the taser due to his close proximity of the fog line. I feared Craig may fall into the highway and get struck by the heavy amount of traffic that was coming by us.

Craig then looked over his shoulder and waited until traffic was almost to him and ran into the highway again. His reckless actions almost caused numerous wrecks that would have most likely been fatal to him or others. Once he got back out of the roadway I knew that I had to stop his actions before someone got seriously hurt or killed. Once he was far enough from the highway I discharged my taser at Craig as he faced me. He fell to the ground but broke the wire to the lead before I could go hands on with him. This occurred after the first five second cycle and interrupting the neuromuscular incapacitation that had caused him to fall to the ground. I attempted to drive stun him in the shoulder to get a completed circuit with the taser again but he brushed it away and began to kick at me.

11/14/23

Evidence A)

Evidence 14

I then backed up as he got up and began to walk away from me. I changed out my taser cartridge and again deployed it on Craig. This was also a good connection that caused Craig to fall to the ground. I knew both of my taser cartridges were now spent and that I had attempted three separate cycles of the taser on Craig. While he was still under the five second cycle I moved in and rolled him over to his stomach. I was then able to apply a handcuff to his right wrist. I held it behind his back until a Good Samaritan, later identified as Harry Snyder, came and assisted me with getting his left hand behind his back. I later obtained a written statement from Mr. Snyder.

I requested EMS for Craig due to him complaining of having trouble breathing. I removed the four taser prongs from Craig's left shoulder and waist area without any issues. I later placed my spent cartridges in evidence and downloaded my taser. When EMS arrived Craig did not wish to have them evaluate him. I then transported him to SRMC per our policy for the taser exposure. When I arrived at the hospital Craig refused to get out of my patrol car at first. I was able to get him in the emergency room but he would not speak to Dr. Ellis. The only complaint he had was of shoulder pain and dehydration but he refused to let hospital staff treat him. Deputy Ingle met us at the hospital and took pictures of Craig. The only visible injuries I observed were abrasions to his knees from falling on the asphalt and the punctures the taser leads left behind. They gave me discharge paperwork and I transported Craig to the detention center without incident.

I presented the facts of this case to the honorable Judge Bagwell and he issued the following warrants on Craig:

2022A4210205657 (Resisting Arrest)-(EXPUNGED) \*

2022A4210205658 (Pedestrian on Highways)-(EXPUNGED) \*

During my physical altercation with Craig I gave him the following verbal commands which he ignored:

Get down X 7  
Stop X 11  
Quit X 8  
Stop Resisting X 2  
Stay on the ground X 2  
Get off the highway X 2  
Put your hand behind your back, do it now X 2

My BWC was activated during this encounter. This case is cleared by arrest.

11/14/23

Craig Ninja Antonio Brewton  
(PL)

CA No. 8:26-cv-01213-RMG  
(Def)

Motion for a evidentiary hearing to be held for the suppression of the evidence used against the PL in his current unlawful/illegal conviction with a presidential/executive pardon for release.

This is a motion for a evidentiary hearing to be held for the suppression of the evidence used against the PL in his current unlawful/illegal conviction. The evidence should be suppressed as fruits of a poisonous tree with a entitled evidentiary hearing to the PL. The PL is entitled to the evidentiary hearing being that the evidence was obtained violative of the PL's Const. 4th & 14th amendments. The Spartanburg County Courts used a abuse of discretion denying the PL a requested pretrial motion for a evidentiary hearing for suppression of the evidence used against the PL & illegally/ unlawfully using the evidence that was in constructive & actual possession of Sheriff Chuck Wright, to convict the PL at general sessions trial seen in evidence "KF". Been that the evidence is non-credible after Sheriff Wright's misconduct in the Sheriff's office of Spartanburg Co. convicted & sentenced to federal prison. The PL's conviction should be reversed/overturned & the PL should be released because of misconduct by the Sheriff & with Spartanburg County Sheriff Office. The evidence used against the PL should not have been able to be used against the PL in his criminal conviction making his current conviction illegal & unlawful. This motion is a request for a presidential/executive pardon for release from President Donald Trump to view the search warrant 1) as proof of the PL's injuries before the search warrant was signed making the PL's arrest & current conviction unlawful/illegal. The state of SC & the Judges in Spartanburg County have showed acts of abuse of discretion denying the PL's pretrial motions for suppression of the illegally obtained evidence "seen in evidence" PTM on file in the Spartanburg County Courts by Amy Cox on 2/14/26 at 2:32 pm, causing a error of law. The PL is in imminent danger in need of emergency surgery on a punctured out infected wisdom tooth that requires surgery not received for over a year. With the emergency preliminary injunction (1) seen in evidence "SW") motion a evidentiary hearing is entitled.

corrected  
2/28/24

Craig Ninja Antonio Brewton 9/13/26

In The United States District Court  
For The District of South Carolina

Craig Ninja Antonio Brewton  
(PL)

Case No: 0:25-cv-01073-RMG

V.

Deputy Matthew C. Smith, &  
Cathy White on Ect (Def's)

C.A. No: 0:25-cv-01073-RMG

Motion for reopening the time to file an  
appeal applying Federal Rule of Civil  
Procedure Rule 77(d) for a abuse of  
discretion & move for a evidentiary hearing

This is a motion for reopening the time to file an appeal applying Federal Rules of Civil Procedure using Rule 77(d) using the facts that the PL was not able & didn't receive a notice of appeal or judgment in a timely manner. The PL still has not received the notice. The PL didn't receive ~~the~~ lack of notice also informing & updating the courts of the changed address & the mail wasn't ever received on camera ever & never. The PL was transferred on 3/27/26 & didn't receive summary judgment & from lack of notice of appeal under Rule 77(d) of the entry of the judgment or order appealed from within 21 days after entry & his motion would not prejudice the opposing party. The Rule 4(a) 6 requirements have been met from the District Courts & the State General Sessions abuse of discretion on this motion needs to be granted to file an amended complaint using Rule 60(b). With the Federal Rules of Civil Procedure 60(b) 1, 60(b) 2, 60(b) 3, 60(b) 4, & 60(b) 6 motion sent on 8/24/26 the amended complaint needs filing to cure the defects. There is a abuse in the District Courts not ever getting the PL his mail sent & not ever received on 3/27/26 because of the PL being shipped & sent to Kirkland R&E that morning at 4:00 am without any mail received that day at the Spartanburg Co. Det. Center facility. The PL is/was entitled to a evidentiary hearing in the District Courts & in the Spartanburg County Courts of General Sessions an has been denied that right to the entitled evidentiary hearing. This is also a motion to move the district Courts to hold a evidentiary hearing of suppression of the unlawful evidence obtained violative of the PL's 4th & 14th amendments that the PL is entitled to in State Courts & in the District Courts to see if the misconduct by the Deputies was violative of the PL's Const. Rights to overturn the PL's illegal conviction with release from prison. The errors of the law has prejudiced the PL violating the PL's substantial rights of due process. The PL's case was closed on 4/2/26 & it has not been 180 days since the case was closed making this court able to reopen the time to file an appeal applying Federal Rules of Civil Procedure Rule 77(d), move for a evidentiary hearing, & amend the amended complaint pursuant Federal Rules of Civil Procedure Rule 60(b).

Craig Ninja Antonio Brewton 9/8/26

lot 21

Craig W. Rogers, Jr.

Notar vacate, to a judgment for purposes of filing an amended complaint using Fed. Rules Civ. Proc. Rule 60(b) 4, 60(b)2 & 60(b)3. U.S.C.A. with curing the defects of 60(b)6 in the U.S. District Court of South Carolina

Olds - W. Rogers, Jr. 6/18/26

by Mr. Utrini / JRL 8/18/26

There is a abuse of discretion in Spartanburg Co. Courts denying the PL a entitled evidentiary hearing. This is a motion for a Federal Rules of Civil Procedure rule 60(b) 4, 60(b)2,

& 60(b)3 with newly discovered evidence that could not have been discovered in time to move for a new trial being the 25 pages of evidence filed & being that Sheriff Chuck Wright has been ordered to federal prison for misconduct & that the Dep. Clark & Dep. Smith had perjured themselves. Inv. Rojas, Inv. Galt, Inv. Dan. Clark & Dep. Matthew C Smith.

The Dep. has perjured testimonies in the Deputy reports, perjured search warrants, depositions, affidavits, motions, etc. The Dep. has been denying factual motions, etc. The Dep. has been denying factual motions, etc.

The spoliation of evidence & Brady violation has been committed by Inv. Rojas & lost exculpatory old & new evidence collected more, evidence from not preserved. The Dep. has been denying factual motions, etc.

Inv. Galt reported that the reason for affiant's belief that the person sought is on the "wanted" list is that the person was really arrested. The Dep. has been denying factual motions, etc.

phone in evidence in the report. The Dep. has been denying factual motions, etc. safe in the state. The Dep. has been denying factual motions, etc.

of section 84. The Dep. has been denying factual motions, etc. BWC in a room. The Dep. has been denying factual motions, etc.

people in the room. The Dep. has been denying factual motions, etc. closed door. The Dep. has been denying factual motions, etc.

people in the room. The Dep. has been denying factual motions, etc. was a large quantity. The Dep. has been denying factual motions, etc.

was a large quantity. The Dep. has been denying factual motions, etc. a lie seen in evidence. The Dep. has been denying factual motions, etc.

& constructive perjury. The Dep. has been denying factual motions, etc. credit to the state. The Dep. has been denying factual motions, etc.

yet has been denied a federal prison hearing. The Dep. has been denying factual motions, etc. evidence. The Dep. has been denying factual motions, etc.

his case. The Dep. has been denying factual motions, etc. that should be. The Dep. has been denying factual motions, etc.

Copies: Craig Ninja Antonio Brewton (PL)  
KIRKLAND CORRECTIONAL INSTITUTION  
4344 Broad River Road #40562  
Columbia, SC 29210-0000

V.  
Ms. Stephanie Holmes Burton  
GIBBES & BURTON, LLC  
308 East St. John Street  
Suite 2A  
Spartanburg, SC 29302-0000

Co. A. No.: 0:25-cv-01073-RMG-WSB

Motion to move the courts for  
a rule 15(c) to amend the  
amended complaint with new  
evidence "SRHS" & "23"

This is a motion to reopen  
the time period to file an  
appeal or obtain an extension

before the 180 day period since summary judgment. The PL has never received the notice of appeal from the District Court or the District court for a rule 15(c) with amending the amended complaint that cures the defects for a 1083 claim. There is three situations that permits the courts to amend the judgment being a change in controlling law, new evidence not available at trial, & to correct a clear error of law or prevent manifest injustice. There is a change in controlling law with former Sheriff Chuck Wright being sentenced & convicted to federal prison for misconduct in Spartanburg Co. Sheriff's Office with new evidence "PTM" being both new evidence not available for trial or summary judgment of the pretrial motion for suppression of the non-credible evidence used against the PL being unlawful evidence. There is clear errors of law & injustice not granting the PL a entitled on also requested evidentiary hearing for suppression of the evidence obtained violative of the PL's 4th & 14th amendments seen in evidence "PTM" causing a abuse of discretion seizing the PL's old favorable collectable exculpatory evidence being money proceeds from a closed safe without consent & without probable cause dismissed on 12/1/22 seen in evidence "25" unable to show & prove that the money proceeds was used & traceable to illegal drug activities also without BWC of the illegal search & seizure destroying property/destroying exculpatory evidence being a cellphone while in evidence by the State, & destroying a safe with stolen unaccounted money not producing all of the money in evidence to trial court violating the PL's substantial due process rights. There is also a clear error of the law that the PL was under arrest before he ran from the Deputies unlawful arrest to Challenge his current conviction. The trial court has also failed to show & prove that the PL had actual & constructive possession of anything & also erred by denying the PL's pretrial motion to suppress evidence due to a defective search warrant with a requested pretrial motion for a franks hearing seen in evidence "PTM". This motion relates back to the date this case was first filed to amend the complaint applying Federal rules of civil procedure Rule 15 amended & supplemental pleadings.

*Cy Ninja Antonio Brewton* 9/3/26

2 of 10 (Amended Complaint)

(0:25-L-01073-R/116-WSB)

The Plaintiff (PL) contends Defendants (Def) Dep. Clark, Dep. Christopher Rojas, Dep. Matthew C. Smith, Kathy White, Nurse Gerald Deel, Nurse Roach, Spartanburg County (SC), The City of Spartanburg (CS) & The United States of America (U.S.A.) engaged in excessive use of force (ECF) an unlawful/illegal search & seizure (S&S), & deliberate indifference to serious medical injuries in violation of the PL rights under the 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup>, & 14<sup>th</sup> amendments to the U.S. Const. The events giving rise to PL's claims occurred on 9/19/22. According to PL Dep. Clark did not let him read a search warrant, lying only being an arrest warrant for Marcus David Ross Barlow, Dep. Clark & Dep. Smith asked could he search me & the home after blocking the driveway completely enabling me to leave seizing me with the car & home surrounding the me & the home having me fearing for my life. I was already seized illegally not being the person on the arrest warrant & seized unlawfully not being the suspect & also denying them consent to search. The Dep(s) knew they violated my rights & I asked to see the search warrant Dep. Clark lied about that he said they had & Dep. Clark smacked down my hand while I reached to see the warrant & he reached for his gun also intimidating me & harassing me asking where the suspect was. I told them that the suspect was not home but at work as I was not the suspect & that they was not there for me so they asked for my ID. When I reached for my ID when asked Dep. Clark told me "don't you reach" while reaching for his gun & I thought Dep. Smith had a gun also & a deputy was getting something out of his SUV. So I ran fearing for my life that they was going to kill me. I got scared because Dep. Clark & the other Dep. didn't have on any BWC on not making me feel safe. I was not under arrest when I ran or before & I was not the suspect to chase arresting me. I was not under arrests showing I was not the suspect. The resisting arrest charge is the probable cause for resisting dismissed on 12/1/22 at the preliminary hearing by Judge Charles Bagwell & the judge expunged it from my record bringing it back up in the bond revocation seen in evidence "18" & "22". Dep. Smith injured me arresting me illegally & unlawfully dislocating my shoulder seen in evidence "21" & Dep. Smith injured on my neck seen in evidence "NB" of my CT spinous process fracture & need to wear a cervical collar. I was threatened to deny medical before entering his car & before going into the hospital to deny medical heard & seen on the BWC evidence. Pictures of my injuries was taken of me in the hospital to deny medical injured at 11:06 am & at 11:56 a.m. the judge issued a search warrant for me in the hospital severely he was never seen there or there fleeing the scene making the search invalid never being the suspect where the Search Warrant. In the house they found my safe & my bag having \$17,405 both the suspect on locks & combination codes on them & only half the money was put in evidence with closed with phones. One cell phone was destroyed by Dep. Christopher Rojas being that there was no evidence of drug activities the Dep(s) violated my due process purposely destroying evidence. I did not want to talk to the officers but I was unlawfully & illegally seized with the car & the home without the suspect Mr. Barlow ever being on the scene not never ever fleeing the scene. The Dep(s) misconduct of illegal search & seizure caused my injuries. Dep. Rojas violated section code 23-1-240 not wearing BWC along with Dep. Clark. Dep. Rojas also fabricated supplemental report about "Marcus Barlow fled the scene & Craig Brewton was detained" to obtain a search warrant saying the suspect was there. Dep. Smith also fabricated the supplemental police report & said "that I admitted to him that I finished smoking marijuana" which was a lie in court committing perjury seen on the BWC in court as evidence. Dep. Clark also fabricated the Dep. report of being able to hear & smell from within the residence of a closed door. Dep. Rojas was not supposed to destroy evidence, not preserving evidence for trial being that the cell phone was completely damaged/destroyed is a violation of obstruction of Justice & Evidence. The cell phone & the money was exculpatory evidence being that the cellphone would of shown my involvement in criminal activity & the money is favorable to me & is old collectable \$50's & \$100 bills obtained from loans, unemployment benefits, income taxes, stimulus refunds, & odd jobs being funds over from loans, from cutting grass, cutting trees, & lawncare with work on box trucks & babysitting seen in evidence "2". Dep. Rojas should of had BWC on 5 mins before the search & 5 mins after the search to show the time of the search & to show the destruction of the home & safe with the bag violating my rights. Nurse Gerald Deel & Nurse Roach both knew that I was injured & saw that I couldn't lift my arm or saw I had minimal Range of Motion of my right arm seen in evidence "MN" with some asymmetrical placement but said my injury appears non emergent & discussed with booking to complete my process prior to being sent back to the Emergency room. I asked to go back to the ER without the hard cuffs because they hurt on me but I was thrown in a cell without food to punish me for not speaking with Brady Branson in the booking process & then forced to be injured in jail as extra punishment. I never was sent back to the ER & Kathy White is to blame being the supervisor over medical notes, medical appointments, medical hiring, & timing for a claim for supervisory liability. This is a 1983 & 1986 conspiracy to use ECF & delay/deny medical showing deliberate

Indifference to serious medical needs forwards African Americans, being that Judge Black

Hayes II conspiring against me seen in evidence "d6" in a letter to my paid lawyer & public

attorney (Jennifer E. Wells & Christopher Wells) relationships that caused the lawyers to be

fired for ineffective counsel violating my 6th amendment & convicted the PL of 35 years after

the government's acts of misconduct, Judge Hayes conspired to use ECF & allow the

misconduct on African Americans (AA) an cover up the PL's injuries. Municipality

itself is at fault for the officers actions because the courts knew about the injuries sent

by certified mail/letter on 10/5/13 seen in evidence "a". The Pet(s) are two or more people

conspiring for the purpose of impeding, hindering, obstructing, like Dep Rojas & defeating the

course of justice in SC with intent to deny me to ECF & medical treatment there

is a Monell claim for ECF & failure to train against SC, & its

former Sheriff Chuck Wright being their final policy making authority

The Pet(s) policy of discrimination against African Americans &

widespread practice of custom adopted policies, customs, or practices which

encourages Spartanburg Police officers to use ECF & delay/deny medical to

to African Americans. The policy is the moving force behind the Const. violations

of ECF & deliberate indifference to serious medical injuries to African

Americans. The policy shows a pattern of racial discrimination to African

Americans & misconduct doing this to me several times, my friends, & to my family

using ECF with proof from affidavit by Tiki Foster seen in evidence "5". The

extremely tight handcuffs caused my injuries with also being wrestled, for the PL

injuries, PL contends he has a dislocated shoulder & a broken vertebrae in his

neck with proof from an illegal choke hold used on George Floyd "A naked grabber hold used

in UFC fighting". PL asserts that he "bonded out" & paid for his own surgery by taking

out loans. PL alleges that he suffers bad headaches & memory loss from being tazed

unconscious. PL contends he "had a concussion being tazed a couple of times" seen in

the BWC evidence & passed out. PL contends his back hurts very bad still to this day

when he moves along with his neck & he has "bad dreams from the incident & can't

sleep from nightmares & being depressed. PL had surgery on 2/27/23 seen in evidence

"21" as proof. For his relief, PL seeks \$44,000,000.00 for damages with the 35 year

conviction immediately overturned. The dep(s) knew who I was because I told

them & the looked up my picture profile in the car to see my tattoos & the

difference between me & the suspect seen on BWC evidence. The Dep(s) asked

to see my tattoos, saw my tattoos & knew it was me & they scared me by

reaching for guns & also jumping behind me trying to grab me from the back

& a hop went to a ship to a run with me unable to see Dep. Clark behind me

while talking to Dep. Smith. This is also to add Dep. Brady/Branson III in this

lawsuit for ordering the booking dep(s) to put me in a jail cell in booking for

not talking to him when I have the right to remain silent. I was punished for not

talking to Dep. Branson III for being injured on 9/19/22 & he has a conflict of interest

being a old classmate & football rival giving me poor treatment ordering me

in a cell without medical treatment. This is my amended complaint. I need to

amend after the motion for reopening the appeal & add evidentiary hearing in the District.

This a Monell claim for SC, CS, & the U.S. sued in official & individual capacities. The Dep(s)

showed evil intent to harm & punish the PL, the Dep(s) failed to preserve the cell phone & failed

to bring the exculpatory favorable collectible old bills to trial cost as evidence. The judge

Keith R Kelly denied the PL his entitled evidentiary hearing causing a mistrial & the case should be

The evidence illegally searched & seized unlawfully in this case should be

suppressed as fruits of a poisonous tree doctrine by the courts because of proof

of my injuries & time of the seizure at 11:06am & the search warrant was issued at 11:56am

on 11/11/22. For the seizure.

Because of the unlawfulness of the officer's & staff misconduct from ECF, illegal S&S, & denial of medical being deliberately indifferent to the PL's severe very serious irreparable injuries noticing the injuries & ignored the signs of the PL not able to lift & move his right arm. It was clearly established before & at the time of the misconduct informing the Def(s) of the PL's injuries in person & after getting arrested & telling the Def(s) who he was that their suspect wasn't home & that the PL was not their suspect on the warrant and that they violated the PL's rights of the U.S. Const. injuring the PL. The Def(s) are not entitled to the qualified immunity defense being & acting plainly incompetent to the PL's clearly visual injuries by Nurse Deel & Nurse Allane Roach & knowingly violated the state-law & the federal laws of & against illegal S&S ECF, & being deliberately indifferent to AA's & the PL's serious physical irreparable broken bones, leaving the PL with cerebral concussion & permanent partial disabilities of the cervical spine & of the right shoulder that required surgery. The SC state police Department & SC sheriff officers engaged in patterns & practices of being deliberately indifferent to race based stops, detentions, & searches of minority AA's during "rolling thunder" in violation of the PL's 4th & 14th amendments. The Def(s) under the color of SC statute, ordinance, regulation, custom, & or usage of or in SC State colors that caused the PL being a citizen of the U.S. subjected there of to the deprivation of rights, privileges or immunities secured by the U.S. Const. & state laws, shall be held liable to the party (PL) injured in an action at law, suit in equity, or their proper proceedings for redress. The Def(s) are showing acts of suppressing, insurrection, & rebellion to U.S. Const. federal laws in jailing the PL at 11:00 a.m. car & the home of the suspect, then after getting a search warrant late after illegally S&S the PL, the car & the suspect's home without the suspect or anyone home & without a search warrant. The Def(s) knew before arresting the PL that he was who he said he was & purposely arrested & violated the PL's rights. The PL wants \$440000000000 in punitive & compensatory damages. Nurse Allane Roach is a conflict of interest being deliberately indifferent to the PL in case 8:24-cv-07685-RMG-WJB also. The probable cause tickets & charges has been dismissed & expunged in this case & the Def(s) has no probable cause to arrest the PL & to challenge the current conviction the PL wasn't under arrest when he ran on the Def(s) are without probable cause for the arrest also illegally revoking the PL's bond with a dismissed resisting arrest charge seen in evidence "18" & illegally convicting the PL with the dismissed resisting arrest charge & with evidence used from Sheriff Chuck Wright's "rolling thunder" operation now in federal prison from misconduct in the SC office. Dep. Brady Branson III is also a conflict of interest in this case & case 17:25-cv-10435-RMG-WJB, inflicting pretrial punishment putting the PL in the Jail cell in booking injured without medical in this case also sent with this letter is evidence "SRHS" bany documentation of ongoing injuries. The PL never had any actual & constructive possession of any drugs, or keys to the suspect's home, or of the car when arrested. Sheriff Chuck Wright did & does have constructive & actual possession over all of the evidence involved in rolling thunder & of the evidence in my case. Dep Smith knew the PL was injured & purposely didn't so that the nurses could injuries showing deliberate the hospital. remove the cuffs diagnose the PL's indifference to PL at

5 of 10 (amended complaint)

0:25-cv-01073-RMG

The 6<sup>th</sup> amendment rights to a fair trial was violated being denied my pretrial motion for suppression.

There is also a conflict of interest with nurse Allene Rouch in this case & in case 8:24-cv-07655-RMG-WSP. The PL's substantial due process rights has been violated with destruction of evidence without BWC. Mr Brewton is entitled to have a evidentiary hearing out of presence of the jury whenever evidence is introduced that was obtained by misconduct violative of Mr. Brewton's Const. Rights under the 4<sup>th</sup> & 14<sup>th</sup> amendments (State vs Burton) with plain errors that affected the fairness of the trial & substantial rights of due process. clause violations with also a denied franks hearing to challenge the search warrant with bad faith of destroyed evidence deprived favorable collectable evidence without BWC of the illegal S&S, fabricated police reports, & fabricated search warrant with lies of being detained when he was actually arrested to obtain a search warrant. The evidence destroyed & was stolen from the closed safe without a drug dog present to hit on the closed safe & without drugs in the safe making the money proceeds not traceable to drug transactions. The deprivation of rights guaranteed by the Fed. Const. proven by the PL entitles Mr Brewton to release from his present custody that was prejudicial to Mr. Brewton. The Def(s) has prosecutorial misconduct failing to preserve the evidence for trial & Mr Brewton cannot obtain other evidence of comparable value by other means. The state of SC destroyed the evidence & stole the evidence in bad faith in custody of the state. The evidence is material to guilt or to punishment. The Def(s) failed to comply with attorney General law Enforcement Directive requiring activation of BWC in a timely manner in violation of 23-1-240 section code. (Brady v Maryland). Everyone in this complaint is involved in body violations. *Gregory Nye Attorney* 8/17/26 There's a abuse of discretion with Spartanburg Co. denying the PL's pretrial motion for suppression.

United States District Court  
District of South Carolina

Craig Ninjo Antonio Brewton  
v (PL)

Apple & Batten (Def)

C.A. No. 8:26-cv-01213-RMG-WB

Memorandum to be released from custody seeking to have this court overturn his State conviction & order his release from prison with newly discovered evidence & oral argument

This is a memorandum to the motion to be released from custody seeking to have this court overturn his state court unlawful conviction & order his release from prison with the newly discovered evidence in the clarified amended complaint. There is a abuse of discretion & error of the law in the criminal trial in Spartanburg County General Sessions Court denying the PL's motion for a pretrial evidentiary hearing for suppression of the evidence causing injustice with the current conviction abusing the use of the direct indictment of a dismissed resisting arrest charge at the preliminary hearing on 12/1/22 seen in evidence "25". With the new evidence "SRHS" showing proof of injuries & this case shows proof of due process violations with Excessive force & denial of medical with emergency surgery leaving the PL in prison injured with a infection in his mouth that he can die from without surgery. The PL's current conviction is unlawful/illegal without probable cause dismissed being that there was not a arrest warrant for Mr Brewton & the PL was not under arrest before he ran from the unlawful arrest for his current conviction. The PL shows proof with evidence that he was unlawfully arrested and not detained injured first at 11:06 am on 9/19/22 seen in evidence "AK" & the arresting deputies got a search warrant after unlawfully arresting the PL with fabricated lies that the PL was detained at 11:56 am on 9/19/22 late signed by a judge. Injuring the PL with medical documentation "SRHS" on file in this case. There is a abuse of discretion with Spartanburg County & their Judges denying the PL his entitled pretrial motions for suppression requested on the record at trial. The search warrant is labeled "SW" in evidence as proof that the arrest was illegal & unlawful obtaining unlawful evidence violative of the PL's 4th & 14th evidence. The injuries shows the repetitive Constitution violations while in custody allowed by the former Sheriff Chuck Wright, The State of South Carolina, & the District Courts when it could have been avoided with release on less lawsuits. The PL's requests is asking this court to show urgency to this motion & expedite this motion's decision due to the PL's needs of emergency surgery being in imminent danger & needs of antibiotics left with a infection in the PL's mouth that he can die from without surgery. This motion needs a oral argument on the record. This motion is requested with a expedited entitled evidentiary hearing for suppression of the evidence used against the PL in his current conviction at trial obtained violative of the PL's 4th & 14th amend(s). The evidence used against the PL also is illegal being that Sheriff Chuck Wright has been convicted & sentenced to federal prison having constructive & actual possession of the evidence used against the PL in the General Sessions trial court being unlawful & without credit seen in evidence "AF" & "PTM" showing proof of the denied entitled pretrial motion of a evidentiary hearing for suppression of evidence as fruits of a poisonous tree doctrine using the exclusionary rule filed in Spartanburg Co. Courts by Clerk of Court Amy Cox on 2/16/26. The District Court & the Spartanburg Co. Court of General Sessions has abused its discretion causing an error of the law not granting the PL a entitled evidentiary hearing to see if the PL's current conviction is illegal or unlawful. The courts has prejudiced the PL's substantial rights of due process denying pretrial hearings (Bassinger) that he is entitled to (State v. Bassinger). With the perjured Deputy Reports, Brady violations, & perjured Search Warrant evidentiary hearings is required from egregious acts of misconduct.

Craig Ninjo Antonio Brewton 9/16/26

United States District Court  
District of South CarolinaCraig Nijja Antonio Branton  
(PL)

Apple &amp; Batton

C.A. No. 8:26-cr-01213-RMG-WSP

Memorandum in support to the motion for preliminary emergency injunction with emergency dental surgery &amp; \$100/per week for canteen/books placed on the PL's account &amp; demands for Constitutional violations to avoid penalties of \$100,000/per 3 day span without surgery with a oral argument.

This is a memorandum in support to the PL's motion for preliminary emergency injunction relief with emergency dental surgery to remove the infected wisdom tooth & \$100/per week for canteen/books placed on the PL's account with the demands for Constitutional violations to avoid the demanded penalties of \$100,000/per 3 day span without surgery to deter the constant Const. violations. The PL has very serious injuries sustained from Spartanburg County Sheriff's being a C7 spinous process fracture, a punched out fractured wisdom tooth with a infection that he can die from without medical emergency surgery, & dislocated right shoulder that also required surgery. The PL has been punched on assaulted by inmates on by Deputies who also forced & raised the PL while in custody while non-aggressive. The PL is in very severe pain unable to eat on the left side of his mouth, unable to defend himself with a half working right arm that required surgery, & his body hurts when he moves or eats with his fractured wisdom tooth that was punched out by Dep. Apple. The PL needs money for hygiene, food for a soft diet unable to chew without pain, & also needs to purchase needed antibiotics for the current infection in his mouth that he can die from neglected without emergency dental surgery that was punched out for over a year now showing gross negligence to the PL's severe injuries while in a unlawful & illegal detention in custody by the state causing injustice to the PL. The PL needs the courts to show urgency to the medical surgery to fix the damage done & to compensate the PL for the illegal conviction, pain, & suffering while in custody with the money placed on the PL's account/books being unable to get or receive money on his account due to prejudice from the PL's family & the prison's system enabling the PL to get money without being on his visitation unable to call his family. The PL has met the requirements & needs the courts to grant this motion instead of starving on the weekends hurting in severe pains from injuries. The PL is asking this court to show urgency to this motion & expedite this decision due to the PL's needs of emergency surgery & antibiotics left with a infection in his mouth that he can die from. This motion needs a oral argument on the record. There is a clear error of the law & abuse of discretion denying the PL a entitled evidentiary hearing by the District Courts & the Spartanburg Co. Courts of General Sessions using evidence to convict the PL violative of the PL's 4th & 14th amendments rights of the U.S. Const prejudicing the PL violating substantial rights (State v. Blassingame). The egregious acts warrant a evidentiary hearing for suppression. With the suppression of the favorable old collectable money from the safe closed was a Brady violation not bringing the money to court as evidence of guilt also with perjured testimonies, affidavits, Deputy reports, & Search Warrant.

Craig Nijja Antonio Branton 9/18/26

In The United States Court of Appeals  
For The Fourth Circuit Court

Case No.: 7:25-cv-10435-RMG

Craig Ninja Antonio Brewton  
#400562 (PL)  
EVANS CORRECTIONAL INSTITUTION  
610 Highway 9 West  
Bennettsville, SC 29512-5202

v.  
Brady Branson, III & Marcus L. White  
(Def(s)) No. 26-6782

Motion for reopening the time  
to file an appeal applying Federal Rules  
of Civil Procedure Rule 77(d) for a  
abuse of discretion & error of the law.

This is a motion for reopening the  
time to file an appeal applying Federal  
Rules of Civil Procedure using Rule 77  
(d) using the facts that the PL was not  
able & didn't receive a notice of appeal  
or judgment in a timely manner. The PL  
still has not received the notice. The PL  
didn't receive by lack of notice in forming &  
updating the courts of the changed address  
& the mail wasn't ever received on camera

ever & never. The PL was transferred on 3/27/26 & did not receive summary  
judgment & lack of notice of appeal under Rule 77(d) of entry of the judgment  
or order appealed from within 21 days after entry & his motion was filed  
within 180 days after the judgment. With granting this motion would  
not prejudice the opposing party. The Rule 4(a) 6 requirements have been  
met from the District Courts & the State General Sessions. Abuse of discretion  
on this motion needs to be granted to file an amended complaint using Rule  
60(b). With the Federal Rules of Civil Procedure 60(b) 1, 60(b) 2, 60(b) 3, 60  
(b) 4, & 60(b) 6 motion sent on 8/24/26 the amended complaint needs filing  
to cure the defects. There is a abuse of discretion in the District Courts  
not ever getting me my mail sent & not ever received on 3/27/26 because  
of the PL being shipped & sent to Kirkland R&E that morning at 4:00am  
without any mail received that day at the Spartanburg Co. Det. Center  
facility. The PL is entitled to a evidentiary hearing in the District Court  
& in the Spartanburg County Courts of General Sessions as has been  
denied that right to the evidentiary hearings. The District Court &  
Spartanburg Co. Courts has caused a error of the law denying the PL a evidentiary hearing  
for suppression of unlawfully obtained evidence that was requested on the record as a pretrial  
motion that the PL is entitled to. The abuse of discretion has prejudiced the PL's substantial rights.

Craig Ninja Antonio Brewton 9/18/26

In the United States Court of Appeals  
For The Fourth Circuit Court  
Office of the Clerk

Craig Ninja Antonio Brewton  
C.A. No: 7:25-cv-10435-RMG  
(Def)

Motion to move the United States Court of Appeals  
to release of a prisoner (PL) in a Habeas Corpus  
proceeding from state custody applying Federal  
Rules of Appellate Procedure applying Rule 23(c) &  
23(d), 28 U.S.C.A.

This is a motion to move the United States Court of Appeals to the release of a prisoner (PL) in a Habeas Corpus proceeding from State custody applying Federal Rules of Appellate Procedure Rule 23(c) & 23(d), 28 U.S.C.A. There is special reasons why the PL needs release so that he can receive the emergency medical surgery on his wisdom tooth punched out by Deputy Apple seen in case 8:26-cv-01213-RMG now infected left untreated for over a year that the PL can die from without surgery & the Sheriff Chuck Wright has been sentence/convicted to federal prison for misconduct in the Spartanburg County Sheriff's Office leaving the evidence in constructive & actual possession of Sheriff Wright unable to use against the PL in his general sessions trial. Deputy Apple's assault & the PL's lack of emergency surgery shows evidence & proof of deliberate indifference with denial of medical & cruel an unusual punishment to a pretrial detainee an also to a convicted criminal using excessive force on the PL as a pretrial detainee. The PL has filed a application for the writ of Habeas Corpus that should be on file but if it is not on file because of the courts loss of the application can you send a fresh/new application for the writ of Habeas Corpus to fill out. There is a abuse of discretion & errors of the law denying the PL a entitled evidentiary hearing requested as a pretrial motion that makes the PL's current conviction illegal/unlawful obtaining evidence unlawfully violative of the PL's 4th & 14th amendments rights of the U.S. Const. The PL is in need of 28 U.S.C.A section code § 2254 state custody; remedies in federal courts & 28 U.S.C.A section code § 2243 issuance of writ; return; hearing/decision. Mr. Brewton needs the Writ of Habeas Corpus granted on the Four grounds 1) Mr Brewton was not under arrest for anything before he ran fearing for his life from the unlawful/illegal arrest to challenge his current conviction, 2) Spartanburg County Court of General Sessions Judge Keith R Kelly used a abuse of discretion denying Mr Brewton's motion requesting a entitled evidentiary hearing for suppression of the unlawfully obtained evidence as fruits of a poisonous tree causing a error of the law prejudicing Mr Brewton violating his substantial due process rights & equal protection rights because of race, 3) Mr Brewton did not have constructive & actual possession of anything, & 4) Sheriff Chuck Wright had actual & constructive possession of the evidence used against the PL in trial court an the evidence is illegal unlawfully obtained being that sheriff Wright has been sentenced & convicted to federal prison.

Craig Ninja Antonio Brewton 9/18/26

United States Court of Appeals  
For The Fourth Circuit  
Office of the Clerk

Craig Ninja Antonio Brewton  
v  
(PL)

Co. A. No. 7:25-cv-10435-RMG  
Brady Branson III & Marcus L. White  
No. 26-6782  
(Def's)

Motion to move the United States Court  
of Appeals or move the District Courts to hold  
a entitled evidentiary hearing to suppress the  
illegal/unlawful evidence obtained violative of  
the PL's Const. rights to overturn the PL's  
current conviction that's unlawful & illegal.

This is a motion to move the United States Court of Appeals, or move the District Courts to hold a entitled evidentiary hearing to see if the evidence used to convict the PL is unlawful & illegal from misconduct. The PL is entitled to a evidentiary hearing in the District Court & in the Spartanburg County Court of General Sessions as has been denied that right to the pretrial evidentiary hearing motion for suppression as fruits of a poisonous tree from abuse of discretion & errors of the law by the District Courts & The Spartanburg County Court of General Sessions. The evidentiary hearing will see if the Deputies conduct is violative of the PL's 4th & 14th amendments of the Const. to obtain the unlawful/illegal evidence used against the PL in his current conviction showing misconduct being illegal & unlawful showing injustice to the PL's claims & conviction.

Craig Ninja Antonio Brewton 9/18/26



Jurisdictional error that is egregious caused by the decision-makers exceeding their power using a dismissed charge on 12/1/22 being a probable cause resisting arrest charge seen on evidence "25" to illegally/unlawfully convict the PL with Spartanburg Co. & its decision maker used an abuse of discretion with the abuse of the direct indictment of the probable cause charge causing a clerical clear error of law & violated substantial rights whenever favorable evidence is introduced that was obtained by conduct violative of the PL's Const. rights of the 4th & 14th amend(s) entitles the PL to hearings like the suppression hearing. The Dep(s) involved in this motion are all involved in threatening a witness, huffing witnesses, intimidating them, & misconduct for Brady violations & are bad apples from the poisonous tree of Sheriff Wright's acts of misconduct alleged while in office. This is a motion to void & vacate the judgment for purposes of filing a clarified amended complaint seen in pages 16 of 21-19 of 21 that cures the defects with misconduct. The Spartanburg County staff has framed harassed, & kidnapped my mother & broken her finger as well in custody of the ADA with mental disabilities now in custody harassing her being a member also torturing her also with pain. Due to this being an emergency for both me & my mother (Annetta Brewton) unable mentally to fight for her rights injured in custody. I need to contact a dentist for emergency surgery to have my wisdom tooth needed to be removed from being in pain & suffering punched out by a Spartanburg County Dep. Apple also causing due process violations left with severe headaches, developing fevers, with facial swelling in his jaw & neck that feels like a tumor in need of emergency surgery. There needs to be justice & the PL had no constructive or actual possession of no drugs or anything during the arrests an has been framed & robbed by SC colors of state-law. The evidence "22", "18", & "14" shows the dismissed ticket used for the probable cause, the motion to revoke Def(s) bond, & the order granting motion for revocation of bond indictment numbers 2023 GS-421850, 2023 GS-421851, 2023 GS-421852, warrant no: 2022A4210205673, dismissed charge 2022A42-10205657, 2022A4210101970, & 2022A4210101971 all having different names & different addresses. There also is not a chain of command in the possession of the evidence with different arresting officers. With this motion is new evidence of injuries getting worse labeled evidence "SRHS" & evidence "21" being a receipt of the PL's surgery from Ambulatory Surgery Ctr of Spartanburg as proof of surgery. Please stop torturing my family while in the states custody & violating the rights of people who have rights in the ADA (American Disabilities Act). Evidence "B" shows picture proof of my injuries & swollen neck getting worse. This is a motion to vacate criminal charges & void summary judgment for purposes of filing a clarified amended complaint using Fed. Rules Civ. Proc. Rule 60(b)4, 60(b)3, & 60(b)3. Evidence "RC" shows the fabricated deputy report of Christopher Rojas lying that the PL was detained & that Marcus Barlow fled the scene. Evidence "7" shows that the PL doesn't own the suspects home. Evidence "11" & "2" shows the forfeiture date, proof of funds & income, Demand letter, & proof of certified letters. This is new evidence for the courts that was unavailable before the trial. The Def(s) failed to comply with Attorney General law enforcement directive SC policies HS-18.01 SCDC policy OP-22.13 requiring front hand cuffing.

Carly Nijja-Venier / Peter 8/24/26

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(Amended Complaint)

This is a 1983 & 1985 civil lawsuit claim for a conspiracy to arrest & use excessive force (ECF) on 10/15/23 Spartanburg County (SCo.) Sheriff's Office (SCSO) Deputy Marcos L. White & SCo. Drug Task Force & Gang unit Dep. Brady Branson III violated my rights dealing with the 1st, 4th & 14th amend of the U.S. Const. dealing with retaliation, Plaintiff (PL) with very tight cuffs already very seriously injured injuring the PL more. Also there is violations of my 14th amend dealing with equal protection & with due process clause violations with punishment to a pretrial detainee not bringing the accused to trial or to jury trial like demanded. With violations of my rights to confront my accuser's at trial in General Sessions or in civil trial heard by a jury court demanded. certified letter labeled evidence "2". In SCo. I filed a complaint for case 2022CP4204973 for the payment to SCo. in the court of common pleas - 42002 for the amount of \$153.55 on 12/19/23 at 11:50:59 A.M. paid by the PL with a master card order ID 152231672 with a demand letter on file for a jury trial demanding that I never got any response to while in custody with the SCo. Det. Center (SCDC) denying me due process still till this day & just taking my money dismissing my claim on file not answering or giving me a fair jury trial for the accusations in this case, in the case in SCo. Q in the criminal trial with the charges that was dismissed/dropped. On 10/18/23 I was at the store trying to pump gas outside of the car driven at the gas pump while I noticed a SCo. Sheriff try to pull beside me at the gas pump without his lights activated or without any probable cause to talk to me. So I noticed him & he noticed me not breaking the law standing outside the car on so I decided that since I was just injured on 9/19/22 by the SCo. Sheriff's that I didn't want to talk to him or I didn't think it was a good idea to acknowledge him in a public area with him harassing me, racial profiling me, or give him the chance to start assaulting me because of being a minority African American (AA) judging me the way I look, talk, walk, & smell. Dep. White never initiated a stop or citation for a seatbelt violation beside me parked at a gas pump standing outside of my car. He can not initiate a seatbelt violation with me allegations to have any probable cause. So I wasn't under arrest or obligated to talk to any Dep. because of my ongoing lawsuit on file case: 0:25-cv-01018 RMG-WSB, so I drove off at a normal speed to avoid any contact so that I wouldn't get injured again because of paranoia, anxiety, & PTSD of dealing with overly aggressive police reaching for an illegal arrest. When I drove off I knew that I was being harassed when Dep. White started running to get back in his patrol car to chase me home to find out where I stayed because they have been trying to find me & I got scared for my life. I was driving at a normal speed, not breaking the law with my seatbelt on & Dep. White activated his blue lights harassing me, stalking me, racial profiling me, & conspiring to use ECF on me. I didn't feel safe to pull over right away because I didn't feel safe because I only had a flip

(Amended Complaint)

phone without a videocamera on it & I didn't have a witness. So I drove 10:30 seconds to a safe place at my grandmother's house on Bethlehem Ch. Rd. only a minute or minutes away or less from the store that I got harassed at. I pulled in the driveway got out the car with my hands out my pockets to ask the Dep(s) why they have been harassing me, following me for weeks, trying to pull me over in retaliation to my 911 calls the prior weeks since I sent a certified letter on 10/5/23 alleging injuries & ECF to the SCo. I saw Brady Branson III a conflict of interest being the dep from the booking room when I received my injuries & a football rival that went to my old school Dorman High School also in case 0125-cv-01073-RMG-WSB having me mistreated in booking put in a isolated cell injured all because I didn't speak to him when injured with a 07 spinous process fracture being a broken vertebrae in my neck & a dislocated/broken shoulder. So while I was speaking with Dep. Branson about being harassed on he sucker punched me in my face while choking me against the car enough for he sucker collectable Kobe Bryant hoodie shoving me against the car I was trying to get back in the car but the Dep. punched me & said I was trying marijuana & started choking my already injured neck. I was never told that I was under arrest or to get back into the car. I was never told that then to send a message to me in retaliation to my 1st Sheriff Chuck Wright 911 calls on their excessive stalking the sheriffs amend. claims with complaints & battery motivated by evil intent having a evil motive to arrest me for a felony to revoke my bond so that I wouldn't be able to get legal counsel while in custody of SCDC to keep me in jail to keep me past my statute of limitations about the 9/19/22 incident case 0125 without bond & the Dep(s) was trying to find anything to convict me for illegally searching a closed door of my car without my consent & seizing me without probable cause. So Dep. Branson had all of the knowledge of who I was from being a old classmate who saw me injured in SCo, booking on 9/19/22 ordering me to be mistreated by the staff for not talking to him in booking. Seen on the BWC I was just talking & never tried to run on foot or flee the scene. I was just talking. I only resisted from being handcuffed. I was just rights searching me never finding any drugs lying that they smelled marijuana when probable cause is not lying about a smell. The Dep said he smelled drugs on me to attack me & search me in which he did whatever he wanted to do with me in a disturbing video seen on BWC evidence. I tried to throw up my defense to stop Dep. Branson from punching, choking, & slamming me to the ground next aggressive while with a injured neck seen in evidence "NB" & right arm with surgery seen in evidence "HR" just talking with Dep. Branson already having knowledge & great memory of my injuries already. Dep. White also having pointing a loaded gun at a unnamed black man being a minority showed & used ECF that works, threatened to be killed if I swung to fight. Dep. White also helped tackle me to the ground assisting & helping Dep. Branson hold me down injuring my body with an excessive S&S. Seen on the BWC the Dep(s) holding me to the ground & me screaming in pain then pulling my arms back to the back, also kneeling my private areas with cheapshots, injuring my penis, injuring my arms, injuring my back with hip pains from wrestling me. This event has left me at Kirkland & Evans C.I. with a very serious neck injury that Kirkland C.I. has gotten x-rays of & have issued me a neck brace for.

(Amended Complaint)

from my injuries getting worse. Seen on BWC Dep. Branson III unzipping my pants illegally S&S me for drugs touching my penis & private area from the time I was on the ground & they was on top of me on my back also never finding drugs. Dep. Branson III used a strong hand control technique choking me by my already fractured neck & seen on the BWC of him choke slamming me in the back of his vehicle when I asked him to fix the cuffs to the front because of my surgery, pains, & cuts on my wrists with bruises violating policy hand cutting a injured person requesting the cuffs to be fixed so not to get injured more unable to get in his vehicle with the extra tight painful cuffs. My requests for the Def(s) Branson & White to loosen up & move the cuffs while suffering in major pain from abusive application of overly tight painful cuffs was ignored & no reasonable officer could believe that the abusive application of cuffs & chokeslamming a injured & disabled man was U.S. Constitutional. My grandmother sat on watched them assault me while screaming & I told her to call the ambulance after I told him many times to stop touching my penis & searching me without my consent for drugs that I didn't have. After I was illegally searched then Dep. White opened my closed car door & searched for drugs in the car & threw my keys in the grass without my consent. The Dep(s) had no probable cause to search me or didn't have my consent to search me or the vehicle with the charges being dismissed without any trial. The equal protection of my rights being a minority African American man demasculated has been violated attacking me because I'm black & smelled some type of way they say I smell never finding anything on me which was really a vicious attack from Sheriff Chuck Wright, SCo., & The City of Spartanburg (Ss) along with the U.S. (U.S.A.) also as a Def. allowing my bail to be revoked with my name being spelled wrong on the motion for revocation & allowing a dismissed an expunged probable cause charge seen in evidence "25" & "18" resisting arrest from 9/19/22 to arrest me on 2/8/24 never bringing the charges in this lawsuit to General Sessions trial or civilly as a reckless, evil motivated motive, with callous indifference to arrest me & to illegally S&S to hold me in jail with no bond to run out my statute of limitations for my case. My rights of the U.S. Const by the U.S.A. law enforcement for U.S. judges has been violated by Judge Mark Hayes II violated state law & federal laws of the 6th amend conspiring to tell my lawyers not to represent me & by my rights to counsel, rights to a fair trial & ineffective counsel by my lawyers & PD Jennifer E. Wells & Christopher Grubbs seen in evidence "26" of them conspiring to not to represent me in my case being misconduct of non-judicial acts by a U.S. Judge & being U.S. Judge Derham Cole watched me get assaulted while I got my bond revoked not intervening with my screams of pain asking for his PD fix the cuffs again in front of the U.S. Const. still ignored patterns of conduct. Every one in this complaint is in this 1983 & 1985 conspiracy for violations of my 1st, 4th, 5th, 6th, & 14th amendment of the U.S. Const. & to be sued in official & individual Capacities for Punitive, Compensatory, nominal relief for damages, Amy Cox the clerk of Court of SCo. Courthouse ignored my certified letter about injuries.

## INMATE VOLUNTARY STATEMENT

The Def(s) have failed to comply with Attorney General law enforcement Directive SC policy SCDC policy HS-18.01 & SCDC SC policy OP-22.13 requiring front handcuffing. The PL wants \$444,000,000 in punitive & compensatory damages. Because of the unlawfulness of the officers misconduct from ECF & illegal S&S, it was clearly established before the arrest that I wasn't under arrest at the store before I was harassed & racially profiled not turning on the blue lights by the Def(s) & at <sup>the</sup> ~~the~~ time of the misconduct informing the Def(s) of the PL's injuries in the certified letter labeled evidence "2" on 10/5/23 & in person getting arrested in this event & on 9/19/22. Dep. Branson III is a conflict of interest in this case & in case 01:25-cv-01073-RMG-USB knowing of my injuries purposely injuring PL more in this case. The Def(s) are not entitled to the qualified immunity defense being & acting plainly incompetent to my clearly visual signs of injury & knowingly injuring the PL violating the federal laws & state laws of SC & the U.S. Const. against ECF, illegal S&S, & racially profiling and leaving the PL with injuries that are irreparable leaving the PL with permanent partial disabilities of the cervical spine & of the right shoulder/arm that PL had surgery, an also violating <sup>SC</sup> SCDC & SC policy & procedures of cuffing a person with a shoulder injury that required surgery after telling the Dep(s) about the injuries an to fix the cuffs but ignored. The SC state police Department & SCo, officers engaged in patterns & practices of race based stops, detentions, & services of minority motorists in violation of the 4<sup>th</sup> & 14<sup>th</sup> amendments. The Def(s) under the SC colors of statute, ordinance, regulation, custom, & or usage of SC colors that caused the PL being a citizen of the U.S. subjected thereof to the deprivation of rights, privileges or immunities secured by the U.S. Const. & laws, shall be liable to the PL or party injured in an action at law, suit in equity or other proper proceedings for redress.

Chuck Wright is the lawmaker & allowed the acts of misconduct for a manell claim with the policy being the moving force allowing ECF & illegal S&S on AA's. The District attorney office is liable to blame for failure to train Dep(s) handcuffing a injured person with a shoulder injury & was deliberately indifferent to the need to train Dep(s) about their brady violations an the lack of training caused brady violations.

George Nigro Attorney at Law 9/3/26

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SC Court of Appeals

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