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OCT 09 2026

**THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT**

S.C. SUPREME COURT

IN THE ORIGINAL JURISDICTION OF THE SUPREME COURT

RECEIVED

Jennifer D. Powers,

Petitioner,

OCT 09 2026

v.

SC Court of Appeals

The State of South Carolina, In The Court of Appeals SCCOFA,
Jenny Abbott Kitchings, in her official capacity as Clerk of Court
As member of the SCCOFA, Catherine S. Harrison, in her official
Capacity as Chief Deputy Clerk of Court as member of the
SCCOFA, Jasmine D. Smith, in her official capacity as Deputy
Clerk of Court as member of the SCCOFA, Hon Paula H. Thomas in
Her official Capacity as member of the SCCOFA, Hon Aphrodite K.
Konduros in Her official capacity as member of the SCCOFA, Hon
Kristi F. Curtis in Her official capacity as member of the SCCOFA,

Respondents.

EMERGENCY PETITION FOR WRIT OF MANDAMUS AGAINST THE
SOUTH CAROLINA COURT OF APPEALS

Appellate Case No-2026-000263

IN CAUSE CASE NO. 2025CP2000274-2025CP2000275
FOR THE STATE OF SOUTH CAROLINA

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

VERIFIED PETITION FOR WRIT OF MANDAMUS AND INJUNCTIVE
RELIEF AND REQUEST FOR EXPEDITED CONSIDERATION

**I.
INTRODUCTION**

We operate in a unified judicial system, S.C. Const. Art. V, §

1, and the power to make rules governing administration, practice, And procedure is vested in the Supreme Court. S.C. Const. Art. V, § The Supreme Court has expressly prohibited trial courts from Issuing their own local rules¹ for decades. **See Spartanburg Cnty. Dep't of Soc. Servs. v. Padgett**, 296 S.C. 79, 85, 370 S.E.2d 872, 876 (1988) ("We take this occasion to admonish the trial bench of This state that there is no place in the unified judicial system for Local rules which have the effect of varying the administrative and Procedural rules of practice from circuit to circuit and court to Court."); **State v. Duncan**, 274 S.C. 379, 382, 264 S.E.2d 421, 423 (1980) ("The promulgation of rules by the respective circuits is Inconsistent with the constitutional mandate, and we therefore find That the rule, though well intentioned, is unconstitutional and Void."). John W. Kittredge Chief Justice of South Carolina Appellate Case No. February 13, 2026, Columbia, South Carolina, ("ORDER")

II **INTRODUCTION**

"Our legal system is based on the principle that an independent, fair and competent judiciary will interpret and apply the laws that govern us. The role of the judiciary is central to American concepts

of justice and the rule of law. Nothing is more important in a free society than the independence of judges.” Rule 501, SCRAP, Preamble to the Code of Judicial Conduct. This case presents a pressing question about the independence of the judiciary from the legislative branch of government. At bottom, The South Carolina Court of Appeals SCCOFA behaving irresponsibly, deceitfully, or Without regard for rules or Consequences, often by manipulating Facts or acting unreliably with Its statutory mandate, The government must follow rules when it wants to take away your life, liberty, or property. This fundamental promise, known as “due process of law,” is the Constitution’s fundamental guarantee that all levels of government must operate within the law and provide fair procedures before acting against individuals. Therefore Petitioner Jennifer D. Powers, (“Petitioner Powers”), This Court cannot permit legislative machinations to Deprive Petitioner Jennifer D. Powers, (“Petitioner

Powers”), a Person of her Due Process Under the Fourteenth Amendment

Based upon the information set forth below, Petitioner Jennifer

D. Powers, (“Petitioner Powers”) petitions this Court for the following

Expedited relief:

(1) a Writ of Mandamus directing Respondents The South Carolina Court of Appeals SCCOFA and its members identified in the caption above (collectively, (“SCCOFA”) to permit Petitioner Jennifer D. Powers, to the John W. Kittredge Chief Justice of South Carolina for consideration for VERIFIED PETITION FOR WRIT OF MANDAMUS AND INJUNCTIVE RELIEF AND REQUEST FOR EXPEDITED CONSIDERATION for Petitioner Jennifer D. Powers, (“Petitioner Powers”).,

(2) an injunction directing Respondent Court of Appeals be screened by the Judicial Merit Selection Commission (SCCOFA”) to ORDER TO CLERK OF COURT TO PERFORM SPECIFIC MINISTERIAL ACTS IN ACCORDANCE

WITH SUPREME COURT OF THE UNITED STATES MAT-
TER “**United States v. Lombardo**, 241 U.S. 73, 76-77, 36
S.Ct. 508, 60 L.Ed. 897 (1916), Depriving Petitioner Jen-
nifer D. Powers, (“Petitioner Powers”), of her Due Process
Under the Fourteenth Amendment and

- (3) any further relief necessary for the implementation of
such mandamus and injunction.

In accordance with Rule 65(f)(1), SCRCP, Petitioner submits this
Verified Petition.

PARTIES

Respondent The Court of Appeals is the judicial system's newest
Court, having commenced operation on September 1, 1983. It con-
sists of a Chief Judge and eight associate judges who are elected by
The General Assembly to staggered terms of six years each. The
Court sits either as three panels of three judges each or as a whole,
And it may hear oral arguments and motions in any county of the
State.

In 1808, an entity created by the Legislature established a court of

Appeals specifically to hear cases in equity.

The members of The South Carolina Court of Appeals SCCOFA, Jenny Abbott Kitchings, in her official capacity as Clerk of Court As Member of the SCCOFA, Catherine S. Harrison, in her official Capacity as Chief Deputy Clerk of Court as member of the SCCOFA, Jasmine D. Smith, in her official capacity as Deputy Clerk of Court As member of the SCCOFA, Hon Paula H. Thomas in Her official Capacity as member of the SCCOFA, Hon Aphrodite K. Konduros in Her official capacity as member of the SCCOFA, Hon Kristi F. Curtis In Her official capacity as member of the SCCOFA, Each of whom is Named as a Respondent in this Petition in their of Ficial capacities As members of the The South Carolina Court of Appeals. The South Carolina Court of Appeals and its members will Be referred Collectively in this Petition as “SCCOFA,”

Jenny Abbott Kitchings Clerk of Court of the SCCOFA. However,“(a) Clerks are responsible for managing court records, filing

documents, and ensuring access to the judicial system. (b) Individuals have the right to access the courts, and failure to file complaints can violate these rights. (c) Clerks can be held liable for constitutional violations if they refuse to perform their duties. (d) Clerks must take oaths to uphold the law, which includes ensuring fair access to justice”

ORDER TO CLERK OF COURT TO PERFORM SPECIFIC MINISTERIAL ACTS IN ACCORDANCE WITH SUPREME COURT OF THE UNITED

STATES MATTER “United States v. Lombardo, 241 U.S. 73, 76-77, 36 S.Ct.

508, 60 L.Ed. 897 (1916)

Respondent The South Carolina Court of Appeals(SCCOFA) is a body created and existing within the government of South Carolina. S.C. Const. Ann. Art. V, § 27. Pursuant to Article V, Section 8 of the South Carolina Constitution, the members of the Court of Appeals, And Rule 78, SCRCP

JURISDICTION

It is appropriate for this Court to decide this matter in its Original jurisdiction. Pursuant to Rule 245, SCRAP, this Court

May assume jurisdiction when “the public interest is involved, or if Special grounds of emergency or other good reasons exist why the Original jurisdiction of the Supreme Court should be exercised...”

See also S.C. Const. Art. V § 5. Also pursuant to Rule 245, SCRAP, And Rule 78, SCRC

This Court has jurisdiction to issue extraordinary writs, such as Mandamus and injunction, when requested by a petition filed

And served upon all parties.

FACTS AND MERITS

The CLERK, Jenny Abbott Kitchings , having received Aggrieved De

fendant's ** 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, The CLERK, Date

They Received, September 24, 2026,(**See: Exhibit-A** with time now

Expired to file timely, has failed to record these documents into the

Matter after being respectfully ordered to enter the above-titled doc

uments into the record of the above-mentioned matter.

Said CLERK, having neglected or refused to enter the documents
Into the matter, now therefore the aggrieved DEFENDANT demands
that the writ of mandamus issue forth to mandate the ministerial
duty of the CLERK to enter the documents immediately.

¹When statutory language is clear and unambiguous, this Court must ("The court of Appeals must hand down an opinion that addresses every issue raised and necessary To final disposition of the appeal."). The court of appeals' failure to discharge its ministerial duty is no less an abuse of discretion in an extraordinary proceeding than it is in A direct appeal; indeed, it is even more egregious.

MEMORANDUM OF LAW

Federal Rules of Civil Procedure, Rule 5 (d) states the following:

*"(4) Acceptance by the Clerk. The 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."* (italicized for emphasis)

1. Federal Laws are enforceable in state courts, therefore please
Refrain from not accepting pleadings under federal rule FPRC 5(d)(2)
Under the often-mistaken claim that federal laws do not apply in
State courts, but the Supreme Court of the United States made it

Clear that federal laws are enforceable in state courts. "Federal law
Is enforceable in state courts not because Congress has determined
That federal courts would otherwise be burdened or that state
Courts might provide a more convenient forum — although both
Might well be true — but because the Constitution and laws passed
Pursuant to it are as much laws in the States as laws passed by the
State legislature. The Supremacy Clause makes those laws "the su
preme Law of the Land," and charges state courts with a coordinate
responsibility to enforce that law according to their regular modes of
Procedure. "The laws of the United States are laws in the several
States, and just as much binding on the citizens and courts thereof
As the State laws are. . . . The two together form one system of juris
Prudence, which constitutes the law of the land for the State; and
The courts of the two jurisdictions are not foreign to each other, nor
To be treated by each other as such, but as courts of the same coun
Try, having jurisdiction partly different and partly concurrent." [How

lett v. Rose, 496 US 356 - Supreme Court 1990]

2. The Clerk of the Court is a ministerial position not having authority of a tribunal. Therefore, the Clerk of the Court is required to carry out its ministerial duties without acting as a tribunal, and dismissing paperwork based upon legal conclusions that exceeds its jurisdiction.

3. Under Full Faith and Credit Clause under Article 4 Section 1 of The U.S. Constitution this court must honor judgments by courts within the territories of the United States of America, especially the highest court on the land The Supreme Court of the United States.

4. The Supreme Court of the **United States in matter United States v. Lombardo**, 241 U.S. 73, 76-77, 36 S.Ct. 508, 60 L.Ed.

897 (1916) requires the clerk's office must accept possession and file pleadings regardless of local rules. The provisions of the Federal Rules of Civil Procedure concerning filing supplement, rather than alter, the Lombardo approach: ["United States v. Lombardo, 241

U.S. 73, 76-77, 36 S.Ct. 508, 60 L.Ed. 897 (1916). Lombardo has
Long been considered as establishing the "physical delivery" rule
Such that the date of delivery is the date of filing for statutory pur
Poses. **See, e.g., Wiggins v. Internal Revenue Service**, 59

A.F.T.R.2d 87-445, 87-1 USTC P 9180, 1986 WL 15574, *2

(D.Md.1986). The Provisions of the Federal Rules of Civil Procedure
Concerning filing Supplement, rather than alter, the Lombardo ap
Proach: The clerk Shall not refuse to accept for filing any paper pre
Sented for that purPose solely because it is not presented in proper
Form as required by These rules or any local rules or practices.”

Stone Street Capital, Inc. v. McDonald's Corp., 300 F. Supp. 2d

345- Dist. Court, D. MarYland] The clerk of the court, like a re
Corder, is required to accept pleadings and file them.

5. The Federal Rules of Civil Procedure was the agreed format for
The court proceedings.

6. A paper is filed upon delivering it (A) to the clerk. FPRC 5(d)(2)

7. Failin; to file a document for the record is a criminal offense¹¹ "

8. The job of the clerk of the court "is to file pleadings and other

Documents, maintain the court's files and inform litigants of the en

Try of court orders." **Sanders v. Department of Corrections**, 815 F.

Supp. 1148, H49(N.D. Ill. 1993). (**Williams v. Pucinski**, 01C5588

(N.D.Ill. 01/13/2004).)

9. The duty of the clerk is to make his record correctly represent

The proceedings in the case. **Wetmore v. Karrick**, 27 S. Ct. 434,

205 U.S. 141 (U.S. 03/11/1907 Failing to file documents presented

And reflect the documents on the docket is a failure to perform the

minIsterial duties of the Clerk of Court.

10. It is hereby the order of this court of record that the Clerk of

The Court for the [The South Carolina Court of Appeals] fulfils its

Obligations under the authority of law and file any documents pre

Sented for said purpose

**POTENTIAL VIOLATIONS OF LAWS BY REFUSAL TO ACCEPT
PLEADINGS**

² (a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term "office" does not include the office held by any person as a retired officer of the Armed Forces of the United States. **18 USC § 2071**

11. 18 U.S. Code § 1512 - Tampering with a witness, victim, or an

informant (a)(1) Whoever kills or attempts to kill another person, with intent to—(A) prevent the attendance or testimony of any person in an official proceeding;(B) prevent the production of a record, document, or other object, in an official proceeding; or(C) prevent the communication by any person to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).(2) Whoever uses physical force or the threat of physical force against any person, or

attempts to do so, with intent to—(A) influence, delay, or prevent the testimony of any person in an official proceeding;(B) cause or induce Any person to—(i) withhold testimony, or withhold a record, document, or other object, from an official proceeding;(ii) alter, destroy, Mutilate, or conceal an object with intent to impair the integrity or Availability of the object for use in an official proceeding;(iii) evade Legal process summoning that person to appear as a witness, or to Produce a record, document, or other object, in an official proceeding; or(iv) be absent from an official proceeding to which that person Has been summoned by legal process; or(C) hinder, delay, or prevent The communication to a law enforcement officer or judge of the United States of information relating to the commission or possible Commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

12. The Ministerial Rule: Supreme Courts (such as the South Caro

lina Supreme Court) have repeatedly warned clerks that their duty is strictly ministerial. They must accept a document for filing and Assign a docket number if it meets the baseline formatting rules.

13. Contempt Procedures: If a clerk fails to comply with record-keeping rules or unlawfully refuses a document, they are typically Subjected to civil remedies, administrative discipline, or penalties For contempt of court, which are determined at the court's discretion

14. “A judgment is void if the court that rendered it lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process.” –**Klugh v. United States**, 610 F. Supp. 892, 901

15. “Accordingly, it is settled law that delivery of a pleading to a proper official is sufficient to constitute filing thereof.” –**Freeman v. Giacomo Costa Fu Andrea**, 282 F. Supp. 525, **United States v. Lombardo**, 241 U.S. 73, 36 S. Ct. 508, 60 L. Ed. 897 (1916); **Milton**

v. United States, 105 F.2d 253, 255 (5th Cir., 1939); **Greeson v.**

Sherman, 265 F. Supp. 340 (D.C.Va., 1967)

16. On September 30, 2026 The Court received your filings addressed to Judge Thomas, Judge Konduros, and Judge Curtis. They asked this office to respond on their behalf. At this time, our Records reflect your appeal is in a dismissed status and rehearing has been denied. based on the status of this case, we decline to take further action on your filings. to the extent you are seeking reconsideration of this Court's September 14, 2026 order, we decline to consider your motion pursuant to Rule 221(c), SCACR. **See Exhibit-B** That's a violation of due process.

17. Before THOMAS, Circuit Judge, and KONDUROS, and CURTIS, Circuit Judges. Rule 501, SCRAP

18. The Supreme Court strives to ensure that lawyers and judges in South Carolina conduct themselves with the highest ethical standards. The specific procedures and requirements regarding admission to practice, lawyers' and judges' professional obligations, and the

Rules for disciplinary enforcement are contained in various provisions of the South Carolina Appellate Court Rules (SCACR). Links to These provisions are provided below.

- 19. Rule 407 - Rules of Professional Conduct
- 20. Rule 413 - Rules for Lawyer Disciplinary Enforcement
- 22. Rule 501- Code of Judicial Conduct
- 23. Rule 502 - Rules for Judicial Disciplinary Enforcement
- 24. Rule 402(h)(oath) - Lawyer's Oath

This matter involves a significant public interest. The South Carolina Court of Appeals (“SCCOFA”) Depriving Petitioner Jennifer D. Powers, (“Petitioner Powers”), of her Due Process Under the Fourteenth Amendment The Court received your filings addressed to Judge Thomas, Judge Konduros, and Judge Curtis. They asked this office to respond on their behalf. At this time, our records reflect your appeal is in a dismissed status and rehearing has been denied. Based on the status of this case, we decline to take further action on your filings. To the extent you are seeking reconsideration of this Court's September 14, 2026 order, we decline to consider your mo

tion pursuant to Rule 221(c), SCACR. and the intentional violation
Of South Carolina's Code of Laws by the The South Caro
Lina Court of Appeals ("SCCOFA"), also poses a danger
To the important principle of judicial independence.

There is further a need for prompt consideration of this matter
Such that an expedited briefing schedule and ruling is appropriate.
Most importantly,

The facts of this case are undisputed and there is no necessity for
discovery. An expedited ruling serves both judicial economy and the
Public interest in resolving an important issue.

MANDAMUS TO SOUTH CAROLINA COURT OF APPEALS

The Supreme Court has the power to issue writs of mandamus. S.C.
Const. art. V, § 5; S.C. Code Ann. § 14-3-310. Mandamus is the
highest judicial writ known to the law. Brackenbrook N. Charleston,
LP v. County of Charleston, 360 S.C. 390, 400, 602 S.E.2d 39, 45
(2004). It is a coercive writ which orders a public official to perform a
ministerial duty. **Wilson v. Preston**, 378 S.C. 348, 354, 662 S.E.2d

580, 582 (2008); *Ex Parte Littlefield*, 343 S.C. 212, 222, 540 S.E.2d 81, 86 (2000). (**Also See Supreme Court precedent in Illinois Central Railroad Co. v. Illinois** , 146 U.S. 387 (1892) Their refusal to fulfill this trust — without lawful authority — constitutes a breach Of fiduciary obligation to the People .

If a ministerial act is not performed, then a court may issue a writ of Mandamus to compel the public official to perform said act.¹²

Absolute or sovereign immunity does not apply to the performance Or non-performance of ministerial acts.¹³

For a writ of mandamus to issue, the following must be shown: (1) A duty of the respondent's to perform the act; (2) the ministerial nature of the act; (3) the petitioner's specific legal right for which discharge of the duty is necessary; and (4) a lack of any other legal remedy. *Wilson*, 378 S.C. at 354, 662 S.E.2d at 583. A ministerial act or Duty is one which a person performs because of a legal mandate Which is defined with such precision as to leave nothing to the exercise of discretion. *Id.*

In **United States law**, a **ministerial act** is a **government** action "Performed according to legal authority, established procedures or Instructions from a superior, without exercising any individual judgment."^[1] It can be any act a **functionary or bureaucrat** performs in

A prescribed manner, without exercising any individual judgment or **discretion.**^[2] Under law, this would be classified under the **rubric** of public policy.

INJUNCTION THE SOUTH CAROLINA COURT OF APPEALS

Respondents The South Carolina Court of Appeals SCCOFA and its Members identified in the caption above (collectively, ("SCCOFA") has Absolute control over The South Carolina Court of Appeals, Rule 65(f)(1) of the South Carolina Rules of Civil Procedure (SCRCP)

1. ENJOINING, pursuant to Fed. R. Civ. P. 65(f)(1), The Hon, Judge Paula H. Thomas, and all persons in active concert or Participation with them, from implementing or enforcing THE SOUTH CAROLINA COURT OF APPEALS CivilAction No: Appellate Case No. 2026-000263, 2025CP2000274-2025CP2000275) (September 14, 2026) and September 30, 2026, and any order, memo, In Struction, or directive purportedly Issued dual office under the Magistrate Order that See: **EXHIBIT-B**

2. ENJOINING, pursuant to Fed. R. Civ. P. 65(f)(1), The Hon, Judge Aphrodite Konduros, and all persons in active concert or Participation with them, from implementing or enforcing THE SOUTH CAROLINA COURT OF APPEALS CivilAction No: Appellate

Case No. 2026-000263, 2025CP2000274-2025CP2000275) (September 14, 2026) and September 30, 2026, and any order, memo, Instruction, or directive purportedly Issued dual office under the Magistrate Order that See: **EXHIBIT-B**

3. ENJOINING, pursuant to Fed. R. Civ. P. 65(f)(1), The Hon, Judge Kristi F. Curtis, and all persons in active concert or Participation with them, from implementing or enforcing THE SOUTH CAROLINA COURT OF APPEALS CivilAction No: Appellate Case No. 2026-000263, 2025CP2000274-2025CP2000275) (September 14, 2026) and September 30, 2026, and any order, memo, Instruction, or directive purportedly Issued dual office under the Magistrate Order that See: **EXHIBIT-B**

4. ENJOINING, pursuant to Fed. R. Civ. P. 65(f)(1), The Hon, Jenny Abbott Kitchings, in her official capacity as Clerk of Court As member of the SCCOFA, and all persons in active concert or Participation with them, from implementing or enforcing THE SOUTH CAROLINA COURT OF APPEALS CivilAction No: Appellate Case No. 2026-000263, 2025CP2000274-2025CP2000275) (September 14, 2026) and September 30, 2026, and any order, memo, In

Struction, or directive purportedly Issued dual office under the Magistrate Order that See: **EXHIBIT-C**

5. ENJOINING, pursuant to Fed. R. Civ. P. 65(f)(1), Catherine S. Harrison, in her official Capacity as Chief Deputy Clerk of Court As member of the SCCOFA, and all persons in active concert or Participation with them, from implementing or enforcing THE SOUTH CAROLINA COURT OF APPEALS CivilAction No: Appellate Case No. 2026-000263, 2025CP2000274-2025CP2000275) (September 14, 2026) and September 30, 2026, and any order, memo, In Struction, or directive purportedly Issued dual office under the Magistrate Order that See: **EXHIBIT-C**

6. ENJOINING, pursuant to Fed. R. Civ. P. 65(f)(1), Jasmine D. Smith, in her official capacity as Deputy Clerk of Court as member Of the SCCOFA, and all persons in active concert or Participation With them, from implementing or enforcing THE SOUTH CAROLINA COURT OF APPEALS CivilAction No: Appellate Case No. 2026-000263, 2025CP2000274-2025CP2000275) (September 14, 2026) And September 30, 2026, and any order, memo, In Struction, or Directive purportedly Issued dual office under the Magistrate Order

That See: **EXHIBIT-C**

a. From Transferring, liquidating, converting, to dispose of or remove Property, encumbering, pledging, selling, concealing, Dissipating, Disbursing, assigning, relinquishing, withdrawing, Granting a line Or security interest or other. interest in or otherwise disposing of Original. All Appeals Members), from consummating or taking Any action to Proceed with or carry out their proposed joint venture, As described in the Complaint, or from entering into or carrying out Any other Agreement or arrangement by which any commingling of Assets would result, pending entry by the Court of a final judgment in This Action.

b. Section 242 of Title 18 makes it a crime for a person acting under color Of any law to willfully deprive a person of a right or privilege protected by The Constitution or laws of the United States. For the purpose of **Section 242**, acts under "color of law" include acts not only done by federal, state, Or local officials within their lawful authority, but also acts done beyond the Bounds of that official's lawful authority, if the acts are done while the official Is purporting to or pretending to act in the performance of his/her official Duties. Persons acting under color of law within the meaning of this statute Include police officers, prisons guards and other law enforcement officials, as Well as judges, care providers in public health facilities, and others who are Acting as public officials. It is not necessary that the crime be motivated by Animus toward the race, color, religion, sex, handicap, familial status or National origin of the victim.

Accordingly, this Court should grant a permanent injunction to prohibit the The South Carolina Court of Appeals ("SCCOFA") Depriving Petitioner Jennifer D. Powers, ("Petitioner Powers"), of her Due Process Under the Four Teenth Amendmen from filing APPELLANT RESPONSE/MOTION TO: (1) ADDRESS NEW EVIDENCE/INFORMATION; (2) VALIDATE JUDICIAL OATH;(3) ADDRESS LEGAL CONSEQUENCES RE JURISDICTION; AND(4) PETITION FOR RE-HEAR

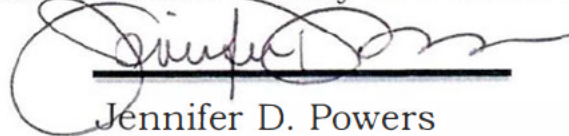
ING/TRANSFER, A paper is filed upon delivering it (A) to the clerk.

FPRC 5(d)(2)

CONCLUSION

Based upon the foregoing, this Court should issue a writ of Mandamus directing The South Carolina Court of Appeals SCCOFA And its members identified in the caption above (collectively, ("SCCOFA") to submit Jennifer D. Powers, to John W. Kittredge Chief Justice of South Carolina for consideration for VERIFIED PETITION FOR WRIT OF MANDAMUS AND INJUNCTIVE RELIEF AND REQUEST FOR EXPEDITED CONSIDERATION for Petitioner Jennifer D. Powers, ("Petitioner Powers") and ORDER TO CLERK OF COURT TO PERFORM SPECIFIC MINISTERIAL ACTS IN ACCORDANCE WITH SUPREME COURT OF THE UNITED STATES MATTER "United States v. Lombardo, 241 U.S. 73, 76-77, 36 S.Ct. 508, 60 L.Ed. 897 (1916)" and order any other relief necessary to Effectuate such mandamus and injunction.

Respectfully submitted on this 9th day of October 2026



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

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

IN THE ORIGINAL JURISDICTION OF THE SUPREME COURT

Jennifer D. Powers,

Petitioner,

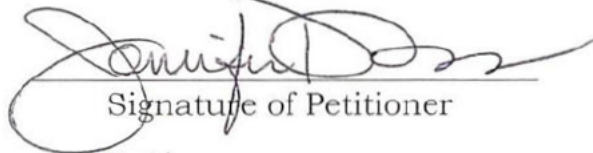
v.

The State of South Carolina, In The Court of Appeals SCCOFA,
Jenny Abbott Kitchings, in her official capacity as Clerk of Court
As member of the SCCOFA, Catherine S. Harrison, in her official
Capacity as Chief Deputy Clerk of Court as member of the
SCCOFA, Jasmine D. Smith, in her official capacity as Deputy
Clerk of Court as member of the SCCOFA, Hon Paula H. Thomas in
Her official Capacity as member of the SCCOFA, Hon Aphrodite K.
Konduros in Her official capacity as member of the SCCOFA, Hon
Kristi F. Curtis in Her official capacity as member of the SCCOFA,

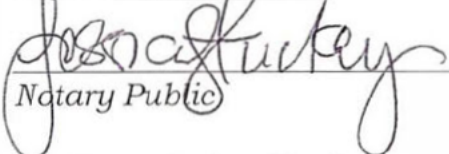
Respondents.

VERIFICATION

I, Jennifer D. Powers, being duly sworn upon my oath, depose and
say that I have subscribed to the foregoing petition; that I know the
contents thereof; and that the matters and allegations there in the
VERIFIED PETITION FOR WRIT OF MANDAMUS AND INJUNCTIVE
RELIEF AND REQUEST FOR EXPEDITED CONSIDERATION set
forth are true.


Signature of Petitioner

SWORN to and subscribed before me this 9th
day of October, 2026


Notary Public (L.S.)

My Commission Expires: 5-12-2036



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OCT 09 2026

SC Court of Appeals

EXHIBIT A

Tuesday, September 22, 2026

Jennifer D. Powers
708 Chester Street
Columbia, South Carolina 29201
(803)381-1031
Jdpowers1031@yahoo.com
Appellant pro se litigants

RECEIVED
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

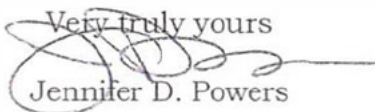
RE: Estate of Robert E. Powers Jr. v. The Hon. Bradley
Caulder Appellate Case No. 2026-000263
RE: Circuit Court Appellate Case No. 2025CP2000274

Dear Ms. Kitchings:

Enclosed herewith please find 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

RECEIVED

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

SEP 23 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.

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,

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 1 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. Griffie**, 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 501 SCACR "South Carolina Court Rules") Rule 501, SCACR Canon 1, Canon 1A, 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 1994, the U.S. Supreme Court held 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 a 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 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

HAVE BEEN AUTOMATICALLY DISQUALIFIED BY LAW

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.

⁷Following 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.

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

⁹The 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**. **Schwartz 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 Disqualify 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 ADMINISTRATIVE 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;

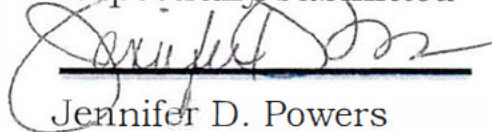
5. Since the judgment is considered **VOID**, there are several
MOTIONS which are still pending, **BEGINNING WITH the**
Appellant's Emergency Motion for an Injunction and to re-
Establish a BALANCE OF HARDSHIPS.;

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

A handwritten signature in black ink, appearing to read "Jennifer D. Powers", is written over a solid black horizontal line.

Jennifer D. Powers

708 Chester Street

Columbia, South Carolina 29201

(803)381-1031

Jdpowers1031@yahoo.com

Appellant Pro Se litigants

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,

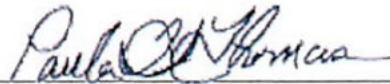
v.

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.

CAK

J.

Kristi Curtis

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

Hon, Brian M. Gibbons Magistrate Judge

RECEIVED

SEP 22 2026

SC Court of Appeals

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,

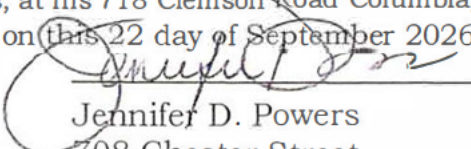
ORDER AND JUDGMENT *

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

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
Columbia, South Carolina 29201
(803)381-1031
Jdpowers1031@yahoo.com
Appellent Pro Se litigants

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

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

SEP 22 2026

Hon, Brian M. Gibbons Magistrate Judge

SC Court of Appeals

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,

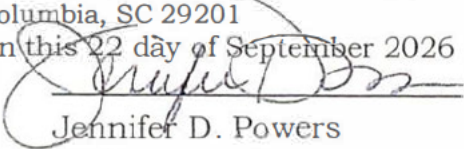
ORDER AND JUDGMENT *

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

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 Mr. Brandon Keith Poston, Attorney LLC 1835 Assembly Street Suite 953 Columbia, SC 29201 by depositing a copy of it in the United States Mail, postage prepaid, on Tuesday, September 22, 2026, address Brandon Keith Poston, Attorney LLC 1835 Assembly Street Suite 953 Columbia, SC 29201 by delivering a copy of it to his, at his 1835 Assembly Street Suite 953 Columbia, SC 29201

•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

Tuesday, September 22, 2026

Jennifer D. Powers
708 Chester Street
Columbia, South Carolina 29201
(803)381-1031
Jdpowers1031@yahoo.com
Appellant pro se litigants

RECEIVED
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

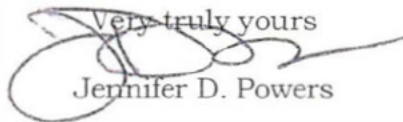
RE: Estate of Robert E. Powers Jr. v. The Hon. Bradley
Caulder Appellate Case No. 2026-000263
RE: Circuit Court Appellate Case No. 2025CP2000275

Dear Ms. Kitchings:

Enclosed herewith please find 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,

RECEIVED

SEP 22 2026

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

CC 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. 2025CP2000275

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,**

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. Griffie,** 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 a 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 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

HAVE BEEN AUTOMATICALLY DISQUALIFIED BY LAW

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.**
Schwartz 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 Disqualify 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 ADMINISTRATIVE 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;

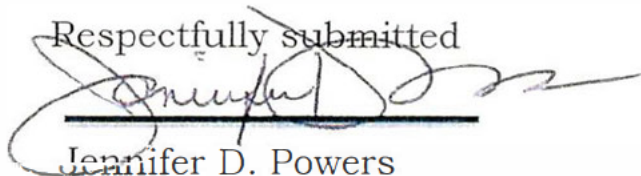
5. Since the judgment is considered **VOID**, there are several
MOTIONS which are still pending, **BEGINNING WITH the**
Appellant's Emergency Motion for an Injunction and to re-
Establish a BALANCE OF HARDSHIPS.;

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

A handwritten signature in blue ink, appearing to read "Jennifer D. Powers", is written over a solid black horizontal line.

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Appellent Pro Se litigants

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

RECEIVED
SEP 22 2026
SC Court of Appeals

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

RECEIVED

SEP 22 2026

SC Court of Appeals

The South Carolina Court of Appeals

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

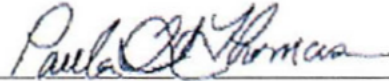
v.

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.

CAK

J.

Kristi Curtis

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

Hon, Brian M. Gibbons Magistrate Judge

Circuit Court Appellate Case No. 2025CP2000275

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,

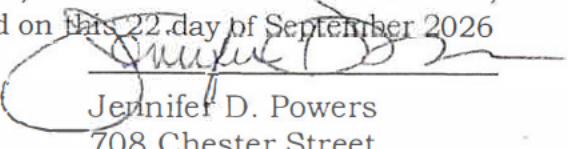
ORDER AND JUDGMENT *

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, 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
Columbia, South Carolina 29201
(803)381-1031
Jdpowers1031@yahoo.com
Appellant Pro Se litigants

RECEIVED

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

SEP 22 2026

SC Court of Appeals

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

Hon, Brian M. Gibbons Magistrate Judge

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

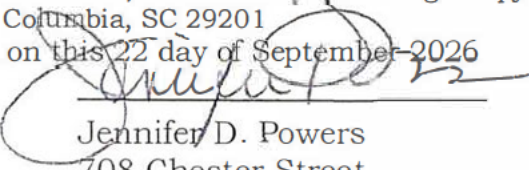
ORDER AND JUDGMENT *

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

PROOF OF SERVICE

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• Respectfully submitted on this 22 day of September 2026


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

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The 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. 2025CP2000275

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

Representative..... Appellant,

v.

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

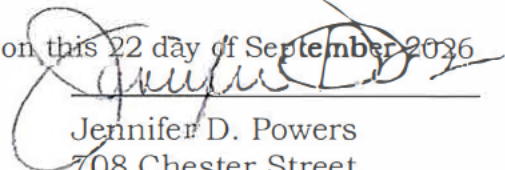
ORDER AND JUDGMENT *

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 Law Office of Barbara E. Brunson 3614 Landmark Drive, Suite B Columbia, SC 29204 by Depositing a copy of it in the United States Mail, postage prepaid, on Tuesday, September 22, 2026, Law Office of Barbara E. Brunson 3614 Landmark Drive, Suite B Columbia, SC 29204 by delivering a copy of it to her, at her 3614 Landmark Drive, Suite B Columbia, SC 29204

• 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

RECEIVED
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SC Court of Appeals

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

ORDER AND JUDGMENT *

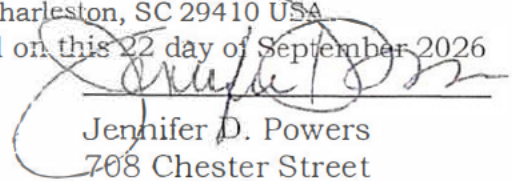
Before THOMAS, Circuit Judge, and KONDUROS, and CURTIS, Circuit Judges.

PROOF OF SERVICE

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NOTICE TO THE COURT, on 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, by depositing a copy of it in the United States Mail, postage prepaid, on Tuesday, September 22, 2026, address Family Services, Inc. by personally delivering a copy of it to her, at her 8084 Rivers Ave. Suite 100 N. Charleston, SC 29410 USA

• 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

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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. 2025CP2000275

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Representative..... Appellant,

v.

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

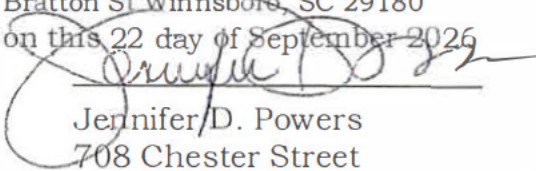
ORDER AND JUDGMENT *

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

PROOF OF SERVICE

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•Respectfully submitted on this 22 day of September 2026


Jennifer D. Powers
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Appellent Pro Se litigants

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THE STATE OF SOUTH CAROLINA
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Submitted: February 6, 2026 Decided: January 30, 2026,

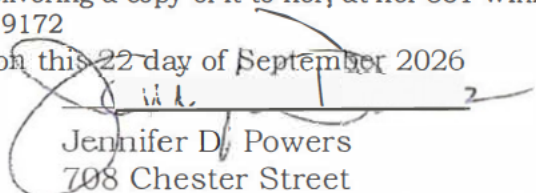
ORDER AND JUDGMENT *

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

PROOF OF SERVICE

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•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

SEP 22 2026

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM THE CIRCUIT COURT COUNTY OF FAIRFIELD
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Submitted: February 6, 2026 Decided: January 30, 2026,

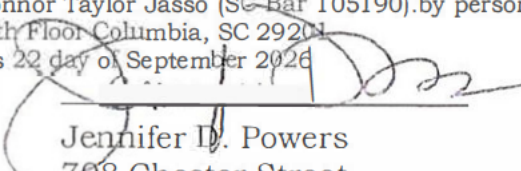
ORDER AND JUDGMENT *

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

PROOF OF SERVICE

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•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
Appellant Pro Se litigants

RECEIVED

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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. 2025CP2000275

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,

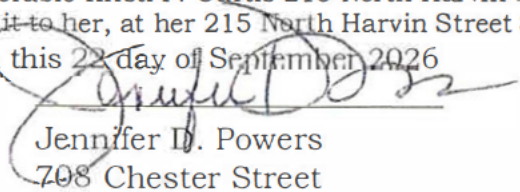
ORDER AND JUDGMENT *

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

PROOF OF SERVICE

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•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
Appellant Pro Se litigants

RECEIVED
SEP 22 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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

Hon, Brian M. Gibbons Magistrate Judge

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v.

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

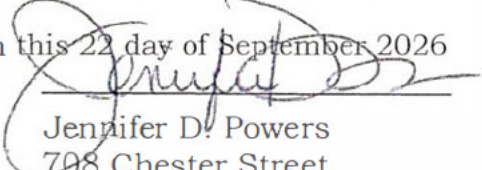
ORDER AND JUDGMENT *

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

PROOF OF SERVICE

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•Respectfully submitted on this 22 day of September 2026


Jennifer D. Powers
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Columbia, South Carolina 29201
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SC Court of Appeals

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APPEAL FROM THE CIRCUIT COURT COUNTY OF FAIRFIELD
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Representative..... Appellant,

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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

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•Respectfully submitted on this 22 day of September 2026

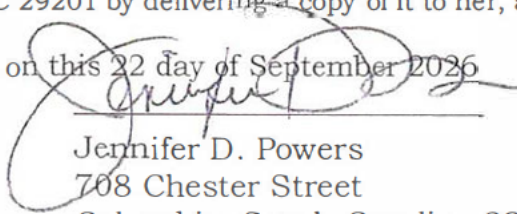

Jennifer D. Powers
708 Chester Street
Columbia, South Carolina 29201
(803)381-1031
Jdpowers1031@yahoo.com
Appellent Pro Se litigants

EXHIBIT B

The South Carolina Court of Appeals

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

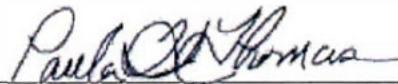
v.

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.

CAK

J.

Kristi Curtis

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

EXHIBIT C



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
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September 30, 2026

Division of Finance and Personnel
1015 Sumter St, Suite 101
Columbia, SC 29201

Re: Estate of Robert E. Powers Jr. v. The Hon. Bradley Caulder
Appellate Case No. 2026-000263

We received a Motion to Address New Evidence and Information in the above entitle appeal. The appellant, Jennifer Powers, provided this office with a fifty dollar (\$50.00) filing fee in the form of a check which was deposited on September 22, 2026. This motion is being returned to Jennifer Powers.

Please refund the \$50.00 filing fee to Jennifer Powers at the mailing address furnished below:

Jennifer Powers
708 Chester Street
Columbia, SC 29201

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jenny A. Kitchings".

CLERK

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 South Carolina Court of Appeals

Jennifer D. Powers
708 Chester St.
Columbia SC 29201

09/22/2026

RECEIPT #109418

Case No:	2026-000263
Case Short Title:	Estate of Robert E. Powers Jr. v. The Hon. Bradley Caulder
Event:	
Fee Type:	Motion Fee Filed After 10-15-18
Amount:	\$50.00
Payment Type:	Check
Reference No:	2431
Check/Money Order Date:	09/22/2026
Comments:	Motion to Address New Evidence and Information (Hand delivered 9/22/2026)

RECEIVED

SEP 22 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT**

RECEIVED

OCT 09 2026

S.C. SUPREME COURT

IN THE ORIGINAL JURISDICTION OF THE SUPREME COURT

Jennifer D. Powers,

Petitioner,

RECEIVED

OCT 09 2026

v.

The State of South Carolina, In The Court of Appeals SCCOFA,
Jenny Abbott Kitchings, in her official capacity as Clerk of Court
As member of the SCCOFA, Catherine S. Harrison, in her official
Capacity as Chief Deputy Clerk of Court as member of the
SCCOFA, Jasmine D. Smith, in her official capacity as Deputy
Clerk of Court as member of the SCCOFA, Hon Paula H. Thomas in
Her official Capacity as member of the SCCOFA, Hon Aphrodite K.
Konduros in Her official capacity as member of the SCCOFA, Hon
Kristi F. Curtis in Her official capacity as member of the SCCOFA,
Respondents.

SC Court of Appeals

PROOF OF SERVICE

I hereby certify that I have served a copy of the following as indicated herein below, by mailing a copy of the same on the date below by Certified, First-Class United States Mail, postage prepaid, return-receipt requested, delivery restricted to addressee and by email in certain cases addressed as follows:

DOCUMENT SERVED: Petitioner's Verified Petition for Writ of
Mandamus and Injunctive Relief and Request for Expedited
Consideration

PARTIES SERVED:

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

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Mr. Brandon Keith Poston
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Ms. Barbara Ellen Brunson
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County: Richland
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Family Services, Inc. DBA Origin SC
ATTN: Mrs. Caprice Atterbury, CEO
ATTN: Ms. Tracy Strickland, Director
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N. Charleston, SC 29410 USA
Phone: 843.628.3000
Fax: 843.574.8598

The Hon. Bradley Caulder

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SC Court of Appeals

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Judge Paula H. Thomas
Court of Appeals
1220 Senate Street
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OCT 09 2026

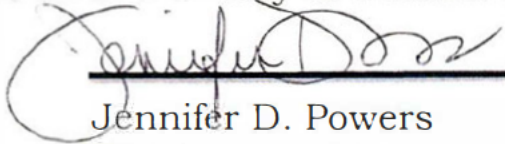
SC Court of Appeals

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Judge Aphrodite K. Konduros
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SC Court of Appeals

Respectfully submitted on this 9th day of October 2026



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PETITIONER Pro Se litigants