

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY  
Court of Common Pleas

J. Michael Baxley, Circuit Court Judge

Case No.2013-001415

**RECEIVED**

APR 29 2014

**SC Court of Appeals**

The State

Respondent,

v.

Fritz Allen Timmons

Appellant.

MOTION/PETITION TO REVIEW ORDER OF APRIL 18, 2014 FOR THE  
RESPONDENT'S MOTION TO RELAX RULES 208,209,210,211, AND FOR AN  
EXTEDSION OF TIME IN WHICH TO FILE RESPONDENT'S INITIAL BRIEF OF  
RESPONDENT, DESIGNATION OF MATTER. SUPPLEMENTAL RECORD ON  
APPEAL AND FINAL BRIEF OF RESPONDENT

Due to the court order filed on April 18, 2014 by Judge Paul E. Short, Jr, that  
completely subverts court rules in which could be construed as bias in favor of the State  
in a case that the State has caused a shame legal process by the violations of the  
appellants constitutional rights and by violation of court rules, canons and state codes by  
Judge J. Michael Baxley (4<sup>th</sup> Circuit Court), Judge John A Davis (Magistrate),  
Chesterfield County Sherriff Department, Chesterfield County Animal Control, and

Chesterfield County Animal Shelter. Therefore the order should be reviewed and reversed for the following ;

1) An extension of time would be for only the violation of one rule and only delay the time limits of the following rules consecutively, not to subvert several rules concurrently while producing an unreasonable delay in the court process and produces Bias in favor of the State. With the Appellants initial brief filed on Oct. 15, 2013, and the expiration time limit of filing of the Respondent initial brief as of Nov.14, 2013, therefore the filing of the motion to relax rules and extension of time filed on Feb 19, 2014 exceeds any reasonable timely filing period especially AFTER the filing of the Appellants FINAL BRIEF AND RECORD ON APPEAL.

2) The order could be construed as violation of court Rule 501,3(B5), SCACR due to the State violation of Rules 208, 209, 210, 211, and 264 SCACR and permit's the violation of Rules 212 SCACR, ipso facto, continuing a shame legal process caused by Chesterfield County legal and justice systems.

3) Therefore this order contradicts any motions to dismiss for failure to timely filing that the State uses on a regular basis, examples of on attached from Civil case numbers 2009-CP-160540 and Appeals case number 2013-002356 along with letter from the Attorney Generals office to the County Prosecutors office on the original motion that produces Extreme bias.

4) Due to Court of Common Pleas case number 2013CP1300150 being an appeal from magistrate court and bound by the Appeals Court rules, therefore the State has violated Rule 264 (a, b), SCACR by having Adam M. Foard as representative and not Jim McGonigal from Magistrate Court. Then again the State has violated 264 a, SCACR

by having Salley W. Elliott as representative of which withdrew from case on Nov 12, 2013, ipso facto, is not a party to the case and does not have legal authority for this motion.

5) With charger to be filed against Chesterfield County Authorities, Therefore if prosecuted by the Attorney General Office, the Respondence representative by Salley W. Elliott (Senior Assistant Deputy Attorney General) would cause a conflict of interest violating Rule 407 1.7 and/or 1.8, SCACR.

Therefore the Court should reverse the order and deny the Respondents MOTION TO RELAX RULES 208,209,210,211, AND FOR AN EXTEDSION OF TIME IN WHICH TO FILE RESPONDENT'S INITIAL BRIEF OF RESPONDENT, DESIGNATION OF MATTER. SUPPLEMENTAL RECORD ON APPEAL AND FINAL BRIEF OF RESPONDENT.

April 24, 2014



Fritz A. Timmons, Pro Se  
P. O. Box 367  
Hartsville, SC 29551

Adam M. Foard Law, LLC.  
Foard, Adam M.  
120 N. Pearl St.  
Pageland SC 29728  
Attorney for Respondent



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
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1015 SUMTER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
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FAX: (803) 734-1839  
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December 16, 2013

Fritz Allen Timmons  
P.O. Box 367  
Hartsville SC 29551

Ms. Salley W. Elliott  
PO Box 11549  
Columbia SC 29211

Mr. Adam M. Foard  
120 N. Pearl St.  
Pageland SC 29728

Re: Fritz Timmons v. Browns a/s RV and Campers  
Appellate Case No. 2013-00002356

Dear Counsel and Mr. Timmons:

We have received a letter from Salley Elliott with the Office of Attorney General, clarifying that the notice of appeal in this matter stems from an order originating in the court of common pleas. The Attorney General is requesting that future correspondence in this matter no longer be copied on their office.

All parties are advised that the Office and Attorney General, as well as the Office of Appellate Defense, will no longer be copied on this matter.



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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December 20, 2013

Fritz Allen Timmons  
P.O. Box 367  
Hartsville SC 29551

Mr. Adam M. Foard  
120 N. Pearl St.  
Pageland SC 29728

Ms. Salley W. Elliott  
PO Box 11549  
Columbia SC 29211

Re: The State v. Fritz A. Timmons.  
Appellate Case No. 2013-001415

Dear Mr. Timmons:

We have received a letter from Salley Elliott with the Office of Attorney General, clarifying that the notice of appeal in this matter stems from an order originating in the court of common pleas. The Attorney General is requesting that future correspondence in this matter no longer be copied on their office.

All parties are advised that the Attorney General's office, as well as the Office of Appellate Defense, will no longer be copied on this matter.

COMMISSIONERS  
J. William McLeod  
Becky D. Richardson  
McKinley Washington, Jr.

EXECUTIVE DIRECTOR  
Roosevelt T. Halley  
803.737.2617



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631 Hampton Street  
P.O. Box 995  
Columbia, South Carolina 29202  
(803) 737-2666  
FAX (803) 737-0124  
August 25, 2009

The Honorable Scott B. Suggs  
Darlington County Clerk of Court  
1 Public Square, Room B9  
Darlington, SC 29532

Re: Fritz Timmons v. Browns A/S RV and Campers Inc.  
Case No. 2009-CP-16-0540

Dear Mr. Suggs:

Enclosed is the Motion to Dismiss of the SC Employment Security Commission in the above case along with a \$25 check for the motion fee. Please file with the other pleadings and return a receipt to Ms. Robinson in the enclosed envelope.

With kind regards, I am

Sincerely Yours,

*Jessica Chesley*  
Jessica Chesley  
Administrative Legal Assistant for  
Romi Y. Robinson  
Staff Attorney

Cc: Fritz Timmons  
PO Box 367  
Hartsville, SC 29550

TRUE CERTIFIED COPY,

*Scott B. Suggs*  
CLERK OF COURT/EMC  
DARLINGTON COUNTY, SC

SCOTT B. SUGGS  
CLERK OF COURT/R.O.D.  
DARLINGTON COUNTY, S.C.  
MOTION FILED  
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6083

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FILED

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE CIRCUIT COURT  
J. Michael Baxley, Presiding Judge

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Case No. 09-CP-16-0540

Appellate Case No.: 2013-002356

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Fritz Timmons,

Appellant,

v.

South Carolina Department of Employment  
and Workforce,

Respondent.

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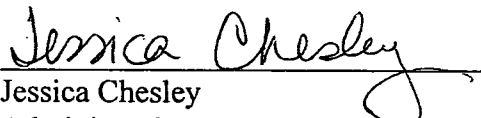
PROOF OF SERVICE

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I certify that I have served the Respondent South Carolina Department of Employment and Workforce's Motion to Dismiss on the parties in this case by depositing a copy of it in the United States Mail, postage prepaid, on March 28, 2014, addressed to the Appellant in this case at his address of record:

Fritz Timmons  
PO Box 367  
Hartsville, SC 29551

March 28, 2014

  
Jessica Chesley  
Administrative Legal Assistant  
SC Dept of Employment and Workforce  
Post Office Box 8597  
Columbia, South Carolina 29202  
(803) 737-0395

# The South Carolina Court of Appeals

State of South Carolina, Respondent,

v.

Fritz Allen Timmons, Appellant.


Appellate Case No. 2013-001415

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## ORDER

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Respondent has filed what this Court construes as a motion to file its initial brief and designation of matter out of time. After careful consideration, Respondent's motion is granted. *See* Rule 263(b), SCACR (noting the time limits other than serving the notice of appeal may be extended by the appellate court). Respondent will file its initial brief and designation of matter within thirty days of this order. This Court will neither grant Respondent a further extension or leave to file its initial brief and designation of matter to be included in the record on appeal out of time. Should Respondent designate matter to be included in the record on appeal that is not in the currently filed record on appeal, Respondent shall file a supplemental record on appeal including such matter. If Appellant desires, he may file an initial reply brief within fifteen days of service of Respondent's initial brief. Further, Respondent will file its final brief within sixty days of this order. If Appellant desires to file a reply brief, his final reply brief will be due within fifteen days of being served with Respondent's final brief. Should Respondent fail to comply with this order, this appeal will proceed without a Respondent's brief.

  
FOR THE COURT

Columbia, South Carolina

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY  
Court of Common Pleas

J. Michael Baxley, Circuit Court Judge

Case No.2013-001415

The State

Respondent,

v.

Fritz Allen Timmons

Appellant.

PROOF OF SERVICE

I certify that I have served the Motion/Petition for Review on the State by depositing a copy of it in the United States Mail, postage prepaid, on February 24, 2014, addressed to its attorney of record, Adam M. Foard, 120 N. Pearl St., Pageland SC 29728 and also upon Salley W. Elliott, Senior Assistant Deputy Attorney General, P. O. Box 11549, Columbia, SC 29211.

April 26, 2014



**RECEIVED**

APR 29 2014

Fritz A. Timmons, Pro Se  
P. O. Box 367  
Hartsville, SC 29551

**SC Court of Appeals**

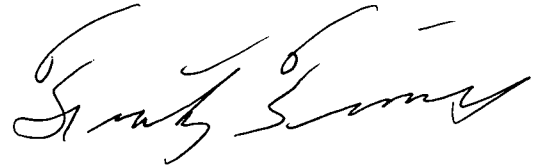
April 25, 2013

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211

RE: The State v. Fritz A. Timmons Appellate Case No. 2013-001415

Dear Jenny Abbott Kitchings

Enclosed is the original and six copies of the **Motion/Petition to Review** along with proof of service in the above referenced case



Sincerely,  
Fritz A. Timmons, Pro Se  
P. O. Box 367  
Hartsville, SC 29551

Cc Foard, Adam M.  
Salley W. Elliott

**RECEIVED**

APR 29 2014

**SC Court of Appeals**

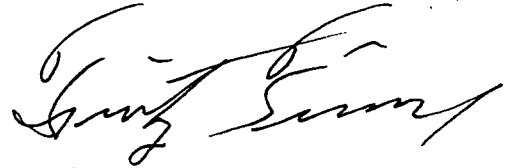
April 25, 2013

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211

RE: The State v. Fritz A. Timmons Appellate Case No. 2013-001415

Dear Jenny Abbott Kitchings

Due to a shame legal process produced by Chesterfield County Legal and Justice system that violates Constitutional Rights, State Codes and Court Rules, and the complete subvert of Court Rules by Judge Paul E. Short Jr. in favor of the State, and to prevent the continuation of a shame legal process, the Appellant request that Clerk of Court suggest that the case to be heard En Banc.

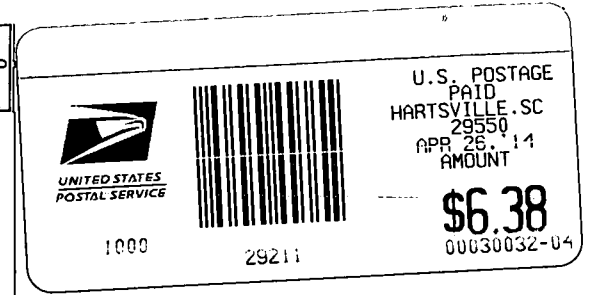


Thank you,  
Fritz A. Timmons  
P. O. Box 367  
Hartsville, SC 29551

Cc Foard, Adam M.  
Rosalyn W. Frierson  
Salley W. Elliott

**RECEIVED**  
APR 29 2014  
SC Court of Appeals

Fritz A. Timmons  
P. O. Box 367  
Hartsville, SC 29551



LW  
4-28

Jenny Abbott Kitchings  
Clerk of Court  
P.O. Box 11629  
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APR 29 2014  
SC Court of Appeals