

THE STATE OF SOUTH CAROLINA
In the Supreme Court
APPEAL FROM RICHLAND COUNTY COURT OF COMMON PLEA
Presiding SUMTER COUNTY's REPLACEMENT JUDGE – George C. James
Lower Trial Court Case no: 2007-CP-40-03116

RECEIVED

DEC 22 2011

S.C. SUPREME COURT

COVER PAGE - Blue
Research INITIAL BRIEF of APPELLANT

Frank H. Love *Frank H. Love* Appellant/Intervened JOINT Defendant(s),

v.

Henry D. McMaster (aka/ Alan D. Wilson), in his
Official Capacity as the (former/or present) Securities
Commissioner for the State of South Carolina Respondent(s)/Plaintiff(s).

Mr. Frank H. Love/non-attorney – Pro Se
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SCAG-Alan Wilson & Asst. W.V. Ganjehsani
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RICHLAND COUNTY STATE CIRCUIT COURT CLERK
Presiding Judge – Replacement Judge G.C. James Jr.
1701 Main Street
Columbia, South Carolina 29201
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JUDGE GEORGE C. JAMES, Jr.
Third Judicial Circuit
P.O. Box 1716
Sumter, South Carolina 29151

Bank of America/Legal Department
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Compliment copy –Sent to U.S. President/Mr. Obama
Compliment Copy-Sent to U.S. Attorney General-Mr. Holder Jr.

Compliment Copy-Prior Attorney/Mr. Hemphill P. Pride II
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ARGUMENTS

- 1. BECAUSE THE LOWER TRIAL COURT PRIOR RECUSED JUDGES SIGNED ORDERS OF NOV. 26, 2007, NOV. 21, 2007 and SEPT. 26, 2007 ORDERED STATE! LAW STATUTES TO BE UPHELD WITHIN THE SAID STATE! COURT since the year 2007 regarding/ the SAME! ISSUED MONEY ASSETS – GRANTED ORDERS! IN RELIEF FAVORS OF SAID DEFENDANTS –ISSUED BY PRIOR STATE! COURT! JUDGES!! (WHO ACTUALLY! VOLUNTEERED AND DISQUALIFIED THEMSELVES –DUE TO FOUND PERSONAL INTEREST) MAY POSSIBLY QUESTION THE STATE COURT JURISDICTION INVOLVING CONSTITUTIONAL CHALLENGE TO A STATE STATUTE OR LOCALORDINANCE
2. BECAUSE THE TRIAL COURT REPLACEMENT JUDGE GEORGE C. JAMES WAS FROM THE SUMTER!! COUNTY! JURISDICTION!, AND! JUDGE G.C. JAMES AGREES! In his Final ORDER(S) SHOWS THAT JUDGE JAMES NEVER!! HAD! NO! ACTUAL!! COURT HEARINGS!! OF ANYKIND! Involving ANY!! OF THE SAID DEFENDANTS/including Appellant LOVE, COULD POSSIBLY BE REASONS WHY JUDGE G.C. JAMES FAILED TO FIND THIS ACTION WAS BARRED BY RES JUDICATA 1 AND COLLATERAL ESTOPPEL SINCE! the year 2007.
3. BECAUSE STATE COURT REPLACEMENT JUDGE GEORGE C. JAMES’ IS FROM SUMTER COUNTY, and NOT FROM RICHLAND COUNTY CIRCUIT COURT JURISDICTION, AND JUDGE JAMES OWN! SIGNED ORDER(S) DATED NOV. 21, 2007 (DOES SHOW AND ADMITS THAT JUDGE GEORGE C. JAMES DID MEET IN SECRECY/or “UNDER SEAL” WITHIN A TELEPHONE “HEARING”/and BY OTHER MEANS OF “ELECTRONIC” COMMUNICATION WITH THE SAID FEDERAL COURT JUDGE MARGARET B. SEYMOUR and said FEDERAL RECEIVER-BEATTIE B. ASHMORE –SINCE! in the Year 2007, JUDGE JAMES MAY NOT have KNOWN THAT THE RICHLAND COUNTY COURT RECORDS DID NOT SUPPORTS-ANY SUCH LEGAL SCHEDULED MEETINGS.

Conclusion

1 *(See attached Appellant Love’s lower court’s Motion Cov. Sheet; & Love Response/aka/Motion for Consideration/showing LOVES also filed CounterClaim – Denied by State Court Judge James – showing Appellant Love written concerns showing PRIOR WRITTEN PERMENENT/FINAL ORDERS/aka/ Res Judicata/and Collateral Estoppelled since! the year 2007- regarding Judge James allege claims of “FORFEITURE” involving ALL said Defendants-which includes Appellant Love’s personal monies and or properties)*

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STATEMENT OF ISSUES ON APPEAL

1. DID THE LOWER TRIAL COURT JUDGES' **continued! TO INVOLVE A CONSTITUTIONAL CHALLENGE TO A STATE STATUTE OR LOCAL ORDINANCE** – WHEN THE SAID LOWER TRIAL COURT PRIOR STATE!! COURT Jurisdictional JUDGES GRANTED! AND ISSUED STATE! ORDERED STATUTES GRANTING RELIEF, AND AGREED TO HAVE “RESOLVED” CLAIMS IN A “CONSENT ORDER TO CEASE AND DESIST” IN FAVOR OF SAID DEFENDANTS - DATED NOV. 26, 2007, NOV. 21, 2007 and SEPT. 26, 2007 - ISSUED since the year 2007 - REGARDING/ the SAME! CLAIMS and PARTIES said STATE! Court Judge George C. James' issued - FINAL ORDERED JUDGMENT on Aug. 8, 2011 –INVOLVING THE EXACT SAME! MONEY ASSETS –BUT! JUDGE JAMES' continue! ATTEMPT to JOIN those SAME STATE!! ORDERED Court STATUTES – ISSUED since the year 2007 – to be REVIEWED/Controlled or APPEALED to be HEARD ONLY within a FEDERAL COURT JURISDICTION WITH a FEDERAL COURT JUDGE – Margaret B. SEYMOUR – and –her- appointed alleged FEDERAL RECEIVER-Beattie B. ASHMORE – ?

2. DID THE TRIAL COURT ERR WHEN IT FAILED TO FIND THIS ACTION WAS **BARRED BY RES JUDICATA ¹ AND COLLATERAL ESTOPPEL** WHEN THE SAME! LOWER TRIAL COURT REPLACEMENT JUDGE! GEORGE C. JAMES! (HIMSELF) ACTUALLY ADMITS! THAT THE STATE! COURT! JUDGE JAMES ISSUED! ITS **FINAL ORDER OF AUGUST 8, 2011 RELYING!! UPON JUDGE JAMES PRIOR!! ORDER OF DEC. 13, 2010 –WHICH SHOWS HE RELIED UPON STATE! COURT! ORDERS SINCE in the YEAR!! 2007 – INVOLVING THE SAME! MONEY ASSETS ALREADY BEEN LITIGATED! AND RECEIVED FINAL! ORDERS/OR JUDGMENTS FOR OVER 4 TO 5 YEARS - involving THE SAME! said DEFENDANTS/which involves this SAME Appellant LOVE -?**

3. DID THE LOWER TRIAL COURT Sumter! COUNTY'S REPLACEMENT!! JUDGE GEORGE C. JAMES ERRED, WHEN JUDGE G.C. JAMES REFUSED TO HAVE DISQUALIFY HIMSELF (Just as ALL the PRIOR Volunteered! Richland County JUDGES-DISQUALIFIED THEMSELVES in 2007- when later found) AS HAVING PERSONAL INTEREST Pursuant under CANON 3.C(1)(a) – WHEN LOWER TRIAL **STATE! COURT! JUDGE G.C. JAMES do! not! Dispute (IN SECRET/ “Under Seal” TELEPHONE - Communication with the said FEDERAL Court JUDGE SEYMORE/and Federal Receiver - Ashmore SINCE! OCT. 11, 2007, OCT. 12, 2007; OCT. 16, 2007;)** “regarding JUDGE JAMES FINAL ORDER relied upon -“ORIGINAL ORDER” Dec. 13. 2010 - WRITTEN STATEMENT ADMITS THAT - “...THIS (State) COURT PREVIOUSLY Issued! SEVERAL! ... INJUNCTIONS ORDERS... FREEZING!!! the ASSETS!!...ENJOINING!! DEFENDANTS!!...FROM! TAKING! ANY! ACTION! WITH RESPECT to the ASSETS!!” - REGARDING - “**ORDER!! GRANTING!! PLAINTIFF'S!!** (SCAG'S) Motion for ... **INJUNCTION [filed JUNE 25, 2007], Order Expanding the Temporary Injunction & Appointment of a Receiver [Filed JULY 16, 2007], and Order Granting a ... Injunction** against **Daniel Development Group, LLC [Filed September 13, 2007]**...” – SUPPORTING JUDGE G.C. JAMES continued SHOWN BIAS ADMITTED! FAILURE!! TO actually! MEET WITH SAID “DEFENDANTS” admitted in JUDGE JAMES FINAL ORDER of **August 8, 2001** THAT - “**NO!! HEARING!! WAS HELD...FOR THE REASONS!! SET! FORTH IN THE ORIGINAL!! ORDER!!**” Dated “**OCT. 13, 2010**- WHICH SHOW WHY! STATE! COURT JUDGE G.C. JAMES CONTINUES! ATTEMPTING TO TURNED HIS SAID ERRED ORDERS **TO BE HEARD/AND APPEALED ONLY! WITHIN A FEDERAL COURT JURISDICTION-** ? (*Attach Fed. case no. 3:06-0010-MBS-jrm; shows Conflict)

¹ *(See attached Appellant Love's lower court's Motion Cov. Sheet; & Love Response/aka/Motion for Consideration/showing LOVES also filed CounterClaim – Denied by State Court Judge James – showing Appellant Love written concerns showing PRIOR WRITTEN PERMENENT/FINAL ORDERS/aka/ Res Judicata/and Collateral Estoppelled since! the year 2007- regarding Judge James allege claims of “FORFEITURE” involving ALL said Defendants-which includes Appellant Love's personal monies and or properties; WHICH MR. LOVE IS RETIRED VET. WITH GOOD STANDING IN the communities)*

Lower Trial Court Case no: 2007-CP-40-03116

APPELLANT-LOVE'S
Research STATEMENTS of CASE 1 of 4 pages

Attached are the Lower trial Court's (handwritten) research/statements found written on most/if not all of the said Court filed documents, involving Facts on ALL said Intervene Defendants/aka/ Appellant-LOVE's attachments are of merits, and has been recognized in the said lower trial courts' prior written ORDERS/of State court Judge G.C. James who's signed FINAL ORDER(s) are dated AUG. 4, & 8, 2011.

Further attached research UNDISPUTED documents supports Replacement Judge George C. James is a SUMTER COUNTY Circuit Court Judge replaced (ALL) the *JUDGES* in the RICHLAND COUNTY Circuit COURT of Common Pleas – *who Volunteered and DISQUALIFIED*/or Recused themselves /or was Granted DISMISSAL (for personal Reasons of CONFLICT of INTEREST) *involving ALL the PARTIES*, involved in the Case no. 2007-CP-40-03116- (and is confirmed on 11/28/2007-Judge G.C. James! DISMISSED! –Judge M. Childs to not! continue as JUDGE –shown in the attached Richland County's Circuit Court's Case HISTORY Sheet in case no. 2007-CP-40-03116–) which shows on **October 11, 2007** which wrote that-

"COCMCFALL RECORDED!...Confidential Information to be Submitted to the Court in CONNECTION with MOTION!! To! SEAL! Filed by FIRST CITIZEN BANK & TRUST Company..."

The attached motion to seal signed by FCB's own! hired ATTORNEY Stanley H. McGuffin, ADMITS/Only! State! Court! having Jurisdiction/not the Federal Court regarding FCB as a...

..."DEFENDANT First Citizen Bank and Trust Company...is...FILING A MOTION for RELIEF from the INJUNCTION!! ORDER! and the RECEIVER!! ORDER!....pursuant SCRPC Rule 41.1..",

The attached "ORDER Under Seal GRANTING MOTION for RELIEF from ORDER" is signed by State! Judge G.C. James dated "NOV. 21, 2007!!" admits meeting!/under secrecy UNDER SEALED – participation with Federal Judge Margaret B. SEYMOUR- SHOWs that...

"a...STATE! ... circuit court order ... a judgment involving a constitutional challenge to a STATE STATUTE or local ordinance..." – Pursuant with SCACR 203(d)(1)(A)(ii)- and pursuant with the RULES of CANON C(1)(a)

APPELLANT-LOVE'S
Research STATEMENTS of CASE 2 of 4 pgs

The State! Court Replacement Judge George C. James's own! filed attached said UNDISPUTED document dated NOV. 21, 2007, titled "ORDER GRANTED the Motion for Relief from ORDER"² is in RESPONSE! to the State! Court's! DEFENDANT! First Citizen Bank/aka/FCB's hired Attorney Stanley H. McGUFFIN's the attached document titled "MOTION for RELIEF from Judgment" dated OCT. 9, 2007, shows that the Federal Court Judge Margaret B. Seymour's appointed Federal Receiver Beattie B. Ashmore – was always made known by DEFENDANT-FIRST CITIZEN BANK's hired Attorney Stanley H. McGuffin that ONLY! the Richland County STATE! COURT! had ANY LEGAL JURISDICTION involving ANY and ALL said Defendants said MONEY ASSETS that INJUNCTIONS ONLY from the Richland County Circuit Court of Common Plea had LEGAL JURISDICTION.

The attached document from the Federal Court Case no. "C/A No. 3:06-0010-MBS-jrm shows that the said FEDERAL COURT NEVER had JURISDICTION involving ANY of the

² Research provided documents of the State! Court HISTORY SHEET, SHOWS! intentional FRAUD! And/or ALTERED DOCUMENTS participated by State! Court! Judge JAMES – shows Judge G.C. James said COURT STAMPED ORDER FOR RELIEF dated NOV. 21, 2007 – was NEVER!! ENTERED! ON State! COURT! RECORDS!! (as required under STATE Statute COURT RULE 40[a][1] therefore JUDGE JAMES SIGNED alleged ORDER DATED NOV. 21, 2007 - has NEVER BEEN a VALID ORDER) regarding the attached court stamped said "ORDER Under Seal GRANTING MOTION FOR RELIEF FROM ORDER" although! Judge James said ORDER NOV. 21, 2007 allegedly!! Has RICHLAND COUNTY CIRCUIT COURT'S STAMP!! Date NOV. 21, 2007 located on the said document (which shows and supports the intentional FRAUD and Altering of COURT RECORDS) –SHOW JUDGE JAMES also NEVER! GRANTED Relief from the State! Court's properly Stamped entered on Docket INJUNCTION dated JUNE 25, 2007; nor! Did JUDGE JAMES EVER! GRANTED RELIEF of the STATE! INJUNCTION JULY 16, 2007– WHICH STATE! Court! Replacement JAMES Intentionally! never! acknowledges the said JULY 16, 2007 INJUNCTION in his "ORIGINAL" Order of Dismissal dated DEC. 13, 2010, which JUDGE JAMES FINAL ORDER dated AUGUST 8, 2011 admits! that Judge JAMES' said FINAL ORDER(s) RELIES upon Judge James said "ORIGINAL" Order(s) DEC. 13, 2010. ..., Involving Federal Judge M.B. Seymour and the said Federal RECEIVER-BEATTIE B. ASHMORE – since! also the YEAR 2007 - WHO also has the PUBLIC JOB DUTY as being located on this! STATE! Of So. Carolina's SUPREME COURT's BOARD, where BETTIE B. ASHMORE - SCREEN and DISCIPLINE!! the STATE OF SO. CAROLINA/and/or/ RICHLAND COUNTY CIRCUIT COURT JUDGES! And LAWYERS, which shows BEATTIE B. ASHMORE always been a Ineligible!! PERSON to have EVER been PAID! as RECEIVER appointed by Federal Judge M.B. Seymour, and also an INELIGIBLE RECEIVER since 2007 & now in 2011 for STATE! COURT! JUDGE JAME to continue!! in Judge James FINAL ORDERS in 2011 – so to attempt! to continue! to release the STATE!! COURT! ADMITTED INJUNCTIONS! that "FROZEN" the MONEY FUNDS and PROPERTY RIGHTS of said PRO SE Intervened Defendants/or Appellant-LOVE-who can ONLY APPEAL this said matter within a HIGHER STATE COURT, and CAN NOT BE APPEALED within NO! FEDERAL COURT –Confirmed by Federal Judge M.B. Seymour's own! INITIALS (MBS) placed on attach document FEDERAL COURT STAMP dated JAN. 11, 2006 in case no. "C/A No. 3:06-0010-MBS-jrm" –

***Therefore this said honorable Supreme court must assure that Mr. BEATTIE B. ASHMORE has no! affiliation nor any kind of participation with this said above case matter, or this said case may be considered to be transferred to *be heard before the UNITED STATES SUPREME COURT JUDGES in the State of Washington D.C.*)*SCRPC Rule 5.1A**

APPELLANT-LOVE'S
Research STATEMENTS of CASE 3 of 4 pgs

Appellant DEFENDANTS/aka/Appellant LOVE'S MATTERS placed by the said Respondent/ PLAINTIFF/SCAG since MAY 21, 2007, filed within the State Court before ANY KIND of LEGAL filed claims were filed within ANY FEDERAL COURT, which State Court Judge George C. James ADMITS in his written ORDERS, and or that the said FEDERAL CLAIMS ARE THE SAME which has been filed this said above STATE! COURT in case no. 2007-CP-40-03116 involving the SAME parties, whom State Court Judges Barber III and Judge G.C. James indeed GRANTED ORDERS DATED SEPT. 26, 2007 and NOVEMBER 26, 2007, (as well as the said RESPONDENT/PLAINTIFF/SCAG's OFFICIAL also SIGNED in AGREEMENT) in FAVOR of ALL the said DEFENDANTS – which "RESOLVED" and GRANTED RELIEF of ALL the said Respondent/PLAINTIFF/SCAG'S SAME! filed CIVIL and CRIMINAL Claims (as the said FEDERAL COURT) shows were FIRST! "Resolved" and Granted Relief regarding ALL OTHER CLAIMS stated in the CIVIL and CRIMINAL (combined) "RESOLVED" and Granted Relief FILED ONLY within the said lower trial case no. 2007-CP-40-03116, AGREED/or signed since the dates Sept. 26, 2007, and November 26, 2007. Which made this said case matter Res Judicata and Collateral Estoppelled since Nov. 26, 2007.

FEDERAL JUDGE SEYMOUR'S OWN COURT FILED ATTACHED DOCUMENT
DATED JANUARY 11, 2006 – Federal CASE NO. "C/A 3:06-0010-MBS-jrm" ALWAYS SHOWED
THAT THE STATE!! COURT!
JUDGE G.C. JAMES – alleged "ORIGINAL ORDER" DATED DEC. 13, 2010 – WAS MOOT/AND
ILLEGAL!! AND "...SIMPLY CANNOT BE GRANTED...The..SETTLED ROOKER-FELDMAN
DOCTRIN PREVENTS THIS (Federal) COURT FROM! ASSUMING!! JURISDICTION!! OVER!
ONGOING!!! STATE!! LITIGATION!! Or! REVIEWING!! ANY!! DECISION!!! MADE! Or!
SOON! TO! BE MADE Therein..." ORDERED/and AGREED!! by THE FEDERAL COURT JUDGE
MARGARET B. SEYMOUR – BEFORE! THIS SAID CASE APPEALED CASE NUMBER was FIRST
FILED BY THE SAID RESPONDENT/PLAINTIFF/SCAG
REGARDING this STATE! COURT CASE NO. 2007-CP-40-03116-
THAT'S BEEN RE JUDICATA and COLLATERAL ESTOPPELLED since the YEAR 2007

APPELLANT-LOVE'S
Research STATEMENTS of CASE 4 of 4 pgs

The attached written signed Federal Court Case no. "C/A No. 3:06-0010-MBS-jrm shows the that this said State Court Judge G.C. James Order is a document which is Challenging a

"...STATE! ... circuit court order ... a judgment involving a constitutional challenge to a STATE STATUTE or local ordinance..."

- when the below QUOTE of the said Federal court supported by the actual written Federal COURT

Ordered DECISION of JANUARY 11, 2006, PROVIDED Federal STATUTES shows and supports that

the said State Court Judge G.C. James ORDERED REQUEST in ALL his ORDERS filed since the

YEAR 2007 up until and after the date DEC. 13, 2010 – ARE MOOT and an ILLEGAL REQUEST, and

said ORDER must be remanded by this said Supreme Court due to the said State Court's decision is also

Challenges a "...STATE! ... circuit court order ... a judgment involving a constitutional challenge to a

STATE STATUTE or local ordinance...", and is also the below Federal STATUTE quoted in the Below

quote of Federal Judge Margaret B. Seymour, who admits that...a Federal Court can not even "REVIEW"

nor "INTERVENE" in a "ONGOING" STATE COURT Case, which Federal Judge M.B. ADMITS that -

"...The MATTER..BEEN DETERMINED by the RICHLAND COUNTY (State) PROBATE COURT from which DECISION...HAS A RIGHT TO APPEAL within the STATE!! COURT! of SOUTH CAROLINA. By ASKING!! THIS! COURT! to! INTERVENE!! In that PROCEEDING!!...HAVE REQUESTED RELIEF which SIMPLY!! CANNOT!! BE! GRANTED!!. The Well-Settled Rooker-Feldman DOCTRINE!! PREVENTS!! THIS! (Federal) COURT from!! ASSUMING! JURISDICTION! over! ONGOING!! STATE!! LITIGATION! Or! REVIEWING! ANY!! DECISION!! Made or SOON! TO! BE! Made therein...This doctrine DERIVES from two U.S. SUPREME COURT CASES, Rooker v. Fidelity Trust Co., 263 U.S. 413, 66 L. Ed. 362, 44 S. Ct. 149 (1923) and D.C. Court of Appeals v. Feldman, 460 U.S. 462, 75 L. Ed. 2d 206. 103 S. Ct. 1303 (1983)."

State Court G.C. James STATE ORDERED STATUTES dated since in the year 2007, on

OCTOBER 11, 2007, OCTOBER 12, OCTOBER 16, 2007, NOV. 21, 2007, and continued on the dates

DECEMBER 13, 2010; MAY 23, 2011, JUNE 1, 2011; and AUGUST 4, & 8, 2011, shows/and supports

in those said dated documents, State Court Judge G.C. James always knew his said REQUESTED Federal

Court Participation is/and would be a continued "...STATE! ... circuit court order ... a judgment

involving a constitutional challenge to a STATE STATUTE or local ordinance...". Pursuant

with SCACR 203(d)(1)(A)(ii) ; RULES of CANON C(1)(a).

APPELLANT-LOVE'S
Research FACTS

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Which the attached said research provided document shows the – **continued!**

PROFESSIONAL MISCONDUCT of JUDGE G.C. JAMES since! in the YEAR 2007 – continued!

now! in this YEAR 2011 – yet! Attempting to INVOLVE a “...STATE! ... circuit court order ...

a judgment involving a constitutional challenge to a STATE STATUTE or local ordinance...”,

Which is Pursuant with SCACR 203(d)(1)(A)(ii)- and pursuant with the RULES of CANON C(1)(a)... - *(See attached Judge James FINAL ORDER dated August 8, 2011 confirms Judge James RELIED on his alleged “ORIGINAL” ORDER entered 12-13-2011)

STATE! DEFENDANT FIRST CITIZEN BANK'S ATTORNEY

**“STANLEY H. McGUFFIN” attached signed document title “MOTION for Relief from ORDER”
dated “OCTOBER 9, 2007”-ALWAYS SHOWED**

**TO STATE! COURT JUDGE George C. JAMES – that the Richland County's STATE! COURT!
ONLY! had LEGAL STATE! COURT JURISDICTION/and NOT the Federal Court; and was
ACKNOWLEDGED!!/or AGREED! Also by FEDERAL Court RECEIVER BEATTIE B. ASHMORE-
Since OCTOBER 9, 2007- WHEN FCB/and JUDGE JAMES Order 11/21/11 show FCB's also had A
BANKRUPTCY PETITION filed on FCB also on OCT. 9, 2007**

**THAT WAS FILED TO PROTECT also PRO SE Intervene Defendants/aka/Appellant-LOVES' MONEY
and PERSONAL PROPERTY INTEREST since the YEAR 2007/illegally removed assisted by STATE!
JUDGE JAMES with Federal Court Judge M.B. Seymour on OCT. 12, 2007**

Research attached document further shows FCB's own! attached filed “**MOTION for RELIEF from ORDER**” dated October 9, 2007, signed by FCB's hired attorney Stanley H. McGuffin admits that the STATE! COURT! Ordered State! Statutes that govern STATE! INJUNCTIONS dated “JUNE 25, 2007” and “JULY 16, 2007” which “...ENJOINED FIRST CITIZEN BANK and Trust Company (“FCB”) from *inter alia* ‘withdrawing, liquidating, transferring or otherwise having access to’ ...\$17 MILLION in Various Accounts with FCB during the PENDENCY of this ACTION except by further order of the Court...and...this (State) Court...further ORDERED that a (State!) RECEIVER

APPELLANT-LOVE'S
Research FACTS

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should be appointed to take control of various ASSETS, including the FUNDS on account with FCB...**Mr. Ashmore!! has made DEMAND! Upon FCB that the FROZEN ACCOUNT be SURRENDERED! To his CUSTODY and CONTROL. FCB...is SEEKING by! This! MOTION! an AMENDMENT to the (State!) INJUNCTION!! ORDER! and (State) RECEIVER Order which! AUTHORIZES!! FCB!..."** – involving State! Court James and said Pro Se Intervene Defendants/aka/Appellant-LOVE with STATE! Court Statutes that Frozen monies and personal properties attempted to be illegally controlled by Federal court Statute.

STATE COURT JUDGE G.C. JAMES document titled
“ORDER! UNDER! SEAL!! Granting!! Motion for Relief from ORDERS” filed by FCB
ALTHOUGH this said signed! “ORDER” of STATE! COURT Judge JAMES-was NEVER!! ENTERED
on ANY! STATE! COURT! required! RECORDS on 11/21/2011!
WHICH also! SHOWS THAT STATE! COURT! JAMES NEVER!! GRANTED RELIEF
Of BOTH!! INJUNCTIONS JUNE 25, 2007 and JULY 16, 2007 – involving said PRO SE Intervened
DEFENDANTS/aka/Appellant-Love’s State! FROZEN MONIES and PROPERTIES
Pursuant with State’s STATUTE S.C. ANN §35-1-603-(b)

Research shows State Court Judge George C. James’s attached said above titled Order for the Relief dated 11/21/2007 – located on page 3, ADMITS! that..

“The INJUNCTION and RECEIVERSHIP ORDER filed JULY 16, 2007, SHALL!! Otherwise! REMAIN!! In EFFECT...” – Whereas shows, State Court Judge James DENIED to released any full Jurisdiction to the said Federal Court Receiver Beattie B. Ashmore, and control only in State.

APPELLANT-LOVE'S
Research ARGUMENTS

Page 1 of 1

1. BECAUSE THE LOWER TRIAL COURT **PRIOR RECUSED JUDGES** SIGNED ORDERS OF NOV. 26, 2007, NOV. 21, 2007 and SEPT. 26, 2007 ORDERED STATE! LAW STATUTES TO BE UPHELD WITHIN THE SAID STATE! COURT since the year 2007 regarding/ the SAME! ISSUED MONEY ASSETS – GRANTED ORDERS! IN RELIEF FAVORS OF SAID DEFENDANTS –ISSUED BY PRIOR STATE! COURT! JUDGES!! (WHO ACTUALLY! VOLUNTEERED AND DISQUALIFIED THEMSELVES –DUE TO FOUND PERSONAL INTEREST) MAY POSSIBLY QUESTION THE STATE COURT JURISDICTION INVOLVING **CONSTITUTIONAL CHALLENGE TO A STATE STATUTE OR LOCAL ORDINANCE**

2. BECAUSE THE TRIAL COURT REPLACEMENT JUDGE GEORGE C. JAMES WAS FROM THE SUMTER!! COUNTY! JURISDICTION!, AND! JUDGE G.C. JAMES AGREES! In his Final ORDER(S) SHOWS THAT JUDGE JAMES NEVER!! HAD! NO! ACTUAL!! COURT HEARINGS!! OF ANYKIND! Involving ANY!! OF THE SAID DEFENDANTS/including Appellant LOVE, COULD POSSIBLY BE REASONS WHY JUDGE G.C. JAMES FAILED TO FIND THIS ACTION WAS **BARRED BY RES JUDICATA**³ **AND COLLATERAL ESTOPPEL** SINCE! the year 2007.

3. BECAUSE STATE COURT REPLACEMENT JUDGE GEORGE C. JAMES' IS FROM SUMTER COUNTY, and NOT FROM RICHLAND COUNTY CIRCUIT COURT JURISDICTION, AND JUDGE JAMES OWN! SIGNED ORDER(S) DATED NOV. 21, 2007 (DOES SHOW AND ADMITS THAT JUDGE GEORGE C. JAMES DID MEET IN SECRECY/or “UNDER SEAL” WITHIN A TELEPHONE “HEARING”/and BY OTHER MEANS OF “ELECTRONIC” COMMUNICATION WITH THE SAID FEDERAL COURT JUDGE MARGARET B. SEYMOUR and said FEDERAL RECEIVER-BEATTIE B. ASHMORE –SINCE! in the Year 2007, JUDGE JAMES MAY NOT have KNOWN THAT THE RICHLAND COUNTY COURT RECORDS DID NOT SUPPORTS-ANY SUCH LEGAL SCHEDULED MEETINGS.

³ *(See attached Appellant Love's lower court's Motion Cov. Sheet; & Love Response/aka/Motion for Consideration/showing LOVES also filed CounterClaim – Denied by State Court Judge James – showing Appellant Love written concerns showing PRIOR WRITTEN PERMENENT/FINAL ORDERS/aka/ Res Judicata/and Collateral Estoppelled since! the year 2007- regarding Judge James allege claims of “FORFEITURE” involving ALL said Defendants-which includes Appellant Love's personal monies and or properties)*

CONCLUSION

The Research shows SUPREME COURT Appellant Love Initial Brief is timely pursuant with TRANSCRIPT SCACR 207(1)&(2) – Transcript of Proceeding⁴

Further research shows, according to the honorable, Supreme Court Judge, Jean H. Toal's "Order" he ordered that Appellant shall serve and file his initial brief and designation of matter within the time provided SCACR Rule which governs Transcript, as indeed the said Transcript CORRECT CASE NUMBER was of great importance to this said Appellant-Love's above case matter since this said Appellant has always brought to this said Supreme court's attention, that the said lower trial court said Judge George C. James has HISTORY of NOT! EVER! meeting with ANY of these said DEFENDANTS, SINCE the YEAR 2007, and even this alleged scheduled HEARING allegedly HELD with that said lower circuit court, NO! RICHLAND COUNTY Clerk, as well as this said Richland County Circuit CASE HISTORY SHEET in case no. 2007-CP-40-03116 – NEVER! SHOWS! SUCH a HEARING with that said JUDGE James ever took place on the alleged date MAY 12, 2011; and as you can see, on that said alleged WRONG NUMBER TRANSCRIPT, the ONLY! INDIVIDUAL is TALKING is the said presiding JUDGE JAMES, who even SPEAKS for the said alleged Respondent/PLAINTIFF/SCAG at that alleged HEARING allegedly held on the date MAY 12, 2011, which indeed CONTRADICTS! With the PUBLIC written MESSAGE entered by the said NEW SCAG-Wilson, placed on his said WEBSITE –also! on the DATE! MAY 12, 2011, which SCAG-Wilson also! DID NOT ATTEND.⁵

THEREFORE, for the reasons and attached documented EVIDENCE stated and provided, this said Supreme Court should REVERSE the JUDGMENT of the Circuit Court.

⁴ (2) *Delivery of Transcript.* The administrative tribunal shall insure that the transcript is delivered to the appellant within (60) days after the date of the request.

(3) *Extension.* If the administrative tribunal cannot deliver the transcript in the time specified, it shall promptly seek an extension from the appellate court. The request for an extension shall be in writing and shall comply with Rule 224, SCACR.

⁵ Please see attached DATE of Judge James FINAL ORDER Aug. 8, 2011 – but did Judge James attached Letter shows Judge James DID NOT MAIL his said FINAL ORDER until the DATE August 16, 2011 over 8 to 10 days later when I actually received it.

DECEMBER 22, 2011

Respectfully Submitted,



Mr. Frank H. Love/non-attorney – Pro Se
1025 Mason Road
Columbia, SC 29203
Email – 9036love@bellsouth.net

Henry D. McMaster/in care of/New Elected
SCAG-Alan Wilson
ATTORNEY for RESPONDENT(s)/Plaintiff
Rembert C. Dennis Bldg
1000 Assembly Street/Room 519
Columbia, S.C. 29201
(803) 734-3970

RICHLAND COUNTY STATE CIRCUIT COURT CLERK
Presiding Judge – Replacement Judge G.C. James Jr.
1701 Main Street
Columbia, South Carolina 29201
(803) 576-1999

JUDGE GEORGE C. JAMES, Jr.
Third Judicial Circuit
P.O. Box 1716
Sumter, South Carolina 29151

Bank of America/Legal Department
Ref: Capital Consortium Group, LLC Account
2805 North Main
Columbia, S.C. 29201

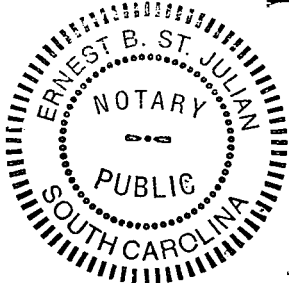
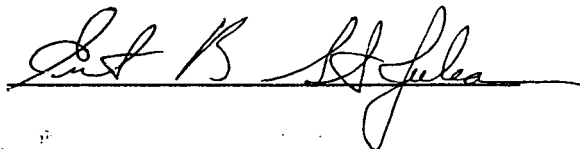
FIRST CITIZEN BANK
Attorney-Stanley McGuffin, Esq.
1230 Main Street
Columbia, S.C. 29202

Attorney W. Micheal Duncan-(Fed ID#6173)
AUSTIN & ROGERS, P.A.
Jr.
P.O. Office Box 11716
Columbia, South Carolina 29201
(803) 256-4000

Compliment copy –Sent to U.S. President/Mr. Obama
Compliment Copy-Sent to U.S. Attorney General-Mr. Holder

Compliment Copy-Prior Attorney/Mr. Hemphill P. Pride II
P.O. Box 4529
Columbia, S.C. 29240

NOTARY:



My Commission Expires
June 11, 2017

RECEIVED

DEC 22 2011

S.C. SUPREME COURT

ATTACHMENTS – 28

SUPREME COURT-JUDGE GEORGE C. JAMES – APPEAL Research
Case no: 2007-CP-40-03116

**Shows 21 Mar 2007 - 11:25 AM - illegally made later! By Conspiracy w/ Federal officials to cause them of enshrine checks.*
4/11/07
 SLEP Grand Jury - and this Consent ORDER
 Shows & Supports - ALL - Alleged suspicions
 By Payee - CC9 and others - were resolved
 Since Sept. 26, 2007. Filed in SAID STATE Court.
 and NO! Records shown to payee CC9 busy

STATE OF SOUTH CAROLINA)
) IN THE COURT OF COMMON PLEAS
 COUNTY OF RICHLAND) FOR THE FIFTH JUDICIAL CIRCUIT

C.A. No. 07-CP-40-3116

HENRY D. MCMASTER,)
 in his official capacity as the)
 SECURITIES COMMISSIONER FOR)
 THE STATE OF SOUTH CAROLINA,)
)
 Plaintiff,)

-vs-

CAPITAL CONSORTIUM GROUP, LLC;)
 3 HEBREW BOYS, LLC; TONY POUGH)
 a/k/a TONY BERNARD POUGH; TIM)
 MCQUEEN a/k/a TIMOTHY MCQUEEN;)
 JOSEPH BRUNSON a/k/a JOSEPH B.)
 BRUNSON; DANIEL DEVELOPMENT)
 GROUP, LLC; FIRST CITIZENS BANK)
 AND TRUST CO., INC.;)
)
 Defendants.)

EVER!
NAMED AS ANY!
suspects with any Bank
Spoke to their customer
 10/11/07
 10/11/07
 10/11/07

CONSENT ORDER TO CEASE AND DESIST

WHEREAS, counsel for Plaintiff Henry D. McMaster, in his official capacity as the Securities Commissioner for the State of South Carolina ("Plaintiff"), and Defendants Tony Pough a/k/a Tony Bernard Pough; Tim McQueen a/k/a Timothy McQueen; Joseph Brunson a/k/a Joseph B. Brunson; Capital Consortium Group, LLC; 3 Hebrew Boys, LLC; and Daniel Development Group, LLC (collectively, "Defendants") appeared before the Richland County Court of Common Pleas on September 4, 2007, pursuant to Plaintiff's Motion for Temporary Injunction and for Cease and Desist Order Pursuant to S.C. Code Ann. 35-1-603 ("Motion") filed June 28, 2007; and

WHEREAS, Plaintiff and Defendants acknowledged before Judge James R. Barber that they agreed to resolve Plaintiff's Motion by entering into a Consent Order; and

WHEREAS, Defendants' willingness to enter into such Consent Order shall not be construed as an admission of guilt or civil liability in this or any other pending action;

THEREFORE, by consent of the undersigned counsel for the above-named parties,

IT IS HEREBY ORDERED THAT

(1) Defendants shall not engage in any act, practice or course of business in connection with the offer or sale of securities (as defined in the South Carolina Securities Act) in or from the State of South Carolina which are not registered with the Securities Division of the Office of the Attorney General pursuant to South Carolina law;

(2) Defendants are prohibited from engaging, directly or indirectly, in the above-proscribed acts individually and/or through any affiliates, subsidiaries or third parties of any kind; and

(3) All Orders issued in this case shall continue in full force and effect, including the formal order granting an injunction against Daniel Development Group, LLC to be entered pursuant to Judge Alison R. Lee's ruling on or about August 31, 2007, as reflected on the correspondence attached hereto as Exhibit "A."

AND IT IS SO ORDERED.

Date: 9/25/07

James R. Barber, III
James R. Barber, III
Presiding Circuit Court Judge

I SO MOVE:

HENRY D. MCMASTER
Attorney General

JOHN MCINTOSH
Chief Deputy Attorney General

TRACY A. MEYERS
Assistant Attorney General

T. PARKIN HUNTER
Assistant Attorney General

WARREN V. GANJEHSANI
Assistant Attorney General


Attorneys for Plaintiff

Post Office Box 11549
Columbia, South Carolina 29211-1549
Telephone: (803) 734-3680

I CONSENT:


HEMPHILL P. PRIDE II, ESQ.

Attorney for Defendants Capital Consortium
Group, LLC; 3 Hebrew Boys, LLC; Tony
Pough a/k/a Tony Bernard Pough; Tim
McQueen a/k/a Timothy McQueen; Joseph
Brunson a/k/a Joseph B. Brunson; and Daniel
Development Group, LLC

*** Shows STATE Judge ...*
** Federal Case Involving Sakin a Bey and Freeman Family*
in the year 2006 - January 11; Involving Also - Federal
Judge Seymour (MBS) and the Federal Magistrate Judge
McCreary... who Admits! Federal Court - Lacks
Jurisdiction to Intervene within a Ongoing STATE!

United States District Court
 District of South Carolina

Court Case: ...
which is unique for
includes - CCA Case
NO - 2007-CA-40-03116

Wendell Freeman and David Jathniel Freeman;)
)
 Plaintiffs:)
)
 vs.)
)
 Amy McCulloch, Probate Judge, Richland County Probate)
 Court; Jacqueline D. Belton, Associate Probate Judge.)
 Richland County Court; State of South Carolina; and)
 Governor Mark Sanford, Columbia, South Carolina:)
)
 Defendants.)

C/A No. 3:06-0010-MBS-JRM

Report and Recommendation

Courts
must
be
Upheld
with All
the Federal
and State!
Court Issues
so not to be
Intervened by
the
Federal
Court
 ↓
Please
see
Attached
Typed
Written
statements..

The Plaintiffs, Wendell Freeman and David Jathniel Freeman (hereafter, the "Plaintiffs"), appear to allege a denial of rights and privileges secured to persons claiming "nationality" in the United States under Title 8 United States Code Section 1503. Pursuant to the provisions of 28 U.S.C. §636(b)(1)(B), and Local Civil Rule 73.02(B)(2)(e), D.S.C., the undersigned is authorized to review such petitions for relief and submit findings and recommendations to the District Court.

Since the Plaintiffs are *pro se* litigants, their pleadings are accorded liberal construction. Hughes v. Rowe, 449 U.S. 5 (1980) (per curiam); Estelle v. Gamble, 429 U.S. 97 (1976); Haines v. Kerner, 404 U.S. 519 (1972); Loe v. Armistead, 582 F. 2d 1291 (4th Cir. 1978); Gordon v. Leeke, 574 F. 2d 1147 (4th 1978). Nevertheless, even under this less stringent standard, *pro se* pleadings are still subject to summary dismissal if they fail to meet the requirements for proceeding in this Court. Such is the case here.

The Complaint in this action is virtually unintelligible, consisting of five typewritten

Shows the Federal Court - Must! Dismiss any!
 Federal Filed Claims (such as - Asst. U.S. Atty. Halliday's
 filed Aug. 1st, 2007, ^{pleading} and Criminal Filed Claims entered
 on May 27, 2008 - regarding the SAME! Claims and Parties
 already! Been Resolved and

Education Expense Board, 527 U.S. 666 (1999); Seminole Tribe of Fla. v. Florida, 517 U.S. 44
 (1996); Blatchford v. Native Village of Noatak, 501 U.S. 775 (1991); Will v. Michigan
Department of State Police, 491 U.S. 58 (1989); Alabama v. Pugh, 438 U.S. 781 (1978); and
 ultimately, Hans v. Louisiana, 134 U.S. 1 (1890). Even without this immunity, the Complaint
 suggests no factual predicate upon which to imagine that the Governor of South Carolina, either
 in his official capacity or as an individual, has sought to "subvert" or "takeover" Plaintiff
 Wendell Freeman's parental rights or responsibilities.

Grants
 by the State
 Court
 Ordered
 Granted
 Relief
 since
 the
 year
 2007.

~~***~~ Federal courts are "constrained to exercise only the authority conferred by Article III of
 the Constitution and affirmatively granted by federal statute." In re Bulldog Trucking, Inc., 147
 F.3d 347, 352 (4th Cir. 1998). (There is no presumption that a federal court has jurisdiction over
 any given matter. Pinkley, Inc. v. City of Frederick, 191 F.3d 394, 399 (4th Cir. 1999) (citing
Lehigh Mining & Mfg. Co. v. Kelly, 160 U.S. 337, 327 (1895)). Accordingly, a federal court is
 required, *sua sponte*, to determine if a valid basis for its jurisdiction exists, "and to dismiss the
 action if no such ground appears." Bulldog Trucking, supra. See also Rule 12(h)(3) Federal
 Rules of Civil Procedure (Fed. R. Civ. P.) ("Whenever it appears . . . that the court lacks
 jurisdiction of the subject matter, the court shall dismiss the action."). Although the absence of
 subject matter jurisdiction may be raised at any time during the case, determining jurisdiction at
 the outset of the litigation is the most efficient procedure. Lovern v. Edwards, 190 F.3d 648, 654
 (4th Cir. 1999).

see
 state's
 "Consent
 Order"
 dated
 9/26/2007
 on the
 STATE
 granted Relief
 since
 NOV. 26,
 2007...

~~***~~ United States District Courts, as federal courts established by the United States Congress,
 are limited in their jurisdiction to "federal question" and "diversity" cases pursuant to 28 U.S.C.
 § 1331 and § 1332. An action for violation of civil rights under 42 U.S.C. § 1983, for example, is

~~STATE CASE~~ ~~Admits!~~ ~~that a Federal Court - Can Not - Intervene by~~
~~or! have Legal Jurisdiction - over Ongoing STATE Court~~
~~Already! Filed Orders! Nor! Already Ongoing STATE~~
~~Litigation or Reviewing ANY! Decision~~

a "federal question" case which means that Congress establishes by statute the basis contours of litigation to enforce its provisions. "Diversity" jurisdiction exists when the parties are citizens of different states and a minimum jurisdictional amount is at stake. The courts must interpret and apply those statutory provisions in specific cases.

can be possibly made. Already by the STATE court ↓

The matter of Wendell Freeman's parental rights has apparently been determined by the Richland County Probate Court from which decision he has a right to appeal within the state courts of South Carolina. By asking this Court to intervene in that proceeding, the Plaintiffs have requested relief which simply cannot be granted. The well-settled Rooker-Feldman doctrine prevents this Court from assuming jurisdiction over ongoing state litigation or reviewing any decision made or soon to be made therein.²

~~which?~~ ~~Defeats!~~ Judge James Ordered June 1st 2011 Claims.

RECOMMENDATION

It is recommended that this action be dismissed without issuance or service of process upon the Defendants. The Plaintiffs' attention is directed to the notice on the next page.

Respectfully Submitted,

s/Joseph R. McCrorey
United States Magistrate Judge

January 11, 2006
Columbia, South Carolina

² - This doctrine derives from two U.S. Supreme Court cases, Rooker v. Fidelity Trust Co., 263 U.S. 413, 66 L. Ed. 362, 44 S. Ct. 149 (1923) and D.C. Court of Appeals v. Feldman, 460 U.S. 462, 75 L. Ed. 2d 206, 103 S. Ct. 1303 (1983). See Allstate Insurance Company v. West Virginia State Bar, 233 F. 3d 813 (4th Cir. 2000) for recent application of the doctrine in the Fourth Circuit.



State of South Carolina
Third Judicial Circuit

GEORGE C. JAMES, JR.
CIRCUIT COURT JUDGE

141 NORTH MAIN STREET, SUITE 303
POST OFFICE BOX 1716
SUMTER, SOUTH CAROLINA 29151-1716
TELEPHONE: (803) 436-2150
FAX: (803) 436-2403
E-MAIL: gjamesj@sccourts.org

August 16, 2011

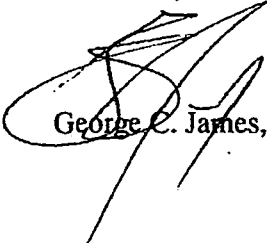
Mr. Frank Love
1025 Mason Road
Columbia, South Carolina 29203

RE: Henry McMaster v Capital Consortium Group, LLC, et al. (07-CP-40-3116)

Dear Mr. Love:

Enclosed is a clocked copy of an order denying your motion for reconsideration.

Yours very sincerely,



George C. James, Jr.

GCJjr:djf

Enclosures

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
HENRY D. McMASTER,)
In his official capacity as the)
SECURITIES COMMISSIONER)
FOR THE STATE OF SOUTH)
CAROLINA,)

Plaintiff,)

vs)

CAPITAL CONSORTIUM)
GROUP, LLC; TONY POUGH a/k/a)
McQUEEN a/k/a TIMOTHY)
McQUEEN; JOSEPH B.)
BRUNSON; DANIEL)
DEVELOPMENT GROUP, LLC;)
FIRST CITIZENS BANK AND)
TRUST CO., INC.)

Defendants,)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT
07-CP-40-3116

RICHLAND COUNTY
FILED
2011 AUG - 8 AM 8:43
JEANETTE W. McBRIDE
C.C.P. & C.S.

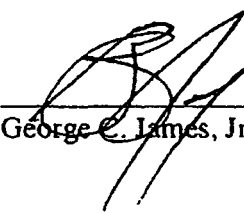
ORDER

This matter is presently before the court pursuant to Frank Love's motion for reconsideration of this court's order dated June 15, 2011. No hearing was held on the instant motion. For the reasons set forth in the original order, this motion is denied.

This matter is concluded and no further proceedings are warranted.

AND IT IS SO ORDERED.

Sumter, SC
August 2011


George E. James, Jr., Circuit Court Judge

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
HENRY D. McMASTER,)
In his official capacity as the)
SECURITIES COMMISSIONER)
FOR THE STATE OF SOUTH)
CAROLINA,)

Plaintiff,)

vs)

CAPITAL CONSORTIUM)
GROUP, LLC; TONY POUGH a/k/a)
McQUEEN a/k/a TIMOTHY)
McQUEEN; JOSEPH B.)
BRUNSON; DANIEL)
DEVELOPMENT GROUP, LLC;)
FIRST CITIZENS BANK AND)
TRUST CO., INC.)


Defendants,)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT
07-CP-40-3116

ORDER

RICHLAND COUNTY
FILED
2011 AUG -4 PH 2:46
JEANETTE W. ROSE
C.C.P. & O.S.

This matter is presently before the court pursuant to a purported motion, styled as **Joint! RESPONSE DEFENSES from CCG's PRO SE DEFENDANTS and COMPULSORY COUNTERCLAIM** against Henry McMaster-etc.al (in his/or their individual Capacity) involving-NEW! SCAG-WILSON's Continued CIVIL LAWSUIT—Publicly!! FILED on -May 12, 2011 Pursuant w/SCRCP Rule 12(a)&13(a,b,g,h) filed w/n 30 day from 5/12/11) and filing: **Motion for Relief of Order June 1, 2011** and filing also: **Motion to Disqualify Judge G.C. James (As Joint PRO SE's are requesting court appointed Legal Counsel)**". The purported motions were mailed to this court by Kemalar Charles, Kreska Smith Finney, Joseph Giles, Dorothy



3342892347 >>

THEDFORD ROWSER

2011-09-12 13:46

Graham, Joseph Graham, Tensler Laster, Tyrone Laster, Irona Linder, Marisa Linder, Tamiko Lowe-McIntosh, Dorothy Roberts, Cynthia Smith, Tyrone Smith, Carey Stewart, Dorothy Stewart, Mary Taylor, and Mr. Thomas Johnson and family.

While Kreska Smith Finney, Tamiko Lowe-McIntosh, Mary Taylor, Joseph Giles, the Lasters, the Linders, and the Smiths have appeared in this matter dating back to at least January 31, 2011, the involvement of the Grahams is limited to each of them moving for a continuance of the May 12, 2011 hearing. As such, they have no standing in this action.

Kemelar Charles, Dorothy Roberts the Stewarts, and Mr. Thomas Johnson and family have, to the best of this court's knowledge, never appeared in this matter. As such, they have no standing in this matter, but even if they did, their motions are without merit and are denied.

All of the present motions are identical to one another, and also identical to motions previously mailed to the chambers of the undersigned by Clifford Brown, Pearl Humphrey, Frank Love, and Roger Whaley. This court dismissed the motions made by Brown, Humphrey, Love, and Whaley finding that the motion to disqualify and the motion for relief were both wholly without merit and summarily denied. The attempt to bring counterclaim was dismissed. The court likewise dismisses the current movants' counterclaims and denies their motion.

This matter is concluded and no further proceedings are warranted.

AND IT IS SO ORDERED.

Sumter, SC
August 2, 2011


George C. James, Jr., Circuit Court Judge

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
HENRY D. MCMASTER...Etc. A1)
 Plaintiff)
)
 v.)
)
CAPTIAL CONSORTIUM GROUP, LLC)
 Defendant.)
 Etc. a1)

IN THE COURT OF COMMON PLEAS

CASE NO.

2007 - CP - 40 - 0318

MOTION AND ORDER INFORMATION
 FORM AND COVER SHEET

RESPONSE & counterclaim
 Jury Trial/for Counterclaim

JEANETTE W. MASTERS
 CLERK
 2011 JUN 14 PM 3:18
 FILED

Plaintiff's Attorney: <u>Warren V. Ganjehsan</u> XXXX <u>N/A</u> Address: <u>P.O. 1716</u> <u>Columbia, S.C. 29211-1549</u> phone: _____ fax: _____ e-mail: _____ her: _____	Defendant's Attorney: <u>FRANK H. LOVE</u> XXXX Address: <u>1025 MASON RD.</u> <u>COLUMBIA, SC 29203</u> phone: _____ fax: _____ e-mail: <u>9036 LOVE @ BELL S. SOUTH.NET</u>
--	---

- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
- FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
- PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information & Motion for Disqualification
 Nature of Motion: MOTION FOR RELIEF FROM "june 1, 2011 ORDER"
 Estimated Time Needed: _____ Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type

- Written motion attached
- Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Frank H. Love _____ 06/10/2011
 Signature of Attorney for Plaintiff / Defendant Date submitted

SECTION III: Motion Fee

PAID - AMOUNT: \$50.00

EXEMPT: Rule to Show Cause in Child or Spousal Support
 (check reason) Domestic Abuse or Abuse and Neglect
 Indigent Status State Agency v. Indigent Party
 Sexually Violent Predator Act Post-Conviction Relief
 Motion for Stay in Bankruptcy
 Motion for Publication Motion for Execution (Rule 69, SCRCF)
 Proposed order submitted at request of the court; or,
 reduced to writing from motion made in open court per judge's instructions
 Name of Court Reporter: _____
 Other: _____

JUDGE'S SECTION

Motion Fee to be paid upon filing of the attached order.
 Other: _____

JUDGE: _____
 CODE: _____ Date: _____

CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____

MOTION FEE COLLECTED: _____
 CONTESTED - AMOUNT DUE: _____

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

) IN THE COURT OF COMMON PLEAS
) FOR THE FIFTH JUDICIAL CIRCUIT
) Case No: 07-CP-40-3116 Pages 1 of 47 – Attachments -
) **JURY DEMAND * (4) Pleadings filed**

HENRY D. MCMASTER

In his official capacity as the
SECURITIES COMMISSIONER FOR
THE STATE OF SOUTH CAROLINA

Volunteered added Plaintiff/SCAG-Alan WILSON etc. al.
S.C.-Bank of America-intend to add as Plt- & Counter-Defendant

) Joint! RESPONSE DEFENSES from CCG'S PRO SE Defendants
) and
) COMPULSORY COUNTERCLAIM¹ against Henry McMaster etc. al
) (in his/or their individual Capacity) Involving-NEW SCAG-WILSON's
) Continued CIVIL LAWSUIT- Publicly!! FILED on - MAY 12, 2011
) Pursuant w/SCRPC Rule 12(a)&13(a,b,g,h) filed w/n 30 day from 5/12/11)

Plaintiff(s)/&added Counter-Defendants,

vs.

CAPITAL CONSORTIUM GROUP, LLC;
3 HEBREW BOYS, LLC; TONY POUGH
a/k/a TONY BERNARD POUGH; TIM
MCQUEEN a/k/a TIMOTHY MCQUEEN;
JOSEPH BRUNSON a/k/a JOSEPH B.
BRUNSON; DANIEL DEVELOPMENT
GROUP, LLC; *S.C. FIRST CITIZEN BANK
AND TRUST CO., INC./added-Counter-Defendant;
Defendants/Counter-Plaintiffs.

) and filing: Motion for Relief from of Order JUNE 1, 2011
) and filing also: Motion to DISQUALIFY Judge G.C. James
) *[As Joint! PRO SE's are requesting court appointed Legal Counsel]
) *Attachments shows neither pleadings are filed Frivolously
) ** (STATE! Court Judge Barber III's Consent Order 9/26/07;
) STATE Court James! Orders Nov. 21, 07 & June 1, 11 & Plt Mt 1-23-08
) FCB'S Motion for Relief/10-9-07; Fed. Judge Seymour's Order 11-15-07
) Receiver Ashmore's LETTER Sept. 27, 2007; SCAG-Wilson's notice 5-12-11
) Confirms! State & Federal Officials-CONSPIRED illegal as to
) REMOVAL! of the PRO SE'S Monies and Properties since 2007)*

RESEARCH attached Documents shows the Capital Consortium Group, LLC (aka-CCG's) Pro Se Defendant(s), are shown and known! to be (aka), third (non-named) (and some named) but all are interested party(s) in this said lawsuit acknowledged also by the Plaintiff Henry D. McMaster (represented by the South Carolina Attorney General [SCAG'S] Office! Attorney[s]) who filed a "Summons and Complaint" AND "Motion for Temporary Restraining Order" in this above said case number, on the date MAY 21, 2007, and later, court filed INJUNCTIONS on the dates JUNE 25, 2007 and JULY 16, 2007, that's Admitted and or confirmed! in SCAG-Wilson's copied WEBSITE's Publicly! admitted! to the continued!! 2007 claims, yet! being "Currently" Pending! Matters on MAY 12, 2011, yet! filed in the STATE! COURT Case no: "07-CP-40-3116", which CONTRADICTS! and shows REPLACEMENT JUDGE George C. JAMES - DISMISSAL CLAIMS to be Intentional! FRAUDULENT Claims filed in the STATE COURT's recent! "JUNE 1ST, 2011" "ORDER"; which the same Conspired FRAUD is supported also by SCAG'S Office Ex-parte! LETTER dated DEC. 7, 2010, signed with the name of Assistant SCAG-Warren V. Ganjehsani - DUE to added Counter-Defendant-First Citizen Bank's requested "Order Granting Motion to Seal"-11/21/2007-relating to the former! presiding Judge, the Honorable "James R. Barber. III's" signed "CONSENT ORDER to CEASE and DESIST"- dated 9/26/07.

As the following Research is reported as following:

¹ See SCRPC Rules 13.(a)&14.(a,b,c) shows third party interest "In civil procedure, a party's claim is a counterclaim if the defending party has previously (as to Judge James' 1/31/11 Order-admitted to PRO SE/or Atty's filed Motion to Intervene-Entered on Court Records May 11, 2009) made a claim against the claiming party..." - *(Confirmed also in PRO SE's/or others! hired Atty Walter's Declaratory Judgment claims -against Plaintiff-McMaster - written in new! Civil no. 09-CP-40-4461-that was illegally Volunteered Dismissed by Plt McMaster's own! [Under Cover] hired Attorney John Mobley/pretending to be CCG's hired Atty who! agreed to an alleged volunteered DISMISSAL on 4-15-2010)* As the former SCAG's CRIMINAL Plaintiff-McMaster/who was also! the Security Commissioner/Civil Plaintiff - Henry D. McMaster who filed claims in Both Case numbers 2007-GS-47-4 and 2007-CP-40-03116 - which!! those said CLAIMS were actually SETTLED! Since! SEPT. 26, 2007 & Full Relief since NOV. 26, 2007 - SIGNED!! with the names -then! JUDGE, James R. BARBER III; SCAG'S Asst. Attorney T. PARKIN HUNTER; and CCG's Attorney HEMPHILL P. PRIDE II, Esq. - who actually SETTLED ALL of SCAG'S (and ALL FEDERAL U.S. District COURT's illegal PENDING) CLAIMS since 2007-involving ALL of CCG's Participants!; - but! Records shows since! JAN. 23, 08 UP until! in this! YEAR 2011, SCAG-Asst. SCAG Atty "WARREN V. GANJEHSANI" - illegally/or otherwise - continued!! the said ALREADY!! SETTLED!/Full/"RESOLVED" CLAIMS! - given FULL RELIEF by Replacement JUDGE G.C. JAMES on 11/26/2007- WHICH now! those SAME! Claims!! are RECENTLY! Been (illegally) CONTINUED/by the NEW SCAG-Alan Wilson-also! alleging CCG's SAME!! Civil and Criminal CLAIMS! on 5/12/11, as! yet!! being "Currently!!" Pending in this matter.

Since Judge James HAMMIS that he is aware of the names of the (45) CCG Constituents due to he allegedly mailed his Notice to them - Then! This Judge James is also aware!! that neither of the provided below (5) Names were never! Any

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

COUNTY OF RICHLAND)

07-CP-40-3116

HENRY D. McMASTER,)
In his official capacity as the)
SECURITIES COMMISSIONER)
FOR THE STATE OF SOUTH)
CAROLINA,)

Plaintiff,)

vs)

CAPITAL CONSORTIUM)
GROUP, LLC; TONY POUGH a/k/a)
McQUEEN a/k/a TIMOTHY)
McQUEEN; JOSEPH B.)
BRUNSON; DANIEL)
DEVELOPMENT GROUP, LLC;)
FIRST CITIZENS BANK AND)
TRUST CO., INC.)

Defendants,)

ORDER

Intentional Misrepresentation
Conduct and Intent
Shows intentional bias
Therefore
Any of the
said motion
entered in
said state
court...
Therefore
Shows
intentional bias
conduct and
misrepresentation
by
Judge
James
who
must
be
Disqualified
in
said
Judge
Presiding
due
to
personal
Interest
and
Bias
Conduct

2011 JUN - 1 AM 9:04
RICHLAND COUNTY
FILED
JEANETTE W. McBRIDE
C. C. P. & C. S.

This matter was before the court on May 12, 2011 for hearing of certain motions.

For the reasons set forth herein, all of the motions are denied. The primary motion to be heard was a motion styled "Motion for Relief from Orders of Judge James Dated January 31, 2011 and December 13, 2010". This motion was presented by forty individuals, all of whom were given ample notice of the May 12 hearing date and time. This notice was given by the court via United States mail deposited April 14, 2011 to the addresses provided by the current movants. Unfortunately, however, only five of the forty movants appeared for the hearing. Those movants appearing were Shirley Byrd, Ineka Dixon, Virginia Kirby, Inez Redfern, and Barbara Little. The instant motion was the very

PS/1

Judge James Beck acknowledges THAT SCAG ASST Attorney
W.V. Ganjehsani - Appeared allegedly at the hearing
allegedly held on May 12, 2011 - yet! Judge James made
absolutely NO! Objections that SCAG - made to any
first appearance in this case by these five movants. Appearing for the plaintiff was
constitutals
filed
Motion for
Relief
Motion
for
Disqualification
of Judge
James;
NO!
NO!

Warren V. Ganjehsani, Esquire, of the South Carolina Attorney General's Office.

A history of the latest procedural events in this case is as follows:

This forfeiture action was dismissed by order of the undersigned filed December 13, 2010. Subsequently, forty-five individuals who claimed to be constituents of the defendant Capital Consortium Group (CCG) presented motions styled as OBJECTION!, which the undersigned denied by order dated and filed January 31, 2011. Of these forty-five individuals, nine had appeared through their former counsel, John T. Mobley, Esquire, and his predecessor counsel, Glenn Walters, Esquire, as moving parties in a motion to intervene. As noted in this court's December 13, 2010 order, this forfeiture action has been rendered redundant and unnecessary in light of a federal forfeiture action which is aimed at obtaining are the same relief sought in this state action. The funds which are the subject of this action are being held by a receiver appointed by United States District Judge, the Honorable Margaret B. Seymour. After the undersigned issued the January 13, 2011 order, the current forty movants presented their motion. Prior to the May 12 hearing, the court received sixteen motions to disqualify the undersigned from presiding in this action, and eight motions for continuances of the May 12 hearing. After the hearing, but before the issuance of this instant order, the court received several more motions to disqualify and motions to continue. None of the five individuals who appeared moved to disqualify or to continue.

At the hearing, the court inquired of the five movants who were present as to whether they wanted to present any argument to the court other than what has been set forth in their motions. They all confirmed they did not. The court did then, and does

Wrong
Date

constitutals
filed
Motion for
Relief
Motion
for
Disqualification
of Judge
James;
NO!
NO!
Objection
to
CCG's
Motion of
continuance
When
Judge
James
Clearly
Respond
Personally
and
Questioned
(5) said
Individuals
Judge
James
Always
Knew
who
never
filed
any! of
The state
Motions
to
be heard
and ruled
By Judge
James.

Bj #


Obvious Bias Conduct by Judge James
Claims that the CC63(45) Constitution's Filings
are "incomprehensible" - but yet! Judge James Respond

now, summarily deny (the motions to disqualify) and to continue. There is absolutely no
reason to grant either motion, and the court notes that the motions are largely
grammatically, syntactically, and logically incomprehensible. At best, the motions are
simply without merit, and at worst, the motions are gibberish and gobbledygook. The

same is said for the Motion for Relief, which was the primary reason for the scheduling
of the May 12 hearing. If the court were to use its imagination to attempt to conjure a
ground upon which the Motion for Relief was based, it could not do so. The five
movants who were present offered no argument, and the remaining thirty-five movants
did not bother to appear for the hearing.

As all three motions are manifestly and absolutely without merit, they are
DENIED.¹

AND IT IS SO ORDERED.


George C. James, Jr.
Circuit Court Judge

Sumter, South Carolina

May 23, 2011

¹ Of course, the court makes no finding as to the timeliness of any appeal to the South Carolina Court of Appeals or the Supreme Court of South Carolina; however, the court is aware of case law addressing successive motions for reconsideration insofar as timely appeals are concerned.

to each
Claims
Filed
in
Constitution
said
Motions
Although
James
was
Quite
average
that
Neither
of the
Appeared
alleged
(5) Named
Individuals
were
None
on
the
Judge
James
mailed
Named
CC-
participate
who
Requests
Judge James
Disqualifies
Her!
Filed,
any
motion
to
be heard
before
Judge
James

2/3

ATTACHMENTS – 28

2nd half

SUPREME COURT-JUDGE GEORGE C. JAMES – APPEAL Research

Case no: 2007-CP-40-03116

* Continued same James & Pay checks AS per checks and Money Orders

* STAFF COURT This Motion for Relief from Order - filed by First Citizen Bank - This Order from the State Court WAS NEVER Entered on the State Court Records as to Granting the Defendant - FIRST Citizen Bank's Motion for Relief Order - BUT!

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

Case No. 2007-CP-40-3116

Henry D. McMaster, in his official capacity as Securities Commissioner for the State of SC,

Plaintiff,

vs.

Capital Consortium Group, Inc.; 3 Hebrew Boys, LLC; Tony Pough; Tim McQueen; Joseph Brunson; and First Citizens Bank and Trust Company, Inc.,

Defendants.

* Shows other Bankings Facilities written Admittance! to illegally Hearing a "ongoing" STATE ISSUES of the Federal Same ISSUES Being conspired AT the same time... which is illegal confirmed SAME Federal Judge [unclear] 2006

The State Court Legally! Granting the Defendant - FIRST Citizen Bank's Motion for Relief Order - BUT!

MOTION FOR RELIEF FROM ORDER

This Court's "Order Granting Plaintiff's Motion for Temporary Injunction" was filed on

June 25, 2007 ("Injunction Order") which enjoined First Citizens Bank and Trust Company

("FCB") from inter alia withdrawing, liquidating, transferring or otherwise having access to

approximately \$17 million in various accounts with FCB during the pendency of this action

except by further order of the Court. By the related "Injunction and Receivership Order" filed

July 16, 2007 ("Receiver Order"), this Court further ordered that a receiver should be appointed

to take control of various assets, including the funds on account with FCB. However, this Court

has not yet designated or empowered a receiver. FCB hereby moves pursuant to Rule 60(b),

S.C.R.C.P. for relief from the Injunction Order and Receiver Order to allow the release of the

funds on account to the control of Beattie B. Ashmore, Esquire as a court appointed federal

receiver for "Three Hebrew Boys" (as defined in Exhibit 1).

Document does show: a FRAUD - Document stamped with the name of the State Court with the date ALSO!

11/21/2007

Although that SAID stamp Filed Date

has never been placed on this State Court Recorded Records... even up until this year 2011...

Order This Shows the Federal Receiver Ashmore (Federal Judge) Seymour Always Admitted the State Court since in the year 2007 Always had legal jurisdiction in holding all the cases + 3-1885 - participant issues - since before and after the year 2007 - including issues that are criminal issues

This Records Shows STATE Court Conspiring Under Seal With the Federal FRAUD Receiver - Ashmore - to Release! Illegally the Funds/Monies Deposited Only

Attached as Exhibit 1 is the order from federal district court for the District of South Carolina appointing Mr. Ashmore as the federal receiver for the Three Hebrew Boys ("Appointment Order"). Exhibit 2 is a supplemental order from the District Court authorizing the release of the Appointment Order in furtherance of facilitating the receiver's efforts to recover assets. Mr. Ashmore has made a demand upon FCB that the frozen accounts be surrendered to his custody and control. FCB desires to comply with his request, but is seeking by this motion an amendment to the Injunction Order and Receiver Order which authorizes FCB to comply with the turnover request.

A proposed order is included herewith.

HAYNSWORTH SINKLER BOYD, P.A.

By: Stanley H. McGuffin
 Stanley H. McGuffin
 1201 Main Street, 22nd Floor (29201-3226)
 Post Office Box 11889 (29211-1889)
 Columbia, South Carolina
 (803) 7793080

Attorneys for First Citizens Bank and Trust Company

CC9's Depositors Confirm in the Attached Federal FBI Sworn Affidavit Dated Aug. 1st, 2007 - Aaron Hawkins FBI

FCB's - signed proposed order by STATE court James - WAS never!! Entered on STATE court Records - as of 11/21/2007

Mer! after! that Time Period

October 9, 2007

and SCAS's Investigator Robert McBurnie Affidavit Dated May 21, 2007

This First Citizen Bank's Motion for Relief - Date Oct. 9, 2007 - Also Shows - that the Defendant - FCB Also! Did! Not! Honored! or Could! Not! Recognized - the Federal!! Court! Orders DATED 9-5-2007 + 9-18-2007 Due to! Only! the STATE! Court! Orders! of 6-25-2007 and 7-16-2007 - Controlled! Depositors Money Funds Conspired Acts of Fraud involving Also Receiver - BEATTIE B. Ashmore... with the Federal "CLOSED + TERMINATED" case No: 3:07-MC-00135-MBS

and see Federal Court Judge M. B. - Seymour's ORDER DATED 11/28/2007 shows and suppose the Intentional!

7/10/07
 The Only Federal Court Order dated Sept. 5, 2007 provided to FCB and State Court Judge James on Oct. 9, 2007 continued on and after Oct. 11, 2007 to show to be a Invalid Order - that caused the Illegal-Removal of the Restrained Enjoiner \$17 million dollars

COUNTY OF RICHLAND

Case No. 2007-CP-40-3116

* State Court - Confirms! Intentional Conspired Conflict of Interest Made with Federal Court Judge Seymour since Oct. 10, 2007. Regarding same Payee - CCG's Business Constituents Money or Cashier Checks Money orders

Henry D. McMaster, in his official capacity as Securities Commissioner for the State of SC,

Plaintiff,

vs.

Capital Consortium Group, Inc.; 3 Hebrew Boys, LLC; Tony Pough; Tim McQueen; Joseph Brunson; and First Citizens Bank and Trust Company, Inc.,

Defendants.

FILED
 2007 NOV 21 PM 3:56
 BARBARA A. SCOTT
 BARB.C.C. & G.S.

ORDER UNDER SEAL GRANTING MOTION FOR RELIEF FROM ORDERS

On June 22, 2007, this Court issued its "Order Granting Plaintiff's Motion for Temporary Injunction", said order being filed June 25, 2007 ("Injunction Order"). The Injunction Order enjoins, inter alia, First Citizens Bank and Trust Company ("FCB") (from) allowing anyone access to or releasing approximately \$17 million dollars that was originally in various account maintained or controlled by Capital Consortium Group, Inc. (and) 3 Hebrew Boys, LLC (or its principals). The Injunction Order also sets forth investment criteria for the funds that were to be followed by FCB pending further order of this Court. (By its Injunction and Receivership Order filed July 16, 2007 ("Receiver Order") this Court found that it would be appropriate to have a state court receiver appointed to take control of these funds, but to date this Court has not named or empowered anyone to act as the receiver in this action. FCB now seeks amendments to the Injunction Order and Receiver Order pursuant to Rule 60(b), S.C.R.C.P. ("Motion") so that it can

none suspended the Sept. 5th Order is dated 10-10-07 which was filed after FCB & CCG's filed already Bankruptcy Petition in the U.S. Bankruptcy Court by CCG on 10-9-2007

* * * which later on 11/26/2007 Judge James - in favor of CCG/3HBS Also! Granted his Order for Relief from Orders of the Injunctions, Restraining Orders, and All p. SCAS's - file Cleveland Criminal Claims.

Columbia: 957831 v.6

State Court Admits to Control of SAID money - ccg - attempts to be controlled by federal officials

comply with certain orders issued by the United States District Court for the District of South Carolina which relate to control of the money being maintained by FCB.

who are Denied to received ALL SAID payee's money 10-16-07

Based upon documents presented in support of the motion, it appears that by Order under seal filed September 5, 2007, the United States District Court for the District of South Carolina has appointed Beattie B. Ashmore, Esquire as a federal receiver to take possession and control of various assets, including those assets frozen at FCB ("Appointment Order"). Mr. Ashmore has duly requested that FCB relinquish to his control the frozen funds that currently are subject to this Court's Injunction Order and Receiver Order.

Subsequent to the filing of the Motion, Capital Consortium Group a/k/a Three Hebrew Boys filed a Chapter 11 bankruptcy petition in the United States Bankruptcy Court for the District of South Carolina. On October 11, 2007, this Court conducted a telephonic hearing to consider the Motion, at which time the parties presented their positions. Subsequent to the telephonic hearing, the United States District Court by Order of the Honorable Margaret B.

Seymour dated October 12, 2007, withdrew the reference of the bankruptcy case from the United States Bankruptcy Court for the District of South Carolina pursuant to 28 U.S.C. § 157(d). This Court concluded and informed the parties by electronic transmission on October 16, 2007, that it was authorizing the immediate transfer of the funds held by FCB pursuant to the prior orders of this Court to Mr. Ashmore as the federal receiver. It is therefore,

*State Court
Hawaii
Final
Judgment
Regarding
Only
\$17. Million
Dollars to
Shantel to
On Oct. 16, 2007
Due to Fraud
Orders of
Federal Judge
Seymour Dated
Oct. 12, 2007*

ORDERED, ADJUDGED AND DECREED that,

1. The Order Granting Plaintiff's Motion for Temporary Injunction filed June 25, 2007, is vacated insofar as it enjoins FCB from allowing access to or releasing the funds frozen by the order. Further, FCB is specifically authorized to comply with the Appointment Order and surrender control and possession of

BJH 2

the frozen funds to Mr. Ashmore as of October 16, 2007. FCB shall provide an accounting to the Attorney General of the funds turned over to Mr. Ashmore;

- 2. The Injunction and Receivership Order filed July 16, 2007, shall otherwise remain in effect; and
3. Pursuant to the terms of the Appointment Order, the Clerk of Court is directed to maintain this Order as part of the sealed record on the Motion.

AND IT IS SO ORDERED

[Signature], S.C.
11/20, 2007

[Signature]
Judge George C. James

Exh. 17-B Shows in Footnote 1, That the State Court

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT
C.A. No. 07-CP-40-3116

First! litigated
State! Court
Orders since
allegedly June
2007 - which
can only be
Appelled in
another!

Henry D. McMaster, in his official capacity)
as the Securities Commissioner for the State)
of South Carolina,)

Plaintiff,)

-vs-)

Capital Consortium Group, LLC; 3 Hebrew)
Boys, LLC; Tony Pough a/k/a Tony Bernard)
Pough; Tim McQueen a/k/a Timothy)
McQueen; Joseph Brunson a/k/a Joseph B.)
Brunson; Daniel Development Group, LLC;)
and First Citizens Bank and Trust Co., inc.,)

Defendants.)

STATE!
Court!

Supported
Federal Judge
Seymour's
Attached
Order
dated in
the year
2006
in
CASE
No:
C/A 3:06-
0010-MBS-
JRM

ORDER OF DISMISSAL

WHEREAS, Plaintiff has alleged in this case ("State Action") that Defendants Tony Pough
a/k/a Tony Bernard Pough ("Pough"); Tim McQueen a/k/a Timothy McQueen ("McQueen"); Joseph
Brunson a/k/a Joseph B. Brunson ("Brunson"); Capital Consortium Group, LLC; 3 Hebrew Boys,
LLC; and Daniel Development Group, LLC operated an unlawful investment scheme ("Scheme")
from which they accumulated several million dollars' worth of cash and other assets (collectively,
"Assets"); and

WHEREAS, this Court previously issued several temporary injunction orders' ("Orders")
freezing the Assets pending appointment of a receiver and enjoining Defendants Pough, McQueen,
and Brunson (collectively, "Defendants") from taking any action with respect to the Assets; and

Order Granting Plaintiff's Motion for Temporary Injunction (filed June 25, 2007), Order Expanding the

Admit's
Federal
Court
Lacks
Jurisdiction
to
Review
the
SAME!
Claims
civil and
criminal
within
the Federal
Court.

See - ALSO
ccg-Prose Objection
Dec. 2010...!!
V et! Pending!!

EXH. A-D

WHEREAS, the District Court has directed the Receiver to "assume all duties necessary to seize, manage and liquidate the Defendants' [A]ssets"⁸; and

WHEREAS, the disposition of the Federal Action renders maintaining the State Action largely redundant, insofar as (1) Defendants face a lengthy period of incarceration and are no longer operating their ^{scam} Scheme; (2) the enormity of the \$82,000,000 judgment against Defendants makes it unlikely that it will ever be satisfied and casts considerable doubt on whether Plaintiff would be able to collect on any additional judgment(s) or penalties obtained against Defendants in the State Action; and (3) the Receiver will retain possession of the Assets and ultimately liquidate them under the District Court's supervision irrespective of the State Action's disposition; and

WHEREAS, Plaintiff acknowledges that the primary objectives of its State Action have been met by the Federal Action's disposition and has consequently informed the Court that it no longer intends to pursue this case further under the aforementioned circumstances;

THEREFORE, it is ORDERED that this action is dismissed.

AND IT IS SO ORDERED.

* Judge James
Signed Dec. 13, 2010

George C. James, Jr.
Judge, Third Judicial Circuit

_____, 2010

Exh. D at p. 4, ¶ 2.

Signed and Ordered
gettled with the STATE Court since Sept. 26, 2001
Signed by State Court Judge Barber III
and the Federal Court Transcription of FBI Agent Mosse - Admits the 3-HBS/CCB's Business has NO! longer operated since May 21, 2007
When The STATE! Court!
First/and Had Already frozen 3-HBS, CCB's ~~same~~ monies and same personal properties such as the 3-HBS- Airplan

Richland County Common Pleas
CASE HISTORY FOR CASE 2007CP4003116

Henry D McMaster, plaintiff, et al vs Capital Consortium Group Inc, defendant, et al

CASE TYPE: CP/Parmanent Injuct 830

JUDGE: James, George C Jr

* * * see LAST page
Shows STATE COURT
vet. handle Jurisdiction
as claims again
cc9-3-483
STATUS: Dismissed

FILED DATE: 5/21/2007

CASE PARTIES:

Plaintiff McMaster, Henry D	* * Shows Federal Court Never! had legal Jurisdiction over the Civil and Criminal Grand Jury 2007 or 2008
Defendant Capital Consortium Group Inc	alleged INdictments - which were the same! NONE TRANSferred
Defendant 3 Hebrew Boys LLC	Claims - yet! pending in the STATE Court - as of this year
Defendant Pough, Tony	2001 and was never TRANSferred FROM STATE Court
Defendant McQueen, Tim	in the years 2007 Nor 2008 to the shed Federal Court - which can not! produce! NO! Valid!
Defendant Brunson, Joseph	Grand! Jury! Number - that gave any! of the Alleged
Defendant First Citizens Bank and Trust Company Inc	Grand Jury Indictments Claims - issued in ATTACHED
Plaintiff Attorney Meyers, Tracy Askew S.C Attorney Generals Office, 1000 Assembly St Ste. 501, Columbia, SC 29211	Criminal Courts made on all Indictments involving
Plaintiff Securities Commissioner For the State of South Carolina	Larry High Joseph Brunson, Timothy McQueen and Tony Pough
Defendant Attorney McGuffin, Stanley H Haynsworth Sinkler Boyd, P A, Po Drawer 11889, Columbia, SC 292111889	
Defendant Attorney Pride, Hemphill P. II Post Office Box 4528, Columbia, SC 29240	
Defendant Daniel Development Group LLC	
Plaintiff Attorney Mobley, John Terrence Attorney At Law, 925 Calhoun Street, Columbia, SC 29201	Intentional Conflict of Interest with cc9-3485 - first Interested parties - By Mobley Also placed himself as being the 3485 - ATTORNEY when Mobley was McMaster's Attorney for Plaintiff.

CASE HISTORY FOR CASE 2007CP4003116

McMaster, Henry D Age: Unknown DL#: DOB: Unknown SSN: 000-00-0000

May 21, 2007 Shows STATE Court - First! filed its Restraining Order and INjunctions and the same! Civil and Criminal Claims as the Federal Court's Illegal! Filed! Also Restraining Order as of the DATE Aug. 1st - 2007 - Entry 18-2-07 Illegally pursuant w/ Judge's order of Law and Rule 32 28-USCL-853(e)(2) Page 1

CASE HISTORY FOR CASE 2007CP4003116

07/25/2007	1:15 pm	Motion/Motion For Relief From Orders Resulting Form Hearings	* *
07/26/2007	2:33 pm	Filing recorded: Miscellaneous Objection To Appointment Of George B	* * *
07/26/2007	2:34 pm	Filing recorded: Certificate Of Service	
07/27/2007	4:02 pm	Filing recorded: Notice of Default	
08/01/2007	12:00 am	COCMCFALL recorded the following Case Note: Miscellaneous Objection To Appointment Of George B Cauthen	* * *
08/01/2007	12:00 am	COCMCFALL recorded the following Case Note: Motion/Motion For Relief From Orders Resulting Form Hearings 30 Min	* *
08/02/2007	11:47 am	Filing recorded: Miscellaneous/Letter	
08/02/2007	11:48 am	Filing recorded: Miscellaneous/Letter	
08/15/2007	10:59 am	Order Defendant's Motion to Stay DENIED J/Lee	* *
08/15/2007	3:55 pm	Filing recorded: Certificate Of Service	
08/15/2007	3:56 pm	Motion/Dismiss 15 Min	
08/15/2007	4:10 pm	Filing recorded: Miscellaneous Special Appearance	* *
08/17/2007	12:00 am	COCGUNTER recorded the following Case Note: Motion to cease and desist 09/04/2007 @ 10:30 am	
08/17/2007	12:00 am	Filing recorded: CP Notice Mailed	
08/24/2007	4:35 pm	Amendment To Motion to Dismiss	
08/29/2007	12:12 pm	Motion/Sanctions & Compel Discovery 30 Min	
08/31/2007	3:54 pm	Order to Vacate Notice of Removal Filed 05/23/07 J/Lee	
09/04/2007	10:30 am	Court event: Motion to Cease and Desist	
09/04/2007	12:07 pm	Filing recorded: Certificate Of Service	
09/04/2007	12:38 pm	Amended Motion/Dismiss	
09/13/2007	10:04 am	Order Granting Temporary Injunction Against Daniel Developme	
09/14/2007	12:00 am	COCGUNTER recorded the following Case Note: Order Granting Temporary Injunction Against Daniel Development Group LLC J/Lee	
9-17-2007		STATE Court Records Shows - State Receiver George B. Cauthen	WAS NEVER DISMISS AS PER 124
09/25/2007	12:00 am	COCGUNTER recorded the following Case Note: Form 4 Order Judge Childs Recuses Herself from this matter J/Childs	SEE ATTORNEY LETTER FROM G.B.
09/25/2007	2:45 pm	Form 4 Order Judge Childs Recuses Herself from this matter J	Recusal of Judge Childs
09/26/2007	2:00 pm	Consent Order to Cease and Desist J/Barber	another! Judge's Order

CASE HISTORY FOR CASE 2007CP4003116

09/26/2007	3:39 pm	Filing recorded: Supplemental Memorandum In Support Of Motion For Relief	**
10/01/2007	12:00 am	COCMCFALL recorded the following Case Note: Supplemental Memorandum In Support Of Motion For Relief From Order Motion For ReHearing	*
10/01/2007	8:47 am	Form 4 Order Judge Childs Recuses Herself from this matter J	- Judge Childs Recusa
10/02/2007	12:00 am	COCGUNTBR recorded the following Case Note: Form 4 Order Judge Childs Recuses Herself from this matter J/Childs	Recusal J. Childs
10/02/2007	12:55 pm	Supplemental Motion/Dismiss 30 Min	
10/02/2007	12:55 pm	Filing recorded: Certificate Of Service	
10/04/2007	9:34 am	Filing recorded: Notice Of Representation	
10/04/2007	9:35 am	Filing recorded: Certificate Of Service	
10/10/2007	10:16 am	Motion/Motion To Seal 30 Min	
10/10/2007	10:17 am	Filing recorded: Miscellaneous Confidential Information To Be Submitted To Co	
10/11/2007	12:00 am	COCMCFALL recorded the following Case Note: Miscellaneous Confidential Information To Be Submitted To Court In Connecton With Motion To Seal Filed By First Citizens Bank & Trust Company 30 Min	
10/11/2007	11:55 am	Filing recorded: Miscellaneous Verified Affidavit Of Facts	
10/11/2007	11:56 am	Filing recorded: Certificate Of Service	
10/12/2007	9:35 am	Filing recorded: Certificate Of Service	
11/01/2007	11:33 am	Filing recorded: Memorandum Of The Honorable J Michelle Childs In Support	Judge Childs serves New as Defendant
11/01/2007	11:34 am	Filing recorded: Certificate Of Service	
11/02/2007	12:00 am	COCMCFALL recorded the following Case Note: Memorandum Of The Honorable J Michelle Childs In Support Of Amended Motion To Dismiss Pro Se Pleadings	Judge Childs serves Defendant
11/02/2007	10:34 am	Filing recorded: Miscellaneous Deposition Hearing	
11/05/2007	11:02 am	Motion/Quash Indictment & Motion to Dismiss For Want Of Pres	*
11/06/2007	12:00 am	COCGUNTER recorded the following Case Note: All Pending Motion 11/27/2007 @ 3:30 pm	
11/06/2007	12:00 am	Filing recorded: CP Notice Mailed	
1/07/2007	12:00 am	COCMCFALL recorded the following Case Note: Motion/Quash Indictment & Motion to Dismiss For Want Of Personal & Subject Matter Jurisdiction	*
1/07/2007	11:07 am	Filing recorded: Notice Of Deposition Hearing	
1/21/2007	3:30 pm	Order Granting Motion to Seal J/James	

CASE HISTORY FOR CASE 2007CP4003116

11/26/2007	12:00 am	COCGUNTER recorded the following Case Note: Order Under Seal Granting Motion for Relief from Orders J/James	<i>Judge James Dismissed Restraining Order</i>
11/26/2007	3:30 pm	Order Under Seal Granting Motion for Relief from Orders J/Ja	<i>Judge James Dismissed Restraining Order</i>
11/27/2007	3:30 pm	Court event: All Pending Motions	
11/28/2007	11:14 am	Order Motion to Dismiss Childs is GRANTED J/James	<i>Shows Admits + Conflict of Interest by S.C. State Court Judges - Results in Judge James</i>
12/07/2007	12:00 am	COCGUNTER recorded the following Case Note: Order Granting Plaintiff's Amended Motion to Dismiss (Filed 09/04/2007) and Striking All Documents Filed By Defendants in a PRO SE Capacity J/James	
12/07/2007	9:45 am	Order Granting Plaintiff's Amended Motion to Dismiss (Filed	<i>Judge Childs' motion Granted by Judge James</i>
01/24/2008	4:12 pm	Filing recorded: Certificate Of Service	
12/23/2008	4:12 pm	Motion/Stay 15 Min	
05/11/2009	8:37 am	Motion/Intervene Or Application To Rule 24(a) SCRCP 30 Min	
05/11/2009	8:37 am	Filing recorded: Answer/Answer & Defenses	
05/11/2009	8:38 am	Filing recorded: Service/Proof Of	
05/11/2009	4:30 pm	Motion/Motion Filing Fee	
05/11/2009	4:31 pm	Received payment of \$25.00 from Walters for Henry D McMaster. Printed receipt #83836.	<i>Third Parties Filed Suit against SCAg + Henry D McMaster</i>
10/08/2009	10:23 am	Motion to Substitute Counsel	<i>NO! Order signed in 2009 - John Mobley at time period served as SCAg's Special Prosecutor</i>
10/08/2009	10:24 am	Filing recorded: Certificate/Certificate of Mailing	
10/08/2009	10:57 am	Motion/Motion Filing Fee	
10/08/2009	10:57 am	Received payment of \$25.00 from Walters for Henry D McMaster. Printed receipt #91796.	
12/18/2009	2:33 pm	Filing recorded: Notice/Notice of Appearance of Counsel	<i>Walters withdrew as Lawyer - But Judge Approved my ar 200</i>
12/18/2009	2:33 pm	Filing recorded: Other/Complete List of Movants	<i>Spoke with withdrawal Resulted in Third parties representing themselves</i>
12/18/2009	2:34 pm	Filing recorded: Notice/Notice of Appearance of Counsel	<i>Representing themselves no pro se</i>
02/18/2010	12:00 am	COCGUNTER recorded the following Case Note: Form Order Plaintiff's Motion to Substitute Counsel is GRANTED	<i>Identified filed motion to substitute who signed it. (what judge?)</i>
02/18/2010	2:08 pm	Form Order Plaintiff's Motion to Substitute Counsel is GRANT	<i>signed by Judge Childs</i>
12/13/2010	1:01 pm	Order of Dismissal	<i>Signed by Judge James</i>
12/16/2010	3:01 pm	Filing recorded: Service/Certificate Of Service	
12/28/2010	11:37 am	Filing recorded: Objection of The State of South Carolina's Courts	<i>Third parties Objection... pro se - Third Parties Never consented for SCAg's Special Prosecutor</i>

*JAMES
JUDGE 12-13-2010 - Order of Dismissal
Does Not - Show on Court Records
That! Any! Motion! was ever
Filed by SCAg to be entered
in the said STATE!
Court - which
James signed*

*Objection... pro se -
Third Parties
Never consented
for SCAg's Special Prosecutor
- 2009!
John Mobley's - to Replace
Attorney - Walters - in 2010.*

* Can Only Be Appealed In State Court.

EX-12-H

* Civil Case No:

07-CP-40-3116
was "Resolved" in
on STATE Court!

Order! Dated 9-26-07
and Granted Full Relief
of Scheme Charges
and Forfeited
Money/Property
on 11/26/07

HENRY MCMASTER
SECURITIES COMMISSIONER



December 7, 2010

The Hon. George C. James, Jr.
Judge, Third Judicial Circuit
P.O. Box 1716
Sumter, South Carolina 29151

Re: McMaster v. Capital Consortium Group, LLC; et al.
C.A. No. 07-CP-40-3116

Dear Judge James:

This letter is to apprise the court of the status of the above-referenced matter and the manner in which the South Carolina Attorney General's Office intends to proceed from this point forward. We are directing this correspondence to you based upon the Richland County Clerk of Court's records reflecting you as the judge assigned to this case.

As you may know, the individual defendants in this action - Tony Pough, Timothy McQueen, and Joseph Brunson - are awaiting sentencing in a federal criminal case in which they have been found guilty on numerous counts. Our Office has been monitoring the federal case for some time, and we have determined that the primary objectives of our state action have been met by the federal case's disposition. We are therefore informing the court that Plaintiff no longer intends to pursue the state civil action under these circumstances. Our Office's decision in this regard effectively moots a pending motion to intervene by the group of investors represented by John T. Mobley, Esq.

Accordingly, enclosed is a proposed dismissal order that we have prepared for your review. If acceptable, please execute the dismissal and return it to us in the envelope provided.

By copy of this letter to all counsel of record and pro se defendants, we are serving the proposed order on them as well.

Sincerely yours,

Warren V. Garjehsani
Assistant Attorney General

WVG/shh

Encl.

* Shows STATE Court's
same!! (Driving with the
Federal Court HAS
Always Been Pending
in the STATE-Court
which FIRST started
in the STATE-Court!
since May + June 2001
which Federal Court
only! Continued to
Illegally Review!
The Already!

Litigated Decision
of the STATE
Court...
which
goes
against
Judge
Seymour's
own!
Ruling
under
Rooker-
Feldman
Doctrine
Filed
since
2006!
That
a
Federal
Court
Cannot!
Review
or
Assume
Ongoing
STATE!
Court
Litigations