

RECEIVED

JAN 29 2015

Dear Chief Justice Toal.

S.C. SUPREME COURT

Subject: COMPLAINT about an Abuse of Process - Petition for Rehearing pursuant to R.240:

RE: My Petition @ R.240 was not a rehearing of a Petition @ R.242 - *although it could cause one.*
DOCKET No's: Appellant Case No. 2014-002304 & CP Case No. 2013CP1004560

January 26 2015

RECEIVED

JAN 29 2015

OFFICE OF
CHIEF JUSTICE

The Supreme Court, wrote one ORDER which denied my Writ R.242 and in the same sentence of the ORDER, it denied my Petition @ R.240 about the Abuse of Process: **a contact between your Clerk and Theodore Manos Esquire for the Respondents.** The basis for the filing of my Petition @ R.240 is that your clerk *short-circuited* IT, the Writ R.242, by calling the opposing attorney, Mr. Manos, telling him to fix (and how to fix) his pleading to my Writ of Certiorari. *See Exhibits to my Petition @ R.240.* Mr. Manos' RETURN to the Writ R.242, which by all procedures, the only 'no action taken pleading' should have been returned to the **Maker**; noting it's deficiencies and with a Clerk's letter copied to all parties of record. This was not done. And the clerk accepted and filed the AMENED RETURN without any procedures or permissions of the Supreme Court.

Later, in the Respondent's RETURN to my Petition @ R.240, did Mr. Manos reveal and defend his act by the contact call with your Supreme Court Clerk. Give **justice a moment** to look at the letter I got from your office today. [see Enclosure (1)]

Now, I am asking this of your Court by way of this COMPLAINT. . . . Noting that "IF the lower court clerk(s) had called me and told me about the time to file the appeal is ONLY from the date of the Judge Addy's Order, vice my dual motions to Judge Addy to reconsider.. then maybe I too would have not been so disadvantaged as a pro se. More logical is that I had filed my appeal notice within 30 days of the judgment notice from the Clerk of Common Pleas. If this does not start the time to file, the last contact by the Clerk of Common Pleas, **then why does** the Rule for Notice of Appeal include 'or judgment' and the **CP-Clerk mails them out to all parties, I ask?** (Logically, of course)

Your SCAC-Clerk dismissed my appeal, but reinstated it when they learned I was still waiting on the transcript to arrive R.207. Mr. Manos did not partake in that exchange, IN FACT, the SCAC-Clerk's Order to reinstate the appeal gave the date for the INTIAL BRIEF to be due and filed. I perfected that date by filing my INTIAL BRIEF R.208, and Mr. Manos without any participation was required to that scheduling order of the SCAC-Clerk, but filed his Motion to Dismiss the Appeal. He did not object before the SCAC-Clerk's ORDER and I think he was bound by that scheduling process, as he had a chance then to object and he did not. In so doing, Mr. Manos "waived the privilege" to file the Motion to Dismiss the Appeal about the Coward Hund citation.

The SCRCP for noticing appeals is that time **from the "order or judgment."** IF what all your lower court ruling is based on the last order - then now - but how does one *pro se* know that not published in the Rules leaves room for this being **ambiguous and without clarity.** But the CP-Clerk mailed me only one judgment notice, December 2nd and I received on December 7th, and from that time I filed the Notice on December 27th. Coward Hund citation used does not speak as to the date of the judgment notice from the CP-Clerk, it only speaks to the date of an order - not judgment. How could your SCAC Hund cite override the SCRCP of the Time from the Clerk's judgment to an appeal

Appellant Case No. 2014-002304 & CP Case No. 2013CP1004560

notice? -- which did not arrive to me until after my two lower court CP-Motions to Reconsider? The S.Ct-ORDER and then your letter January 23, 2015 S.Ct-Clerk's taking no action (R.221(a)) about my Petition for Rehearing @ R.240 and was not intended a direct rehearing @ R.242 Writ makes little to no logic as it ALL still does not speak to my Notice of Appeal filed from the CP-judgment date.

My CP-complaint that was appealed was filed with me "*a person*" named clearly in the caption, not a *corporation* in the caption. Judge Addy dismissed first because he says no standing & that I could not be lawyer for my business.. but the business was not the party; was not made a party.. but the defendants and lower courts went *on-and-on* and got an unfair credit like a business was the plaintiff. (How?)

So your S.Ct-ORDER denying my Writ *was contaminated with being the ORDER denying my R.240* Petition claiming some relief because your Supreme Court Clerk helped the lawyers by communicating via a telcon informing him as to how to fix their RETURN papers. Respondents got an AMENED RETURN onto the docket without a proper procedure. That is a prejudice to the whole of the judicial system, not just to this Petitioner (Appellant).

I thought your Court would take the authority to prevent unjust leaps over proper procedures. Laymen or not, anyone is clearly being prejudiced because of the breech of Clerks' limitations giving private legal advice to a single party, being a lawyer or not.

Simply, I feel that my Petition @ R.240 about the Abuse of Process is separate and properly would leave open a fair discussion about Judge Addy and the Appeal Court premising on the mistaken identity between me, *the person, who filed the CP-complaint & Appeal* and my *company that did not file the CP-complaint & Appeal*. Again, a personal jurisdiction can be raised at any time and in any court. (Citation omitted)

I think a Chief Justice has the ultimate authority to correct an injustice, a mistake, and confusion; and, in so doing, all will know again that Clerks cannot give private legal advice to the public - Supreme Court Clerks should not be giving such a preemptive warning and legal advice to private attorneys either.

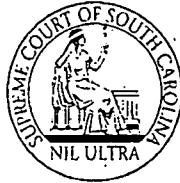
I and the community certainly appreciate your extra time and a thorough review; I remain.

Bobby Knight
3940 Hottinger Avenue
North Charleston, SC 29405
(843) 735-0814

Cc,
Hon. Julie Armstrong, CHAS Clerk of Court
Hon. Jenny Abbott Kitchings, SCAC
Theodore Manos, Esq., Respondents

Enclosure (2) Supreme Court Letter dtd January 23, 2015

Appellant Case No. 2014-002304 & CP Case No. 2013CP1004560



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

January 23, 2015

Mr. Norman Robert Knight
3940 Hottinger Avenue
North Charleston SC 20405

Re: Norman Robert Knight v. Companion Property
Appellate Case No. 2014-002304

Dear Mr. Knight:

This responds to your petition for rehearing. Since Rule 221(a) of the South Carolina Appellate Court Rules states that "[n]o petition for rehearing shall be allowed from an order denying a petition for a writ of certiorari under Rule 242, SCACR", no action will be taken on your petition for rehearing.¹

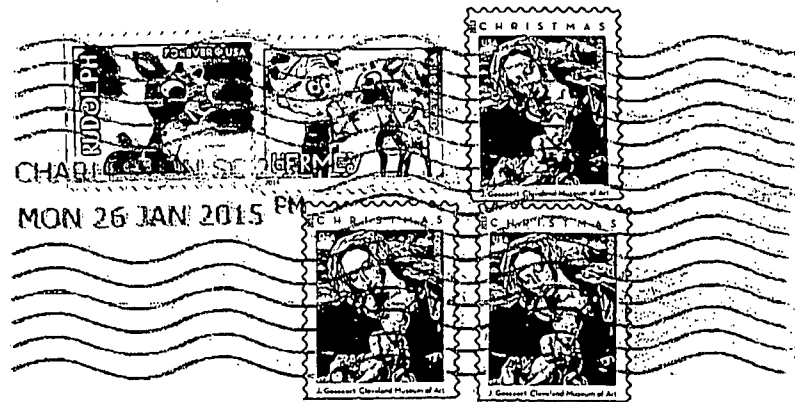
Very truly yours,

CLERK

cc: Theodore Luke Manos, Esquire

¹ Rule 240(j), SCACR, is inapplicable to this matter since the order denying the petition for writ of certiorari was issued after this matter was considered by all of the members of this Court. In accordance with the long-standing custom of this Court, the order denying the petition was signed by the Chief Justice Toal on behalf of all of the members of the Court.

Bobby
3940 HOTTINGER AVE
N. CHAS., SC 29405



EYES ONLY



Hon. Jean Bal - Chief Justice
The South Carolina Supreme Court
Post Office Box 11330
Columbia, SC 29211 - 1330