

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS
CASEY L. MANNING, CIRCUIT COURT JUDGE

CASE NO. 2014-CP-90-2029
APPELLATE CASE NO. 2015-000133

JOHN BACCUS

APPELLANT,

v.

NEKKE R. HALEY, BRIAN P. STERLING ET AL

RESPONDENTS,

INITIAL BRIEF OF APPELLANT

John Baccus
4960 Broad River Road
B.R.C.C. MAR. 265
COLUMBIA, S.C. 29210

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LEGAL MINT

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2. WHETHER BECAUSE PETITION ATTACKING VALIDITY OF DENIAL OF APPLICATION FOR "RIGHT TO SUE" PROPER SERVICE UPON RESPONDENTS RELIEF, THAT APPLICATION HAD BEEN PREJUDGED THROUGH ISSUANCE BY STATE RESPONDENTS ATTORNEY GENERAL CLERKS, SOLICITORS ET AL (COLLECTIVELY RESPONDENTS) PRIOR TO STATE AGENCY BELOW A.L.J. AND COURT OF COMMON PLEAS COURTS DECISION, OF A SIGNET LETTER, FREQUENT CORRELVANCE FILER, HIGH PRIORITY OR CONFIDENTIAL CASE TRACKING DEVICES LEFT OF INDIVIDUALS, INCLUDING APPELLANT WHOM RESPONDENTS WANTED "SILENCE" OR "THE DEATH PENALTY". ENTITLED APPELLANT TO RELIEFS OR HEARING	
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STATEMENT OF ISSUE ON APPEAL

1. DID THE STATE AGENCY RESPONDENT JUDGES BELOW ERR IN FAILING TO EXERCISE ITS OWN DISCRETION AND ITS OWN POLICY IN DETERMINING WHETHER APPELLANT'S FIFTY (50) PAGE CERTIFICATE AND AFFIDAVIT OF SERVICE APPLICATION FOR HIS "RIGHT TO SUE" SUMMONS AND COMPLAINT THAT HE HAD CERTIFIED, NOTARIZED AND MAILED "THROUGH RESPONDENT'S PRISON KEEPERS" B.R.C.E. MAIL ROOM "AVAILABLE MAIL ROOM PROCESSES" WAS PROPER SERVICE SHOULD BE GRANTED IS A DENIAL OF "DUE PROCESS"?
2. DID THE STATE RESPONDENT AGENCY JUDGES ERR IN FAILING TO FIND APPELLANT'S FIFTY (50) PAGE NOTARIZED, CERTIFIED CERTIFICATE AND AFFIDAVIT OF SERVICE, "RIGHT TO SUE" SUMMONS AND COMPLAINT PROPERLY FILED AND SERVED ON RESPONDENTS "THROUGH RESPONDENT'S OWN PRISON KEEPERS" B.R.C.E. MAIL ROOM "AVAILABLE MAIL ROOM PROCESSES" ON EACH RESPONDENT INCLUDING DEPT. OF CORR. "NEED ONLY SHOW COMPLIANCE WITH THE RULE FOR THE COURTS PERSONAL JURISDICTION OVER RESPONDENTS"?

STATEMENT OF THE CASE

On August 19, 2014, Appellant Mr. John Boccus brought this action alleging "FRAUD" against The State of S.C. Chief Legal Agency Agents with Supreme Executive Authority, Governor Nikki R. Haley, et al, is "SECRETLY AND PRETEXTUALLY FOR DISCRIMINATORY REASONS PLOTTING ALONG AND PLOTTING AHEAD WITH HER STATE ALLIES, HERE S.C.A.C. DIRECTOR BREAN P. STERLING ET AL, IN "ACCEPTING" "WRONGFULL INCARCERATING" OR "GENOCIDE" OF INNOCENT VULNERABLE BLACK I/M'S APPELLANT IN S.C.A.C. PURSUANT TO "INVALID" DATES, SIGNATURES, BUTTES OR "OBLIGATIONS". "A PPEARING ON THE FACE OF RESPONDENT'S ORDERS OF COMMITMENTS, I.E., LODQ-GS-33-004", FOR WHICH REGULATIONS, I.E., S.C.A.C. POLICY PROCEDURES 21.09 PRESCRIBING PROCEDURE TO BE FOLLOWED IN PROCESSING I/M'S APPELLANT APPLICATION, I.E., KIOSK NO. 14-061536 THRU 15-521817, FOR "DETERMINING THAT I/M'S APPELLANT IS LEGALLY COMMITTED TO THE INSTITUTION", HAVING FORCE AND EFFECT OF LAW, IS A DENIAL OF "DUE PROTECTS". PBM PRODUCTS, LLC. V. MERRI JOHNSON & CO. 639 F.3d 111, 2011-1; U.S. V. SURTHIFARNO 155, F.3d 301 (4th Cir. 1998); NICHOLAS V. RENO 931 F. Supp. 798 (D.C. 1996); SAUDI ARABIA V. NELSON, 507 U.S. 349.

PAGE 2 OF 4

JAM JAGEL

FACTS

1. "The Appellant HAS The Burden TO Establish That The COURT Has Jurisdiction Over The Respondents". JENSEN V. DOE, 292 S.C. 592, 358 S.E.2d 148 (1987). NICHOLAS V. RENO, 931 F.2d 718
2. The Appellant Need Only Show Compliance With The Rules. ROCHE V. YOUNG BROS. INC. OF FLORENCE, 318 S.C. 207, 456 S.E.2d 897 (1995).
3. When The Civil Rules On Service Are Followed "WHICH APPELLANT DID", There Is A Presumption OF Proper Service.
4. RULE 4, S.C.R.C.P. Serves At Least Two Purposes. It Confers Personal Jurisdiction On The Court And "ASSURES THE RESPONDENT OF REASONABLE NOTICE OF THE ACTION." MOORE V. SIMPSON, 322 S.C. 518, 473 S.E.2d 64 (1996). (Emphasis Added.)
5. The Appellant's "RIGHT TO SUE" Summons And Complaint Civil Action Was Commenced August 19, 2014 By Filing A Summons And Complaint With The Court. SEE PAGES 1 OF 50 THRU 50 OF 50. SAUDI ARABIA V. NELSON 507 U.S. 249; MORTON SUPRA.
6. Then Appellant's "RIGHT TO SUE" Complaint And The Summons Was Certified, Notarized "Through Respondents Prison Keepers" B.R.C.E. "A VAILABLE MAIL ROOM PROCESS SERVEN EN ACCORD WITH SOUTH CAROLINA RULES OF CIVIL PROCEDURE (d) (5), TO THE EXTENT RESPONDENTS ALLIES PRISON KEEPERS ALLOWED, ON THE RESPONDENTS) FOR THE COURT TO HAVE JURISDICTION OVER THE RESPONDENTS. SEE PAGES 1 OF 50 THRU 50 OF 50.
7. RULE 4 (d) (5) Requires That The Appellant "RIGHT TO SUE" Summons And Complaint Be Delivered To The Officer Of Agency AND That A Copy Be Sent To The Attorney General In Columbia By Certified Or Registered Mail. SEE PAGES 1 OF 50 THRU 50 OF 50. Further, Every Pleading Shall Contain A Caption Setting Forth NAME OF COURT, Title Of Action, File No. And Names Of All Parties In "RIGHT TO SUE" Summons And Complaint. S.C.R.C.P. 10(a).

CONCLUSION

For The Foregoing Reasons Stated And Offer Of
Proof Evidence Titled Exhibits Numbered Pages
1 Of 50 Thru 50 Of 50 And Respondents Own
Admissions Of Fraud, This Court Should
Reverse The Judgment Of The State Respondents
Agency Court Judge Below, Circuit Court.

March 30, 2015

Respectfully Submitted
SI Mr. John Bacaus
Mr. John Bacaus
4460 Broad River Road
B. R. C. E. MAR. 255
Columbia, S. C. 29210

PLEASE RETURN COPY OF EACH FIRST PAGE BACK TO MAIL ROOM

ALSO PLEASE USE BRCI DATE STAMP

Date: 10.17.2014

COPY

RE: CASE NO. 2014 CP 400 2829

RE: SUMMONS COMPLAINT. PLEADINGS. MOTIONS. ORDERS. NOTICE OF INTENT TO SUE

CERTIFICATE OF SERVICE

I certify that on 10.17.2014, I served a copy of this Application on all parties; addressed as shown [list parties' names and the addresses at which they were served below]: AT AND THROUGH B.R.C.I. MAIL ROOM STAFF NAMED

BELOW: Signature: Mr. John Brown

SECRETARY OF DEPARTMENT OF CORRECTIONS

- NIKKI R. HALEY
CURTIS LOFTIS
RICHARD ECKSTORM
CHRISTOPHER FLORIN
BREAN P. STERLING
ROBERT M. STEVENSON, III
SHARONNA SUTTON
MICHAEL STEPHAN
JESSICA EDMOND
ANDREW JEFF COAT
PAUL D. MARRIOTT
LT. BOYD
MR. COX

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BRCI MAILROOM

SC Court of Appeals

- MS. MITCHELL
LT. REVERIA

CLASSIFICATION MACON DAVIS, Y. WESLEY
SHERMAN V. UNITED STATES, 356 U.S. 369, 374-75, 78 S.Ct. 819 2 L.Ed. 2d 848 (1958) ("Ignorance of Government's Agents' Actions Does Not Relieve The Government of Responsibility For The Conduct of Its Agents, Including The Above Named State Officers")
44 W Broad River Road Columbia South Carolina 29210

SWORN TO AND SUBSCRIBED BEFORE ME THIS 17th DAY OF October, 2014

NOTARY: Susan H. Ziegler

EXPIRES: My Commission Expires March 15, 2018

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

JOHN BACCLUS #187393
APPLICANT,
vs.

NEKKI R. HALEY, BRIAN
P. STELLEN G ETAL
RESPONDENTS.

IN THE COURT OF APPEALS

CASE NO. 2014-CP-40-2829
APPELLATE CN 2015-000133

AFFIDAVIT OF SERVICE BY MAIL

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SC Court of Appeals

1. I AM AN INMATE OF THE RESPONDENTS WRONGFULLY INCARCERATED IN THE ABOVE-CAPTIONED ACTION.
2. REGULAR COMMUNICATION BY MAIL EXISTS THROUGHOUT THE STATE OF SOUTH CAROLINA [BUT NOT AT THE B.R.C.I. MAILROOM] AND THAT THIS IS THE ONLY CIRCUMSTANCES OF SERVICE AVAILABLE BY MAIL
3. BY RESPONDENTS LOCKING DOWN, DEAD LOCKING APPELLANT IN A CELL FOR NEARLY A MONTH, MARCH 13-31, 2015, ONGOING, AND NOT APPROPRIATING OR PROVIDING HIM WITH TYPEWRITER, INK PEN, PAPER, STAMPED ENVELOPES, POSTAGE, ACCESS TO LAW LIBRARY OR LIBRARY BOOKS, RESPONDENTS PREVENTED APPELLANT FROM ENSURING COURT ORDERED PARTICULARIZED NEEDS WERE NOT PROPERLY MET.
4. I HAVE THIS DAY ATTEMPTED TO SERVE A COPY OF THE INITIAL BRIEF ON THE COURT OF APPEALS, RESPONDENTS ATTORNEYS OF RECORD IN THE ABOVE-CAPTIONED MATTER ON THE FOLLOWING PERSONS BY REQUESTING LEGAL SUPPLIES TYPEWRITER PHOTOCOPIES FROM RESPONDENTS PRISON KEEPERS TO NO AVAIL BY DEPOSITING WHATEVER RESOURCES OR LEGAL SUPPLIES RESPONDENTS ALLOW, IN THE THE UNITED STATES MAIL AT B.R.C.I. MAILROOM OR LOCK DOWN MAIL BOX OF B.R.C.I. MANNERISM J.

JENNY AMBATTI KITCHING Clerk
1016 Sumter St
Columbia S.C. 29201

DANIEL C. PLYLER 11611 DEVONSHIRE DR. COLA, SC 29202
DANIEL J. CROOKS # 4444 BROAD RIVER RD. COLA SC 29221

DATED THIS 30TH DAY OF MARCH 2015

MR. JOHN BACCLUS
MR. JOHN BACCLUS

The Honorable Jenny Abbott Kitchings, Clerk
1015 Sumter St. P.O. Box 11629
Columbia S.C. 29211-11629

RE: APPELLATE CASE NO. 2015-000133: "INITIAL BRIEF"

RE: INEFFECTUALLY PERIL

Dear Ms. Kitchings:

ENCLOSED PLEASE FIND THE ORIGINAL INITIAL BRIEF
TO BE FILED, CLOCKED-IN, STAMPED AND RETURN A
COPY TO ME FOR MY FILES IN THE ABOVE-CAPTIONED
MATTERS: INITIAL BRIEF 40 PAGES PLUS ITEMS i-iii AND 21 OFFERED PROOF PAGES;
IT SHOWS DESIGNATION OF MATTER.

PLEASE TAKE JUDICIAL NOTICE: I.E., PAGE 11 OF 24 OR
1 OF 11 AUGUST 19 2014 COVER PAGE ATTACHMENT SHOWING
EXACTLY WHAT BROUGHT THIS ACTION INTO EXISTENCE: ANDREW JEFF COLE
RESPONDENTS PRISON WARDEN AT B.R.C.I. HAS FOR NEARLY
A MONTH DEAN LOCK. LOCK DOWN APPELLANT INSIDE
A CELL FOR NO FAULT OF APPELLANT AND REFUSES TO MAIL
OUT APPELLANTS LEGAL RESORT CORRESPONDENCE TO ATTORNEYS
REPRESENTATIVE FOR PRO BONO ASSISTANCE IN HIS
CASES STEMMING FROM CASE NO. 2000-GS-33-004
ABOVE. PREVENTING APPELLANT FROM OBTAINING A
TYPEWRITER, LEGAL SUPPLIES, ACCESS TO LAW
LIBRARY TO FULLY PREPARE HIS COURT ORDERED PENDING
CASES: THREE (3) IN COURT OF APPEALS: "A DANGER
APPELLANT CAN NOT ESCAPE WITHOUT THE COURTS HELP ^{11/14} ₀₀

Sincerely

Mr. John Beckus
Mr. John Beckus
4460 Broad River Road
B.R.C.I. - MAR. 255
Columbia, S.C. 29210

MARCH 30, 2015



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SC Court of Appeals

THE SOUTH CAROLINA COURT OF APPEALS
JENNY ABBOTT KETCHINGS CLERK
1015 SUMNER ST. P.O. BOX 11629
COLUMBIA, S.C. 29211

