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JUL 23 2015

SC Court of Appeals

Spencer v. Spence
✓
8:11-cv-
2264-JMC) COMPLAINT
RE: 8:11-cv-
2264-JMC
CASE NUMBER

① The COURTS have used U.S. LAW
to mix WITH STATE LAW, AS TO COTTON
and GERTON, GERTON IS A STATE
CASE COTTON A FEDERAL U.S. CASE/LAW.
and the indictment LAWS; procedures
are TOTALLY different, NOT ONLY
CONFUSING, MISLEADING, THE ENTIRE
LEGAL FIELD, JURORS OF ALL SORTS;
defendants; Appellees; persons,
etc; ITS illegal to use U.S. LAW
RETAINING TO STATE LAW WITHOUT
EXPLANATION at every point THAT
do NOT apply.

② The Power of COURT is ONLY TO
HEAR CASES MEANING VALID CASES
OR HEAR A CASE. AND THE

LAW WOULD STATE IF A DOCUMENT OR INDICTMENT IS INVALID THE COURT WOULD NOT BE DEPRIVE JURISDICTION TO ADJUDICATE THE CASE.

SO SOMEONE CAN'T SAY MY INDICTMENT IS DEFECTIVE THE COURT HAS NO POWER TO RULE ON THIS ISSUE.

I'M STILL EVALUATING THIS ISSUE BUT THIS IS MAINLY THE MEANING BEHIND THIS.

HERE IS A CASE LAW. POWER OF COURT TO TRY PERSON FOR CRIME IS NOT IMPAIRED BY ILLEGAL ARREST. *BERNSTEIN V. PUGH*, 420 U.S. 103 (1975).

- (3) THE RULES OF SCR ARE GIVEN TO A PERSON AFTER A CASE OR LAWSUIT IS FILED, THIS IS MATERIAL ERROR OR UNCONSTITUTIONAL. THE RULES MUST BE GIVEN FIRST, THERE IS NO WAY THAT A PERSON WOULD KNOW TO KEEP A APPELLATE NOR

EVALUATE THE RULES OF COURT FIRST
NOT LAST. see U.S. SUPRE COURT RULES

(4) Justice STEVENS RELIES ON NATIONAL
RAILROAD PASSENGER CORP. v. NATIONAL
ASSN. OF RAILROAD PASSENGERS, 414
U.S. 453, 94 S. CT. 690, 38 L. ED. 2D
686 (1974). POST AT 0024-25. BUT
IN THAT CASE WE DID NOT DETERMINE
WHETHER A CAUSE OF ACTION EXISTED
BEFORE DETERMINING THAT THE PLAINTIFF
HAD ARTICLE III STANDING; THERE
WAS NO QUESTION OF INJURY IN
FACT OR EFFECTIVENESS OF THE
REQUESTED REMEDY. RATHER, NATIONAL
RAILROAD PASSENGER CORP. DETERMINED
WHETHER A STATUTORY CAUSE OF ACTION
EXISTED BEFORE DETERMINING WHETHER
(IF SO) THE PLAINTIFF CAME WITHIN
THE "ZONE OF INTERESTS" FOR WHICH
THE CAUSE OF ACTION WAS AVAILABLE.
414 U.S. AT 465, N. 13, 94 S. CT.
AT 696 N. 13, THE LATTER QUESTION
IS AN ISSUE OF STATUTORY STANDING.
IT HAD NOTHING TO DO WITH

whether there is CASE OR
CONTROVERSY under ARTICLE III.

(5) Also see Rule 17 U.S. Supreme Court
Rules; the original jurisdiction of
court can be invoked under Article
III of the U.S. Const.

(6) U.S. - Supreme Court Rules 38(a)
states to pay \$300 before clerk docket
the writ of certiorari

rule 12.2 states there is a
exception to Rule 38(a) of U.S.
SCR, that a indigent person can
file under FORMA PAUPERIS.

Rule that the \$300 filing is
unconstitutional and indigent persons
can file a writ under rule 12.2
of U.S. rule SCR.

(7) Every ^{CASE} ~~matter~~ investigated by the
Executive Branch is a case, I
read this and this is close to

to what I got here - Most
case law refers to however a
court has subject matter jurisdic-
tion to try a case = meaning
TRIAL by jury.

Here it is. Every criminal
investigation conducted by the
Executive is a case" and every
policy issue resolved by congress-
ional legislation involves a controversy.

(8) ~~ARTICLE III~~ ARTICLE III mandates that
a Federal court act only to
Redress jurisd. questions and
statue in question.

~~As for now~~ MOSTLY ALL THIS
law needs to be reviewed;
Redefined, and new law ruled
upon; etc; A open court hearing
will prepare a better result for
petitioner to argue.

MACDOUGALL CORR. INST.
1516 OLD GILLIARD RD.
RIDGEVILLE, SC 29472

CHARLESTON SC 294

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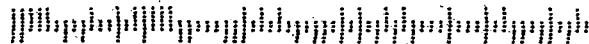
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P.O. BOX 11629
COLUMBIA, S.C. 29211

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