

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

Appellate Case No. 2014-002775

RECEIVED
SEP 25 2015
SC Court of Appeals

STATE OF SOUTH CAROLINA

Respondent,

Vs.

Dameon Myers,

In Propria Persona, Sui Juris.

CHALLENGE TO

CONSTITUTIONALITY OF STATUTE

Pursuant to Rule 244, South Carolina Appellate Court Rules I, Dameon Myers, now notify the South Carolina Attorney General and the South Carolina Court of Appeals that the above matter raises issues of the Constitutionality of statutes. The Constitutionality of the statutes that have given rise to this matter are now being challenged.

I am challenging the Constitutionality of the following South Carolina Statutes: §44-53-110; §44-53-375; §44-53-370; and §56-5-750; and § 40-5-310, as it was used to deprive me of assistance.

I am demanding the statutes be proven to be supportive of the United States Constitution as written, in light of common law and nature. The statutes of South Carolina do not apply to me or any natural human being, and cannot be used to deprive me of my Rights, which are not granted by the United States Constitution; but are protected and guaranteed by the United States Constitution. This very same Constitution is what all officers and judges of the courts have taken an oath to uphold. I am not a citizen created by any statute, code, and/or law. My Rights exist because of who I am- a natural, human being created in the image and likeness of God.

The term "person" or "persons", in common usage does not include the sovereign, and statutes employing it will ordinarily not be construed to do so. (United States v. United Mine Workers 330 U.S. 258 (1947)) Congress cannot revoke the Sovereign power of the People. (Perry v. United Sattes, 294 U.S. 330, 353 (1935)). In the United States, Sovereignty resides in the People. (Chisholm v. Georgia, 2 Dall 419, 471; McCullock v. Maryland4 Wheat 316, 404, 405; Yick Yo v. Hopkins, 118 U.S. 356, 370)

Statutes and codes cannot be used against natural human beings as it requires proof that there does not exist a natural human being. I am a natural human being and an American National. I am not a "person" that has waived his unalienable Rights (which is impossible); I am not a citizen of any corporate state, nor am I a 14th Amendment citizen or other grant of citizenship with benefits. My Rights exist because of who I am and are independent of any government creature. The United States Constitution is not the source of Rights or rights. People existed before the United States Constitution was written; and their Rights were also in existence. Not to mention, all laws must be in supportive of the United States Constitution by which every STATE by joining the Union has agreed to abide by.

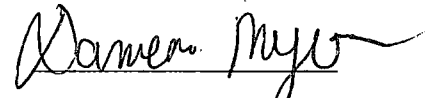
The General Sessions Court of Georgetown South Carolina is an administrative court; and not a judicial court. It cannot hear questions of law. "It is a rule as old as the law, and never more to be respected than now, that no one shall be personally bound until he has had his day in court, by which is meant until he has been duly cited to appear, and has been afforded an opportunity to be heard. Judgment without such citation and opportunity wants all the attributes of a judicial determination; it is judicial usurpation and oppression, and never can be upheld where justice is justly administered." (Old Wayne Mut. Life Ass'n v. McDonough, 204 U.S. 8 (1907))

Further, there must be proof of "*corpus delecti*" in order to force me under the laws of any criminal statute. In addition, the proper parties must be present, as well as proof of harm and/or damage to property and/or a human being. Otherwise, these statutes, violate my substantive due process Rights, as well as my Procedural due process Rights. Fraud has been committed and/or introduced, and fraud vitiates everything.

As shown through the record, I have previously challenged the jurisdiction and authority of the General Sessions Court in Georgetown South Carolina to issue any judgement and/or order against me. Jurisdiction once challenged must be proven; and once it is challenged the burden shifts to the court to prove jurisdiction. (Melo v. US, 505 F2d 1026; Latana v. Hopper, 102 F. 2d 188; Chicago v. New York, 37 F Supp. 150; Basso v. Utah Power & Light Co., 495 F 2d 906, 910; Rosemond v. Lambert, 469 F2d 416) The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings. (Hagans v. Lavine, 415 U.S. 533).

The Constitutionality has been challenged.

September 21, 2015.



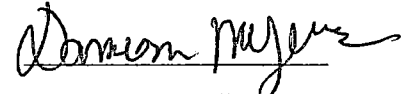
Dameon Myers #279666

In Propria Persona, Sui Juris
Lieber Correctional Institution
P.O. Box 205
Ridgeville, South Carolina 29472

Certificate of Service

I, Dameon Myers, certify that a copy of the foregoing motion has been served on the South Carolina Attorney General's Office by mailing a copy via USPS addressed to Alan Wilson, P.O. Box 11549, Columbia, South Carolina 29211.

September 21, 2015.



Dameon Myers #279666

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SC Court of Appeals

Enter Agency mail
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