

FORM 2  
NOTICE OF APPEAL FOR A CROSS APPEAL IN A CIVIL CASE

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DEC 15 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals  
[In the Supreme Court]

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell R. Scarborough, Circuit Court Judge

Case No. 2009-CP-10-4740

Alonzo D. Warthen

Appellant,

v.

Wyonia J. Burke,

Respondent

NOTICE OF APPEAL

Alonzo D. Warthen appeals the order [judgement] of the Honorable Mikell R. Scarborough dated December 1, 2015. Respondent-appellant received a notice of appeal from Appellant Respondant on December 11 2015.

Decmeber 11, 2015

Alonzo D. Warthen

Alonzo D. Warthen  
4414 donwood drive  
Ladson, South Carolina 29456

**FORM 7**  
**PROOF OF SERVICE OF A NOTICE OF APPEAL**

**RECEIVED**  
DEC 15 2015  
SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals  
[In The Supreme Court]

APPEAL FROM CHARLESTON COUNTY  
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Mikell R. Scarborough, Circuit Court Judge

Case No. 2009-CP-10-4740

Wyonia J. Burke

Respondent,

v.

Alonzo D. Warthen

Appellant.

**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on by depositing a copy of it in the United States Mail, postage prepaid, on December 11, 2015, addressed to his attorney of record, Amanda N. Pittman, Post Office Box 58 Columbia SC 29202, on December 11, 2015].

December 11, 2015

s/ Alonzo D. Warthen

Alonzo D. Warthen  
4414 Donwood Drive  
Ladson, South Carolina 29456

To the South Carolina Court of Appeals I'm writing this letter to inform you that I have decided to no longer obtain Attorney Robert Gaillard as my lawyer. I'm also appealing the judgment set on me by Judge Mikell Scarborough. Within the affidavit of John F. Mckenzie page 2, it was stated that I refused to take a polygraph test, which is true, but the only reason I refused is because I suffer from severe panic disorder and I also suffer from heart palpitations/irregular heart beat due to my panic disorder.

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I take prescription medications for both conditions, and I can provide the medical records and documents to prove my condition. Because of my disorder I didn't want to take the test because I wasn't sure if it would be accurate due to my medical condition. Detective O'Dell never requested me to take more than one polygraph test. I was never involved in this car accident, this is a case of stolen identity and it's having a tremendous negative affect on my life. I went to Charleston Police Department on multiple occasions in attempts to try and speak with the officer that handled this accident.

My main goal was to show my identity to the officer and have him confirm that I wasn't the man involved in the car accident. For reasons unknown the officer was terminated from his job at cpd. Also on page 2 of the affidavit #9 its states that "Ms. Burke" was on standby for the hearing. In which is false because Wyonia Burke is a male not a female. And when I went to the address on the police report in which Mr Burke still resides he spoke to my attorney and he came to the hearing with us to testify in court that he doesn't know me at all, never met me, never seen me before in his life.

As Mr. Burke was stating this fact, Amanda N. Pittman yelled out in court that he was incompetent, and that Mr. Burke words can't be taken serious. With all of that being said I just don't see why Ms. Pittman would even attempt to have who she considers to be an **"incompetent man in Mr. Burke"** I just don't see the logic in that. My hearing was scheduled for December 1 2015 at 3:30 pm. Upon my timely arrival the hearing was already completed and my attorney was nowhere to be



found, when I called and spoke to my attorney , he told me that the hearing was started early, I just don't see why they would start a hearing before the scheduled time, how is that fair to me in any way shape or form. I honestly believe my attorney never showed to represent me. Even though the affidavit states he was present. I didn't see him in the court room, or anywhere in the building at all.

S/ Alonzo Warthen

A handwritten signature in black ink that reads "Alonzo Warthen". The signature is written in a cursive style with a large, stylized initial "A".

FROM:

Alonzo Warthen  
 4414 Donwood drive  
 Ladson S.C. 29406

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 Court of Appeals

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