

The State of South Carolina  
In THE COURT OF APPEALS  
APPEAL FROM JASPE COUNTY  
Court of Common Pleas  
Darrel Thomas Johnson Special Referee

Appellate Cas No. 2015-002567

William Scott Donnell

Appellant

Dorothy Davis

Respondent

MOTION In Objection  
To Motion to Withdraw Counsel  
of Record H. Fred Kuhn Jr.

That there has not been a break down in communication, Appellant has written to Atty Kuhn several times, upon 22<sup>nd</sup> October 2014, incarceration, including having e-mailed, called on phone over 50 times prior to incarceration, but I had not gotten any response, Counsel failed to timely take notice of appeal and failed to notice Appellant of the

Appellant forced to file appeal himself, Atty H. Fred Kuhn Jr. not responding, to Appellant's letter and motion, filed in Beaufort County Probate Court, knowing full well how to make contact and communicate with Appellant at all times prior to and through my incarceration.

Appellant is indigent, no access to law library, matter is complex, Counsel refuses to provide transcripts, brief of Court Common Pleas, copy of Probate Court file, and copy of Appellant's files, in the possession of Atty H. Fred Kuhn Jr. Wherefore Counsel should be appointed for Appellant to perfect appeal, if Atty Kuhn is allowed to untimely withdraw on 2-18-16 is the first time I received his communication to withdraw under S.C.

William Scott Davis Jr  
ID ~~101~~ 101 423  
Piedmont Regional Jail  
801 Industrial Park Drive  
Farmville Va 23901

2-17-16

**RECEIVED**

FEB 22 2016

SC Court of Appeals

In Re: William Scott Davis Jr. V. Dorothy Davis  
Appeal Case # 2015-002567

The Honorable Jenny Abbott Kitchens  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia South Carolina 29211

Dear Ms Kitchens,

Please find Enclosed Objection to Atty. Khan  
Felix Lish, Motion to withdraw, including Notice of  
Appeal, Circuit Court of Common Pleas, and declaration  
Under Penalty of Perjury. I had instructed Counsel  
to Appeal All. Judgment orders, of Court of Common Pleas,  
and Bedford County Probate Court, to South Carolina  
Court of Appeal, South Carolina Supreme Court, and  
Walt or Certiorari if necessary to U.S Supreme Court  
No Breakdown in communication, but legal Malpractice  
Ineffective Assistance of Counsel.

Also please find Enclose Motion Petition for Appointment of  
Counsel, Appeal, state considers, Mentally Ill, Mental Emergency,  
Exhibit A, Declaration, and determination, Tolling statute of  
Limitation, on Appeal, P.I.S, D, Counsel By Defendant,  
Dorothy Bern Davis, tortious interference, with  
my expectation, Gift and Inheritance, Fraud, Unlawful  
Change of Address effective date 1-6-16, from F.M.I.C. Lexington Kentucky to Piedmont Regional Jail

3  
→  
→

9

State of South Carolina  
in the court of Appeals

Notice of Appeals

RECEIVED

FEB 22 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA )  
COUNTY OF BEAUFORT )

IN THE PROBATE COURT  
CASE NO. 2011ES0700659

IN THE MATTER OF ESTATE OF )  
WILLIAM SCOTT DAVIS, SR. )  
\_\_\_\_\_ )

ORDER

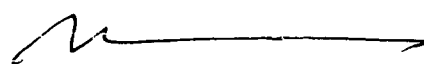
FILED  
2015 AUG 17 PM 1:27  
BEAUFORT COUNTY, SC

FILED

This matter comes before this Court on William Scott Davis, Jr.'s Motion to Vacate Judgment of Probate Court for Fraud upon the Court ("Motion to Vacate"), dated August 7, 2015, filed with this Court on August 13, 2015.

It appearing to this Court that the matters set forth in the Motion to Vacate are *res judicata* under this Court's Order of Judgment of October 17, 2013, which has been upheld on appeal to the Circuit Court for the Fourteenth Judicial Circuit, by Order of the Circuit Court dated April 23, 2015, filed April 24, 2015. More than three months have elapsed since entry of the Circuit Court's Order, and this Court has received no notice of the filing with an appropriate appellate court of any appeal from the Circuit Court's Order affirming this Court's Judgment.<sup>1</sup>

Therefore, it is ORDERED that the Motion to Vacate be and is hereby DENIED.

  
\_\_\_\_\_  
Kenneth E. Fulp, Jr., Judge  
Beaufort County Probate Court

Beaufort, South Carolina

August 17, 2015

<sup>1</sup> On August 13, 2015, together with the Motion to Vacate, this Court received from William Scott Davis, Jr. a Notice of Motion to Stay 24<sup>th</sup> April 2015 Judgment Pending Appeal, which appeared from its caption to be addressed to the Beaufort County Court of Common Pleas, referencing Case No. 2013-CP-07-02792 (sic), and that Notice of Motion has been forwarded to the Beaufort County Clerk of Court. However, such Notice of Motion did not include any information or documentation of the filing with an appropriate appellate court of an appeal from the Circuit Court judgment.

RECEIVED

FEB 22 2016

STATE OF SOUTH CAROLINA )  
COUNTY OF BEAUFORT )

IN THE MATTER OF ESTATE OF )  
WILLIAM SCOTT DAVIS, SR. )

IN THE PROBATE COURT  
CASE NO. 2011ES0700659

ORDER

BEAUFORT COUNTY, SC

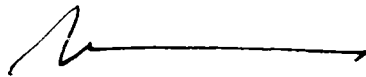
2015 AUG 19 AM 10:55

FILED

This matter comes before this Court on William Scott Davis, Jr.'s Motion for Full Disclosure, etc. ("Motion for Full Disclosure"), dated August 10, 2015, filed with this Court on August 18, 2015.

It appearing to this Court that the matters set forth in the Motion for Full Disclosure are *res judicata* under this Court's Order of Judgment of October 17, 2013, which has been upheld on appeal to the Circuit Court for the Fourteenth Judicial Circuit, by Order of the Circuit Court dated April 23, 2015, filed April 24, 2015. More than three months have elapsed since entry of the Circuit Court's Order, and this Court has received no notice of the filing with an appropriate appellate court of any appeal from the Circuit Court's Order affirming this Court's Judgment.<sup>1</sup>

Therefore, it is ORDERED that the Motion for Full Disclosure be and is hereby DENIED.



Kenneth E. Fulp, Jr., Judge  
Beaufort County Probate Court

Beaufort, South Carolina

August 19, 2015

<sup>1</sup> On August 13, 2015, this Court received from William Scott Davis, Jr. a Notice of Motion to Stay 24<sup>th</sup> April 2015 Judgment Pending Appeal, which appeared from its caption to be addressed to the Beaufort County Court of Common Pleas, referencing Case No. 2013-CP-07-02792 (sic), and that Notice of Motion has been forwarded to the Beaufort County Clerk of Court. However, such Notice of Motion did not include any information or documentation of the filing with an appropriate appellate court of an appeal from the Circuit Court judgment.

RECEIVED

FEB 22 2016

SC Court of Appeals

IN THE PROBATE COURT  
CASE NO. 2011ES0700659

BEAUFORT COUNTY, SC

2015 AUG 19 AM 10:50

FILED

STATE OF SOUTH CAROLINA )  
COUNTY OF BEAUFORT )

IN THE MATTER OF ESTATE OF )  
WILLIAM SCOTT DAVIS, SR. )  
\_\_\_\_\_ )

ORDER AWARDING FEE  
TO GUARDIAN AD LITEM

WHEREAS, by Order entered on October 31, 2011, this Court appointed H. Fred Kuhn, Jr., Esquire, as guardian *ad litem* for William Scott Davis, Jr., who had commenced a formal testacy proceeding herein, *in forma pauperis*, and appeared to be imprisoned in Virginia at that time; Mr. Kuhn represented William Scott Davis, Jr.'s interests in the prosecution of said formal proceeding, including discovery, trial on the merits, and appeal of this Court's judgment to the Circuit Court for the Fourteenth Circuit, and such representation as guardian *ad litem* was continuous from Mr. Kuhn's appointment until thirty days after affirmation of this Court's judgment by Order of the Circuit Court entered on April 24, 2015; Mr. Kuhn rendered highly professional service and expended over 40 hours of time in discharging his duties as guardian *ad litem*, accordingly to his verified affidavit filed herein; and

WHEREAS, Mr. Kuhn's services as guardian *ad litem*, for a party who apparently was unable to privately retain his own counsel, were necessary and beneficial to the orderly and proper litigation of the aforementioned formal proceeding, and, in the interests of justice, Mr. Kuhn should be awarded a reasonable fee for such services to be paid from the above-referenced estate, in accordance with *S.C. Code Ann.* § 62-1-111;

NOW, THEREFORE, it is ORDERED that H. Fred Kuhn is awarded a fee of \$2,500.00 for his services as guardian *ad litem* in the aforementioned formal proceeding, the fee to be paid from the Estate of William Scott Davis, Sr., before distribution and settlement of the estate.



AND IT IS SO ORDERED.



---

Kenneth E. Fulp, Jr., Judge  
Beaufort County Probate Court.

Beaufort, South Carolina

August 19, 2015

RECEIVED

FEB 22 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

IN THE PROBATE COURT  
CASE NO. 2011ES0700659

IN THE MATTER OF ESTATE OF )  
WILLIAM SCOTT DAVIS, SR. )  
\_\_\_\_\_ )

ORDER

FILED  
2015 SEP 10 PM 3:19  
CLERK OF COURT, SC

This matter comes before this Court on the following Motions of William Scott Davis, Jr. ("Mr. Davis"), all dated August 22, 2015, and filed with this Court on September 8, 2015: Two Motions to Stay this Court's Orders of August 17 and 19, 2015, which Motions purport to give Notice of Appeal of said Orders and request appointment of "Appellant Counsel"; and one Motion seeking to compel H. Fred Kuhn, Jr., Esquire ("Mr. Kuhn"), former guardian *ad litem* for Mr. Davis, to provide Mr. Davis with copies of court records and possibly other documents. (The three Motions are hereinafter collectively referred to as the "Current Motions.")

This Court's Orders of August 17 and 19, 2015 denied Motions filed by Mr. Davis on August 13 and 18, 2015, respectively, because the matters set forth in both Motions were and are *res judicata* under this Court's Order of Judgment of October 17, 2013, which has been upheld on appeal to the Circuit Court for the Fourteenth Judicial Circuit, by Order of the Circuit Court dated April 23, 2015, filed April 24, 2015. More than four months have elapsed since entry of the Circuit Court's Order, and this Court has received no notice of the filing with an appropriate appellate court of any appeal from the Circuit Court's Order affirming this Court's Judgment.<sup>1</sup>

Inasmuch as this Court's Orders of August 17 and 19, 2015 did not adjudicate a formal proceeding, but simply denied motions to stay, vacate, or grant other relief with respect to the

<sup>1</sup> On August 13, 2015, this Court received from William Scott Davis, Jr. a Notice of Motion to Stay 24<sup>th</sup> April 2015 Judgment Pending Appeal, which appeared from its caption to be addressed to the Beaufort County Court of Common Pleas, referencing Case No. 2013-CP-07-02792 (sic), and that Notice of Motion was forwarded to the Beaufort County Clerk of Court. However, such Notice of Motion did not include any information or documentation of the filing with an appropriate appellate court of an appeal from the Circuit Court judgment.

1  
Ds [Signature]

Judgment which had been affirmed on appeal, there appears to be no legal basis for an appeal of the Orders of August 17 and 19, 2015, and the purported Notice of Appeal contained in the Current Motions is, therefore, ineffective.

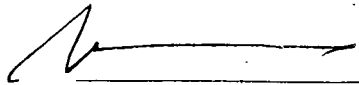
A second Order entered by this Court on August 19, 2015 awarded a fee to Mr. Kuhn, payable from the above-captioned estate, for his services as guardian *ad litem* for Mr. Davis in the formal proceeding adjudicated by this Court's Order of Judgment of October 17, 2013. The guardian *ad litem* appointment was terminated thirty days after affirmation on appeal of said Order of Judgment. It appears that Mr. Davis would have standing to challenge the Order for payment of the guardian *ad litem*'s fee only if the aforementioned Order of Judgment had been reversed on appeal, such that Mr. Davis continued to be an "interested person" with respect to the estate, under *S.C. Code Ann.* § 62-1-201(23). However, as set forth above, the Order of Judgment was affirmed by the Circuit Court on appeal, and it does not appear that an appeal has properly been taken from the Circuit Court's ruling. Consequently, Mr. Davis' Current Motions show no ground to stay enforcement of the Order awarding the guardian *ad litem*'s fee.

The requests made in the Current Motions for the appointment of appellate counsel for Mr. Davis should be addressed, if at all, to the appropriate appellate court, if an appeal were properly taken from the Circuit Court's Order affirming this Court's Judgment of October 17, 2013. No formal proceeding with respect to the decedent's estate is now pending in this Court, nor did the Orders of August 17 and 19, 2013 adjudicate any formal proceeding, so there is no basis for the appointment by this Court of an attorney for Mr. Davis at this time.

Similarly, the Current Motion to compel Mr. Kuhn to provide to Mr. Davis copies of Court records or other documents should be addressed, if at all, to the appropriate appellate court, if an appeal were properly taken from the Circuit Court's Order affirming this Court's

Judgment of October 17, 2013. No formal proceeding with respect to the decedent's estate is now pending in this Court, and there is no basis for this Court to order Mr. Kuhn to provide documents to Mr. Davis.

For the foregoing reasons, it is ORDERED that the Current Motions be and are hereby DENIED.

  
\_\_\_\_\_  
Kenneth E. Fulp, Jr., Judge  
Beaufort County Probate Court

Beaufort, South Carolina

September 10, 2015

RECEIVED

FEB 22 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

IN THE PROBATE COURT  
CASE NO. 2011ES0700659


IN THE MATTER OF ESTATE OF )  
WILLIAM SCOTT DAVIS, SR. )  
\_\_\_\_\_ )

ORDER

RECEIVED  
SEP 17 11 21 AM '15  
CLERK OF COURT  
SOUTH CAROLINA

This matter comes before this Court on a document submitted by William Scott Davis, Jr. ("Mr. Davis") entitled "Notice of Appeal," dated September 5, 2015, captioned with the above-referenced case name and number, and filed with this Court on September 14, 2015. The document purports to give notice of appeal of "all judgments of 2015," requests a "Stay of Judgment" pending "appeal to the Circuit Court of Common Pleas, including this Court [illegible] Order 3<sup>rd</sup> Sep [sic] 2015." The document also appears to request this Court to forward to Mr. Davis "Copy of Transcript" for purposes of appeal, and to order "Att Khn" [sic] -- presumably (based on prior filings by Mr. Davis) referring to attorney H. Fred Kuhn, Jr., former guardian *ad litem* for Mr. Davis -- to furnish Mr. Davis with copies of an appeal brief and other documentation.

This Court's Orders of August 17 and 19, 2015, and September 3, 2015, denied Motions filed by Mr. Davis on August 13 and 18, 2015, and September 1, 2015, respectively, because the matters set forth in those Motions were and are *res judicata* under this Court's Order of Judgment of October 17, 2013, which has been upheld on appeal to the Circuit Court for the Fourteenth Judicial Circuit, by Order of the Circuit Court dated April 23, 2015, filed April 24, 2015. More than four months have elapsed since entry of the Circuit Court's Order, and this

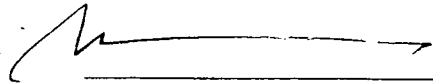
1  
PS-7 

Court has received no notice of the filing with an appropriate appellate court of any appeal from the Circuit Court's Order affirming this Court's Judgment.<sup>1</sup>

On September 8, 2014, this Court received from Mr. Davis, *inter alia*, two Motions to Stay this Court's above-mentioned Orders of August 17 and 19, 2015, which Motions purported to give Notice of Appeal of said Orders. Thereafter, by Order of September 10, 2015, this Court found that its Orders of August 17 and 19, 2015 did not adjudicate a formal proceeding, but simply denied motions to stay, vacate, or grant other relief with respect to the Judgment which had been affirmed on appeal (and which does not appear to have been appealed further to an appropriate appellate court), and that there did not appear to be any legal basis for an appeal of the Orders of August 17 and 19, 2015. Accordingly, this Court's Order of September 10, 2015 ruled, *inter alia*, that the purported Notice of Appeal contained in the Motions to Stay were ineffective and denied those Motions.

For the same reasons, the purported Notice of Appeal of "all judgments of 2015," first-mentioned above, appears ineffective and, therefore, the relief requested in the Current Notice is denied.

AND IT IS SO ORDERED.



Kenneth E. Fulp, Jr., Judge  
Beaufort County Probate Court

Beaufort, South Carolina

September 17, 2015

<sup>1</sup> On August 13, 2015, this Court received from William Scott Davis, Jr. a Notice of Motion to Stay 24<sup>th</sup> April 2015 Judgment Pending Appeal, which appeared from its caption to be addressed to the Beaufort County Court of Common Pleas, referencing Case No. 2013-CP-07-02792 (sic), and that Notice of Motion was forwarded to the Beaufort County Clerk of Court. However, such Notice of Motion did not include any information or documentation of the filing with an appropriate appellate court of an appeal from the Circuit Court judgment.

William Scott Davis Jr Appeals to South Carolina  
Court of Appeals  
2/11/15 JON  
Pg 8 of 8

State of South Carolina  
 In the Court of Appeals  
 Notice of Appeal  
 FORM 4

STATE OF SOUTH CAROLINA  
 COUNTY OF BEAUFORT  
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE  
 CASE NUMBER 2016CP0700201

**RECEIVED**  
 FEB 22 2016  
 SC Court of Appeals

William Scott Davis Jr

Dorothy Baines Davis

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for:  Plaintiff  Defendant  
 Self-Represented Litigant

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  
 Rule 43(k), SCRPC (Settled);  Other: \_\_\_\_\_
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j) SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other: \_\_\_\_\_
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other: Motion to proceed in forma pauperis DENIED

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order; (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

This order  ends  does not end the case.

Additional Information for the Clerk: \_\_\_\_\_

**INFORMATION FOR THE JUDGMENT INDEX**

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

| Judgment in Favor of<br>(List name(s) below) | Judgment Against<br>(List name(s) below) | Judgment Amount To be Enrolled<br>(List amount(s) below) |
|--|--|--|
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge

Judge Code

Date

Request for Appointmnt of Counsel per exhibit A1  
 Dr Opinions Filed 11 2015-002567

*[Handwritten Signature]*

STATE OF SOUTH CAROLINA, )

COUNTY OF Beaufort )

William Scott Davis )

Plaintiff )

vs. )

Dorothy Bern Davis )

Defendant. )

2016-CP-07-00201  
**RECEIVED**  
IN THE COURT OF COMMON PLEAS  
FEB 22 2016  
14 JUDICIAL CIRCUIT  
SC Court of Appeals  
MOTION AND AFFIDAVIT TO  
PROCEED IN FORMA PAUPERIS

FILE NO. 2016-CP-07-0201

I, William Scott Davis being duly sworn, state that I am the Plaintiff and that I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Sworn to and Subscribed before me  
this 29 day of Sept, 2015  
[Signature]  
Notary Public for South Carolina  
North Carolina  
My Commission expires 12-18-17

[Signature]  
Signature of Plaintiff or  
Person Filing Complaint on Behalf of  
Plaintiff

2016 JAN 21 PM 4:13  
GENERAL AM ROSENTHAL  
BEAUFORT COUNTY, S.C.  
CLERK OF COURT

**ORDER**

- Leave is granted to proceed in forma pauperis without payment of the filing fee.
- Leave is granted to proceed in forma pauperis without payment of the service cost.
- Leave is denied to proceed in forma pauperis.

Dated: 2/2, 2016  
Beaufort, South Carolina

[Signature]  
JUDGE/CLERK OF COURT

2016 FEB -4 PM 2:51  
GENERAL AM ROSENTHAL  
BEAUFORT COUNTY, S.C.  
CLERK OF COURT

NOTICE TO PLAINTIFF: The Court may assess costs against either party at hearing.

**For Clerk of Court Office Use Only**

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on, to attorneys of record or to parties (when appearing pro se) as follows:

**William Scott Davis Jr #101423** Peidmont Regional Jail Po  
Box 388 Farmville, VA 23901

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**ATTORNEY(S) FOR THE PLAINTIFF(S)**

**ATTORNEY(S) FOR THE DEFENDANT(S)**

Lynn Geren - Staff

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**Court Reporter**

**Jerri Ann Roseneau - Clerk of Court**

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**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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Exhibit A: Mental Health Break down, Encl by Donal Davis

Tortious Interfere with Willing Scott Davis, Expectation or  
aid e



Inherent, Final or Probate courts, Ineffective Assistance or  
Counsel by Fred Kun Jr., Failure  
to timely file Motion for Recusal  
or Judge Felby, and Motion or Appeal  
to 3rd Cir Court of Appeals in March  
2014, As Director to Dr. Annelle  
Kerl in the Dark, Is such to order

U.S. Department of Justice

Federal Bureau of Prisons

Federal Medical Center

3301 Leestown Road  
Lexington, KY 40511-8799

January 27, 2016

The Honorable W. Earl Britt  
Senior United States District Judge  
Eastern District of North Carolina  
Western Division  
P.O. Box 25670  
Raleigh, NC 27611

RE: DAVIS, Jr., William  
Scott  
Case No. 5:14-cr-00240-  
BR  
Reg. No. 84944-083

Dear Judge Britt:

In accordance with your court order, and pursuant to the provisions of Title 18, United States Code, Section 4241, a mental health evaluation of William Scott Davis, Jr. has been completed. In the opinion of our evaluating clinician, Mr. Davis is not presently competent to stand trial. It is the opinion of our evaluator that if he is committed for treatment under the provisions of Title 18, United States Code, Section 4241(d), there is a substantial probability he would attain the capacity to permit a trial to proceed in the foreseeable future. Enclosed is a report containing this opinion. Additional copies are included for distribution to the appropriate attorneys.

If I can be of further assistance to the court in this matter, please contact me or the evaluating clinician, Dr. Betsy Campbell, at (859) 255-6812.

When For Appellate Respect Full Memorandum  
Court For the Appellate or counsel  
and Guardian Ad Litem or Appeal  
to the state or such continuing court  
or Appeals

Sincerely,

Francisco J. Quintana  
Warden

2-11-16



THE STATE OF SOUTH CAROLINA  
in the Court of Appeals  
Appeal from Jasper County  
Court of Common Pleas  
Dentell Thomas Johnson Referee

APPELLATE CASE # 2015-002567

William Scott Davis Jr  
Dorothy Davis

vs

Appellant  
Respondent

Motion, Memorandum, of Law, & Declaration, For, the  
Appointment of Counsel, For Indigent Movant,  
Suffering From Post-Traumatic-Stress Disorder, Cause by  
Respectful Dorothy Davis, and Ineffective Assistance Counsel, Mr. Fred Kuhns, Jr., Counsel Should  
Be Appointed For Indigent Appelles Doretha Davis vs. California 83 S.Ct [214] at 817, and Per Exhibit A:  $\rightarrow$   
Sagner vs. Seapeilli 43 S.Ct 1756 (1975) Appointment of counsel mental ill, counsel per Exhibit A  $\rightarrow$   
[William Scott Davis Jr, declare I Am the Appellant, In the Above  
entitled Action. That I am Indigent, Can Not Afford, Attorney Fees,  
and Cost of Court Under Penalty of Perjury, Am Indigent,  
Extraordinary Circumstances, Exhibit, Warrants the Appointment of Counsel,  
For the Appellant, who will suffer irreparable harm, if Counsel not  
Appointed. Instance, Appointed Counsel Can Receive Att'y Fees, mental  
illness of William Scott Davis Jr, Exhibit A, Diagnosis opinion, Causal by  
the opposition. Intentional Infliction of Emotional Distress, Wrongful,  
Fraudulent, Concealment, Fraudulent Omissions of Material Fact, Misstatement,  
Negligent Misrepresentation, to deceive, de Fraud, Cause Foreseeable  
harm, to Mental Health of Movant, In Viol of Goodies Ad Litem, Law Counsel  
As Petitioner, Is Ineffective, Administrative Segregation, P.T.S.D., No Work  
of Prosecutors, his Meritorious, Claim or defense, Incapacitated  
Mentally, The Law Supports Appointment of Counsel to Protect, Interests  
as to Fraud and deceit, By opposition, Lack of Jurisdiction,  
recovery for damages. Griffin v Breckenridge, 403, U.S. 98 (1972), Forman  
v. Davis 83 S.Ct 227 (1962), Schweiker v. McCure 102 S.Ct 1665 (1982), Lileky  
v. US 114 S.Ct 1147-1167 (1999) disqualification Judge Felt's ] Hartzel Atlas Glass  
Co v Hart-Ford-Empire Co 322 U.S. 238, 244 (1944), Great Coastal Express Inc  
v. Int Bldg of Teamsters, 675, F.2d. 1349, 1356 (4th Cir 1982), Old Wayne  
mut L. Assoc v McDonough 204 U.S. 8, 27 S.Ct. 263 (1907). Antoine v Atlas  
Turner Inc (1995 CAG Ohio) 66 F.3d 105. Must Appoint Counsel, For Indigent Appellant  
Douglas v. California 372 U.S. [353] at 358, 83 S.Ct [214] at 817, (1963) & Appointment of Counsel  
or Ineffective. White v. Walsh (1981, CAG Mo) 649 F.2d 560. Moelin v. Frea Ke  
981 CA7 Ind) 650 F.2d, 885. Gideon v. Wainwright 372 U.S. 335. Prisoner which Government  
1116 has to pay for Great Mexico Annual of Case 2-11-18

State of South Carolina  
 in the case of Appeal  
 Notice of Appeal  
 FORM 4

STATE OF SOUTH CAROLINA  
 COUNTY OF BEAUFORT  
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN CIVIL CASE

CASE NO. 2013 CP-07-02729

FILED

WILLIAMS SCOTT DAVIS JR. 2015 APR 24 10:10:10 DOROTHY BAINES DAVIS 2015 APR 27 AM 11:51

PLAINTIFF(S) ANN ROSE BEAU  
 BEAUFORT COUNTY, S.C. DEFENDANT(S)  
 CLERK OF COURT BEAUFORT COUNTY, SC

Submitted by: BEAUFORT COUNTY MASTER IN EQUITY  
 Attorney for :  Plaintiff  Defendant  
 or  
 Self-Represented Litigant

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

THIS CAME BEFORE ME AUGUST 25, 2014 ON THE APPEAL OF WILLIAM SCOTT DAVIS JR., FILED OCTOBER 28, 2013. AFTER HEARING FROM BOTH PARTIES I HEREBY DENY THE APPEAL AND AFFIRM THE PROBATE ORDER.

**ORDER INFORMATION**

This order  ends  does not end the case.  
 Additional Information for the Clerk :

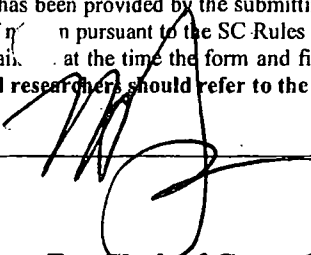
| INFORMATION FOR THE PUBLIC INDEX   |  |  |
|--|--|--|
| Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below. |  |  |
| Judgment in Favor of<br>(List name(s) below)   | Judgment Against<br>(List name(s) below) | Judgment Amount To be Enrolled<br>(List amount(s) below) |
|  |  | \$   |
|  |  | \$   |
|  |  | \$   |
| If applicable, describe the property, including tax map information and address, referenced in the order:  |  |  |

461.

William Scott Davis Jr Appeal to Beif County Court or Appeal  
 21-111

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted. The judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge



3069  
Judge Code

4/29/15  
Date

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

FRED H. KUHN JR.  
\_\_\_\_\_  
\_\_\_\_\_

STEPHEN E. CATER  
\_\_\_\_\_  
\_\_\_\_\_

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

**Court Reporter: N/A**

460.

State of South Carolina  
Fifth Circuit Court of Appeals  
Notice of Appeal

South Carolina  
~~North Carolina~~  
STATE OF SOUTH CAROLINA )  
Beaufort )  
COUNTY OF New Hanover )  
William Scott Davis )  
Plaintiff )  
vs. )  
Dorothy Barnes Davis )  
Defendant. )

IN THE COURT OF COMMON PLEAS  
14 JUDICIAL CIRCUIT  
**MOTION AND AFFIDAVIT TO  
PROCEED IN FORMA PAUPERIS**

FILE NO. 2013-CP-07-02729

2015 SEP 20 20 11:40  
CLERK OF COURT  
SOUTH CAROLINA

I, William Scott Davis being duly sworn, state that I am the Plaintiff and that I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Sworn to and Subscribed before me )  
this 18th day of Sept., 2015 )  
[Signature] )  
Notary Public for South Carolina )  
My Commission expires 10-18-17 )

[Signature]  
Signature of Plaintiff or  
Person Filing Complaint on Behalf of  
Plaintiff

**ORDER**

- Leave is *granted* to proceed in forma pauperis without payment of the filing fee.
- Leave is granted to proceed in forma pauperis without payment of the service cost.
- Leave is *denied* to proceed in forma pauperis.

2015 SEP 30 PM 3:54  
CLERK OF COURT  
SOUTH CAROLINA

Dated: 9-29, 2015 [Signature]  
Beaufort, South Carolina JUDGE/CLERK OF COURT

NOTICE TO PLAINTIFF: The Court may assess costs against either party at hearing.

SCCA 405CP (10/10)  
William Scott Davis vs. Appeal to 8th South Carolina  
Court of Appeals  
214

STATE OF SOUTH CAROLINA )  
COUNTY OF Beaufort )

IN THE COURT OF COMMON PLEAS  
JUDICIAL CIRCUIT

CASE NO.: 2013-CP-07-02729

William Scott Davis Jr )  
Plaintiff, )  
vs. )  
Dorothy Baine Davis )  
Defendant. )

MOTION AND ORDER INFORMATION  
FORM AND COVERSHEET

|  |   |
|--|---|
| Plaintiff's Attorney: <u>Psalm 62</u><br><u>H. Fred Kuhn Jr</u> , Bar No. _____<br>Address: <u>1501 North Street, Beaufort, SC 29910</u><br>Phone: <u>843-524-3777</u> Fax _____<br>E-mail: _____ Other: _____ | Defendant's Attorney: _____<br><u>Richard B Allen</u> , Bar No. _____<br>Address: _____<br>Phone: _____ Fax _____<br>E-mail: _____ Other: _____ |
|--|---|

- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)  
 FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)  
 PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: Stay of Motion or Appeal, Indigent  
Estimated Time Needed: \_\_\_\_\_ Court Reporter Needed:  YES  NO

SECTION II: Motion/Order Type

- Written motion attached  
 Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

William Scott Davis Jr \_\_\_\_\_ 8-20-15, 20\_\_\_\_  
Signature of Attorney for  Plaintiff /  Defendant Date submitted

SECTION III: Motion Fee

- PAID - AMOUNT: \$ \_\_\_\_\_  
 EXEMPT: (check reason)  Rule to Show Cause in Child or Spousal Support  
 Domestic Abuse or Abuse and Neglect  
 Indigent Status  State Agency v. Indigent Party  
 Sexually Violent Predator Act  Post-Conviction Relief  
 Motion for Stay in Bankruptcy  
 Motion for Publication  Motion for Execution (Rule 69, SCRCP)  
 Proposed order submitted at request of the court; or,  
reduced to writing from motion made in open court per judge's instructions  
Name of Court Reporter: \_\_\_\_\_  
 Other: \_\_\_\_\_

JUDGE'S SECTION

- Motion Fee to be paid upon filing of the attached order.  
 Other: \_\_\_\_\_

JUDGE CODE \_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_\_\_

CLERK'S VERIFICATION

Collected by: \_\_\_\_\_ Date Filed: \_\_\_\_\_, 20\_\_\_\_

- MOTION FEE COLLECTED: \$ \_\_\_\_\_  
 CONTESTED - AMOUNT DUE: \$ \_\_\_\_\_

The State of South Carolina

STATE OF SOUTH CAROLINA, )  
COUNTY OF \_\_\_\_\_ )

APPEALS  
IN THE COURT OF ~~COMMON PLEAS~~  
\_\_\_\_\_ JUDICIAL CIRCUIT

William Scott Davis Jr )  
Plaintiff )

MOTION AND AFFIDAVIT TO  
PROCEED IN FORMA PAUPERIS  
**RECEIVED**

vs. )  
Dorothy Davis )  
Defendant. )

FEB 22 2016

FILE NO. 2015-60256  
SC Court of Appeals

I, William Scott Davis Jr being duly sworn, state that I am the Plaintiff and that I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Sworn to and Subscribed before me  
this 20th day of Sept, 2015  
[Signature]  
Notary Public for South Carolina  
My Commission expires 10-18-17

[Signature]  
Signature of Plaintiff or  
Person Filing Complaint on Behalf of  
Plaintiff

**ORDER**

- Leave is *granted* to proceed in forma pauperis without payment of the filing fee.
- Leave is *granted* to proceed in forma pauperis without payment of the service cost.
- Leave is *denied* to proceed in forma pauperis.

Dated: \_\_\_\_\_, 2 \_\_\_\_\_  
\_\_\_\_\_, South Carolina  
JUDGE/CLERK OF COURT

NOTICE TO PLAINTIFF: The Court may assess costs against either party at hearing.

Custom sheet 01/14/17 by  
FD 101423  
First class Restricted Mail  
801 Industrial Park Drive  
Formville Va 23901



The Honorable Jemey Abbott Kit  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina

**RECEIVED**

FEB 22 2018

LEGAL MAIL

SC Court of Appeals

LEGAL MAIL 5012

