

**FORM 1  
NOTICE OF APPEAL IN A GENERAL SESSIONS CASE**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

\_\_\_\_\_  
APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions

Deadra Jefferson, Circuit Court Judge

\_\_\_\_\_  
Case No. 2013-GS-10-001945-6  
\_\_\_\_\_

**RECEIVED**  
JUN 03 2016  
SC Court of Appeals

**Motion of Appeal to Stop Order**

I Glynndeavin von Fox, make the appeal in the matter concerning an order of competency to stand trial pursuant to *State v. Blair* in the following issues with the order:

- The honorable Deadra Jefferson states in the order that, “have reason to believe that the defendant may lack the competency to understand the criminal proceedings or to assist with defense as a result of lack of mental competenc.”<sup>1</sup> The honorable judge in the matter was given a mental evaluation that was sent to the 9<sup>th</sup> Circuit Court District by a licensed psychologist that was implemented to test for mental illness, anger, and mental stability with Minnesota (MMPI), STAXI, and PAI tests to determine these issues with no issue being found in the testing by Dr. Randolph Waid in November of 2015 upon his signature of evaluation.<sup>2</sup> The honorable Deadra Jefferson was given this information before making a decision based on a mis-interpretation of diagnosis from a psychologist that violated contract obligations in psychological testing, as no testing was given by Dr. Susan Knight, and based determinations of the email sent to Glynndeavin von Fox’s attorney of record at the time at Savage Law Firm; a one Cameron Blazer, Esq. The filing

of reasoning of judgement in the matter was facilitated as well by using diagnosis from a Rule 902 violated document from Japan that was the submitted to the court by the 9<sup>th</sup> Circuit Solicitor's office in hearings of motions of the court.<sup>1</sup> This document is not attested to, has no signature, no foreign ministry of japan seal or mark, no United States of America embssy or consulate seal or mark, and was procured by a private lawyer that has no Japanese bar license, does not speak or write in Japanese to my knowledge, and has no bar license with the United Nations at the International Court of Jurisdiction (ICJ) within the Hague, Netherlands to contact a foreign nation legally.

- The reference to the case of *State v. Blair* is a mis-refernce in the matter, as the case is a capital murder case that would be subject to the death penalty in South Carolina Code of Law, and the case in the appeal is a refernce to an assualt and throwing bodily fluids that is in the understanding of the municipal judge that the cause of disorderly conduct, that was the probable cause in the actions of the police, was not found hearable or found not guilty in Glynndeavin von Fox's favor.<sup>3</sup> The action of *State v. Blair* also has an issue of historical mental illness in the defendant, whereas, Glynndeavin von Fox has no history of mental illness, with numerous training in the Department of Defense, with Survival Resistance Escape and Evasion training to handle any situation that would be with confinement, foreign or domestic court proceedings, and any aspect of proper protocol to acknowledgen irregular confinement situations.<sup>4</sup> The casse of *State v. Blair* also has an issue with criminal record before the incident, and Glynndeavin von Fox has no criminal

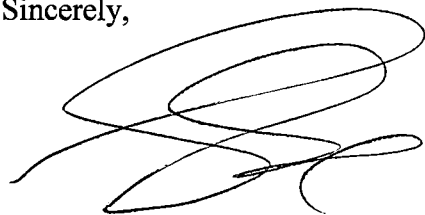
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1 SOUTH CAROLINA JUDICIAL DEPARTMENT, "RULE 902, SELF-AUTHENTICATED," *JUDICIAL.STATE.SC.US*, ACCESSED MAY 4<sup>TH</sup>, 2016, [HTTP://WWW.JUDICIAL.STATE.SC.US/COURTREG/DISPLAYRULE.CFM?RULEID=902.0&SUBRULEID=&RULETYPE=EVD](http://www.judicial.state.sc.us/courtreg/displayrule.cfm?ruleid=902.0&subruleid=&ruletype=EVD).

record before the incident, and as of the order given by the honorable Deadra Jefferson has no criminal record.<sup>5</sup> The most grave issue that is with the case reference of *State v. Blair* is with the education of the defendant in the matter, and Glynndeavin von Fox has a university education at a 3.5 GPA (Having Mock Trial Courses At The College of Charleston at 4.0 GPA Level Showing Court Procedures and Court Case Performance and United States Supreme Court Courses with a 4.0 GPA at Arizona State University Showing Case Review.), with reciprocal high school diploma, and military education with numerous awards and decorations showing no similarity to the case *State v. Blair*.<sup>6</sup> The education standards of Glynndeavin von Fox are way above the national standard for literacy under the United States and South Carolina Constitution to represent oneself, and the mental evaluation that is done to show mental illness as requested by the honorable Deadra Jefferson shows no mental illness issue.<sup>78</sup>

On these documents and appeal request for legal review, I ask this high and honorable court to hear this appeal, and to stop the motion of order of Judge Deadra Jefferson until this high and honorable court can hear the appeal.

Sincerely,

A handwritten signature in black ink, appearing to be 'Glynndeavin von Fox', written in a cursive style.

Glynndeavin von Fox

1<sup>st</sup> June, 2016

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<sup>1</sup> STATE OF SOUTH CAROLINA, "ORDER FOR COMPETENCY TO STAND TRIAL EVALUATION PURSUANT TO STATE V. BLAIR," FILED CHARLESTON CLERK OF

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COURT ON APRIL, 28, 2016.

<sup>2</sup> STATE OF SOUTH CAROLINA, "2014-DR-08-550, REPORT OF PSYCHOLOGICAL EVALUATION," FILED WITH THE 9<sup>TH</sup> CIRCUIT COURT DISTRICT, FAMILY COURT, BEREKELY COUNTY ON NOVEMBER 3, 2015.

<sup>3</sup> JUSTIA, "STATE V. BLAIR," LAW.JUSTIA.COM, ACCESSED MAY 4<sup>TH</sup>, 2016, [HTTP://LAW.JUSTIA.COM/CASES/SOUTH-CAROLINA/SUPREME-COURT/1981/21358-1.HTML](http://LAW.JUSTIA.COM/CASES/SOUTH-CAROLINA/SUPREME-COURT/1981/21358-1.HTML).

<sup>4</sup> IBID.

<sup>5</sup> IBID.

<sup>6</sup> IBID.

<sup>7</sup> YALE UNIVERSITY, "U.S. CONSTITUTION," *AVALON.LAW.YALE.EDU*, ACCESSED MAY 4<sup>TH</sup>, 2016, [HTTP://AVALON.LAW.YALE.EDU/18TH\\_CENTURY/USCONST.ASP](http://AVALON.LAW.YALE.EDU/18TH_CENTURY/USCONST.ASP).

<sup>8</sup> SOUTH CAROLINA STATEHOUSE, "SOUTH CAROLINA CONSITTUTION," *SCSTATEHOUSE.GOV*, ACCESSED MAY 4<sup>TH</sup>, 2016, [HTTP://WWW.SCSTATEHOUSE.GOV/SCCONSTITUTION/SCCONST.PHP](http://WWW.SCSTATEHOUSE.GOV/SCCONSTITUTION/SCCONST.PHP).

**L. Randolph Waid, Ph.D.**  
*Licensed Clinical Psychologist*

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**REPORT OF PSYCHOLOGICAL EVALUATION**  
**Confidential-For Professional Use Only**

Name: Glyndeavin Fox  
Age: 37 (DOB: 10/13/77)  
Sex: Male

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JUN 03 2016

SC Court of Appeals

Identifying Information/Reason for Referral: Glyndeavin Fox is a 37-year-old male who per a settlement agreement in the Family Court of the 9<sup>th</sup> Judicial Circuit (07/09/15) was ordered to submit to a psychological evaluation directed toward parental fitness to be conducted in this office. Evaluation was also directed to assess Mr. Fox with regard to anger management issues. There was agreement for there to be consultation between this examiner, L. Randolph Waid, Ph.D. and Marisa Nava, Ph.D. who was mandated to direct the reunification process between Mr. Fox and his daughter, Mackenzie Lynn Fox (DOB 10/18/04). Mr. Fox's legal interests are represented by Grover "Beau" Seaton, IV, Esquire. The appointed Guardian ad Litem is Sean F. Keefer, Esquire. Thus, evaluation was pursued in this office with regard to Mr. Fox's psychological functioning, anger management, and parental fitness.

Notification: Prior to commencing the evaluation of Mr. Fox, he was informed of the purpose of the assessment and the limits of confidentiality. Mr. Fox was informed that per the settlement agreement in the Family Court of the 9<sup>th</sup> Judicial Circuit (07/19/15), he was ordered to submit to a psychological evaluation to address parental fitness and anger issues as well as for this examiner to consult with Marisa Nava, Ph.D. Mr. Fox was informed that the evaluation would consist of multiple interviews as well as conduction of psychological testing and review of records. Mr. Fox was also informed that there may be interviews of collaterals to assist in the evaluation. Mr. Fox consented, providing a release form allowing for this examiner to consult with Marisa Nava, Ph.D. and Sean Keefer, Esquire. Yet, Mr. Fox refused to provide release allowing this examiner to interview family members, specifically his mother, Ms. Teresa Gore. Mr. Fox was informed that a report of my findings and opinions would be provided to the Family Court of the 9<sup>th</sup> Judicial Circuit as well as to the Guardian ad Litem. As such, information obtained during the conduction of the evaluation was not confidential. Mr. Fox was provided an Informed Consent Form detailing the purpose of the assessment and the limits of confidentiality. Mr. Fox read and signed the Informed Consent Form and agreed to participate in the assessment.

My understanding of Mr. Fox's case was assisted by review of records from the Family Court of the 9<sup>th</sup> Judicial Circuit including the following:

1. Final order/approval of agreement, Amy Lynn Fox v Glyndeavin Von Fox, May, 2010.
2. Interim consent order in the Family Court of the 9<sup>th</sup> Judicial Circuit. Amy Hartley v. Glyndeavin Von Fox, April, 2014
3. Amended complaint in the Family Court of the 9<sup>th</sup> Judicial Circuit filed on behalf of Amy Hartley by Matthew C. Halverstadt, Esquire, January, 2015
4. Amended answer and counterclaim filed by Grover "Beau" Seaton, IV, Esquire on behalf of Glyndeavin Von Fox in the Family Court of the 9<sup>th</sup> Judicial Circuit, February, 2015
5. Reply filed in the Family Court of the 9<sup>th</sup> Judicial Circuit by Matthew C. Halverstadt, Esquire, on behalf of Amy Hartley, February, 2015
6. Affidavit of Teresa Gore in furtherance of motion to intervene and be joined as a third party defendant filed in the Family Court of the 9<sup>th</sup> Judicial Circuit, March, 2015.
7. Final order in the Family Court of the 9<sup>th</sup> Judicial Circuit. Amy Hartley vs. Glyndeavin Von Fox, July, 2015.

children would describe their relationship with him as being "fatherly." With regard to time away from visiting Mackenzie, Mr. Fox offered little explanation and claimed that he is pursuing the current actions as he basically "wants to see my daughter." Mr. Fox offered little insight into the impact of not having seen his daughter for an extended period of time might have on her as well as the parent-child relationship.

Summary of Psychological Testing Mr. Fox's guarded and not forthcoming approach toward the evaluation was also evident in his responding to psychological tests. With regard to any psychological problems that cause any concern for Mr. Fox currently he stated, "nothing. I have no problems." With regard to what he would most like to change about himself, he stated, "I need to lose weight." With regard to what he least likes about himself now is "I need to lose weight. I am overweight." What he likes about himself now is "that I have a degree."

Mr. Fox was administered the Personality Assessment Inventory (PAI), an objective broad-based psychological test. Mr. Fox's response set (validity scales) to the PAI indicated that he was motivated to portray himself as being exceptionally free of common shortcomings to which most individuals will admit. As a result, Mr. Fox will be quite reluctant to admit to minor faults, perhaps not even willing to admit these faults to himself. Regardless of the cause, the test results are unlikely to be a valid reflection of Mr. Fox's experience.

Despite Mr. Fox's level of defensiveness described above, he described problems of greater intensity than is typical of defensive respondents in the areas of suspiciousness, mistrust, compulsiveness or rigidity, unusual sensory-motor problems, failure in close relationships, and inflated self esteem.

The PAI clinical profile failed to reveal any elevations that would be considered to indicate the presence of clinical psychopathology. Yet, denial and defensiveness may be responsible for the generally trouble free picture that Mr. Fox is reporting.

The PAI clinical profile failed to reveal any indications of significant psychopathology in the areas that are tapped by the individual clinical scales. Mr. Fox described a self concept that appears to involve a generally stable and positive self evaluation. He described an interpersonal style involving very strong needs for attention and affiliation. There was report of experiencing a high level of stress compared to that of normal adults. Yet, such demands appear to be buffered by a large number of individuals to whom he can turn for support when needed. Mr. Fox denied being distressed from thoughts of suicide. He also denied experiencing difficulties with anger management.

In return consultation on August 11<sup>th</sup>, 2015, I discussed with Mr. Fox that his response style to psychological testing was overly defensive, not rendering the test results to be a valid depiction of any ongoing concerns or difficulties. I asked Mr. Fox to complete the Minnesota Multiphasic Personality Inventory-2-Restructured Form (MMPI-2-RF) with the previous response set being in mind.

The MMPI-2-RF validity scales revealed a clinically significant elevation with regard to the L-Scale (T=81). The finding is generally reflective of presenting one's self in an overly virtuous/fashion/defensive.

Review of the MMPI-2 Restructured Clinical (RC) Scaled revealed a clinically significant elevation with regard to ideas of persecution (T=66). There were no other clinically significant elevations revealing of complaints associated with somatic difficulties, low positive emotions, cynicism, antisocial behavior, dysfunctional negative emotions, aberrant experiences, or hypomanic activation. Ideas of persecution reflect beliefs such as "I feel I have often been punished without cause. I am sure I am being talked about, people say insulting and vulgar things about me."

Review of the MMPI-2-RF Somatic/Cognitive and Internalizing Scales also failed to reveal any clinically significant elevations suggestive of ongoing difficulties. There was no report of difficulties with suicidal ideation, helplessness, hopelessness, self doubt, inefficacy, stress/worry, anxiety, anger proneness, or behavior restricting fears.

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Review of the MMPI-2-RF Externalizing, Interpersonal, and Interest Scales also failed to reveal any clinically significant elevations. This included a lack of a significant elevation with regard to family problems, though obviously there is estrangement currently ongoing between Mr. Fox and his desire to be involved with his daughter. There was no report of difficulties with interpersonal passivity, social avoidance, shyness, substance abuse, or aggression.

Review of the MMPI-2-RF Psy-5 Scales also failed to reveal any clinically significant elevations with regard to aggressiveness, psychoticism, disconstraint, negative emotionality, or introversion.

Mr. Fox responded to the OMNI Personality Inventory. The OMNI is a self report inventory designed to assess both normal and abnormal personality traits. Mr. Fox responded to the OMNI in a consistent fashion without acknowledgment that he was experiencing any disruptive levels of distress.

Review of the OMNI-IV revealed Mr. Fox to state that he is calm and relaxed and not particularly worried about the future. Mr. Fox has a positive view of himself and is content with the life he has lived. Frequently, he has ordinary, understandable fluctuations in mood. Mr. Fox reported being content with a peaceful, quiet, and predictable way of life.

With regard to interpersonal relationships, Mr. Fox stated that he enjoys meeting and talking to others to an average extent. Yet, he is inclined to be wary of others and suspicious of their intentions. Mr. Fox stated that he relates to others in a genuine and straightforward way without being at all duplicitous or manipulative. Mr. Fox reported that he is content with going unnoticed and usually does not go out of his way to attract attention. Mr. Fox reported being inclined to be somewhat modest, unpretentious, and self-effacing.

Mr. Fox reported that he tends to be cautious and deliberate, careful to consider the consequences of his actions. He reported having good control over most behaviors like eating, drinking, spending, or sex.

Mr. Fox reported having a conspicuous amount of drive, motivation, and desire to surpass others with his accomplishments. It is very likely that he favors traditional and conservative social values. He tends to be somewhat intolerant of cultural diversity, though this is inconsistent with his involvement with American Indian tribes.

Mr. Fox reports being more active and energetic than most people. He described being neat, organized, and thorough. Mr. Fox views himself as being very self-reliant, usually handling the everyday demands of life without turning to others.

With regard to the Personality Disorder Scale, there was a mild elevation with regard to paranoid (T=64). Mr. Fox denied having a pervasive pattern of behaviors, traits, or attitudes associated with a schizoid, schizotypal, antisocial, borderline, histrionic, narcissistic, avoidant, dependent, or obsessive/compulsive personality disorder.

Mr. Fox reported being a social consumer of alcohol. Indeed, there was report that he may have a glass of wine with dinner. Mr. Fox stated that he has never previously been intoxicated. He does not view himself as having any problems with the use/abuse of alcohol. Mr. Fox denied ever experiencing the missing of school or work due to alcohol consumption. He denied more disruptive symptoms such as delirium tremors, blackouts, or needing a drink in the morning.

Mr. Fox responded to the Substance Abuse Subtle Screening Inventory (SASSI-3). The SASSI-3 is a self report inventory designed to assist in assessing whether an individual is at high probability for a substance abuse problem. It was noted that Mr. Fox was overly defensive in his responding to the SASSI-3. There was no report of experiencing disruptive symptoms associated with substance abuse, nor did Mr. Fox report having frequent obvious or subtle attributes to his personality that are commonly found in the

personalities of individual with substance abuse problems. Overall, it appears that Mr. Fox does not have any difficulties with substance abuse/abuse of alcohol. Indeed, family court records fail to reveal allegations that Mr. Fox has a substance abuse problem

In consultation with Dr. Marisa Nava and Sean Keefer, Guardian ad Litem, as well as review of records from Dr. Nava's involvement with Mr. Fox's daughter as well as the daughter's mother and stepfather, there was complaint particularly by the daughter, Mackenzie, that Mr. Fox would easily become angry and mad at her. There was also discussion with Sean Keefer, GAL, regarding the incident in Japan and whether that involved a physical altercation. In the current evaluation, Mr. Fox denied experiencing disruptive difficulties with anger dyscontrol. Mr. Fox was administered the State Trait Anger Expression Inventory-2 (STAXI-2). The STAXI-2 provides concise measures of the experience, expression and control of anger. Mr. Fox's responses to the STAXI-2 failed to reveal any clinically significant levels with regard to state anxiety. As such, Mr. Fox denied experiencing relatively intense angry feelings that would be situationally determined such as his current involvement in the Family Court legal proceedings.

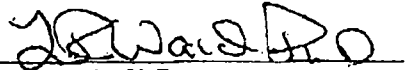
Mr. Fox also denied having high levels of trait anxiety which would be associated with chronically and frequently experiencing angry feelings as well as often believing that one is treated unfairly by others. High trait angry individuals generally are quick tempered and readily express their angry feelings with little provocation. Such individuals are often impulsive and lacking in anger control

Mr. Fox did report that he spends a great deal of energy in calming down and reducing his anger as soon as possible. There was also acknowledgment of spending a great deal of energy in monitoring and preventing the outward experience and expression of anger. Certainly, the development of internal controls over the experience and expression of anger is generally seen in a positive light if it does not serve to reduce a person's awareness of the need to respond with assertive behavior in order to facilitate a constructive solution to a frustrating situation.

Mr. Fox stated that in the past, he experienced difficulties with attention/focus and was seen by Dr. Glasier in consultation. There was placement on psychostimulant medication which was of assistance to Mr. Fox though use rendered him "woozy." In the current evaluation, Mr. Fox responded to the Barkley Deficits in Executive Functioning Scale. Similar to his responding to other psychological tests, Mr. Fox responded either never or rarely to every item on the inventory other than stating sometimes "I am not able to comprehend what I read as well as I should be able to do. I have to reread material or I forget its meaning." Mr. Fox's responses to the Barkley Scale resulted in a score on the ADHD-EF Index Scale that was significantly below the cutoff score utilized to identify adults who are at risk for disruptive behaviors associated with an attention deficit hyperactivity disorder.

Mr. Fox was also provided a Personal Problems Checklist for adults to complete. The checklist is comprised of a list of 208 problems that people may be confronting in their life. Mr. Fox endorsed the following problem areas:

- Being criticized by others.
- Not fitting in with peers.
- Being overweight.
- Not having suitable clothes.
- Job not paying enough.
- Friends or relatives criticizing job.
- Getting bad grades.
- Taking the wrong courses.
- Not making enough money.
- Failing to support church.
- Needing legal advice.
- Needing a vacation.
- Losing job.



I. Randolph Waid, Ph.D.  
Licensed Clinical Psychologist (SC License #333)

LRW/emf



ALAN WILSON  
ATTORNEY GENERAL

May 25, 2016

Glynndeavin V. Fox  
3556 Galaxy Road  
Ladson, South Carolina 29456

RE: The State v. Glynndeavin Von Fox  
(Charleston County)

Dear Mr. Fox:

Our Office has received a Notice of Appeal in the above case. This case will be assigned to a lead attorney once the Initial Brief of Appellant and Designation of Matter are filed and served. I would appreciate you sending any correspondence pertaining to the above matter directly to me. You will be notified of lead counsel once assignment has been made.

Sincerely,

J. Benjamin Aplin  
Senior Assistant Deputy Attorney General

JBA:ab

cc: The Honorable Scarlett A. Wilson  
The Honorable Jenny A. Kitchings  
Ms. Trisha Allen

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

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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JUN 03 2016

APPEAL FROM CHARLESTON COUNTY  
Court of General Sessions

SC Court of Appeals

Deadra Jefferson, Circuit Court Judge

Case No. 2013-GS-10-001945-6

The State of South Carolina

Respondent,

v.

Glynndeavin von Fox,

Appellant.

PROOF OF SERVICE

I certify that I have served the Motion of Appeal To Stop the Order on the Charleston County Clerk of Court, by delivering a copy in person, on May 5th, 2016, addressed to, Charleston County Clerk of Court, O.T. Wallace Building, 101 Meeting Street, Suite 106, Charleston, SC 29401. See attached document for article number.

June 1<sup>st</sup>, 2016

s/ Glynndeavin von Fox  
Glynndeavin von Fox  
Ladson Plantation  
St. James—Goose Creek Parish  
3556 Galaxy Rd.  
Ladson, SC 29456  
(843) 330-7200  
Pro Se

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