

FORM 1
NOTICE OF APPEAL IN A GENERAL SESSIONS CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

JUN 28 2016

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Deadra Jefferson, Circuit Court Judge

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

The State of South Carolina,

Respondent,

v.

Glynndeavin von Fox,

Appellant.

Petition For Reinstatement

Glynndeavin von Fox petitions for reinstatement of an appeal of the appellate case no. 2016-000967 regarding the Competency to Stand Trial Evaluation of the Honorable Judge Deadra Jefferson, which was ordered by this high and honorable court as upheld on the 17th of June, 2016. Appellant received written notice of entry of this South Carolina Court of Appeals order on the 17th of June, 2016.

22nd of June, 2016

s/ Glynndeavin von Fox
Glynndeavin von Fox
3556 Galaxy Rd.
Ladson, South Carolina 29456
(843) 330-7200
Pro Se

Other Counsel of Record:
Assistant Solicitor, Charles W. Patrick, III
O.T. Wallace Building
101 Meeting Street
Charleston, South Carolina 29401
(843) 958-1900

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The State of South Carolina,

Respondent,

v.

Glynndeavin von Fox,

Appellant.

Petition For Reinstatement Case Points

The following case points show the reasoning for the reinstatement of the appeal under appellant case no. 2016-000967:

- The reasoning for the South Carolina Appellant Court to understand that this case was placed on a trial docket on April 4th, 2016 regarding a Pro Se filing that was approved by the honorable Deadra Jefferson on transcripts (Of which audio is being sought from the Charleston County Court for issues of error in speech and statement.), and states that she was confident in Glynndeavin von Fox representing himself.¹ The honorable Deadra Jefferson was so confident in the placement of the trial on the docket with the defendant Pro Se, that the case was placed on the docket in the 23rd of March Status Conference with no objection from the state.² As of the 22nd of June, 2016 there has been no events with Glynndeavin von Fox that show any criminal activity or mental illness activity through police reporting or psychologist reporting.³
- The testing of Dr. Randolph Waid in turn with the testing by MUSC shows no issue of unstable nature by Glynndeavin von Fox, and the reporting by Dr. Randolph Waid dispells any issue, issued by the country of Japan in Rule 902 violated documents.⁴⁵
- The use of violated documents by the 9th Circuit District Solicitor's Office concerning documents from Japan in the issuance of a mental competency evaluation request for Pro Se representation by Glynndeavin von Fox, is a violation of state and federal laws regarding foreign documents with Rule 902 at the state and federal level.⁶ The documents

are not signed, attested to, and state gross negligent identifying features that suggest that things based on religion of Shinto versus Christianity and American versus Japanese culture of household customs and lifestyles of freedom of movement are the cause of unusual behavior. As Glynndeavin von Fox worked three or four jobs while attending the College of Charleston fulltime, it was though that this was unusual for a Japanese person that can not do this in Japan, given laws and religion in Japan that do not allow this, and that not calling your mother everyday or every hour is something that is unusual for a mid 30 year old person.

- The use of documents that are already given to the 9th Circuit District Solicitor's Office in 2014-15 with Assistant Solicitor Stephanie Linder, Esq by Cameron Blazer, Esq. of Savage Law Firm regarding something as a new evidence issue to stop a due process and speedy trial aspect of the case of *the State of South Carolina v. Glynndeavin von Fox*.⁷ The documents that were submitted by Assistant Solicitor Charles W. Patrick, Esq. was the same information that was given to the 9th Circuit Solicitor's Office when Assistant Solicitor Stephanie Linder, Esq. was on the case of *The State of South Carolina v. Glynndeavin von Fox*. Therefore it becomes an aspect of barratry for the Assistant Solicitor Charles W. Patrick, III, Esq. when bringing new evidence to the court that is already given in the matter of the court regarding Pre Trial Intervention Program admittance.⁸⁹

I understand the ability of a court in South Carolina to ask for a mental evaluation to stand trial under South Carolina Code of Law, Section 44-23-410, but the issue with the appeal being filed is that the court already had that information from Dr. Randolph Waid, MUSC, and correspondence and meetings between my estranged lawyer and the 9th Circuit District Solicitor's Office.¹⁰ I look to this high and honorable court to hear this petition of rienstatement of the appeal for appellant case no. 2016-000967.

22nd of June, 2016

s/ Glynndeavin von Fox
Glyndeavin von Fox
3556 Galaxy Rd.
Ladson, South Carolina 29456
(843) 330-7200
Pro Se

Other Counsel of Record:

Assistant Solicitor, Charles W. Patrick, III
O.T. Wallace Building
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Charleston, South Carolina 29401
(843) 958-1900

¹ SEE EXHIBIT A, MARCH 23, 2016 TRANSCRIPTS.

² SEE EXHIBIT A, MARCH 23, 2016 TRANSCRIPTS.

³ SEE EXHIBIT A, MENTAL ILLNESS TESTING BY DR. RANDOLPH WAID FOR THE 9TH CIRCUIT COURT DISTRICT.

⁴ SEE EXHIBIT A, REPORT BY DR. RANDOLPH WAID FOR THE 9TH

CIRCUIT COURT DISTRICT.

⁵ SOUTH CAROLINA JUDICIAL DEPARTMENT, "RULE 902 SELF AUTHENTICATION," *JUDICIALSTATESC.US*, ACCESSED JUNE 22, 2016, [HTTP://WWW.JUDICIALSTATESC.US/COURTREG/DISPLAYRULE.CFM?RULEID=902.0&SUBRULEID=&RULETYPE=EVD](http://www.judicialstatesc.us/courtreg/displayrule.cfm?ruleid=902.0&subruleid=&ruletype=EVD)

⁶.IBID.

⁷ SEE EXHIBIT B, RELIEF OF COUNSEL TRANSCRIPT.

⁸ SOUTH CAROLINA STATE HOUSE, "TITLE 16—CRIMES AND OFFENSES, CHAPTER 17, BARRATRY, SECTION 16-17-10 (2)(B)," *SCSTATEHOUSE.GOV*, ACCESSED JUNE 22, 2016, [HTTP://WWW.SCSTATEHOUSE.GOV/CODE/T16C017.PHP](http://www.scstatehouse.gov/code/t16c017.php).

⁹ SEE EXHIBIT B

¹⁰ SOUTH CAROLINA STATE HOUSE, "TITLE 44 HEALTH," *SCSTATEHOUSE.GOV*, ACCESSED ON JUNE 22, 2016, [HTTP://WWW.SCSTATEHOUSE.GOV/CODE/T44C023.PHP](http://www.scstatehouse.gov/code/t44c023.php).

Exhibit A

June 20, 2016

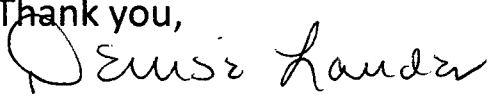
Glynndeavin Von Fox
3556 Galaxy Road
Ladson, SC 29456

RE: Transcript 3/23/16 and 4/5/16

Dear Mr. Fox:

In re the above-requested transcripts, I underestimated the total number of pages by eight (8) pages. There is an outstanding balance due of \$26. Please remit ASAP.

I have sent the pdf copies via your email, hard copies will be sent via USPS.

Thank you,

Denise J. Lauder, RPR

1 STATE OF SOUTH CAROLINA) GENERAL SESSIONS
2) CASE NO. 2013-GS-10-01945
COUNTY OF CHARLESTON) 2013-GS-10-01946

3 STATE OF SOUTH)
CAROLINA,)
4) Transcript of Record
Plaintiff,)
5)
vs.)
6) Date: March 23, 2016
GLYNNDEAVIN VON FOX,)
7)
Defendant.

* * * * *

B E F O R E:

The Honorable DEADRA JEFFERSON

ORIGINAL

* * * * *

Denise J. Lauder, RPR

Ninth Judicial Circuit

1 A P P E A R A N C E S

2

3 REPRESENTING THE STATE OF SOUTH CAROLINA:

4 CHARLES PATRICK, ASSISTANT SOLICITOR

5 Solicitor's Office

6 101 Meeting Street, Suite 400

7 Charleston, SC 29401

8

9 REPRESENTING THE DEFENDANT:

10 GLYNNDEAVIN VON FOX, PRO SE

11 3556 Galaxy Road

12 Ladson, SC 29456

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INDEX OF EXHIBITS

(No exhibits were offered or
marked for identification.)

1 (These proceedings were had 3/23/2016
2 in re State v. Fox, Charleston County Circuit
3 Court, 10:27 a.m.)

4 THE COURT: Glynndeavin Von Fox. I
5 hope I pronounced that correctly.

6 Are you Glynndeavin Fox?

7 MR. VON FOX: Glynndeavin Von Fox.

8 THE COURT: Glynndeavin; I apologize
9 because I mispronounced your name.

10 Sir, you are representing yourself?

11 MR. VON FOX: Yes, ma'am, Your Honor.

12 THE COURT: And that is your desire, to
13 continue to represent yourself?

14 MR. VON FOX: Yes, Your Honor.

15 THE COURT: Do you think that's wise?

16 MR. VON FOX: I think it's wise enough
17 after I've been through three lawyers that have
18 tried to break mal -- legal malpractice laws in the
19 State of South Carolina.

20 THE COURT: Well, sir, I will tell you
21 this, and the Court does not take a position one
22 way or the other, I'm a lawyer and I have a lawyer
23 represent me, because I can't be objective about my
24 own situation.

25 MR. VON FOX: I don't need a lawyer.

1 THE COURT: Let me finish saying what
2 I'm going to say to you. I understand that you may
3 have had some difficulty, again, I take no position
4 one way or the other, but when you represent
5 yourself you're charged with knowing the Rules of
6 Court, the Rules of Evidence, and the Rules of
7 Procedure.

8 And so prior to trial, I need you to
9 get familiar with those things or you're going to
10 be at a distinct disadvantage in trying your case.
11 Okay?

12 MR. VON FOX: Well, I have some
13 documents here that I've had mock trial classes as
14 well.

15 THE COURT: Well, now, again, I'm not
16 questioning your capacity or your ability. I just
17 want you to be aware of it because I don't want you
18 to be taken aback or caught off guard at the time
19 of trial.

20 MR. VON FOX: Okay.

21 THE COURT: So even though the law --
22 even though the Constitution allows you to
23 represent yourself, you're still charged with
24 having the same knowledge basically as a lawyer and
25 following those same standards.

1 MR. VON FOX: Okay.

2 THE COURT: I just -- the law requires
3 me to advise you that while you have the ability
4 and the right to represent yourself, that may not
5 always be the most wise decision, that there are
6 certain dangers that are inherent in representing
7 yourself and if you cannot afford a lawyer, we can
8 appoint one for you.

9 So do you have any desire to have a
10 lawyer appointed to represent you if you meet the
11 requirements for appointment?

12 MR. VON FOX: No, Your Honor.

13 THE COURT: Okay. How many witnesses
14 doe the State have, Mr. Patrick?

15 MR. PATRICK: Between eight to ten,
16 Your Honor.

17 THE COURT: And, sir, how many
18 witnesses do you --

19 MR. VON FOX: About six.

20 THE COURT: About six. And are there
21 any pretrial motions, sir, that --

22 MR. VON FOX: I have not received
23 discovery in any aspect whatsoever.

24 THE COURT: I'm almost sure it was
25 given -- who was his -- who were your previous

1 attorneys?

2 MR. VON FOX: Savage Law Firm. They
3 said they did discovery while I was in Tokyo.

4 THE COURT: Did you go by there and get
5 your file?

6 MR. VON FOX: No. They sent the file
7 by Fed Ex, and it did not have discovery items in
8 it whatsoever.

9 THE COURT: Do you have any discovery
10 you can give him before he leaves the building
11 today?

12 MR. PATRICK: I can try, Your Honor.

13 THE COURT: Who did you all send the
14 discovery to?

15 MR. PATRICK: We sent it to the Savage
16 Law Firm, Your Honor.

17 THE COURT: Who represented you at the
18 Savage Law Firm, sir?

19 MR. VON FOX: It was Donald McKune, and
20 it switched to Cameron Blazer when Donald McKune
21 had an issue with his family.

22 THE COURT: Okay. So when you say
23 you've had several lawyers, you've only had one law
24 firm representing you.

25 MR. VON FOX: I've had two lawyers at

1 the same law firm representing me from the same
2 college.

3 THE COURT: That's considered like one
4 law firm, one set of -- when you say several to me,
5 that makes me think you went to three different law
6 firms.

7 MR. VON FOX: Right.

8 THE COURT: So even though a law firm
9 may have several different members practicing in
10 it, for all intents and purposes it's one
11 representation because they can all switch off and
12 represent you.

13 MR. VON FOX: They don't have the same
14 -- different bar numbers, correct?

15 THE COURT: Oh, yeah. Yeah; a law firm
16 doesn't have a bar number. A bar number represents
17 your license and your privilege to practice law in
18 the State of South Carolina. So that's individual
19 to each lawyer, but that doesn't change the fact
20 that when you have a law firm representing you, any
21 member of that firm can represent you.

22 That doesn't represent separate
23 different folk. It's not like three separate --
24 when you said that, it made me think you've been to
25 three separate law firms and had terminated their

1 representation.

2 Okay. Have you explored having a
3 lawyer -- an additional lawyer represent you or
4 another lawyer represent you?

5 MR. VON FOX: I've contacted two law
6 firms, Your Honor, but no responses yet.

7 THE COURT: And when was -- has the
8 Savage Law Firm been relieved from representing
9 you?

10 MR. VON FOX: They ordered the motion,
11 but they weren't relieved through formal paperwork.

12 MR. PATRICK: Orally, Judge.

13 THE COURT: Okay. When was that?

14 MR. VON FOX: They weren't relieved
15 orally either.

16 MR. PATRICK: That was on February 12,
17 2016, Judge.

18 MR. VON FOX: The judge never relieved
19 them orally either.

20 THE COURT: What was that?

21 MR. VON FOX: The judge never relieved
22 them orally either.

23 THE COURT: I can't hear you, sir.

24 MR. VON FOX: The judge never relieved
25 them orally either.

1 MR. PATRICK: I believe he did, Judge.

2 THE COURT: Who was the judge?

3 MR. PATRICK: Judge Jeff Young.

4 THE COURT: And the Savage Law Firm
5 made a motion or did Mr. Fox make a motion?

6 MR. PATRICK: It was a motion by the
7 Savage Law Firm, Judge.

8 THE COURT: Okay. And it was heard and
9 Mr. Fox was present?

10 MR. PATRICK: Yes, Your Honor.

11 THE COURT: And, sir, you're saying
12 that Judge Young didn't say Savage Law Firm was
13 relieved?

14 MR. VON FOX: No, Your Honor. He never
15 said orally or sent a form to the Clerk of Court's
16 office.

17 THE COURT: You don't have to get a
18 form. In criminal court you don't have to do --

19 MR. VON FOX: I'm waiting on the
20 transcripts, but I know what he said orally.

21 THE COURT: Yeah. You don't have to --
22 but you don't want them representing you, though,
23 do you?

24 MR. VON FOX: Oh, no, ma'am, I don't.

25 THE COURT: Okay. So it's --

1 MR. VON FOX: -- a letter to them, not
2 them --

3 THE COURT: So it's sort of a moot
4 issue, isn't it?

5 MR. VON FOX: I would imagine, Your
6 Honor.

7 THE COURT: Yeah. In criminal court,
8 we don't have to do orders; a transcript is
9 sufficient once it's ordered from the bench. We
10 can do an order if we want to, but it's not
11 mandatory or required.

12 Okay. All right. Anything further,
13 Mr. Fox, you want to share with the Court before we
14 set the case for trial?

15 MR. VON FOX: The Savage Law Firm was
16 also supposed to ask for a jury trial in the
17 matter.

18 THE COURT: Yeah. Unless you ask for a
19 bench trial, you always have a jury trial in
20 criminal court.

21 MR. VON FOX: I also made a request
22 downstairs for travel for religious purposes.

23 THE COURT: You have to pay your
24 witnesses. The Court has no responsibility --

25 MR. VON FOX: Not witnesses. A request

1 to travel for religious purposes.

2 MR. PATRICK: He means for himself,
3 Judge.

4 THE COURT: I'm sorry, I'm confused --

5 MR. PATRICK: He wants to travel --

6 MR. VON FOX: I made a request down at
7 the Clerk of Court's office. You should receive it
8 in your basket today or tomorrow --

9 THE COURT: To travel where?

10 MR. VON FOX: Religious reasons to the
11 Anglican Church in England.

12 THE COURT: I mean, where do you want
13 to go?

14 MR. VON FOX: Either New York or
15 London, if you'll allow.

16 THE COURT: When?

17 MR. VON FOX: Before Eucharist is over,
18 if possible.

19 THE COURT: I mean, I need dates. I
20 don't know when --

21 MR. VON FOX: I can give you dates if
22 you allow the travel. I just put a request in to
23 see if you would allow it or not.

24 THE COURT: Yeah, I haven't -- if you
25 put it -- when did you submit it?

1 MR. VON FOX: This morning.

2 THE COURT: Oh, yeah. It wouldn't have
3 made its way upstairs to me yet.

4 MR. PATRICK: Judge, we would object to
5 any request to travel. I mean, that's a condition
6 of his bond. It's in the bond paperwork.

7 MR. VON FOX: It's actually -- no, Your
8 Honor, it's not in the bond paperwork.

9 THE COURT: Well, it's what you --

10 MR. VON FOX: They allowed -- they
11 allowed travel to Jamaica and Grand Cayman in
12 2015 --

13 THE COURT: Let me -- let me -- let me
14 interrupt you one second. And I apologize for the
15 interruption. The small print on the bond form
16 says you can't travel outside of the state of South
17 Carolina. If you went to those places, it's
18 because the judge -- your previous law firm
19 probably submitted a consent order and the
20 Solicitor agreed to it and the judge signed off on
21 it, which then allowed you to leave the boundaries
22 of South Carolina for purposes of travel.

23 So I will look at your -- since the
24 State objects to your travel, we really need to
25 dispose of that today.

1 MR. PATRICK: Judge, the State --

2 THE COURT: Ivy, go downstairs and find
3 his -- see if that request is in my basket, and
4 then I'm going to wait to see what he's actually
5 asking for.

6 MR. PATRICK: Okay.

7 THE COURT: So if you can indulge me,
8 Mr. Patrick.

9 MR. PATRICK: Yes, ma'am.

10 THE COURT: Mr. Fox, if you could hang
11 around for me, we'll deal with your travel request.
12 Okay?

13 MR. VON FOX: I have one more request.

14 THE COURT: Sure.

15 MR. VON FOX: The appellate process for
16 the travel request if it's denied.

17 THE COURT: That's what is called an
18 interlocutory issue, and the Supreme Court and the
19 Court of Appeals will take it up. It will just
20 kick right back and they'll say it's interlocutory,
21 completely discretionary. Of course I can't speak
22 for them, but based on experience, it's
23 interlocutory and it's completely within my
24 discretion. And since I haven't made a decision
25 yet, I think it's rather premature.

1 MR. VON FOX: Okay.

2 THE COURT: All right.

3 MR. VON FOX: As well there was a
4 request to understand the face-to-face meeting with
5 witnesses.

6 THE COURT: I'm sorry, I'm didn't hear
7 you.

8 MR. VON FOX: Face-to-face meetings
9 with a witness --

10 THE COURT: That's your responsibility
11 to contact witnesses. They don't have any
12 obligation to talk to you if they don't want to.

13 MR. VON FOX: Will they grant me a
14 letter to contact them and ask them to unlock the
15 e-mail?

16 THE COURT: Unlock whose e-mail?

17 MR. VON FOX: Unlock their e-mail at
18 the Solicitor's office so I can send them an e-mail
19 to correspond --

20 THE COURT: Who are you trying to
21 correspond with?

22 MR. VON FOX: The Assistant Solicitor
23 himself.

24 MR. PATRICK: The e-mail is not locked,
25 Judge. Judge, this kind of brings up --

1 MR. VON FOX: The e-mail is locked, the
2 Assistant Solicitor, Stephanie Linder's.

3 THE COURT: Okay. What's going on?
4 Help me.

5 MR. PATRICK: We have a couple of
6 mental health concerns.

7 THE COURT: Okay.

8 MR. PATRICK: Judging by his behavior
9 -- the original offer was PTI. He went through the
10 PTI process, was rejected. He had several meetings
11 with --

12 THE COURT: Why was he rejected from
13 PTI?

14 MR. PATRICK: The head of PTI, Ty
15 Felkner, had a meeting with him where he turned --
16 had sort of an aggressive demeanor.

17 THE COURT: Okay.

18 MR. PATRICK: And there were
19 requirements that he go through some mental health
20 treatment during the course of PTI. It came to
21 light that it was not going to be a successful
22 process.

23 The Savage Law Firm filed a motion to
24 have him relieved. I believe one of the purposes
25 of the motion to have it -- a judge look at the

1 case. The result of the motion was that the Savage
2 Law Firm was relieved and the case was put on a
3 trial docket.

4 He has traveled before. He traveled to
5 Japan and got arrested for assault there. While in
6 a Japanese jail, there was --

7 MR. VON FOX: Your Honor --

8 THE COURT: I'm going to let you
9 respond, sir.

10 Go ahead, Mr. Patrick.

11 MR. PATRICK: While he was in the
12 Japanese prison, there was a medical diagnosis for
13 mental health issues. He was extradited back to
14 the United States, made it back to Charleston,
15 that's when the whole PTI process started.

16 There are about a dozen lawsuits in
17 Federal Court that allege pretty outrageous claims.

18 THE COURT: You mean, he's made in
19 Federal Court or somebody --

20 MR. PATRICK: Yes, Your Honor.

21 THE COURT: -- somebody made against
22 him --

23 MR. PATRICK: He made in Federal Court.

24 THE COURT: Against who?

25 MR. PATRICK: Against the State of

1 South Carolina, against the Savage Law Firm,
2 against the Market Pavilion Hotel where this
3 incident occurred. Some of the damages are in --
4 upwards of millions of dollars. It's just -- it
5 speaks to a --

6 THE COURT: Sir, are you representing
7 yourself in Federal Court?

8 MR. VON FOX: Yes, ma'am, Your Honor.

9 THE COURT: Okay. Let me ask you a
10 quick question. What do you do -- how old are you?

11 MR. VON FOX: I'm 38.

12 THE COURT: How far have you gone in
13 school?

14 MR. VON FOX: A bachelor's.

15 THE COURT: And what is your bachelor's
16 degree in?

17 MR. VON FOX: Political science,
18 history, and the classics.

19 THE COURT: And where did you receive
20 your degree?

21 MR. VON FOX: I haven't received a
22 degree entirely. It's just the BA program itself.

23 THE COURT: So you didn't graduate?

24 MR. VON FOX: Not yet. I'm currently
25 in the university program.

1 THE COURT: Okay. What university
2 program --

3 MR. VON FOX: Arizona State University
4 with a 3.5 GPA.

5 THE COURT: And you're a resident of
6 Charleston?

7 MR. VON FOX: Correct. I went to the
8 College of Charleston as well, and The Citadel.

9 THE COURT: What do you do for a
10 living?

11 MR. VON FOX: I'm a consultant.

12 THE COURT: With -- I mean, you have to
13 explain --

14 MR. VON FOX: Your Honor, I'm a
15 consultant with the federal programs, I've also
16 done work related to American Tribes in the local
17 areas.

18 THE COURT: So you're a government
19 consultant for what kind of programs?

20 MR. VON FOX: Federal programs in their
21 entirety. Any program.

22 THE COURT: How long have you been
23 engaged in that employment?

24 MR. VON FOX: About ten years.

25 THE COURT: Okay. Sir, is there

1 anything else you want to share with the Court?

2 MR. VON FOX: Yes. Well, the
3 application that the Assistant Solicitor here makes
4 is understandable if there was a concern of mental
5 health. These documents from Tokyo that I received
6 from my lawyer saying they came from either my
7 lawyer or him are not signed under Rule 902. They
8 are a foreign expert witness under Justice --
9 Justice Graves --

10 THE COURT: Well, he's not offering
11 them and he hasn't given --

12 MR. VON FOX: I understand, but he's
13 making a claim that I have a mental issue. And
14 this is the document that they claim is supporting
15 that mental issue itself, it's not signed. It's
16 from a Japanese psychiatrist who has to be Buddhist
17 to be a psychiatrist in Japan.

18 THE COURT: Uh-huh.

19 MR. VON FOX: They have a national
20 religion, and they don't have the same legal system
21 as the United States --

22 THE COURT: That's correct, they don't.

23 MR. VON FOX: And -- but the charges in
24 Japan were not a conviction. They were some kind
25 of -- I don't know -- some kind of -- I have no

1 idea.

2 THE COURT: Okay.

3 MR. VON FOX: It was from Japan, I
4 didn't receive any paperwork. They took all the
5 paperwork from me. I don't have any paperwork from
6 Japan whatsoever, and I have the actual
7 psychological testing done from another
8 psychologist.

9 THE COURT: Well, sir, if you think
10 you're competent and you think you can represent
11 yourself, I'm fine with that.

12 MR. VON FOX: Right, but it's --

13 THE COURT: You're doing it at your own
14 risk. What I would strongly suggest you do, and
15 you can take it for what it's worth, is -- have you
16 been -- and please don't take this in any
17 pejorative sense. You know, I'm asking these
18 questions for a reason; they're not random. Have
19 you ever been evaluated by the Department of Mental
20 Health?

21 MR. VON FOX: I have not --

22 THE COURT: Have you ever had any kind
23 of diagnosis?

24 MR. VON FOX: No, I haven't. And the
25 outlandish claims in Federal Court stopping cases,

1 there's all evidence, signed documented evidence --

2 THE COURT: Well, no, the question is,
3 did you file cases in Federal Court?

4 MR. VON FOX: I did.

5 THE COURT: Okay.

6 MR. VON FOX: And they all have
7 documented evidence, dates, times, places, people,
8 real events --

9 THE COURT: When did you file those
10 cases?

11 MR. VON FOX: Throughout the last
12 month. I have five appeals --

13 THE COURT: So they haven't -- yeah.
14 Yeah. You know in Federal Court they can dismiss
15 your causes of action on summary judgment without a
16 hearing and you'll just get a form order.

17 MR. VON FOX: And I can make an appeal
18 to Richmond.

19 THE COURT: Yeah. I mean, which would
20 take about three years. Yeah. All right.

21 MR. VON FOX: The U. S. Constitution
22 gives me protected rights.

23 THE COURT: Listen, I'm a lawyer and
24 I'm a judge, I'm a great believer in the system. I
25 say, exercise your rights. That's why we -- we've

1 got a system, it's wonderful. Even with its faults
2 and problems, it works as far as I'm concerned. I
3 say, avail yourself of it. You will never hear me
4 criticize you for filing anything or doing anything
5 that you think is appropriate to protect your
6 interests. Only you can make that decision. I
7 can't make that decision for you.

8 MR. VON FOX: Yes, Your Honor.

9 THE COURT: And I would never
10 discourage you from doing that.

11 All right. Let's see here --

12 MR. VON FOX: I would also like to make
13 a request to --

14 THE COURT: Because what I was going to
15 suggest to you, because I feel like it wouldn't
16 hurt you at all, is to go get evaluated and if, in
17 fact, there's something where you might need some
18 meds, they might be willing to take you back in
19 PTI. Who knows? Which would be such a great
20 opportunity for you, because then once you do PTI
21 you can get your record expunged.

22 MR. VON FOX: Yes. Yes, Your Honor.
23 And I've done this. I've actually went to MUSC
24 upon their recommendation after receiving --

25 THE COURT: When was that?

1 MR. VON FOX: That was right when I
2 returned from Japan.

3 THE COURT: All right. So what --
4 where -- you went to the Institute of Psychiatry?

5 MR. VON FOX: I went to MUSC's
6 emergency room to test me for medication that was
7 forced on me in Japan that was not approved by the
8 EPA --

9 THE COURT: Well, that's not the kind
10 of evaluation I'm talking about.

11 MR. VON FOX: Well, no, that's -- and
12 they put me through an evaluation with Dr. Susan
13 Knight, a psychologist.

14 THE COURT: Okay. What did Dr. Knight
15 say?

16 MR. VON FOX: Dr. Knight made some
17 statements on her documentation without even
18 providing testing in her contract. So there was no
19 testing done whatsoever. Dr. Randolph Waid in Mt.
20 Pleasant, however, conducted the tests on my behalf
21 --

22 THE COURT: And what did Dr. Waid say?

23 MR. VON FOX: I have them right here,
24 Your Honor, if you would like to read them.

25 THE COURT: I'm sorry?

1 MR. VON FOX: I have a copy for you
2 right here.

3 THE COURT: Sure. Let me look at it.

4 MR. PATRICK: I've actually seen that,
5 Judge.

6 THE COURT: Well, these are Japanese
7 documents. I'm talking about --

8 MR. VON FOX: Well, that's the Japanese
9 report --

10 THE COURT: Yeah. But behind this is
11 Dr. Waid's report. Okay. Let's see, and this was
12 done -- let's see.

13 MR. VON FOX: I have a lawsuit in Tokyo
14 in preparation for suing the actual hospital in
15 Tokyo.

16 THE COURT: Like I said, if they have
17 any process, avail yourself of it. I would never
18 criticize you for that.

19 MR. VON FOX: But, Your Honor --

20 THE COURT: Let me -- let me read for a
21 quick second. I'm trying to see what date this was
22 actually done.

23 MR. VON FOX: November 15, 2015, some
24 time --

25 THE COURT: Okay. It doesn't have a

1 date on here, which is sort of -- okay. This was
2 as a result of your family court action; is that
3 correct?

4 MR. VON FOX: Yes, Your Honor. It's
5 anger management --

6 THE COURT: I need order, please.

7 MR. VON FOX: It's an anger management
8 battery.

9 THE COURT: Was this before or after
10 you were evaluated for PTI?

11 MR. VON FOX: That was afterwards, and
12 they used the PTI evaluation for Dr. Susan Knight,
13 which did not show any testing whatsoever from a
14 psychologist, per her contract and my lawyer.
15 Which caused me to go to MUSC emergency room and
16 take medicine.

17 And I have documentation for the
18 medicine I was taking as well, and the effects on
19 my body increased my Alc, gave me diabetes and
20 almost cardiac arrest, and seconded by two
21 endocrinologists at MUSC.

22 THE COURT: Is this all the pages of
23 this report? I'm missing a page with the findings.

24 MR. VON FOX: It's just the relevant
25 pages for the findings, the tests themselves --

1 THE COURT: I need the findings, that's
2 what is relevant to me. Yeah, because I need to
3 know what his diagnosis is. So I -- based on what
4 I've read as the result of those tests, I can
5 pretty much assume what the diagnosis is.

6 MR. VON FOX: Okay.

7 THE COURT: And you may well want to --
8 did he suggest you take some medication?

9 MR. VON FOX: No, ma'am. No, Your
10 Honor, not at all. And I have the testing from
11 MUSC showing they issued the medication they had me
12 on.

13 THE COURT: I'm sorry?

14 MR. VON FOX: I have the information
15 from MUSC showing the medication and the effects on
16 my body and the endocrinologists involved.

17 THE COURT: Oh, I have no doubt what
18 you're telling me. You said you're diabetic,
19 correct?

20 MR. VON FOX: Well, the diabetes was
21 caused by the medicine I was pretty much --

22 THE COURT: In Japan?

23 MR. VON FOX: No.

24 THE COURT: Where?

25 MR. VON FOX: Here in the United

1 States.

2 THE COURT: Well --

3 MR. VON FOX: I was forced medication
4 in Japan, but the Japanese medication is not
5 approved by the drug administration.

6 THE COURT: Well, it's not unusual for
7 medications to cause your blood sugar or your blood
8 pressure to be affected.

9 Did you make a copy of this for Mr.
10 Patrick?

11 You can't get the Eucharist served to
12 you here?

13 MR. VON FOX: Not in the Catholic rites
14 with the Anglican Church, Your Honor. Not since
15 the American Revolution.

16 The closest one is in Trinity Church in
17 New York City. The Episcopal Church in Washington,
18 DC does not do it either.

19 THE COURT: Now, what date is this that
20 you are seeking to travel?

21 MR. VON FOX: I was just seeking the
22 opportunity to approach you and understand if I
23 could.

24 THE COURT: Well, no, I'm not going to
25 make a decision without knowing what dates --

1 MR. VON FOX: I can send the dates down
2 to you this afternoon downstairs if you would like.

3 THE COURT: No, I need to know the
4 dates now. You should know the dates you want to
5 travel.

6 MR. VON FOX: Well, I mean, I can
7 travel the 27th through the 29th of April. Is that
8 pertinent?

9 THE COURT: Well, your trial is going
10 to be before then probably. So I think it might be
11 a moot issue.

12 MR. VON FOX: Also, I would like to
13 make another request to extend the trial date
14 past --

15 THE COURT: Why?

16 MR. VON FOX: The university semester
17 I'm currently in.

18 THE COURT: Do you actually go to class
19 or do you do it online?

20 MR. VON FOX: I do it online. But it's
21 not done until the 29th.

22 THE COURT: Yeah, but you can do that
23 at your own leisure, can't you?

24 MR. VON FOX: It's up to the professor.

25 THE COURT: I can't hear you.

1 MR. VON FOX: It's up to the
2 professor's choice.

3 THE COURT: But they're usually pretty
4 reasonable, wouldn't you think?

5 MR. VON FOX: I can ask them, Your
6 Honor.

7 THE COURT: It's been my experience
8 that they're pretty reasonable and lenient with you
9 if you have some, you know, extenuating
10 circumstances.

11 MR. VON FOX: Would you allow me to
12 speak to him about the situation in South Carolina?

13 THE COURT: Pardon me?

14 MR. VON FOX: Would you allow me to
15 speak to him about the situation in South
16 Carolina --

17 THE COURT: You can talk about whatever
18 you want to talk about.

19 MR. VON FOX: I don't want to violate
20 any kind of laws.

21 THE COURT: You can talk about anything
22 you want to with your professor. I would think
23 that you would tell him that you have some stuff
24 going on if -- if, in fact, it conflicts with a
25 class you have, I would think you would tell him.

1 MR. VON FOX: Well, they're going to
2 request proof. Is it possible I send him proof?

3 THE COURT: You can send them a copy of
4 the Indictment.

5 MR. VON FOX: Okay.

6 THE COURT: Or send them a copy of the
7 docket if you want. It will be up online in the
8 next couple of days. Probably by this afternoon
9 sometime. It would be my goal to have it up by --
10 well, I've got probation violations, but probably
11 around -- well, it will be before 5:00.

12 MR. VON FOX: Also, Your Honor, may I
13 show the discovery questions to you as well? Is
14 that --

15 THE COURT: We don't do -- I mean, you
16 would have to serve those on Mr. Patrick.

17 MR. VON FOX: Okay.

18 THE COURT: Because I can't -- I
19 certainly can't give you any discovery.

20 Mr. Patrick, is it possible -- I would
21 imagine in the file you have that you sent to the
22 Savage Law Firm --

23 MR. PATRICK: We do --

24 THE COURT: -- there might be
25 something --

1 MR. PATRICK: It's been kind of
2 distributed throughout that trial folder. I've
3 been serving everything on him by certified mail.
4 I would ask if I do that, if I could send out a
5 letter with the Rule 5 material in it.

6 THE COURT: Well, if he's here --

7 MR. PATRICK: Okay.

8 THE COURT: -- no time like the
9 present.

10 MR. PATRICK: All right. Thank you,
11 Judge.

12 THE COURT: And then that way he can
13 sign off on something right there indicating he
14 received it from you today.

15 MR. PATRICK: Okay.

16 THE COURT: Or if you need him to come
17 back tomorrow, but I would, again, think it might
18 be prudent to get that done today.

19 MR. VON FOX: Your Honor, not to say
20 that I have a crutch in the law itself, but
21 understand I'm not a barred lawyer so I would need
22 probably a day to go over that documentation and
23 research --

24 THE COURT: Well, you'll have more than
25 a day because today is Wednesday.

1 MR. VON FOX: Okay.

2 THE COURT: Court doesn't start until
3 Monday. While I have a great deal of empathy
4 regarding your religious requirement and the
5 limitation of your ability to have the Eucharist
6 served in a way that you feel is appropriate and
7 consistent with your religious beliefs, at this
8 time and with -- and the dates you told me are
9 beyond the dates of your trial, so really it's a
10 moot issue at this point. We'll have to -- because
11 once your trial --

12 MR. VON FOX: What about an earlier
13 date, Your Honor?

14 THE COURT: Pardon me?

15 MR. VON FOX: What about an earlier
16 date?

17 THE COURT: I'm not going to consider
18 anything before trial.

19 MR. VON FOX: Okay.

20 THE COURT: Because you need -- too
21 many things -- you know, Brussel's airport was
22 bombed yesterday by two folk who blew themselves
23 up. It's just -- travel right now, to me, is an
24 iffy proposition anywhere out of the country. And
25 even with travel within the country, I have no

1 control over the northeasters that are coming
2 through the north and whether your flights might be
3 cancelled. I can't run that risk. I need you here
4 at court. Okay?

5 So if you're exonerated on these
6 charges, it's a moot issue; you can go wherever you
7 want to go.

8 MR. VON FOX: Yes, Your Honor.

9 THE COURT: The only issue is going to
10 be if you're convicted. And if you've convicted,
11 it becomes a moot issue as well.

12 MR. VON FOX: Yes, Your Honor.

13 THE COURT: Okay.

14 And make a copy of that please for
15 Mr. Patrick and then have it put in his file.

16 Thank you. It will be set for trial.

17 MR. PATRICK: Thank you, Judge.

18 THE COURT: Thank you very much.

19 (These proceedings were concluded at
20 10:49 a.m.)

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1 CERTIFICATE OF REPORTER

2
3 I, Carol Denise Lauder, Registered
4 Professional Reporter and Notary Public for the
5 State of South Carolina at Large, do hereby certify
6 that the foregoing transcript is a true, accurate,
7 and complete record.

8 I further certify that I am neither related
9 to nor counsel for any party to the cause pending
10 or interested in the events thereof.

11 Witness my hand, I have hereunto affixed my
12 official seal this 19th day of June, 2016 at
13 Charleston, Charleston County, South Carolina.

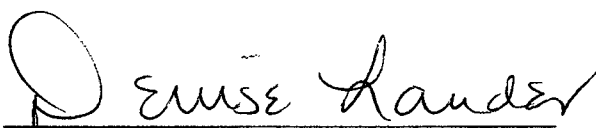
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15
16 
17 Carol Denise Lauder
18 Registered Professional
19 Reporter, CP
20 My Commission expires
21 August 2, 2017
22
23
24
25

Exhibit B

1 STATE OF SOUTH CAROLINA)
) Court of General Sessions
2 COUNTY OF CHARLESTON)
)
3 STATE OF SOUTH CAROLINA)
)
4 Plaintiff,) MOTION TO RELIEVE COUNSEL
)
5 vs.)
)
6 GLYNNDEAVIN VON FOX) Transcript of Record
)
7 Defendant.) DATE: February 12, 2016
)
8 _____)

9 B E F O R E:

10 The Honorable W. Jeffrey Young

11
A P P E A R A N C E:

GLYNNDEAVIN VON FOX, Pro Se

14 CAMERON BLAZER and DONALD McCUNE
Attorney for the Defendant

16 Karen V. Andersen, RMR, CRR
Circuit Court Reporter

1 MS. LINDER: Your Honor, this individual has thrown
2 bodily fluids and assaulted while resisting arrest. It's
3 from January of 2013. We are actually here today due to the
4 defense's motion to be relieved as counsel. And, Your Honor,
5 I think they can explain that, but I'm happy to go into more
6 detail.

7 MS. BLAZER: May it please the Court. I'm Cameron
8 Blazer. And I'm here with Don McCune from the Savage Law
9 Firm. Mr. von Fox is present as well. We are here because
10 Mr. Fox has sought to have us relieved. We have not made
11 this motion of our own accord.

12 Solicitor Linder is correct. This case arises out
13 of a January 2013 incident that occurred at the Market Street
14 Pavilion Hotel. And shortly thereafter, in March of 2013,
15 with the permission of Ms. Linder, Mr. von Fox traveled to
16 Japan on business. While in Japan on business, a similar
17 incident took place. And he was taken into custody in Japan
18 where he was held for quite some time while we worked through
19 the international authorities to try to get him brought back
20 to the United States.

21 And during that time, he was treated with medication
22 and diagnosed preliminary with schizophrenia. Upon his
23 return to the United States in January of 2014, he was
24 returned through New York City and returned to South
25 Carolina, at which point, he did begin receiving treatment at

1 M.U.S.C. and was successfully being treated and was doing
2 very, very well.

3 And by virtue of all of that, in negotiation with
4 Ms. Linder, she was very understanding about the original
5 incident and agreed to refer Mr. von Fox to PTI with the
6 condition that he present to her in advance proof of the
7 compliance with medical treatment. I obtained a release from
8 him and sought proof of his compliance with his psychiatrist
9 at M.U.S.C. That was completed this summer. He provided me
10 with a summary that I then provided to Ms. Linder. And at
11 that time, Ms. Linder referred him to the PTI program.

12 Due to a number of scheduling issues, the actual
13 intake appointment did not occur until November. And none of
14 those were chargeable to Mr. von Fox.

15 At some point in the late summer or early fall, both
16 I and Mr. von Fox's mother observed some of what we believed
17 to be potential deterioration in his well-being. And I was
18 very concerned, but I withheld any observation directly to
19 Mr. von Fox, because I didn't want to make a bad situation
20 worse. But it reached a point where I began receiving
21 numerous concerning carbon copies of documents being --
22 letters being sent to various authorities around the country
23 and internationally.

24 And so I reached out to Dr. Steele at M.U.S.C., who
25 had been his psychiatrist. I received a return phone call a

1 few days later from the resident who had taken her place in
2 managing Mr. von Fox's care, and provided a little bit of my
3 observations to her. And she agreed to address that with
4 Mr. von Fox.

5 When she addressed that with Mr. von Fox, he became
6 very upset with me and felt that I had violated his HIPAA
7 rights and confidentiality rights and sought to have me
8 withdraw from the case at that time.

9 Mr. McCune stepped in at that time and had been
10 communicating with Mr. von Fox since that time. So if it's
11 all right, I would like to turn it over to him.

12 THE COURT: Yes.

13 GEORGE MULLEN: Thank you, Your Honor. I was
14 originally working at the Savage Law Firm when this case
15 originated. I left the Savage Law Firm. I returned on the
16 1st of September. So Ms. Blazer and I communicated about the
17 subject, because I knew the case very well.

18 Mr. von Fox wrote a letter to Andy Savage and asked
19 that our firm be withdrawn from the case. And I told him
20 that we would, you know, be happy to move in that direction,
21 but for him to try to obtain alternative counsel so that
22 someone could set the speed, because we weren't sure whether
23 he had capacity to make a proper decision at that time.

24 So he went to his second PTI interview. And,
25 apparently, there were some issues at the PTI interview with

1 some resistance, belligerence --

2 (Whereupon, there is an interruption from a cell
3 phone in the audience.)

4 THE COURT: Please seize that phone.

5 GEORGE MULLEN: So we communicated with the PTI
6 person and with Ms. Linder in an effort to find out where we
7 were, also communicated with Mr. Fox that the PTI could be --
8 Ms. Linder asked this, that he be stabilized on his
9 medications for a time period before he be re-entered into
10 the PTI program. And the solicitor withdrew the admission to
11 PTI program.

12 We communicated that with Mr. Fox. He insisted that
13 he wanted us relieved as counsel. So the instant motion came
14 out of that. And we communicated with him about that. And
15 that's why he's here today.

16 THE COURT: Mr. von Fox, I have just heard what your
17 attorneys have stated. Do you want to have your attorneys
18 relieved?

19 MR. VON FOX: Yes. And what they stated is not true
20 either.

21 THE COURT: Okay. And you understand, though, when
22 they call this case for trial, you will be required to
23 represent yourself?

24 MR. VON FOX: Yes, sir. And I have the
25 documentation that they are actually not telling the truth.

1 THE COURT: Well, the main thing is, I just want to
2 make sure that you understand --

3 MR. VON FOX: Yes, sir.

4 THE COURT: -- that coming up at the last minute and
5 saying, I just retained an attorney, is not going to
6 guarantee you a continuance of that case. It may, but not
7 necessarily.

8 MR. VON FOX: Absolutely, I understand, Your Honor.

9 THE COURT: Just because you decide to hold off and
10 not do anything, doesn't mean that the wheels of justice have
11 stopped.

12 MR. VON FOX: I understand, Your Honor,
13 completely.

14 THE COURT: Are you under the influence --

15 MR. VON FOX: Not at all.

16 THE COURT: And not taking any medication?

17 MR. VON FOX: Not at all. May I explain myself?

18 THE COURT: You don't need to. I don't need to go
19 into the facts of the case. You are saying you do not want
20 Ms. Blazer or --

21 MR. VON FOX: I have a medical malpractice lawsuit
22 against M.U.S.C.

23 THE COURT: Well, that's a whole different matter.
24 But as far as the criminal matter, you understand that when
25 that case is called, you will be sitting at that table by

1 yourself?

2 MR. VON FOX: Absolutely.

3 THE COURT: Very well. That is your choice. Have a
4 good day.

5 MS. LINDER: Just so that the Court is aware, if
6 Your Honor is relieving Mr. Von Fox's representations, the
7 State will be seeking an evaluation to be done.

8 THE COURT: Okay. That is fine. But right now,
9 y'all are off.

10 MR. VON FOX: I have evaluation already taken care
11 of.

12 THE COURT: That's good. I'm only here on the being
13 relieved as counsel for these attorneys. Have a good day.

14 (Whereupon, proceedings are adjourned.)

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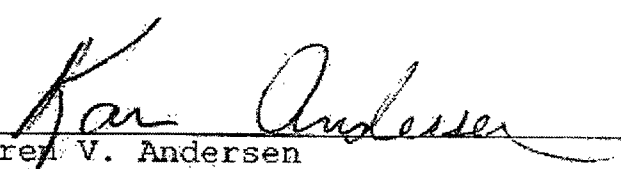
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CERTIFICATE OF REPORTER.

I, Karen V. Andersen, Registered Merit Reporter,
Certified Realtime Reporter, and Notary Public for the State
of South Carolina at Large, do hereby certify that the
foregoing transcript is a true, accurate and complete
Transcript of Record of the proceedings.

I further certify that I am neither related to nor
counsel for any party to the cause pending or interested in
the events thereof.

Witness my hand, I have hereunto affixed my official
seal this 29th day of March, 2016, at Charleston, Charleston
County, South Carolina.


Karen V. Andersen
Registered Merit Reporter
Certified Realtime Reporter
My Commission expires:
September 14, 2016

平成26年01月10日

診療情報提供書(ご報告)

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医療機関名

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担当職員

先生 御机下

神経精神科

宮澤 惇宏 様

フリガナ

フォックス ギリンディアビン ヴォン

医療連携福祉相談室

患者氏名 フォックス ギリンディアビン 男性

FAX: 0479-62-8383

生年月日

昭和52年10月19日

E-Mail: renkei@hospital.asahi.chiba.jp

患者ID

0005623952

紹介目的	PROGNOSIS	診断名	① ② ③
検査結果、治療経過、現在の処方について			
Mr. Fox began to be withdrawn and to be away from his family and friends since around a year of 2011, based on information from his mother, Ms. Teresa Fore (Ms. Fore gave us this information through an American embassy). Therefore, it is assumed that the onset of his mental illness, schizophrenia, was around that time of his life. He came to Japan, February 2013, and he was arrested for his violence at the hotel he stayed at. He claimed it for "self-defense", however, it is assumed that his illness influenced his behavior at the hotel to some extent. While he was under arrest, he repetitively stated paranoid-like-comments. For example, he automatically lost a U.S. citizenship because he was arrested in a country of communism, Japan. And, he also stated that he was made to become a communist because an American citizen, who was arrested in a country of communism for more than 3 months, was made to be a communist. And, he also continued odd behavior and he repetitively sent letters to governments and embassies of Switzerland, Russia, German, UAE, Ireland. He strongly refused to return to the U.S. for the above-mentioned paranoia. A psychiatrist saw him on October 17th 2013, since he was assumed to have a mental illness. He was diagnosed with Schizophrenia. At that time, he did not think that he had Schizophrenia and he did not accept to receive treatment for it. It was judged that he needed a full treatment with a hospitalization. Then, several psychiatrists saw him again on November 21st, 2013, and concluded that he had Schizophrenia, paranoid type, and needed a compulsory hospitalization. Treatment with medication started in our hospital, Asahi General Hospital, and abnormally psychological confusion seemed to become better. Right now, he does not have any significant problems in his private room of a closed psychiatric unit.			
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返却資料	X-P: 枚	心電図: 枚	検査結果 枚
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医療連携福祉相談室使用欄			

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REPORT OF PSYCHOLOGICAL EVALUATION
Confidential-For Professional Use Only

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

Identifying Information/Reason for Referral: Glynndevin Fox is a 37-year-old male who per a settlement agreement in the Family Court of the 9th 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 9th 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 9th 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 9th Judicial Circuit including the following:

1. Final order/approval of agreement, Amy Lynn Fox v. Glynndevin Von Fox, May, 2010.
2. Interim consent order in the Family Court of the 9th Judicial Circuit, Amy Hartley v. Glynndevin Von Fox, April, 2014.
3. Amended complaint in the Family Court of the 9th 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 Glynndevin Von Fox in the Family Court of the 9th Judicial Circuit, February, 2015.
5. Reply filed in the Family Court of the 9th 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 9th Judicial Circuit, March, 2015.
7. Final order in the Family Court of the 9th Judicial Circuit, Amy Hartley vs. Glynndevin Von Fox, July, 2015.

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Teichner / Waid

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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 11th, 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, disinhibition, 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

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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.

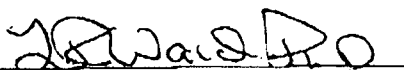
Mr. Fox also denied having high levels of trait anxiety which would be associated with chronically and frequently experiencing angry feelings as well as often believing that one is treated unfairly by others. High trait angry individuals generally are quick tempered and readily express their angry feelings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

A handwritten signature in black ink, appearing to read "L. Randolph Waid", written over a horizontal line.

L. Randolph Waid, Ph.D.

Licensed Clinical Psychologist (SC License #333)

LRW/emf

FORM 7
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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

PETITION FOR REINSTATEMENT OF APPEAL
Court of General Sessions

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 Notice of Reinstatement of Appeal for South Carolina Court of Appeals case no. 2016-000967 on the Charleston County Clerk of Court, by depositing a copy of it in person, on June 23, 2016, addressed to, O.T. Wallace Building, 101 Meeting Street, Suite 106, Charleston, SC 29401.

June 22, 2016

s/ Glynndeavin von Fox
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(843) 330-7200
Pro Se

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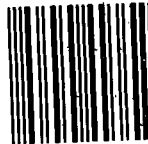
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