

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY

Court of General Sessions

Judge Culbertson, Judge

Case No. 2015-001023

**RECEIVED**

JUL 25 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA,

Respondent,

v.

LouShonda Myers

In Propria Persona, Sui Juris,

Appellant.

RECORD ON APPEAL

LouShonda Myers

In Propria Persona, Sui Juris Petitioner

27 Wateree Trail

Georgetown, South Carolina 29440

[loushondamyers@yahoo.com](mailto:loushondamyers@yahoo.com)

(843) 527-2100

Brian Petrano

P.O. Box 11549

Columbia, South Carolina 29211

Attorney for Respondent

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courts have previously held the "presence of the court" extends beyond the mere physical presence of the judge or the courtroom to encompass all elements of the system. In contrast, indirect contempt is contempt that occurs "outside the presence of the court."

In determining whether a contempt order is civil or criminal, this Court considers the purpose for which the power is exercised, including the nature of the relief and the reason behind imposing sentence. The primary purposes of criminal contempt are to preserve the Court's authority and to punish for disobedience of its orders. In contrast, the purpose of civil contempt is "to coerce the defendant to do the thing required by the order for the benefit of the complainant." The State carries the burden of proving criminal contempt beyond a reasonable doubt.

This Court finds that Ms. Myers is in direct contempt of this Court by her continued filing of legal documents on behalf of other individuals without a license to practice law in the State of South Carolina, in violation of this Court's Order from the bench on August 28, 2014.

**IT IS THE ORDER** of this Court that Ms. Myers be sentenced to six (6) months in the South Carolina Department of Corrections. This sentence shall be suspended and shall not be imposed unless Ms. Myers further violates this Court's Order and finding of direct criminal contempt.

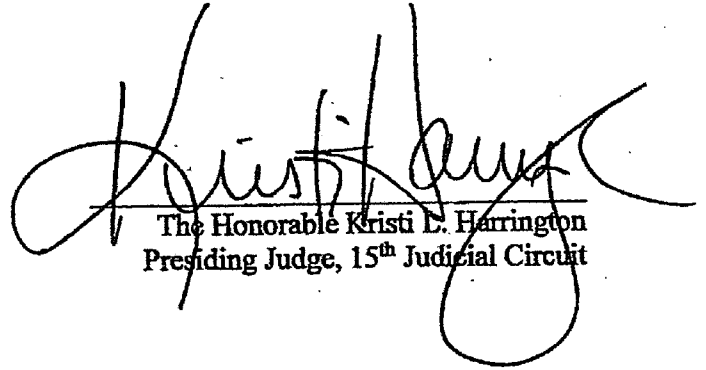
**IT IS FURTHER ORDERED** that Ms. Myers shall not file any documents on the behalf of other individuals in any jurisdiction of this State without sufficient legal authority.

**IT IS FURTHER ORDERED** that the Clerk of Court in Georgetown County, South Carolina shall not accept any filings by Ms. Myers that violate this Court's Order. This Order does not preclude filings made by Ms. Myers on her own behalf.

**IT IS FURTHER ORDERED** that should Ms. Myers violate this Order, upon verification of the filings, that Ms. Myers be held by the Georgetown County Sheriff's Office until such time as this Court can impose sentence.

**IT IS SO ORDERED!**

Georgetown, South Carolina  
September 26, 2014



The Honorable Kristi E. Harrington  
Presiding Judge, 15<sup>th</sup> Judicial Circuit

STATE OF SOUTH CAROLINA  
COUNTY OF GEORGETOWN  
IN THE COURT OF GENERAL SESSIONS

ORDER IN A CRIMINAL CASE  
WARRANT(S):  
INDICTMENT(S): 2014-GS-22-870

State of South Carolina

Loushonda Myers  
DEFENDANT(S)

This form order submitted by: Benjamin H. Culbertson Administrative Judge, General Sessions	Attorney for : <input type="checkbox"/> State <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

**DISPOSITION TYPE**

- DECISION BY THE COURT AFTER HEARING.** This action came to a hearing before the court. The issues have been heard and a decision rendered.  See below for additional information.
- DECISION BY THE COURT AFTER STATUS CONFERENCE.** This case came for a status conference before the court. The status of this case and pending issues in this case were discussed and a decision rendered.  See below for additional information.
- MOTION: Administrative Notice / Coram Nobis**
  - GRANTED  DENIED  CONTINUED  WITHDRAWN
  - WITHDRAWN BY MOVING PARTY: \_\_\_\_\_  
Signature of Moving Party
  - OTHER: Dismissed - see below.

FILED  
GEORGETOWN COUNTY, S.C.  
2015 APR 30 PM 4: 17  
ALMA Y. WHITE  
CLERK OF COURT

IT IS ORDERED AND ADJUDGED:  See Order of the Court below  See attached order  
 Formal Order to follow; to be prepared by:  State  Defendant  Other:

**ORDER INFORMATION**

This order  ends  does not end the case.

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

**RECEIVED**  
MAY 12 2015  
SC Court of Appeals

*The defendant filed an "Administrative Notice / Coram Nobis" on March 16, 2015.*

---

*The "Administrative Notice / Coram Nobis" only recites statutes without making a claim for relief. The court cannot determine what the pleadings is, why it was filed or what relief is sought. Therefore, the defendant's "Administrative Notice / Coram Nobis" filed March 16, 2015 is DISMISSED.*

---

*This matter is decided on the pleadings of the parties without oral arguments.*

*Benjamin H. Culbertson*  
Circuit Court Judge

2148  
Judge Code

April 30, 2015  
Date

STATE OF SOUTH CAROLINA  
COUNTY OF GEORGETOWN

COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT  
CASE NO. 2014-GS-22-870

THE STATE OF SOUTH CAROLINA  
PLAINTIFF, FICTITIOUS FOREIGN STATE,

ADMINISTRATIVE NOTICE

vs.

CORAM NOBIS

LouShonda Myers,

Petitioner/Administrator.

**TAKE JUDICIAL NOTICE AND ADMINISTRATIVE NOTICE; IN THE NATURE OF  
A WRIT OF ERROR, CORAM NOBIS, AND A DEMAND FOR DISMISSAL FOR  
FAILURE TO STATE THE PROPER JURISDICTION AND VENUE**

Now comes Petitioner/Administrator, LouShonda Myers, a non-corporate entity with this  
JUDICIAL NOTICE AND ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF  
ERROR, *CORAM NOBIS*; AND A DEMAND FOR DISMISSAL FOR FAILURE TO STATE  
THE PROPER JURISDICTION AND VENUE Pursuant to FRCP Rule 4 (j).

This Court is defined under FRCP Rule 4 (j) as a FOREIGN STATE as defined under 28  
USC, CHAPTER 97—JURISDICTIONAL IMMUNITIES OF FOREIGN STATES, Sec. 1602 -  
1611. The FOREIGN SOVEREIGN IMMUNITIES ACT (FSIA) allows the petitioner to  
challenge jurisdiction, therefore full disclosure of the true jurisdiction of this Court is now being  
Demanded.

Any failure to disclose the true jurisdiction is a violation of 15 Statutes at Large,  
Chapter 249 (section 1), enacted July 27, 1868

2015 MAR 16 PM 3:44  
ALPHA Y WINTERS  
CLERK OF COURT  
GEORGETOWN COUNTY

Chap. CCXLIX. ---An Act concerning the Rights of American Citizens in foreign States

Whereas the rights of expatriation is a nature and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle this government has freely received emigrants from all nations, and invested them with the right of citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the government thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed; Thereof.

Be it enacted by the Senator and the House of Representatives of the United States of American in Congress assembled, That any declaration, instruction, opinion, order, or decision, of any officers of is government which denies; restricts, impairs or questions the rights of expatriation, is hereby declared inconsistent with the fundamental principles of this government.

As an America Citizen, I hold the inherent right of the 11<sup>th</sup> Amendment. "The judicial power shall not be construed to extend to any suit in law or equity, commenced or prosecuted by a Foreign State." If this FOREIGN STATE is misusing the name of this America Citizen by placing it in all caps or misusing the last name or using the term "person" as a CORPORATION, all complaints and suits against such CORPORATION fall under the FSIA and the DEPT OF STATE OFFICES in Washington DC. DC had to be notified pursuant to 22 CFR 93.1-93.2. This procedure was not followed by the Plaintiff(s). A copy of the FSIA has to be filed with the complaint to the Defendant's agent and the chief executive officer of that CORPORATION.

Any MUNICIPAL, COUNTY, OR STATE COURT lacks jurisdiction to hear any case under the FOREIGN STATE definitions. This jurisdiction lies with the UNITED STATES DISTRICT COURT under the FSIA Statutes pursuant to 28 USC sec. 1330.

Because the Defendant is a non-corporate entity, and is not registered with any Secretary of State as a CORPORATION, the Prosecution has FAILED to state a claim to which relief can be granted under 12(b) (6). Therefore this matter must be dismissed for lack of political, personam, subject matter jurisdiction, and Venue under the 11<sup>th</sup> Amendment.

The Petitioner is now placing a Demand for jurisdiction and venue change under new

discovery of information of fraud and failure of disclosure by the Court, the prosecution and by the / an attorney, and, therefore a dismissal of charges, with prejudice, in favor of this Petitioner is Demanded because of fraud placed upon the court. (see Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)).

The first issue of fraud is the deception of the Court's proper Name from that of the People's proper Constitutional court to that of the corporation court name.

- a) the fact that the petitioner has been denied the use of constitutionally protected rights under the Bill of Rights, and
- b) the fact that the Petitioner has been denied the use of this States' and the federal statutory laws as a defense, and
- c) and the denial of the use of Acts of Congress, and
- d) that this action is a direct violation of the Clearfield Trust Doctrine.

The second issue of fraud is that "there is but one cause of action and that is civil," and this Court has this Petitioner in a "criminal action."

The third issue of fraud is that all criminal action comes under Title 50 USC, Chapter 3, Alien Enemy, in Appendix section 23, Jurisdiction of the United States court and judges.

- a) This Court has fraudulently allowed the prosecution and attorneys in declaring (or assuming) this Petitioner is an "enemy of the State" by the use of the "State of Emergency," under
- b) The 1933 national State of Emergency clause resulting in the kidnapping and extortion with intent to cause harm to this petitioner, and
- c) This was not disclosed to the petitioner by the Court, the prosecution or by the attorney/s at

the time of arraignment, trial or sentencing, and, see:

**TITLE 50, APPENDIX App. TRADING WITH THE ENEMY ACT OF 1917, § 21**

**§ 21. Claims of naturalized citizens as affected by expatriation**

The claim of any naturalized American citizen under the provisions of this Act [sections 1 to 6, 7 to 39, and 41 to 44 of this Appendix] shall not be denied on the ground of any presumption of expatriation which has arisen against him, under the second sentence of section 2 of the Act entitled "An Act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, if he shall give satisfactory evidence to the President, or the court, as the case may be, of his uninterrupted loyalty to the United States during his absence, and that he has returned to the United States, or that he, although desiring to return, has been prevented from so returning by circumstances beyond his control.

The fourth issue of fraud is that the Court, the prosecution and the attorney all have full knowledge of the 1959 Executive Order 10834 that placed this Court under the State of Emergency and under jurisdiction the presidential flag and of military jurisdiction.

- a) This Court and its Court officers are in violation of the Military Commission Act, and
- b) in violation of the General Orders 100 under the Lieber Code ("INSTRUCTIONS for the GOVERNMENT OF ARMIES of THE UNITED STATES IN THE FIELD" prepared by Francis Lieber, LL.D., (Originally issued as GENERAL ORDERS No. 100, Adjutant General's Office, 1863)), and
- c) of Executive Order 10834, Sec. 24.

(a) The Secretary of Defense in respect of procurement for the Department of Defense (including military colors) and the Administrator of General Services in respect of procurement for executive agencies other than the Department of Defense may, for cause which the Secretary or the Administrator, as the case may be, deems sufficient, make necessary minor adjustments in one or more of the dimensions or proportionate dimensions prescribed by this order, or authorize proportions or sizes other than those prescribed by section 3 or section 21 of this order.

The Petitioner now Demands a proper jurisdiction and a venue change to the People's Constitutional Article III court, and for the court to function in good behavior or for this action to be dismissed, with prejudice, in favor of this Petitioner.

**TITLE 28 PART IV CHAPTER 99 § 1631**

**§ 1631. TRANSFER TO CURE WANT OF JURISDICTION**

Whenever a civil action is filed in a court as defined in section 610 of this title or an appeal, including a petition for review of administrative action, is noticed for or filed with such a court and that court finds that there is a want of jurisdiction, the court shall, if it is in the interest of justice, transfer such action or appeal to any other such court in which the action or appeal could have been brought at the time it was filed or noticed, and the action or appeal shall proceed as if it had been filed in or noticed for the court to which it is transferred on the date upon which it was actually filed in or noticed for the court from which it is transferred.

Now the Petitioner will point out in the federal statutes the ways the Court names are spelled, and how they spell out the jurisdiction of the courts.

Under Title 28, sec 1391 this court under the heading of The United States District Court or United States district court falls under chapter 97 JURISDICTIONAL IMMUNITIES OF FOREIGN STATES as a Foreign State Court.

- a) This information was not properly disclosed at the time of the filing in this case by the clerk of court, or
- b) it was not disclosed by the Court / judge, or
- c) by the Prosecution, or
- d) by a / the attorney(s) at the time of arraignment, trial or sentencing.

**Failure To Disclose The Foreign Sovereign Immunities Act of 1976**

1. Under such Court action the Petitioner was never properly served per Fed. R. Civ. P. under Rule 4 (j).
2. The Petitioner, under such foreign status and/or jurisdiction, has immunities under the International Organizations Immunities Act (IOIA) Of 1945, HR 4489, P.L.291, 59 STAT 669. This is an Act of Congress as defined under 28 USC § 1652
3. The Petitioner also holds immunities under 49 stat 3097, Treaty Series 881, Rights and Duties of the States. This is an Act of Congress defined under § 1652.
4. The Petitioner also holds immunities under the 11th Amendment of the U.S. Constitution which was also an Act of Congress, and under the U.S. Constitution as defined under 28 USC, §§ 1331 and 1652.

Petitioner will point out that 28 USC, sec. 610 clearly shows the district court of the United States is the correct jurisdiction and venue as an Article III court to hear this Petitioner's grievances under the bankruptcy of the united States which is just one of the issue before this court. The STATE OF SOUTH CAROLINA/ UNITED STATES OF AMERICA is/was aware of the 1933 bankruptcy, and in Title 12, chapter 2, section 95, 95(a), and 95(b) that a declared state of emergency has been declared by many Presidents of the united State of America.

**US Code - Title 28: Judiciary and Judicial Procedure**

28 USC 610 - Sec. 610. Courts defined

As used in this chapter the word "courts" includes the courts of appeals and district courts of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, the United States Court of Federal Claims, and the Court of International Trade.

You will not find in the United States Code any jurisdiction or venue for the "UNITED STATES DISTRICT COURT" / "U.S. DISTRICT COURT" as all other courts have been

correctly named and defined by legislative enactment and are being pointed out in this filing.

1. Title 28 USC under § 1331.

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

2. This is an Act of Congress as defined under § 1343.

§ 1343. Civil rights and elective franchise

(a) The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person:

(1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of Title 42;

(2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section 1985 of Title 42 which he had knowledge were about to occur and power to prevent;

(3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States;

3. TITLE 28 PART V CHAPTER 111 § 1652

§ 1652. State laws as rules of decision

The laws of the several states, except where the Constitution or treaties of the United States or Acts of Congress otherwise require or provide, shall be regarded as rules of decision in civil actions in the courts of the United States, in cases where they apply.

### The Courts

**First Court;**

**TITLE 18 PART I CHAPTER 1 § 23.1**

**§ 23.1 Court of the United States defined**

As used in this title, except where otherwise expressly provided the term "court of the United States" includes the District Court of Guam, the District Court for the Northern Mariana Islands, and the District Court of the Virgin Islands.

**Second Court;**

**TITLE 26 App. TITLE II, THE COURT Rule 10**

**Rule 10. Name, Office, and Sessions**

(a) Name: The name of the Court is the United States Tax Court.

(b) Office of the Court: The principal office of the Court shall be in the District of Columbia, but the Court or any of its Divisions may sit at any place within the United States. See Code secs. 7445 and 7701(a) (9).

(c) Sessions: The time and place of sessions of the Court shall be prescribed by the Chief Judge.

(d) Business Hours: The office of the Clerk at Washington, D.C., shall be open during business hours on all days, except Saturdays, Sundays, and legal holidays in the District of Columbia, for the purpose of receiving petitions, pleadings, motions, and other papers. Business hours are from 8:00 a.m. to 4:30 p.m. For legal holidays, see Rule 25(b).

(e) Mailing Address: Mail to the Court should be addressed to the United States Tax Court, 400 Second Street N.W., Washington, D.C. 20217. Other addresses, such as locations at which the Court may be in session, should not be used, unless the Court directs otherwise.

**TITLE 26 Subtitle F CHAPTER 76 Subchapter A § 7402**

**§ 7402. Jurisdiction of district courts**

**(a) To issue orders, processes, and judgments**

The district courts of the United States at the instance of the United States shall have such jurisdiction to make and issue in civil actions, writs and orders of injunction, and of ne exeat republica, orders appointing receivers, and such other orders and processes, and to render such judgments and decrees as may be necessary or appropriate for the enforcement of the internal revenue laws. The remedies hereby provided are in addition to and not exclusive of any and all other remedies of the United States in such courts or

otherwise to enforce such laws.

**TITLE 26 Subtitle F CHAPTER 76 Subchapter A § 7403**

**§ 7403. Action to enforce lien or to subject property to payment of tax**

**(a) Filing**

In any case where there has been a refusal or neglect to pay any tax, or to discharge any liability in respect thereof, whether or not levy has been made, the Attorney General or his delegate, at the request of the Secretary, may direct a civil action to be filed in a district court of the United States to enforce the lien of the United States under this title with respect to such tax or liability or to subject any property, of whatever nature, of the delinquent, or in which he has any right, title, or interest, to the payment of such tax or liability. For purposes of the preceding sentence, any acceleration of payment under section 6166(g) shall be treated as a neglect to pay tax.

**Third Court; under Tax issue.**

**TITLE 26 Subtitle F CHAPTER 78 Subchapter A § 7604**

**§ 7604. Enforcement of summons**

**(a) Jurisdiction of district court**

If any person is summoned under the internal revenue laws to appear, to testify, or to produce books, papers, records, or other data, the United States district court for the district in which such person resides or is found shall have jurisdiction by appropriate process to compel such attendance, testimony, or production of books, papers, records, or other data.

A) Upon the filing into the UNITED STATES DISTRICT COURT the IRS Attorney(s) has committed fraud for failure to file their issue before the correct court name as found in their own IRS CODES section. This failure violates the Rules of Ethics which "ALL ATTORNEYS" are required to follow per the sworn Oath that was given by them. The proper court heading is United States Tax Court Not the UNITED STATES DISTRICT COURT.

B) Such filing into the UNITED STATES DISTRICT COURT now comes under jurisdiction challenge per 28 USC § 1631. Transfer to cure want of jurisdiction. The Petitioner will continue to point out further errors of the Attorney(s) for the IRS and that the two other courts listed in their Title 26 Codes sections are the United States district court and the district court of the United States.

C) These IRS agents willfully failed to file into the correct jurisdiction and venue with willful intent to defraud the court and the defendants, causing harm, and injuries, and to cause all filings of the Plaintiff(s) to be dismissed under 12(b) because there is no correct setting of jurisdiction or venue before the court.

D) The People have not been made aware of this fraud upon the court and themselves until now. 28 USC, sec. 1631, however, allows the defendant(s) to correct this and place their case(s) under the Article III "district court of the United States" under control of and jurisdiction of sections 1331 and 1340.

E) The IRS is, by definition, an agency of a foreign State based in Puerto Rico in one of the territories of the UNITED STATES, Not a State of the United States. As the defendants are not citizens of such a territory the Attorney(s) for the IRS has committed and created intentional fraud upon the Court.

**Fourth Court;**

**TITLE 28 PART IV CHAPTER 87 § 1391**

**§ 1391. Venue generally**

**(f) A civil action against a foreign state as defined in section 1603(a) of this title may be brought—**

(1) in any judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated;

(2) in any judicial district in which the vessel or cargo of a foreign state is situated, if the claim is asserted under section 1605(b) of this title;

(3) in any judicial district in which the agency or instrumentality is licensed to do business or is doing business, if the action is brought against an agency or instrumentality of a foreign state as defined in section 1603(b) of this title; or

(4) in the United States District Court for the District of Columbia if the action is brought against a foreign state or political subdivision thereof.

#### **Fifth Court;**

US Code - Title 28: Judiciary and Judicial Procedure

28 USC 610 - Sec. 610. Courts defined

As used in this chapter the word "courts" includes the courts of appeals and district courts of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, the United States Court of Federal Claims, and the Court of International Trade.

#### **Sixth Court;**

The UNITED STATES DISTRICT COURT

There is NO Code, Rule, Regulation, Law, Congressional Act, etc., that authorizes the UNITED STATES DISTRICT COURT.

Now the Petitioner has pointed out in each of the federal statutes cited the ways the five existing Court names are spelled, and spells out the jurisdiction of those courts. There are no Federal Statutes, etc. that show that the UNITED STATES DISTRICT COURT or the U.S. DISTRICT COURT exists or has any jurisdiction or venue as they misuse the jurisdiction given to the "district court of the United States" in Title 28 USC for the "district court" jurisdiction and venue section.

### Other Definitions

Corpus Juris Secundum "*The Body of Law*" or Legal encyclopedia, Volume 7,  
Section 4: as quoted:

"Attorney & client: An Attorney's "first" duty is to the Courts (1st) and the public (2nd) and not to the client (3rd), and wherever the duties to an attorney's client "conflict" with those interests that he/she owes his allegiance to, as an officer of the court in the administration of justice, the former must yield to the latter."

#### BLACK'S LAW DICTIONARY FIFTH EDITION

The Biggest problem today is that the People do not know their own rights and blindly entrust their rights to someone else.

#### Foreign Court

The courts of a foreign state or nation. In the United States, this term is frequently applied to the courts of one of the states when their judgment or records are introduced in the courts of another.

#### Foreign jurisdiction

Any jurisdiction foreign to that of the forum; e.g. a sister state or another country. Also the exercise by a state or nation jurisdiction beyond its own territory. Long- arm Service of process is a form of such foreign or extraterritorial jurisdiction

#### Foreign laws

The laws of a foreign country, or of a sister state. In conflict of law, the legal principle of jurisprudence which are part of the law of a sister state or nation. Foreign laws are additions to our own laws, and in that respect are called "jus receptum"

#### Foreign corporation

A corporation doing business in one state though chartered or incorporated in another state is a foreign corporation as to the first state, and, as such, is required to consent to certain conditions and restriction in order to do business in such first state. Under federal tax laws, a foreign corporation is one which is not organized under the law of one of the states or territories of the United States. I.R.C. § 7701 (a) (5). Service of process on foreign corporation is governed by the Fed. R. Civ. P. 4 See also Corporation

**TITLE 26 - INTERNAL REVENUE CODE, Subtitle F - Procedure and Administration, CHAPTER 79 - DEFINITIONS**

**Sec. 7701. Definitions**

**(5) Foreign.** The term "foreign" when applied to a corporation or partnership means a corporation or partnership which is not domestic.

**Foreign service of process**

Service of process for the acquisition of jurisdiction by a court in the United States upon a person in a foreign country is prescribed by Fed R. Civ. P. 4 (i) and 28 U.S.C.A. § 1608. Service of process on foreign corporation is governed by Fed. R. Civ. P. 4(d) (3)

**Foreign states**

Nations which are outside the United States. Term may also refer to another state; i.e. a sister state.

**Foreign immunity**

With respect to jurisdiction immunity of foreign nation, see 28 U.S.C.A 1602 et seq.

**Profiteering**

Taking advantage of unusual or exceptional circumstance to make excessive profit; e.g. selling of scarce or essential goods at inflated price during time of emergency or war.

**Person**

In general usage, a human being (i.e. natural person), though by statute the term may


include a firm, labor organizations, partnerships, associations, corporations, legal representative, trustees, trustees in bankruptcy, or receivers. National Labor Relations Act, §2(1). A corporation is a "person" within the meaning of equal protection and due process provisions of the United States Constitution.

**Writ of error coram nobis**

A common-law writ, the purpose of which is to correct a judgment in the same court in which it was rendered, on the ground of error of fact, for which it was statutes provides no other remedy, which fact did not appear of record, or was unknown to the court when judgment was pronounced, and which, if known would have prevented the judgment, and which was unknown, and could of reasonable diligence in time to have been otherwise presented to the court, unless he was prevented from so presenting them by duress, fear, or other sufficient cause.


At common law in England, it issued from the Court of Kings Bench to a judgment of that court. Its principal aim is to afford the court in which an action was tried and opportunity to correct its own record with reference to a vital fact not known when the judgment was rendered. It is also said that at common law it lay to correct purely ministerial errors of the officers of the court.

This 10<sup>th</sup> day in the month of March, year of our Lord, 2015 A.D.

  
LouShonda Myers  
Petitioner/Administrator/Human Being  
27 Wateree Trail  
Georgetown, South Carolina 29440  
(843) 527-2100  
loushondamyers@yahoo.com

**PROOF OF SERVICE**

Now Comes the Petitioner/Administrator, LouShonda Myers, to place upon the clerk of courts for the GENERAL SESSIONS COURT of GEORGETOWN, SOUTH CAROLINA in the 15<sup>th</sup> district for SOUTH CAROLINA this filing to be placed in a court of record: JUDICIAL NOTICE AND ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF ERROR, *CORAM NOBIS*, AND A DEMAND FOR DISMISSAL FOR FAILURE TO STATE THE PROPER JURISDICTION AND VENUE on this 16<sup>th</sup> day in the month of March in the year of our Lord, 2015 AD. A copy has also been sent to Kristi Lea Harrington at the address below.



LouShonda Myers  
Petitioner/Administrator/Human Being  
27 Wateree Trail  
Georgetown, South Carolina 29440  
(843) 527-2100  
loushondamyers@yahoo.com

Cc:

Kristi Lea Harrington  
300B California Ave.  
Moncks Corner, SC 29461

ALMA Y. WHITE  
CLERK OF COURT  
2015 MAR 16 PM 3:45  
GEORGETOWN COURTHOUSE

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
 ) FIFTEENTH JUDICIAL CIRCUIT  
 COUNTY OF GEORGETOWN ) 2014-GS-22-0870  
 )  
 STATE OF SOUTH CAROLINA, )  
 ) RESPONSE TO DEFENDANT'S MOTION  
 v. )  
 )  
 LOUSHONDA MYERS )  
 )  
 Defendant. )  
 )

Defendant has moved before the Court in a pleading entitled "Administrative Notice" "Coram Nobis."

**FACTS**

Defendant was held in contempt by the Circuit Court on September 26, 2014. She had previously attempted to appear on behalf of Dameon Myers before the Circuit Court in a PCR proceeding on August 27, 2014. Defendant is not a lawyer and was instructed by the Court to make no further filings on behalf of the PCR applicant. Nonetheless, Defendant again filed documents referencing the PCR Court, and was ruled in to the court for a Hearing. At the Hearing, Defendant was found in contempt.

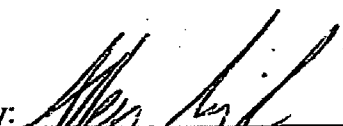
**THE PRESENT PLEADING IS UNTIMELY, UNSUPPORTED BY THE LAW,  
 UNINTELLIGIBLE AND SHOULD BE DISMISSED.**

The present motion requests a writ of Coram Nobis, which has been abolished by S.C. Rule of Civil Procedure Rule 60(b)(5). Further, and most telling: the present pleading is nothing more than a nonsensical hodgepodge of various unrelated statutes and makes no articulable claim for whatever relief Ms. Myers seeks.

**CONCLUSION**

The present pleading should be dismissed.

Respectfully submitted,

By:   
 W. ALLEN MYRICK  
 Asst. Deputy Attorney General

FILED  
 GEORGETOWN COUNTY, S.C.  
 2015 APR -2 PM 4:38  
 ALMA Y. WHITE  
 CLERK OF COURT

PO Box 11549  
 Columbia, SC 29211

STATE OF SOUTH CAROLINA  
COUNTY OF GEORGETOWN

COURT OF GENERAL SESSIONS  
FIFTEENTH JUDICIAL CIRCUIT  
CASE NO. 2014-GS-22-870

FILED  
GEORGETOWN DISTRICT COURT  
2015 APR 20 AM 11:58  
ALEXIA Y. WHITE  
CLERK OF COURT

THE STATE OF SOUTH CAROLINA  
PLAINTIFF, FICTITIOUS FOREIGN STATE,

RESPONSE TO

ALLEN MYRICK'S RESPONSE

vs.

LouShonda Myers,

Petitioner/Administrator.

I, Loushonda Myers, now files a response to Allen Myrick's Response and submit the following into lawful record.

1. The response filed by Allen Myrick is "prima facia" proof of fraud perpetrated upon the court and fraud perpetrated upon myself.
  - a) Allen Myrick has fraudulently stated in his response the following:

"[Loushonda Myers] had previously attempted to appear on behalf of Dameon Myers before the Circuit Court in a PCR proceeding on August 27, 2014."

This statement is false; and the record in Dameon Myer's case can and will prove it. I filed a notice of special appearance, not a "notice of appearance" on behalf of Dameon Myers. Accordingly, I am a person of interest in that matter; and have an obligation and duty as a human being and Citizen of the Republic to assist a member of my state and/or society when harm and/or damage has occurred onto them or myself by the government. (Reynolds v.

Volunteer State Life Ins. Co., Tex. Civ. App., 80 S.W.2d 1087, 1092; People v Wade, 116 Ill.2d 1, 506 N.E.2d 954 (1987); Oak Park Nat. Bank v Peoples Gas Light & Coke Col, 46 Ill.App.2d 385, 197 N.E.2d 73, 77 (1st Dist. 1964))

b) Allen Myrick stated within his response the following:

“Defendant is not a lawyer and was instructed by the Court to make no further filings on behalf on the PCR applicant. Nonetheless, Defendant again filed documents referencing the PCR Court, and was ruled in to the court for a hearing. At the Hearing, Defendant was found in contempt.”

I have never denied that I was not a bar licensed attorney. I made it explicitly clear that I was and am acting as a private attorney general in vindication of the Rights of the People.

“This opinion has been frequently expressed in this Court, and is founded, as well on the nature of the government as on the words of the constitution. In argument, however, it has been contended, that if a law passed by a State, in the exercise of its acknowledged sovereignty, comes into conflict with a law passed by Congress in pursuance of the constitution, they affect the subject, and each other, like equal opposing powers.

But the framers of our constitution foresaw this state of things, and provided for it, by declaring the supremacy not only of itself, but of the laws made in pursuance of it. The nullity of any act 211\*211 inconsistent with the constitution, is produced by the declaration, that the constitution is the supreme law. The appropriate application of that part of the clause which confers the same supremacy on laws and treaties, is to such acts of the State Legislatures as do not transcend their powers, but, though enacted in the execution of acknowledged State powers, interfere with, or are contrary to the laws of Congress, made in pursuance of the constitution, or some treaty made under the authority of the United States. In every such case, the act of Congress, or the treaty, is supreme; and the law of the State, though enacted in the exercise of powers not controverted, must yield to it.”

- Gibbons v. Ogden, 22 US 1 - Supreme Court 1824

As stated within the document, I was acting upon my Right, and protecting the Rights of others to challenge any fraudulent issues-including jurisdiction. I was not acting solely for myself, but for the benefit of the People, as stated previously and shown in the attached exhibits.

Allen Myrick stated that I filed in the PCR Court, again, fraud. I did not file anything in the PCR Court after being instructed not to do so. The documents that I filed were in another

matter in General Sessions Court, in which I initiated. The record and attached exhibits will show this. In addition, I did not file anything else in the PCR case, not because I believe that Judge Harrington was correct; but because I was threatened by imprisonment; and as displayed in Court on September 26, 2014- I never had a chance at a fair trial. Judge Harrington refused to even state whether or not the alleged charges were criminal or civil. I will not get into specifics here, but a copy of the complaint that I filed against her is attached.

- c) Allen Myrick has stated that my documents are “untimely”, “unsupported by law”, “unintelligible”, and that the Coram Nobis has been abolished by S.C. Rule of Civil Procedure 60(b). Yet;
  - i. A judgement and/or order has been entered against me;
  - ii. In 2014 a Coram Nobis was used to vacate the judgement of George Junius Stinney, Jr. in South Carolina;
  - iii. He is an officer of the court and has sworn to know the law and uphold the Constitution of the United States, and has misrepresented material facts;
  - iv. Allen Myrick has used state civil rule 60(b); yet, has refused to acknowledge that proper parties must be present; his pleadings cannot be considered on basis for dismissal (Trinsey v. Pagliaro 229 F.Supp. 647 (1964)); he lacks standing; and has failed to state a claim for relief.

I assert that the only thing that is unintelligible are the following:

- 1) The fact that the date alleged by Mr. Myrick and Judge Harrington is erroneous;
- 2) The fact that the clerk of court’s office called Judge Harrington in order to perpetuate charges against me;
- 3) The fact that I never filed anything else in Dameon Myer’s PCR case;

- 4) The fact that Allen Myrick has no facts to admit in this matter;
- 5) The fact that I was not allowed due process;
- 6) The fact an attorney was forced upon me;
- 7) The fact that my alleged "accuser" also sat to "judge" me; and
- 8) Allen Myrick has on a previously occasion dismissed and/or minimized a request for an investigation that I submitted to the South Carolina Attorney General's Office.

This is not all inclusive of the numerous other acts, conduct, and deprivations that were perpetrated against me.

2. The Coram Nobis is in fact available to me. "... the writ provides relief in cases where the error "rendered the proceeding itself irregular and invalid." (US v. Akinsade, 686 F. 3d 248 - Court of Appeals, 4th Circuit 2012, Quoting United States v. Addonizio, 442 U.S. 178, 186 (1979) Furthermore, the appeal that I filed in the South Carolina Court of Appeals has mysteriously disappeared as of April 15, 2015, after months of calling and inquiring and being told that a judge has not yet reviewed it. My remedies have been exhausted.
  - a. The court had no jurisdiction (Ruhrigas Ag v. Marathon Oil Company et al. 526 U.S. 574 (1999); O'Donoghue v. United States, 289 U.S. 516 (1933);
  - b. Fraud was committed;
  - c. The proper parties were not present;
  - d. There was no showing on the record of corpus delect (Lujan vs. Defenders of Wildlife 504, U.S. 555 (1992);

- e. I did not have the opportunity to produce evidence, present my case, file documents into record, nor was I informed of the nature and cause of the allegations. Due process requires not only requires notice but an opportunity to heard in a meaningful way, and judicial review. (Grannis v. Ordean, 234 U.S. 385, 394 (1914) ("The fundamental requisite of due process of law is the opportunity to be heard."); S.C. Dep't of Soc. Servs. v. Holden, 319 S.C. 72, 78, 459 S.E.2d 846, 849 (1995).
3. Retaliation, threats, and intimidation does not constitute a fair, impartial hearing. As explained in the attached complaint that I wrote to the Commission on Judicial Conduct, I was victimized by an officer of the court. The same person that had taken an oath to uphold the law was in fact breaking the law. I believe that this has been motivated by my actions in requesting investigations into the judicial and law enforcement agencies in Georgetown and Horry Counties, as well as the civil suit that I have filed in North Carolina. Following this response are the attached displaying the contacts that I have made and the attempts at securing a meaningful investigation.
4. **The jurisdiction of the court is and has been challenged.** The above captioned matter brings into question the constitutionality of the alleged charges. The language does not apply to me; and I cannot be forced to relinquish my Right(s) due to threats, duress, and/or coercion. Again, Allen Myrick and/or Kristi Lea Harrington failed prove, on record, corpus delecti; failed to identify the proper parties; failed to properly inform me of the alleged "charges" an my alleged "accuser"; failed to provide due process; failed to provide a compulsory process so that I may obtain witness; failed to inform me of the

nature and cause of the allegations against me; failed to provide a fair and impartial tribunal; and it failed to ensure that no conflict of interest existed.

5. **I believe that the only reason I was forced into court is because of the work that I am doing to uncover the corrupt practices of the law enforcement, public officials, and judicial officials within the State of South Carolina.**
6. **Should something were to happen to me and/or my family, the investigation needs to begin within the law enforcement and judicial entities in and around Georgetown, South Carolina.**
7. **I want it to be Judicially Noted, on September 26, 2014, Kristi Lea Harrington gave an order from the bench that abrogates the United States Constitution; Congress; Title 42 U.S.C. § 1988; and most importantly my Inherent Rights-as she ordered that I am prohibited from filing anything in any court in South Carolina for anyone else, except myself. I have minor children; am attorney in fact for several individuals; and it has already been admitted and accepted that I am a private attorney general acting on behalf of the People, in vindication of their Rights. ("The claim and exercise of a Constitutional Right cannot be converted into a crime." Miller v. U.S. 230 F, 2d 286, 489) Please take notice, any judicial actions that violate the Constitutionally protected Rights of an individual may be sued for those acts without any form of immunity. (Hafer v. Melo, No. 90-681, page 4001, November 1991) The Eleventh Amendment does not protect state officials for claims for prospective relief when it is alleged that those officials acted in violation of federal law. (Warnock v. Pecos County, TX., 88 F3d 341 (5<sup>th</sup> Cir. 1996)) When a judicial officer acts entirely without jurisdiction or without compliance with jurisdiction requisites he may be held civilly liable for abuse of process**

even though his act involved a decision made in good faith, that he had jurisdiction.

(State use of Little v. U.S. Fidelity & Guaranty Co., 217 Miss. 576, 64 So. 2d 697)

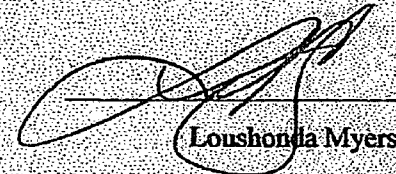
In short, officers of the court have no immunity, when violating a Constitutional right, from liability. For they are deemed to know the law. (Owen v. Independence, 100 S.C.T. 1398, 445 US 622). Federal law & Supreme Court cases apply to state court cases. (Howlett v. Rose, 496 U.S. 356 (1990)) I have relied on prior decisions of the Supreme Court, and have a perfect defense for willfulness. (U.S. v. Bishop, 412 U.S. 346)

Furthermore, members of groups who are competent nonlawyers can assist other members of the group achieve the goals of the group in court without being charged with "Unauthorized practice of law". (NAACP v. Button (371 U.S. 415); United Mineworkers of America v. Gibbs (383 U.S. 715); and Johnson v. Avery 89 S. Ct. 747 (1969) Litigants may be assisted by unlicensed layman during judicial proceedings. (Brotherhood of Trainmen v. Virginia ex rel. Virginia State Bar (377 U.S. 1); Gideon v. Wainwright 372 U.S. 335; Argersinger v. Hamlin, Sheriff 407 U.S. 425) . "Next Friend", a next friend is a person who represents someone who is unable to tend to his or her own interest... (Federal Rules Civil Proc., Rule 17, 28 U.S.C.A)

Attached are the documents that allegedly gave rise to the alleged contempt of court hearing; the original filing that I was appealing (Not related to the PCR; and more importantly I was personally notified by Magdeline Salemno of the Georgetown County Solicitor's Office, of the court date and to be in court.); Copies of the complaints that I filed against Judge Kristi Lea Harrington and Allen Myrick; my affidavit; my letter requesting an investigation; responses to my requests for an investigation, as well as Allen Myrick's response to my request. All exhibits are marked and outlined.

This court has no alternative but to vacate the judgement of Kristi Lea Harrington due to the fact that judgements made without jurisdiction are not voidable, but void from its inception. (Evans v Corporate Services, 207 Ill.App.3d 297, 565 N.E.2d 724 (2nd Dist. 1990); Vallely v Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S.Ct. 116 (1920); Old Wayne Mut. L. Assoc. v McDonough, 204 U.S. 8, 27 S.Ct. 236 (1907); Williamson v Berry, 8 How. 495, 540, 12 L.Ed. 1170, 1189 (1850); Rose v Himely, 4 Cranch 241, 269, 2 L.Ed. 608, 617 (1808)

April 19, 2015.



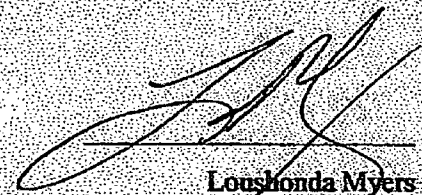
Loushonda Myers  
Private Attorney General,  
In Propria Persona, Sui Juris  
Defendant in Error  
27 Wateree Trail  
Georgetown, South Carolina 29440

**CERTIFICATE OF SERVICE**

I, Loushonda Myers, certify that a copy of the foregoing and attached documents have been served on Brian T. Petrano by mailing first class mail via USPS addressed to PO Box 11549, Columbia, South Carolina 29211; and a copy has been hand delivered upon the Clerk of Court's Office by hand located at 401 Cleland Street, Georgetown, South Carolina 29440.

April 19, 2015.

FILED  
RECORDED  
2015 APR 20 AM 11:59  
ALEXIA Y. WHITE  
CLERK OF COURT



**Loushonda Myers**  
**Private Attorney General,**  
**In Propria Persona, Sui Juris**  
**Defendant in Error**  
**27 Wateree Trail**  
**Georgetown, South Carolina 29440**

September 23, 2014

I, Koushonda Myers, submits this affidavit of fact to be placed upon lawful record.

On August 28, 2014 Judge Kristi Harrington told me not to file anything else in Darnion Myers's PCB case.

I did not file anything else in Darnion Myers's PCB case.

The memorandum of assistant attorney general Myrick is being challenged in its entirety. Mr. Myrick was not present on August 28, 2014. His memorandum contains false, fabricated, and/or misleading statements. In addition, his own attachments submitted for alleged evidence prove that I did not disobey any order given on August 28, 2014.

I declare the foregoing to be accurate to the best of my knowledge and abilities.

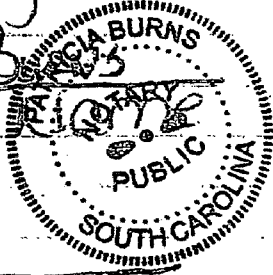
Lou Shonda Myers  
Lou Shonda Myers

9-23-14

Date

Patricia Burns  
Notary Signature

Patricia Burns  
Notary



9/23/14

Date

(Seal)

**GENERAL SESSIONS**  
**SOUTH CAROLINA COURT OF APPEALS**

**COPY**

**Dameon Myers**  
**In Propria Persona,**  
**Defendant in Error, Appellant**

**NOTICE OF APPEAL**  
**CASE NO. 02-GS22861 THRU 864**

**vs.**  
**STATE OF SOUTH CAROLINA**  
**Fictitious Entity, Appellee**

**FILED**  
**GEORGETOWN COUNTY, S.C.**  
**2014 SEP -9 PM 12: 33**  
**ALLEN Y. WHITE**  
**CLERK OF COURT**

**In Propria Persona Petitioner, Dameon Myers, respectfully submits this petition to allow the late filing of his appeal. Petitioner asserts the following:**

- 1. Dameon Myers's Notice of Appeal was timely filed and served upon the Clerk of Court of Georgetown County General Sessions Court and upon the Solicitor's Office in Georgetown County.**
- 2. Dameon Myers intent is and was to appeal the decision as evident by the time stamped clock copies of the Notice of Appeal dated December 27, 2013 [submitted by Wendy Reed on his behalf], December 28, 2013 [submitted by Loushonda Myers on his behalf], and submitted December 27, 2013 and clocked on January 13, 2014 by Dameon Myers himself.**
- 3. On December 19, 2013, no order was prepared as directed by the judge, and as of April 10, 2014 no order has been prepared and/or filed regarding the December 19, 2013 judgement. Ms. Loushonda Myers attempted to obtain the order for December 19, 2013 by going to both the Clerk of Court's Office and the Solicitor's Office in Georgetown,**

South Carolina. Ms. Myers was told on April 10, 2014 by Ms. Magdeline Salemno, an assistant in the solicitor's office, that Ms. Richardson had not had an opportunity to prepare the order and that she did not know when it will be ready.

4. After filing his Notice of Appeal and Motion to Allow Late Filing, Mr. Myers was notified by the South Carolina Court of Appeals that his appeal was premature due to the fact that no order was filed in the matter.
5. Mr. Myers responded back to the South Carolina Court of Appeals stating that no order was filed, but a final decision and/or judgement had been made pursuant to the SCRAP 201(a). However, the South Carolina Appeals Court stated that it was premature due to no written order.
6. Subsequently, Mr. Myers filed a complaint on Ms. Alicia Richardson for failing to comply with the judge's order, and timely issue a written order. This complaint was filed with the South Carolina Supreme Court's Commission on Lawyer Conduct.
7. Sometime after filing this complaint, Mr. Myers received a copy of an order signed by Judge Hyman on August 12, 2014 and time stamped on August 12, 2014.
8. Mr. Myers is now appealing as a matter of substantive Right from the December 19, 2013 hearing after being delayed, hindered, and/or obstructed for eight months.
9. A copy of the order is attached, as well as a copy of the POA for Dameon Myers.
10. Due to Mr. Myer's incarceration, a copy of this Notice of Appeal will be filed by Ms. Loushonda Myers, his attorney-in-fact, and followed by a signed copy by Mr. Myers. Mr. Myers is requesting to proceed In Forma Pauperis due to his status as an incarcerated human being that cannot afford the costs of an appeal.
11. This appeal involves issues of fraud and questions of Constitutionality.

This 7<sup>th</sup> day of September, 2014.

Dameon Myers Loushonda Myers <sup>Attorney</sup> ~~In Fact~~

Loushonda Myers Attorney-In-Fact/Private Attorney General on behalf of Dameon Myers

In Propria Persona, Apellant

Inmate # 279666

P.O. Box 205

Ridgeville, SC 29472

**CERTIFICATE OF SERVICE**

I, Loushonda Myers, certify that a copy of the foregoing has been hand delivered to the Georgetown County Solicitor's Office at 401 Cleland Street, Georgetown, South Carolina 29440; hand delivered to the Clerk of Court for General Sessions at 401 Cleland Street, Georgetown, South Carolina; and mailed to the South Carolina Court of Appeals addressed to P.O. Box 11629, Columbia, SC 29211.

This 7<sup>th</sup> day of September, 2014.

Dameon Myers Loushonda Myers <sup>Attorney</sup> ~~In Fact~~

Loushonda Myers Attorney -In-Fact/Private Attorney General on behalf of Dameon Myers

In Propria Persona, Apellant

Inmate # 279666

P.O. Box 205

Ridgeville, SC 29472

IN THE COURT OF GENERAL SESSIONS  
GEORGETOWN COUNTY, SOUTH CAROLINA  
FIFTEENTH CIRCUIT

CASE NO. 2002GS22-861 thru 864

STATE OF SOUTH CAROLINA  
PLAINTIFF, FICTITIOUS STATE

vs.

Dameon Myers  
Defendant in Error

FILED  
GEORGETOWN COUNTY, S.C.  
2013 MAY 29 PM 4:31  
ALMA Y. WHITE  
CLERK OF COURT

**TAKE JUDICIAL NOTICE AND ADMINISTRATIVE NOTICE ; IN THE NATURE OF A WRIT  
OF ERROR, CORAM NOBIS AND A DEMAND FOR DISMISSAL FOR FAILURE TO STATE  
THE PROPER JURISDICTION AND VENUE**

**ORAL HEARING DEMANDED**

Now comes Petitioner/Administrator, Lonshonda Myers, a non-corporate entity and injured party on the behalf of Dameon Myers and all natural Citizens made in the image of God, with this JUDICIAL NOTICE AND ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF ERROR, CORAM NOBIS, AND A DEMAND FOR DISMISSAL FOR FAILURE TO STATE THE PROPER JURISDICTION AND VENUE. Pursuant to Federal Rules of Civil Procedure 4(j) and the United States Constitution.

Take notice that I am a natural person, made in the image of God; possessing all of my unalienable rights and privileges, demanding this Court on the behalf of Dameon Myers; a natural man-made in the image of God, whom also possesses all of his unalienable rights and privileges, to state the

EO

proper jurisdiction and venue or dismiss for failure to state the proper jurisdiction and venue.

The Citizens of South Carolina have been dealt a great injustice. This Court has entered judgement against Dameon Myers, a Citizen and natural man, without adherence to the US Constitution nor Federal or State laws, more specifically the Ninth Amendment and Natural Law as established before any and all man-made laws; and as recognized as the true Supreme Law of the Land by the United States Constitution, Declaration of Independence, and South Carolina Constitution. The continued practice of these ungodly, unconstitutional actions and/or omissions are a threat to society and an act of treason.

Judgement has been entered without properly establishing jurisdiction on the record of any proceeding in which he was forced and coerced by the use of threats of imprisonment and loss of liberty. The issuance of a notice to appear in criminal court does not establish jurisdiction. Under the law, there is but one form of action, and it is civil (FRCP 2).

As an injured, natural party; I have been substantially harmed due to the unlawful actions and/or omissions of this Court, and a judgement entered without jurisdiction cannot be used to cause harm or damage to another person. (*Oak Park Nat. Bank v. Peoples Gas Light & Coke Co.*, 46 Ill. App. 2d 385, 197 N.E. 2d 73, 77 (1st Dist. 1964)) This Court has acted beyond its jurisdiction and power and I am now demanding this Court on behalf of Dameon Myers and all natural persons in society to rectify its wrong.

#### AUTHORITIES

1. "Rule 60(b)(4), which provides relief from void judgments, 'is not subject to any time limitation.' *V.T.A., Inc. v Airco, Inc.*, 597 F.2d 220, 224 n. 9 and accompanying text (10th Cir. 1979) ('if a judgment is void, it is a nullity from the outset and any 60(b)(4) motion for relief is therefore filed within a reasonable time'); see also *Venable v Haislip*, 721 F.2d 297, 299-300 (10th Cir. 1983). Furthermore, when Rule 60(b)(4) is applicable, "relief is not a discretionary matter; it is mandatory." *V.T.A., Inc.*, 597 F.2d at 224 n. 8; see also *Venable*, 721 F.2d at 300."

- *Orner v. Shalala*, 30 F.3d 1307, 1310 (10th Cir. 1994)

2. "The law provides that once State and Federal Jurisdiction has been challenged, it must be proven."

-100 S. Ct. 2502 (1980)

3. The court must prove jurisdiction on the record if a an established rule that the "burden of proving jurisdiction rests upon him who invokes it"

-*Latana v. Hopper*, 102 F. 2d 188; *Chicago v. New York* 37 F Supp. 150

4. "When it clearly appears that the court lacks jurisdiction, the court has no authority to reach the merits. In such a situation the action should be dismissed for want of jurisdiction."

-*Melo v. U.S.*, 505 F 2d 1026

5. "Courts are constituted by authority and they cannot beyond the power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities. They are not voidable, but simply void, and this even prior to reversal."

-*Elliott v. Peirsol*, 1 Pet. 328, 340, 7 L. Ed. 164; *Old Wayne Life Ass'n v McDonough*, 204 U. S. 8, 27 Sup. Ct. 236, 51 L. Ed. 345; *Valley v. Northern Fire & Marine Ins. Co.*, 254 u.s. 348, 41 S. Ct. 116 (1920)

6. "A judgment is void, and therefore subject to being set aside under Rule 60(b)(4), only if the court lacked jurisdiction or committed a plain usurpation of power constituting a violation of due process. See *Hoult v. Hoult*, 57 F.3d 1, 6 (1st Cir. 1995). "A judgment is not void simply because it is or may have been erroneous; it is void only if, from its inception, it was a legal nullity."

-*United States v. Boch Oldsmobile, Inc.*, 909 F.2d 657, 661 (1st Cir. 1990)

7. "No judgment of a court is due process of law, if rendered without jurisdiction in the court." *Scott v. McNeal*, 154 U. S. 34, 46, 38 L. ed. 896, 901, 14 Sup. Ct. Rep. 1108. "No state can, by any tribunal or representative, render nugatory a provision of the supreme law."

-*Old Wayne Mutual Life Association of Indianapolis, Indiana v. McDonough*, 204 U. S. 8, 27 S. Ct. 236 (1907).

8. "[A] judgment is void when a court's action amounts to a plain usurpation of power constituting a violation of due process. *Dragotou v. Dragotou*, 133 Idaho 644, 647, 991 P.2d 369, 372 (1998). The right to procedural due process guaranteed under .... [the] United States Constitutions requires that a person involved in the judicial process be given meaningful notice and a meaningful opportunity to be heard. 133 Idaho at 648, 991 P.2d at 373."

-*McGlooin v. Gwynn* 100 P.3d 621 (2004)

9. Lack of subject matter jurisdiction can be raised at any time. "The lack of subject matter jurisdiction may properly be raised for the first time at the appellate stage. *Rodriguez v. State*, 441 So.2d 1129, 1135 (Fla. 3d DCA 1983)"

-*Basso v. Utah Power & Light Co.* 495 F 2d 906, 910; *Hill Top Developers v. Holiday Pines Service Corp.* 478 So. 2d. 368 (Fla 2nd DCA 1985)

10. "For a judgment to be considered void there generally must have been some jurisdictional defect in the court's authority to enter the judgment, because the court lacked either personal or subject matter jurisdiction."

*-Puphal v. Puphal, 105 Idaho 302, 306, 669 P.2d 191, 195 (1983)*

11. A void judgment "may be attacked at any time in the same or any other court, by the parties or by any other person who is affected thereby."

*-People v. Wade, 116 Ill.2d 1, 506 N.E.2d 954 (1987)*

12. A void judgment may be "attacked at any time in any proceeding."

*-Evans v Corporate Services, 207 Ill.App.3d 297, 565 N.E.2d 724 (2nd Dist. 1990)*

13. A court "cannot confer jurisdiction where none existed and cannot make a void proceeding valid."

*-People ex rel. Gowdy v Baltimore & Ohio R.R. Co., 385 Ill. 86, 92, 52 N.E.2d 255 (1943)*

14. "Obviously a judgment, though final and on the merits, has no binding force and is subject to collateral attack if it is wholly void for lack of jurisdiction of the subject matter or person, and perhaps for excess of jurisdiction, or where it is obtained by extrinsic fraud. [Citations.]"

*-(7 Witkin, Cal. Procedure, supra, Judgment, § 286, p. 828.) / (Reid v. Balter (1993) 14 Cal.App.4th 1186, 1194.)*

15. [A] court may set aside a void order at any time. An appeal will not prevent the court from at any time lopping off what has been termed a dead limb on the judicial tree -- a void order."

*-(MacMillan Petroleum Corp. v. Griffin (1950) 99 Cal. App. 2d 523, 533 [222 P.2d 69]; accord: People v. West Coast Shows, Inc. (1970) 10 Cal. App. 3d 462, 467 [89 Cal. Rptr. 290]; Svistunoff v. Svistunoff (1952) 108 Cal. App. 2d 638, 641-642 [239 P.2d 650]; and see: 6 Witkin, Cal. Procedure (2d ed. 1971) Appeal, § 7, pp. 4024-4025.)*

**Wherefore, I am now demanding this Court to prove proper jurisdiction or vacate judgement. Notice has been properly served.**

Loushonda Myers  
Petitioner/Administrator/Private Attorney General  
Agent for Dameon Myers  
27 Wateree Trail  
Georgetown, SC 29440

**PROOF OF SERVICE**

A copy of the foregoing Notice/Writ of Error/Demand has been hand delivered upon the clerk of courts for the Court of General Sessions, Georgetown County, South Carolina; Alma White Clerk of Court, 401 Cleland Street, Georgetown, SC 29440; and a copy has also been hand delivered to the Georgetown County Solicitor's Office, Scott Hixon, 401 Cleland Street, Georgetown, SC 29440.



Loushonda Myers  
Petitioner/Administrator/Private Attorney General  
Agent for Dameon Myers  
27 Wateree Trail  
Georgetown, SC 29440

STATE OF SOUTH CAROLINA  
COUNTY OF GEORGETOWN

IN THE CIRCUIT COURT  
FIFTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

Plaintiff,

vs.

Loushonda Myers,

Defendant.

RE: 2012CP2201132

NOTICE OF APPEAL

I, Loushonda Myers, am now giving notice of my intent to appeal the decision of Judge Harrington on both August 28, 2014 and September 26, 2014. I am not only appealing the orders of Judge Harrington, but there also exists clear questions of law and fact to present to the court.

This is a substantive Right that I am exercising, and it is my hope that no retaliation from the parties involved will result from the exercise of my substantive Right.

This 11 day of September, 2014.



Loushonda Myers

27 Wateree Trail

Georgetown, South Carolina 29440

[loushondamyers@yahoo.com](mailto:loushondamyers@yahoo.com)

(843) 527-2100

FILED  
GEORGETOWN COUNTY, S.C.  
2014 SEP 29 PM 3:57  
ALMA Y. WHITE  
CLERK OF COURT  
CERTIFICATE OF SERVICE

Ex 4

I, Loushonda Myers, certify that a copy of the foregoing has been served on Assistant Attorney General W. Allen Myrick by USPS addressed to PO BOX 11549, Columbia, South Carolina 29211.

This 11 day of September, 2014.



Loushonda Myers

27 Wateree Trail

Georgetown, South Carolina 29440

[loushondamyers@yahoo.com](mailto:loushondamyers@yahoo.com)

(843) 527-2100

MAYOR  
JACK M. SCOVILLE, JR.

CITY ADMINISTRATOR  
CHRIS ELDRIDGE

CITY CLERK  
ANN U. MERCER



COUNCIL MEMBERS  
JEANETTE ARD  
BRENDON M. BARBER, SR.  
RUDOLPH A. BRADLEY  
PAIGE B. SAWYER, III  
CLARENCE C. SMALLS  
PEGGY P. WAYNE

EXECUTIVE OFFICES  
PO Drawer 639  
Georgetown, SC 29442  
(843) 545-4001

December 6, 2011

S. C. Law Enforcement Division  
Attention: Captain J. Kin McKenzie, Jr.  
P. O. Box 21398  
Columbia, SC 29221-1398

**RE: Investigation Request**

Dear Sir:

The City of Georgetown is requesting that the State Law Enforcement Division investigate complaints against our Police Chief and other City of Georgetown Police Officers. The complaints have been generated by Ms. Loushonda Myers. Ms. Myers has made a number of allegations against our officers, which include lying, violations on the Freedom of Information Act, violation of rights, etc.

Attached are copies of the complaints and other relevant documents for your review. We appreciate your consideration as it relates to this matter and look forward to hearing back from you. Should you have any questions, please do not hesitate to contact me at [jscoville@cgsc.com](mailto:jscoville@cgsc.com) or (843) 546-1130.

Sincerely,

Jack M. Scoville, Jr.  
Mayor

cc: Chris Eldridge, City Administrator  
Paul Gardner, Chief of Police  
Eise Crosby, City Attorney  
Cynthia C. Howard, Asst. to Administrator/Risk Manager

mailed  
12/7/11

Ex5



ALAN WILSON  
ATTORNEY GENERAL

April 30, 2012

Ms. Loushonda Myers  
27 Wateree Trail  
Georgetown, South Carolina 29440

Dear Ms. Myers:

This Office is in receipt of the recent letter from you and your family which was sent to Mr. Jim Parks, Clerk of Court of the State Grand Jury. This Office provides legal support to the State Grand Jury and your letter has been referred to me for a response.

With respect to your complaints regarding the quality of legal representation provided your family from licensed attorneys, the appropriate avenue would be for you to continue to work with the Commission on Lawyer Conduct. Similarly, with respect to any issues you might have with members of the Judiciary, you should express those concerns to the Commission on Judicial Conduct. You may contact them at South Carolina Commission on Judicial Conduct, 1015 Sumter Street, Suite 305, Columbia, South Carolina 29201, and their numbers are (803) 734-2037 Judicial Commission and (803) 734-1965 Lawyer's Commission.

With respect to your incarcerated family members, you may wish to hire private legal counsel to seek whatever assistance may be available to them. In addition, as you know, appointed counsel is available in some instances.

Any matters which you believe are criminal should be referred directly to the appropriate investigative agency.

With kindest regards and best wishes,

Sincerely,

W. Allen Myrick  
Senior Assistant Deputy Attorney General

WAM/mlv

Ex 6



ALAN WILSON  
ATTORNEY GENERAL

December 14, 2011

Ms. Loushonda Myers  
27 Wateree Trail  
Georgetown, SC 29440

Dear Ms. Myers,

Thank you for taking the time to write to this office

We do not have a general investigation section in this office to investigate the complaints of private citizens. The primary purpose of this office is to represent the State of South Carolina in a legal capacity. Additionally, we do not have a general investigations section that can investigate the complaints of private citizens. Please be advised that the Attorney General's Office does not oversee law enforcement officers, nor do we have any authority over any court systems or sentences imposed by our judicial officials.

The matter about which you have written should be brought to the attention of your Solicitor. Their office has the ability to expunge your record should the facts of the case warrant that action.

I hope this information is helpful.

Sincerely,

Constituent Services

ES-7

**JIM DEMINT**  
SOUTH CAROLINA

CHAIRMAN, SENATE STEERING COMMITTEE

167 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-6121  
demint@senate.gov

## United States Senate

April 10, 2012

### COMMITTEES

SENATE RANKING MEMBER, JOINT ECONOMIC

COMMERCE, SCIENCE, AND TRANSPORTATION

BANKING, HOUSING, AND URBAN AFFAIRS

FOREIGN RELATIONS

Ms. Loushonda Myers  
27 Wateree Trail  
Georgetown, SC 29440-2250

Dear Ms. Myers,

Thank you for contacting my office about your issue with Georgetown and Horry County law enforcement. I have enclosed a copy of the correspondence I received from the US Department of Justice. I hope this addresses your concerns. If you need further assistance, please contact Maureen in my Columbia office at 803-771-6112. She will be happy to assist you.

It was a pleasure to make this contact on your behalf. I hope you will not hesitate to contact our office if you have any questions, or if we can be of assistance to you again in the future.

Best regards,

Sincerely,



Jim DeMint  
United States Senator

CHARLESTON  
39 BROAD STREET  
SUITE 300

GREENVILLE  
40 WEST BROAD STREET  
SUITE 320

COLUMBIA  
1901 MAIN STREET  
SUITE 1475

*Ex. 8*



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

APR 05 2012

The Honorable Jim DeMint  
United States Senator  
1901 Main Street  
Suite 1475  
Columbia, SC 29201

Dear Senator DeMint:

This responds to your letter to the Assistant Attorney General for the Office of Legislative Affairs dated February 1, 2012, regarding correspondence you received from your constituent, Loushonda Myers, in which she alleges that the law enforcement and judicial system in South Carolina is corrupt. We apologize for our delay in responding to your letter. Ms. Myers requests that you seek an investigation into the actions of numerous law enforcement entities in South Carolina, specifically, the South Carolina Law Enforcement Division, the South Carolina office of the Federal Bureau of Investigation, the Horry and Georgetown County judicial systems, the Georgetown and Horry County Police and Sheriff Departments and the City of Georgetown's Mayor and City Council members.

The Criminal Section of the Civil Rights Division has the responsibility of enforcing federal criminal civil rights statutes that pertain to incidents of official misconduct (such as police brutality), violent, bias-motivated crimes, violations of involuntary servitude and human trafficking statutes, and violence against reproductive health care facilities.

We have carefully reviewed the correspondence of your constituent, and have determined that she has previously provided materials to the United States Attorney's Office in South Carolina and to other governmental entities. We have obtained and are examining the materials provided to the United States Attorney's Office and are also attempting to obtain additional information regarding prior correspondence from your constituent. Please be assured that if the evidence indicates a possible prosecutable violation of federal criminal civil rights statutes, appropriate action will be taken.

The Honorable Jim DeMint  
Page Two

We hope this information is helpful. Please do not hesitate to contact the Department if we can be of assistance with this, or any other matter.

Sincerely,

A handwritten signature in black ink that reads "Tom PEREZ" followed by a stylized circular flourish.

Thomas E. Perez  
Assistant Attorney General

Loushonda Myers  
27 Wateree Trail  
Georgetown, South Carolina 29440

September 23, 2014

Commission on Judicial Conduct

Lesley M. Coggiola  
1015 Sumter Street Suite 309  
Post Office Box 12159  
Columbia, South Carolina 29211

Dear Ms. Coggiola:

I am writing this letter to complain of abuse of power and authority, judicial bias, misconduct, and blatant acts of prejudice and/or influence.

By way of a letter dated September 20, 2014, I previously submitted a complaint on both Judge Kristi Lea Harrington and Assistant Attorney General W. Allen Myrick. On September 26, 2014, I made a special appearance for the contempt hearing. At the on start of the hearing, Judge Harrington told me to approach the tables and she allowed time for me to organize my papers and effects. Afterwards, the hearing proceeded and Mr. Myrick spoke. After he was done, Judge Harrington turned to me.

I began speaking and was immediately interrupted by Judge Harrington. This set the course for the entire hearing. I was not allowed an opportunity to be heard, and every time I tried to speak, Judge Harrington immediately cut me off. I was not allowed to present evidence and facts, nor was I allowed to present the paperwork that I had prepared prior to the hearing date.

I told Judge Harrington that I did not understand and/or was unaware of the nature and cause of the allegations against me. She replied by stating that it was a contempt hearing where she could impose a sentence of one year imprisonment. I then told her that I still did not understand the nature and cause of the hearing and that I did not know if the matter was civil or criminal. Judge Harrington told me that she could not give me legal advice. I told her that in order to be able to proceed, I needed to know the nature and cause of the allegations against me, and whether or not the hearing was civil or criminal.

I asked Judge Harrington whether or not the hearing was civil or criminal numerous times. Each time she either evaded the question or changed subject. Finally, Mr. Myricjk stated that he was pursuing the matter as criminal contempt. I then told Judge Harrington that I wanted a jury trial.

Ex. 10

Judge Harrington stated that I was not entitled to a jury trial because she was only going to impose a sentence of six months. Yet, moments earlier, she stated that I was facing a year imprisonment. As soon as I asserted my right to a jury trial, Judge Harrington changed her position to that of a lesser sentencing guideline that would allow her to preside over the matter and impose sentencing.

In addition, I told Judge Harrington that I had filed a complaint with the Commission on Judicial Conduct in this matter, and before I could ask her to recuse herself she interjected and moved on without even addressing the matter.

During the hearing, I told Judge Harrington that the Clerk of Court's Office in Georgetown County denied me access by refusing to file documents that were prepared in my defense, and for the purposes of gaining more time to secure witnesses in my favor. Alma White, the elected Clerk of Court, was present, and stated that her office did not accept the papers because they were under the assumption that I could not file any papers with them. Alma White also stated that they attempted to contact her [Judge Harrington]. Nevertheless, Judge Harrington, Alma White, and the clerks in the Clerk of Court's Office in Georgetown County knew or should have known that I have a substantive right to access the Clerk of Court's Office. Yet, Judge Harrington did not reprimand Alma White, nor the clerks; nor did she acknowledge what had happened to me and the substantive injury and/or damage that I sustained as a result.

Moreover, Mr. Myrick presented papers that were filed in the Georgetown County Clerk of Court Office on September 9, 2014. These papers were not presented to me along with the papers that were served on me on September 17, 2014. I was ambushed in court on the date of the hearing with additional evidence intended to be used against me - depriving me of due process. Mr. Myrick, clearly angered, approached Judge Harrington presenting the complaint that I filed with the Commission on Judicial Conduct during the hearing.

In addition, the papers were in fact for a previous matter in which the substantive right to a timely appeal was/is in jeopardy. I tried explaining to Judge Harrington that I did not understand her order from the bench to prevent me from filing in a matter in which I was a party and that I had previously been called to court personally by the Solicitor's Office in Georgetown County, and by which another Judge had presided over and gave judgement. Judge Harrington stated that she did not care about the previous matter. [A copy of that filing has been attached and will show that I petitioned the court as a party in interest, and not as an attorney.]

Clear prejudice and/or bias was present at the hearing on September 26, 2014. As a defendant, I have the substantive right to be fully heard and not interrupted when I begin to present facts that are unfavorable to the judge and/or prosecutor. And, Judge Harrington forced a public defender upon me. Acting as a prosecutor from the bench, Judge Harrington also introduced false information onto the record regarding a previous civil contempt. Clear violations of law occurred.

What's more, Judge Harrington ignored the Private Attorney General Act, and failed to address the fact that Mr. Myrick did in fact commit fraud by adding gross improprieties to the record in his memorandum. [This fact is proven by the copy of Judge Harrington's signed order attached.]

I am being targeted because I am fighting back against the raid on my home and property that occurred on October 12, 2010, the law suit that I have filed in federal court in both North and

South Carolina; the facts that I have uncovered regarding the murder of Joey Pope in 2003; and my requests for the bonds and oaths of certain officials.

On September 26, 2014, Judge Harrington gave an order forever barring me from filing anything in any court (administrative, family, probate, etc.) for anyone. This order has effectively blocked my substantive right to refile my civil suit in federal court in Charleston, South Carolina; it has effectively taken away substantive right to access the courts on behalf of my minor children should the need arise; it has effectively taken away my rights to perform under any of the power of attorneys that I hold should the need arise; it has effectively taken away my inalienable rights protected by the United States Constitution. If for some reason, I become an interested party in any matter- my substantive Rights have been taken away- I cannot access the courts nor exercise my Constitutionally guaranteed Rights.

During this hearing I was in fear of my life and was not receiving a fair hearing. Judge Harrington's demeanor, facial expressions, and/or tones are things that cannot be captured by a court reporter. The court reporter could capture her menacing glares; the court reporter could not capture her impatience; the court reporter could not capture her glances towards the bailiffs; the court reporter could not capture her body language; and the court reporter could not capture her dirty glances coupled with a contorted facial expressions that were precisely aimed and fired at me during the hearing. I truly believe that if she could have ordered one of the deputies to shoot me right there on the spot, she would have done it; and Mr. Myrick would have been more than happy to see my limp body fall to ground in a pool of blood, while I gasped for my final breath.

I was in a court room filled with malice, contempt, and prejudice; and garnished with laughing clerks of court; about four of five armed deputies; and a vengeful assistant attorney general. There were no citizens present except two people in support of me. The entire court was filled with officers of the court and/or court officials. I was not receiving fair hearing, and I had no hopes of receiving a fair hearing. Judge Harrington's mind was already made up the moment she stepped inside that court room. Judge Harrington did not care about "beyond a reasonable doubt", nor did she care about my testimony asserting that I did not understand her order. [Proven by the fact that the clerks of court nor Mr. Myrick got the order correct.]

On September 26, 2014, I was forced by way of threat, duress, coercion, and fraud into a public defender and into being stricken of my rights. My life, liberty, freedom, and property were at risk, and still are at risk. Judge Harrington had a planned attack against me. She knew that I did not intentionally, willfully, and/or willingly disobey her order on August 28, 2014, but she need to find me guilty in order to pursue another investigation against me through SLED, whom also received a copy of the complaint that I have filed with this office.

On September 26, 2014, Liberty became a prisoner of war and Justice died on the battlefield. There was no courtroom where fairness, impartiality, and respect for the law co-existed.

Again, I am pleading that this situation be thoroughly investigated. It was only by the Grace of God that I am able to write to you again. I am ready willing and able to testify before any court of law, and before a grand jury on any of the things that I have mentioned within this letter. There are grave miscarriages of justice that are occurring in Georgetown County, and it needs to stop. The People, such as myself, are being deprived of their inalienable and Constitutionally guaranteed Rights. The People, such as myself, are being used for profit.

I am pleading for help and for justice. I appreciate your time and effort placed in this matter, and I appreciate your prompt response.

Sincerely,

Loushonda Myers- A Fellow Human Being in Distress

Cc: William Nettles, Alan Wilson, Mark Keel, Nikki Haley, Chief Justice Jean Toal, United States Attorney General Eric Holder (DOJ), Jimmy Richardson, Office of the Judge Advocate General (OJAG)

RECEIVED

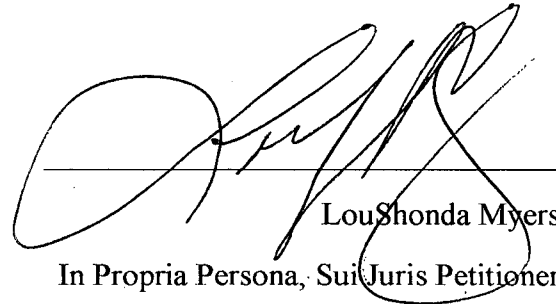
Certificate of Service

JUL 25 2016

SC Court of Appeals

I, LouShonda Myers, certify that a copy of the foregoing Record on Appeal has been sent USPS to Brian Petrano addressed to P.O. Box 11549, Columbia, South Carolina 29211; and contains all material proposed to be included, and no other material.

July 16, 2016.



---

LouShonda Myers

In Propria Persona, Sui Juris Petitioner

27 Wateree Trail

Georgetown, South Carolina 29440

[loushondamyers@yahoo.com](mailto:loushondamyers@yahoo.com)

(843) 527-2100