

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

RECEIVED
JUL 25 2016
SC Court of Appeals

Marvin H. Dukes III, Master in Equity and Special Circuit Court Judge

APPELLATE CASE NO. 2016-000955

John Alden Bauer III

Appellant

v

Beaufort County
School District

Respondent

**APPELLANT'S RESPONSE TO RESPONDENT'S MOTION TO DISMISS OR,
IN THE ALTERNATIVE, TO STRIKE APPELLANT'S DESIGNATION OF
MATTER AND INITIAL BRIEF, TO REQUIRE AN AMENDED BRIEF THAT
COMPLIES WITH THE RULES, AND FOR AN EXTENSION OF TIME TO
FILE RESPONDENT'S DESIGNATION OF MATTER AND INITIAL BRIEF**

Respondent makes claims, without specificity, that could make a Response suitably vague.

However, Appellant's Brief will specify the "*presentation*" page, as contained in the Record on Appeal, for all issues raised in this Appeal.

Counsel for the Respondent (then Board Advice Counsel/Judicial Officer) knowingly, and outrageously, permitted his then future client to introduce false

evidence that comprised 81%, by volume, of the District's exhibits. That, plus other exhibits introduced by Respondent at the hearing, will prove beneficial to Appellant-- such as the spurious December 10, 1013 (sic) letter, the pre-dated Clendaniel document, an Alice Walton letter that contradicts the Board Order, and more.

Respondent's Motion asserts pretentious technicalities, but not substance.

Some technicalities have legitimacy, such as: Counsel has represented the Board of Education, the Superintendent, and the Beaufort County School District and then replaced the Superintendent's Attorneys of Record--all without consent...concurrently while the District and the Board acted as prosecutor and jury, a violation of the SC Constitution (#22).

Counsel then participated in the deliberations of the *jury*, a violation of case law. *Gonzales v. McEuen*, 435 F. Supp. 460 (C.D. Cal. 1977) U.S. District Court for the Central District of California - 435 F. Supp. 460 (C.D. Cal. 1977) March 2, 1977.

According to The Board Hearing Transcript Respondent also allowed The General Counsel to the District (i.e., Prosecution) to attend deliberations of the Board (i.e., Jury). Oddly the General Counsel for the District was not even licensed to practice law in S.C.

As part of this appeal, Appellant asserts that The Honorable Marvin H. Dukes, III, erred in not disqualifying Counsel for Respondent.

Finally, this case is two and one-half (2 1/2) years old and Respondent has refused to answer hundreds of simple inquiries. The Lead Counsel was aware of the Notice of Appeal on May 5, 2016. No extension of time for Respondent is necessary.

Respectfully Submitted

John Alden Bauer, III

John Alden Bauer, III

5 Gumtree Road

E-11

Hilton Head Island, South Carolina 29226

(843) 384-1506

July 25, 2016

RECEIVED

JUL 25 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

JUL 25 2016

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III Master in Equity and Special Circuit Court Judge

Case No. 2015-CP-07-1343
Appellate Case No. 2016-000955

John Alden Bauer, III,

Appellant

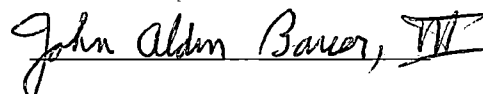
v.

Beaufort County School District

Respondent

PROOF OF SERVICE

I certify that I have served Appellant's Response to Respondent's Motion to Dismiss, or, in the Alternative, to Strike Appellant's Designation of Matter and Initial Brief, to Require an Amended Brief that Complies with the Rules, and For an Extension of Time to File Respondent's Designation of Matter and Initial Brief, depositing a copy of it in the United States Mail on July 25, 2016 to Mr. David Duff, 3700 Forest Drive, Suite 404, Columbia , SC 29204.



John Alden Bauer III

John Alden Bauer III
5 Gumtree Road Unit E-11
Hilton Head Island, SC 29926
843-384-1506
Email: aldenbauer706@gmail.com

RECEIVED
JUL 25 2016
SC Court of Appeals

July 25, 2016

VIA HAND-DELIVERED

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

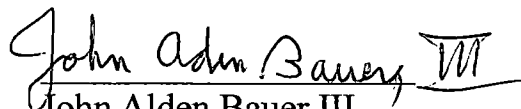
Re: **John Alden Bauer, III v. Beaufort County School District**
C.A. No. 2015-CP-07-1343
Appellate Case No. 2016-000955

Dear Ms. Kitchings:

Enclosed are an original and six copies of Appellant's Response to the voluble "Respondent's Motion to Dismiss, or, in the Alternative, to Strike Appellant's Designation of Matter and Initial Brief, to Require an Amended Brief that Complies with the Rules, and For an Extension of Time to File Respondent's Designation of Matter and Initial Brief", along with proof of service for same.

Thank you,

Sincerely,


John Alden Bauer III

Enclosures

C: *Via Us Mail and Email:*

David Duff

David Lyon

Drew Davis