

# The South Carolina Court of Appeals

William Scott Davis Jr  
Appellant

RECEIVED

v.

JUL 22 2016

Dorothy Baine Davis, Respondent

SC Court of Appeals

Appellate Case No: 2015-002807

## Motion For Reconsideration

The Law is Well Settled, That When Client  
Instructs Counsel to Make a timely Appeal, or Counsel  
Fail to file timely Appeal, Counsel Conceal Judgment  
From Client, Counsel Fails to Consult with Client  
Informs Client of his Right to Appeal, Through  
No Fault of Client,

But Ineffective assistance of Counsel, Professional  
Negligence, Counsel H. Fred Kuch, Jr, Poor Performance  
Fall below a reasonable standard of competency,  
Severely Prejudice the Appellant, Depress Appeal  
of Far Appeal, and Counsel would have been Different

Counsel Failed to file Timely Notice of Appeal  
or Circuit Court 2014, which Counsel Concealed From  
Client, Including Failing to Appeal Post Probate Court, and  
Circuit Court 2015, Admitted Orders, Counsel Refused to Respond  
and Never Served Appellant With Motion to Withdraw or

South Carolina Court of  
Appeals

RECEIVED

JUL 22 2015

SC Court of Appeals

MOTION FOR Rehearing AND  
Reconsideration Grounds:

Sworn Under Penalty of  
Perjury

I William Scott Davis Jr. Did in  
fact timely, and prior to the Probate  
Will Construction Contest. In Form Counsel  
of my Desire Wish to Appeal to the  
South Carolina Court of Appeal, and  
petition to United State Supreme  
Court.

That Trial Counsel Failed to In Form  
Movant of his Right, of Appeal,

That Trial Counsel Failed to Notify  
The Movant, of the March 2015 Court  
of Common Pleas, Decision,

That Trial Counsel Refusal to Communicate  
and Respond to Client, e-mail, phone  
Call, Voice Messages, and Letters

Through No Fault of William  
Scott Davis Jr, Was Appeal Untimely,  
Taken, But through the Fault  
of Trial Counsel Concealment  
of the Court of Common Pleas  
Decision, In holding Beaufort  
County Probate Court Decision Denying  
Contesting of a Purported Last  
Will and Testament, William  
Scott Davis Sr,

Exception to Timely Filings  
See the Flores - Ortega Court  
opinion, Strickland v  
Washington, Ineffective Assistance  
of Counsel, Prejudice, Failure to  
File Timely Appeal, and Advise Client  
of Right to Appeal, Concealment or  
Court Judgment, Depriving Client of  
Notice, and opportunity to Timely  
perfect an Appeal, Exception to The  
Timely Filings Requirement, Per Supreme Court  
of United States Opinions, Well Settled  
Exception.

Court of Appeal Should Vactul  
Court of Common Pleas Judgment, and  
Render Same Judgment, So Movant Can  
Timely Appeal By Substitution, Court Appointed  
Counsel, Not From Beaufort County S.C.

Any Notices in the Above entitled  
Action, Includes the Prior Appeals

The Law is Well Settled That When  
Court Appointed Counsel Fails to File an  
Appeal, Fails to Consult with Clients  
Know of Appeal Rights, of Clients

The Court have Fashioned a Remedy,  
For Client, When Court Appointed  
Counsel, obstruct the appellants Rights  
of Appeal. Well Settled By Supreme  
Court, Client Rights of Appeal are  
Not Lost Due to Ineffective Assistance of  
Counsel, Strickland v. Washington,

Including Mentally Incapacitated Tolling,  
Mental Health Patient, Requires the Appoint-  
ment of a Guardian ad Litem,

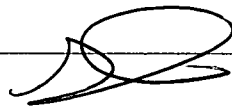
For Reconsideration

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Cordale

By Fred Kern  
Richard B. Allen

Zell



William Scott Perry

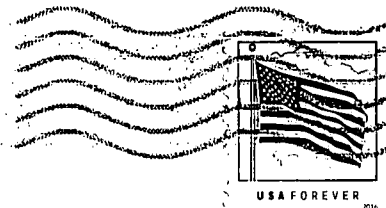
Name:                      Number:

Federal Medical Center

P.O. Box 1600

Butner, NC 27509

RALEIGH NC 275  
Research Triangle Region  
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Clerkcourt Sc Court App  
Appeal Beaufort Probat3  
PO BOX 11629  
Columbia, SC 29211  
United States

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JUL 22 2016

SC Court of Appeals

29211-162929



FEDERAL MEDICAL CENTER  
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BUTNER, NORTH CAROLINA 27509

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