

81088

RECEIVED

STATE OF SOUTH CAROLINA

SEP 26 2016

2016CP262319

SC Court of Appeals

COMMON PLEAS CASE NUMBER

Steven H. John, Circuit Court Judge

COUNTY OF HORRY)

Derek Woodberry)

APPELLANT(S))

2015CV261072551

MAGISTRATE CIVIL CASE NUMBER

Bradley B. Mayers, Magistrate Court Judge

VS.)

Atlantic Auto Sales Audrey Popov)

RESPONDENTS(S))

IN THE SOUTH CAROLINA COURT OF APPEALS

NOTICE OF CIVIL APPEAL

The plaintiff, Derek Woodberry, hereby gives notice of appeal from the judgment of the Common Pleas' court, Judge Steven H. Johns presiding, in the above action, to the South Carolina Court of Appeals, in the county of Richland.

This notice of appeal is made subsequent to personal notice of the judgment which was received on the 24th day of August, 2016.

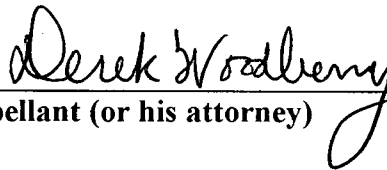
The appellant's exceptions to the judgment of the Common Pleas are set forth as follows:

Not only did Judge Steven Johns not allow me the basic right to stand before the court with an open statement stating the basis of the reason for my appeal, the case I believe was profiled and prejudged based on misinformation of the original facts and apparent misinformation on the amount and basis for the original judgment. He believed based on his assumption and the testimony of the defendant that perjured himself on this and other occasions, that the defendant and I went into an agreement for \$1,000 to totally settle the case and that the original judgment reflected that and was a \$1000, and that the defendant paid that and that I wasn't owed anything. But in fact the original judgment was \$2000 with \$1000 owed because he applied \$1000, that had been paid to prevent any criminal actions, towards the total. The wording was clear to me but apparently not that clear to the judge, so he asked the defendant what I believe to be a leading question and the defendant of course said what the judge said and that he didn't owe anything, fully aware of perjuring himself as he has been a proven liar throughout these entire proceedings. Based on his assumption and the defendant's perjuring testimony, he ruled to uphold Judge Bradley B. Mayers decision to honor an agreement between the defendant and I that never existed and a judgment that was misrepresented. Judge Bradley B. Mayers, whose original ruling it was, was next door and a phone call or email to clarify his decision could have easily been made. In fact, the case before there was a question about the clarity of Judge Bradley B. Mayers' Decision and he strictly asked the it be verified via emailing him, but that courtesy was not extended to me. The defendant has manipulate evidence and testimony after maliciously committing fraud and theft, and I believe because of my social status he's been getting away with criminal activity. I approached Judge Bradley B. Mayers about the matter and he stated that it was clear that he ordered the defendant to pay an additional \$1000 (which quite frankly is indeed irrelevant because it was obviously not clear to Judge Steven H. John) and that he would offer no further clarification in the manner. I asked him if he ordered a total of \$2000 dollars and he still owes me another \$1000 according to the ruling, then what would be the problem with a statement saying that the judgement was for \$2000 and I'm still owed \$1000. He simply said that's clear and I have to take that up with Judge Steven H. John, except the only person that can clarify Judge Bradley B. Mayers ruling is Judge Bradley B. Mayers. He took a similar stance when I asked to show proof of a

conversation I had with the defendant and to show the value and condition test of the vehicle. He did not listen to the evidence recorded and he refused to look at the printed evidence saying that he had seen and heard enough. I am not seeking extra money or to be rich. I am a human being who worked hard and put a lot of money in this car. \$3500 worth of work was done along with \$500 cash to obtain the vehicle. I've since put in the neighborhood of \$4000 with upgrades on the vehicle and the defendant stole it from me and all I was awarded was \$2000 which Judge John thinks is \$1000 and the value of the vehicle is around \$7000 which I have had proof of since day one. I am simply seeking to be indemnified and for justice to be upheld by the law. I should be put in a position at minimum as to where I was before the defendant committed this heinous and malicious act of theft and fraud. I went there with a Porsche, I expect to be rewarded with a Porsche or the value of the Porsche so that I may obtain another. This is my legal right per the American justice system.

September 10, 2016

Date:


Apellant (or his attorney)

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

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Steven H. John, Circuit Court Judge

Case No. 2016CP262319

Derek Woodberry

Respondent,

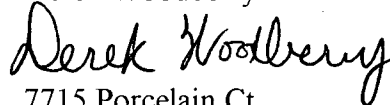
v.

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Atlantic Auto Sales, Audrey Popov by having him served by the Conway SC Sheriffs Office on this 21st day of September, 2016

Derek Woodberry



7715 Porcelain Ct
Gresham, SC 29546
(404)973-5242
Appellant

RECEIVED
SEP 26 2016
SC Court of Appeals

FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Steven H. John, Circuit Court Judge

Case No. 2016CP262319

Derek Woodberry

Respondent,

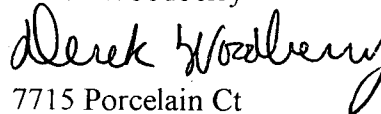
v.

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Atlantic Auto Sales, Judge Steven H. John by having him served by the Conway SC Sheriffs Office on this 21st day of September, 2016

Derek Woodberry



7715 Porcelain Ct
Gresham, SC 29546
(404)973-5242
Appellant

RECEIVED
SEP 26 2016
SC Court of Appeals

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

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Steven H. John, Circuit Court Judge

Case No. 2016CP262319

Derek Woodberry

Respondent,

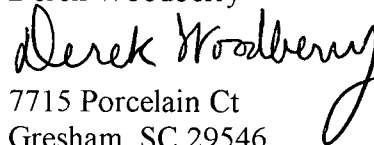
v.

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Atlantic Auto Sales, Judge Bradley B. Mayers by having him served by the Conway SC Sheriffs Office on this 21st day of September, 2016

Derek Woodberry



7715 Porcelain Ct
Gresham, SC 29546
(404)973-5242
Appellant

RECEIVED
SEP 26 2016
SC Court of Appeals

FORM 8
LETTER TO THE APPELLATE COURT CLERK
FILING THE NOTICE OF APPEAL

September

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED

SEP 26 2016

SC Court of Appeals

RE: Derek Woodberry, Appellant, vs. Atlantic Auto Sales Audrey Popov,
Respondent, Case 2015CV261072551, 2016CP262319

Dear Ms. Kitchings:

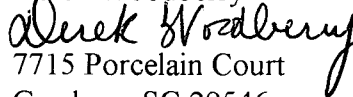
Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent[s].
- (2) A copy of the order[s] [judgment] which is [are] to be challenged on appeal.
- (3) A filing fee of \$100.*
- (4) This appeal is being filed with the Supreme Court because . . . (see Rule 203(d) for when an appeal can be filed with the Supreme Court).]

The original ruling of \$2000 by Judge Bradley B. Mayers in Magistrate Court did not reflect the value of the car the defendant stole and Judge Steven H. Johns of Common Pleas without allowing me to make my argument for my case of appeal, just simply read the summary of the case sent by Judge Mayers and wrongly assumed by the wording and the testimony of the defendant who perjured himself on several occasions, that I had (1) made an agreement with the defendant to accept a thousand dollars for the car and (2) that he had given me the \$1,000 and the case was settled with nothing owed, believing once again that was the original ruling. Upon approaching Judge Bradley B. Mayers to offer up something simply stating that the ruling was for a total of \$2000, he explained that was what the ruling was and if Judge Steven H. John misunderstood the ruling that was on him and there was nothing more that he would write to further clarify the ruling.

Sincerely,

Derek Woodberry



7715 Porcelain Court

Gresham, SC 29546

(404)937-5242

Appellant

PRESS FIRMLY TO SEAL

PRESS FIRMLY TO SEAL

PRIORITY MAIL
POSTAGE REQUIRED

PRIORITY®



Retail

P

US POSTAGE PAID

\$6.45

RECEIVED

Origin: 29571
Destination: 29211
0 Lb 3.40 Oz
Sep 23, 16
4558200571-02

SEP 26 2016

1024

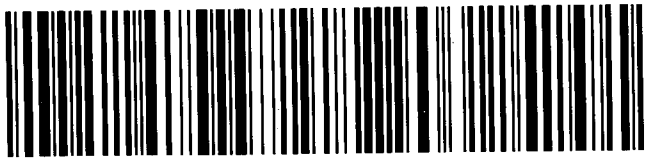
SC Court of Appeals

PRIORITY MAIL® 1-Day

Expected Delivery Day: 09/24/2016

B012

USPS TRACKING NUMBER



9505 5109 5351 6267 0080 29

FROM: Derek Woodberry
7715 Porcelain Court
Gresham SC 29546

TO:

The honorable Jenny Abbott Kitchings
Clerk, South Carolina of Appeals
Post Office Box 11629
Columbia, South Carolina 29211