

STATE OF SOUTH CAROLINA

IN THE PROBATE COURT

COUNTY OF CHARLESTON

2016-GC-10-109

IN RE: HEIDEH LARIJANI

**RECEIVED**

DEC 16 2016

SC Court of Appeals

**NOTICE OF APPEAL**

COMES NOW, Cyrus Kamini, *pro se*, and files this Notice of Appeal to the Probate Court, in reference to the Order of the Probate Court, by the Honorable Lenna S. Kirchener, issued against Mr. Kamini, on the 15<sup>th</sup> day of December, 2016, which is entitled, "Supplemental Order Domesticating and Enforcing Foreign Judgment". Grounds for appeal include Rule 12(b) violations both in the Vermont case as well as in the pleadings leading up to the final judgment holding Mr. Kamini in contempt of Court in the South Carolina Probate Court and in support of the foregoing allegations, states the following:

1. The Probate Court relinquished its jurisdiction over this case on October 20, 2016. The Vermont Court took the case on or around November 4, 2016. Upon the Vermont receipt of the case, all previous orders from the South Carolina Court became null and void.
2. Chris Khmanei brought an emergency motion before the Vermont Court to remove Mr. Kamini from Heideh Larijani's property located at 24 Chalmers Street, Charleston, SC. The Vermont Court granted his Motion (which was never served upon Mr. Kamini, who was also not given any notice of hearing or any documents), *ex parte*. However, Mr. Kamini was never on Heideh Larijani's property. He owns 24 Chalmers Street. She resided in a single unit in 24 Chalmers Street. This Court affirmed the Order and is now holding Mr. Kamini in contempt of court for

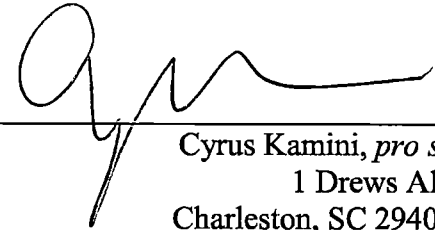
remaining in his own residence at 24 Chalmers Street in Charleston. Mr. Kamini faces immediate arrest if not addressed immediately by this Court.

3. Chris Khamnei brought the Motion for the granted Motion before the South Carolina Probate Court without having served Mr. Kamini. Furthermore, Mr. Khamnei brought the case against Mr. Kamini in the Vermont Probate Court without properly serving him and without conferring jurisdiction. Therefore, the order holding Mr. Kamini in contempt and forcing him off his legally owned real property in Charleston County, at 24 Chalmers Street is not only a violation of the South Carolina, Vermont, and Federal Rules of Civil Procedure, but also violates Mr. Kamini's constitutional right to property without due process of law.
4. Mr. Kamini has previously filed proof of ownership over 24 Chalmers Street to this Court when it did have jurisdiction over the matter.
5. Chris Khamnei brought this case *pro se*. His address is 82 Overlake Park, Burlington, Vermont, 05401.
6. This Court no longer has jurisdiction over this matter as the previous order this order supplements is pending appeal as this Court was Noticed on December 8, 2016 by a Notice of Appeal, which has been properly filed with this Court and the South Carolina Court of Appeals. This order is moot and an arrest on this order will be unconstitutional. This order is unconstitutional as Mr. Kamini has never been properly served, notr given an opportunity to object, answer, or provide evidence in his favor in this matter. To deprive him of his property and liberty without due process of law is unconstitutional.

WHEREFORE, Cyrus Kamini is filing this Notice of Appeal and will appeal the decision as soon as is practical with the South Carolina Court of Appeals for violations of the Federal and

South Carolina Rules of Civil Procedure, and for denying Mr. Kamini's constitutional right to his property without due process.

Respectfully submitted this 15<sup>th</sup> day of December, 2016.

A handwritten signature in black ink, appearing to be 'C. Kamini', written over a horizontal line.

Cyrus Kamini, *pro se*  
1 Drews Aly  
Charleston, SC 29403  
843.460.7462

**CERTIFICATE OF SERVICE**

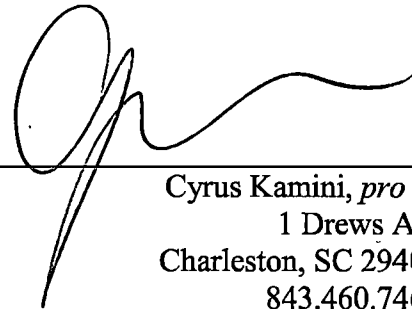
I certify that on this 8th day of December 2016, I sent a copy via postal service, postage prepaid, to the following parties and addresses:

Chris Khamnei  
82 Overlake Park  
Burlington, VT 05401

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