

JAN 13 2017

SC Court of Appeals

The South Carolina Court of Appeals

August B. Krein, III, ProSe, 365998 } CA No. 2015-002340 - Kitchings

504/ADA

- vs -

The State - A.M. Wilson;

Defendants:

} A Supplemental Amended to ProSe's

} Memorandum Brief 32 pgs. by ProSe seeks

} Defaults to enter in his favor by def.

} willingly defaulted.

"Affidavit of Defaults"

1. ProSe seeks to Suppl.-Amend. his Memorandum Brief & seeks defaults to enter on his issue & for an order of release, & all issues he raised for reliefs to be granted, by Defs. willingly waived challenges to them after court ordered them to reply within 10 days on (Dec. 16, 2016) & they had until (12-27, 16) to do so & now 17 days have past without any facts being disputed nor sending ProSe a reply; they (Hunter), only filed a letter (Dec. 13, 16) saying ProSe had no Constal. right to proceed ProSe; & never challenged 32 pgs. Brief proven facts, & ProSe did serve A.M. Wilson, those pages to & Hunter.

See; *Mayes*, 8 F. 3d 249, 252 (5th Cir. 1993) ProSe has a Constal. right to present ProSe's motions & brief on Appeal by 6th Amend.);

See; *Lind*, 880 F. 3d 1040, 1047 (9th Cir. 1989) 6th Amend. Right to proceed ProSe

See; *Roche*, 504 S.E. 2d 311 (SC 1998) by suffering a default, party has admitted the truth of ProSe's allegations & to liabilities) 15-9-7504

210 & 290 & 15-77-230 & 15-69-10 & 15-27-130 & 15-55-10 - Crim. Act. & 54 (a)

& 55 (a)); S.C. Code, 9(a)(2) & 8(d) & 9(h)(1) & 9(b) applies);

See; Rochester, 169 S.E.2d 382 (S.C. 1969) (Prose entitled to default after 10 days pass);

See; Savage, 30 S.E.2d 70 (S.C. 1944) (No consideration given party who willingly defaults); Qt. Brock, 81 S.E. 2d 898 (S.C. 1954) same

See; Drewery, 451 S.E.2d 924 (S.C. App. 1994) (Estoppel applies when party waives in voluntary & intentional giving up a known right);

See; Condon, 536 S.E.2d 623 (S.C. 2002) (Atty. Gen. has to follow civil rules & laws & Ct. orders same as every one else); ;

2. Prose prays Court will honor it's own orders & enter default in Prose's favor, & not allow Refs. any considerations, they know to defend Prose's Brief & Suppl. Amends. on time & Condon (supra) applies with above cases cited & affid. sworn to under penalty of perjury as true facts are:

Respectfully Submitted,

Dated: Jan. 6, 2017,

August B. Kreis, III, #365998