

June 20th 2017

In the South Carolina Court of Appeals Case[#] 2017-000560

In the Greenville County Common Pleas Case[#] 2017-03868

To Proceed in Forma Pauperis V.S.C.G. 1915

Request permission to Proceed in Forma Pauperis

Case No: 2016-CP-23-04998 under the administrative management of the Honorable Perry H. Groves, chief administrative judge of the 13th Judicial Circuit Court Judge. Denied Plaintiff Thomas Furiolo his constitutional, protected rights, as a United Citizen, to Proceed in Forma Pauperis Two (2) times.

FILED-CLERK OF COURT
PAUL B. HICKMAN
GREENVILLE, SC

2017 JUN 20 PM 2:11

Judge Perry H. Groves in Denying Plaintiff to proceed in Forma Pauperis denied his Plaintiff Due Process and caused harm to his case, before this Court.

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SC Court of Appeals

Thomas Furiolo comes again to Proceed in Forma Pauperis site Flent vs. Hynes 65 F.2d 970-74 (4th Cir. 1981) 28 V.S.C.G. 1915. A Citizen of the United States of America is entitled to a written statement of reasons for this Purpose.

Thomas Furiolo 11 eddie Court Greenville SC 29605

The State of South Carolina Court of Appeals ⁰¹

Case No 2017-000 560

Request permission to hand write

Table of contents

Table of authorities

Statement of issues on appeal

Statement of the case

Statement of the facts on one page

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JUN 23 2017

SC Court of Appeals

Thomas Raymond Furiolo Appellee

11 addie Court Greenville S.C 29605

Table of authorities Table of Contents pages 2, 3, 6,

7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, -

Statement of issues on appeal 02

The United States Constitution - The South Carolina
Constitution - State Law - County Law - City Law -

Statement of Case

three (3) Judges Orders by two (2) Judges one (1)
Court reporter transcript - numerous affidavits in
office of Public Trust involvements addressed
in appellee statement of issues on his appeal before
the honorable Court.

no remedy for Thomas Reynold Furiolo - in City
Court - County Court - Supreme Court or Court of Appeals
all State Law Enforcement, County Law Enforcement
City Law Enforcement shut / closed doors to investigate.

affidavit of Thomas Reynold Furiolo

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SC Court of Appeals

arrest and civil arrest - civil disobedience

The appellee moves this Honorable Court for an Order
to arrest and civil arrest for their involvements in the
South Carolina Judiciary Process.

Thomas Reynold Furiolo appellee 11 ADDIE COURT
Greenville S.C. 29605

Certificate of Service

Last Page

The honorable Clerk of the South Carolina Court of
appeals Mr. Jerry A. Kitchings

The honorable Jefferson Beauregard Sessions III

The United States Justice Dept att: General
950 Pennsylvania Ave N.W. Washington D.C. 20530

The President of the United States of America

Donald J. Trump. Sir

600 Pennsylvania Ave N.W. Washington D.C. 20500

Sir: I need your help! and for the State of
South Carolina-

allen McCray Wilton att: General

P.O. BOX 11549 Columbia S.C. 29211

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Henry McMaster Governor of S.C. SC Court of Appeals

State house 1100 Bevis Columbia S.C. 29201

Willison Jones Carter & Boxley & Charles Brunkley

Turner Jr. Esquire. 872 South Pleasant Drive
S.C. 29607.

Ellen Townsen Bach et all Adam C. Bach Esquire

1306 Church Street, Greenville S.C. 29605

Thomas Regmon Perich Appellee

11 addie court Greenville South Carolina 29605

In the State of South Carolina

STATUTE AND RULES

	Page Number
South Carolina Constitution	6
United State Constitution	6
18 U.S.C. Rule 1461	7
5 U.S.C.A. Rule 7301	
18 U.S.C. Section 2703(D)	12
Chief Justice Section 20-7-1470	14
S.C. Codes of Law (1976) Rule 17-1-40	15
S.C. App. Ct. Rule 8, 4(d)	15
Rule 501 Cannon 3 et. seq. Cannon 4(A)(1)(2)(3)	
Constitution Art. 6. Rule 39(a)	16
S.C. Appellate Court Rules 202, 203, (6)	16
S.C. Codes of Law (1976) Code 16-9-10(A)(1) et. seq., 18	
Statute 16-9-450	19
Supreme Court Rules 60(b)(6); 60(b)(1), (5)	19

Others

	Page No.
Pub. L. No. 96-303, 94 Stat. 855 (1980)	9
Civil Service Reform Act of 1978	9
Pub. L. 95-454, 92 Stat. 1121 (CSRA)	9
S. Rep. No. 969, 95 Cong. 2d Sess 2 reprinted in 1978 U.S. Code Cong. & Ad. News 2723-24., 10	
13 Tx. Jur. 3d Contempt Rules 2 (1993)	10
Syl. Pt. 6	11
Common Law * 806	12
Black Law Dictionary 1434 (1979)	13

RECEIVED

JUN 23 2017

SC Court of Appeals

3.

TABLE OF CONTENTS

RECORD ON APPEAL:

RECORD

Page Number

1. Transmission Log	1	✓
2. Dictated Letter	2-4	✓
3. Permit Application	4A-4	✓
4. Order	5-7	✓
5. Motion	8-10	
6. Motion	11	✓
7. Transcript	12-42	✓
8. Civil Complaint	43-50	✓
9. Order	51	✓
10. Motion	52-59	✓
11. Motion	59-62	✓
12. Brief	1-22	✓
13. Jurisdiction Jurisdiction		
12 13. Motion from City	1-11	
13 14. Motion from City	1-5	

TABLE OF AUTHORITIES

Cases:	Page Nos.
St. exrel. Wolfe vs. Sander 118 S.C. 498	.5
Blackwelder Furn. vs. Seiling Mfg. 556 F.2d 189	.5
Dataphase Sys. Ins. vs. L.L. Srt. Inc. 640 F.2d 109	.5
Shipes vs. Wiggy St. Andrews Inc. 238 S.E. 2d 167	.5
Pecan Sales Co. vs. Savan. Bk. Co. 122 Ga. App. 536	.6
Stuckey's Carriage Inn vs. Phillips 122 Ga. App. 681	.6
State vs. Chase 188 W. Va. 356, 424 S.E. 2d 591	.7
Clock vs. Dunn 195 W. Va. 272, 465 S.E. 2d 374 (1995)	.7
v. 199 W. Va. 161, at 177-78, 483 S.E. 2d 507 (1995)	.7
v. 483 S.E. 2d at 523, 24 Restate of Torts (second)	.7
Celebrasse vs. Bolas 316 F.2d 498 Admin. Proc. Act	.7
Big Table Inc. vs. Schroeder 186 F. Supp. 254 - Pasta	.7
Enick vs. Carrington	.8
Hunt vs. Nat. Brocas. Co. Inc. 872 F.2d 289 (1989)	.8
Metromedia Inc. vs. City of San Diego 32 Cal. 3d 180 (1989)	.8
U.S. vs. McConney 728 F.2d 1195, Cert. Denied	.9
Haselden vs. Haselden S.C. App. 2001 347 S.C. 48	.10
St. vs. Goff 228 S.C. 17, 88 S.E. 2d 788 (1955)	.10
In The Matter of Cecil 329 S.C. 335, 496 S.E. 2d 619 (1998)	.10

TABLE OF CONTENTS

Continuanced:

Cases	Page Number
In The Matter of Gaudet 296 S.C. 510, 374 S.E.2d 49	10
In People v.s. Higgins 173 Misc. 96 N.Y. S.2d 302 (1939)	10
People v.s. Owens 42 Ill. 2d 451, 248 N.E.2d 104, 105 (1969)	10
Moss v.s. Arnold 75 P.2d 491, 505-06 (Okla. Crim. App. 1938)	10
Lockett v.s. State 145 Ark. 415, 224 S.W. 952, 53 (1920)	10
In Re Curaba 139 N.J. Eq. 404, 51 A.2d 446 (1947)	10
State v.s. Weinburg 229 S.C. 286, 92 S.E.2d 842 (1956)	10
Parker v.s. Knowlton Const. Inc. 158 W. Va. 314, 210 S.E.2d 918	11
Washington Post 386 F.3d at 578-79	12
v.s. 386 F.3d at 578-79, at 375	12
Rushford v.s. New Yorker Mag. Inc. 846 F.2d 249, 253	12
Press-Enterprise Co. v.s. Sup. Ct. 464 U.S. 501, 104 S.Ct. 819	12
Va. Dept. of St. Police v.s. Washington Post 386 F.3d 567 (2004)	12
Stone v.s. Univ. of Md. Sys. Corp. 855 F.2d 178, 180 (4th Cir. 1988)	12
Croon v.s. State 302 S.E.2d 598 (1983)	13
Stone v.s. Reddix-Small 369 S.E.2d 840 (S.C. 1988)	13
Spart. Cty. Dept. of S.C. v.s. Padgett 370 S.E.2d 874 (1988)	14
v.s. 386 F.3d 567, 575 (2004) supra.	15
Stone v.s. Univ. of Md. Sys. Corp. 855 F.2d 178, 180 (1988)	15
v.s. 32 Cal. 3d 180, 185 S. Cal. Pptr. 260, 264 (1982)	15
Miller v.s. Palmer 336 S.E.2d 213 (W. Va. 1985)	16
Beckham v.s. O'Brien 336 S.E.2d 375 (1985)	16
State v.s. Bowers 241 S.E.2d 409 (S.C. 1978)	16
State v.s. Scott 238 S.E.2d 217 (S.C. 1977)	16
v.s. 418 U.S. 506, 94 S.Ct. 2689, 41 L.Ed.2d 912 (1974)	16
United States v.s. DeFeo 36 F.3d 272 (1994)	18
Sanchez 35 F.3d 673 (2d Cir. 1994)	18
State v.s. Byrd (S.C. 1888) 28 S.C. 18, 4 S.E. 793	19
State v.s. Farrow (S.C. 1856) 10 Rich. 165	19
Klapprott v.s. U.S. 335 U.S. 601, 613	19
L.P. Stewart, Inc. v.s. Matthews 329 F.2d 234, 235-36	19

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY

Robin B. Stilwell, Common Pleas Court

Thomas Raymond Firriolo,) APPELATE CASE NO. 2017-000560

Plaintiff,)

vs.) TWO #911 POLICE ALERT CALLS/

) CONTEMPT OF COURT/WITNESS

City of Greenville, et. al., Honorable) TAMPERING/OBSTRUCT JUSTICE

Matthew Raymond Hawley, Jr., Judge:)

Lawyer Eller Townsend Bach: Cecil)

Golden; Paul B. Wickensimer, Clerk of)

Court; Leander King, Clerk of Court)

Assistant; Sandra Mansell, Supervisor)

of Clerk of Court; Mr. Jeff Bowen; Mr.)

Gary Fanell. Court Certified Witness:)

Ms. Jodie Dudash; Ms. Cynthia Vilardo)

Mr. Brad Rice; Mr. Bobbie Skinner;)

Ms. Tammy (Jane Doe) of Greenville)

Care Center; (Freedom of Information)

Act) violation and co-defendants; Mr.)

Dwayne Cooper; Ms. Kim Jones: Mr.)

Clint Link; Mr. Bryon Wood; Mr. Jason)

Gillespie; Engineers; City Planners and)

Witness; and witness Mr. Steven)

Landdrith, former Building Department)

Official; co- defendants Tyrone Sanders;)

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JUN 23 2017

SC Court of Appeals

Larry Johnson, Partners and Cecil)
 Golden- Specialty Contractor, together)
 acquired city license permits after the)
 fact, co-defendant, Knox White; Jil)
 Littlejohn; Gayne Sorague; George)
 Fletcher; and S.L.E.D State)
 Law Enforcement; Lt. Elisabeth Corley)
 is a witness and present throughout the)
 March 21, 2016 court hearing. Judge)
 Matthew Raymond Hawley. Jr; in City)
 Court; and witnessed Fanell Dudash;)
 Vilardo Rice Skinner, Ms. Tammy of)
 Greenville Cares and others to be)
 Subpoenaed March 28, 2016; March 28)
 2016 No witness were subpoenaed:)
 Walter Wilkins, Solicitor referred me to)
 S.L.E.D. after review of the Court filed)
 Documents; Witness list Part I, Part II,)
 L.L.R. Deputy Director. Dean Gutt of)
 Licensing and Regulation, witness who)
 testify to building Standard in South)
 Carolina; others will testify to Federal)
 Building Codes and International)
 Building Codes;)
)
 Appellants,)

JURISDICTION

Pursuant to, Death in Custody Reporting Act of 2013. Public Law 113-242-1-2-12-18-
 2014; South Carolina Code of Laws (1976) Rules 14-11-120; Rule 16-9-10; Rule 14-11-130;

Codes 14-11-190; 5-7-90; 5-7-100; 28 U.S.C. Code 55 et.seq.; S.C. Codes of Law, State Regulation, Chapter 29 et.seq.; S.C. Codes of Law (1976) Codes, 17-1-40(D); 18-9-130; 18 U.S.C. Codes 1512 (a) (1) (A), (B), (C); Codes (2), (A),(B)(i);(ii),(iii), and (C); S.C. Tort Claims Act Rules 15-78-50 (a), (c); Codes 15-78-70(b),(d); Codes 15-78-100; 15-78-120(1): 15-78-200: 15-67-230(1).(2).(3).(4): Codes 15-67-250(1),(2); 15-67-210; 15-3-630; 15-3-640(1),(2),(3),(4),(5),(6),(7),(8),(9); Codes 15-3-530 (1),(3),(4),(7),(8);Fourth and Fourteenth Amendments U.S.C.; 5 U.S.C. 552; S.C.R. Crim.P.Codes 2(d),7(b);13(a),(b),(1),(b)(2); 13(c); 14(c): 19(b): S.C Codes of Law (1976) Codes 15-17-70: 15-17-(1),(2),(3),(4),(6); Code 15-63-110; 18 U.S.C Title 1621; 10 U.S. Code Rule 923-Art.123.

1. The Appellee Motion for error in the lower Court of Common Pleas. Appellee

States that the Honorable Robin B. Stilwell. Judge. Relied upon forbidden factors and failed to consider important factors in denying Appellee Complaint: Witnesses testimony concerning reliabilities of prejudiced Appellee Complaint; and disregarded the Complaint as an whole; and the ends of justice is required in the consideration of Appellee's claims on its merits. To prevent a fundamental miscarriage of Justice in the present non-disclosure of the evidence (established an element of common law fraud) Citing S.C Codes of Law (1976) Rule 16-9-10 (A)(1) et.seq.; Rule 16-9-450; Rule 16-9-40. The Appellee stipulates to the original transcript at page 26 line 6 through line 18. The Honorable Robin B. Stilwell Court Order dismissing both partitions (1) Judge Matthew Raymond Hawley Jr. Court Order filed May 26, 2016, and Appellee Civil Complaint (2).

a. The Appellee move for the adjusfication of criminal contempt based on the Honorable Robin B. Stilwell, Judge willful disobedience of the Trial Court Order by Honorable Matthew Raymond Hawley, Jr. Judge, filed May 25, 2016. Judge Stilwell had a duty to obey the Mandate of the Court Order filed May 25, 2016. Appellee asserts that the Honorable

Matthew Raymond Hawley Jr. retained Jurisdiction over his Order filed May 25, 2016. The Appellee move for a Court Order against the Honorable Robin B. Stilwell, for Obstruction of Justice; and, two (2) for Contempt of Court.

2. Appellee preserve a valid objection to the assignment of error by the Honorable Robin B. Stilwell, Judge, Dismissing Appellee Business permit to remodeling his home. Appellee state that with the help of Master Attorney Adam C. Bach concealed facts and the right procedures denying Appellee's Constitutional Rights. Appellee move for an Order against the Appellant Adam C. Bach, Esquire, for Obstruction of Justice. Appellee move for a Court Order against Adam C. Bach, Esquire, for Contempt of Court in not enforcing the Honorable Matthew Raymond Hawley Jr. Judge filed May 25, 2016. See contents of Transcript, Adam C. Bach, Esquire, injected the Court Order in the Proceedings of Appellee Trial, and Bach had not appealed Judge Hawley Jr. Court Order and lack Subject Matter Jurisdiction to introduce said Court Order for the purpose of having the Appellee Complaint Dismissed by the Court. And further Master Attorney Adam C. Bach accused the Honorable Judge Matthew Raymond Hawley Jr of abuse of discretion to manipulate this Judge.

2. Attached with Appellee Appeal is his Complaint and Records, Documents, are incorporated herein by the record of the Greenville County Clerk of Court. Appellee Submits that The Greenville City Officials withholding documents favorable to the Appellee violates due process. See Appellee Record on pages #1 through #63. The Appellants have suppressed two #2 (911) Alert Police Calls pertaining to a Death of a Person involving Chief Miller and Adam C. Bach.
3. The Appellee moves this Honorable Court to take Judicial Notice that more prejudices was added to Appellee in the offering of evidence directly in: and the Appellee moves Honorable Court to examine the evidences: Forgery made by the

Honorable Matthew Raymond Hawley, Jr. Judge. See the Appellee Record on Appeal at Exhibits #4A, 4B, 4C, 4D,: Appellee move for a prejudicial error in the blue prints to remodeling, site plans, setbacks of Appellee home done by Judge Hawley. Jr. Appellee move for Court Order against Judge Hawley.Jr. for Contempt of Court and two (2) Appellee moves for a Court Order for Obstruction of Justice.

4. The Appellee Objections are based upon the duties of the Honorable Matthew Raymond Hawley. Jr. Judge, in that he amounted to more prejudicial errors. Initially the trial Court Judge Hawley. Jr. Judge misplaced the State Law when he signed Appellee document directly affecting Appellee real property. Honorable Matthew Raymond Hawley.Jr. Judge committed perjury. See Appellee Exhibits 4A, 4B, 4C, 4D. Appellee moves this Honorable Court for a Court against the Appellants Honorable Matthew Raymond Hawley.Jr. Judge for Contempt of Court: and (2) Obstruction of Justice and (3) Perjury and (4) Forgery.
5. The Appellee filed Motion for a preliminary Injunction on the grounds that the Honorable Matthew Raymond Hawley.Jr.Judge denied the Appellee Motion to Subpoena (21) Witnesses. S.L.E.D. was in the courtroom as a witness. The Honorable Matthew Raymond Hawley.Jr.Judge abused his discretion in denying Appellee Sixth Amendment rights. The Appellee moves this Honorable Court for an Order against the Honorable Matthew Raymond Hawley,Jr.Judge for Obstruction of Justice and (2) Contempt of Court. Citing 550 F.2d 189 I.d at 196.
6. The verbal content of the record and Complaint filed January 19, 2017, by the Honorable Robin B. Stilwell, Judge, The Appellee had a right when the trial court pretended to remand his civil Complaint and Court Order filed May 25, 2016, back to Municipal Court to Judge Haley, Jr. is subject to review. See transcript at page 20

line 22 backward to page 18 line 6. Is part of the unfairness, another is the procedure rules constituted on abuse of discretion. 640 F.2d 109(1981) at 110 notes 1,2,4,6. Appellee had an Conflict of Interest, 118s.c.498(1920); 238 S.E. 2d167, notes(1),(2).

7. The Honorable Robin B. Stilwell, Judge. Assignment of error is State Rules of Criminal Procedures and under the Civil Practice Act, "in order to take advantage of lack of information and knowledge... 122 Ga.App.536-540, 177 S.E. 2d 808, 811 (1970) 122 Ga.App.681,691;178 S.E.2d 543 (1970). Article III of the State Constitution restricts the "Judicial Power" of the United States to resolution of the 'eases" and the controversies" U.S Constitution Article III Rule 2, e.1. See South Carolina Constitution jurisdiction pursuant to S.C. Codes of Law (1976) Titles 14-11-120, 14-11-130: 14-11-190:Titles 5-7-90:5-7-100. The Appellee appeal is against law enforcement state officials and public entities and the Chief of Police reassigned the Officers involved; Appellee claims of Malfeasance by Public Official and Public intimation; pursuant to the Death of a United States citizen. Appellee moves this Honorable Court to formerly charge the Honorable Robin B. Stilwell, Judge with Obstruction of Justice and (2) Contempt of Court.
8. The Appellee in defining the Honorable Robin B. Stilwell, Judge filed January 19, 2017, was a court Order within the meaning and understanding that his Court Order had the force of the South Carolina Judicial System. The continuing jurisdiction doctrine that the retains to enter and enforce his Court Order.

a. Appellee stipulates to the City of Greenville in the Prejudicial Matters with their system. The Appellee (1) first of all asserts that Adam C. Bach, Esquire, for the City of Greenville he is their Attorney. Appellee state Adam C. Bach, Esquire is the same individual that influenced Police

Chief Miller, not to in (while in authority and control) release Appellee two #911 tape conversations and (2) he Adam C. Bach, Esquire, is the same individual that tamper with witness Cecil Golden. Also Appellee state that Charles F Turner, Esquire, Attorney for S.L.E.D. conspired to suppress complaints that were hand delivered and mailed for S.L.E.D. to investigate crimes involving City Personal Defendants. In other words S.L.E.D was informed by Charles Turner, Esquire to not investigate Complaints filed before Charles Turner, Esquire was Counsel of record. See S.C. Appellate Court Rule 501 Can.3etseq.can.4A(1),(2),(2); 8.4. Appellee moves this Honorable Court for a charge against the Appellants for Obstructing the Administration of Justice.

9. The Appellee did not waive any due process rights, stating that the discovery rule applies to discovery of facts. Citing State vs. Chase Secur.Inc., 188W.Va.356, 424 S.E.2d 591 (1992); Clack vs. Dunn 195W.Va.272.465 S.E.2d 374(1995); 99 W. Va. 161 at 177-78, 483 S.E.2d 507 at 523-24(1995):483 S.E.2d at 523-24 Re state of Tort (Second) Rule 895 D. The Appellee asserts that the Honorable Robin B Stilwell, Judge.errored in that the record of the January 19, 2017 trial, The appellee objects to the contentions of the Trial Proceedings pursuant to S.C. Code of Laws(1976) Rule 15-78-10. The Appellee was denied a evidentiary hearing by the Defendants/Appellants actions and inactions.

a. The Appellee objects to the adverse inference that the Trial Court Lack Subject Matter Jurisdiction.

10. The Appellee moves this Honorable Court for a Court Order against the Honorable Robin B. Stilwell, Judge for Contempt of Court: and (2) for Obstruction of Justice because his Court Order filed January 19, 2017, is contrary to reasons and laws.

a. The Appellee filed Motion to have witnesses subpoenaed and the Appellants decline to do so. Citing *Celebrezze vs. Bolas* 316 F.2d 498, Administrative Procedure Act, Rule 10, 5 U.S.C Rule 1009; 18 U.S.C Rule 146; *Big Table Inc vs. Schroeder* 186 F.Supp.254- Posta 114. The Appellee moves for sanctions against the Appellants.

11. The Appellee asserts that his property was in need of remodeling: repairs that did not affect the surrounding properties as far as the streets or the residences that's nearby: and, that the property improvements, The Honorable Matthew Raymond Hawley. Jr. Court Ordered a rights of Appellee to do his repairs without any problems. Court Order filed May 16, 2016, Exhibit A. The City of Greenville refused to obey the Command of the Court and intruded my home destroying my living space, on numerous occasions complaining about building licenses that was not needed.

- a. The Court Order of May 25, 2016 was binding on the City of Greenville to enforce Judge Hawley Jr. Court Order. The City of Greenville decided to harass the Appellee and refused to inspect the property for remodeling. See S.C Code of Laws (1976) Rule 6-29-800.
- b. The Appellee filled out an application with FEMA and The Department came to the residence and inspected. But, the Appellants, the City of Greenville refused to inspect Appellee home to date. The City Engineers came and inspected the residence several times and constructed to divert the water from the hard floodings. The City of Greenville still refused to inspect the work and/or repairs because Appellee was denied admission to City Offices for any reason since 2014. The Appellee had a privacy and property rights. Citing *Enick vs. Carinaton*; *Metromedia Inc. vs. City of San Diego* 32 Cal.3d.180,

185,185 Cal.Rotr.260,264,649 P.2d902 (1982) C stating that a Court
"cannot.... In the exercise of its power to interpret." Pursuant to S.C.
Appellate Court Rule 8.4(d):

engage in conduct involving misconduct

dishonesty, fraud, deceit or misrepresentation.

Rule (e) engage in conduct that is prejudicial to

the administration of Justice. Rule (f) state or

imply and ability to influence improperly a

Government Agency or Official or achieve

results by means that violate the Rules of

Professional Conduct of other law:

c. The Appellee states the Charles F. Turner, Esquire, is the Attorney for S.L.E.D. and the Director who altered the Appellee's Complaint; the Appellee stated that S.L.E.D. (a witness) and Charles F. Turner, Esquire changed his status to a Defendant. Appellee moves this Honorable Court to charge the Defendant Charles F Turner, Esq. with witness tampering.

12. The Appellee states that the Honorable Matthew Raymond Hawley Jr. Judge.

Devised scheduling of the permit order with the Judge outlined plans for the residence remodeling with the help of City Attorney and Building Department Officials, Blue Prints for Constructivity, to Appellee's home. See Exhibits #

13. The Appellee states that the Honorable Matthew Raymond Hawley Jr. Judge.

errored when he denied a valid Motion and cause a "Constructive Contempt." And a

"Obstruction of Justice" where he failed to subpoena twenty-one witnesses in support of Appellee Complaint.

14. Appellee states that the Honorable Matthew Raymond Hawley Jr. Judge. erred when he abused his discretion when he denied Appellee Motion for Injunction Relief stating that it was an erroneous interpretation of State Law. Citing 872F.2d289.292(9th cir. 1989) (court abuses its discretion if it does not apply the correct legal standard of it it misapprehends the underlying substantive law): United States vs. McConnell 728 F.2d 1195. 1201 (9th cir.) en banc denied 469.U.S.824.105s.ct.101.83 L.Ed.2d 46(1984). Government Service should:

- I. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government Department.
- II. Uphold the Constitution, laws, and regulations of the United States and of all Governments therein and never be a party to their evasion.
- III. Expose corruption whenever discovered. Pub. L. No. 96.303.94 Stat 55 (1980) note to 5 U.S.C Rule 7301. In enacting the Civil Service Reform Act of 1978, Pub. L. 95-454, 92 Stat. 1121 (CSRA). Congress stated its intent to provide "New protections for employees who disclose illegal Government conduct" S.Rep.No.969, 95th Cong.2d Sess2. Reprinted in 1978 U.S. Code Cona.&Ad. News 2723.2724 ("Senate Report").

Citing Haseldon vs. Haselden (S.C. App. 2001) 347 S.C.48, 552 S.E.2d329.

rehearing denied. Court of Appeals will reverse a trial Judge's determination regarding contempt if it is without evidentiary support or an abuse of discretion.

15. The Appellee states that Adam C. Bach, Esquire, made contact with potential witness Cecil Golden. And began tampering as suppose to his interrogatories statements. On many occasions the Appellant Adam C Bach, Esquire, tampered with the wtiness Cecil Golden. Citing State vs Goff 228 S.C. 17, 88 S.E.2d788 (1955); In Matter of Cecil 329 S.C. 335, 496, S.E.2d 619 (1998); In People vs. Higgins 173 Misc96, 16 N.Y.S.2d302 Sup.Ct. 1939) Id. At 305; People vs. Owens 42 Ill.2d 451,248 N.E.2d 104, 105 (1969); Moss vs. Arnold 75 P.2d491, 505-506 (Okla.Crim.App.1938); Lockett vs State 145 Ark.415, 224 S.W. 952.53 (1920): In Re Curaba 139 N.J. eq.404, 51A.2d 446 (1947), 13 Tx. Jur 3d Contempt Rules 2 (1993); State vs Weiberg 229 S.C 286, 92 S.E.2d 842 (1956).
16. The Appellee states that Adam C Bach, Esquire, was Tampering with Cecil Golden dealing with deals of intimidation & treats, and bribes, knowing that Cecil Golden was in several Magistrate Courts. Cecil Golden is a witness in Common Pleas Court; and a Defendant in other cases pertaining to Appellee. The Appellee asserts misconduct in the behavior of Adam C. Bach, Esquire in the witness tampering of Cecil Golden. His actions was taken with deliberate indifference as to its known an obvious consequences.
17. The Appellee submits that the City of Greenville, Government Officials, has created arbitrarily, capriciously and from personal biases, interpretations of the South Carolina Constitution, Statutes, Codes, procedures and Guidelines. The Appellee submits his claims involves a State created interest under State law, the South Carolina Constitution. One (1) is the Appellee has property rights; and, Two (2) the

Appellee has rights to inform law abiding Police alarm to a Death first Response and for other crimes being committed that violated the South Carolina Constitution.

- a. The Appellee was denied a copy of his documents and records pertaining to litigations within the S.C. State Court System. The denial of the Appellee Records and tapes concerning two #911 Police Alert telephone calls that was suppressed by the Police Chief Miller. Denied the Appellee access to the Court: and the Appellants are in violations of U.S.C. Fourteenth Amendment.
- b. The Appellee stipulates that the lower Court of South Carolina Thirteenth Judicial Circuit, erred by not producing the records of Appellee proceedings in the attempt to alarm Law Enforcement of crimes being committed.
- c. The Appellee asserts that the lower Courts of S.C. erred by not producing the records of his conversation with dispatch officer in two #911 telephone calls. Plaintiff is not on *Appeal from judgment and Motion to this Honorable Court to preserve the nonjurisdictional errors raised for Appellate Review. In consideration of those matters passed upon by the Courts below, arising upon the portions of the Records deemed for Appellate review. Syl.Pt.6, in part Parker vs. Knowlton Const. Co., Inc. 158 W.Va.314, 210S.E.2d918(1975).
- d. The Appellee placed two #911 calls to the City Police Department on November 3, 2016 and the records got missing; when Police Chief Miller told his police and 911 call center assistant director of first respondents call told not to provide transcripts for the two #911 calls and was denied by Public Relations Appellee filed Motion for F.O.I.A. and it was denied by the Appellants. See Transcript of Records: The Appellee Motion to investigate: Transcript page 21 line 9 through page 24 line 1. The Appellee submits

evidence to the Court. See Transcript at page 24 line 11 through line 17, the records were intentionally misplaced or destroyed by the Appellants, the City of Greenville Officials.

- e. The Appellee states that the Honorable Robin B. Stilwell, Judge. did not order an Investigation into the two #911 telephone calls pertaining to the Death of a State Citizen. See Transcript at page 25 line 3 and 4. The Honorable Robin B. Stilwell, Judge. decided to Dismiss the Appellee Motion. See transcript at page 26 line 6 through line 18. Transcript at page 26 line 20 through 27 line 5; Judge Stilwell denied the Appellee two Motions.
- f. Appellee asserts at Transcript page 28 line 12 through 21. stating that Appellee rights were denied by Appellants in the destroying of evidence. Tampering with evidence of filing documents; Judicial Records, Adjudicative Process, or Adjudicate Substantive Rights. The Appellee moves this Honorable Court to Reverse and Remand the present Appeal back to lower Court because of the illegal procedures applied by the City of Greenville that Appellee Motion for an Application for an Order by the United States pursuant to 18 U.S.C Section 2703(D), 707,283,290 C4thCir.2013)Id. At 291; Public First Amendment rights of access and a claim for relief. Citing Washington Post 386F.3d at 578-79: Judicial records that are used in adjudicative process... 386F.3d578-79: Rutherford vs. NewYorker Mag. Inc. 846F.2d249,253(4thcir.1988) First Amendment apply to documents filed, Washington Post 386F.3d79; denial of access by Government interest Rushford 846F.2d at 553 (relying on Press-Enterprise Co. vs. Superior Court 464U.S. 501,104S.ct.819, 78L.Ed.2d(1984) public access- First Amendment and common law. Va.Dept. of State Police

vs. Washington Post 386F.3d567.575 (4thCir.2004); attaches to all judicial records and documents. Citing Stone vs. Univ.of Md.Svs. Corp. 855 F.2d178.180 (4thCir.1988)(internal citation omitted):*Common law 806 presumption of access.

18. The Appellee Motion for a Writ of error. Appellee asserts that, because the prejudices are so severe pertain to the #911 telephone calls on November 3, 2016. and Public Relation. Created conflicting presumption; whereas Police Chief Miller demoted the efficiency of their Administration by ordering and demanded the Public Relation Officers not to give nothing to the Appellee pertaining to the taped recorded #911 telephone calls. Citing Benjamin J. Shipman. Handbook of Common-Law Pleading Rule 337 at 538 (Henry Winthrop Ballentine ed.3d1923) The undisclosed of Death was binding on a jury and Police Chief Miller ordering the stop to the investigation were objectively unreasonably pursuant to established State Law.
19. The Appellee moves this Honorable Court to charge the Appellant with Tampering with a potential witness, that Charles F. Turner, Jr. Esquire. Is Appointed Lawyer for S.L.E.D. as at this position as S.L.E.D. Legal advisor; invited the errors within Appellee telephone call at #911 Alert Police. The Appellant Charles F. Turner. Jr. Esquire, conversant S.L.E.D. to stop their investigation into the Appellee report of a Death by homicide.
 - a. The excluded information to the two #911 Police Alert calls suppressed by Charles F. Turner. Jr. Esquire. Made certain information undisclosed by S.L.E.D. by Tuner. Tampering with the investigation and tampering with the Police Department. S.L.E.D.

- b. The Appellee states that Charles F. Turner. Jr. Esquire, has a Professional Degree in Law, Educate Degree yet, his Degree in Law can not encompassed the Constitution of the State of South Carolina, not even the trial court views.
- c. Concepts of State Law meaning the enforcement of that concept, and it does not mean that it has a exchange value to Government Officials.
- d. The Appellee states that the Appellants erred in allowing the excluded #911 Alert Police calls tape recording on unauthorized basis. Appellee objects to said events and Appellee does not abandon any rights. Appellee moves this Honorable Court to Charge the Appellants with "Obstruction" of Justice. Appellants Charles F. Turner. Jr. (2) S.L.E.D. should be discipline for the action and action pertaining to #911 tapes.
- e. The Appellee stipulates to the evidence and is making objections to the undisclosed evidence that was not received on the grounds of relevancy. And the Appellee stipulates to the Appellants testimony of said cross-examinations should be admitted on grounds that Appellee raised at trial. Citing Croon vs. State 302S.E.2d598 (Ga.App.1983) ; The Appellee states that the Appellants has a specific intent to disobey and/or disregard the law. Black's Law Dictionary 1434(5thEd.1979): Stone vs. Reddix Smalls S.C. 369 S.E.2d 840(S.C1988) note2; Local Administrative Rules Article V Rule 1 of the South Carolina Constitution mandates unified judicial system. Section 4 designates the Chief Justice of the Court, Section 20-7-1470 of the 1976 Code of Laws of South Carolina. Citing Spartanburg City Dept of S.S vs. Padgett 370S.E.2d872(S.C.1988), Id.at 875notes(4),(5).

20. The Appellee Motion to this Honorable Court to preserve the Records under the Disclosure Rule S.C.Crim.P.Rule 19(b).

- a. The Appellee Motion for a Writ of error,
- b. Appellee statement of facts and law are that the Honorable Robin B. Stilwell, Judge, errored that injured Appellee when he denied the investigation of a Murder and the Appellee had made two #911 Police Alert calls. Appellee Exhibits #7A, Judge Stilwell error resulted in a miscarriage of justice. and it constitutes a substantial violation of Constitutional and Statutory rights. The Appellee moves this Honorable Court for a court order against the Appellants for Obstruction of Justice, Contempt of Court, and Sanctions.
- c. The Appellee Motion/Demands Judgment against Appellants as stated in his Original Complaint as verbatim set below: That Appellee Complaint, as set below, as basis for the recovery for damages, for the tortious interference with Appellee Business, as being a law abiding citizen of the U.S.
- d. The Appellee was denied to Subpoena witnesses by Judge Stilwell, where proofs could be declared to evidence. The Appellee invoke the benefits and protection of State Law.
- e. The Appellee states that the Honorable Robin B. Stilwell, Judge, was in error in not Ordering the Appellants to reopen the investigation and ordering the accused to jail and then trial (in the Death of a Citizen) that resided in the United States. Citing S.C. Code of Laws (1976) Rules 17-1-40: S.C. App Ct. Rule 8.4(d): 501 Common 3 et.seq. Cannon 4(a). (1).(2).(3.).
- f. The Appellee submits; that, the Honorable Robin B. Stilwell, Judge abused his discretion in denying the Appellee, Motion pursuant to the Freedom of

Information Act, his proctorivity; of advancing Appellants illegal action. The Appellee had rights to inspect and copy Judicial records and documents. Citing Va. Dept of State Police vs. Washington Post 386F.3d 567,575(4th Cir.2004); Stone vs. Univ. of Md. Sys. Corp. 855 F.2d 178,180(4th Cir.1988); Metromedic Inc. vs. City of San Diego 32 Cal.3d 18,185 S. Cal.Rptr.260, 264, 64P.2d902.909 (1982).

21. The Appellee makes objections to the Honorable Robin B. Stilwell, Judge, Court Order filed January 19, 2017, pertaining to Judge Stilwell, Court Order over-riding the Honorable Matthew Raymond Hawley, Jr., Judge. Court Order filed May 16, 2016. The Honorable Robin B. Stilwell lack Subject Matter Jurisdiction to revoke or -to-void a Judicial Command without first Appealing the afore-mentioned Court Order to the South Carolina Court of Appeals. Appellee objects to the inadmissible ruling of Judge Stilwell, denying Appellee the Command of a Judicial Act and Court Order to be enforced by the Constitution of S.C. The Appellee moves this Honorable Court for a order against Judge Stilwell, for Contempt of Court and two (2) Obstruction of Justice, and Sanctions, for the unconstitutional Court Orders.

- a. The Appellee second objections are the evidence excluded prior to trial (maintainable) by the Appellants, is liable for the constitutional deprivations: a public cause of action maintainable by Allen Wilson, Attorney General, State of South Carolina.
- b. The Appellee made objections during trial, that the Appellants are out of bounds of State law and were being prejudicial in their misapplications of State Law. Citing Miller vs. Palmer 336 S.E.2d213 (W.Va.1985) notes (1), (3), Constitutional Article 6 Rule 39 (a): Beckham vs. O'Brian 336 375

(Ga.App.1985); State vs. Bowers 241S.E.2d 409(S.C 1978); State vs Scott 238 S.E2d217(S.C.1977); d.at 449 at note(9). The Appellee Motion for a Jury trial, and making Objections to the City of Greenville and S.L.E.D. full records. Stating that the jury provision of Article III. Section 2 of the Constitution Sixth Amendment, due process clause. Citing Codispot:vs. Pennsylvania 418 U.S.506, 94 S.Ct.2689.41L.Ed.2d912(1974).

- c. The Appellee moves this Honorable Court to pronounce an Court Order against the Appellants the City City of Greenville and (2) two against S.L.E.D. for Contempt of Court/and, Obstruction of Justice.

22. The Appellee making objections to Adam C. Bach, Esquire, pertaining to lack Subject Matter Jurisdiction. To invite the Court Order of May 16, 2016 as said court Order was not not appealed to the next level of Jurisdiction. Appellee objects to the invited errords of Adam C. Bach, Esquire. Based upon State Rules, Rule 202 (b)(1); 203(a); 262(b), (b) (1), 303(b)(2); 2 203(6)(d)(1); (6)(d)(1)(A)(B)(3).

- a. Appellee states that the Honorable Matthew Raymond Hawley, Jr. Judge, Court Order was filed May 25, 2016, See Transmission log at (#7C) dated June 30, 2016, Adam C. Bach, Esquire, as of today has not filed an appeal to the South Carolina Appeals Court. The Statute of Limitations has toll the filing of any appeals process; making the Appellant in default to obtain any relief from the State Court Order filed May 25, 2016. The Appellee moves this Honorable Court to filed a Court Order against the Appellant Adam C. Bach, Esquire, obstruction of Justice and two (2) Sanctions, for the wrongful acts pertaining to Judge Hawley, Jr. Court Order filed May 25,2016.

23. The Appellee asserts that the Appellants are liable for the deprivation of Appellee Constitutional Rights, where their actions was taken pursuant to its illegal policies.
- a. The Appellee suffered injuries from being wrongly victimized by the Appellants.
 - b. The Appellee assert that the Appellants had an obligation and duties to uphold the South Carolina Constitution and declined to do so; there by being personally involved in the wrongful acts of not reporting a Death unresolved.
 - c. The Appellee asserts that the Appellants were deliberately indifferent to matters complained of by the Appellee.
 - d. The Deprivations of the Appellee rights are sufficiently seriously enough to implicate the provisions of the South Carolina Constitution.
 - e. The Appellee asserts that the Appellants are sued in their Individual Capacity.
 - f. The Appellee demand Relief in the following amounts:

<u>Compensatory Damages</u>	<u>Amounts</u>
Appellants/Defendants	in excess \$300,000.00
<u>Punitive Damages</u>	<u>Amounts</u>
Appellants/Defendants	in excess \$100,000.00
 - g. The Appellee Motion for a Jury Trial.

24. AFFIDAVIT OF THOMAS RAYMOND FIRRIOLO:

Personally appeared before the South Carolina Court of Appeals is the Appellee Pro-Se, who being duly sworn deposes and state the following:

- a. Appellee has reviewed the records that both stages of Criminal and Civil Procedures applies to the instant appeal.

- b. The Appellee moves this Honorable Court for an Order to Arrest & Civil Arrest of the Appellants for their involvement in the South Carolina Judiciary Process. The Appellants showed prejudices to State Procedures: and , showed prejudices toward Appellee without just cause.
- c. The Appellee moves this Honorable Court to Order that the Appellants be placed under Civil Arrest for their actions within Appellee Complaint and Appeal.
 - 1. The Appellee moves this Honorable Court to placed Police Chief Miller , be put under arrest for the acts that is, stated against him, that is, within Appellee Complaint, and Appeal, to S.C. Appellate Court.
 - 2. The Appellee moves this Honorable Court to place Adam C. Bach, Esquire, be put under arrest for the acts that is, stated against him that is within Appellee Complaint, and Appeal, to S.C. Appellate Court.
 - 3. The Appellee moves this Honorable Court to Placed Charles F. Turner Jr., Esquire be put under arrest for the acts that is , stated against him that is, within Appellee Complaint, and Appeal, to S.C. Appellate Court.
 - 4. The Appellee moves this Honorable Court to placed S.L.E.D., be put under arrest for the act that is, stated against them, that is, within, Appellee Complaint, and Appeal to S.C. Appellate Court.
 - 5. The Appellee moves this Honorable Court to placed the Honorable Robin B. Stilwell, Judge, be put under arrest for the act that is, stated

against him, that is, within Appellee Complaint, and Appeal to S.C.

Appellate Court.

- a. For the covering-up a Murder.
- b. For the covering – up the Apprehension of a suspect.
- c. For the covering-up of the 911 calls. The Appellants has obstruct the Administration of Justice and have violated the South Carolina Constitution. Pursuant to 18 U.S.C.S 1503; United State vs. De Feo 36 F.3d272(2d Cir. 1994); Sanchez 35F.3 673(2d Cir 1994).
- d. The Appellee asserts that Adam C. Bach, Esquire, was grossly negligent in failing to inform S.L.E.D. to reopen the case Death by Homicide. Adam C. Bach had knowledge of the murder and homicide case. He was counsel of record and a conflict of interest. He had duties and responsibilities pursuant to S.C. Law. The Supreme Court held that relief under Rule 60 (b)(6) is appropriate only if Rule 60(b)(1)-(5) do not apply. Citing klapprott vs. United States 335 U.S.601.613.695S.Ct.384.389.93 L.Ed.266(1949) Clause 1 of Rule 60(b).... Attorney neglect... inexcusable. See Boughner vs. Secretary of Health, Education and Welfare 572 F.2d 976,978(3d Cir.1978); United States vs. Cirami 563 F.2d 26,34-35 (2d Cir. 1977); L.P.Stewart, Inc.vs. Matthews 329 F.2d 234, 235-36 (D.C. Cir) cert denied 379 U.S. 824, 85 S.ct. 50, 13 L.Ed. 2d 35(1964). He had
- e. The Appellee Motion for a Writ of Error in that Charles F. Turner, Jr. Esquire, undermines the truth finding function of the trial January 19, 2017. Charles F Turner Jr. Esquire is responsible for denial of exculpatory Evidence by conspiring with S.L.E.D. not to further investigate a Death of an individual violates the Sixth Amendment and the Fourteenth Amendment 11.S.C.. The Appellee states that this

Conflict of Interest occurred because Appellants has retaliatory ideals about Appellee Complaint and the Suppression of Appellee Complaint.

- A. Appellee asserts that the Appellants conduct shows that they rose beyond negligence and falls under the Due Process clause. Appellants has shown their indifferent to a deceased victim and the Laws that govern the State of South Carolina.
- B. Appellee moves this Honorable Court to Order the Appellants to take a Polygraph Examination.
- C. Appellee moves this Honorable Court to Order all electronic devises, video and surveillance cameras with sound and witnesses.
- F. The Appellee Motion for his appeal by granted; Motion for the Court Order filed January 19, 2017, be Reversed; Motion for Appeal be Remanded to Lower Court; Motion for a Jury Trial; Motion and Demand for Relief, that's stated supra.

Dated: June 22nd 2017 Thomas Raymond Pritchard
Plaintiff, Pro-Se

RECEIVED

JUN 23 2017

SC Court of Appeals

City Police Chief Kenneth Mills

Transmission Log

1

Tuesday, 2017-01-03 06:13

2037834601

Date	Time	Type	Job #	Length	Speed	Station Name/Number	Pgs	Status
2017-01-03	06:12	SCAN	12122	0:24	26400	864-467-4317	1	OK -- V.34 1M31

RECEIVED

JUN 23 2017

SC Court of Appeals

Case No. 467-8598
STATE OF SOUTH CAROLINA,

COUNTY OF GREENVILLE

Thomas Raymond Firiolo

Plaintiff(s),

vs.

City of Greenville, et al

Defendant(s)

att: Police Chief Kenneth Mills - Officer Roberto G. Franco.

Please provide under the Freedom of Information Act (FOIA) requests for information all copies of City Court house video surveillance that took place between the honorable Judge Matthew Haseley Jr. and Thomas Firiolo.

The first required meeting with Judge Haseley Jr. took place 3-28-16 which prompted a series of approx. 200+ in court house meetings on up to last week in 4-30-16. You may find it rein point to day and hour of meeting with Judge your security witnessed each one of the meetings which took place in lobby, hallway, entering/leaving judges chambers even walking out side with Judge then returning to the Court house approx 12-15 minutes later, your security was unsatisfied about the Judge leaving the Court with Mr Firiolo for a walk and talk as Mr Firiolo said they would remember and security will remember on occasion the Judge requested security to not let Mr Firiolo empty his pockets, entering the court house. As I believe Officer Franco stated could come close to rein point to day - the hour and close to the minute the video cameras were filming Judge Matthew Raymond Haseley Jr. and Tom Firiolo meetings that took place in our Court supervised by our security. Please note, most of way time Mr Firiolo entered our court house to empty his pockets solely in support of our Law Enforcement. Thomas Firiolo 114410 Court 29605. Clerk of court please court file / print to Plaintiff

copy
7-1-17

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS
C.A. No.: 2016-CP-23-04998

Thomas Raymond Firriolo,)
Plaintiff,)
versus)

 **COPY**

City of Greenville, et al.)
Defendants.)
_____)

DICTATED LETTER FROM THE PLAINTIFF

Honorable Robin B. Stillwell
Clerk of Court, Paul Wickensimer

The Court's plaintiff filed his credible lawsuit involving municipal charter, municipal city, municipal city court, and municipal city court judge and requesting change of venue because he would not receive equal treatment under the law, especially in Greenville County. It turned out to be the State of South Carolina. The Governor's office, Honorable Nikki Haley, Senate Majority Leader, Harvey Peeler, Senator Carl Allen, Greenville County Legislature Counsel, each member, were notified by Wendy Nanny and Rachel Straight. Evidence was provided with documentation and also provided to Mr. Mark Keele, Director of the SLED, State Law Enforcement, that a murder ruled homicide and the cover-up of this murder took place. And that the Honorable Judge Matthew Raymond Hawley, Jr., later when plaintiff's lawsuit was filed, became a witness who investigated this murder, investigated city employees, investigated the Honorable Mayor Knox White, who gave the order to forbid Thomas Firriolo from further access to Greenville City offices since 2014. Judge Hawley, Jr. even investigated why City Police Chief Terry Wolfong suddenly and without notice to anyone gave her two weeks' notice to leave the police department in Greenville. And that Thomas Firriolo was involved with her. (See Judges' Order for the City of Greenville to comply to the Judge's order.) And that a deal was made and arranged for Lieutenant Elizabeth Corley to be in the March 21, 2016 hearing in Judge Hawley's courtroom. There was a cover-up of murder ruled homicide involving the City of Greenville and to protect the City of Greenville by a lot of these people who were directly involved with plaintiff's complaints. The Eller Townsend Bach family of lawyers, Esquires, charged Judge Hawley, Jr. with abuse of the discretion and that he had no right to issue his order for the City of Greenville to comply, and to blackmail the Judge to falsify his position or face public disgrace. This Judge was a South Carolina Judge for over 40 years and well-respected and prior was with the United States Justice Department and a mentor to many, including judges involved in the Thirteenth Circuit involved with plaintiff's case. Judge Hawley, Jr. was unaware that in 2010 when this terrible murder ruled homicide took place, lawyers representing the City of Greenville, then and now, are involved in plaintiff's case who were involved in the murder ruled homicide case beginning in 2010. That's when Thomas Firriolo became involved. Interestingly enough, White and Boyd, attorneys at law, were also involved with this murder ruled homicide case, who were also involved with this court's plaintiff in his case against Allstate Insurance Company. Thomas Firriolo filed his case against Allstate Insurance Company and named them as defendants in his case in Anderson County, South Carolina. Who joined this case in Anderson County, South Carolina was Mr. Charles F. Turner, Jr., family of law, Esquires. Mr. Charles F. Turner, Jr., Esquire, was also involved in this case in Greenville, South Carolina. The appearance of conflicts of interest is present in this case. Defendants in this case have been provided legal counsel and direction and guidance without providing signed legal representations, agreements, required. Please note, Judge Stillwell, that your court, this court, would be notified by another court in Greenville to merge two defendants and witnesses into this case before your court. Plaintiff understands that an order was issued involving the merger to take place in this case to this court. It also should be noted that the Eller Townsend Bach family of lawyers, who first filed their memorandum in support of City of Greenville and city employees, motions for judgments on the pleadings and for preliminary injunction, their first filing into this court was filed with zero notice to plaintiff and interestingly enough, which should

4

also be noted, that they were postmarked, certified, two days before hearings that were scheduled by judges for plaintiff to receive the day of the hearings; this occurred more than once. And the second motions for judgments on the pleadings and for preliminary injunction, occurred again by judges of this court scheduling court hearings; so a pattern has been established with such short notice to plaintiff to properly prepare for the hearing. Please also note that November 3, 2016, at approximately 2:30 p.m., plaintiff discovered, at the courthouse, that files were missing and that law enforcement should immediately investigate. Plaintiff, November 3, 2016, was then escorted out of office by police. It should also be noted that when plaintiff went to his home, he immediately called to speak with the clerk of court, who then requested that his assistant clerk of court, Leander King, witness and monitor the conversation between him and court's plaintiff. Clearly the plaintiff's cries that law enforcement investigate was clearly established via telephone to both Paul B. Wickensimer and his assistant, Leander King. Then plaintiff filed complaints to the South Carolina court administration involving Paul Wickensimer, Leander King, and Sandra Mansell, supervisor of clerks of court. I received his notice, Paul Wickensimer, dated January 4th, advising the plaintiff that all the filings plaintiff has filed since November 3, 2016, December 2016, on into first week in January of 2017, that the plaintiff will have to come into court or send in all his filings, originals. Please note, why did the clerk of this court not address this issue in the weeks or the months of November and December? It should also be noted that it was these three clerks of court who received the newspaper and TV media reports of the Greenville city employees who were arrested and charged, along with others, that was logged into the computer, not court stamped, and this was brought to the attention to both clerks of court November 3, 2016, via telephone from plaintiff's home. They also were clearly aware of the homicide/murder which took place, the people that were involved, and because of the city involvement, they were interested to receive newspaper clippings and other information which was provided to them by the plaintiff. It's clear that these things occurred because it involved assistant clerk of court and Sandra Mansell. There is no honor by these clerks of court, and there should be honor. It's a court of law and the law is honorable. An investigation at that time was more than necessary and an investigation now should be required because there seems to be retaliation as to why the clerks of court themselves, apparently intentionally, deprived the plaintiff information that could have been provided much sooner to be prepared for the hearing. And that the clerks of court are fully aware that on more than one occasion, filings by City of Greenville defense lawyers repeatedly were filed and certified for the plaintiff to receive the days of hearings. Clearly, an investigation should take place, and perhaps by this court; the judges should investigate themselves because there's no recourse of clerks' accountability. Plaintiff contacted the Senior Constituents of the of the Honorable United States Senator Seth Blanton and The Senior Constituent of the Honorable United States Senator Lindsey Graham, Paul Howel, to assist plaintiff in notifying the Department of Justice in the Washington, D.C. office of Loretta Lynch, because this case is all about revenge and retaliation because of the murder ruled homicide cover-up. Please court stamp and record this document.

Thomas Raymond Rineo Plaintiff
11 add Court Greenville South Carolina 29605
Jan. 12 th 2017
My Commission Expires May 2, 2026
Tom S Bitt
Tom S B.H



city of greenville

Building Permit Application

For Office Use Only:

Tax Map # _____

Permit # _____ Clerk _____

*Indicates Required Field

*Date 4-11-16

*Street Address: 11 Addy Court

Suite/Unit/Space# _____ Tenant/Business Name: _____

*Tax Map # _____ Email: _____

*Use



Single Family.



Multi-Family



Duplex



Garage/Carport



Office



Retail/Restaurant



Hospital/Medical



Church/School



Gas/Garage



Retaining Wall



Hotel



Other _____

*Cost of Job (Contract Amount): \$ _____

*Type of Work:



New Building



Alteration



Repair



Addition

*Brief Description:

Expand rear wall to provide for water runoff and erosion control at rear of residence

*Square footage of new building/addition: 404

*Square footage of existing building (if applicable): 1296

*For New Construction:

Baths _____ Half Baths _____ Bedrooms X # Buildings _____ # Units _____ # Stories _____

*Roofing:



Tar/Gravel



Shingle



Wood



Metal



Built Up



Other _____

*Heated Area Sq. Ft. 1336

*Foundation Type masonry

*Finished Basement Area N/A

*Non-Heated Area Sq. Ft. 4

Application must be completed prior to requesting a permit.

City of Greenville Building Department
P.O. Box 2207 Greenville, SC 29602
Phone: (864) 467-4550 Fax: (864) 467-5715



4E

Building Permit Application

RESIDENTIAL PROPERTY OWNERS DOING THEIR OWN WORK: Homeowner exemption form must be completed and Disclosure Statement filed with the County Register of Deeds. All persons hired to perform work must be properly licensed by the Residential Builders Commission or Contractor's Licensing Board and have a current City of Greenville business license. List any contractors working on this project below. **VIOLATION OF ANY PART OF THIS AGREEMENT SHALL VOID ALL PERMITS.**

Name: _____ Trade: _____

Name: _____ Trade: _____

Name: _____ Trade: _____

Name: _____ Trade: _____

Name: _____ Trade: _____

Name: _____ Trade: _____

*Signed: ☒ Property Owner Thomas Priolo Date 4-11-16

Phone: _____ Email: _____

*Contractor: self w/contract help Office Phone: _____ Mobile Phone: _____
& day labor \$1,000 job.

Address: _____

*State License Agency (Choose One):



South Carolina Contractors' Licensing Board



South Carolina Residential Builders Commission

*State License Classification: _____ *State License Number: _____

State License Limitation: _____ Architect: _____

Architect Email: _____ Architect Phone: _____

By signing this application, I certify that I am an authorized agent for the company performing the work stated above and that all information provided is true. I further understand that if any information provided is found to be incorrect or falsely stated that this permit will be null and void and that I may be responsible for violation of other related state laws and local ordinances.

*Please Print Name: _____ *Date: _____

*Signed: _____

*Phone Number: _____ *Email: _____

Application must be completed prior to requesting a permit.

City of Greenville Building Department
P.O. Box 2207 Greenville, SC 29602
Phone: (864) 467-4550 Fax: (864) 467-5715



city of
greenville

4E

Building Permit Application

RESIDENTIAL PROPERTY OWNERS DOING THEIR OWN WORK: Homeowner exemption form must be completed and Disclosure Statement filed with the County Register of Deeds. All persons hired to perform work must be properly licensed by the Residential Builders Commission or Contractor's Licensing Board and have a current City of Greenville business license. List any contractors working on this project below. **VIOLATION OF ANY PART OF THIS AGREEMENT SHALL VOID ALL PERMITS.**

Name: _____ Trade: _____

Name: _____ Trade: _____

Name: _____ Trade: _____

Name: _____ Trade: _____

Name: _____ Trade: _____

Name: _____ Trade: _____

*Signed: ☒ Property Owner Thomas Pruitt Date 4-11-16

Phone: _____ Email: _____

*Contractor: self w/ contract help Office Phone: _____ Mobile Phone: _____
& day labor \$1,000 job.

Address: _____

*State License Agency (Choose One):



South Carolina Contractors' Licensing Board



South Carolina Residential Builders Commission

*State License Classification: _____ *State License Number: _____

State License Limitation: _____ Architect: _____

Architect Email: _____ Architect Phone: _____

By signing this application, I certify that I am an authorized agent for the company performing the work stated above and that all information provided is true. I further understand that if any information provided is found to be incorrect or falsely stated that this permit will be null and void and that I may be responsible for violation of other related state laws and local ordinances.

*Please Print Name _____ *Date _____

*Signed _____

*Phone Number: _____ *Email: _____

Application must be completed prior to requesting a permit.

City of Greenville Building Department
P.O. Box 2207 Greenville, SC 29602
Phone: (864) 467-4550 Fax: (864) 467-5715



city of greenville

413

Application for Single-Family Site Plan Permit

Permitting Office (864) 467-5713

Office Use Only:

Application# _____ Fees Paid _____
Date Received _____ Accepted By _____
Date Complete _____ App Deny Conditions _____

*Indicates Required Field

*Project Name _____

APPLICANT/OWNER INFORMATION

APPLICANT

PROPERTY OWNER

*Name:	Thomas Firriolo	Same
*Address:	11 Addie Court	!
*Phone:	235-6774	
*Email:		

INSTRUCTIONS

1. Please refer to **Section 19-2.3.9, Site Plan Permit**, for additional information.
2. There is no fee for Single-family residential permits.
3. A site plan permit is required for any development that modifies a site; final determination of the necessity for a permit and content of a site plan rests with the permit coordinator.
4. The staff will review the application for "sufficiency" pursuant to **section 19-2.2.6, Determination of Sufficiency**. Staff will contact the applicant to correct any deficiencies which must be corrected prior to routing the application for review. **You are encouraged to schedule an application conference with a planner, who will review your application for "Sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**
5. Plan format and content requirements are reflected in **Appendix 'H'** of this manual. **Please verify that all required information is reflected on the plan.**

PROPERTY INFORMATION

*Street Address: 11 Addie Court

*Tax Map #(s): _____ Zoning Designation: _____

Overlay District: _____ Permit Type (P,C,S) _____

Is this Property within a Subdivision or Office Complex? ☐ Yes ☐ No

Name of Subdivision or Office Complex: _____

Is this Property within a Floodplain? ☐ Yes ☒ No

PROJECT INFORMATION

*Does this project disturb 10,000 square feet (0.23 acres) or more or is it part of a Larger Common Plan as defined in Section 19-7.5 of the Ordinance? ☐ Yes*** ☒ No Disturbed Area: _____

If Yes, a Stormwater Permit is Required

Use (Table 19-4.1.2) _____

*Does this project require a retaining wall? ☐ Yes ☒ No Approximate Height: _____

CITY OF GREENVILLE APPLICATION FOR SINGLE-FAMILY SITE PLAN PERMIT

PAGE 1 OF 14

#4C

LOT COVERAGE CHART SHALL BE COMPLETED FOR ALL SINGLE FAMILY BUILDING PERMITS EXCEPT THOSE PROPERTIES LOCATED IN THE S-1 ZONING DISTRICT

TOTAL LOT AREA (must be provided in square feet)		square feet		
BUILDING COVERAGE (building coverage is anything under roof supported by columns or walls)				
Use the boxes in this column to put descriptions if necessary.	Existing S.F.	Proposed S.F.	Demo S.F.	Total S.F.
Principal structure	1,296	404	—	1336
Basement				0
1 st floor				0
2 nd floor				0
3 rd floor				0
Covered porches				0
Accessory structure(s) including garages (include all outbuildings)				
1 st floor				0
2 nd floor				0
Total building coverage	0	0	0	0
Percentage of lot area (40% maximum)				0.00%
ADDITIONAL IMPERVIOUS COVERAGE (all areas <u>not</u> under roof including parking, driveways, walkways, steps, pools, decks/patios, etc.) Please note that gravel is considered impervious. For special design consideration, please provide construction details with your application.				
	Existing S.F.	Proposed S.F.	Demo S.F.	Total S.F.
Uncovered patios/decks				0
Steps				0
Walkways				0
Driveways				0
Pool, including pool deck				0
Additional impervious areas (please specify):				0
Total additional impervious coverage	0	0	0	0
Percentage of lot area (20% maximum)				0.00%
TREES: Tree surveys are not required; however the location, species, and size of trees that are proposed to be retained and/or planted to meet these requirements shall be shown on all site plans, per Sec. 19-6.9.7.				
Number of required trees (refer to Sec. 19-6.9.7)				
Number of existing canopy trees (6" caliper or greater) to be retained (each shall count as 2 new trees)				
Number of new trees (2.5" caliper or greater) to be planted				

Acreage
Calculator
Enter
Acreage

Square
Footage

Single-family residential infill standards (refer to 19-6.9, Single-Family Residential Infill Standards) shall apply to the following developments located in established single-family residential areas, except those zoned S-1:

- New lots created by summary plat or major subdivision (Sec 19-2.3.13)
- Construction of a new dwelling or garage/carport
- Addition of an attached garage/carport.
- Installation and/or expansion of a driveway
- Renovations/additions to a dwelling whose construction value exceeds 50 percent of the fair market value of the property as reflected on the Greenville County Tax Assessor's role. Renovations/additions phased over a five-year period shall be combined to determine applicability of the percent threshold criteria. Renovations/additions which do not alter the site are exempt, but are calculated in the five-year phased period above.
- Additions that increase the principle building footprint square footage by more than 40 percent. Additions phased over a five-year period shall be combined to determine the applicability of the percent threshold criteria.

#4D

Please note that missing or incomplete information may delay approval of your permit. By signing below, you acknowledge that you have reviewed the Single Family Site Plan Permit Checklist, available online and in the Building Codes Department located on the 4th floor of City Hall, 206 S. Main Street, Greenville, SC.

CERTIFICATION STATEMENT:

I, the applicant, certify to the best of my knowledge that this permit application contains all information required as referenced on the Single Family Site Plan Checklist.

*Applicant:

Thomas Firriolo

Title:

Homeowner

Email Address:

N/A

*Signature:

Thomas Firriolo

Date:

4-11-16

The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition, the applicant and property owner affirm that the tract or parcel of land subject of this application is, or is not, restricted by any recorded covenant that is contrary to, conflicts with, or prohibits, the requested activity.

If the planning office has actual notice *that a restrictive covenant* is contrary to, conflicts with, or prohibits the requested activity, the office must not issue the permit unless the office receives confirmation from the applicant that the restrictive covenant has been released by action of the appropriate authority, property holders, or by court order.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☐ or is not ☐ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.

*Signatures

Thomas Firriolo

Applicant

Date

Property Owner/Authorized Agent

Date

* "Actual notice" is not constructive notice of documents filed in local offices concerning the property and does not require the local planning agency to conduct searches in any records offices for filed restrictive covenants.

* "Permit" does not mean an authorization to build or place a structure on a parcel of land.

* "Restrictive covenant" does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.

4E

c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance

d. Soaps or solvents used in vehicle and equipment washing during construction

13. Individual lot construction within residential subdivisions requires erosion control features. Individual property owners shall follow the approved erosion prevention and sediment control plans on file with the City during construction or provide an individual plan in accordance with S.C. Reg. 72-300 et seq. and SCR100000.

Applicant Certification:

I, as the person wholly financially responsible for the completion of the proposed work according to the approved plans and specifications, hereby acknowledge that I have read and understand the requirements herein and agree to conform to all City of Greenville requirements.

I hereby further state that the construction of the project will be accomplished pursuant to the approved plans and City of Greenville specifications and that competent and responsible personnel will be assigned to the project.

Name: _____ Title: _____
(Please print) (Please print)

Mailing Address: _____
(Please print)

Signature: _____ Date: _____



City of Greenville

GREENVILLE MUNICIPAL COURT

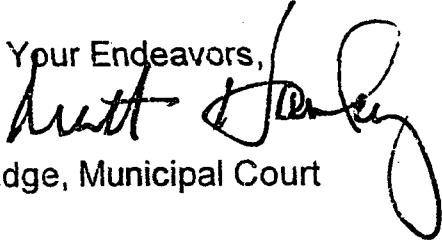
From the Desk of Matt Hawley

To: Mr. Thomas R. Firriolo
Re: 11 Addie Court
Date: May 27, 2016

Mr. Firriolo:

Please find enclosed a certified copy of an Order I issued this week after continued hemming and hawing about you permit being held up at City Hall. I am informed it is being sent pursuant to the Order and you should be able to complete your project in an unhampered fashion.

Best of Luck in Your Endeavors,


Judge, Municipal Court

RECEIVED
MAY 09 2017
SC Court of Appeals

EXB A

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
City of Greenville,)
v.)
Thomas R. Firriolo,)
.....)

IN THE MUNICIPAL COURT

Summons Ordinance
No. 16GMS02925
ORDER

2016 MAY 25 AM 11:33
GREENVILLE MUNICIPAL
COURT

FILED

This matter is before the Court by way of motion for the City Attorney to clarify and finalize a ruling by the Court, dated May 12, 2016. Previously, the City Building Codes Enforcement Office filed the above Summons Ordinance with the Court, prior to the hearing date, the Homeowner, Thomas Firriolo, timely requested a jury trial and the case was separately docketed for that disposition.

Subsequently, the City Attorney issued an Order and Rule to Show Cause to the Homeowner to cease and desist continuing work on an addition. The Homeowner appeared *pro se*, requested more time to prepare; and, the matter was rescheduled. Mr. Firriolo accepted an offer of assistance by court personnel to subpoena witnesses and a pretrial was set. The City Attorney, who had previously attempted to mediate the matter welcomed the Court's intercession.

During the subsequent conference, Mr. Firriolo expressed concern for the ability to comply with the permitting process and an apparent denial of access to city facilities in the past. The court contacted the Codes office and was provided a permit application and again met with the Defendant to complete paperwork. This was reviewed by a Codes representative and the Defendant filed the application with a court escort on April 22, 2016. The City Attorney was notified and consented to a dismissal of the Summons Ordinance, which was entered by the Court on May 12, 2016.

Codes personnel have stated concerns that other work was done by the Homeowner without permits and only came to their attention when Mr. Firriolo complained to Codes Enforcement about shoddy workmanship from an

#1
M. Firriolo

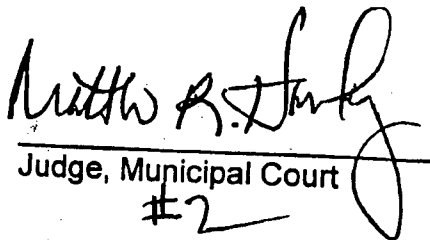
unlicensed individual who preformed floor refinishing. As a result of the concerns expressed by the Codes personnel, both the Court and City Attorney have viewed the residence and determined that the prior work, performed at unknown dates and times appears to be cosmetic in nature (addition of exterior brick veneer) and/or the enclosure of existing front and rear porches that do not enlarge the residential footprint or add living space as an addition. No obvious defects that would affect the general safety and welfare of the Homeowner and the public.

The Homeowner's efforts appear to be an improvement of the appearance and utilization of his residence performed at previous intervals and unknown times as finances allowed. Further, the Court has been made aware of the financial straits of the Homeowner, the nature and condition of the surrounding properties, and the transitional nature of the neighborhood; from residential to commercial over time. Frankly, this property is located where the furious growth of the City and particularly the Augusta Road area will engulf most if not all of the neighborhood in total redevelopment within the next decade.

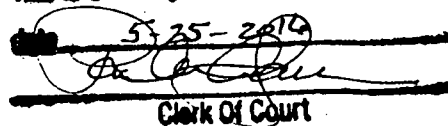
After a full review of the concerns expressed by both parties, City and Homeowner, and a review of Municipal and International Codes applicable to the case at bar, the Court finds and concludes that the permit application shall be granted and the permit issued forthwith. The Court further finds and concludes that prior cosmetic enhancements and porch enclosures, while not permitted, are not subject to *post facto* permitting and Building Codes Enforcement are relieved of liability for these items of concern.

IT IS SO ORDERED!

May 25, 2016
Greenville, SC


Judge, Municipal Court
#2

This is to certify that this is a true copy.


5-25-2016
Clerk Of Court

STATE OF SOUTH CAROLINA, att: Judge Stilwell Clerk of Court.

8

COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS

Thomas Raymond Firriolo

Plaintiff(s),

vs.

City of Greenville, et. al

Defendant(s).

Continuing the Continuance a

CASE NO.: 2016CP2304998

Criminal enterprise has developed.

Judgment/ruling Pub 54. To convert

Civil Case to Criminal because case is

Based on the rights of all the people

Jan 3rd F.O.I.A. request for information

copies enclosed. The covering of murder

Death in custody reporting Act 42 USC 13701 Public Law 113-242
The City Judge's order is the foundation of this case. The City attorney's
City Council members at Long excluding Mayor Knox White Esquire
have had full knowledge, ongoing that the City of Greenville officials
have covered up murder ruled homicide and knew of Thomas
Firriolo's involvement in this case.

The Court should consider before this hearing Jan. 19th 2017
to require a Court order mediation to take place. In the meantime
Plaintiff has not been provided (F.O.I.A) request, from City
officials nor has plaintiff's requests for information under the freedom
-dom of information Act those requests by the Council
Eller toward Bob Esquire.

There has been short notices to plaintiff by the Clerk of Court
and short notices by defense lawyers to be prepared for the
Jan 19th 2017 hearing.

Plaintiff is entitled to discovery.

Thomas Raymond Firriolo Plaintiff
11 addl Court Greenville S.C 29605

via Box 6681 467-6681 May 19th 2016
 Greenville Municipal Court in the City of
 Greenville and in the State of South Carolina

The honorable Judge Matthew Raymond
 Howley Jr.

There has been an ongoing Evil Presence
 and violations of State and Federal Laws
 that I feel have been allowed to occur
 since ~~one~~^{TWO} ~~TRF~~ ^{TRF} Bull week designated, to appear in
 your Court, before your March 21st 2016 10:00 AM
 trial. I humbly request your Court's defendant.

I was required to sign City Papers by your Sec.
 and received no copies of what I signed for from
 you or the City of Greenville.

April 22nd 2016 was required to submit
 payment of \$140⁰⁰ One Hundred forty Dollars
 for a building permit which I have not received.

Your honor, Judge Howley Jr. It remains
 almost one month yet, to receive the Permit
 which usually one can receive the same day or
 shortly after.

10

and because of this ongoing Dis-
-graceful behavior Pattern directed
by KNOX Haysworth White Esq.

Michael Pitts' Esquire

Robert Patrick Cole Esquire and the
ongoing scenario of facts I no longer
look forward to my home building
Permit. In fact want no Part of It.

I want the money I paid \$140⁰⁰ back
for my home's building permit to which
I did not receive.

Thomas Fairbro to Court Defendant
Thomas Fairbro 11 added Court Street S.C.

STATE OF SOUTH CAROLINA,

COUNTY OF GREENVILLE

Thomas Raymond Firriolo

vs.

City of Greenville, et. al

Defendant(s).

IN THE COURT OF COMMON PLEAS

CASE NO.: 2016CP2304998

Plaintiff(s),

2017 JAN 19

Motion

Murder ruled homicide

in Police Custody

The Dept. of S.H.E.D. South Carolina State Law Enforcement investigated Greenville County murder ruled homicide cover up evidence.

The evidence that was covered up (cover up) should have been investigated by the atty general office under the direction of Mr. Allen Wilson atty general who closed his doors to Thomas Firriolo. as decency state official Thomas Firriolo has gone to shut their doors. come now court's Plaintiff requesting in the interests of justice, to amend his complaint to include murder cover up by the Dept of S.H.E.D. and will pursue profitability because Local and State Police in South Carolina have failed to do their jobs.

Thomas Raymond Firriolo Plaintiff

11 oddis Court Greenville S.C. 29605

city/state defense lawyer. via 213 mail

FORM 4

12 Judges order
12 Transcript
 JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2016CP2304998

STATE OF SOUTH CAROLINA
 COUNTY OF GREENVILLE
 IN THE COURT OF COMMON PLEAS

Thomas Raymond Firriolo

Greenville City Of

Municipal Court Clerk
Of Court

Jeff Bowen

Gary Fannell

Jodie Dudash

Cynthia Vilardo

Brad Rice

Bobbie Skinner

Tammy Jane Doe

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

 Attorney for: ☐ Plaintiff ☐ Defendant
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit);
☐ Rule 43(k), SCRPC (Settled); ☐ Other: _____
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j) SCRPC; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other: _____
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order; (formal order to follow) ☒ Statement of Judgment by the Court:

Due to the lack of subject matter jurisdiction, this case is dismissed without prejudice. Plaintiff filed a motion prior to the hearing in this case on January 19, 2017 of which he has requested to withdraw. Plaintiff's request to withdraw that motion is granted. The Clerk of Court is directed to refund plaintiff's motion filing fee of \$25.00.

RECEIVED

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk: _____

MAR 16 2017

SC Court of Appeals

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed

133

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

) COURT OF COMMON PLEAS
) 2016-CP-23-04998
)
)
)

ORIGINAL

THOMAS RAYMOND FIRRIOLO)

PLAINTIFF)

vs.)

) TRANSCRIPT OF RECORD
)
)

CITY OF GREENVILLE, ET AL)

DEFENDANT)

RECEIVED

January 19, 2017
Greenville, South Carolina

MAY 09 2017

SC Court of Appeals

B E F O R E:

THE HONORABLE ROBIN B. STILWELL, Judge.

A P P E A R A N C E S:

THOMAS FIRRIOLO, PRO SE

ADAM BACH, ESQ.

Attorney for the Defendant City of Greenville

KATE BROWN, ESQ.

Attorney for the Defendant SLED, et al

APRIL HERRON

Official Court Reporter

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There were no witnesses.

There were no exhibits.

» > o < «

Certificate of Reporter 31

1 THE COURT: Okay, let's see. The first case I
2 have up is case of Firriolo vs. The City of
3 Greenville. And that is case number 2016-CP-23-4998.
4 It appears that it is a motion for judgment on the
5 pleadings. And an additional motion for actual
6 fraud. It looks like there's another motion for
7 dismissal. So, ladies and gentlemen, I'll be happy
8 to hear from you in whatever order you think is
9 appropriate.

10 MR. BACH: Thank you, Your Honor, Adam Bach on
11 behalf of the City of Greenville. My motion appeared
12 first on the docket, I think.

13 THE COURT: Yes, sir.

14 MR. BACH: So, I thought I would proceed first.

15 THE COURT: Okay, I'll be happy to hear from
16 you.

17 MR. BACH: I believe -- we actually also filed a
18 motion for a TRO and I'll address that in a second,
19 so. And we also filed a brief. I hope it has made
20 its way to the court's file. Filed it last month.
21 So, I'll try to be -- I'll try to be brief.

22 THE COURT: Okay.

23 MR. BACH: And not rehash a bunch of the
24 memorandum.

25 THE COURT: Yes, sir.

1 MR. BACH: But essentially, what we have here,
2 Your Honor, Mr. Firriolo -- I may be saying his name
3 wrong, but the Plaintiff. We learned that in
4 February 2016, the Plaintiff actually called the City
5 of Greenville, informed us that he had a contractor
6 out at his property working, who was unlicensed. A
7 fella by the name of Tyron Sanders. And he was doing
8 construction at the Plaintiff's residence. He
9 claimed -- the Plaintiff claimed that he begun doing
10 brick work at Mr. Sanders home -- I'm sorry, his own
11 home and hired Mr. Sanders to finish the work.

12 We informed the Plaintiff at that time that he
13 needed a building permit. And we also informed him
14 that if he was planning on acting as a general
15 contractor at the property, he needed to file a
16 document with the Register of Deeds. And that's a
17 process that is standard, it's gone through every
18 single day at the City. There's nothing on there
19 complicated to it. A few days later, a city
20 employee, Brad Rice -- we personally came out to the
21 Plaintiff's residence and delivered him an
22 application for a building permit. We brought it to
23 him so that he could fill it out and so he would be
24 aware of what was required of him.

25 While Mr. Rice was at the Plaintiff's property,

1 he saw that there was a lot of work going on out
2 there. There was a lot of work going out there
3 besides just the brick work. And so, he took a
4 number of photographs and we've submitted his
5 affidavit showing some of the work. You can see
6 the -- it's clearly torn up in the photographs. He's
7 got expansions coming off the back, brick work's
8 coming off the wall. It looks like some electrical
9 work's being done.

10 And so, while we're out there we inform him,
11 again, you know, Mr. Plaintiff, you are going to need
12 additional -- you're going to need additional
13 permits. This is the permit process that you have to
14 go through in order to do this kind of work on your
15 property. We left and shortly thereafter, we got
16 another call from the Plaintiff. And this time the
17 Plaintiff is now calling to report a second
18 unlicensed contractor who he has hired to work on his
19 property. A fella by the name of Cecil Golden.

20 Golden tells us that The Plaintiff is doing an
21 extensive amount of electrical work inside the home.
22 And that there are renovations going on in the
23 interior of the home. And The Plaintiff has no
24 permits for any of it. Not for what's going on in
25 the upstairs, not for what's going on in the

1 interior. Okay.

2 At that point, we still have not even received a
3 building permit application from The Plaintiff.

4 There's some allegation in the Plaintiff's complaint
5 that he's been denied access to City Hall. While we
6 vigorously dispute that, you can mail building permit
7 applications in, there's no requirement that you hand
8 deliver them. We certainly would have allowed him to
9 come in and deliver a building permit. But
10 regardless, because his work was ongoing and we
11 learned from Mr. Golden that he's doing this
12 electrical work, the City issues a summons regarding
13 the Plaintiff's failure to obtain a building permit
14 for the construction and the additions. The work
15 continued. We continued to go by the property,
16 despite our ordinance and summons, the Plaintiff felt
17 like he was not subject, I guess, to the permit
18 requirements and he continued to do this work on his
19 home.

20 On March 16th, 2016, we issued a motion for
21 Order and Rule to Show Cause for his failure to
22 obtain a permit and his failure to stop work after
23 being cited for doing unpermitted work at his
24 property. There was a hearing held in Municipal
25 Court on March 31st, 2016 in front of Judge Hawley.

1 And prior to that hearing, the Plaintiff requested a
2 jury trial. He also, through some mechanism, he
3 states in his complaint, he asked court personnel to
4 have certain witnesses there. I'm not exactly sure I
5 understand the allegation. But when he showed up on
6 the 31st of March, none of the witnesses that he had
7 requested that were present. He spoke to
8 Mr. Hawley -- or Judge Hawley about the troubles that
9 he was having obtaining a building permit.

10 We all know Judge Hawley. I love Judge Hawley.
11 Judge Hawley is an extremely nice guy. And Judge
12 Hawley decided that he was going to help the
13 Plaintiff obtain a building permit. So, on
14 April 11th, 2016, Judge Hawley himself personally
15 escorted the Plaintiff down to City Hall, got him the
16 building permit application papers that he needed in
17 order to do the project. I believe, actually -- my
18 understanding is and I just say it with hesitation,
19 Judge Hawley actually helped to draw part of what was
20 going to go in the permit application.

21 And the Plaintiff actually, at that time, did
22 submit an application but he failed to include the
23 new brick work that was happening at the house, the
24 two additions at both ends of the house, enclosing
25 the rear porch and a new roof structure. A roof

1 structure and new building and he failed to include
2 any interior renovations which we knew were going on.
3 All things we knew were going on, unpermitted work at
4 the house.

5 We tell -- we say, Look, we cannot except your
6 application because there's a lot of unpermitted work
7 going on here, you need to put all this in a permit
8 and in your application. Let us come out and make
9 sure it's being done properly.

10 The Plaintiff doesn't do that. Instead, he goes
11 back to Judge Hawley. And on May 25th, 2016, Judge
12 Hawley issues an Order requiring the City to approve
13 the Plaintiff's building permit. The City took the
14 application that Judge Hawley had helped the
15 Plaintiff submit, submits it through the process and
16 we get a response back almost immediately from our
17 zoning -- from the zoning board that says, Look,
18 you're encroaching on the neighbor's property, we
19 can't agree to this permit, we can't agree to this
20 construction because you're encroaching on the
21 neighboring property rights.

22 We inform Judge Hawley at that time that we
23 cannot issue the permit, that there are still
24 deficiencies in the permit application.

25 And Judge Hawley basically says, Okay, well, let

1 me -- he doesn't really do anything. That's the end
2 of it with regard to Municipal Court.

3 On August 25th, 2016, the Plaintiff files a suit
4 against the City. He includes in that suit dozen of
5 City officials. He names basically every single
6 person in the permitting offices. He names
7 Greenville Cares, he names the Clerk of the
8 Greenville Municipal Court, he names every single
9 member of city council. And while his complaint
10 contains a lot of sort of declaratory statements, it
11 seems like the thrust to his allegations or what he
12 actually has in his cause of action is a cause of
13 action for contempt for the City's failure to issue
14 him his building permits pursuant to Judge Hawley's
15 Order.

16 And so, Your Honor, that's sort of a brief
17 background. And it's little bit of a strange story
18 but that's where we are. The Plaintiff filed this
19 complaint. As we read the complaint, basically what
20 he's saying is the City -- he actually says Judge
21 Hawley's in contempt for failing to comply with his
22 own Order. And that the City of Greenville is in
23 contempt for failing to comply with Judge Hawley's
24 Order that the permit be issued.

25 Since this a motion for judgment on the

1 pleadings, I'm going to more or less confine myself
2 to what's in the pleadings and not talk about all the
3 factual issues with this complaint. Just talk about
4 the legal reasons why this complaint should be
5 dismissed.

6 THE COURT: Okay.

7 MR. BACH: First, under the Tort Claims Act, all
8 of the individual Defendants must be dismissed
9 pursuant to SC Code 15-78-70. Under the Tort Claims
10 Act, when there's a claim filed against a
11 governmental entity or an employee of a governmental
12 entity who is acting in their official capacity, that
13 that statute requires that the governmental entity be
14 substituted for an individual employee. I would also
15 say that there are no allegations contained
16 whatsoever against any individual defendant in the
17 complaint. He has all these names in the caption and
18 all these people have been sued. But there's not
19 under any actual allegation against Knox Haynesworth.
20 There's no allegation against Amy Ryberg Doyle.
21 There's no allegation -- Brad Rice is mentioned in
22 the complaint but there's no allegation against him
23 that he did anything wrong. But even if there were,
24 the law commands that all of these individual
25 Defendants be dismissed. The City of Greenville and

1 is the only Defendant in an action against a
2 municipality.

3 Second, the cause of action that he alleges that
4 we failed to comply with the Order should be
5 dismissed for three reasons. First, there is no
6 independent cause of action for civil contempt. And
7 we've cited some Fourth Circuit case law in our
8 brief. We weren't able to find anything in South
9 Carolina but basically the Fourth Circuit has said in
10 Finn vs. Schiller, Fourth Circuit -- I'm sorry, 72
11 Fd 1182, there is no such thing as a independent
12 cause of action for civil contempt. And the reason
13 for that is civil contempt proceedings are considered
14 part of the action from which they stem.

15 And our court has -- our Supreme Court on
16 numerous occasions has stated that the only way to
17 initiate cause of action for civil contempt for
18 failure to comply with an order, is by filing a
19 verified affidavit, verified petition or affidavit
20 showing the noncompliance and a rule to show cause.
21 And civil contempt proceedings are a part of the
22 proceeding from which the order issued. So, to the
23 extent that Mr. Firriolo wants to hold the City in
24 contempt for failing to issue a building permit, he
25 needs to address that request to Judge Hawley not to

1 another court.

2 Second, the City's immune from suit from failing
3 to issue a building permit under the Tort Claims Act
4 unless it exercise its discretion in a grossly
5 negligent manner. Under 15-78-60(12), the City may
6 not -- a governmental entity may not be liable for
7 a -- issue or deny a permit unless they exercise
8 their discretion in a grossly negligent manner.
9 There are no allegations of gross negligence here in
10 the failure to issue a building permit. The decision
11 that we made was unquestionably a discretionary
12 decision. We have immunity from discretionary
13 decision. You can't just argue with a municipality
14 about, you know, if we don't feel like you are up to
15 code, if you fail to comply with the ordinances or in
16 this case, you haven't simply submitted the building
17 permits that are required by the ordinances, that is
18 a discretionary decision. And we are immuned
19 [verbatim] from liability unless we're exercising our
20 discretion in a grossly negligent manner. And
21 there's no allegation of gross negligence, here.

22 Third, the Municipal Court and Judge Hawley, it
23 overstepped its power when it issued the Order.
24 Issuing an Order to a governmental entity to perform
25 a ministerial act, which permitting is a ministerial

1 act, is a writ of mandamus. It's essentially
2 commanding a governmental entity or person to perform
3 an act that normally rests within their discretion.
4 A writ of mandamus can only be issued under our
5 State's Constitution by a court of record. And our
6 Supreme Court has said repeatedly that Municipal
7 Courts are not courts of record. So, that's the
8 first issue with the writ of mandamus.

9 The second issue with the writ of mandamus is
10 that a writ of mandamus is unquestionably civil in
11 nature. And I'm looking at Plum Creek Development
12 vs. City of Conway, 334 S.C. 30, cited in my brief.
13 The writ of mandamus is civil in nature and but the
14 South Carolina code that establishes municipal
15 courts, SC Code 14-25-45 states, Municipal courts
16 shall have no jurisdiction in civil matters.

17 So, the court -- the Court lacked jurisdiction
18 for two reasons. First, a writ of mandamus under our
19 law is -- is contained in Article 5 -- the power
20 of -- is contained in Article 5 of the South Carolina
21 State Constitution which states that The justices of
22 the Supreme Court, judges of the Court of Appeals,
23 the circuit court and all other courts of record
24 shall have the power to issue writs of mandamus.
25 That's Article 5 of our Constitution. However, as

1 our Supreme Court has said on repeated occasions, A
2 municipal court is quote A summary court in nature
3 and is not a court of record. And that's State vs.
4 Duncan, 269 S.C. 510. Additionally, as I said, a
5 writ of mandamus is a civil action. And the
6 municipal court has no jurisdiction in civil
7 proceedings.

8 Our Supreme Court has made very clear that an
9 order or a judgment that is issued by the Court
10 without jurisdiction is void. And is subject to
11 collateral attack. Coon vs. Coon, 364 S.C. 563, A
12 judgment of a Court without subject matter
13 jurisdiction is void. Subject matter jurisdiction is
14 the power to hear and determine cases of a class of
15 proceedings in which the question belongs. The
16 Court -- and I -- you know, I say this hesitantly
17 because I love Judge Hawley, we all know him, I've
18 been in front of him before, he's a fantastic judge.
19 But in this instance, you know -- and I understand
20 and I believe he's trying to help the Plaintiff, he
21 doesn't have the power to command the Court -- the
22 city of Greenville to issue--

23 THE COURT: Just staying away from Judge
24 Hawley's decision and his conduct, I mean, this court
25 would have to have jurisdiction in an appellate

1 context to override or supercede his decision, would
2 it not? And this case isn't in the Circuit Court on
3 appeal is it?

4 MR. BACH: Your Honor--

5 MR. FIRRIOLO: Not yet, Your Honor, if may say
6 so.

7 THE COURT: Yes, sir.

8 MR. BACH: I agree, Your Honor. But I think the
9 distinction is this. I'm pointing out all the
10 reasons why the Plaintiff's complaint for contempt
11 against us for failure to adhere to the Order has to
12 be dismissed by this Court. I am not attacking Judge
13 Hawley's Order --

14 THE COURT: No --

15 MR. BACH: We're just asking to set it aside.
16 If the Plaintiff walks from here to municipal court
17 and files a rule to show cause in the appropriate
18 jurisdiction, and I have a final subject matter
19 jurisdiction that actually kind of gets to your
20 point, this Court actually lacks subject matter
21 jurisdiction to consider the Plaintiff's claim for
22 civil contempt.

23 THE COURT: Yes, sir.

24 MR. BACH: So, if he wants to bring a claim for
25 contempt against the City for failure to adhere to

1 Judge Hawley's order, he's got to do that in the
2 court from which it issued, the municipal court. And
3 then we can go down to municipal court and I can go
4 through all the reasons why I don't think the order
5 should have been issued. But for our purposes here
6 today and the purpose of my motion to dismiss, this
7 court certainly is not the appropriate place for the
8 Plaintiff to proceed on a claim against the City for
9 civil contempt for failure to adhere to this Order.
10 For all the reasons I've mentioned.

11 THE COURT: I agree with that. I think the
12 threshold issue is whether there is a justiciable
13 cause of action in circuit court and whether this
14 court has subject matter jurisdiction to entertain a
15 question of contempt from municipal court.

16 MR. BACH: Correct.

17 THE COURT: By or from municipal court, I don't
18 know. I think that's the threshold issue. And I'd
19 like to hear from Mr. Firriolo on the jurisdictional
20 issue.

21 MR. FIRRIOLO: Yes, sir, please. Thank you,
22 good afternoon.

23 THE COURT: Yes, sir, good afternoon.

24 MR. FIRRIOLO: My concern here is that from the
25 beginning, this court had no jurisdiction according

1 to the attorneys at bar here. We have two very
2 prominent lawyers. One is representing the City of
3 Greenville, the other is representing the Department
4 of SLED. Since this first motion or whatever you
5 call what they have submitted -- for example, I just
6 got something today in the mail to be prepared. I
7 can't be prepared today with something I got in the
8 mail. Just hours ago. But anyway, my point is that
9 all the documentation that was provided by the
10 lawyers of record have been noted to the Plaintiff
11 untimely. Zero notice to the Plaintiff.

12 And if the Court would look into the time
13 stamped dates of motions, whatever they file and
14 issue of dismissing this case because this court has
15 no jurisdiction in this case, according to them,
16 you'll find that each and everyone of the honorable
17 judges in this court have continued -- continuance of
18 a trial because I was involved with surgery and so
19 forth. And justice was served the Plaintiff in that
20 case. But at each time the dates was set, the
21 attorneys made it a point to deliver the things the
22 day of those meetings. And that's something that
23 should be noted on the record.

24 Before we get into other matters, we first have
25 to address the notice to the Plaintiff. Timely

1 notice to the Plaintiff. And so therefore, based on
2 the notice of the Plaintiff -- here's an example,
3 today is the 19th, it's postmarked the 17th. You
4 know, you get it the next day. So, that's been a
5 problem.

6 THE COURT: Mr. Firriolo, I stopped Mr. Bach
7 because I had some questions for him so I'm going to
8 stop you because I'm going to have some questions for
9 you too. And for both of you, I don't mean to be
10 intemperant or lack patience, but I told you that I
11 believe there's a threshold issue as to whether there
12 is a justiciable cause of action in this court and
13 whether there is jurisdiction. So, I just don't want
14 you to waste your time and energy talking about
15 things that aren't relevant to what we're doing here
16 today. Do you think this Court has jurisdiction over
17 this case?

18 MR. FIRRIOLO: Well, I thought the court had
19 jurisdiction because it's a Court of Common Pleas.
20 But I learned from the attorneys of record that this
21 court had no jurisdiction.

22 THE COURT: Do you believe that to be true?

23 MR. FIRRIOLO: I believe that to be true. Yes,
24 now I do. I didn't at first but now I do, yes.

25 THE COURT: Okay. Well then, we don't need to

1 discuss it any further. Because if I don't have
2 jurisdiction to hear it, then I don't have the
3 authority to do anything about it. So, we would just
4 be having a conversation among friends, essentially.
5 And I don't mind having a conversation among friends
6 but I'd rather do it downtown at one of our fine
7 local coffee establishments rather than in this
8 courtroom--

9 MR. FIRRIOLO: Well, I might join you for that.

10 THE COURT: Yeah. Well, but here's --

11 MR. FIRRIOLO: He's on the record now, this
12 is -- concerns the Plaintiff. He's on the record
13 with his testimony. And I haven't had a chance to be
14 on the record with my testimony.

15 THE COURT: You are the Plaintiff, aren't you,
16 sir?

17 MR. FIRRIOLO: I'm sorry, the Defendant.

18 THE COURT: Okay. Okay. Well, nobody -- as far
19 as I know, this is the first time that anybody's been
20 on record in any capacity in circuit court.

21 MR. FIRRIOLO: That's correct.

22 THE COURT: Because we're here to address the
23 threshold issue of whether it's appropriate in
24 circuit court. I reviewed the summons and complaint.
25 And when I walked in here the question I was

1 interested in, again, is is there a justiciable cause
2 of action? Well, if the only stated cause of action
3 in the complaint is contempt, then that contempt
4 jurisdiction rests with City Court. And if what
5 you're saying is, and I'm just paraphrasing, I'm not
6 trying to be exact about it, but that Judge Hawley
7 issued an Order and told them to issue a permit and
8 they failed to do it.

9 MR. FIRRIOLO: Absolutely.

10 THE COURT: Then --

11 MR. FIRRIOLO: Absolutely. The Judge's Order is
12 the command.

13 THE COURT: That's right. So, it's up to Judge
14 Hawley to enforce the provisions of his Order through
15 the contempt powers of the court. And I don't have
16 any jurisdiction or authority to do that. So again,
17 I don't mean to cut y'all off, but it seems clear to
18 me by agreement between the parties, that this Court
19 doesn't have jurisdiction.

20 MR. FIRRIOLO: Yes, sir.

21 THE COURT: Right?

22 MR. FIRRIOLO: Yes, sir.

23 THE COURT: Okay. So, this is what I'm going to
24 do. This is what I'm going to do. I'm going to
25 dismiss this suit in Circuit Court without prejudice,

1 without prejudice. To a request for a contempt
2 and/or an Order and Rule to Show Cause in Municipal
3 Court.

4 MR. FIRRIOLO: Well, I can't do the Municipal
5 Court because there's corruption in the Municipal
6 Court.

7 THE COURT: Well, then here's the problem. If
8 there's corruption in the Municipal Court, then
9 you're going to have to seek other redress other than
10 an overturning of his Order in the City Court. And I
11 can't tell you exactly how to do that because I'm
12 ethically--

13 MR. FIRRIOLO: I -- Your Honor, please, just for
14 a second.

15 THE COURT: Sure.

16 MR. FIRRIOLO: I filed a change of venue in
17 August in 2016. The purpose of the change of venue
18 was because the Plaintiff was not going to be treated
19 fairly in Greenville County dealing with Greenville
20 city politics and that type of thing. So, every one
21 of my motions since day one and up to this date,
22 because I filed one this morning. I filed a motion
23 this morning.

24 THE COURT: Yeah.

25 MR. FIRRIOLO: And the Court should know that.

1 As long as I'm on record here because I -- let me
2 just find -- just bear with me a second here because
3 I have new eyes and they're battling to get
4 acquainted with me.

5 THE COURT: Yeah, I'm with you.

6 MR. FIRRIOLO: And I haven't bought my glasses
7 yet because I can't afford to get them. So, I use
8 this but just bear with me a second because I need
9 to -- okay. Motion murder homicide in police
10 custody. I filed this today because I thought this
11 court would have jurisdiction.

12 THE COURT: Yes, sir.

13 MR. FIRRIOLO: Because law enforcement
14 throughout the State of South Carolina has denied me
15 access through law enforcement procedures or
16 investigations. So, I filed this because it's part
17 of this case. The case addresses the Department of
18 SLED. It addresses inappropriate behavior or
19 violation of law in the case. So, I filed this today
20 and the Municipal Court -- I can go tomorrow to get a
21 writ of mandamus in the Columbia office of the
22 Supreme Court.

23 And so, the City Court -- the City Court Judge
24 is the subject of this whole procedure. And the
25 whole procedure is -- in my complaint that the

1 Judge's Order was the command. And I was under his
2 command to proceed accordingly. And so, witnesses
3 weren't -- weren't noted because the Judge didn't
4 want it noted. He wanted me -- he did an
5 investigation, the Court did an investigation. They
6 had found that there was -- things had happened with
7 the City were violations of state and federal law.
8 And that was deprived of getting into -- in 2014 I
9 was deprived of access to city buildings. Mr. Adam
10 Bach has destroyed the very fabric of my case. And I
11 want this on the record.

12 THE COURT: Sure.

13 MR. FIRRIOLO: They say that, improperly, that
14 the Defendant, the City of Greenville, who properly
15 identified as Municipal Court Clerk of Court. The
16 Plaintiff was very clear that it was the clerk of
17 court that was a witness. And he properly identified
18 the clerk of court -- clerk -- of clerk of court and
19 employees. And he specified here that the defendants
20 are defendants and plaintiffs are plaintiffs and
21 witnesses are witnesses. But Mr. Bach, deliberately
22 and intentionally said that I didn't do the things
23 properly and I did.

24 So, I'd like this to be submitted as evidence in
25 this court. As long as he submitted his evidence to

1 this court.

2 THE COURT: I wouldn't -- Mr. Firriolo, I
3 wouldn't be too gosh awful offended by that. I don't
4 know many attorneys in a adversarial position who
5 don't claim that what the other one has done doesn't
6 comply with the rules of court. He's not treating
7 you any differently than he would treat any other
8 person on the other side of the case. That's kind of
9 part of the dodge and parry of advocacy in
10 litigation.

11 MR. FIRRIOLO: With your expertise as a
12 honorable judge, an honorable man in the service, we
13 thank for your contribution to our country and
14 Greenville, do you think that Thomas Firriolo would
15 be treated properly in municipal court when he wasn't
16 treated properly to being in the municipal court?
17 The records were destroyed.

18 THE COURT: Yeah, I really do. And I can tell
19 you honestly as an officer of the court, on the
20 record right now, I think that you will receive a
21 fair hearing in municipal court. I believe very
22 strongly in the honor and the integrity of Judge
23 Hawley. It appears to me that he did attempt to help
24 you at some point. Now, whether that attempt was
25 misguided or not, I don't know. I suspect it wasn't.

1 I suspect he was just trying to help you out. But I
2 can tell you that--

3 MR. FIRRIOLO: He did more than that, he did an
4 investigation.

5 THE COURT: And I'm -- but I feel certainty that
6 the municipal court will treat you fairly. I will
7 tell you if, in fact, the municipal court doesn't
8 treat you fairly, then your recourse is the appeal
9 that decision. Appeal that decision for an abuse of
10 discretion or for an error of law. But we just
11 haven't gotten there yet, we haven't gotten there
12 yet. So, as we sit here right now my hands are tied
13 because I just don't have jurisdiction to do anything
14 about it.

15 MR. FIRRIOLO: I appreciate your patience with
16 me.

17 THE COURT: No problem, Mr. Firriolo. I
18 appreciate your being here and I'm happy to have the
19 opportunity to meet you.

20 I will direct Mr. Bach to prepare an Order, a
21 fairly simple Order that just says that as couched,
22 there's no justiciable cause of action and this Court
23 doesn't have subject matter jurisdiction for this
24 case. All right.

25 MR. BACH: Your Honor, just briefly, to clarify,

1 we filed some counterclaims relating to the ongoing
2 work at the property. You know, I don't know if
3 there's any sort of motion at this time so just the
4 Order would be as to Plaintiff's complaint, not as to
5 entire case, is that satisfactory?

6 THE COURT: Well, I think that if it is -- if it
7 lacks subject matter jurisdiction ab initio, then any
8 additional filings within that same case is dismissed
9 as well. I think it's just a complete do over.

10 MR. BACH: Okay.

11 THE COURT: I mean, you're welcome to look at
12 the law and tell me whether that's right or not but I
13 think that if it's initiated inappropriately in this
14 court, then ab initio you can't continue to litigate
15 a case in which the case -- this court has no subject
16 matter jurisdiction. I recognize there are
17 counterclaims but I think those counterclaims are
18 just to brought as additional suits. Okay.

19 MR. BACH: Yes, sir.

20 MR. FIRRIOLO: One more question, Your Honor.

21 THE COURT: Yes, sir.

22 MR. FIRRIOLO: So, do you have jurisdiction on
23 court that just recently submitted to this court
24 cases involving two Defendants in the Plaintiff's
25 case?

1 THE COURT: No, I don't think I do for a number
2 of reasons. Because first of all, there hasn't been
3 an initial filing or motion which would confer upon
4 the court --

5 MR. FIRRIOLO: It was filed.

6 THE COURT: -- and the other thing is, I don't
7 think that that motion was noticed for today's date
8 and time. Okay. So, it got to be a combination of
9 the two, all right?

10 MR. FIRRIOLO: Well said.

11 THE COURT: All right. Thank you, sir.

12 MR. FIRRIOLO: Have a good day.

13 THE COURT: Have a great day.

14 MS. BROWN: Your Honor.

15 THE COURT: Yes, ma'am.

16 MS. BROWN: Just for the record, I'm Kate Brown
17 on behalf of SLED and Lieutenant Elizabeth Corley and
18 improperly identified LLR employee. So--

19 MR. FIRRIOLO: That's not so. Excuse me for
20 interrupting but that is not so.

21 THE COURT: That's okay, let me hear her.

22 Yes, ma'am.

23 MS. BROWN: I'm not trying to be a -- his name
24 was just incorrect in the complaint, that's all I'm
25 saying with regard to that. But we filed motions to

1 dismiss. So, you're saying that there's not subject
2 matter jurisdiction and we're not going forward on
3 anything today?

4 THE COURT: No, ma'am. That's exactly right.

5 MS. BROWN: Thank you, Your Honor.

6 THE COURT: Yes, ma'am.

7 Okay, thank you, good luck.

8 MR. BACH: Thank you, Your Honor.

9 MR. FIRRIOLO: Will have the complaint in the
10 script? It's only two pages, Your Honor.

11 THE COURT: I'm sorry, sir?

12 MR. FIRRIOLO: May I read answer to his
13 [verbatim] statement now that I improperly address
14 the people. The Plaintiff's here say now that the
15 record will reflect that he properly -- he properly
16 did the right thing here and named the proper people.
17 And so, they miscrued that intentionally. And
18 they -- they destroyed and tampered with evidence of
19 a filing. And they interpreted words differently.
20 And I know that you said this before but they put it
21 in documentation.

22 THE COURT: Yeah, I understand. I don't know.
23 I just don't know whether that's right or wrong. But
24 I got to be honest with you it, it's not irrelevant
25 if the case -- if the Court doesn't have

1 jurisdiction--

2 MR. FIRRIOLO: But it's relevant what I say to
3 him on the record.

4 THE COURT: I don't know that she put anything
5 that was--

6 MR. FIRRIOLO: The Court Reporter just typed in,
7 I'm sure.

8 THE COURT: Y'all have a good faith disagreement
9 about whether the names were right or wrong, that's
10 neither here nor there. And I think that's why you
11 quit addressing the Court because it's neither here
12 nor there. It's a personal point of contention
13 between you. It's not a legal point of contention
14 that concerns the Court. Okay. All right, good luck
15 to y'all.

16 MR. BACH: Thank you, Your Honor.

17 MR. FIRRIOLO: Thank you, Your Honor.

18 MS. BROWN: Thank you, Your Honor.

19 MR. BACH: Just email -- do we email or
20 electronically file?

21 THE COURT: What I would appreciate you doing,
22 please, is emailing it directly to me. Because then
23 I can maintain control of it, upload it and execute
24 it. Also, before you email it to me, I want you to
25 deliver a copy of a proposed Order to Mr. Firriolo so

1 he'll know what's being delivered to the Court.

2 MR. BACH: Yes, sir.

3 THE COURT: Okay, thank you.

4 MR. BACH: Thank you.

5 (WHEREUPON, the proceedings were concluded.)

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CERTIFICATE OF REPORTER

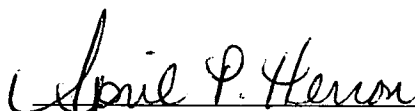
STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

I, APRIL P. HERRON, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of Common Pleas for Greenville County, South Carolina, on the 19th day of January, 2017.

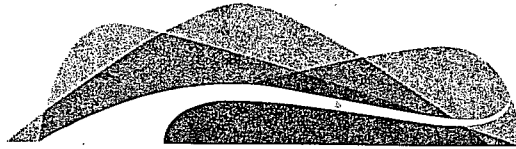
I do further certify that I am neither of kin, counsel nor interest to any party hereto.

April 19, 2017


APRIL P. HERRON, Court Reporter

John L.B. Kehl
Erin Culbertson

J.J. Andrighetti
Alex Kornfeld



KEHL • CULBERTSON • ANDRIGHETTI • KORNFELD
— ATTORNEYS AT LAW —

43

December 30, 2014

Thomas Firriolo
11 Addie Court
Greenville, SC 29605

Re: Thomas Firriolo Vs. City of Greenville

Dear Mr. Firriolo:

I enjoyed meeting with you and thank you for the opportunity to review your issues with the City of Greenville. I reviewed the public record regarding the ticket issued against you by the Greenville City Police Department earlier this year and there is no record of a finding against you. I am unable to tell you anything definitive about what happened to the ticket but there is no record of it currently and thus, no need to retain me to assist with the matter.

I have also considered your dispute with the City of Greenville and its refusal to allow you to visit City Hall. I agree Greenville's actions are troubling and could be an infringement upon your rights as a citizen and resident of Greenville. However, I do not believe I can be of any assistance to you. I would encourage you to schedule a meeting with Bob Coler as requested to see if this dispute can be resolved quickly and efficiently. I wish you the best of luck and hope you are enjoying the holidays.

Sincerely,

J.J. Andrighetti

Enclosure

44

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Thomas Raymond Firriolo,

Plaintiff,

vs.

City of Greenville, et al.,

Defendants.

IN THE COURT OF COMMON PLEAS

THIRTEENTH JUDICIAL CIRCUIT

C.A. NO. 2016-CP-23-04998

DEFENDANTS CITY OF GREENVILLE
AND CITY EMPLOYEES' ANSWER AND
COUNTERCLAIMS

RECEIVED

MAY 09 2017

SC Court of Appeals

The defendants, City of Greenville (improperly identified as "Municipal Court Clerk of Court," "Judge Matthew Hawley, Jr's City Court," and "Greenville Cares Center"), Jeff Bowman (improperly identified by the complaint as "Jeff Bowen"), Jodie Dudash, Cynthia Vilardo, Brad Rice, Harold E. Skinner (improperly identified by the complaint as "Bobbie Skinner"), Tammy Mappus (improperly identified by the complaint as "Ms. Tammy (Jane Doe)"), Dwayne Cooper, Kim Jones, Clint Link, Bryan Wood (improperly identified by the complaint as "Bryon Wood"), Jason Gillespie, Steven Landrith, Knox White, Jil Littlejohn, Gaye Sprague, George Fletcher, Amy Doyle, Lillian Fleming, David Sudduth (improperly identified by the complaint as "David Suddith"), and all other City of Greenville employees named (collectively, the "City Employees," and, along with the City of Greenville, hereinafter referred to as the "City"), answering the complaint and counterclaiming herein, would respectfully allege and show unto the Court as follow:

FOR A FIRST DEFENSE

1. In response to the allegations contained in the section entitled "JURISDICTION AND VENUE," the City admits that venue is proper in Greenville County. The remaining allegations are denied.

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2. The allegations contained in the section entitled "CHANGE OF VENUE" constitute a legal conclusion to which a response is not required. If a response is required, the allegations are denied.

3. In response to the allegations contained in the section entitled "PRELUDE TO PREFACE," the City admits that Brad Rice delivered a building permit application to Plaintiff at his residence on or about February 10, 2016 and received a copy of the disclosure statement that Plaintiff had previously filed with the County of Greenville; that the City filed a uniform ordinance summons on or about February 12, 2016 regarding Plaintiff's failure to obtain the necessary permits for construction work on his residence; that the City filed for an Order and Rule to Show Cause against Plaintiff on or about March 16, 2016; that the municipal court issued a subpoena to Plaintiff; that Plaintiff was escorted to the City's code enforcement office by Judge Matthew Hawley and filed an application for a building permit on or about April 11, 2016; and that the order of Judge Hawley attached to the complaint as Exhibit A was filed on or about May 25, 2015. The remaining allegations are unclear and unintelligible, and the City denies these allegations to the extent they are inconsistent with the facts as alleged in the City's counterclaim.

4. In response to the allegations contained in the section entitled "PREFACE – FACTUAL ALLEGATIONS – CONTEMPT OF COURT," the City admits that it did not approve the application for a building permit submitted by Plaintiff on or about April 11, 2016. The remaining allegations are unclear and unintelligible, and the City denies these allegations to the extent they are inconsistent with the facts as alleged in the City's counterclaim.

5. The City lacks sufficient information to form a belief as to the truth of the allegations contained in the section entitled "FOUNDATIONS" and, therefore, denies same.

46

6. The allegations contained in the section entitled "PRAYER" constitute a legal conclusion to which a response is not required. If a response is required, the allegations are denied.

7. The City denies each and every allegation of the complaint not admitted, modified, or explained hereinabove.

FOR A SECOND DEFENSE

8. The City adopts and realleges the allegations of its previous defense as if fully repeated herein.

9. Plaintiff has failed to state facts sufficient to constitute a cause of action, and the complaint should be dismissed.

FOR A THIRD DEFENSE

10. The City adopts and realleges the allegations of its previous defenses as if fully repeated herein.

11. This Court lacks subject matter jurisdiction, and the complaint should be dismissed.

FOR A FOURTH DEFENSE

12. The City adopts and realleges the allegations of its previous defenses as if fully repeated herein.

13. Plaintiff's claims are barred in whole or in part pursuant to the applicable statute of limitations.

FOR A FIFTH DEFENSE

14. The City adopts and realleges the allegations of its previous defenses as if fully repeated herein.

15. Pursuant to the South Carolina Tort Claims Act, S.C. Code Ann. §§ 15-78-10, *et seq.* (the "Act"), punitive damages may not be awarded against the City. *See* § 15-78-120(b).

47

16. The City Employees are not proper defendants pursuant to the Act. *See* § 15-78-70.

17. The City alleges that Plaintiff's complaint is barred by the Doctrine of Sovereign Immunity and pleads the terms and provisions of the South Carolina Tort Claims Act, including all immunities, limitations and defenses granted or preserved by the Act, including specifically, without limitations, sub-paragraphs (1), (2), (3), (4), (5), (12), (13), (17), (20), and (23) of § 15-78-60, pursuant to which it is not liable for a losing resulting from the following:

- (1) legislative, judicial, or quasi-judicial action or inaction;
- (2) administrative action or inaction of a legislative, judicial, or quasi-judicial nature;
- (3) execution, enforcement, or implementation of the orders of any court or execution, enforcement, or lawful implementation of any process;
- (4) adoption, enforcement, or compliance with any law or failure to adopt or enforce any law, whether valid or invalid, including, but not limited to, any charter, provision, ordinance, resolution, rule, regulation, or written policies;
- (5) the exercise of discretion or judgment by the governmental entity or employee or the performance or failure to perform any act or service which is in the discretion or judgment of the governmental entity or employee;
- (12) licensing powers or functions including, but not limited to, the issuance, denial, suspension, renewal, or revocation of or failure or refusal to issue, deny, suspend, renew, or revoke any permit, license, certificate, approval, registration, order, or similar authority except when the power or function is exercised in a grossly negligent manner;
- (13) regulatory inspection powers or functions, including failure to make an inspection, or making an inadequate or negligent inspection, of any property to determine whether the property complies with or violates any law, regulation, code, or ordinance or contains a hazard to health or safety;
- (17) employee conduct outside the scope of his official duties or which constitutes actual fraud, actual malice, intent to harm, or a crime involving moral turpitude;
- (20) an act or omission of a person other than an employee including but not limited to the criminal actions of third persons; and
- (23) institution or prosecution of any judicial or administrative proceeding.

48

FOR A SIXTH DEFENSE

18. The City adopt and reallege the allegations of their previous defenses as if fully repeated herein.

19. Plaintiff's claims are barred by the public duty rule under *Rayfield v. South Carolina Dept. of Corrections*, 297 S.C. 95, 374 S.E.2d 910 (Ct. App. 1988).

**FOR A SEVENTH DEFENSE AND BY WAY OF COUNTERCLAIM
(DECLARATORY RELIEF)**

20. The City adopts and realleges the allegations of its previous defenses as if fully repeated herein.

21. On or about February 8, 2016, the City received a complaint from Plaintiff stating that an unlicensed contractor, Tyrone Sanders, had been doing work on Plaintiff's residence at 11 Addie Court, Greenville, South Carolina 29605 (the "Property"). Later that morning, Sanders paid for a business license to cover the work he had performed at the Property. Plaintiff claimed to City officials that brick work was necessary to prevent further water and settlement issues. Plaintiff stated that he personally performed work on the Property's footings and brick work, which he hired Sanders to complete. City officials informed Plaintiff that he needed to obtain the required permits and to file a disclosure statement with the Greenville County Register of Deeds, however Plaintiff claimed he was not allowed to enter City offices. Plaintiff was informed that he was not banned from City offices and could enter the building with an escort.

22. On or about February 10, 2016, Defendant Brad Rice delivered a building permit application and received a copy of the disclosure statement that Plaintiff had previously filed with the County of Greenville. Soon after, Plaintiff complained about work on the Property that Cecil Golden had performed. Golden informed City officials that Plaintiff had hired him to perform electrical work for an addition that Plaintiff had added to the Property and to replace an electrical

4/9

meter that had been removed due to brick work. Golden later obtained the appropriate permits to perform such work.

23. On or about February 11, 2016, City officials tried to contact Plaintiff multiple times to inform him that he could enter the building to obtain his permits.

24. After multiple attempts to contact Plaintiff to notify him that he could enter the building to obtain the necessary permits, the City filed a uniform ordinance summons on or about February 12, 2016 regarding Plaintiff's failure to obtain the necessary permits for the construction work to the Property.

25. Subsequently, the City learned of further unpermitted work on the Property performed by contractors hired by Plaintiff and filed a motion for an Order and Rule to Show Cause on or about March 16, 2016 requesting an order prohibiting further work on the Property.

26. On or about March 31, 2016, Judge Matthew Hawley continued the City's motion and subsequently escorted Plaintiff to file an application for a permit to perform work on the Property on or about April 11, 2016. Subsequently, City officials determined that the permit could not be issued because it failed to include construction work that had already been performed by Plaintiff.

27. On or about May 25, 2016, Judge Hawley issued an order requiring the City to approve Plaintiff's application for a building permit (the "Order").

28. On or about May 27, 2016, the City's zoning agency determined it could not issue the application for a building permit because a site plan was not provided and 15' rear setback was required.

29. Pursuant to S.C. Code Ann. §§ 5-25-310, *et. seq.*, and the City Code, the City is entitled to require certain property owners to submit an application for a building permit prior to

50

commencing construction work. Further, the City is entitled to grant or deny any application for a building permit within its discretion.

30. Prior to April 11, 2016, Plaintiff personally performed and hired contractors to perform unpermitted construction work on the Property.

31. After Plaintiff submitted an application for a building permit on April 11, 2016, the City rightfully determined that the application did not comply with the applicable building codes and ordinances because it did not include the new brick work around the entire structure, two additions on both ends of the front porch, the enclosing of the rear porch, a new roof structure to the rear porch, and all interior renovations.

32. Judge Hawley lacked the requisite legal authority to issue the Order because the Order acts as a writ of mandamus that improperly requires the City to perform a ministerial duty that normally rests within its discretion, namely the decision whether to approve or deny an application for a building permit.

33. Plaintiff has performed and continues to perform construction activity to the Property without the requisite building permits or licensed contractors. Such activities create a potentially dangerous environment which is detrimental to the health, safety, and welfare of the persons in the vicinity of the Property that is not subject to proper inspection and remediation by the City's code enforcement department.

34. The City asks this Court to make the following judicial declarations:

- i. Plaintiff has performed or hired individuals to perform unpermitted construction work to the Property in contravention of the City Code;

8-1

- ii. Plaintiff shall be enjoined and restrained from performing or hiring any individual to perform any current or future work on the Property until a valid permit has been issued to him for such work by the City;
- iii. Judge Hawley lacked subject matter jurisdiction to command the City to issue the permit; *see* S.C. Const. Art. V, § 20; S.C. Code Ann. § 14-25-45.
- iv. Plaintiff is required to hire an engineer at his expense to inspect the Property and submit a report to the City concerning the suitability of all construction work to the Property performed by Plaintiff;
- v. Plaintiff is required to submit an application to the City for a building permit detailing all construction work performed and to be performed to the Property; and
- vi. Plaintiff must comply with all inspections and/or requirements of any building permit issued to him by the City at its discretion.

**FOR AN EIGHTH DEFENSE AND BY WAY OF COUNTERCLAIM
(PRELIMINARY AND PERMANENT INJUNCTION)**

35. The City adopts and realleges the allegations of its previous defenses as if fully repeated herein.

36. Pursuant to S.C. Code Ann. §§ 5-25-310, *et. seq.*, and Chapter 6 of the Greenville City Code (the "City Code"), Plaintiff is required to obtain a valid build permit to commence certain construction work on the Property.

37. Plaintiff has performed or hired contractors to perform unpermitted work on the Property in violation of the City Code. Such activities create a potentially dangerous environment which is detrimental to the health, safety, and welfare of the persons in the vicinity of the Property that is not subject to proper inspection and remediation by the City's code enforcement department.

52

38. The City asserts that it will likely succeed on the merits in this litigation and that there is no adequate remedy at law to protect them.

39. A temporary restraining order and preliminary injunction are needed to preserve the status quo to avoid possible immediate and irreparable injury, loss, and damage resulting to the City and the public at large from Plaintiff's unpermitted construction work to the Property.

40. Such immediate and irreparable harm will result because Plaintiff continues to perform unpermitted work which is not subject to inspections by the City and presents an existing hazard to the health, safety, and welfare of the public and the City.

41. Therefore, the City is entitled to a preliminary and permanent injunction: (i) enjoining and restraining Plaintiff from performing or hiring any individual to perform any current or future work on the Property until a valid permit has been issued to him for such work by the City; (ii) requiring Plaintiff to hire an engineer at his expense to inspect the Property and submit a report to the City concerning the suitability of all construction work to the Property performed by Plaintiff; (iii) requiring Plaintiff to submit an application to the City for a building permit detailing all construction work performed and to be performed to the Property; and (iv) requiring Plaintiff to comply with all inspections and/or requirements of any building permit issued to him by the City.

WHEREFORE, having fully answered the complaint and counterclaiming herein, the City prays for the following relief:

1. That the complaint be dismissed with prejudice;
2. That the Court grant the City's request for a preliminary and permanent injunction:

53

- i. Enjoining and restraining Plaintiff from performing or hiring any individual to perform any current or future work on the Property until a valid permit has been issued to him for such work by the City;
- ii. Requiring Plaintiff to hire an engineer at his expense to inspect the Property and submit a report to the City concerning the suitability of all construction work to the Property performed by Plaintiff;
- iii. Requiring Plaintiff to submit an application to the City for a building permit detailing all construction work performed and to be performed to the Property; and
- iv. Requiring Plaintiff to comply with all inspections and/or requirements of any building permit issued to him by the City.

3. That the Court grant the City's prayers for declaratory relief and find that:

- i. Plaintiff has performed or hired individuals to perform unpermitted construction work to the Property in contravention of the City Code;
- ii. Plaintiff shall be enjoined and restrained from performing or hiring any individual to perform any current or future work on the Property until a valid permit has been issued to him for such work by the City;
- iii. Judge Hawley abused his discretion in issuing the Order and the City is not required to comply with the Order;
- iv. Plaintiff is required to hire an engineer at his expense to inspect the Property and submit a report to the City concerning the suitability of all construction work to the Property performed by Plaintiff;

- v. Plaintiff is required to submit an application to the City for a building permit detailing all construction work performed and to be performed to the Property; and
 - vi. Plaintiff must comply with all inspections and/or requirements of any building permit issued to him by the City at its discretion.
4. Costs and such further relief as the Court deems just and proper.

Respectfully submitted,

s/Adam C. Bach

Adam C. Bach (S.C. Bar #74885)
R. Hudson Smith (S.C. Bar #101369)
ELLER TONNSEN BACH, LLC
1306 South Church Street
Greenville, SC 29605
Telephone: (864) 236-5013
Facsimile: (864) 312-4191
abach@etblawfirm.com
hsmith@etblawfirm.com

Attorneys for Defendants City of Greenville
and City Employees

October 14, 2016

Greenville, South Carolina

The South Carolina Court of Appeals **RECEIVED**
 P.O. BOX 11629 Columbia South Carolina 29211 MAY 09 2017

SC Court of Appeals

Thomas Raymond Piniolo v. The City of Greenville
 appellate case no 2017-000560

Request permission not to include original signatures
 Important for Law Enforcement to Investigate
 all doors in Law Enforcement in South Carolina have been shut,
 all Law Enforcement doors closed.

Request permission at this time-temporarily: not to
 include original documents' - signatures of Parties
 involved in the affidavits' - City of Greenville
 building Dept. officials' - building Dept. Employees -
 building Dept Permits that began April 22nd 2016,

There has been a continued Pattern of no Law
 Enforcement - By Law Enforcement, in the State
 of South Carolina to do their jobs which is to
 investigate crimes - that South Carolina Law
 Enforcement is instructed to do - Investigate crime

The crimes which seemed to have grown in size
 within itself, remains unsolved crimes.

misconduct in office of Public Trust:
 page one.

your appellee requests permission to note: Three (3) Judges orders by two (2) Judges denying commission of crimes has affected seven (7) Courts of Law in Greenville South Carolina.

Feb 6th 2017 your appellee filed assignment of Error

Due Process was not there

False testimony was allowed to continue - no Law Enforcement to investigate.

(F.O.I.A.) requests for information under the Freedom of information act was denied Plaintiff

Plaintiff in case no 2016-CP-23-04998 filed complaints of Clerk of Court to City Police - County police and to the 911 call center and to whom ever else and including the South Carolina Court administration.

The Plaintiff's Cox supports (20) twenty City of Greenville defendants' and among them, Mr Cecil Golder, Specialty Contractor who is the Plaintiff's Defendant. Mr Adam C Beck Esquire clearly knows that Cecil Golder is Plaintiff's Defendant in the case 2016-CP-23-04998.

Mr Bark Eguero become involved with Cecil Seldon Sept 2016 knowing that this man, who is Plaintiff's Defendant, is involved as Plaintiff's Defendant in three (3) Seemingly magistrates Courts' - South magistrates' Court - T. under Rest magistrates' Court and is Presently Plaintiff's Defendant in West Greenville magistrates Court.

Mr Cecil Seldon on Sept 16th 2016 entered this case with an incomplete, altered, Court entry, into this case and with copy of City of Greenville permit which was issued after this contractor did contractor's. This electrical contractor removed Duke Power meter and power box before his permit and with out Duke Power knowledge, or the City of Greenville knowledge.

Mr Bark Eguero clearly knows this.

Mr Adam C. Bark Eguero Tempored with Plaintiff's witness Mr Cecil Seldon and accuses Mr Bark Eguero of witness Temporing -

I also accuse Mr Adam C. Bark Eguero of violation of appellate Court Rules' Rule 8.4, misconduct.

appellate Court Rules 8.4 Professional Misconduct. The Supreme Court of South Carolina amendment Rule 402 SCACR Lays Oath Oct. 22nd 2003 Mr. Adam C. Bark Eguero took his Oath as a South Carolina BAR member in 2006 and was provided his South Carolina BAR # 74885 and remains in good standing.

copies enclosed: Defendants' City of Greenville and City Employees' motion for judgement on the Pleadings and for temporary Restraining order and Preliminary injunction and Defendants City of Greenville and City Employees' answer and counterclaims are enclosed,

Mr. Adam C. Bark Eguero accused and charged the honorable Judge Matthew Raymond Healy Jr. with abuse of Discretion in issuing his Order for the City of Greenville to comply to his Order. see copy of Judges Order.

The Judge's order is clear - That City Lawyers who also took the oath amendment Rule 402 SCACR and governed by appellate Court rule 8.4 examined and re-view and inspected my home place along with the Judge and supported

this Judge who has been in Law Enforcement one fifty (50) years and is well respected and mentor to many Judges.

The Core at Bar

City of Buenvilla Lawyers were not charged with abuse of Discretion (abusing the Powers of office) by Mr Adam C Bark Esquire - They were equally involved with the Judges Order and should be charged with abuse of Discretion because they have abused the powers of office.

Mr Adam C Bark Esquire again is in violation of Rule 8.4 mis conduct (C) engage in conduct that is prejudicial to the administration of Justice.

Judge Matthew Raymond Harvey Jr. Order:
core at Bar.

Judge Harvey Jr. order again is clear. That Mr Furiolo accepted an offer of assistance by the Court to subpoena witness. The City Lawyer welcomed the Courts intercession. no witness was subpoenaed - no City home owner permit were ever issued - see copy of CK enclosed.

no City Building Dept inspection ever took place

witness information list Part one and part two.
are enclosed and what they were going to
testify to.
and again

witness Tampering took place.

19) Twenty City of Bremmell witnesses' were to
be subpoenaed for jury trial. The witnesses
were City of Bremmell Employees, building
Department officials, city lawyers, city ad-
-ministration officials involved in Plaintiff
case.

case at Bar

Mr Adam C. Beck Esq. has interviewed these
witnesses and produced for them the affidavits
and coerced them and brought them into
the limits of Court motion and they have
never been questioned.

Judge Hurl Jr. protected witnesses
Adam C. Beck Esq. protected witnesses and
both Tampering with witnesses.

There is no Law Enforcement to investigate.

your Appellee requests Permission to file
Declaratory Judgement

he was denied (F.O.I.A.) requests for information
Under the Freedom of Information Act

your Appellee request permission to file
mandatory injunction

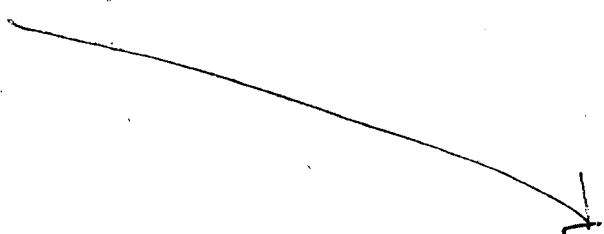
your Appellee request permission to file
Prohibitory injunction

Due Process was not there because
of State Law Enforcement SILENT and there
enrollment being in Judge Huby Jr. Court
room, March 21st 2016 - There were there to in-
sure that witnesses were to be subpoenaed,
and

There just was no Law Enforcement to go to
in the Best State of South Carolina

Thomas Raymond Patrick Appellee
11 Eddie Court Greenville S.C. 29605

Page Seven end



see fax # 803-734-1969 May 17th 2016
The Supreme Court of South Carolina 18th 2016

Office of Disciplinary Counsel
att: Ms. Lesly M. Coggiolo
Mr. Joseph P. Turner Jr. Esq.

Matter # 16-DE-5-0065 and:
collusion

your complainant Thomas Fucile accuses
Judge Nathan Raymond Hawley Jr. of the
Municipal Court of Greenville South Carolina
of collusion, and collusion in the ad-
ministration of justice.

May Hosier Mills v. United States
District Court in and for Dist. of Montana,
C.C.A. Mont. 64 F.2d 450, 454.

W.E. Bowen Improvement Co. v. Van Hafften,
209 Mo. App. 629, 238 S.W. 147, 149; Dohy v,
Hight, 156 N.Y.S. 538, 541, 170, App. Div. 469.

Railroad Co. v. Gay, 86 Tex. 571, 26 S.W. 599,
25 L.R.A. 52; Balch v. Beach, 119 Wis. 771 & 5 N.W.
132.

Thomas Fucile 11 addis Court 29605

via fax email 467-6651

63
June 20th 2016

Greenville Municipal Court in the City
of Greenville and in the State of South Carolina

The Honorable Clerk of this Court

Please file and court stamp fax email en-
closure, and forward two (2) copies to
THOMAS FERRIOLA at 11 ADDIE COURT
Greenville South Carolina 29605

- and please forward -

each and every copy court stamped in
case # QMS 02925 together with the lost
several court documents you were in-
formed not to court stamp, by the Honorable
Court Judge Matthew Raymond Hewely Jr.

- in other words -

attest or certify each copy.

Thank you in advance for your cooperation

Thomas Ferricola

11 Addie Court Greenville S.C. 29605

The South Carolina Court of Appeals
The Honorable Jenny A. Kitchings, Clerk of Court

Thomas Raymond Finick V. City of Greenville
Appellate Case No 2017-000-560

Requesting Permission to Stay - Rule 241 and request
the stay effective March 9th 2017 when Court reporter, notified,

March 9th 2017 Appellee was required to perfect
his appeal and to file Judges Order. This order was filed
March 9th 2017 Appellee notified the Hon. Court
reporter, Ms April Hannon. Then notified the Court
administration. No response from the Court reporter.

Appellee is requesting more time to argue the
Judge's Court transcript, which remains required by
this Court, that took place Jan 19th 2017 when Judge
Stilwell issued his order.

RECEIVED

MAR 24 2017

The Order that the Judge issued on 03/19/2017
conflicts and conflict of interest with the Court
typed recorded transcript of his Court reporter.

The appellee objects to the Judge's Order and takes
exception. The Judge's order before the Court is Prejudicial
and there remains conflict of interests between the
Judge's Order and the Court reporter transcript which
has not become available. Thomas Raymond Finick
cc To: Townman Back Esq.
To: Charles F. Turner Esq.
11 add'l Court Greenville S.C.

29605

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

Thomas Raymond Firriolo,)

Plaintiff,)

vs.)

City of Greenville, et al.,)

Defendants.)

IN THE COURT OF COMMON PLEAS

THIRTEENTH JUDICIAL CIRCUIT

C.A. NO. 2016-CP-23-04998

CERTIFICATE OF SERVICE

RECEIVED

MAY 09 2017

SC Court of Appeals

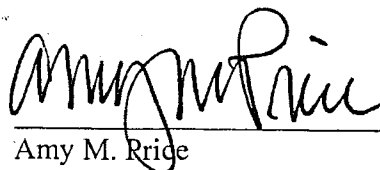
This is to certify that I, Amy M. Price, an employee of the law firm of Eller Tonnsen Bach, LLC have this day served a true and correct copy of the within and foregoing defendants City of Greenville and City Employees' answer and counterclaims and motions for judgment on the pleadings and for a temporary restraining order and preliminary injunction upon *pro se* plaintiff and *pro se* defendant Cecil Golden by depositing same in the United States mail with sufficient postage thereon to assure delivery as follows, to-wit:

Thomas Firriolo
11 Addie Court
Greenville, SC 29605

Cecil Golden
248 Cowan Street
Greenville, SC 29607

This 14th day of October, 2016.

By:



Amy M. Price
1306 S. Church Street
Greenville, SC 29605

Transmission Log

BILO 214

Monday, 2016-02-15 12:15

8644897994

Date	Time	Type	Job #	Length	Speed	Station Name/Number	Pgs	Status
2016-02-15	12:13	SCAN	12121	1:05	19200		2	OK -- V.34 AM31

via faxed 467-5715 Feb 13th 2016

Under the Freedom of Information Act

please provide the names and rank positions as
City Employees who occupied Mr Brad Rice
Code enforcement supervisor approx 9/15
A/M (2) two days before Brad Rice issued
Court Ticket # CMS 02925 to appear in
Court March 1st 2016

There (3) three gentlemen have delivered
building Dept permit applications to Thomas
Finick at his home because because he has
been denied access to City building since
2014 -

and that in the meantime Mr Bobbie Spencer
administrator on two occasions via telephone
in the course of two days - (2) days so
stated that he spoke to Mr Bob Coler Esquire
and that he will provide me temporary access
to City building via Mr Coler Esq.

Mr Bobbie Spencer Administrator so
stated two times Mr Coler Esquire will provide
this letter to Thomas Finick

via 467-8598
STATE OF SOUTH CAROLINA.

467-4317

COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS

Thomas Raymond Firriolo

CASE NO.: 2016CP2304998

Plaintiff(s),

vs.

City of Greenville, et. al

Defendant(s)

att: Police Chief Kenneth Miller - Officer Roberts G. Z. Franco.
Please provide under the Freedom of Information Act (FOIA)
requests for information all copies of City Court house video sur-
-veillance that took place between the honorable Judge Matthew
Hawley Jr. and Thomas Firriolo.

The first required meeting with Judge Hawley Jr. took place 3-28-16 which prompted a series of approx. (20) twenty in court house meetings on up to last week in 4-30-16. - you may find to gain point the day and hour of meeting with Judge (your security witnessed each one of the meetings which took place in lobby - hallway - entering / leaving judge chambers even walking out side with Judge then returning to the Court house approx 12-15 minutes later, your security was unsettled about the Judge leaving the Court with Mr Firriolo for a walk and talk so I'm sure they will remember and security will remember on occasion the Judge requested security to not let Mr Firriolo empty his pockets" entering the court house. So I believe officer Franco, talent could come close to gain present the day - the hour and close to the minute the video cameras were filming Judge Matthew Argument Hawley Jr. and Tom Firriolo meetings that took place in our Court supervised by our security, Please note, most of every time Mr Firriolo entered our court house, he emptied his pockets gladly in support of our Law Enforcement. Thomas Firriolo
11 addio Court 29665 - Clerk of Court Please court file / send to Plaintiff

RECEIVED

MAY 09 2017

SC Court of Appeals

Date	Time	Type	Job #	Length	Speed	Station Name/Number	Pgs	Status
2017-01-03	06:09	SCAN	12121	0:22	26400	8644678598	1	OK -- V.34 AM31

2037834601

Tuesday, 2017-01-03 06:10

TRANSMISSION LOG

check of Court filing

via fax on 803-734-2981

March 21, 2014

page 68

The honorable office of Alan Wilson Atty. General

P.O. Box 11549 Columbia South Carolina 29211

att: Chief Deputy General Robert Bolchaz

Dear Deputy Robert Bolchaz

This morning call to your Secretary should have included for the benefit/support of our Atty General and the State of South Carolina:

That Public Corruption so bad involving so many Public officials in office of Public Trust will take your breath away.

It is right and just that a Grand Jury examine the evidence.

Thomas F. Fucile

11 Eddie Court Greenville S.C. 29605

and 467-8598
STATE OF SOUTH CAROLINA,

467-4317

COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS

Thomas Raymond Firiolo

Judgment/Ruling Under Rule 54

CASE NO.: 2016CP2304998

Plaintiff(s),

vs.

City of Greenville, et. al

Defendant(s)

att: Police Chief Kenneth Miller - officer Roberts G. Z. Franco.

Please provide under the Freedom of Information Act (FOIA)
request for information all copies of City Court house video sur-
-veillance that took place between the honorable Judge Matthew
Harvey Jr. and Thomas Firiolo.

The first required meeting with Judge Harvey Jr. took place 3-28-16 which prompted a series of approx. 100 twenty in Court house meetings on up to last week in 4-30-16. - you may find to rein point the day and hour of meeting with Judge your security witnessed each one of the meetings which took place in lobby - hallway - entering / leaving Judge's chamber's even walking out side with Judge then returning to the Court house approx 12-15 minutes later, your security was essential about the Judge leaving the Court with Mr Firiolo for a walk and talk so I'm sure they will remember and surely will remember on occasion the Judge request security to not let Mr Firiolo empty his pockets" entering the court house. So I believe officer Franco, talent could come close to rein point the day - the hour and close to the minute the video cameras were filming Judge Matthew Raymond Harvey Jr. and Tom Firiolo meetings that took place in our Court supervised by our security, Please note, most of every time Mr Firiolo entered our Court house, he emptied his pockets gladly in support of our Law Enforcement. Thomas Firiolo
11 added Court 29605 - Clerk of Court Please Court file / print to Plaintiff

copy
7/1/16

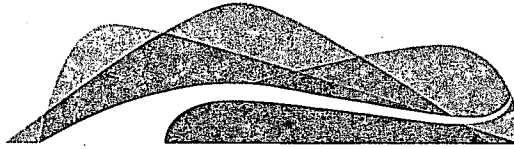
Date	Time	Type	Job #	Length	Speed	Station Name/Number	Pgs	Status
2017-01-03	06:09	SCAN	12121	0:22	26400	8644678598	1	OK -- V.34 AM31
Tuesday, 2017-01-03 06:10								
2037834601								

Transmission Log

Clerk of Court

John L.B. Kehl
Erin Culbertson

J.J. Andrighetti
Alex Kornfeld



KEHL • CULBERTSON • ANDRIGHETTI • KORNFELD
ATTORNEYS AT LAW

Page
70

December 30, 2014

Thomas Firriolo
11 Addie Court
Greenville, SC 29605

Re: Thomas Firriolo Vs. City of Greenville

Dear Mr. Firriolo:

I enjoyed meeting with you and thank you for the opportunity to review your issues with the City of Greenville. I reviewed the public record regarding the ticket issued against you by the Greenville City Police Department earlier this year and there is no record of a finding against you. I am unable to tell you anything definitive about what happened to the ticket but there is no record of it currently and thus, no need to retain me to assist with the matter.

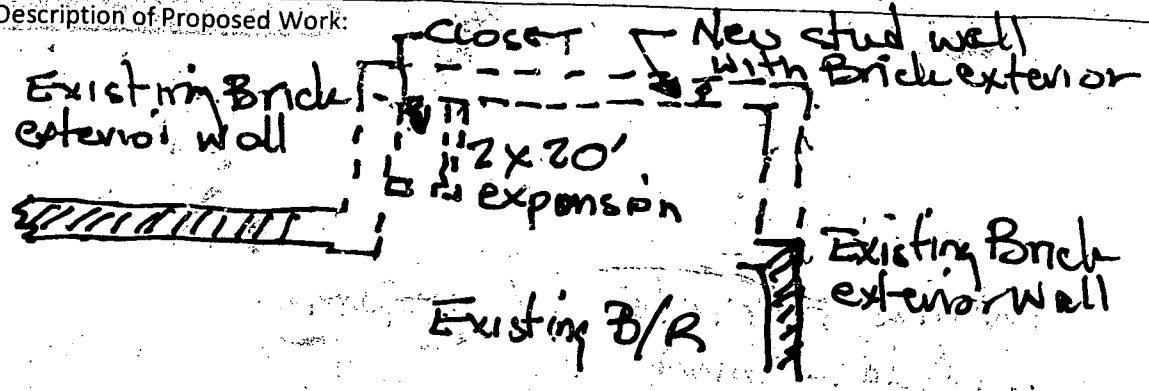
I have also considered your dispute with the City of Greenville and its refusal to allow you to visit City Hall. I agree Greenville's actions are troubling and could be an infringement upon your rights as a citizen and resident of Greenville. However, I do not believe I can be of any assistance to you. I would encourage you to schedule a meeting with Bob Coler as requested to see if this dispute can be resolved quickly and efficiently. I wish you the best of luck and hope you are enjoying the holidays.

Sincerely,

J.J. Andrighetti

Enclosure

*Brief Description of Proposed Work:



Proposed "Bump Out"
Not to Scale

Judge Mather Raymond Newby Jr.
handwritten of designs - and manufacturing
the numerous building Dept home owner
requirements' for his building permit.
all city requirements' submitted to City
Hall were all in Judge Newby Jr. hand-
written. I was only allowed to sign my signature
on blank pages.

CITY OF GREEN

ATION FOR SINGLE-FAMILY SITE PLAN PERMIT
PAGE 2 OF 14

Rev. 2/26/2016

Thomas Raymond Reisch
architect