

The South Carolina Court of Appeals - Columbia, Richland County, et al.

August B. Kreis, III, 365998 } Co No 17-CP-28-131 & 17-CP-40-1181 & Lexington & 3:17-344-TCU & 3:11-
 Prose 504/ADA-Double Computer } 644 & 3:16-3731-Forged & 1:17-414 & 413-J. E. Peake-Forged-N. Car. to trans

-15-

- 1. Don Johnson, et al) Prose seeks to file an intent to appeal Def. J. C. Manning form
- 2. R. M. Ruder, et al) order attached of (7-24-17) issued illegally by conspiracy-Racism
- 3. J. D. Lockney, et al) after seeing & hearing he was to recuse for his past conspiracy
- 4. H. W. McFadden, et al) felony acts, & for court to waive costs, because Depts. & judges
- 5. W. H. Davidson, et al) Manning & McFadden committed frauds-perjury-criminals-
- 6. J. C. Manning, et al) Conspiracy acts, & fees were waived in lower courts, also that
- 7. A. M. Wilson, et al) should follow into appeals, & order gotten (7-29-17 at 1:30 PM
- 8. V. H. Hunter, et al) from Kershaw-Manning Def. since 2007 with Dep.
- 9. R. M. Dennis, et al of 5,000)
- Conspirators-Aiders;)
- Defendants;)

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SC Court of Appeals

1. Prose seeks an intent to appeal of his cases above by (felony-Criminal-perjury-Bias-Racism-
 Frauds) acts, were committed upon the courts & Prose's cases, to conceal the issues in his appeals
 2015-002340 No. 21 therein; that Depts. R. M. Ruder & his offices, & 107 State & 207 Fed. Judges & Atty. Gen.
 & U.S. Atty., et al are involved in to stop lawyers, inmates, news medias, public, from finding out ab-
 out; therein of Rod's cases that affects 39 million Fin's in So. Car. & 5 billion nation-wide 17-CP-40-
 05202 & 05372 & 03-4328 & 10-CP-37-1446 felonies which were done on Prose's cases &
 2. Prose seeks leave to file his appeals within 30 days or less, & to seek waivers of fees, because he's indi-
 gent & has to get proof, or court can get it from Depts., SCPC, or Clerk Hasty, or H. C. Brice & R. L. Blume &
 fees were waived in courts & seeks for court to appoint him a street lawyer to ensure he has fair
 proceedings & to stop depts. conspiracies & Prose doesn't know the laws nor how to file in the court
 properly, & any reliefs court sees needed.

Respectfully Submitted,
 August B. Kreis, III, #365998

Perry Conn. Ind. AU-193A / 430 Oakdown Road / Pelzer, South Carolina 29669-9363

"Certificate of Services"

3. Prose certifies he served Depts. Atty. W. H. Davidson, & Briggs-Depts them selves @ P.O. Box 8568 Coln, SC
 29201, & Clerk Hasty @ P.O. Box 1557 Camden, So. Car. 29020, & A. M. Wilson & Hunter @ P.O. Box 11549 Coln, SC
 29211 & Clerk J. A. Kitchings @ P.O. Box 11629 Coln, SC 29211, one copy of Intent to Appeal 17-CP-28-131,
 et al, on (7-28-17) of 6 pgs. from address above by Ms. Merchant-Mail Dir. & sworn to under penalty
 of perjury on True (18-115C-1621-1622-1623-1747) & by US/5 mach. postal Mail & Inter Agency.

Dated: 7-27-17

Respectfully Submitted,
August B. Klein, III, #365998

Dear Clerk Harty, see your letter on another 2 pgs to file to set aside Mannings Order

Thanks, A-K

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

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2017-CP-28-131

August B. Kreis III

2017 JUL 24 AM 10:19

Dan Johnson
David Ross
C Samellos
Leon Lott
Diker

David Johnson
S Mayes
D V Mayes
Mark Keel

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: _____
- STAYED DUE TO BANKRUPTCY**
- 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:

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk: _____

Motion Granted

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)

ATTEST True, Correct & Certified
Copy of Original on File in this
Court

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 computed or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge

August B. Kreis III

Judge Code

2061

Date

7-24-17

For Clerk of Court Office Use Only

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on, to attorneys of record or to parties (when appearing pro se) as follows:

August B Kries III Perry Correctional Institute ALU-193 A
430 Oaklawn Rd Pelzer, SC 29669

William H. Davidson II PO Box 8568 Columbia, SC
29202-8568

Brandon Michael Briggs PO Box 8568 Columbia, SC
29202-8568

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Janet C Hasty - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

State of South Carolina Counties of Kershaw, Richland, & Lexington, Pal
Anderson & Greenville Divisions

August B. Kreis, III, 365-998 } 9A No. 17-CP-28-131 + 17-CP-40-1181 + Lexington, 7-3-17-344-726 + 3-11-646
Prose 504/Non-double amputee } 7-3-16-3731-JFA, forged. A Suppl-Amended to all new ones to be
-45- } filed; Motion-Mandamus to set aside Def. Manning's illegal con-

Sam Johnson, et al. of 5,000 } Conspiracy-bribed-Racism (7-24-17) by conflict exists & he refused
H.C. Manning-Deft. Conspirator } to recuse once he saw the (7-24-17) Recusal 2 pg. Motion, & by he
R.M. Rudek, Hoekmey, et al } failed to wait 10 days for Prose to reply to Deft. Motion to Dismiss
Defendants: } & failure to enter defaults for Prose, issued it on a Sham-Fraud
} Perjury of depts.
(Def. Manning violated Rules-Laws of Court, wait 10 days to issue order)

1. Prose seeks to Suppl-Amend. his cases by Motion-Mand. to set aside Def. H.C. Manning-Conspirator-
Racist-since Oct. 2, 2003 in 03-CP-40-4328-J-Rock cases, raised in Motion-Mand. for him to recuse,
by he's had already join Defts. Davidson, Briggs & Johnson & R.M. Rudek & G.D. Hoekmey, & Keeley, &
G.H. Teal, & A. Mililich, & V.A. Klumtorgs-Atty. listed on 2 pgs. (7-24-17) Recusal, hastily filed, & Manning
& Davidson read & Prose, & she served them 176 pgs. & 7 pgs. of J-Rock-for Judge O.R. Kee to hear & trans-
fer 9A-14-CP-40-05372 + 14-05222 + 03-4328 + 10-CP-1446 to N.C. Fed. Ct. juried. out of hands of forgers &
depts. & bribes of judges & lawyers same as Prose sought 1:17-414-NCT-J.E. Prose & 4:17-413-NCT-J.E. Teale-forged
See; Lilla, 542 F.2d 56, 58 (8th Cir. 1976) 455(b)(5)(i) No judge should hear these own case not if they are rac-
ist, bias, out for revenge, or out to cover up their & depts. felonies or have been bribed or joined depts. conspir-
ators, it's mandatory recusal & transfer cases) Prose incorporates his Recusal of (7-24-17) into this motion
to support it;

See; Tittling, 235 F.3d 330 (7th Cir. 2000) 60(b)(4) & (5) Allows setting aside void-racists, Sham-Fraud-
Conspiracy-bribed orders-by these acts;

See; In Re Keweenaw Data-Tech. Inc., 204 F.3d 1624 (4th Cir. 2000) Fraud by judges allows reopening &
setting aside judgments.

See; Meel, 88 S.E.2d 768 (S.C. 1995) S.C. Code 15-13-440(b) & (7) A Sham order is one that's good in form but
false in facts, & not issued in good faith or by unsworn-bribed-conspirator, see & Court has to strike
it from the record & enter judgment for Prose;

2. & Def. Manning failed to wait 14 days so Prose could reply to the Sham piece of (7-24-17) fraud Memoran-
dum Reply to dismiss by depts. Prose had 10 days to reply & 3 days mailing time & did so (7-24 out 7-27-17 of
12 pgs.) by U.S.P.S. Trackers 9114-9012-3080-3077-3572-06 + 13 + 20 + 90, & sent 2 inter-agency to F.S. Potts (SFAA)
& A.M. Wilson-A. Gen. 7-27-17 by Ms. Cornwell Mail staff which I incorporate into this motion to set aside
the 176 pgs. of (7-24-17) served depts. Manning & Davidson.

See; Bray, 113 S.Ct. 753 (1993) 1985(3) KKK not codified in it, & reaches all persons involved in conspir-
acy, no one escapes it) & Manning a black & did the very thing the Klu Klux Klan was accused of-

Racisms - Conspiracy to harm Prose & J-Rock to cover up Prose Appeals 2015-002340- No. # 21, pg. 22 onwards in Recusal 2 pgs. 173 to 176 of 176 pgs, he read & sought revenge & coverup, see J.W. Mc Bride 14-CR-40-05222 & 05372 & 03-4328 Uhy, of his & depts. felony acts.

See; Hunter, 366 S.E.2d 44, 46 (Ct. App. 1988) Fraud by Judge & depts. upon the court which does or attempts to subvert the integrity of the Ct. itself, so the judicial process can't perform it's duty, allows setting aside judges & reopen the case, see the fraud by depts & judges (6-8-17) & (7-24-17) in Prose's Oral Argument put up in writing. &

3. Prose still seeks for Judge B.R. Lee, or Miller, or J.R. Kenard, to hear his cases, as J-Rock sought & slaty filed & served (7 pgs) of (161 to 167 of 176 pgs) (7-24-17) on Davidson as (6-8-17) was served on Briggs, & to do so immediately - speedily by conflict exists with Manning. &

4. Prose objects to form order & no finding of Finding of Facts Order issued as this day Manning did in J-Rock 03-4328 Mandamus suit Nov. 2, 2003 & more has been issued to date in any of his 14-0532 & 05222, by depts. bribing judges & judges seeking to cover up theirs & others felonies, S.C. Code 16-7-340 (2) (a) (2003) Applies & Prose still seeks a finding of facts order by a neutral - non-dept. judge & for that judge to reopen & set aside Mannings & McStaddin's void-sham-illegal-bribed orders.

See; Baker, 305 F.3d 284, 290 (4th Cir. 2002) also, Hutchinson, 994 F.3d 1076, 1081 (4th Cir. 1993) (Under Rule 60(b)(3) & (4) & (5) & (6) Fraud upon or by Ct. allows setting aside judges & new hearing is mandatory);

See; Laby, 594 S.E.2d 478 (S.C. 2004) All judges have inherent power to set aside judges gotten by frauds & misleading, at any time thereafter;

See; Cantrell, 529 S.E.2d 528 (S.C. 2000) Ct. has to correct error of law done by conspirator-aiders; Judge of Mannings & McStaddin & Lockmey;

5. Prose prays neutral Judges Lee or Miller or Kenard will hear this within 5 days or less to stop depts. conspiracy-fraud-felony acts.

See; Green, 36 S.E.2d 4 (S.C. 1897) 15-13-200 (10) Prose may obtain any relief appropriate) S.C. Code 15-30-390 & 490 motion have preference over all other motion) & Prose seeks it!

Respectfully Submitted
August B. Kreis, III, 365998

Dated: July 27, 2017,

"Certificate of Services"

6. Prose certifies he served depts. Atty. W.H. Davidson & Briggs & Hunter & Wilson & R.M. Ruder - all his depts. & Lockmey & Keeley, & McStaddin & Manning, & all depts. @ P.O. Box 8568 Cola SC 29201, & Clerk Slaty @ Kershaw City Ct. P.O. Box 1557 Camden SC 29020 & Clerk Kitchings @ P.O. Box 11629 Cola SC 29211, one copy to set aside illegal order of 6 pgs. on 7-28-17 by Ms. Merchant-M. Sir & sworn to under penalty of perjury as true, by (CISC-1621-1622-1623-1746) from above address & Prose Intent Appeals (6 pgs)

Respectfully Submitted,
August B. Kreis, III, # 365998

Dated, 7, 27, 2017

August B. Kreis, III, #365998
Lorry Co. Smt. AUU-193A
430 Oaklawn Road
Palmer, South Carolina 29669-9363

img

Inter-Agency

J. A. Kitchings - Clerk of Court
S.C. Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

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P.C.I. MAILROOM
LEGAL MAIL