

IN THE STATE OF SOUTH CAROLINA  
In The Supreme Court of South Carolina

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APPELLANT'S PETITION

SEP 22 2017

SC Court of Appeals

Case No. 2017-001902

Clarence B. Jenkins Jr.,

Appellant,

v.

South Carolina Department of Employment &  
Workforce, South Carolina Budget and Control Board, and  
Office of the Governor of South Carolina,

Respondents.

APPELLANT'S PETITION SUPREME COURT OF SOUTH CAROLINA  
FOR A REVIEW OF CONSTITUTION VIOLATIONS AND JUDICIAL RULE 501

1. Do The Supreme Court of South Carolina because of Statutory Violations which lies directly right before this COURT has immediate Jurisdiction ?
2. Did the Justice of Richland County Court of Common Pleas and Justices of South Carolina Court of Appeal violated Canon 1 through 3 of Rule 501 of Judicial Conduct which diminishes public confidence in judiciary and thereby does injury to the system of government under law?
3. Did Supreme Court of South Carolina required Alternative Dispute Resolution for all civil complaints filed in Richland County by ORDER of the COURT as stipulated by Rule 3 ?
4. Did Richland Count Court of Common Pleas and South Carolina Court of Appeals properly dismiss a case under 12 (b)(6) ?
5. Do immunity applies to government agencies of South Carolina when a government employee conduct acting outside of their scope is grossly negligence?

## ARGUMENT

Due Process under the 14<sup>th</sup> Amendment is guaranteed by The United States Constitution not just for the elite, wealthy and political association.

The un-fulfillment of the law stated by Rule 3 that govern the state of South Carolina as ordered by Supreme Court of South Carolina as the highest court is a Statutory Violation and Canons of Rule 501 of Judicial Conduct.

Richland County Court of Common Pleas has stated as of record that Alternative Dispute Resolution was completed as of October 1~~2~~, 2015 and affirmed by South Carolina Court of Appeals. Alternative Dispute Resolution was never held or completed by Richland County Court of Common Pleas as ORDERED therefore denying due process under the law and certifying false records.


The Fourth Circuit of Appeals that govern South Carolina Court of Appeals and United States District Court has ruled that dismissing a case for failing to state a cause of action when sufficient facts are presented does not meet the standard.

The state of South Carolina has a TORT CLAIMS ACT that allows actions of a lawsuit when a government employee conduct acting outside of their scope to be grossly negligence. Appellant provide sufficient written factual verifying evidence surpassing Dismissing a case under Rule 12(b)(6).

Appellant has been directly affected by the actions of the Justices of S.C. Court of Appeals by unfair rulings to deny justice which is evident in this case and Appellate Case No. 2016-000598. Appellant provided S.C. Court of Appeals documentations after documentations verifying submission but by deceptions of Respondents were rejected. Respondents in Case No. 2016-000598 has filed a Return dated August 14, 2017 having no objection to their inclusion in the Record On Appeal by Appellant. Appellant filed A Declaration in Appellate Case No. 2015-002356 regarding the actions of the unfair rulings and bad acts of Justices at S.C. Court of Appeals with Appellate Case No. 2016-00598. Respondents in Appellate Case No. 2015-002356 filed another return dated September 15, 2017 that reads like a signed guilty confession as to their deception to S.C. Court of Appeals. The actions of Respondents in Appellate Case No. 2015-002356 and S.C. Court of Appeals has been nothing short of pure harassment and financial burdensome to Appellant. The actions of S.C. Court of Appeals Justices which verifies an unfit for the office of judicial duty with a disregard for facts, rules and the law.

WHEREFORE, Appellant seeks a review and reversal due to violations of Judicial Rule 501.

September 21, 2017



Clarence B. Jenkins Jr.  
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### Clarence B Jenkins Jr vs SC Department of Employment Workforce

|                      |                          |                   |   |                    |                       |
|----------------------|--------------------------|-------------------|---|--------------------|-----------------------|
| Case Number:         | 2015CP4003112            | Court Agency:     | Richland County Common Pleas              | Filed Date:        | 05/21/2015            |
| Case Type:           | Common Pleas             | Case Sub Type:    | Use 370 or 380                            | File Type:         | Jury                  |
| Status:              | Appeal                   | Assigned Judge:   | Clerk Of Court C P, G S, And Family Court |                    |                       |
| Disposition:         | Dismissed per Rule 12(b) | Disposition Date: | 10/12/2015                                | Disposition Judge: | Cooper, G. Thomas Jr. |
| Original Source Doc: |                          | Original Case #:  |   |                    |                       |
| Judgment Number:     |                          | Court Roster:     |   |                    |                       |

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| Name                   | Description  | Type   | Motion Roster | Begin Date           | Completion Date      | Documents |
|------------------------|--|--------|---------------|----------------------|----------------------|-----------|
| Jenkins, Clarence B Jr | SC Court of Appeals Order denying petition for rehearing     | Order  |               | 08/25/2017<br>-09:01 |                      |           |
| Jenkins, Clarence B Jr | ADR/Alternative Dispute Resolution (Workflow)                | Action |               | 12/17/2015<br>-15:03 | 10/12/2015<br>-15:03 |           |
| Jenkins, Clarence B Jr | Filing/Notice of Appeal                                      | Filing |               | 11/25/2015<br>-11:21 |                      |           |
| Jenkins, Clarence B Jr | Filing/Notice of Appeal                                      | Filing |               | 11/16/2015<br>-16:42 |                      |           |
| Jenkins, Clarence B Jr | Order granting defendants' motion to dismiss                 | Order  |               | 10/12/2015<br>-11:42 | 10/12/2015<br>-11:42 |           |
| Jenkins, Clarence B Jr | Form 4 Order Plaintiff's motion to compel defendant's to ans | Order  |               | 09/15/2015<br>-15:37 | 10/12/2015<br>-15:37 |           |
| Jenkins, Clarence B Jr | Roster/Notice of Motions Roster Publication Sent             | Action |               | 08/14/2015<br>-11:51 | 10/12/2015<br>-11:51 |           |
| Jenkins, Clarence B Jr | Roster/Notice of Motions Roster Publication Sent             | Action |               | 08/14/2015<br>-11:51 | 10/12/2015<br>-11:51 |           |
| Jenkins, Clarence B Jr | Roster/Notice of Motions Roster Publication Sent             | Action |               | 08/14/2015<br>-11:51 | 10/12/2015<br>-11:51 |           |
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|                        |  | Action |               |                      |                      |           |