

STATE OF SOUTH CAROLINA
In The Supreme Court

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OCT 27 2017

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Hon. George C. James, Jr., Circuit Court Judge

Supreme Court Appellate Case No: 2017-001890
From
Op. No: 2017-UP-249 (SC. Ct. App. file June 21, 2017)

Charles Taylor

Petitioner,

v.

Stop "N" Save, Inc., d/b/a, El
Cheapo Plus #7 and Roy Rahal,

Respondents,

PETITIONER'S CERTIORARI REPLY
TO RESPONDENTS' RETURN

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Certiorari Petitioner's Reply to Respondent Rahal's Return

Petitioner reasserts here all of what is asserted in the *initial* certiorari petition verbatim entirely in Reply *here* to Resp'd. Rahal's Return and will add for clarity that he-Petitioner-never brought a "*direct negligence claim / action etc.*" against Stop "N" Save, Inc., d /b / a, El Cheapo Plus #7 and Roy Rahal (*hereinafter "Rahal" because he spoke for them all R. pp. 824 L.20-25 & 825 L.1*) as asserted by Rahal w/ intent to mislead the court astray *i.e.* Petitioner brought a direct negligence claim against him; but the truth is, *correctly stated*, he-Petitioner, brought a "*vicarious negligence & iied liability claim /action etc.*" against him (R. p. 30 last para. #24) *the only kind petitioner could bring re the facts of the case in the initial certiorari petition p.2-3*;

Thus Petitioner's argument-s etc. related to vicarious liability & "The Graves Amendment" are [**vicarious** liability questions] & not direct liability questions because it was never nor could it be claimed that Rahal came out to Petitioner's property and did anything directly, he didn't, so it could be no other than a "*vicarious liability claim / action etc.* brought against Rahal---**for**---his admitted illegally renting Reginald Morton his / their U-Haul truck with---knowingly---no driver's license intentionally et al. etc. (R. pp. 36, 39, 210 L.3-5 & 211 L.13-15) & *gross negligently i.e. illegally etc. re p.2 in the initial certiorari petition, with which truck, Reginald Morton* came to Petitioner's property & committed the said house & iied et al. resulting damages, all of which damages combined Rahal was vicariously sued for and he, Rahal, invoked the "*Graves Amendment*" as his supreme defense to avoid paying for Reginald Morton's damages, who had jumped SC Bail north somewhere in Maryland (R. pp. 36-39 & 950) & all the foregoing is why Judge Young at Rahal's 6-2-14 1st summary motion hearing wouldn't grant him such request *i.e.* to be dismissed from the case (R. p. 30 last para. #24) and (R. p. 26 Judge Young's Form Motion Order) with Rahal

claiming the same line then & since, that he can't be held liable for the damages Reginald Morton caused the Petitioner because he is protected by Federal Law *i.e.* by "The Graves Amendment", notwithstanding his negligence and criminal wrongdoing conduct admitted under the penalty of perjury on p.2 in the initial certiorari petition, which conduct led to Petitioner's house destruction & iied et al. resulting damages /losses re in initial certiorari petition, although by Reginald Morton;

Because-but for-Rahal's well documented and admitted illegal actions heretofore stated numerous times--but for that--none of what occurred would /could have occurred because no one would / could /legally rent Reginald Morton a truck with no driver's license let alone a mega tons moving truck & Rahal knew it, again, by his very own, under the penalty of perjury admissions, *re bottom p.6 in initial certiorari petition how abundantly*, & Petitioner argued then & since that he, Rahal, cannot dodge vicarious liability *i.e.* paying for Petitioner's damages / losses (all of it) for all the said reasons above. If this court affirm that Rahal is **so** protected re the facts of the case in the initial certiorari petition p.2 & the actual Graves Amendment text p.4 in the initial certiorari petition, then Petitioner concedes the case to Rahal, or Petitioner wins if otherwise;

Because all else is Rahal admitted--by him--under the penalty of perjury re p.2 in initial certiorari petition, which "Graves Amendment" properly raised & before the court etc., since Rahal 1st invoked it as his supreme defense *i.e.* for summary judgment against, Petitioner's vicarious iied & negligence liability suit against him, but the Appellate Court did not explicitly address the issue but should have as stated in the initial certiorari petition & thus the reason for seeking certiorari as Petitioner's question presented for this court's review clearly meets SCACR 242(b)(1)(5) etc. by far, *but Rahal's does not except as a derivative / subsidiary question*, for reasons stated above & in Petitioner's initial certiorari petition, which review will clarify all misinterpretations not only in this case but inevitably in others to follow re what kinds of conduct "Graves" protects and don't;

Because Rahal's question presented in his return, although worded differently for obvious reasons, and although it don't satisfy SCACR 242(b), & even though it's a legitimate question, it still though is no more than just a derivative question at best of the supreme "Graves Amendment" question *i.e.* Federal Law 49 U.S.C. 30106 (a) (2) (2005), which begs explicit addressing which the Appellate Court failed to do but should have in its 6-21-17 Opinion or in its Rehearing 8-18-17 Order, and thus the reason-s why Petitioner seeks certiorari review; and on Petitioner's supreme "Graves Amendment" question presented for this court's review, Rahal & Petitioner are *really* in agreement but differs widely on each's interpretation of it;

Because Rahal basically reads the "Graves Amendment Law" 49 U.S.C. 30106 (a)(2)(2005) *Petitioner would argues disingenuously* but nonetheless to stand for the proposition that basically anyone can commit the kinds of wrongdoing, negligent, criminal conduct as he in p.2 in the initial certiorari petition & when sued (*or worse criminally prosecuted esp. re the forgery sc 16-13-10*) invoke the "Graves Amendment" as a "*getaway clean with it defense*" which as it presently stands he has done and will forever, barring certiorari review, **but** Petitioner reads the "Graves Amendment" to basically stand for the proposition that, no, you can't commit such wrongdoing, negligent, criminal conduct causing-leading etc. to such damages as referenced in initial certiorari petition p.2, & then escape w/all of it scot-free simply by misinterpreting the "*Graves Amendment*" as *something of a wrongdoing criminals' getaway vehicle, a kind of get out of criminals' liability free card---that's not what Congressional Federal Mandate of 49 U.S.C. 30106 says it's for, but just the opposite;* which 2 interpretations this court is now asked *via* this certiorari petition to clarify *i.e.* lay down the law of the state on, as it interprets it re the 2 above interpretations of the "Graves Amendment" *a novel* federal / state question of public interest law, henceforth, for our State of South Carolina;

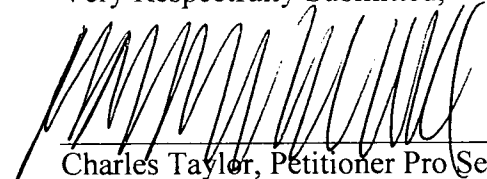
¹ Rahal may face criminal charges after S.C. Attorney General and United States Attorney investigation *esp. re the case forgery sc. sec. 16-13-10 et. al. criminal conduct re in initial certiorari petition on p.2 etc.*

Finally, Rahal in his long 12 p. return said not one word about his admitted criminal chief crime among all the others re the forgery p.2 in the initial certiorari petition wrongdoing not at all mention in his return as to why he was *vicariously sued* in the first place but that instead--he, Rahal goes *on & on & on* basically as to why he should be allowed to getaway with his wrongdoing, negligent & criminal conduct etc. unscathed & *all other's like conduct to follow* wanting this court to ensure that result by denying certiorari review here, in which review he-Rahal-might still prevail, so it's hard to see why he's so opposed to such a review by this court, it seems he would welcome it, if he has faith in his interpretation per above as he has argued, and just to be clearer, Petitioner admits the "Graves Amendment" outlaws vicarious liability where there's no negligence or criminal wrongdoing conduct like Rahal's here *the statute is clear* precisely why Rahal is not protected as he claims but yet he seems afraid of this court's review of the said question-issue, but in any case;

For all of the foregoing reasons, and including in the initial certiorari petition, and most specifically because Petitioner's question presented for review satisfies SCACR 242(b) & more specifically (b)(1)(5) etc., & Rahal's does not, and thus Petitioner thus argues his petition should be granted certifying his question presented for review & he prays for same from Supreme Court.

October 25, 2017
Sumter, South Carolina

Very Respectfully Submitted,



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² Under no circumstances or scenario should Rahal be allowed to prevail re his criminal et al. such conduct etc. in this case esp. in the initial certiorari petition on p.2 because if he prevails he will no doubt see that as condoning justifying &/or ratifying his admitted criminal wrongdoing & accordingly invite more of the same to come hereafter, unless Rahal is charge indicted prosecuted after investigation as expected re his admitted crimes, all Petitioner believes, as it is quite baffling and a wonder he, Rahal, has prevailed up to this Court given his bold criminal admissions et al. such etc. conduct that is so well documented and undisputed in the record in this case, and with Rahal having such unclean *criminal* hands, *see, Matrix Adv. Sh. No. 32 at 42; "A party cannot violate the law & expect not to bear the consequences of their actions, this court will not grant a discretionary remedy to a party who has refused to follow the laws of this state—Chief Justice Toal.*

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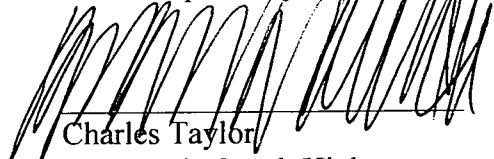
CERTIFICATE OF FILING AND SERVING

Petitioner certifies he filed to the Clerk of this Court 1 unbound & 6 bound (7 total) copies of, Petitioner's Certiorari Reply to Respondent's Return, by depositing same in U. S. Mail on date below & copy same to Resps.' counsel address below, on same date by U.S. Mail.

Sumter, South Carolina
October 25, 2017

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