

david duren

#181965 WANDO C-264

LIEBER C.I. P.O. BOX 205

RIDGEVILLE, S.C. 29472

RECEIVED

NOV 08 2017

S.C. SUPREME COURT

IN RE: CASE 2017-000605

TO: THE S.C. SUPREME COURT,

PLEASE DO NOT REGARD THIS AS HYBRID-DEFENSE SINCE THE ISSUE OF WHO IS LEGAL COUNSEL IN THIS CASE IS NOT FULLY RESOLVED. I AM CHALLENGING THE ORDER PRODUCED BY THE S.C. SUPREME COURT SEEKING LEAVE FROM THE 4TH. CIRCUIT TO APPEAL IT WITHIN THE CASES REFERRED TO WITHIN THIS ATTACHED (15) PAGE DOCUMENT. A COPY OF THE PLEADING IS SERVED UPON THE S.C. ATTORNEY GENERAL AND ATTORNEY CAUDY TO INCLUDE THE 4TH. CIRCUIT AND ALL INVOLVED PARTIES. PLEASE FILE IT TO PLACE UPON THE RECORD MY INTENT TO SEEK LEAVE TO APPEAL THE ORDER THAT WAS ISSUED BY THE S.C. SUPREME COURT DENYING MY MOTION TO RELIEVE STATE APPOINTED COUNSEL. THANK YOU.

RESPECTFULLY,

david duren

David Duren

OCTOBER 27, 2017

State of South Carolina
In the Supreme Court of

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NOV 08 2017

Appeal from Sumter County
Judge Newman, Presiding Judge

Appellate Case 2017-000605

David Duren et al,

Appellant(s)

vs.

State of South Carolina et al.,

Respondent(s)

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Affidavit of Service

I, David Duren et al, do hereby certify that we have mailed and or served a copy of our Affidavit of Facts giving Judicial Notice (Notice Seeking Leave to Appeal and motion to motion) therefore on the SC SUPREME COURT, THE 4th CIRCUIT, THE U.S. DISTRICT COURT, THE SC ATTORNEY GENERAL, ATTORNEY CAUDY et al by US mail postage prepaid on October 27, 2017. It is deemed filed on that date, Houston v Creek, 2017 US 266, 273-76, 100

SCT 2379 (1988). Placed in box Friday
to sit over WEEKEND.

Respectfully,

David Duren

David Duren

October 27, 2017

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STATE of SOUTH CAROLINA
IN THE SUPREME COURT Et. AL.

APPEAL FROM SUMTER COUNTY
JUDGE MUELLMAN, PRESIDING JUDGE

APPELLATE CASE 2017-000605

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DAVID DUREN Et. AL.

S.C. SUPREME COURT

APPELLANT(S)

VS.

STATE of SOUTH CAROLINA Et. AL.
RESPONDENT(S)

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affidavit of facts giving judicial
notice, notice seeking leave
to appeal filed motion to motions
therefor

To the SC SUPREME COURT,
the 4th circuit court of
appeals,
the SC U.S. District General,
Attorney LARA MARY CAUDY
et al.

HERE the 4th circuit in cases

17-6693 | 17-6925 | 17-6960 | 17-7139 |
17-7137 | 17-7134 | 17-7068 | 16-2299 |
17-7183 et al, will find:

(1) A copy of the ORDER ISSUED
by the SC SUPREME COURT dated
October 20, 2017. IT WAS RECEIVED ON
October 25, 2017 giving me, David
Duren, (4) days to SEEK LEAVE to
APPEAL this ORDER making me et al,
timely. Rule 4(d) of Appellate Court
RULES ATTACHES. I want a copy of
the outside front of the ENVELOPE
filed within the 4th circuit to show
60815

when it reached the 4th circuit
make a part of the court record
to prevent any unjust delay. In
David Duren and OR the petitioners
of the parallel cases listed seek
leave to appeal this attached order
from the SC SUPREME COURT within
all cases previously listed pending
within the 4th circuit. normally
the 4th circuit would not have
jurisdiction over a state case at
this juncture but circumstances exist
that would dictate otherwise. On its
face it appears as a state case but

70815

PRESENTLY it is not. CASE 2017-000605
IS PETITIONED REMOVED TO CASE 2017-CV-
027-JMC-MGB AND THE OTHER PARALLEL
CASES ESTABLISHING THIS CASE AS A
FEDERAL CASE RELATED TO THESE APPEALS
WHERE NO REMAND ORDER EXIST. THE
ORDER ISSUED WITHIN THIS STATE CASE
WAS ISSUED TO SUBVERT THE FEDERAL
COURT WHICH INCLUDE THE 4TH CIRCUIT'S
JURISDICTION OVER THESE MATTERS PENDING
WITHIN THE 4TH CIRCUIT. THEREFORE,
WE ARE SEEKING LEAVE TO APPEAL IT
WITHIN ALL CASES AFORE LISTED. THE
SC SUPREME COURT'S JURISDICTION IS
DIVESTED UNTIL THIS MATTER IS HEARD.

(2) The court will find: A copy of the affidavit of service and affidavit of facts giving judicial notice, motion to terminate state appointed counsel due to fraud upon the court(s), criminal conspiracy and obstruction of justice, petition to remove and motion to motion therefor, (16) pages dated September 4, 2017.

This document is submitted as evidence to further prove and substantiate that we meet the criteria established by Ross v. Blake.

136 S.Ct 1850 (2016) and also substantiate why we sought leave to appeal the order from the SC SUPREME COURT due to their efforts to cause a detrimental effect upon the parallel appeals presently pending as is argued within the (6) page document. To prevent any irreparable damage to our pending appeals within the 4th circuit. I and the petitioners felt it best that we add a disclaimer of caution we add it to the appeal since the order is void due to removal and it was issued to subvert the

4th circuit's jurisdiction.

To: Attorney LARA MARY CAUDY
The SC Attorney GENERAL and
The SC SUPREME COURT with all of
its JUDGES. This document is also
submitted in lieu of service of
a document entitled, "Affidavit of
Facts Giving Judicial Notice / Filing
Writ of ERROR / motion to Amend
PARTIES / motion FOR RECUSAL / motion
to REINSTATE CASES 17-7068 and 17-
7186 et al / motion to stay cases
17-7139 / 17-7134 / 17-6925 / 17-7068;
110815

17-7137; 17-7186; *** (10) pages dated
October 5, 2017. By this document
~~sent~~ on you via the 4th circuit. I,
David Duren already have legal counsel
appointed in the form of the Fiduciary
Heir. The SC Attorney General was
~~sent~~ this document through case
17-6960. The SC Attorney General
is ~~required~~ to see that a copy of
this document is filed with the SC
Supreme Court. Attorney cauld
I am giving you notice. The SC
Supreme Court is in error. I already
have counsel in the form of the
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Judiciary their, By law you are
REQUIRED to obtain a copy of the
70 PAGE document and see that it
is filed in case 2017-000605. Please
do so because structural error now
exist that voids the SC SUPREME
COURT of JURISDICTION WHERE I HAVE
BEEN ALSO DEPRIVED COUNSEL OF CHOICE
in violation of the holdings made
in United States v Gonzalez-Lopez supra;
Mendoza v Uruguay, 389 US 120, 134, 88 S Ct 254 (1968)

Even though the right to counsel of
choice is not absolute, it becomes
absolute by the 70 PAGE document

in question. This requires you to obtain a copy from the 4th circuit in the cases above listed Attorney Cady and see that it is filed with the SC SUPREME COURT. SC SUPREME COURT you are required by due process law to obtain a copy. This document is submitted in lieu of service of the 10 page document, giving you notice of its existence and significance requiring you all to obtain a copy electronically from the 4th circuit and ensure that it is filed within case 2017-000605 for purpose of

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~~EXERCISING~~ my constitutional right of
counsel of choice established by contract
protected under Article 1 Section 10 of the
US Constitution where the issue of who
is legal counsel over these cases is
before the 4th circuit divesting the
SC SUPREME COURT of jurisdiction on
this issue. I demand of all to produce
your writ of commission or oath of office
that would allow you to violate Article
1 Section 10 of the US Constitution and
the superseding Attorney, Judicial and
legislative authority of a Foreign Fiduciary
their and sovereign.

October 27, 2017

Respectfully
David Duren
David Duren

LSOFLS