

RECEIVED

NOV 08 2017

SC Court of Appeals

In the South Carolina Court of Appeals - Columbia

August B. Kreis, III, 365998
Prose 504/ADA Double Amputee

9A No. 2015-00

(A Supplemental Amended to Appeals)

- VS -

The State - Allan M. Duder,
F.M. Duder, of, 6,030

Writ of Mandamus to remove Ref. Duder off Prose's
appeals, he & his office are depts. in lawsuits 17-CP-40-1181 &
17-CP-28-131 & 3, 17-344-Trial-JPG, & he hired William
H. Davidson - Atty. to handle his suits before the Court
now on 2-appeals & conflict exists.

conspirators - aiders, &
Dan Johnson - Sol. et al.

Defendants:

(first Mandamus)

1. Prose, A. B. Kreis, III, seeks a Mandamus declaratory injunction order to remove Duder & his office off Prose's appeal, by there was & still a conflict with him & all his staff & co-lawyers there; & for Court to appoint a street lawyer to handle Prose's appeals so all his (Prose's Memorandum Brief issues) will be argued & raised, that Duder & Atty General Hunter are blocking; & appeals need transferred to judges A. L. Lee & J. E. Kinard & E. W. Miller, or to Nor. Car. Court of Appeals, or their Supreme Court, by the issues Prose raises against South Carolina judges, which are also defendants, & Ref. W. H. Davidson, is also depts. (see hereto attached pgs. as proof conflict exists)
- See; Lilla, 542 F.2d 56, 58 (8th Cir. 1976) 455(b)(5)(i) Mandatory recusal of judge who has interest in case, bias, is depts. or join into depts. conspiracies;
- See; Litaly, 510 U.S. 540 (1994) (Same) & rule § 144 & must transfer case;
- See; Wolabay, 609 S.E.2d 286 (S.C. 2006) 15-7-100 & 110 transfer of venue must be granted to ensure justice will be served & fair proceedings;
- See; Quick, 257 F. Supp. 252 (D.S.C. 1966) declaratory relief granted by S.C. Code 15-53-120 & 57 & doesn't matter if there are other remedies available;
- See; Strickland, 466 U.S. 668 (1984) Prose is guaranteed by the 6th Amend. to an atty. without a conflict & one that isn't a def. in their law suits;
- See; Tatum, 943 F.2d 340, 378-79 (4th Cir. 1991) Conflict of interest by Atty. tainted;
- See; Stein, 109 F.3d 392, 397 (7th Cir. 1997) Conflict exist by Atty. trying to keep a low profile due to agreement with Gov. & to conceal their own felony acts;
- See; Caylor, 446 U.S. 335, 350 (1980) Prose shows counsel was actively representing conflicting interests, Counsel must be removed & appoint another;

"Conclusion"

2. Court should grant the reliefs & remove Duder & his office, all are depts. & involved in (Number 21) of Prose's Memorandum Brief raised felonies back to 1993 forwards, he & they have kept covered up violating their oath of office professional conducts to report felonies, & not join into any conspiracies, murders, kidnappings, frauds upon the judicial system, which

(First Mandamus)

they + 6,030 conspirators - aiders or more have, + Prose prays court will grant reliefs speedily by Rudek got away with it too long!

Dated: 11-1-17

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

Perry Corr. Inst. ALU-193A / 430 Oaklawn Road / Pelzer, South Carolina 29669-9363

"Certificate of Services"

3. Prose certifies he served R.M. Rudek @ S.C. Commission on Indigent Def. Div. of App. Defense P.O. Box 11589 Columbia, SC 29211-1589, + V. H. Huntzgr. - A. Gen. @ P.O. Box 11549, Columbia, SC 29211, + Clerk Kitchings, one copy of 8 pgs. to remove Rudek + appoint new atty. on appeals, by M.O. Merchant - Mail Air, on Nov. 3, 2017, + sworn to under penalty of perjury as true by (18 USC 1621-1622-1623-1746) + by inter-agency mail from above address; + the second Mandamus of 2 pgs. to file it.

Dated: 11-1-17

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

RECEIVED

NOV 08 2017

SC Court of Appeals

In The South Carolina Court of Appeals - Columbia

August B. Kreis, III, 365998
Prose 504/ADA Double Amputee
-VS-

The State - Alan M. Wilson, of
69030 conspirator-aiders &
R. M. Ruder & V. H. Hunter, et al
Defendants:

CA No: 2015-002340-

A Supplemental Amend. to Appeal Writ of Mandamus to remove Defs. R. M. Ruder off Prose's appeals & set the appeal aside & hold until dem. & new counsel is appointed by conflict exists. (Hold in (ABEYANCE) & transfer Appeals.

(Second Mandamus)

1. Prose A. B. Kreis, III, seeks Mandamus to remove Ruder off his Appeals by he's a def. in Prose's law suits & he & Atty. Gen. Wilson & Hunter & state hired W. H. Davidson & so did Lexington def. & sol. & judges at Court of Appeals, & Keesley & Manning, & Lockmey, & McFaddin, see hereto with Mandamus for removal of Ruder & judges & transfer cases & to set aside & reopen any order Court may render in Nov. 2017 as Clerk Kitchings informed Prose (Oct. 31, 17) rec. (Nov. 3, 17); &

2. Prose notifies Court Ruder, nor Hunter, nor Kitchings, served him any Final-Brief-Def. Ruder or Hunter, may have filed illegally; & only Ruder returned his 54 pgs. serving him his notice of appeals in his suits rec. (10-31-17) acting like he isn't sued, when he is, & Hunter & above are trying to cover theirs & other felony crimes up. &

3. "Prose again demands Ruder be removed & his trash briefs from the Court docket," & appoint new non def. counsel, by Court can't allow nor force a def's Atty. in suits of Prose's upon him, to (cover up-conceal) his proven criminal conspiracy acts to frame by Defs. & (Aiders-Conspirator-Ruder) joined with all Defs. to stop his arrest & Defs. & suits that's to be before the Court since (); See; Strickland, 466 U.S. 668 (1984) There's a conflict of interest when Atty. operates under lawsuits filed upon counsel by one he/she is to represent & counsel then breaches the duty of loyalty & files improperly to keep (Prose-Plaintiff) in prison to block the suits, violating 6th Amend. & Rules of Court & oath of proff. conduct rules. See; Cylor, 466 U.S. 335, 350 (1980) Prose can demonstrate 6th Amend. viol. by showing defense or appeal counsel was actively representing conflicting interests);

"Conclusion"

4. Court should grant two-Mandamus & remove Nudel & Atty. Gen. all from Prose's Appeals - conflict-conspiracies exist with state & Fed. & Deps. to conceal felonies in appeals (Prose's Memorandum Brief No. #21 arguments Nudel refused to raise it nor any Constal. viols. & errors of laws Prose raised to stop his & his co-conspirators Atty. Gen. & 107 State & 207 Fed. Judges & 6,030 conspirators arrests, to allow such conducts to continue is a disgrace to the judicial process, which Prose prays court will correct & transfer to neutral Judges A. L. Lee & G. E. Kinard, & E. W. Hillers or North Carolina.

Dated: 11-3-17

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

Perry Cov. Smt. AU-193A / 430 Oaklawn Rd. / Pelzer, South Carolina 29669-9363

"Certificate of Services"

5. Prose certifies he served Deps. V. H. Hunters - A-G, & R. M. Nudel at addresses in hereto First-Mandamus, on (Nov. 7, 17) of 8 pgs, by Mr. Merchant-Hall Dir. by Inter-Agency mail & Clerk Kitchings, & sworn to under penalty of perjury as true by (18 USC-1621-1622-1623-1746) from above address

Dated: 11-3-17

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



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

October 25, 2017

Mr. August Byron Kreis, # 365998
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

Re: Your Case

Dear Mr. Kreis:

I received the documents you mailed dated October 9, 2017, which I am returning to you with this letter. I am unsure what the enclosed documents have to do with your case as they are pertaining to your civil case.

Sincerely,

Robert M. Dudek
Chief Appellate Defender

RMD/cp
Enclosure

Sept 17
131
AS

UNITED STATES DISTRICT COURT

for the

District of South Carolina

August B. Kreis, III, 504/ADA - Pro Se,

Plaintiff

v.

Civil Action No. 3:17-cv-00344-TLW

David Ross, Head Sol. over all So. Car. Sols.; David Johnson, Sol.- Richland Co.; Van Johnson, Sol.- Kershaw Co.; S. Mayes, Sol. - Assist., Lexington Co.; C. Samellas, A. Sol., Lexington; Head Sol., Lexington; Sheriff Lexington; Leon Lott, Sheriff - Cola.; Sheriff Kershaw; Mark Keel, SLED - Dir.; Dicker Advo. Center, West Cola.; Shannon Dykes, Detective for SLED & U.S. Marshals, Lexington Sheriff Dept.; Brooke Wymer, Social Worker, Dickerson Center; Erica Hrojas, interns; Colleen Corbin, Child Advoc.; Bruke Metz, deputy Richland Co.; Gaile Heath, SLED Agent; Heather M. Smith, L.P.C., Cola; Brandon Hudson, Kershaw Co. Sheriff Dept.; Michael Morris, Kershaw Co. Sheriff Dept.; Traci Bolt, Sergeant Lexington Co. Sheriff Dept.; Steve Knafele, Lt. Kershaw Co. Sheriff Dept.; Alvin S. Glen Center Jail; R.M. Dudek, Appel. Atty.; Robert Bank, Jr., Atty.; Alan B. Burnside, F. Pub. Atty.; J.K. DuBose, Atty. for Kershaw Co.; Beth Drake, Acting US Atty.; Robert F. Daley, A. US Atty.; L. Lynch, US Atty. General; A.J. Morgan, Jr., Assist. Atty. for Kershaw Co.; D.J. Miller & Wilson & Carson; Li H. Gunter, Jr., A.A. Gen.; U.S. Postal Dirs.; U.S. Marshals Dirs.; FBI-CIA-Homeland Dirs; A.M. Wilson, A. Gen.; B. Stirling, Dir.; S. Lewis, Warden; N.R. Haley, Gov. Ex.; H.D. McMaster, Lt. Gov. & Ex. A. Gen.; B. Obama, Ex president; W.N. Nettles, U.S. Atty.; All Defs. Bad Carriers; All Defs. Personal Insurance Carriers; All Unknown defs., 5000; Franks S. Potts, (SFAA) Atty.; Thomas E. Shealy, Atty.; Mary Eubanks, Victims Advocate, Kershaw Cty. Sheriff's Dept.; Tila Johnson, ALPHA Ctr. Staff; Shallia Belton, Kershaw DSS; Laradine Harrison, Kershaw DSS; Amanda S. Mueller, Esq.-Atty. for DSS; John Adams, (GAL) DSS; Thomas Neal, Esq. - Atty. for (GAL); Cahoon Blakey, Esq.-Pro Se's Atty.; Michael Visel, Kershaw DSS; Deanene P. Thornwell, Esq.- Atty. For Kershaw DSS; William D. Corbett, Mag. Judge Family Ct, Kershaw; I.A. Morris, Judge(14-DR-28-575); Colby Bryan, ALPHA Ctr. Staff; Donald Trump, U.S. President; J. Comey, F.B.I. Dir.; Leslie M. Coggiola, Discip. Counsel & Staff; William H. Davidson, Atty. & Firm; Sheila Farber, Kershaw DSS,

Defendants

9-12 22 28-38 78 10/A 38

AG

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

the plaintiff (name) _____ recover from the defendant (name) _____ the amount of _____ dollars (\$____), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

The plaintiff, August B. Kreis, III, 504/ADA - Pro Se, shall take nothing of the defendants, David Ross, Head Sol. over all So. Car. Sols.; David Johnson, Sol. - Richland Co.; Van Johnson, Sol. - Kershaw Co.; S. Mayes, Sol. - Assist., Lexington Co.; C. Samellas, A. Sol., Lexington; Head Sol., Lexington; Sheriff Lexington; Leon Lott, Sheriff - Cola.; Sheriff Kershaw; Mark Keel, SLED - Dir.; Dicker Advo. Center, West Cola.; Shannon Dykes, Detective for SLED & U.S. Marshals, Lexington Sheriff Dept.; Brooke Wymer, Social Worker, Dickerson Center; Erica Hrojas, interns; Colleen Corbin, Child Advoc.; Bruke Metz, deputy Richland Co.; Gaile Heath, SLED Agent; Heather M. Smith, L.P.C., Cola.; Brandon Hudson, Kershaw Co. Sheriff Dept.; Michael Morris, Kershaw Co. Sheriff Dept.; Traci Bolt, Sergeant Lexington Co. Sheriff Dept.; Steve Knafele, Lt. Kershaw Co. Sheriff Dept.; Alvin S. Glen Center Jail; R.M. Dudek, Appel. Atty.; Robert Bank, Jr., Atty.; Alan B. Burnside, F. Pub. Atty.; J.K. DuBose, Atty. for Kershaw Co.; Beth Drake, Acting US Atty.; Robert F. Daley, A. US Atty.; L. Lynch, US Atty. General; A.J. Morgan, Jr., Assist. Atty. for Kershaw Co.; D.J. Miller & Wilson & Carson; Li H. Gunter, Jr., A.A. Gen.; U.S. Postal Dirs.; U.S. Marshals Dirs.; FBI-CIA-Homeland Dirs; A.M. Wilson, A. Gen.; B. Stirling, Dir.; S. Lewis, Warden; N.R. Haley, Gov. Ex.; H.D. McMaster, Lt. Gov. & Ex. A. Gen.; B. Obama, Ex president; W.N. Nettles, U.S. Atty.; All Defs. Bad Carriers; All Defs. Personal Insurance Carriers; All Unknown defs., 5000; Franks S. Potts, (SFAA) Atty.; Thomas E. Shealy, Atty.; Mary Eubanks, Victims Advocate, Kershaw Cty. Sheriff's Dept.; Tila Johnson, ALPHA Ctr. Staff, Shallia Belton, Kershaw DSS; Laradine Harrison, Kershaw DSS; Amanda S. Mueller, Esq.-Atty. for DSS; John Adams,(GAL) DSS; Thomas Neal, Esq. - Atty. for (GAL); Cahoon Blakey, Esq.-Pro Se's Atty.; Michael Visel, Kershaw DSS; Deanene P. Thornwell, Esq.- Atty. For Kershaw DSS; William D. Corbett, Mag. Judge Family Ct, Kershaw; I.A. Morris, Judge(14-DR-28-575); Colby Bryan, ALPHA Ctr. Staff; Donald Trump, U.S. President; J. Comey, F.B.I. Dir.; Leslie M. Coggiola, Discip. Counsel & Staff; William H. Davidson, Atty. & Firm; Sheila Farber, Kershaw DSS, and this action is dismissed without prejudice.

This action was (check one):

tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

tried by the Honorable _____ presiding, without a jury and the above decision was reached.

decided by the Honorable Terry L. Wooten, Chief United States District Judge, presiding, adopting the Report and Recommendation of the Honorable Paige J. Gossett, United States Magistrate Judge, which recommended dismissing the action without prejudice.

Date: July 21, 2017

ROBIN L. BLUME, CLERK OF COURT

s/B. Goodman

Signature of Clerk or Deputy Clerk

10-12

23-28

23
23

13
A

For Clerk Kitchings & Nudel, & Hunter, et al.

Nov. 3, 17

9A No. 2015-002340

1. Please file & place before the Court to remove Nudel-Def. in law suits by conflicts exist; & acknowledge & reserve all parties; thanks, &

2. I received all the filings I sent you & copied to Nudel back from him, acting like he never hired Davidson & Firm on his suits I have on him, & said it had nothing to do with my appeals, man's crazy to think such. 8 eggs total.

11-1-17

Respectfully,
August B. Kreis, III, # 365998

Perry Corr. Inst. AU-193A / 430 Darlawn Road / Pelzer, South Carolina 29669-9363

RECEIVED

NOV 08 2017

SC Court of Appeals

AUGUST B. KREIS, III, 365998
PERRY CORR. INST. ALU-193A
430 OAKLAWN ROAD
PELZER, SOUTH CAROLINA 29669-9363

RECEIVED

NOV 06 2017

P.C.I. MAILROOM

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

RECEIVED

NOV 08 2017

SC Court of Appeals

LEGAL MAIL