

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM HORRY COUNTY  
COURT OF COMMON PLEAS

NOV 27 2017

SC Court of Appeals

BENJAMIN H. CULBERTSON, CIRCUIT COURT JUDGE  
APPELLATE CASE NO. 2017-001381

RICHARD B. LAMB

APPELLANT

STATE OF SOUTH CAROLINA

DMV OFFICE OF GENERAL COUNSEL

RESPONDENT

APPELLANTS REPLY TO RESPONDENTS INITIAL BRIEF

RICHARD B. LAMB

9541 MAISON CT

MYRTLE BEACH, SC 29572

843-516-0468

ATTORNEY PRO SE

## TABLE OF CONTENTS

1-4	REPLY TO RESPONDENTS INITIAL BRIEF
5-6	CONCLUSION

## REPLY TO COUNTER STATEMENT

RESPONDENTS ASSERTION THAT APPELLANTS DRIVERS LICENSE WAS SUSPENDED FOR FAILURE TO PROVIDE PROOF OF INSURANCE IS ARBITRARY HEARSEY AND IS A CONCLUSION NOT IN THE FACTS. THERE HAS BEEN NO CITATION ISSUED, NO ARREST, NO COURT HEARING OR CONVICTION. THE SUSPENSION HAPPENED PER A SOUTH CAROLINA FR-4 NOTICE THAT IS IN VIOLATION OF § 16-9-10 (PERJURY AND SUBORNATION) (A)(2) "IT IS UNLAWFUL FOR A PERSON TO WILFULLY GIVE FALSE, MISLEADING, OR INCOMPLETE INFORMATION ON A DOCUMENT, RECORD, REPORT, OR FORM REQUIRED BY THE LAWS OF THIS STATE." THIS IS A CRIMINAL VIOLATION THAT HAS NO STATUTE OF LIMITATION, RESPONDENTS HAVE ADMITTED TO THIS VIOLATION IN RESPONDENTS TESTIMONY AFFIDAVIT DATED MARCH 23, 2017 GIVEN BY MR. WANNAMAKER.

RESPONDENTS CONTINUE TO OVERLOOK, LOOK THROUGH AND COMPLETELY DISREGARD THE PORTION OF § 15-78-60 (12) "EXCEPT WHEN THE POWER OR FUNCTION IS EXERCISED IN A GROSSLY NEGLIGENT MANNER."

THE SOUTH CAROLINA LEGISLATURE HAS SEEN  
FIT TO LEGISLATE WHAT IS GROSSLY NEGLIGENT  
AND THAT CAN BE FOUND IN § 1-23-370  
( PROCEDURES REGARDING ISSUANCE, DENIAL  
OR RENEWAL OF LICENSES ).

( C. ) NO REVOCATION, SUSPENSION, ANNULMENT,  
OR WITHDRAWAL OF ANY LICENSE IS LAWFUL  
UNLESS, PRIOR TO THE INSTITUTION OF AGENCY  
PROCEEDINGS, THE AGENCY GAVE NOTICE BY MAIL  
TO THE LICENSEE OF FACTS OR CONDUCT WHICH  
WARRANT THE INTENDED ACTION, AND THE  
LICENSEE WAS GIVEN AN OPPORTUNITY TO SHOW  
COMPLIANCE WITH ALL LAWFUL REQUIREMENTS  
FOR THE RETENTION OF THE LICENSE. IF THE  
AGENCY FINDS THAT PUBLIC HEALTH, SAFETY  
OR WELFARE IMPERATIVELY REQUIRES  
EMERGENCY ACTION, AND INCORPORATES A  
FINDING TO THAT EFFECT IN ITS ORDER,  
SUMMARY SUSPENSION OF A LICENSE MAY BE  
ORDERED PENDING PROCEEDINGS FOR  
REVOCATION OR OTHER ACTION. THESE  
PROCEEDINGS SHALL BE PROMPTLY INSTITUTED  
AND DETERMINED.

RESPONDENTS CLEARLY VIOLATED THIS STATUTE AS THEIR NOTICE, DOCUMENT FR-4 FORM WAS PERJURED, IT DID NOT CONTAIN FACTS AND IT DID NOT PROVIDE THE MANDATED OPPORTUNITY PROVIDED FOR IN § 56-10-650 THEREFORE ANY ACTIONS OR INACTION WOULD BE IN VIOLATION OF § 16-17-735 (PERSONS FALSELY ASSERTING AUTHORITY OF LAW (A)(1)(2)(B)(C))

FURTHERMORE IN DIXON V LOVE, 431 US 105, 97 S.C.T. 1723, 52 L.E.D. 2D 172 (1977), AND BELL V BURSON, 402 US 535, 91 S.C.T. 1586, 29 L.E.D. 2D 90 (1971).

THE CONTINUED POSSESSION OF A DRIVERS LICENSE AS THE SUPREME COURT HAS SAID MAY BECOME ESSENTIAL TO EARNING A LIVELYHOOD AS SUCH IT IS AN ENTITLEMENT WHICH CANNOT BE TAKEN WITHOUT THE DUE PROCESS MANDATED BY THE 14TH AMMENDMENT. THE SUSPENSION OR REVOCATION OF A DRIVERS LICENSE IMPLICATES A PREDICTABLE PROPERTY INTEREST MACKAY V MONTRYM, 443 US, 10, 99 SCT 2612, 2616-17, 61 L.E.D. 2D 321, 329 (1979).

A DRIVERS LICENSE, AS A LEGALLY PROTECTED PROPERTY INTEREST CANNOT BE SUSPENDED WITHOUT DUE PROCESS OF THE LAW.  
BELL V. BURSON, 402 US AT 539, 91 S. CT. AT 1589, 29 L. ED. 2D AT 94 (1971).

APPELLANT RESPECTFULLY REMINDS THIS COURT, THIS CASE AND CAUSE OF ACTION IS ABOUT AND CLAIM TO BE A SHAM LEGAL PROCESS. IT IS NOT ONLY ONE VIOLATION OF LAW BUT MANY OVER A LONG PERIOD OF TIME ACCUMULATING INTO WHAT WAS DISCOVERED BY APPELLANT AND FILED WITH RESPONDENTS INSURANCE COMPANY IN 2015 A SHAM LEGAL PROCESS AND APPELLANT IS IN COMPLIANCE WITH THE § 15-78-110 (STATUTE OF LIMITATIONS) "PROVIDED, THAT IF THE CLAIMANT FIRST FILED A CLAIM PURSUANT TO THIS CHAPTER, THEN THE ACTION FOR DAMAGES BASED UPON THE SAME OCCURANCE IS FOREVER BARRED UNLESS THE ACTION IS COMMENCED WITHIN 3 YEARS OF THE DATE THE LOSS WAS OR SHOULD HAVE BEEN DISCOVERED."

## CONCLUSION

THIS CASE CAN BE SUMMED UP WITH THE FOLLOWING: RESPONDENT INITIATED THIS WHOLE CAUSE OF ACTION ON A PURJURED OFFICIAL DOCUMENT, INSTRUMENT, NOTICE, SOUTH CAROLINA FR-4 FORM.

IT LACKED FACTS, LACKED OPPORTUNITY RESPONDENTS INSISTANCE OF THIS MATTER GOING ON AS IF THEY HAD DONE NOTHING WRONG AND ALL ACTIONS OR INACTIONS AFTER ARE IN VIOLATION OF § 16-17-735 PERSONS <sup>THE</sup> FALSLY ASSERTING AUTHORITY OF LAW OR TAKING ADVANTAGE OF SUCH AUTHORITY THIS IS A SHAM LEGAL PROCESS RESPONDENTS ADMIT TO PURJURY IN SWORN AFFIDAVIT & CONTINUE VIOLATING THE LAW & MULTIPLE OTHER LAWS TIL DISCOVERED BY APPELLANT JUNE, 2015 THEREFORE THE STATUTE OF LIMITATIONS BEGINS THEN, SHAM LEGAL PROCESS DISCOVERED INSURANCE CLAIM FILED. THIS IS A VALID TORT UNDER THE TORT LAW "EXERCISE IN A GROSSLY NEGLIGENT MANNER, THEIR ACTIONS ARE UNLAWFUL THEREFORE THEY'RE NEGLIGENT.

RESPECTFULLY SUBMITTED

*Richard L. Lamb*

NOVEMBER 27, 2017

RICHARD B. LAMB  
9541 MAISON CT  
MYRTLE BEACH, SC 29572  
PRO SE 843-516-0468

DOUGLAS CHARLES BAXTER  
ESQUIRE, SC BAR NO. 6272  
P.O. BOX 3646  
MYRTLE BEACH, SC 29578  
843-448-1008 843-448-1533 FAX  
ATTORNEY FOR RESPONDENT

CERTIFICATE OF SERVICE

I THE UNDERSIGNED PRO SE APPELLANT, RICHARD  
B. LAMB DO HERE BY CERTIFY THAT I HAVE THIS  
DATE SERVED THE FOREGOING REPLY TO RESPONDENT  
INITIAL BRIEF DATED NOVEMBER 27, 2017 BY  
CAUSING THE SAME TO BE FAXED TO AREA CODE  
843-448-1533 AND FILED SERVICE TO THE  
CLERK OF COURT PER SCACR 262(A)(2)  
FACSIMILE 803-734-1839

RECEIVED

NOV 27 2017

SC Court of Appeals

NOVEMBER 27, 2017

*Richard B Lamb*  
9541 MAISON CT  
MYRTLE BEACH, SC 29572  
PRO SE 843-516-0468

# Office DEPOT OfficeMax<sup>®</sup>

complimentary fax cover sheet

number of pages including cover sheet: 10

attention to: CLERK OF COURT date: 11-27-17

company: \_\_\_\_\_ from: RICHARD B. LAMB

phone #: \_\_\_\_\_ company: \_\_\_\_\_

fax #: \_\_\_\_\_ senders phone #: \_\_\_\_\_

comments: TO BE FILED IN CASE # 2017-001381

PER RULE 262

RECEIVED

NOV 27 2017

SC Court of Appeals

By sending this fax at Office Depot, inc., the sender agrees not to use this fax to: (I) transmit material whose transmission is unlawful, harassing, libelous, abusive, threatening, harmful, vulgar, obscene, pornographic or otherwise objectionable; (II) create a false identity, or otherwise attempt to mislead others as to the identity of the sender or the origin of this fax; (III) post or transmit any material that may infringe the copyright, trade secret, or other rights of any third party; (IV) violate any federal, state or local law in the location, or (V) conduct activities related to gambling, sweepstakes, raffles, lotteries, contests, ponzi schemes or the like.

Please note that Office Depot, inc., does not review the contents of any fax sent using its services. The sender of this fax hereby agrees to indemnify Office Depot inc., to the fullest extent of the law and for any and all claims, suits, or damages arising out or in connection with the request to send, or sending this fax.

local first page



\$ 1.89 833071

long distance first page



\$2.49 833081

international first page



\$7.99 833191

local additional page



\$ 1.69 456687

long distance additional page



\$2.19 833091

international add'l page



\$3.99 833201