

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
COURT OF COMMON PLEAS

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

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843-516-0468

ATTORNEY PRO SE

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SC Court of Appeals

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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 1, 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 ^{THE} FACT FALSELY 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

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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

NOVEMBER 27, 2017

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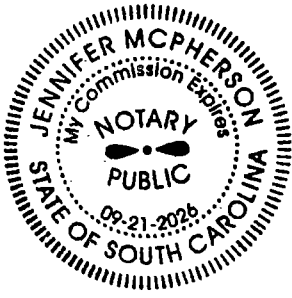
STATE OF SOUTH CAROLINA

D.M.V. OFFICE OF GENERAL COUNSEL

RESPONDENT

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED THE REPLY TO
RESPONDENTS INITIAL BRIEF ON THE STATE OF
SOUTH CAROLINA D.M.V. OFFICE OF GENERAL COUNSEL
BY PERSONALLY LEAVING A COPY OF IT IN THE SEAM
OF THE FRONT DOOR AT THE OFFICE OF THE ATTORNEY
OF RECORD DOUGLAS C. BAXTER, OFFICE LOCATED AT
2103 FARLOW ST, MYRTLE BEACH, SC 29577 A 9:PM EST,
ON NOVEMBER 27, 2017 ADDRESSED TO THEIR ATTORNEY
OF RECORD DOUGLAS C. BAXTER



[Handwritten Signature]

11/28/2017

NOTARY Jennifer McPherson

State of South Carolina
Exp 09-21-2026

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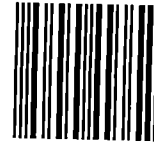
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