

Motion to Reconsider/discard
order to prove service of
record of appeal.

The undersigned, Appellant Vincent Rice, moves this motion before the court to reconsider and dismiss the order for Appellant to show proof of service of records of appeal on respondents. The Appellant assents the order is unreasonable and detrimental to his rights to his freedom and property due to the following reasons.

- 1.) The Respondents created the records and produced them to Appellant.
- 2.) All mail sent to Dept General Counsel is not mailed via U.S. Postal Service, but is done by "Inter-Agency/Internal means. Thus, the Respondents are being allowed to take full advantage of policy it creates and controls in their sole interest to conceal and devise facts.
- 3.) Appellant is an inmate in a "restricted unit" and must rely on correctional officers and undetermined staff to carry, deliver, transport and drop his mails. Thus the Court is requiring what the Appellant can't provide under these circumstances.
- 4.) This is a conflict of my property interest, being that lower level staff are inclined to comply with General Counsel advice. This gives Respondents remarkable impeding power, and the order leaves me at the mercy and is prejudice because staff created this harm out of thin air.
- 5.) Appellant has submitted previous letters and affidavits stating his concern Respondents were using influence to delay, obstruct, detain, impede, and deprive Appellants access to litigate and will to rightful reclaim his freedom, life and property. Upon information and facts, the Cabinet Agency Dept has now influenced the S.C. Court of Appeals. Also, How can the Court know the Respondents have not received a Record of Appeal; if Respondents did not state this? This infers these two parties are communicating off record.
- 6.) The Respondents have not submitted any statements, claims or filings to dismiss the above case as a result of not receiving a record of Appeal. (The Court mailed a notice to both parties 9/26/17)
- 7.) - The Respondents have not properly submitted an answer, and defense to Appellants amended claims, and are continuously allowed to evade an answer throughout all state judicial review (see evidence.

RECEIVED

DEC 11 2017

SC Court of Appeals


8.) - The Respondents and Court Administration has created and imposed adverse inference upon Appellant who is in a weaker position as an inmate, while also using overwhelming "governmental body" influence to correlate with the STATE administration of govt. Thus, the Court consents to allow unlawful dominion of my freedom, life and property.

9.) - The Respondents has and continues to violate the statute of Frauds, The Court is allow the dishonor of fiduciary duties of the Respondents; using the Court as an unlevel forum, to defraud Appellant.

10.) - The previous order along with all orders in this case are invalid and erroneous prepared documents in this case, and are null and void in all jurisdictions of law. The previous order is not based on any conclusion of law, the judge does not state his "authority or title"; the order is not endorsed and stamped by the Clerk. The court did not ~~have~~ ^{make} a true-copy with proof of service and has given Appellant a non-negotiable instrument as holder of trust. Thus, the order is null and void on its face, but is used as practice to keep ~~to~~ my freedom, life and property.

In conclusion, it is for these reasons, the court must dismiss its order, and rule in favor of the Appellant; being he has produced all the evidence to support his filing and fact, without proper response and adherence to court rules from Respondents, who are legal experts. The Appellant is suffering existing harm to life, liberty and limb due to this Court action. It is the Respondents who must prove entitlement, and this action the brought upon Appellant when they refused to release him of custody. This is a grave concern of public policy, mandated; and ethics of governing. The Appellants reclaim of freedom must be granted, all liabilities are Null and Void.

December 6, 2017

Respectfully

Appellant

Vincent Rice # 716178
L. C. I
P.O. Box 205
Ridgeway, S.C. 29472

Vincent Rice # J19178

Appellant

v.
South Carolina Department of Corrections
Respondents

In the S.C. Court of Appeals

Case # 2017-001484

Affidavit RECEIVED

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The undersigned, Vincent Rice is a person, competent to testify in the SC Court of Appeals hereby solemnly states the facts herein are from firsthand personal knowledge, complete, certain and not misleading. The parties herein have created and maintain a scheme or artifice to deprive Affiant of freedom, life and property. Affiant does knowingly and willingly affirm:

- 1.) Both the Respondents and Court of Appeals are utilizing fraudulent means to deprive me Affiant of his will and pursuit to reclaim his freedom, life and property.
- 2.) The Respondents and Court Administration have abandoned their duties as fiduciaries, along with duties to comply with obligations, oaths, rules of conduct, code of ethics and enacted mandates in regards to Affiant's rights and the handling of this case.
- 3.) The Court has created an unreasonable and undue burden by demanding proof; that is in complete control of the Respondents. Being that Affiant's physical movement is controlled by the Respondents.
- 4.) All liabilities with Respondents are null and void. All issued orders of the Court in this case are null and void, being they are not properly endorsed, stamped and served; yet they were used to take action against Affiant.
- 5.) Affiant is housed in a "restricted unit" and must rely on undetermined staff (Not mail clerks) to place mail in postal box.
- 6.) The Respondents and Court Administration is engaging in obstruction of gov't proceedings, and concealing fraud.
- 7.) The Respondents initiated this action upon Affiant; has remained mute to validate the action causing adverse interests. They have been permitted to neglect answering Affiant's claims.
- 8.) The Respondents are willfully obstructing and delaying mail, being they do not transport "Inter-Agency Mail via Postal Service."
- 9.) The Affiant suffers grave danger to life and limb in a level 3 prison; with violent offenders due to Respondents' criminal conduct.

The Affiant affirms the Respondents and Court Administration are in violation of the following federal laws throughout this case

1.) 18 U.S Code § 1001 - statements and entries generally

(a) ... knowingly and willingly

(1) falsifies, conceals or covers up by any trick, scheme, or device a material fact.

(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious or fraudulent statements or entry.

13011 Frauds and Swindles

2.) 18 U.S Code § 1348 - ~~fraudulent securities~~ ~~offerings~~

Whoever, having devised or intending to devise any scheme or artifice to defraud property by means of false or fraudulent pretenses, representations ... or procure for unlawful use any counterfeit ... obligation, security, or other article or anything represented to be intimated or held out to be

3.) 18 U.S Code - 1018 - official certificates or writings

Whoever being a public officer or other person authorized by any law of the U.S to make or give a certificate or other writing, knowingly makes and delivers as true such a certificate or writing containing any statement which he knows to be false, in a case where the punishment thereof is not elsewhere expressly provided by law.

4.) 18 U.S Code § 1505 - obstruction of proceedings, before dept, agencies

Whoever, corruptly ... obstructs, or impedes, or endeavors to influence, obstruct or impede the due and proper administration of law under which any pending proceeding is being had before any dept or agency of U.S Govt.

5.) 18 U.S Code -- Perjury

Whoever
(1) having taken an oath before a competent tribunal, officer or person in any case in which a law of the U.S authorized an oath to be administered that he will testify, declare, depose, or certify truly or that written testimony, declaration, deposition, or certificate by him subscribed is true willfully and contrary to such oath states or subscribes any material matter

Ultimately, the Respondents along with stated Agents are found to be in scheme or artifice to defraud - includes a scheme or artifice to deprive another of the intangible right to honest duty/service.

Any man or woman having firsthand knowledge to rebutt Affiant's statements with proper endorsement and evidence attached, If Affiant is not properly rebutted within (10) days of their affidavit; then the Respondents waive all viable claims and immunities.

State and signed on
December 6, 2017

Ok W. R.
Appellant.

Proof of Service

I, Vincent Rice, did forward a copy of a Motion to Reconsider Order and Affidavit to the following address by giving it to a officer at my door to drop in the postal mail on this day of December 6, 2017.

S.C. Court of Appeals
1220 Senate St
Columbia, S.C. 29201

+

General Counsel
Annie Runkle
4444 Broad River Rd
Columbia, S.C. 29210

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SC Court of Appeals

Vincent Rice # 214178
L.C.I.
P.O. Box 205
Ridgelyville S.C. 29472

Att: Clerk Only

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MAIL ROOM
LIEBER C.I.

clerk of Court
S.C. Court of Appeals
1220 Senate St
Columbiana S.C. 29201

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