

The Superior Court of South Carolina

August B. Kreis, III, ProSe

Petitioner,

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-VS-

State - Alan M. Wilson

Respondant;

DEC 27 2017

SC Court of Appeals

Appellate case No: 2015-002340
(An Emergency Appeal to remove Nuder)

1. ProSe seek's Appeal of Clerk V.C. Allen's deputy, order of (Dec. 12, 17) denying defendant R.M. Nuder in low suits 17-CP-40-1181 + 17-CP-28-131 + 3:11-646 + 3:16-3731-JFA + 3:17-344-TLW-PJG, who refuses to remove himself + his office nor will Allen-Clerk allow the full Court to give a ruling on the Mandamus to remove him + his office + appoint new counsel, which is mandatory by conflict exists.

See: Cuyler, 446 U.S. 335, 350 (1980) We hold ProSe can demonstrate a 6th Amend. violation, by showing that his counsel was actively representing conflicting interests or the appearance of it.

See: Holloway, 435 U.S. 475, 484-85 (1978) Failure of Court to inquire into conflict of interest, violated right to effective assistance of counsel, because Court has duty to avoid potential conflicts) see Appeal No. #21 Arguments why.

"Conclusion"

2. Court grant Emergency Appeal + Order R.M. Nuder + his whole office to recuse themselves by they are defendants in his appeal, also + his suits. ProSe prays Court will enforce mandatory removal.

Dated: 12-15-17

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

"Certificate of Services"

3. ProSe certifies he served Clerk J.A. Kitchings at S.C. Ct. of Appeals P.O. Box 11629 Colo, SC 29211, + A.M. Wilson for V.H. Gunter, Jr. at P.O. Box 11549 Colo, SC 29211, one copy of Appeal of Clerk Allen (Dec. 12, 17) refusal to remove Nuder off appeal of 3 pgs. ex (Dec. 19, 17) by Inter-Agency mail, by Ms. Merchant-mail Dir. + return to under penalty of perjury as true by (18 USC 1621-1623-1976) from address below

Dated: 12-15-17

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

Perry Corr. Inst. AU-193A / 430 Dalloway Rd. / Pelter, South Carolina 29669-9363

To: Clerk Shearouse,

Dec. 15, 2017

1. Please place before the full Court my Emergency Appeal of Clerk Allen (Dec. 12, 17) refusal to remove Rob Sider, so I can seek higher Court removal if Court refuses to do so, because I'm also challenging those 2-laws used by Allen. Thanks!

Respectfully,
August B. Kreis, III, #365998

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The South Carolina Court of Appeals

The State, Respondent,

v.

August Byron Kreis, III, Appellant.

Appellate Case No. 2015-002340

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ORDER

Appellant has filed a motion asking this court to relieve his appointed counsel and the Office of Appellate Defense and appoint new counsel. Upon review by the Court, the appellant's motion is denied. Accordingly, this court declines to act on Appellant's remaining *pro se* requests. See *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998); *Foster v. State*, 298 S.C. 306, 397 S.E.2d 907 (1989).

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc:

August Byron Kreis, III, 00365998
Alan McCrory Wilson, Esquire
Robert Michael Dudek, Esquire
Vann Henry Gunter, Jr., Esquire
Samuel R. Hubbard, III, Esquire

FILED
December 12, 2017

August B. Kreis, III, 365998
Perry Corr. Inst. A44-193A
430 Oaklawn Road
Pelzer, South Carolina 29669-9363

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DEC 19 2017

P.C.I. MAILROOM

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

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LEGAL MAIL