

Steven Ireland

vs.

Theodore Cox
Ernest Lee Deaton

Appellant Brief

CASE No: 2017-002379

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FEB 05 2018

SC Court of Appeals

Brief of Facts

Now comes Steven Ireland with the facts of the case and the failure of the Lower Courts to grant him his Constitutional Rights, Amendments 5th and 6th, of the Bill of Rights.

The Bill of Rights clearly states that a person has the right to a jury, that was put into operation on March 4, 1789.

This case is about the actions as follows:
In the Berkeley court the Magistrate I asked the Magistrate for a jury trial. She said I need to ask for that first and that she didn't think I can ask for that. After some shuffling of papers she asked for my rebuttal to the charges. I asked her for the decision on a jury trial. She responded that she is going to go in favor of the Erection.

The Erection was setup for ~~24~~ 48 hours to Move out.
I went to the appeals ~~court~~ circuit court and filed.
I had my representative deliver the papers to Ted Cox and Ernest Deaton. Ted Cox was moving my belongings to the curb. I had to take time off work to secure my belongings.

In appeals court I presented state law that allows me to request a jury trial and provided Section 27-37-80 and 27-37-60 and is allowed in the Erection process. I also provided the law that the Erection is to be 30 days under SC code section 27-40-780.

The Magistrate responded in a couple weeks that she was going to side with the lower court and signed the Erection notice to be out in 48 hours.

I appealed to the State appeals court with an "adremdem to stay" the Erection. The stay was denied stating I had not gone to the Local appeals court. I had included the paper work of the Local appeals along with other papers.

Ted Cox got an Erection signed the next day for Imediate removal, no 48 hour notice this time.

Summary

It is hard as a Layman to understand why the Magistrate do not uphold State and Federal laws and do what they please.

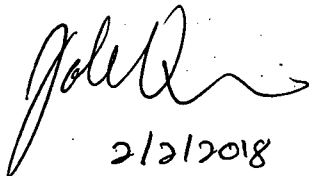
Earnest Deaton was a county inspector for many years and I believe his influence has caused much of reason that the Magistrate are not following the written laws.

Steven L. Ireland

2-2-2018

I reserve the right to submit more evidence to support my cause of action

JOHN E. QUIN
Notary Public - State of South Carolina
My Commission Expires February 14, 2027


2/2/2018

SKIPTRACING the location of missing persons such as heirs, debtors, spouses, or witnesses; frequently done by a specialized agency or private investigator, often so **service of process** can be made.

SKYJACKING see **hijacking**.

SKY LAWS see **blue sky laws**; **sunshine laws**.

S.L. session or statute laws.

SLANDER **defamation**; words falsely spoken that tend to damage the reputation of another. See 260 S.W. 523, 525. Under modern legal and constitutional concepts, slander is limited to false remarks inasmuch as truth is an absolute **defense** to an **action** for slander.

Unlike **libel**, slanderous utterances may not be actionable without proof of actual temporal **damages**. Only where the words impute crime, loathsome disease or unchastity, or when they relate to an individual's business or profession is this requirement of proving "special damages" dispensed with. Prosser & Keeton, Torts 788 (5th ed. 1984). Slander may take the form of either **SLANDER PER SE** or **SLANDER PER QUOD**. If the defamatory meaning is apparent on the face of the statement, then the statement is slanderous per se. If the defamatory meaning arises only from extrinsic facts, not apparent upon the face of the statement, then the statement is slanderous per quod. See id. at 748. See also **defamation**; **fighting-words**. Compare **libel**.

SLANDER OF GOODS [TITLE] see **bait and switch**.

SLAPP SUIT Strategic Lawsuit Against Public Participation. Refers to suits filed without merit against an activist or group to chill their actions

by forcing them to defend themselves against the suit. The suits are filed to retaliate against critics (claiming libel or slander or restraint of business; for example) or to intimidate the person(s) into silence. **SLAPP-BACKS** are lawsuits filed by a defendant against the person(s) who filed the original **SLAPP** suit. Many states have passed **ANTI-SLAPP STATUTES** providing for speedy hearings and the possibility of recovering legal fees and punitive damages. Cal. Code of Civ. Proc. §425.16.

SLIGHT CARE see **care** [**SLIGHT CARE**].

SLIGHT NEGLIGENCE see **negligence** [**SLIGHT NEGLIGENCE**].

SLIP OPINION see **advance sheets**.

SMALL CLAIMS COURT a court of **limited jurisdiction**, usually able to adjudicate claims of \$1,000 or less, depending on statute. Proceedings are less formal than in other types of courts and parties usually represent themselves.

SOCAGE in feudal England, a type of tenure founded upon certain and designated services performed by the vassal for his lord, other than military or knight's service. Where the services were considered honorable it was called **FREE SOCAGE** and where the services were of a baser nature it was called **VILLEIN SOCAGE**. By the statute 12 Char. II, c. 24, most all tenures by knight-servants were converted into **FREE AND COMMON SOCAGE**. See 2 Bl. Comm. *79-80. See also **homage**.

SOCIAL GUEST see **guest** [**SOCIAL GUEST**].

SOCIAL SECURITY federal legislation known as the Social Security Act which provides a national program of contributory social insurance and is

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Witnesses were not called.

1 *THE COURT:* Yes, ma'am.

2 *THE CLERK:* Your Honor, this is 2017-DR-08-1669

3 Steven Lane Ireland versus Theodore Martin Cox.

4 *THE COURT:* Okay. Good afternoon.

5 *MR. IRELAND:* Good afternoon, Your Honor.

6 *MR. COX:* Good afternoon, Your Honor.

7 *THE COURT:* And, whose appeal is this?

8 *MR. IRELAND:* Steven Martin.

9 *THE COURT:* All right. Sir, you can have a seat.

10 *MR. IRELAND:* May I ask for a continuance? I just
11 got back from Ohio and I just got this information
12 today.

13 *THE COURT:* About the appeal?

14 *MR. IRELAND:* About this hearing today. I was
15 gone all last week to a training, so I just got the
16 notification.

17 *THE COURT:* So you just got notice of today's
18 hearing.

19 *MR. IRELAND:* Today.

20 *THE COURT:* Any objection to that?

21 *MR. COX:* Yes, ma'am, Your Honor.

22 *THE COURT:* Tell me why?

23 *MR. COX:* This case has been going on for the last
24 three month. It was ordered by Judge McElvogue to
25 vacate the premises. And I mean, this is just

1 redundant that it keeps going on and on and taking up
2 the Court's time and everything else and taking up my
3 space and my property.

4 I am the manager of the said property and I
5 can't keep dealing with the bickering, the arguing, the
6 fighting, the carrying on, and everything else because
7 I have other tenants as well that deserve the right to
8 have a peaceful living and environment.

9 *THE COURT:* Well, what he is asking for is a
10 continuance based on his just receiving notice of
11 today's hearing?

12 *MR. COX:* That's untrue because I received the
13 notice last week myself and I informed him that we have
14 -- I even called the Court to see when the Court date
15 was coming up. I made every effort to find out when my
16 Court date was. And, being that he is the Plaintiff,
17 he should have done the same.

18 *THE COURT:* All right, so is it Mr. Ireland?

19 *MR. IRELAND:* Yes.

20 *THE COURT:* Okay. Well, tell me why you're saying
21 that you didn't receive notice, he is telling me that
22 you did receive notice?

23 *MR. IRELAND:* I was out of state. I was out of
24 state so I didn't receive that mail.

25 *THE COURT:* But, this is your appeal that you

1 filed, is that correct?

2 MR. IRELAND: That is true.

3 THE COURT: All right. So tell me what benefit
4 really would it have? It's your appeal to your motion
5 as far as---

6 MR. IRELAND: ---I'm guessing the time to prepare.
7 There are some things that have come up even in the
8 last week I didn't know about it, so I would like to
9 get more data about things while I was gone.

10 THE COURT: Do you understand that no new facts
11 can be brought into this case. Basically an appeal
12 would be based on an error that the magistrate made.
13 No new facts can be brought into this. This is not a
14 rehearing for your original case. Since you filed the
15 appeal, we will go ahead and proceed. All right, you
16 may proceed.

17 MR. IRELAND: I have got a lot of things that are
18 facts that are going to the original case, so---

19 THE COURT: Well, that's -- you can't go into
20 facts of the original case.

21 MR. IRELAND: All right.

22 THE COURT: If the magistrate made an error of law
23 based on a ruling upon something, then that would be
24 properly before me.

25 MR. IRELAND: Right. When I first got -- well,

1 actually when it became my turn to talk to the Court, I
2 asked for a jury trial and she kind of hem and haw and
3 said she wasn't sure if it -- that was available. And
4 she asked me a couple of questions about our situation.
5 And she wanted to ask me if I had anything to add and I
6 asked again if I could get a jury trial? She did not
7 hear my rebuttal and she did not read my Miranda Rights
8 in Court.

9 *THE COURT:* You weren't charge with a crime.

10 *MR. IRELAND:* Okay, I'm not sure. I'm not a -- in
11 Court.

12 *THE COURT:* Okay. So is there anything else that
13 you would like to tell me as far as the case is
14 concerned?

15 *MR. IRELAND:* We do have another Plaintiff that
16 didn't show up so I just wanted to make note of that.
17 One of the---

18 *THE COURT:* --okay, well, this is your appeal,
19 you're the one -- the burden is on you to present your
20 case as to why it should be sent back or vacated.

21 *MR. IRELAND:* Okay. Those are my points---

22 *THE COURT:* ---okay---

23 *MR. IRELAND:* ---for yours.

24 *THE COURT:* Okay. All right. Anything in
25 response?

1 MR. COX: Yes, ma'am, Your Honor, like I
2 previously said, this case has been going on for quite
3 some time now. And -- all the hardship and arguments
4 that are going on out there verbally, physically,
5 physical altercations, I don't need it. I asked Judge
6 McElvogue to honor the eviction on grounds that, you
7 know, he is not welcome there no more.

8 He has guest that come over that are informed
9 to him that they are not allowed on the property. I
10 have informed his guest that they are trespassing. If
11 they continue, I will have law enforcement to remove
12 them. He continues to oversee my management purposes
13 out there. That's the reason for the eviction and
14 Judge McElvogue granted the eviction and I ask that
15 Court to please uphold that eviction.

16 THE COURT: What I'll do is I'll take a look at
17 the file and the magistrate's return and see if
18 everything is contained in the file including your
19 paperwork for the appeal and I'll let y'all know of my
20 decision, okay.

21 MR. IRELAND: Yes, ma'am.

22 MR. COX: Thank you, Your Honor.

23 THE COURT: Thank you.

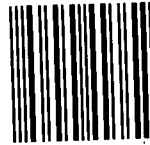
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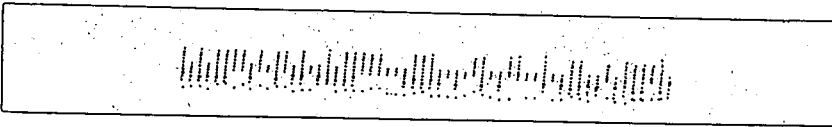


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