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IN THE SOUTH CAROLINA COURT
COURT OF APPEALS

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APR 26 2018

SC Court of Appeals

Susan Harrison, Christopher Jones,)
 Connie McKee, and Desimber Wattleton,)
)
 Appellant,)
 v.)
)
 Mitchell Eugene Davis,)
 aka Michael Davis)
 Respondent)

**APPELLANTS' SUPPLEMENTAL TO
MOTION TO STAY EXECUTION OF
JUDGEMENT RULE 240 S.C.A.C.R.**

APPEAL NO. 2018-000625

Pursuant to Rules 240 S.C. Appeals Court Rule, the Appellant hereby submit this Supplemental to his Motion for Stay pending Appeal (hereinafter "Motion"). Appellant ask this Court to extend the automatic stay within the existing Rule 241 by and through, and pursuant to Rule 240 S.C. A.C.R. for the duration of the appeal.

The *Appellant* respectfully submits as a Supplemental to the previous Motion that the addition factors governing whether to issue a stay pending appeal all weigh heavily for a stay to preserve the status quo. Specifically because: *Continuing....*

7. The Appellant was not clear of the oral Order given by the Honorable Judge on February 22, 2019. The oral Order was ambiguous in nature as well as in scope. The understanding, or misunderstanding of the Courts' intentions should not permanently foreclose upon the Appellant's Constitutional rights to have his day in Court.
8. The Plaintiff/Appellant of his fundamental right to defend himself in any court proceedings pursuant to the Constitution of the United States as well as the South Carolina State Constitution.
9. The Church itself, is not listed in the Caption of the Case, nor was there any matter directly involving the institution of the Church that required that an Attorney be admitted to defend the Church when the "Church" was not a party in the action.

10. The entire Motion to Dismiss, and Order of Dismissal is 100% founded upon there not being an attorney for the Plaintiffs in this matter. The matter should be immediately reinstated because there are no legal reasons why the individual Plaintiffs could **NOT** represent themselves.

11. In keeping with the Spirit of the Honorable Court, plaintiffs made several meaningful good faith attempts to secure Counsel as understood at the February 22, 2018 hearing.
 - (a) Plaintiffs spoke with attorney Paul Hammack of Greenville SC to represent Plaintiffs. However, the parties could not reach an agreement as to retainer.

 - (b) The Plaintiffs visited with attorney Michael Brown of Spartanburg SC on multiple occasions and could not remedy scheduling conflicts.

 - (c) Plaintiffs met with and did agree to hire S.C. State Senator Karl B. Allen. Mr. Allen called the defendants' attorney Mr. O'Connell on multiple occasions with voice messages to substantiate. The defendant's attorney Mr. O'Connell returned messages and fully knew that Mr. Allen was calling on behalf of the Appellant more than three (3) weeks before Order of Dismissal.

The right of a party to a legal action to represent his or her own cause has long been recognized in the United States, and even predates the ratification of the Constitution.

The Supreme Court noted that "[i]n the federal courts, the right of self-representation has been protected by statute since the beginnings of our Nation. Section 35 of the Judiciary Act of 1789, 1 Stat. 73, 92, enacted by the First Congress and signed by President Washington one day before the Sixth Amendment was proposed, provided that 'in all the courts of the United States, the parties may plead and manage their own causes personally or by the assistance of counsel.'"^[5]

In Faretta v. California,^[6] the Supreme Court of the United States held that criminal defendants have a constitutional right to refuse counsel and represent themselves in state criminal proceedings. That said, the right to represent oneself is not absolute. It is the Court's right and duty to determine if a particular individual is capable of representing himself, and can inquire into the individual's lucidity and mental status to make that determination.

Rules

Most U.S. states have a constitutional provision that either expressly or by interpretation allows an individual to represent one's own cause in the courts of that state. In many instances, state constitutional provisions regarding the right to petition the government for redress of grievances have been so interpreted.

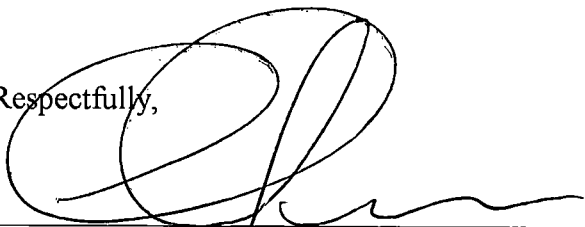
The U.S. Judiciary Act, the Code of Conduct for United States Judges,¹⁸¹ the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence and the Federal Rules of Appellate Procedure address the rights of the self-represented litigant in several places.

28 U.S.C. § 1654 provides: "In all courts of the United States the parties may plead and conduct their own cases personally or by counsel as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein."

Whereby, the Appellant, having provided such sufficient merits and cause for The Honorable Court of Appeals to grant an Automatic Stay of Execution of Judgment pursuant to Rule 241 SCACR, pending the outcome of all relevant matters, so as to maintain the status quo and avoid unnecessary mayhem and disruption.

April 24, 2018

Respectfully,

A handwritten signature in black ink, appearing to read 'Christopher Jones', written over a horizontal line.

Christopher Jones, Appellant Pro Se
P.O. Box 1064
Greenville, S.C. 29602
864-999-6823

IN THE SOUTH CAROLINA COURT
COURT OF APPEALS

Susan Harrison, Christopher Jones,
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Appellant,

v.

Mitchell Eugene Davis,
aka Michael Davis

Respondent

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S.C. APPEALS CASE NO.

2018-000625

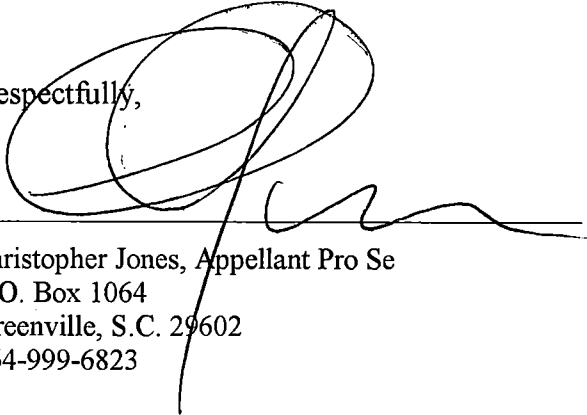
I, Christopher Jones, the Appellant-pro se, hereby affirms under the penalty of perjury that I have served, by U.S. Mail or did cause the same to be hand delivered, a copy of the Appellant's Supplemental to Motion to Stay Execution of Judgement on the Respondents at the following address on Wednesday, April 25, 2018.

James P. O'Connell
139 Grace Drive
Easley, SC 29640
Attorney for Respondent

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April 25th, 2018

Respectfully,



Christopher Jones, Appellant Pro Se
P.O. Box 1064
Greenville, S.C. 29602
864-999-6823



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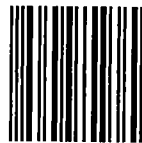
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