

Exhibit A Petitioner's omnibus motion to relieve counsel and S9 E motion to alter or amend the judgment of order of dismissal.

RECEIVED

DEC 03 2015

Mary P Browli
CLERK OF COURT
300 CALIFORNIA AVE
MONKS CORNER SC 29746

S.C. SUPREME COURT

RE: Albany Brooks v. State case 2011 CP 07-2266 Court of Common Pleas
P.C.R.

DEAR MS. BROWLI

Enclosed please find a motion to Alter or Amend the
Judgment, motion to remove counsel - declaration - etc in the
form of a omnibus motion along with certificate of service and
cover letter. Please have these document filed and send a
clocked date stamp copy to me. Also please forward to Lance S
Bozier and Judge Jeffrey Young as well as attorney General
Josh Thomas
Thank You Mary P Browli

Date 5-5-15
Albany Brooks 30300
LCTAGU 152
990 Wilsack Hwy
Bishopville SC 29010

✓

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF BERKELEY) case no: 2011-CP-082266
ALTON BROOKS 313000)
Alton Brooks) CERTIFICATE OF SERVICE
Petitioner,)
vs.)
STATE OF SOUTH CAROLINA)
Respondent)

I, Alton Brooks, hereby certify that I have served upon Mark P Brown of the Berkeley County clerk of court (1) COPY of a Motion to relieve counsel, OMNIBUS MOTION, Motion and rules 9 E Motion to Alter or Amend Judgment of Dismissal in the United States Mail first class Postage Pre-Paid addressed as follows

Mark P. Brown
CLERK OF COURT
300 CALIFORNIA AVE
MONKS CORNER S.C 29461

I swear under Penalty and Perjury the foregoing is true and correct
This 5 day of MAY 2015 in Bishopville S.C 29010

SL Alton Brooks
Alton Brooks 313000
ASU EN157
990 Wilsack Hwy
Bishopville S.C 29010

FILED
2015 MAY 14 AM 9:25
CLERK OF COURT
BERKELEY COUNTY, SC

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

ALTONY BROOKS #313800

ALTONY BROOKS

vs.

STATE OF SOUTH CAROLINA

Respondent

2015 MAY 14 AM 9:24
CLERK OF COURT
BERKELEY COUNTY, SC

IN THE COURT OF COMMON PLEAS
Case No: 2011 CP-08-2266

ORIGINATOR MOTION
MOTION to release counsel and
Present additional counsel, Declaration and
AND Notice Not to destroy the tape
OF April 22nd 2015, September 8th 2014
November 20 2015 and August 18 2014
P.C.R. Hearings. to court reporters,
Joyce C Rueger, Amanda Haffenden and
SHARON VIZOR etc rule 59 E Motion to alter or
or Amend the Judgment of Dismissal of case

Your honor. Altony Brooks sues moves the court on his behalf and behalf of
the debtor ALTONY BROOKS, the straw man corporation as defined in title 15
USCA section 44, and throughout SC code ann 15-69-30, 15-69-50, 15-69-140
15-69-130 and 15-69-200, states that before the post conviction relief hearing
lance S. Bozer utilized war tactics and attempted to deceive my mother Valerie
Small, Aisha Bruce and sister Miss Brooks into believing I can receive the
entire sentence and do another 12 years if the conviction is overturned,
he suggested that my mother write a letter and request that I withdraw
my application, Mr. lance S. Bozer came inside the booth to speak with
me before going into court and said hey your mom wanted me to give you
this, he held a piece of paper to the window with my mothers writing
and my mother wrote Al dont be a fool withdraw the application. etc
I told MR. Bozer to dont play with my family and too stay away from my
family and who do he take me as. Mr. Bozer allege no now she wanted
to write it, I told MR Bozer to never in his life do that again and that
I've told him about that. MR. Bozer said OKAY I told MR. Bozer when we
go in this court we are filing a rule 59 E Motion to alter or amend the
Judgment as a Prohibitory Motion on all the claims we are to bring, I told MR
Bozer next we are going to file a 59 E Motion to alter or amend the Judgment
of Judge Stephanie P. McDonald erroneous order denying discovery and
equal Protection grounds to relieve the alleged at-scams or x-rays or to hold
Sacke Allen Mastrototano and the attorney General in contempt of courts
I instructed that we are going to file a motion to interplead in this
action to set off any liability to the motion and a motion to intervene.

the living breathing man Antony Brooks to the action as a non-dispensable party
under rule 24 of SCRP, Mr. Booser allege Judge Young is not going to allow
Antony Brooks to do that and I stated why not ~~he~~ ~~can~~ Lance S Booser said
Judge Young is a Judge who keeps things short and is not going to allow
you to do that I said okay then we will file motions and objections due
to denial of due administration of justice under judicial canons and
upholding the integrity of the courts Lance S Booser stated you can do that
but its not going to work I Antony Brooks stated while
I informed Mr. Lance S. Booser that IF he denies these judicial canons then
we file a motion for him to recede his self as a recusal motion for being
biased and prejudicial Mr. Lance S Booser stated its not gone wrongs you need to
leave this alone and try to get parole I Antony Brooks instructed
Lance S. Booser that we will file a summary judgment motion and
submit declarations and have Affidavits signed and admitted into evidence
and amend the Application stating that Judge Allen Mastomino, James E
Courtney presented perjured testimony obstructing justice by producing a
doctor Timothy Bartus Osborn to the court owing a favor to the court
stating that James Warren Taylor had a orbital fracture to the jury
knowing that they did not have any X-rays or CT-scans to allege such
not satisfying the element of serious bodily injury under prosecutorial misconduct,
Lance S. Booser stated Judge Young is not going to rule on your summary
judgment motion. Antony Brooks then asked Lance S. Booser did he get their
motions to relieve counsel and Lance S Booser allege yes, Antony Brooks then
stated why didn't you subpoena my witnesses and why you didn't put
me on notice of the hearing Lance S Booser allege he don't control the docket,
I told Lance S. Booser that he would move for a continuance in the case
due to Archie Darby, Ann Marie Woods, ~~Anthony Brooks~~ ^{Anthony Brooks} and the rest of the witnesses
not being at court, I asked Lance S Booser who the witnesses are in
the case that are there and he allege, he's not sure,
I asked Lance S Booser how can we go to court and you don't have all the
witnesses here, I told Lance S Booser But we would move for a continuance
and he allege Judge Young is not going to allow this case, I told him IF
hes not going to make a ruling then we will move for a ruling.

Lance S Booser allege the Judge Young is not going to make a ruling today,
I Altony Brooks stated well if he's not going to make a ruling then you
must know something I don't know, Lance S. Booser stated I'm just
telling you, he stated Lance S Booser that he retrieved my time sheet
and check stubs from the Hi track and Denty's shepherd and that
we will submit them as exhibits but he doesn't think it would give
me a alibi I stated why not the dates on the tape are wrong and
during the times on that tape I was at work when this alleged
incident allegedly took place I don't know of this incident, I worked
in Charlotte this incident allegedly happened in St. Stephens,
I can only present my whereabouts so that is my evidence of innocence
Lance S Booser allege yes your right I stated I know I'm right,
during those times the lights in the room kept flickering with information
and belief the court was controlling the breaker in the light, telling
Mr. Booser to come out as he will run back too the door and wave
his hand back and forth I stated what's wrong with the lights he allege
its motion ~~sensored~~ sensed its about time for us to go out.
I stated yeah that's why the lights keep flickering Mr. Booser looked
startled and stated they look we are about to go in hear your family is
in the court and I'll see you inside
I entered the court room and the court room was gloomy as I felt the
impact as soon as I came in, I looked to my right and saw my sister
Miss Brooks crying I stated where is Norma she said she's not coming
in and that she can't take it, I told my sister to stop crying immediately
during this time the bailiff attempted to prepare a seat for me I gradually
sat down and jumped back up and dusted the chair off and told him
I appreciate him but I don't need his help preparing a seat and moved
his hand from behind the seat with a motion for him to move from
around the seats "No he was not preparing a seat for the slaughter for me"
I looked around the court room to see who's there, and a I notice a real
skin ~~to~~ black guy sitting in the jury pit with his legs crossed I assumed
he may have a investment in shares or stock in the case.

as he was real attentive and Judge Young paid very close attention to him as he ~~sat~~ ^{spoke} across from him. Lance S. Booser began presenting the case and stated that I had over 50 arguments that needed to be amended to the complaint and that I Attorney Brooks had a serious hostility ~~argument~~ industry argument that needed to be amended and a ineffective assistance of Appellate counsel argument as well. Mr. Booser advised that he retrieved time sheets and check stubs from his truck and dentist Shepard for petitioner as his defense etc.

Mr. Booser then stated that he received a email of a motion to relieve counsel in the mail. Judge Jefferet Young stated Mr. Brooks you may stand Attorney Brooks presented facts that his case surrounds civil conspiracy and that Lance S. Booser has not amended his application upon information and belief and that Mr. Booser is antagonizing his family and telling them that he could receive more time. Mr. Brooks began to stutter in a lost of words and Judge Young saw the opening and shot the gap and cut Mr. Brooks off in his speech just as Lance S. Booser indicated and the motion to relieve counsel indicated See Motion to relieve counsel. it states ~~the~~ Lance

Booser stated Attorney Brooks was berceved and that he dont believe the judge is going to allow him to carry on like that

Attorney Brooks asked Judge Jefferet Young did he receive the motion to relieve counsel and Judge Young did not respond. Judge Young stated that you've relieved 2 counsels of record and this will be your third, your either going to represent yourself today or Mr. Lance S. Booser is going to represent you. Judge Jefferet Young didnt entertain any of the basis of the filed motions as Lance S. Booser representing a conflict of interest working for the Attorney General's office when this case was assigned in the office of the Attorney General and working with ~~with~~ Ashleigh Portanna Wilson, Matthew Friedman etc. Attorney who represented this case in the Attorney General's office due to Judge Jefferet Young demeanor and tone Attorney Brooks and stated Lance S. Booser is going to represent the straw man and Attorney Brooks all capital letters and Mr. Young is represent not

Judge Jefferey Young stated the straw man corporation is a bunch of crap. Altony Brooks stated that the state do not have charges on him and that the states issue is with the strawman corporation ALTONY BROOKS all capital letters as defined in U.S.C.A Title 15 section 44 and that he has the commitment order where the strawman corporation ALTONY BROOKS all caps has been committed to the jail.

Judge Jefferey Young stated that he dont want to hear anything about the living breathing man Altony Brooks. However, the living breathing man Altony Brooks was never mentioned. As Altony Brooks told Judge Young that he was pretty sure that he heard about the case, Judge Young stated no actually this was the first time he's heard of the case. However, Lance S. Booser just indicated that the judge was not going to rule. Moreover, Judge Young stated he didnt want to hear anything about the living breathing man Altony Brooks so IF he didnt hear of the case where did he get this information, as prejudice is presumed. Moreover, Judge Jefferey Young stated that Lance S. Booser can not represent a fictitious corporation and what Mr. Brooks was going to do. Altony Brooks stated Your Honor Mr. Booser is going to represent the straw man corporation and I'm going to represent myself. Judge Jefferey Young stated Mr. Booser can not represent a fictitious corporation and stated Mr. Booser you can not represent a fictitious corporation. Judge Jefferey Young stated Mr. Brooks Mr. Booser can not represent a ~~fictitious~~ ^{fictitious} corporation. So what are you going to do Altony Brooks stated Mr. Booser is going to represent the straw man corporation and I'm going to represent myself. Judge Jefferey Young stated I'm not going back and forth and I'll dismiss this action so what are you going to do. Altony Brooks indicated I file a motion as co-counsel in this action under equal protection grounds. Judge Young expedately denied the motion, cutting Plaintiff Altony Brooks off in speech. Altony Brooks then stated Your Honor I file a motion to intervene as provided by rule 24 of sccr to intervene in this action. Judge Young stated you can do that but you have to do it

at the stand, Antony Brooks stated Your Honor I file a motion to interlead inside this action under rule 22 of SCRP Judge Young stated You can do that but You have to do it on the stand, As showed Judge Jefferey Young intent was to void through procedure,

Judge Jefferey Young reiterated that Lance S. Booser can not represent a fictitious corporation and indicated that Lance S. Booser can pack his belongings and leave the court room, Mr. Booser stated is that a order Your Honor, Judge W. Jefferey Young stated Mr. Booser You can not represent a fictitious corporation, Mr. Brooks would be representing himself, Mr. Booser stated I will be advising my client of the dangers of self representation, Antony Brooks addressed the court and stated Your Honor Your violating Judicial Canons and not upholding the integrity of the Judiciary, Judge Young stated I dont want to hear that

Antony Brooks told Lance S. Booser that since the Judge dont want him to represent the fictitious corporation and dont want to appoint new counsel then advise the Judge that Lance S. Booser would represent Antony Brooks as he is doing and Mr. Antony Brooks would represent the stress man corporation, Lance S. Booser indicated he doesnt think that would work.

Judge Young instructed Mr. Booser that he can not represent a fictitious corporation, Mr. Lance S. Booser asked is that a order and Judge Young stated Yes and that he not leave the court room and dont come back.

Judge Young stated Mr. Brooks would be representing himself and for giving him 5 minutes to get his self together. during this time Antony Brooks? legal Power of Attorney was in the court room Asha Greene, Mr. Williams and Miss Brooks? witness and once Antony Brooks went to the holding cell away from the court where he could not see anything, after 5 minutes he was brought back before Judge ~~W. Jefferey~~ Young, while walking through the door Mr. Antony Brooks in surprise realized that his witnesses Asha Greene, ~~Miss Brooks~~ Brooks and Mr. Williams was not in court, Antony Brooks asked the bailiffs and the officers where did his witnesses go and they said they left. However the court removed them from the court room as the bailiffs and officers used their canbat hol w/ witnesses removed from the court as it

did not know what was going on, I entered the court and stated Your Honor
I move for Summary Judgment on the Pleading, Judge Young cut Mr.
Alton Brooks off in speech from further preserving the record of his Summary
Judgment motion and stated you can either take the witness stand or call
your first witness, Alton Brooks stated Your Honor none of my witnesses are
here. Judge Young stated that is your problem, following procedure Alton
Brooks stated Your Honor I file a motion to remove the shackles so I can
present my case, Alton Brooks was black boxed, belly chained, with leg
shackles, Judge W. Jeffery Young stated I don't have to do that. Alton
Brooks then stated Your Honor I moved for Summary Judgment on the Pleading
and before Alton Brooks could speak Judge Young stated this case is denied
Lance S. Booser advised that Judge Jeffery Young was not going to
rule on the Summary Judgment motion and just as he stated Judge Young
did, moreover, Petitioner's motion to release counsel Lance S. Booser advised
the court that Alton Brooks, Petitioner was still obtaining affidavits
and declarations and that witnesses James E. Courtney, Solicitor, Judge
Kristi Lea Harrington, Anderson Shannons Robert Elms, Nisha Greene, Michele Darby,
Ann Marie Woods, James Warren Taylor be subpoenaed, however, no one was
in the court room and Alton Brooks was never placed on notice, AS Alton
Brooks had the right to call witnesses, such as J. Allen Mastinko to be in court.
Following procedure Plaintiff Alton Brooks if needed after the ruling on Summary
Judgment was going to move for a continuance of the case so too all his
witnesses ^{not} being present, with information and help Jackie Allen Mastinko was
in the court room the Solicitor who tried the case but not James E. Courtney
the Solicitor who tried the case and opened and examined and cross
examined witnesses at trial, Judge Young abused his discretion throughout
the hearing and used classic judicial tactics to prevent Alton Brooks
from preserving the record.
Moreover once back at Lee Correctional Alton Brooks contacted Lance E. Alton
Nisha Greene and ~~asked~~ asked her what she would do in the court room and what
happened ~~she~~ ^{she} ~~that~~ ^{there and for} ~~that~~ ^{for} ~~me~~ ^{my} ~~advice~~ ^{advice} ~~and~~ ^{and} ~~then~~ ^{then}

where moved from the court room by the court staff and lance S Booser and while outside the court room lance S Booser informed that I would be representing myself and explaining the dangers of that and when they Alaska Brooks, Miss Brooks and Mr. Williams went to go in the court room the officers allege the case was over, as no officer of the court informed them to come back into the court. Judge W. Jeffery Young knew my witnesses where in the court because I pointed at them when I allege Mr. lance S Booser is telling them lies that if I ~~was~~ had the case overturned I could receive the entire sentence over and do 12 years.

The issue is not that Alaska Brooks refused to call witnesses because he did not ^{refuse} and I "rebut" that presumption that I refused to call any witnesses the issue is that Judge Jeffery Young failed to uphold the integrity of the court and abide by the South Carolina Rules of Civil Procedure, and denied Alaska Brooks due course of Justice in state court.

by not ~~entering~~ ^{entering} the motion of Summary Judgment motions to relieve shackles, motion to relieve counsel and appoint new counsel, motion to unbind, and motion to intervene, in a miscarriage of Justice.

used information and belief Judge C. Rieger did not transcribe and true and accurate transcription of the record and the tape may be dubbed.

I move to have these tapes controlled and not destroyed for appeal purposes, it's belief that lance S. Booser will fail to object to the proposed order of

Josh L. Thomas as I directed before the hearing and Judge Jeffery Young will sign off on the proposed order before I or lance S. Booser have a chance

to object to the proposed order. it's belief that lance S. Booser will not file a notice of appeal or file a 59 E motion to alter or amend the judgment of

the order to include all not claims for relief in my application

such as interlocutory orders of orders denying discovery, motion to relieve counsel

and appoint additional counsel on both sides by Judge Sandra Jefferson Thomas

Master Judge Jeffery Young and Sherman's motion to deny discovery, motion to relieve shackles so I can present the case with motion to appoint

that and brought before Judge Jeffrey Young, refusal to hear the summary judgment motion, denial of co-counsel motion, erroneous denial of counsel as I never denounced Lance & Bozer as my counsel as I merely stated I'll represent myself and objection to failure to prosecute until denial of due course of justice in failing to follow procedure and rule on the summary judgment before suggesting Plaintiff call his first witness or take the stand, along with Anthony Brooks ~~to~~ in Argument Brief to preserve the record by including all these grounds in the 59 E Motion to alter or amend the judgment, under Nice v. State, 409 SE2d at 394 McLeskey v. Zant 499 US 467-468 (1991) Pratt v. State, 423 SE2d 127, 126 SC 1992 and

Moreover, its belief that Lance & Bozer is in conspiracy to cause Anthony Brooks to procedural default his malicious prosecution claim for solicitors brought pushed testimony to trial that James Warren Taylor had a orbital fracture by Dr. Timothy Bartel as well knowing that they don't have any CT scans or x-rays and never did have CT scans or x-rays showing James Warren Taylor had a orbital fracture and is why he didn't include it in the affidavit when he was instructed to see motion to relieve counsel — and is why he stated he would Judge Young would not rule on the argument for summary judgment and that Judge Young would not rule on it because he knows the argument would end the case in my favor on the merits as to the fact that the material facts of the argument is undisputed by the evidence that was presented, upon information and belief Judge Stephanie P. McDonald was elected to the Court of Appeals and she's in a strategic situation to sabotage Anthony Brooks case and went to the court of appeals for her own purposes and also as a way to sabotage Anthony Brooks case before it goes federal, or use her prestige in having the case sabotaged by other appellate court judges as a favor for Bartel until and to prevent liability as this place great influences on the Attorney General's office moving Ashleigh

Rayanna Wilson off of the case and appointing Joshua Thompson as Josh
Thompson wasn't on this case 4 months as the Attorney General removed
Ashleigh Rayanna Wilson off of the case very recently as I was never informed
that she was off the case. As Anthony Brooks wrote Ashleigh Rayanna
Wilson on March 13 2015 and April of 2015 and informed her that I see the
racism and that she's being directed to sell me just like James E
Courtney because she's black and she's doing it for whites and that I will
not tolerate it.
due to these allegations the attorney general removed her and appointed a
white guy Josh Thompson as his and another white female represented the
state as shown prejudice is shown and presumed as how can Josh Thompson
be ready to go to court with me in 2 to 4 months if that
with all the display of intelligence I've displayed and having over 50 arguments
in which I went to trials either Josh Thompson is a Greek God who knows
everything at the speed of light and is the greatest MAN in the world
or exerts communication with Judge ~~James~~ Jeffrey Young, Louise S. Borer
and representatives of the Attorney General's office devised a plan to sabotage
this case and denies Attorney Brooks relief, as its 2015 the veil is off of everything
etc. as we all know favors are being passed and in this case favors were
owed its blatant. However, the State is pleading on a procedural default
and is why the court does not accept filings but motion to relieve counsel?
when applicants are represented by counsel
wrong information and belief the court is making as the court reporters to
sabotage the record destroy tapes and obstruct justice because its no way
the court is going to allow the record to look that awful as miscarriage
of justice rings loud.
As its self explained look at the proposed order, its a plan to sabotage
the whole case on the merits on a higher argument than what is at issue as
~~that~~ but rule 60 B of CCP ^{and APPL} ~~and~~ and the rules cited
are dismissals without prejudice and "locks" deals with removal not having to
attend court for not showing up at a procedural hearing.

that's certainly not the case here, petitioner never refused to call witnesses
petitioner merely followed procedure and his case was dismissed, also "links"
have many dissenting opinions, it's no way this case could be ended on the
merits, it's a classic stalling tactic and structural conspiracy to deny relief,
and Judge for Judge is passing it on because I'm a black man
who they all do not deserve relief.

links v. ~~Wabash rail road~~ ^{codes} 379 US 266 (1962) speaks of injustice in the United States
Judicial system and that sure is the case here, for Attorney General
Josh Tolmas to cite this case shows the unjust. However, this case can
not be ciphered as such, this case surrounds conspiracy just as the letter
I sent Judge Stephanie P. McDonald as stated on pg 2 of my discovery request.
As it stated a fraud continues and these priorizers are utilizing black
codes to deny petitioner relief. As the court Judge Kristie Lea Harrington,
J. Allen Mastertons including the court reporter encoded in black codes
speaking in Latin metaphorical language in an attempt to decode messages in
court as on pg 151-152 lines 20-25 Dr Timothy Barton OSBAU alleged James
Taylor suffered a orbital fracture on the medial aspect.
in Latin he was saying de medio aspect. As this shows Dr. Timothy Barton
OSBAU was saying that he was a tenant to a "higher lord" and that he
owed a favor and for J. Mitchell Lamer of the court to not harass him about
it. As the court reporter heard this and transcribed it in English as it
he said a he had a orbital fracture on the medial aspect closest to his ~~eye~~,
nose see discovery request sent July 23rd 2017 to Judge McDonald certified
Mail, Moreover, the court of General Sessions, clerk of court act was founded
May 10, 1183 by the lord Proprietor of Berkeley county and this is who
Timothy Barton owed a favor to and he gave knowing perjured testimony to clear
a debt just as Judge Stephanie McDonald owed a favor for losing the Link v.
Berkeley county case it's better Judge G. Tolmas ruler and Judge Jeffrey
Young owed a favor, are part of the lords Proprietors or connected in one
form or another, as it understands these individuals are powerful and has
much prestige but it does not account for the wrong that has been done.

to Anthony Brooks and these individuals are looking for a fictitious technicality
or procedural default to deny Anthony Brooks relief from their wrong.
and is why Lance S. Bozzer and Pamela Jeanne Tolzin failed to amend this
argument as its been on the record since July 23rd 2014 and Petitioner could
not amend it due to counsels actions but its on the record
and Petitioner request and moves for all files to be on the Appeal record,
as its shown Lance S. Bozzer is in conspiracy to cause Anthony Brooks to
procedural default, Petitioner filed a rule 59 E motion to alter or
amend the Judgment of dismissal of the action with the Berkeley
County Court of Common Pleas and it was not filed,
the Berkeley County Court of Common Pleas sent the motion on 2015
April 29 at 11:52 AM this motion included all claims in the application
and the ~~so in brief~~ arguments that was to be amended in the Post-
conviction relief application, the motion and brief was returned stating
that the documents have to be filed through my attorney Lance S. Bozzer
However the courts allegedly relieved Lance S. Bozzer from representation
and I assume Mr. Bozzer is still appointed due to Appellate purposes,
However, Mr. Bozzer has yet to contact Anthony Brooks or object to the
proposed order procedural history as applicant was never indicted by a legal
grand jury or object to denial of motion for co-~~defense~~ counsel etc.
Moreover I filed a amended motion to ~~alter or amend~~ the Judgment rules
59 E motion and included the Summary Judgment motion, undisputed
facts, brief and declaration along with exhibits to the court I sent
it the 26th of April 2015 and the court has not returned it I assume
due to counsel issues, however I request it be filed in the ~~interest~~ ^{interest} of
Justice or sent to my counsel Lance S. Bozzer to be filed as procedural
default ~~issues~~ ^{issues} arises, or simply include it with this motion or return
it explaining it could not be filed
Moreover Prejudice is presumed as Lance S. Bozzer can not give account
for what took place in the court room after he left and he does not have the
transcript or spoke with me Lee Correctional Policy has ~~denied~~ ^{denied} me to call
all documents and has denied me the right to call Mr. Bozzer

and I'm unable to make copies of letters going to him as the police took up to a week or so as to the custom to have copies made. However, I do have debit forms and notations of what I sent and where as for drastic measures and in this instance I inform Mr. Boozer to amend the application and state that I did not refuse to call my first witness as my main witness Aisha Greene was initially in court and removed from the court and when she went to come back in the case was dismissed.

Also I did not refuse to take the stand as I was speaking to Judge Young on the basis of Summary Judgment while trying to go through my Parer work to give my opening ~~statement~~ statement if need be if he denied my motion for Summary Judgment motion and motion for continuance to subpoena my witnesses to prepare for court however, Judge Young did not give me the opportunity to give a opening statement he merely voided through procedure and suggested I take the stand or call my first witness.

I had three "Legal Boxes" in the court and I needed the shackles removed so I could present my case in chief by retrieving my documents to be submitted into evidence. Judge Young took my legal box and I pointed to it so I could present my case and he said he didn't have to do that. I retreated back to the Summary Judgment motion and he denied the case. Judge Young gave me five minutes to get myself together but I was still shackled and prevented from going into my legal work and my legal documents were still in the court room and the officers wouldn't remove the shackles or allow me to review my legal work.

Attach for the record is a letter I sent to Attorney General Nishleigh Raulanna Wilson requesting James Warren Taylor X-rays and or CT scans Certified Mail as a prima facie that none exist and Prosecutor James Warren Taylor produced evidence testifying that James Warren Taylor had a orbital fracture knowing he didn't as this exhibit was to be submitted on Summary Judgment for Prosecutorial misconduct see exhibit A. Also attach is the false subpoena paper to Jeanne Polzin sent me obstructing justice alleging she sent the subpoena and retrieve the CT scans on a film and that no one would review the films however,

The subpoena's allegedly where sent to the wrong hospital as James Warren Taylor was treated at Trident medical center in Moncks corner S.C. 29461 and this subpoena was allegedly sent to Trident hospital of Charleston S.C. as Ms Pamela Jeanne Polzin never had any CT-Scans as I asked her to produce them and her the attorney General Ashleigh Rayanna Wilson or the Berkeley County Solicitors office has let to produce the allege x-rays and CT-Scans of James Warren Taylor ~~from records~~ see subpoena Ex. B.

If necessary Applicant request that new counsel or Lance S. Booser file a notice of Appeal to the court of Appeals if Judge Young do not grant a new hearing on the basis of the Applicant being surprised and knowing where his witnesses went as the court officers removed them and did not inform where they where or where they went as the court and counsel Lance S. Booser knowing what took place and refusing to say anything.

The proposed order issue is failure to call a witness in this instance the ~~court did not~~ ~~the~~ applicant was surprised and did not know where his witnesses ~~and~~ went and the court dismiss the action denying applicant a procedural right to one fair bite at the apple.

In rice v. state the court explained that every applicant is entitled to a full adjudication on the merits of the PCR Application - or one bite at the apple - which included the right to appeal the denial of a P.C.R. Application and the right to assistance of counsel in that appeal.

Applicant was denied the right to call his witnesses as he was surprised of their removal as witness Nisha Greene who applicant stated in his motion to relieve counsel Lance S. Booser was removed from the court and not called back without applicants control. As Governmental interferences prevented the applicant from calling his witness see McIntosh v. Zant 499 US, 497 966 (1991) and the ~~court~~ ~~district~~ denied applicant a full hearing on the adjudication of the merits. Furthermore the proposed order cites Link v. Wabash Railroad Co. 370 US 606 (1962) as its lead case as this case pertains to counsel

failing to appear at a pre-trial and counsel not giving any sufficient reason for not appearing at said pre-trial.

In this instance Applicant stated your honor none of my witnesses are here, and the court allege that is your problem, moreover, Applicant was surprised and did not know where any of his witnesses went, as they were initially in court.

As counsel Lance S. Bozzer could attest that they were removed and upon the witness removal no one advised them to be in court. Accordingly these events were beyond the Applicant's control. Id at 563. As the officers of the court alleged the witness left, but one applicant was back at Lee Correctional Power of Attorney Aisha Greene advised she was removed from the court by court officers and while awaiting Lance S. Bozzer was explaining to the witnesses that he was representing himself and when they went to go back into the court they were told the case was over as this happened was 5 to 8 minutes later.

Unlike *Luke v. Arabas* Applicant has sufficient ground ~~and~~ why he could not call his witnesses and request a new hearing, and the dismissal of the action entered or amended as provided by rule 59 E SCRP.

SL 110578 Bv
Attorney Brooks 313060

LCE NSU 132

990 Wisack Hwy

Ridgeway SC 29160

I swear under Penalty and Perjury that
the foregoing is true and correct this
5th day of May 2018

Exhibit AA

letter of inquiry ex parte requesting CT scans of James Warren Taylor showing alleged orbital fracture as this is the document I sent concerning PCR that annulled the PCR case and why Judge Stephanie P. McDonald denied discovery and PCR. also is a discovery letter I sent Stephanie P. McDonald I have to make copies to send, ~~however~~ however it may be on the PCR record.

POSTAGE & FEES

- ☐ Certified Mail
- ☐ Registered Mail
- ☐ Signature Required
- ☐ Signature Confirmation
- ☐ Return Receipt by First-Class Mail®
- ☐ Return Receipt by Registered Mail
- ☐ Return Receipt by Certified Mail
- ☐ Return Receipt by Signature Confirmation

Honorable Judge
Stephanie McDonald
300 California Ave.
Moncks Corner, SC 29461

ADDRESSEE

X David W. Tipton
David W. Tipton 7-21-99

- ☐ Certified Mail
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CLP 1999

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SC Attorney General
Ashleigh Wilson
PO Box 11549
Columbia, SC 29211

ADDRESSEE

X Janice M. Allen
Janice M. Allen 7-21-99

- ☐ Certified Mail
- ☐ Registered Mail
- ☐ Signature Required
- ☐ Signature Confirmation
- ☐ Return Receipt by First-Class Mail®
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CLP 1999

201- 5600 00

SOUTH CAROLINA Attorney General
Ashleigh R. Wilson
P.O. Box 11549 Columbia S.C. 29211

RE: disclosure of documents and tangible objects
in relation to Berkeley County Prosecution of Altony Brooks of case
08-GS-08-1729 and 08-GS-08-1728 General sessions held on 1-12-09
by Judge Kristi Lea Harrington as well as relation to case 2011-CP-08-
2266 in the Berkeley County Court of Common Pleas.

DEAR MS. Ashleigh R. Wilson,

Enclosed, please find a letter of inquiry
requesting disclosure of James Warren Taylors allege x-rays and
or ct-scan showing the allege orbital fracture as presented thru
testimony by J. Allen Mastantuno and Jim Courthney of DR. Timothy
Barton MSBON along with a request of the grand jury impanelment
documents and documents showing petitioner ever gave up
his unalienable rights. Please have these documents filed and respond
promptly

Sincerely Altony Brooks
Altony Brooks
LCI ASU RM 2 N-8:de
990 WISACKY HWY
Bishopville S.C. 29010

Power of Attorney
Aisha A Greene

1610 Greentown Rd.
ST. Stephen S.C. 29479

S/ Aisha Greene
AISHA GREENE

Certified Mail Number 7014 1200 COD2 2340 1438

Executed this 23rd day of July 2014 AD

UNITED STATES OF AMERICA

LETTER OF INQUIRY

Certified Mail Number _____

To: SOUTH CAROLINA

Assistant Attorney General Ashleigh R. Wilson

P.O. Box 11549, Columbia SC 29211

RE: STATE OF SOUTH CAROLINA V. Altony Brooks, and Altony Brooks V. STATE OF South Carolina

Case No: (2011-CP-08-2266 post conviction) and (08-GS-08-1729, and 08-GS-08-1731)
BERKELEY County Common Pleas Court. General Sessions Conviction
Jan 12-13-2009, Berkeley County

DEAR, MS. Ashleigh R. Wilson,

Please Provide the following information pursuant to the
States' Public Disclosure laws to Altony Brooks, hereafter "
"Aggrieved Party" in respect to the right to the redress of grievance
as stipulated in the constitution for the united states of America.

This request is further made pursuant to title 42 U.S.C.A.
§ 1986, 1985 & 1983 and Title 18 U.S.C § 1621 as it applied via oath of
office of each officer of oath / Affirmation who comes to know of this request

Please provide certified copies of the instruments upon which
you rely in the STATE OF SOUTH CAROLINA'S prosecution of
Altony Brooks,

Please provide certified copies of any contracts, bonds, chattel
encumbrances, real property or any contract upon which you rely in your
presumption that Altony Brooks, ever waived his unalienable rights and
agreed with full disclosure and knowledge that Altony Brooks,
ever agreed to be treated as a colorable person under military rule of
District of Columbia's corporate franchise "STATE OF SOUTH CAROLINA"

This request included James Warren Taylor x-rays and or
CT-scan that was allegedly taken at the Monks Corner medical center
in Monks Corner S.C 29461, by Steven Ciabottini, radiologist and DR. Timothy
Barton Osbon, as the Berkeley County prosecutors Jackie Allen Mastantuno
and Jim Courthet presented testimony of DR. Timothy Barton Osbon
that James Warren Taylor suffered a orbital fracture at trial.

Moreover, a letter of Inquiry requesting James Warren
Taylor's allege x-rays and CT scans showing his allege orbital
fracture was sent to you and the Attorney General's office on
June 4th 2014, certified mail number 70140150000200229054
and you or any agent or officer of the office responded not.

This request is further made pursuant to S.C. Code Ann. § 14-7-1770 (Supp 2003) and South Carolina freedom of information request and act, 30-4-15 to 30-4-1615 (1991 and Supp 2003 as a whole,

The aggrieved Party request the grand jury impanelment documents including the State of S.C. Petition, Supporting materials,† Judges order in compliance with S.C. Code Ann 14-7-1630 Supp 2003, as the aggrieved Party has the right to obtain documents pertaining to the empanelment of the state grand jury which indicted defendant ~~and~~ to ensure the grand jury was properly impaneled pursuant to S.C. Code Ann 14-7-1630 Supp 2003

Pursuant to S.C. Code Ann 14-7-1770 (Supp 2003) A defendant has a right to obtain documents pertaining to the impanelment of the state grand jury which indicted him, impanelment documents including The State of South Carolina Supporting materials and impaneling Judges order may be released to a defendant prior to trial upon a timely request, or an applicant on Post-conviction relief proceeding.

The aggrieved Party is currently on Post-conviction relief case 2011 CP-08-2266 in the Berkeley County Court of Common Pleas, Judge Stephanie P. McDonald has granted discovery and to the contrary of the order of Judge Stephanie P. McDonald, the aggrieved party move to disclose all documents listed in this letter of inquiry

on January of 2013 I sent a letter of inquiry to the Berkeley County Solicitors office & to Jackie Allen Mastantuno requesting James Warren Taylors medical file of x-rays, and the Solicitors office failed to produce the documents,

on June 4th 2014 the aggrieved Party sent a Letter of Inquiry to the ~~the~~ Berkeley County Solicitors office Allen Mastantuno requesting James Warren Taylors x-rays and or ct scan that was allegedly broken at the Monks Corner medical center in Monks Corner S.C. 29461, and has yet to receive a response certified mail number 7014 0150 0002 0022 9146

Moreover, on January of 2014 the aggrieved Party contacted Brian A Alfaro of the Berkeley County Solicitors office and he called and left a message via voice mail that he's not coming off of the x-rays of James Warren Taylor, October 11th 2014, Post-conviction Counsel Pamela Jerenna Polzin has informed that The prosecution does not have the x-rays and or ct scan as she searched their file and she allege she will have to subpoena

James Warren Taylor's x-rays and or CT-Scan from the monks corner medical center custodian in monks corner S.C 294101.

This letter serves as a prima facie evidence that no such documents exist.

You are hereby granted ten (10) days from receipt of this letter plus three days return mailing to provide the documents requested and identified above, below and on pages 1, 2, and 3 of this letter of inquiry.

Silence can only be equated with fraud where there is a legal and moral duty to speak, where an inquiry is left unanswered would be intentionally misleading "US v. Tweel, 550 F.2d 297-300 (1977)

Your failure to provide the documents requested herein shall be a prima facie evidence by tacit agreement that no such Authority or documentation exist, as to the above entitled case and that a fraud continues void ab initio as to the ongoing unlawful imprisonment of Altony Brooks, and is without authority of law, and any and all damages caused by officers and agents of the State of South Carolina's corporations fraudulent seizure and unlawful imprisonment of Altony Brooks are set by Trezvant v. City of Tampa, 741 F.2d 336 (11th cir 1984) via Tort claim and are due and payable immediately.

I further request that the Attorney General agree to grant Petitioner relief on the grounds that the Court lacked subject matters jurisdiction and that the prosecution presented fraudulent testimony in case 08-68-08-1729 and 08-68-08-1728 that James Warren Taylor had a orbital fracture when there was no material evidence of such, and that a Grand Jury was never held.

Notice: Any response to this inquiry must be sent to aggrieved Party exactly as follows.

Aisha A Greene / Power of Attorney

1610 Green Town Rd

St. Stephen S.C 29479

NON DOMESTIC

Altony Brooks 313000

161 Ash Rd 2 N. Side

990 Wisacky Hwy

Bishopville S.C 29010

NON DOMESTIC

Executed this 23rd day of
July 2014 AD.
month

Sincerely,

Altony Brooks

aggrieved Party

Aisha Greene

Power of Attorney

C.C. MY File

C.C. Attorney General

C.C. Judge Stephens P. 1111

Exhibit B Motion to set aside judgment cover letter that Berkeley court/
Clerk of court TBM failed to file and send to the judge Thomas Cooper?

Judge THOMAS COOPER
Berkeley County Court of Common Pleas, Mary P. Brown / clerk
300 California Ave
Maulds Corner S.C. 29461

RE: Altony Brooks v. STATE OF SOUTH CAROLINA
Case No - 2011-CP-082266

DEAR MS. BROWN

Enclosed please find the original motion to set aside judgement of Judge Thomas Cooper order reliving and appointing counsel along with exhibits or certificate of service and cover letter. Please send attorney General Ashley R Wilson and Judge Thomas Cooper a copy. I'm unable to send them copies due to lee correctional failing to make copies. Please have these documents clocked date stamp copied ^{Filed} and return to me

Sincerely Altony Brooks
Altony Brooks 36300
LCI ASU RMA
990 WISACKY HWY/
Bishopville SC 29010

Date:
November 3rd 2014

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

FILED

IN THE COURT OF COMMON PLEAS
9th Judicial Circuit

Altony Brooks,

Applicant,

2014 NOV 10 PM 12:25

2011-CP-08-27106

v.

STATE OF SOUTH CAROLINA
BERKELEY COUNTY, SC

Respondent,

MARY P. BROWN

CLERK OF COURT

MOTION TO SET ASIDE Judgment of
Judges order appointing counsel and not
appointing additional counsel after this
time.

Your Honor, Judge G. Thomas Cooper this matter comes before you by way of an application for post conviction relief. A hearing into the matter was scheduled for September 3th 2014 at the Charleston County court house. At the hearing the applicant was present, along with his appointed Attorney Pamela Polzin Esquire.

Applicant presented substantial grounds to relieve counsel Pamela Jeanne Polzin. At the hearing Judge Cooper granted applicants request, the attorney General Ashleigh R. Wilson requested that applicant be denied counsel and proceed pro se, all the day of the hearing Judge Cooper stated that he's taken Mr Brooks' matters in consideration and that the case will be continued, he informed Assistant Attorney General Ashleigh R. Wilson that she will have to get Mr Brooks to sign a written order of waiver of him ~~waiving~~ ^{signature} his rights to counsel. Judge Cooper took 30 days to ~~the~~ ^{signature} a order with the Berkeley County clerk of court, he signed a order on October 7th 2014 and it was filed with the Berkeley County court of common pleas on October 14th 2014. Pamela Jeanne Polzin sent the order to Mr Brooks allegedly on October 2nd 2014. Mr Brooks didn't receive the order until October 27th 2014 upon information and belief.

This order is bias and prejudicial to petitioner and continued structural conspiracy to deny petitioner a fair and impartial hearing. The order of Judge Cooper is vague and do not state any specific findings of fact or conclusions of law and upon information and belief the Attorney General Ashleigh R. Wilson prepared the order and Judge Cooper signed it, the order addressed Ashleigh R. Wilson Attorney General intent.

this order was prepared to deny Mr. Brooks post conviction counsel and to make a gloss of the record that Mr. Brooks is being unworkable with counsel and has have counsel relieved twice. As on the order it states the court notes the applicant also moved to relieve Sharon Capers who was appointed to represent him prior to Ms. Polzin.

However, the court did not note that Sharon Capers worked in the ninth judicial circuit office with Jackie Allen Masterton and James E. Courtney II solicitors who prosecuted this case as well as worked with trial counsel J. Mitchell Lanier as Mr. Lanier assistant. The court failed to address the facts that Judge Dendra Jefferson relieved Ms. Capers on those grounds allege by Mrs. Capers.

So thus I'm sure the order was prepared by the advisory the Attorney General Ashleigh R. Wilson, in violation of equal protection provided by the 14th Amendment of the United States Constitution.

Moreover, Pamela Jeanne Polzin filed a motion to relieve counsel on December 3rd 2013 and Judge Stephanie P. McDonald failed to entertain it. Mr. Brooks stated at the hearing on September 8th 2014 that Ms. Pamela Jeanne Polzin is in conspiracy to cause him to procedural default and is intentionally denying him due administration of justice in which Judge Stephanie P. McDonald granted discovery on November 20 2013 and the same discovery she granted she denied. Mr. Brooks articulated that the discovery request he sent regarding x-rays and ct-scans of James Warren Taylor and that he needed the alleged x-rays and ct-scans so he could have a doctor review them. Mr. Brooks articulated that Ms. Polzin failed to file a 59 E Motion to alter or amend the judgement of Stephanie P. McDonald order denying discovery of James Warren Taylor in which the order failed to state any specific findings of fact or conclusions of law as stated under Plitt v. State 423 S.W.2d 127 (1970) ~~mishe mishe~~, SC code ann 17-27-30 (2003) which states "A PCR court shall make specific findings of fact and state expressly its conclusions of law to each issue presented. An order in a PCR matter which does not include specific findings of fact and conclusions of law relating to

p.2.

each issue Presented does not constitute a final order or Judgement under the uniform Post-conviction relief act and therefore is not reviewable by writ of certiorari, similar to the situation in pruit v. state 423 ~~nd~~ Se2d 127(1992)

Even after an order filed, Counsel has an obligation to review the order and file a 59 E Motion to alter or amend the Judgement ~~under~~ if the order fails to set forth the findings of fact and reasons for those findings. Halt v. Catoe 601 SE2d 335, 341 (SC 2004)

Mr. Brooks also articulated for the record that the court reporters, Judges and Counsels who are being appointed to represent and hear his case are not transcribing a true and accurate transcription of the case and that the courts are intentionally highering counsels who are in conflict with Mr. Brooks to deny him a fair and impartial hearing.

Mr. Brooks also stated that he sent the Attorney General Ashleigh R. Wilson and the Berkeley County Solicitors office Letter of Inquiry^s certified mail requesting James Warren Taylor allege X-rays and ct-scans and that the Attorney General or the Berkeley County Solicitors office Jackie Allen Mastantuno has yet to produce the allege X-rays or ct-scans of James Warren Taylor.

Mr. Brooks also stated he sent in the letter of inquiry^s and discovery a request for the grand jury impanelment documents as these documents are germane to the function of the court. Mr. Brooks^d stated that Ms. Polzin sent him a allege subpoena of James Warren Taylor X-rays and ct-scans from the ~~Trident medical center~~ Trident medical center 401 N. live oak Drive Monks corner SC 29461. However, the allege subpoena is addressed to Trident Hospital medical custodian in Charleston SC address 9330 Medical Plaza Drive Charleston SC 29406. Mr. Brooks stated that the Attorney General Ashleigh R Wilson note the Berkeley County Solicitors office have X-rays and ct-scans of James Warren Taylor and Ms. Polzin is alleging that she has the ct-scans on a disk, and that the Charleston radiologist will not review them. However, Shes attempting to make a gloss of the record that she has James Warren Taylor ct-scans when she knows name exist.

during this hearing Judge Cooper removed every one from the court room against Judicial ethics and drafted Mr. Brooks for performance this hearing was set it up as at the beginning of the hearing Attorney General Ashleigh R. Wilson opened and attempted to have for Summary Judgement on the Pleading.

Judge Cooper and Counsel Pamela Jeanne Polzin was allowing Ashleigh R. Wilson to Proceede knowing the Plaintiff opens and not the defendant MS. Wilson attempted to go to the Scales of Justice utilizing hand signals, once Mr. Brooks noticed, I began to speak and Judge Cooper Judicially leaned, stopped Mr. Brooks from speaking, MS Polzin intervened and stated before ~~she~~ move forward, my client, moves the Court to have me relieved

and that he states he do not want me as his counsel, never did want me as his counsel and believes that I and others are in a conspiracy to deny him a fair and impartial hearing and do to these facts I cannot zealously represent Mr. Rinko and request that I be relieved as counsel.

Judge Cooper immediately removed everyone from the court room and requested law enforcement to stay. Judge Cooper did this so no one could hear what is to be heard. Mr. Brooks requested that the chains and shackles be removed so he could adequately present his case. Mr. Brooks informed that the shackles and chains was infringing on his freedom of expression and he needed them removed so he could go through his documents and present to the court.

Judge Cooper denied this motion on an erroneous motion stating do to Mr. Brooks criminal conviction he is not allowing the cuffs to be removed. Mr. Brooks filed a 59 E Motion, then a Rule 60B Motion to a writ of Habeas on this issue, Judge Cooper removed Mr. Brooks from the court once he was finished presenting the record once Mr. Brooks was brought back before the court the Attorney General Ashleigh R. Wilson was present in the court and requested Mr. Brooks to not be given counsel, Mr. Brooks then responded and stated MS. Wilson is operating under contempt of court and denying him due administration of Justice. Mr. Rinko then asked MS. Wilson do she have the order where

Judge Stephanie P. McDonald denied discovery and that he has it but has belly chained and hand cuffed and is prevented from obtaining it and would like to review it. Judge Cooper intervened and stated Mr. Brooks where only here to relieve counsel.

In those instances Mr. Brooks presented a substantial claim to relieve counsel as stated in Richardson supra. Mr. Brooks showed upon the court that the parties envelope including counsel Pamela Jeanne Polzin is in conspiracy to deny him relief and is doing any and everything to impede his litigation.

In those instances Judge Cooper made this bias judgement to preserve the record so Mr. Brooks wouldn't be given another counsel after this one, as it's foreseen that the next counsel appointed will be a counsel who's in cohorts with the conspiracy to not file motions or present Mr. Brooks matters to the court.

As South Carolina has placed the appointment of counsel in the hand of the adversary the attorney general and this is a nullity and a separation of powers to allow a member of an executive branch to perform a judicial function. An appointment of counsel is a judicial power and a judicial function not an executive one.

Moreover this order that has been signed by Judge Thomas Cooper is a nullity and only benefits the Attorney General and does not comply with Richardson supra. Judge Cooper did not entertain the merits of the motion to relieve counsel by Mr. Brooks. as Mr. Brooks filed the motion to relieve August 27th 2014. and preserved the record on the issue to relieve counsel on

September 8th 2014. Moreover the court did note any of the findings of the motion to relieve counsel on behalf of Pamela Jeanne Polzin motion filed December 3rd 2013. in this instance Judge Thomas Cooper signed a order that's prejudicial to applicant and gives the next counsel to be interminably ineffective and which gives the state strategical advantage to prevail in this case, as petitioner is not a legal scholar and therefore he needs

adequate assistance of counsel to prevail on his claims on Post-conviction relief as stated in Martinez v. Ryan 2012 WL 912950 (US) to substantiate a meritorious claim of ineffective assistance of Trial Counsel. In this context giving Petitioner's unalienable rights her being impeded by constitutional law and statutory law to deny him adjudication on the merits of his claims in a righteous manner and on these grounds and more the order of Judge Thomas Cooper is to be set aside.

I Swear under Penalty and Perjury the foregoing is true and correct this 3rd day of November 2014 in Bishopville SC 29010
S/ Anthony Brooks

Anthony Brooks 313000
LCI ASURM 2 N-Side
990 WISACKY Hwy
Bishopville SC 29010

Exhibit ~~01~~ A

Shawing Pamela Jeanne Polzin sent petitioner Altonu Brooks the order relieving herself on the 22nd of October 2014, As its ironic that ms. Polzin born all of her letters on the 22nd of each month, as this has substantial merit in a aligorical, cult and spiritual aspect, which her and others continue to utilize to deny me relief. However, Mr. Brooks was told that he would have to subpoena the mail lot but Dr. Eastbridge of lee correctional, so theres no direct date as to when he recieved the order of Judge Thomas Cooper However upon information and belief it was the 27th day of October 2014.

exhibit ~~6C~~ Motion challenging validity of transcript in which the cover letter was not filed and filed late.

• Mary P Brown Clerk of court
300 California Ave
Flores Corner SC 29401

RE: Case No. CP-08-006 Berklei County Court of Common Pleas
Alton Brooks v. State of South Carolina

DEAR Ms. Brown,

Enclosed please find a motion challenging the validity of transcript and request not to destroy Tapes in Proceedings along with certificate of service. Please send these documents to the court reporters in this case and the Attorney General. I'm unable to do so due to denial of costs. Please have these documents filed clocked dated stamped and return to me.

Thank you. ~~ALB~~

Alton Brooks 31366

CEL ASD RMISD

170 W. 1st St. W.

B. Shoreville S.C. 29400

Date 4-28-2015

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

ALTON BROOKS

ALTON BROOKS PETITIONER

V.

STATE OF SOUTH CAROLINA
RESPONDENT

) IN THE COURT OF COMMON PLEAS
) Case 2011-CP-082266
) CERTIFICATE OF SERVICE

I, Alton Brooks, Herby certify that a copy of the Motion to challenge the validity of the Transcripts and coverletter was placed in the institutional mail pre paid first class postage addressed to following.

Mary P. Brown / clerk of court

300 California Ave

Moultrie SC 29461

April 27, 2015

Bismarck SC 29010

I swear under penalty and perjury that the foregoing is true and accurate this 28 day of April 2015 at Bismarck SC 29010

State P.

Alton Brooks State

CC RMH 152

Moultrie SC

Bismarck SC 29010

FILED
2015 MAY -5 PM 2:59
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, SC

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

ALTONY BROOKS
ALTONY BROOKS Petitioner

v.

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS
CASE NO: 2011-CP 082266
Challenge the Accuracy of transcription
of Proceedings of September 18, 2013
November 20th 2013, September 3th 2014 and
April 22nd 2015

Your Honor as provided by rule 108(i) S.C.A.C.R. I ~~am~~ Petitioner Altony Brooks
squarely challenge the accuracy and transcription of the proceedings of
September 18, 2013, November 20th 2013, September 3th 2014 and April 22nd 2015
hearings of the above case. Judge Rucker, Amanda Haffenden and Sharon L.
vicer. As provided by rule 108(i) in any proceeding that has been transcribed,
the court reporter shall retain the original and back up tapes which
has been transcribed for a period of at least 30 days after the
original transcript is sent to the requesting party. to allow any party to challenge
the accuracy of the transcription. If no challenge is received by the court
reporter within 30 days period, the tapes may be used as dictated.
Petitioner now moves the court to compel the tapes as that will be used on Petitioner
Petitioner challenges the tape and and transcription as Petitioner has yet to appeal
and moves the court and reporter not to destroy the tapes of the proceedings.
Petitioner finally challenges and questions the validity of the tape as well as the
transcription before this case be transcribed.
Failure to comply with request will result into remedial and actions.

I swear under Penalty and retract that the foregoing is true and correct
this 28 day of April 2015 in Berkeley SC - 17110

Altony Brooks
Altony Brooks
LCF ASIR 115
170 W. 11th St
Berkeley SC 29110

MAILED
CLERK OF COURT
BERKELEY COUNTY, SC

2015 MAY -5 PM 2:59

Exhibit D Petitioner's motion and objection to proposed order of dismissal that was ~~sent~~^{sent} before the order of dismissal to the clerk's office

~~Alton~~ Alton Brooks

Mary P. Brown
Clerk of Court
300 California Ave
Moultrie SC 29461

RE: Alton Brooks, ALTON BROOKS v. State of South Carolina.
Case J011-CP-18 22660

Dear Ms. Brown:

Enclosed please find a objection to the Attorney General proposed order for Judge Jeffrey Young to sign along with a certificate of service. Please have these documents filed and return a clocked date stamp copy to me, as there is a considerable issue whether Judge Young relieved Lance S. Booser as counsel, as the action been dismissed without counsel, to avoid procedural default in the interest of justice this objection has to be filed on behalf of Applicant, because counsel Lance S. Booser was removed from the court room in not representing Alton Brooks and Judge Young dismissed the case for unknown reasons. Petitioner stated he would represent himself but never ~~and~~ relied counsel as representing him. In this instance for safe guards and time deadlines and procedural default Alton Brooks moves the court to file these documents.

"I file this objection to proposed order on its face" as well as the ground of a motion to relieve counsel due to the fact its the only threat the court presoner can be accepted as well as to preserve the record and to call the attention of Mr. Booser because Lance Booser may not know what going on.

May 5th 2015

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

ALTONY BROOKS
ALTONY BROOKS,
Petitioners

v.

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
Case No. 2011-CP-08-2266

CERTIFICATE OF SERVICE

I, Altony Brooks, Herby certify that I have served upon the clerk of court of Berkeley County ^{to be sent to} ~~and~~ S.C. Supreme court's lance S. Boozer (a) copy of objection to proposed order drawn by SA Attorney General Josh Thomas in the united states mail first class postage pre-paid addressed as follows as well as to Judge W. Jeffery Young.

Judge W. Jeffery Young
215 N. Harwin Street
Sumter SC 29150

Mary P. Brown lance S. Boozer
clerk of court 807 Gervais Street
200 California Ave Columbia S.C 29201
Months corner SC 29461

SC Supreme court
court of appeals
PO Box 11629
Columbia SC 29211

this 5th day of May 2015 in Bishopville S.C 29010

s/ Altony Brooks

Altony Brooks 313000
CC1 ASURNIS2
990 Wisconsin Hwy
Bishopville SC 29010

Josh L. Thomas
PO Box 11549
Columbia S.C 29211-8449.

I declare under penalty and perjury that the foregoing is true and correct this
5th day of May 2015.

2015 MAY -8 PM 3:39
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, SC

FILED

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

Altony Brooks
ALTONY BROOKS
Petitioners,

v.

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS
) FOR THE NINTH JUDICIAL CIRCUIT
) case No. 2011-CP-08-2266

OBJECTION TO PROPOSED ORDER

IN the guise of
motion to relieve counsel

This matter comes before the court by way of an Application for Post-conviction Relief filed August 4, 2011. Respondent made a turn on or about December 9, 2011. ~~the court has no record~~

I. Procedural History.
Argument and objection.

1. There are material facts that not heard or considered that Applicant was indicted by a legal grand jury so the Attorney General's proposed order is a nullity. Petitioner's application denounces any form of indictments on Altony Brooks or ALTONY BROOKS © straw man corporation. See amendment to application of record. States Applicant was "never indicted" and strikes any language indicating he was indicted in the Application.
2. further more the Application alleges perjury by way of obstruction of justice, and amendments of claims of ~~perjury~~ and fraudulent indictments was to be amended at the hearing.
3. The court never admonished Applicant that MR. Brooks represented Applicant. the court stated Altony Brooks could interplead and intervene in the action but he must do it on the stand.
4. The court did not state ~~the court has no record~~ No such straw man existed.
5. The court did not excuse Mr. Booser from the court room, as no straw man corporation was a party to the litigation.
6. The court stated MR. Booser can not represent a fictitious corporation.
7. THE Application is filed all capital letters ALTONY BROOKS as the applicant in the case. Altony Brooks the living breathing man Name is not all capital

FILED
2015 MAY -8 PM 3:39
CLERK OF COURT
BERKELEY COUNTY, SC

letters, the living breathing man Altony Brooks name is spelled Capital A, lower case L, t, o, n, y; capital B, lower case r, o, o, k, s. As Altony Brooks explained this to Judge Tolman Cooper on September 8th 2014 at a post conviction relief hearing

8. ~~the court~~ Judge W. JEFFERY YOUNG did not allow Plaintiff to articulate for the record his basis for his motion to relieve counsel, Judge Young intervened in petitioner presentations and stated he's not going to be allowed to relieve counsel and that petitioner would have to either relieve counsel or represent himself.
9. Judge Jeffery Young did not consider any of the Basis of the motion to relieve counsel as presented in the motion.
10. Judge Jeffery Young stated the strawman corporation was a bunch of crap, he never said it didn't exist as the Attorney General Josh L Thomas proposed order states.
11. Judge Jeffery Young advised lances Booser that he could not represent a fictitious corporation over 4 to 5 times and not once he denounced the straw man corporation did not exist.
12. For Judge Jeffery Young to state that the issue at hand does not concern the straw man corporation would be adversarial and thus he never said the application did not concern the straw man corporation ALTONY BROOKS. all caps as defined in U.S.C.A. title 15 Section 44.
13. the court never admonish Applicant during the motion to relieve counsel on the basis that the court would not tolerate Applicants failure to comply with the rules, and any failure to comply would result in a dismissal of the application. Applicant never stated Mr Booser "could" represent the "strawman".
14. the court merely stated he will dismiss the application and that Mr. Booser could not represent a fictitious corporation. There where no notice of rule violations as stated in the Attorney General's proposed order.
15. The court did not after a brief recess given to Applicant to prepare to present his case recognized Applicant to call his first witness.
 - the court never stated that he relieved Mr. Booser from representing Altony Brooks, the court relieved lances Booser from representing the straw man corporation stating Mr. Booser cannot represent a fictitious corporation and that Mr. Brooks will be representing himself.

16. when Altony Brooks entered the court after 9:00 & minutes to prepare and present his case. Altony Brooks moved for summary judgment on the pleading and the court stated you may take the stand or call your first witness.
17. Judge Young did not recognize applicant to call his first witness in sequence as the proposed order alleges.
18. Applicant never refused to call ~~his~~ ~~but~~ ~~any~~ any of his witness(es) as the proposed order alleged.
19. the court violated procedure and never ruled on Altony Brooks motion for summary judgment.
20. After the court "suggested" that petitioner call his first witness Altony Brooks allege none of my witness(es) are here.
21. Judge W. Jeffery Young allege that is your problem.
22. Altony Brooks then ~~presented~~ ~~that~~ ~~judge~~ ~~stated~~ ~~and~~ a filed motion ~~to~~ to relieve the shackles so he could present his case and Judge Jeffery Young stated I don't have to do that.
23. Altony Brooks then stated ^{Honor} Your I like to move for summary judgment on the pleading. Judge Young stated this case is being dismissed.
24. Altony Brooks witness(es) Aisha Greene and Shaun-Tara Brooks was removed from the court by Lance S. Bozzer when Judge Young gave Altony Brooks 5 minutes to prepare for the case and Altony Brooks did not know that where removed.
25. Altony Brooks was removed from the court room and placed in a cell for 5 minutes then called back into the court.
26. Once back in court Altony Brooks realized his witness(es) where gone and not present as that where initial in the court.
27. Once in court Altony Brooks petitioner asked the officers where was his witness(es) and the officers allege they left.
28. At the time Altony Brooks did not know that Lance S. Bozzer removed his witness(es) from the court room, Altony Brooks never relieved Lance Bozzer from representing him. or denounce Lance S. Bozzer representing him. Mr. Brooks stated he would represent himself.

29. once back at Lee Correctional Altony Brooks ~~was~~ was advised by his
his Power of Attorney Aisha Greene via telephone that she and all the
witnesses were removed by lance S Boozer esquire and that Mr. Boozer
removed them from the court room.

30. Attorney Power of Attorney Aisha Greene stated that while removed from
the court room lance S Boozer esquire was advising the witness(es)
that Altony Brooks was representing himself.

31. Power of Attorney Aisha Greene stated that once lance S. Boozer was
finish explaining that Altony Brooks was going to represent himself
her, Shaun-Tara Brooks and Mr. Williams proceeded to go back into the
court and once in the court they were advised the case was over.

32. UPON information and belief Attorney General JOSH L. Thomas
witness lance S. Boozer signal witness Aisha Greene, Shaun-Tara
Brooks and Mr. Williams out of the court room and did not say
anything.

33. the court never ruled on the motion for summary judgment as presented
by Altony Brooks to even consider moving forward with procedure.

34. Solicitor James E Courtney was not at the hearing at all and he was
a prosecutor who prosecuted the case and Judge Young actions made it
futile for Altony Brooks to present these facts as the court cut Altony Brooks
speech the entire hearing and allege he does not want to hear anything
about "Judicial concerns" and the upholding of the integrity of court.

35. The court played ou "unbiased" the whole hearing and the Judges tenor
and tone made it obvious that any objection would be futile and resulting of
the case would result into dismissal, ~~therefore~~ Altony Brooks was never "directed"
by the court to call any witnesses and never refused to call any witnesses,

~~36. [REDACTED]~~ FINDINGS OF FACT AND CONCLUSIONS OF LAW

Judge Young dismissed this application and made Petitioner Altony Brooks
represent himself without entertaining the basis of his motions to relieve counsel
and lance Boozer conflict of interest as working for the SC Attorney General's
office and the South Carolina Attorney General's office the adversary appointing

Conflict representation and lance S. Booser esq actions of not filing his motion and amending the application or subpoena of witnesses and failure of notice of court etc as articulated in the motions to relieve counsel and appoint new counsel, S.C. Attorney General's Josh L. Thomas drafted a proposed order of dismissal for Judge Young to sign and the practice of the adversary to draft written orders are disfavored by the ~~court~~ ^{the} Supreme Court of South Carolina.

Counsel should keep in mind that courts will often ask the prevailing party to prepare an order. When this occurs, counsel should object to allowing the attorney general's office to prepare the written order on the basis that this practice is disfavored by the South Carolina Supreme Court, particularly in capital cases, and it greatly increases the chances that the order will fail to make appropriate and specific findings of fact with respect to each issue presented. The Supreme Court has said that it strongly encourages PCR Judges to draft their own findings of fact and conclusions of law in death penalty cases. Hall v. Catoe, 601 S.E2d 338, 341 (S.C. 2004)

Even if the objection is overruled and the court requests the prevailing party to draft the order, the court may only do so if "the other parties are apprised of the request and are given an opportunity to respond to the proposed findings and conclusions. Id. at 341 (quoting S.C. App. Ct. Rule 501, Canon 3 B7(c))

Counsel preparing proposed orders should be meticulous in doing so, opposing counsel should call any omissions to the attention of the PCR Judge prior to issuance of the order, and the PCR Judge should carefully review the order prior to signing it. Even after an order is filed, counsel has an obligation to review the order and file a (rule 59(E) SCRCP) motion to alter or amend if the order fails to set forth the findings and the reasons for those findings as required by S 17-27-80 and Rule 52(a), SCRCP. Pruitt, 423 S.E2d at 128; see marlar, 653 S.E2d at 267; Hall 601 S.E2d at 341

Because the Attorney General is preparing written orders is disfavored by the South Carolina Supreme Court and the order is not factual in language Antony Brooks, moves to have the Honorable W. Jeffrey Young carefully review the order and take the false words out of the order if he chooses to sign it or simply prepare his own order. Accordingly applicant ~~demands~~ finds it proper that the proposed order be admonished.

Exhibit E motion to alter or amend Judgment of Summary Judgment that the Berkeley county clerk of court failed to file.

Exhibit F receipts showing that the SO Argument brief was filed along with rule 52a and 59 E motion to alter or amend order of dismissal and summary Judgment that was not filed that the Berkeley county clerk of court failed to file.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Division of Inmate Services

AGREEMENT TO DEBIT E.H. COOPER ACCOUNT

Inmate's Name: <i>Anthony Green</i>	SCDC #: <i>313000</i>	Housing Unit: <i>154157</i>	Date: <i>5-18-15</i>
--	--------------------------	--------------------------------	-------------------------

GENERAL MATERIAL

** Inmate must have the funds in his/her account to pay for the materials.

To be completed by
SCDC staff:

Item	Amount
Envelope	
Pen	
Paper	
Postage	
Tape	
Box	
Electronic Repair	
Other	

Cost

Sub-Total:

LEGAL MATERIAL

** Inmate is not required to have the funds in his/her account to pay for the materials; however, his/her account must be debited for all materials s/he elects to receive.

Item	Amount
Envelope	
Pen	
Paper	
Postage	<i>3</i>
Other	

*Cost of 2011-12-18-15
Berkeley County
Court of common Ple
S/E Motion to
Alter or Amend
the Judgment
United States
District Court
85 Broad St
Charleston SC
Financial
Certificate and exhibit*

To be completed by
SCDC staff:

Cost
<i>8.29</i>

Sub-Total:

PHOTOCOPIES

** Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

USPS TRACKING # **9114 9014 9645 0108 9801 77**
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com or call 1-800-222-1811.

To be completed by
SCDC staff:

Item	Amount
Photocopies	

Cost
<i>8.29</i>

TOTAL

Inmate's Signature _____
Mailroom/Canteen Signature (Request filled by) _____

5/19/15
Date

White - Inmate
Canary - Mailroom/Canteen Employee

Exhibit 61 S9 E Motion to alter or amend judgment of denial of counsel with
No conclusions of law sent 5.22.13 that the Berkeley county clerk of court
did not file.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Division of Inmate Services

AGREEMENT TO DEBIT E.H. COOPER ACCOUNT

Inmate's Name: <i>Anthony Bradley</i>	SCDC #: <i>31300</i>	Housing Unit: <i>152</i>	Date: <i>5-18-15</i>
--	-------------------------	-----------------------------	-------------------------

GENERAL MATERIAL

** Inmate must have the funds in his/her account to pay for the materials.

To be completed by
SCDC staff:

Item	Amount
Envelope	
Pen	
Paper	
Postage	
Tape	
Box	
Electronic Repair	
Other	

Cost

Sub-Total:

LEGAL MATERIAL

** Inmate is not required to have the funds in his/her account to pay for the materials; however, his/her account must be debited for all materials s/he elects to receive.

To be completed by
SCDC staff:

Item	Amount
Envelope	
Pen	
Paper	
Postage	<i>.69</i>
Other	

*Case 2011-cv-08226
Berkeley County Court
OF common pleas
SJ E motion to alter or
Amend the Judgment
OF order of dismissal
to relief counsel,
no conclusion of
law*

Cost

Sub-Total:

*I swear under Penalty and Perjury that
the foregoing is true and correct*

S/aeu

PHOTOCOPIES

** Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

To be completed by
SCDC staff:

Item	Amount
Photocopies	

Cost
<i>.69</i>

TOTAL

Anthony Bradley
Inmate's Signature

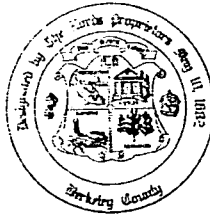
JFD

Mailroom/Canteen Signature (Request filled by)

5/22/15
Date

White - Inmate
Canary - Mailroom/Canteen Employee

Exhibit H Attorney General Rutledge Johnson falsified letter to the court that he sent the order of dismissal was sent on May 6th 2015, that was never sent that Berkeley County clerk filed before petitioner objection to the proposed order that petitioner sent May 5th 2015



MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY
POST OFFICE BOX 219

MONCK'S CORNER, SOUTH CAROLINA 29461-0219
(843) 719-4400 (843) 567-3311 (843) 723-3800

FILED
OCT 27 2015
CASE NO. 2011-CP-08-2266
MARY P. BROWN, CLERK OF COURT
BERKELEY COUNTY, SC

TO: Altony Brooks # 313000
RE: 2011-CP-08-2266

The enclosed document is being returned for the following reason(s):

- ☐ This document is not signed / notarized
- ☐ The filing fee is insufficient. The correct amount is _____
- ☐ This document is a copy. We must have original.
- ☐ This is not a Berkeley County case
- ☐ The check or money order must be made payable to the Clerk of Court.
- ☐ The case is ended. Date ended: _____
Reason Ended: _____
- ☐ Your Check must be signed. _____ Stale dated check
- ☐ Inmate litigation must comply with S.C. Code of Laws, Title 24, Chapter 27
- ☐ There is not a case listed in our system that matches this caption.
- ☐ The required **new case** coversheet is not included.
- ☐ The required **motion/order** coversheet is not included.
- ☐ The required **order (Form 4)** coversheet is not included.
- ☐ Information may be obtained from our web-site at www.berkeleycountysc.gov.

☒ Other A Copy of Dismissal-per your request

*you must send
out your own
copies.*

Please make the necessary corrections and return this document for filing.

Thank you for your assistance.

Staff Initials YW

Date 10-26-15

COUNTY OF BERKELEY
Attorney Brooks
v.
STATE OF SOUTH CAROLINA

) In the Court of Common Pleas
)
)

CASE NO 2011 CP 08-22660

I hereby certify that I have served the Berkeley County Court of Common Pleas
300 California Ave Monks corner SC 29461 and copy of letter requesting the
Judgment of the case etc by placing a copy of the same in the US Mail
pre-paid postaged addressed as follows

Marl P. Braun
300 California Ave
Monks corner SC 29461

I swear under Penalty and Perjury that the foregoing is true and correct this
14th day of October 2015 S. ~~Attorney Brooks~~

Attorney Brooks 31800
PEL DXX
430 oakland
Pelzer SC 29169

FILED
2015 OCT 20 PM 3:03
MARL P. BRAUN
CLERK OF COURT
BERKELEY COUNTY, SC

Marl P Brown Clerk of Court
300 California Ave
Monks Corner SC 29461

RE Case 2011-CP-082266 PCL

Dear Mr. Brown,

Enclosed please find a letter requesting the judgment of the case and forwarding to Judge Jeffery Young and a copy of the order of dismissal in this case. Please file those documents and send a copy to me as Daniel Shattuck, had advised that I represent myself and in these instances all documents shall be sent to me. Also my motion to relieve counsel dated ~~and~~ Filed 10/14/2015 was never ruled on. Please send me a clocked date stamp copy showing me those documents when filed.

S. Anthony Brooks
Anthony Brooks 31300
Pearl Correctional Inst
430 Oaklawn Rd
P.O. Box 29469

October 14th 2015

MAILED
OCT 14 2015
BERKELEY, CA 947

2015 OCT 20 PM 3:03

FILED

Altony Brooks
Perry Correctional
430 S. Main Rd
Petaluma, CA 94952

FILED
2015 OCT 20 PM 3:04
MAR 10 2015
CLERK OF COURT
BERKELEY COUNTY SC

RE: Altony Brooks v. State
Appellate case 2015-001610
Lower court case No 2011-CP-0872660

Dear Ms. Brown:

I've filed a 59 E Motion to alter or amend the Judgment of the above case on May 5 2015 and the court filed it on the 14th of May 2015, in this instance as provided by rule 77(D) the court has never served me with any final order of dismissal clocked date and stamped placed in the file by the court, served to me, the court has never sent me copies showing that my 59 E Motion sent to the court on May 19-2015 consisting of 50 arguments or more, with UPS tracking # and receipt 9114-9014-9645-0108-960177, (phone # for tracking inquiries (1-800-222-1811)) as that have notified its been sent. Moreover, I haven't received a final order from the court at all.

I'm located at the above address and request that you forward this letter to Judge Jeffery Young, as from my knowledge he has not made a ruling and I have not been served with a order adjudicating the merits of this action.

See Upchurch v. Upchurch 367 S.C. 164, 360 S.C. 2006 Bowman v. Rickland 111 S.C. 335, 335 S.C. 88, 91 S.C. 151, 359 S.C. 200, 1999 the moment ... the order is ~~made~~ filed by the clerk of court, ~~the order is made~~ it becomes the Judgment of the court and fixes the right of the parties. See Alcher v. Long 40 S.C. 272, 275, 245 S.C. 83, 84, (1896) stated otherwise. The effective date of an order is not when it is signed by the judge, but when it is entered by the clerk of court. See rule 77 D which states that immediately upon the entry of an order or judgment the clerk shall serve a notice of entry by first class mail upon every party thereby who is not in default for failure to appear, and shall make a note in the in the case file or docket sheet of mailing. I have not received any orders by any parties of this action. Please contact me and advise me of the disposition of this case and forward this letter to Judge Jeffery Young.

Thank you
Altony Brooks

October 14th 2015

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

Altony Brooks, #313000,)

Case No. 2011-CP-08-2266

Applicant,)

v.)

ORDER OF DISMISSAL
(Failure to Prosecute)

State of South Carolina,)

Respondent.)
_____)

VB
2015 MAY -8 PM 3:29
BERKELEY COUNTY, SC
LED

This matter comes before the Court by way of an Application for Post-Conviction Relief filed August 4, 2011. Respondent made a timely Return on or about December 9, 2011. The Court finds as follows:

I. PROCEDURAL HISTORY

In October 2008, the Berkeley County Grand Jury indicted Applicant for assault and battery of a high and aggravated nature (2008-GS-08-1728) and aiding escape from custody of an officer (2008-GS-08-1729). J. Mitchell Lanier, Esquire, represented Applicant. Applicant proceeded to trial on January 12-13, 2009 before the Honorable Kristi L. Harrington and a jury. The jury found Applicant guilty as indicted. Judge Harrington sentenced Applicant to consecutive terms of imprisonment for ten (10) years for ABHAN and two (2) years for aiding escape from custody of an officer.

Applicant filed a timely notice of appeal, and Wanda H. Carter, Esquire, of the South Carolina Commission on Indigent Defense, represented Applicant on appeal. Following full briefing, the South Carolina Court of Appeals affirmed Applicant's conviction and sentence.

State v. Brooks, Op. No. 2010-UP-570 (S.C. Ct. App. filed December 31, 2010). The Remittitur was returned to the circuit court on January 20, 2011.

The Court convened an evidentiary hearing into the application on April 22, 2015, at the Charleston County Courthouse. Lance S. Boozer, Esquire, appeared on behalf of Applicant. Joshua L. Thomas, Esquire, of the South Carolina Attorney General's Office, represented Respondent.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. Motion to Relieve Counsel

At the commencement of the evidentiary hearing, Applicant moved to relieve Mr. Boozer from representing him. In support of his motion, Applicant alleged Mr. Boozer was involved in a conspiracy with the State and merely represented the "straw man" corporate entity established in Applicant's name. The Court admonished Applicant that Mr. Brooks represented Applicant, and no such "straw man" existed. Nevertheless, Applicant insisted he would represent himself, and Mr. Boozer could represent the "straw man." After Mr. Boozer explained to Applicant the disadvantages of representing himself, Applicant again indicated his desire to represent himself, with Mr. Boozer representing his "straw man" corporation. The Court relieved Mr. Boozer from representing Applicant, and excused Mr. Boozer from the court room, as no "straw man" corporation was a party to this litigation.

B. Failure to Prosecute

The Court also admonished Applicant during his motion to relieve that the Court would not tolerate Applicant's failure to comply with the rules, and any failure to comply would result in the dismissal of his post-conviction relief action. After giving Applicant a brief recess to prepare to present his case, the Court recognized Applicant to call his first witness. In response,

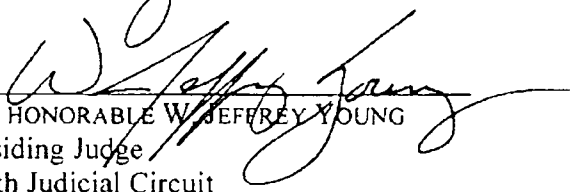
Applicant refused to call any witnesses.

Applicant has the burden of prosecuting his action, and the Court may properly dismiss an action for his neglect in proceeding with his cause. See, e.g. Don Shevey & Spires, Inc. v. American Motors Realty Corp., 279 S.C. 58, 301 S.E.2d 757 (1983). The Court may dismiss an action for "failure of the plaintiff to prosecute or to comply with [the rules of civil procedure] or any order of court." Rule 41(b), SCRCP. Furthermore, the Court has the inherent authority to dismiss an action for failing to prosecute the action or otherwise comply with the Court's orders. See Collins v. Sigmon, 299 S.C. 464, 468, 385 S.E.2d 835, 837 (1989) (citing Link v. Wabash Railroad Co., 370 U.S. 626 (1962)). Because Applicant refused to call any witnesses when directed to do so, he has failed to prosecute his action and failed to comply with the rules of court. Accordingly, the Court finds it proper to dismiss this action for Applicant's refusal to prosecute his action.

IT IS THEREFORE ORDERED:

1. The above captioned application is **DISMISSED WITH PREJUDICE** for failure of the Applicant to prosecute.

AND IT IS SO ORDERED this 1 day of May, 2015.


THE HONORABLE W. JEFFREY YOUNG
Presiding Judge
Ninth Judicial Circuit

Sumter, South Carolina

Exhibit I

Mr. Pachak letter to petitioner where he indicates he's not sending petitioner any transcripts until he submits the appendix of certiorari to the court also showing ~~wanda~~ carter as chief of appellate defense representing a conflict of interest.



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

November 16, 2015

Mr. Altony Brooks, #313000
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

Re: Your case

Dear Mr. Brooks:

I am the lawyer who will be handling your case in the Supreme Court. I will be reviewing the record of the proceedings at the PCR court to see what legal errors to present to the Supreme Court on your behalf. I will submit these in the form of a petition for writ of certiorari.

When I file the petition, I will send you a copy of all relevant hearing transcripts and material in the form of an appendix. Only information that was in front of the PCR judge can be included in the appendix.

You must be patient while the court considers your case. The process is very slow, but there is nothing I can do to speed up the process. It may be a few months before I submit a petition to the Supreme Court and at least a year after that before the Court decides your case. **Some cases take even longer.** You will be notified when the Court makes a decision and letters asking the status of your case do not speed up the process.

Please keep these points in mind. The Supreme Court can only consider the information that was before the PCR court. Any new information cannot be brought to their attention at this point. In addition, the issue must have been addressed in the PCR court's order of dismissal before it can be raised to the Supreme Court.

The court decides the case based on the written material submitted by the attorney general's office and me. It very rarely sets oral arguments, which are an opportunity for me to focus its attention on the information in the petition. If you are in prison, you cannot attend.

Exhibits J Showing Mr Greene acting as Petitioner Lower of Attorney requesting
X-rays and CT scans of James Warren Taylor, in which Petitioner request a Denovo
review to see the miscarriage of justice by the lower courts.

Power of Attorney
Aisha Greene
1160 Crescentown Rd
St. Stephen, SC 29479



7014 1200 0002 2340 1421



UNITED STATES
POSTAL SERVICE

1000



29461

U.S. POSTAGE
PAID
MONCKS CORNER, SC
29461

AMOUNT

\$6.70
00062257-01

7/23

RETURN RECEIPT
REQUESTED

RECEIVED
JUL 28 2014
BY: SPM...

Honorable Judge Stephanie McDonald
300 California Ave.
Moncks Corner, SC 29461

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley
Anthony Brooks
Plaintiff,

-v-

STATE OF SOUTH CAROLINA
Respondent..

) IN THE COURT OF COMMON
Pleas
) Case No: 2011-CP-082266
) Certificate of SERVICE

I, Anthony Brooks, hereby certify that I have served upon the clerk of court of Berkeley County and Pamela Jeanne Polzin and (1) Request of discovery to Judge Stephanie P. McDonald in the United States mail first class Postpaid Pre-paid as follows

Judge Stephanie P. McDonald
Court of Common Pleas
300 California Ave
Monks Corner S.C. 29461

Pamela Jeanne Polzin
PO Box 62255
Charleston S.C. 29419, 2255

I declare under Penalty and Perjury that the foregoing is true and correct this 23rd day of July 2014 in BSHORVILLE S.C. 29706

Honorable Judge Stephanie P. McDonald
300 California Ave
Mouths corner SC 29461

RE: Request for conference informally and in camera proceeding ^{on} discovery
Case: 2011 CP-08-2266, Court of Common Pleas Berkeley County
P.E.R. ACTION.

Dear Honorable Judge Stephanie P. McDonald, I filed a discovery request on December 11th 2013 to the Berkeley County Court of Common Pleas addressed to you and I haven't received a response indicating that it was filed. I wrote the South Carolina Supreme Court requesting a writ of mandamus compelling discovery of James Warren Taylor X-rays and or CT-scans. see exhibit _____

I received a letter dated April 10th 2014 from Pamela Jeanne Polzin indicating that she has contacted James Warren Taylor's lawyer and that his lawyer has sent the documents of the same nature that she sent me. That does not include a CT scan and or X-rays of James Warren Taylor.

As I articulated at the hearing on November 18th 2013, I've wrote the Ninth Judicial Circuit Solicitor's office, J. Allen Mastantuno, Scarlett Ann Wilson, Sled, Berkeley County clerk of court, Pamela Jeanne Polzin and J. Mitchell Lawler, on the issues of James Warren Taylor medical diagnosis to include filing a complaint with the Commission of lawyer conduct on J. Mitchell Lawler, Pamela Jeanne Polzin, J. Allen Mastantuno, Scarlett Ann Wilson in not disclosing the medical records of James Warren Taylor, and yet to receive the CT scan and or X-rays of James Warren Taylor.

In the letter of inquiry I wrote to J. Allen Mastantuno, I requested Dr. Timothy Cobb notes and the evidence the prosecution used to allege James Warren Taylor had a orbital fracture. Bryan A. Alfaro responded to the letter of inquiry and sent a his response with a fabricated preliminary report created by Steven Ciabottini who alleging no account number, no time of report and alleging ambiguous statements of left orbit ~~medial wall~~ being displaced medially having a fracture of the medial wall of the left orbit.

Moreover, Bryan A. Alfaro did not produce any documents such as X-rays ^{and} or CT scan substantiating the preliminary report made by Steven Ciabottini. See exhibits sent January 10th 2014 _____

As their considerable evidence that James Warren Taylor did not have a orbital fracture and that Detective Robert Allic included the orbital fracture and a unknown weapon in the A.B.H.N.W. warrant with deliberate reckless regard for the truth.

And that the Prosecution Jim Courtney and J. Allen Mastantino knew James Warren Taylor did not have a orbital fracture and that he was not assaulted with a unknown weapon, as there was no "complain" or statement written to support these allegations when the arrest warrants were issued.

As fraud continues and these provocators are utilizing black codes to deny Petitioner relief. As the court Judge Kristi Lea Thurgott, J. Mitchell Lauier, Jim Courtney and J. Allen Mastantino including the Court reporter Brenda Cooley engaged in black codes speaking in latin and metaphorical language in a attempt to decode messages in court. As on TRP 151-152-2025 Lines 1-25, DR Timothy Osborn allege Jamie Taylor suffered a orbital fracture on the medial aspect.

in latin he was saying "de medio" as James Warren Taylor had a orbital fracture on the de medio aspect. As this shows DR Timothy Osborn was saying that he was a tenant to higher "lord" and that he owed a favor and for J. Mitchell Lauier or the court to not harass or question him about it. As the ~~court reporter~~ court reporter heard this and transcribed it in english as if he said he had a orbital fracture on the medial aspect closest to his eyes near his nose.

As where no experts but everyone has a separation between their eyes and noses. Moreover, the x-rays and or ct scan was never produced at trial ~~on~~ in the Rules discovery material upon information and belief and the Prosecution or the attorney General's office do not have the x-rays and or ct scan.

These attempts where to corroborate Robert Allic's false words and where blatant conspiracy, there for Petitioner request a in camera hearing on the discovery issues as Petitioner recently wrote Justice Beatty on these issues. As this case does not need delay on the Prosecution Part.

Pamela Jeanne Polzin indicated that she's contacted the ninth Judicial circuit upon information and belief the month of September 2013 and that the Solicitors office do not have the x-rays and or ct scan of James Warren Taylor. MS. Polzin has allege she reviewed J. Mitchell Lauier's file and that she did not see any x-rays and or ct scan as this was allege upon information and belief the month of December 2013.

AS You indicated that ^{you} would rule on what I have and don't have as to discovery ~~and~~ and that ~~the court would rule on~~ my right would be waived if I do not submit a list. AS I caution that giving the Prosecution extreme latitude would allow them a opportunity to fabricate x-rays and or ct-scans or find someone to assist in falsehoods just as Dr. Timothy Osbau did.

AS Ms. Pamela Jeanne Polzin delay in not utilizing discovery tools is giving the Prosecution extreme latitude to fabricate documents or abandon my claims that James Warren Taylor did not have a orbital fracture. AS my letter of inquiry sent January 10 2013, Bryan A Alfaro alleges that the documents were protected by H.I.P.P.A and could be obtain from DR. TIMOTHY OSBAU'S office, AS shows he did not disclose the allege ct-scan or x-rays.

AS ~~the~~ MS. Polzin alleges that she's contacted James Warren Taylor's lawyer for the x-rays and or ct-scan of James Warren Taylor, as the referral to Doctor Timothy Osbau and James Warren Taylor's lawyer is a nullity as the Prosecution ~~is~~ is to have these documents as they Prosecuted on these issues, so therefore H.I.P.P.A laws is a nullity.

Therefore I take the following approach I will send the attorney General Ashleigh Wilson a inquiry requesting the x-rays and or ct-scan along with another letter to the ninth circuit solicitor's office BRYAN A. ALFARO requesting in a detailed letter to of James Warren Taylor x-rays and or ct-scan, I also request James Warren Taylor's lawyer's name and address so I could write to his lawyer requesting the x-rays and or ct-scan.

I will then file a motion to compel the discovery of ~~the~~ James Warren Taylor's x-rays and or ct-scan, as a year has passed as this is a prima facie situation that one do not exists. I ask that you grant me evidence Procedural Protection in this case as shown conspiracy is abroad.

I Swear Under Penalty and Perjury;

MAY 5th 2014

~~S. ALTON BROOKS~~
ALTON BROOKS 313000
LCI, ASU RM 2 N-side
990 W. SACKY HWY
BISHOPVILLE SC 29010

Executed this 23rd day of July 2014

Sincerely,

Aisha R...
Attorney Party
Aisha R...
Power of Attorney

Notice: Any response to this inquiry must be sent to the attorney Party Exactly as follows.

AISHA A BIZOU
1610 Greatwood
ST. Stephen S.C 29479
NON DOMESTIC

ALTON BROOKS 313000
LCI ASU RM 2 N-side
990 W. SACKY HWY
BISHOPVILLE SC 29010
NON DOMESTIC

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

Altony Brooks,
3130005

-V-

STATE OF SOUTH CAROLINA,

IN THE COURT OF COMMON PLEAS

Case No.:

NINTH JUDICIAL CIRCUIT

Declaration in Support of Motion
To Compel

Altony Brooks declares under Penalty and Perjury:

1. I am the Plaintiff in this case. I make this affidavit of my support to compel discovery.
2. ON _____ I served on defendants' counsel a request for production of documents which is attached to this affidavit as exhibit _____.
3. Defendants did not respond to this request within the 30 days allowed, nor did they request an extension of time from this court or agreement from the plaintiff to an extension of time.
4. ON _____ I wrote to the defendants' counsel pointing out that their responses were a _____ late and requesting that they respond immediately.
5. Defendants' counsel did not respond to my letter, on _____ defendant responded to my documents request by filing objections to the production of any of the materials sought. A copy of their objections is attached as exhibits _____.
6. I wrote to defendants' counsel on _____ in an attempt to resolve the dispute informally as required by local rules. A copy of my letter is attached as exhibit _____ ~~months~~ months has passed, since I mailed Exhibit _____ and defendants' counsel has not responded to it.
7. Defendants' objections are waived as a result of their failure to make them in a timely manner, as set forth in the brief accompanying this motion.
8. Defendants' objections on the ground that the discovery sought is irrelevant burdensome and privileged have no merit as set forth in the brief accompanying this motion.

Date: July 23rd 2014

SL Altony Brooks

Altony Brooks 3130005
LCE ASU RMA
910 W. Sackville Street

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF BERKELEY) CASE NO: 2011 CP-08-2266
ANTHONY BROOKS 313030) Brief IN SUPPORT OF MOTION TO
Plaintiff,) COMPEL DISCOVERY
-v-)
STATE OF SOUTH CAROLINA)

STATEMENT OF THE CASE

This is a Post-conviction relief action filed by Anthony Brooks housed at Lee Correctional Inst seeking vacation of sentence based on ineffective assistance of counsel, prosecutorial misconduct, trial error ~~and~~ civil conspiracy, ~~and~~ ^{and} in sufficiency of evidence. Plaintiff now seeks discovery to support the following claims.

STATEMENT OF FACTS

ON _____ The Plaintiff served a request for production of documents pursuant to rule 34, Fed rules Civ P. As set forth in the Plaintiff declaration, the defendant failed to respond within 30 days and did not make any effort to obtain an extension from the court or by contacting the Plaintiff, after _____ months the Plaintiff requested a response. After several more weeks, The defendant served a response in which they objected to the Plaintiff entire request. Defendants counsel has not responded to the Plaintiff efforts to resolve this dispute, see Plaintiff declaration at pg 2-6

ARGUMENT

POINT 1

DEFENDANTS Have waived their OBJECTIONS BY THEIR FAILURE TO RESPOND TIMELY TO THE REQUEST.

THE rules provide that responses and objections to request for production of documents are to be served within 30 days of the request unless the court grants a shorter or longer time, rule 34 Fed rules of civil Proc. The defendants, however waited almost 3 months before responding, without obtaining or even seeking permission from the court, or agreement from the plaintiff, for this delay.

It is well established in federal practice that "discovery objections are waived if a party fails to object timely to interrogatories, production requests or other discovery ~~request~~ efforts." Godsey v. United States 133 F.R.D. 113 (C.S.D. Mass. 1996), accord. Morris v. Unionwide Federal Credit Union, 229 F.R.D. 364, 368 (D. Conn. 2005); Safeco Ins. Co. of America v. Rawstrom, 123 F.R.D. 668, 676-73 (C.D. Cal. 1998); Demary v. Yamaha Motor Co. 125 F.R.D. 20, 22 (D. Mass. 1992) and cases cited. This waiver is enforced even if the objections are based on a claim of privilege. MARK v. Kelly Mart B. Holman P.C. 939 F.2d 812 (1st Cir. 1991); Fouille v. District of Columbia 230 F.R.D. 38, 42, 43 (D.D.C. 2005) Fretzo v. Kettner 109 F.R.D. 303, 309 (D. Kan. 1986) and cases cited. The non-complying party is excused from waiver only if discovery is "patently improper" Godsey v. United States 133 F.R.D. at 113 or it far exceeds "the bounds of fair discovery" Krewson v. City of Quincy 120 F.R.D. 67 (D. Mass. 1998) accord U.S. ex. rel. Borroughs v. Denardi Corp. 167 F.R.D. 650, 652 (S.D. Cal. 1996). As shown in the next point the discovery sought is not only proper but is highly appropriate and relevant.

POINT 2.

THE DISCOVERY SAUGHT IS RELEVANT TO THE CLAIMS AND DEFENSES IN THIS CASE.

DEFENDANTS belated objections state that the documents requested by the plaintiff are irrelevant to the action. the argument is frivolous. Rule 30(b)(1) Fed R. Civ. P. permits discovery of "any non-privileged matter that is relevant to any party claim or defense... Relevant information need be admissible at the trial if the discovery appears reasonably calculated to lead to the... discovery of admissible evidence"

AS this inquiry by the aggrieved Party now request Production of
of these documents in his Post-conviction proceeding, case
2011-CP-08-22666,

upon discovery request and granted by the Honorable Judge
Stephanie P. McDonald and other related matters.

"silence can only be equated with a fraud where there is a legal
and moral duty to speak, where an inquiry left unanswered would
be intentionally misleading" US v. Tweel 550 F.2d 297-300 (1977)

Your failure to provide the documentation requested herein shall be
a Prima facie evidence by tacit agreement that no such authority
or documentation exist, as to the above entitled case and that, a
fraud continues void ab initio, as to the ongoing unlawful imprisonment
of Antony Brooks, and is without, authority of law and any and all
damages caused by officers and agents of the "STATE OF SOUTH
Carolina" corporations fraudulent seizure and unlawful arrest and
unlawful imprisonment of Antony Brooks, are set by Trezvant v. City
of City Tampa 741 F.2d 336 (11th Cir 1984) via TORT claim and are due
and payable immediately.

You are hereby granted ten (10) days from receipt of this letter
plus three days return mailing to provide documents requested ~~for~~
~~above~~ ~~and~~ ~~identified~~ ~~above~~ and identified above and here out.

Notice: Any response to this inquiry must be sent to the aggrieved
Party exactly as follows:

AISHA A. BREENE

1610 BREEN TOWN RD

ST. STEPHEN S.C 29479
NON DOMESTIC

ANTHONY BROOKS 313410

L.C.I. A.S.U. RM2 N-side

990 WISACKY HWY

BISHOPVILLE S.C 29010
NON DOMESTIC

Executed this 23rd day of July 2011 AD

Sincerely

Antony Brooks
Aggrieved Party

Aisha Breen
Power of Attorney.



State of South Carolina
The Circuit Court of the Ninth Judicial Circuit

Stephanie P. McDonald
Judge

Charleston County Judicial Center
100 Broad Street, Suite 427
Charleston, SC 29401

July 30, 2014

Altony Brooks #313000
L.C.I. A.S.U.RM2 N-Side
990 Wisacky Hwy.
Bishopville, SC 29010

Re: Discovery Request packet dated July 23, 2014

Dear Mr. Brooks,

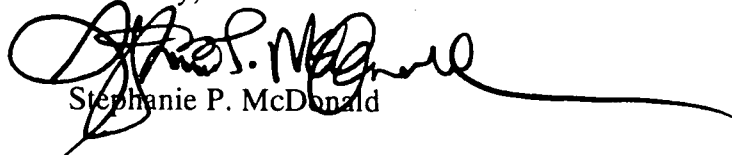
Enclosed please find a copy of your Discovery Request packet dated July 23, 2014, and received in our office on July 28, 2014. I must advise you that judicial ethics do not allow a judge to have any form of communication with a party in an action outside of the courtroom unless all of the necessary parties are present. However, I have reviewed your packet and forwarded a copy of my correspondence and your enclosures to the Berkeley County Clerk of Court; Ashleigh Wilson, the Assistant Attorney General handling your file; and your attorney, Pamela Polzin. To the extent that any of the requested items have already been provided to your counsel, your request is denied, as Ms. Polzin can provide copies to you.

If you or your counsel are already in possession of the reports generated by the physician(s) or radiology techs who reviewed any relevant x-rays or CT scans, it is not necessary for you to obtain the X-ray and CT Scan images themselves. In challenging your conviction, you may use the reports and/or any testimony that may have been presented in relation to them.

Your request for an *in camera* hearing is denied. Now that Ms. Polzin and AG Wilson have the list that you were ordered to prepare, they can address the requests accordingly, as it appears that a number of the listed items either do not exist or are irrelevant to your petition.

Please direct all future correspondence to your attorney.

Sincerely,



Stephanie P. McDonald

Enclosure(s)

cc: Mary Brown (via U.S. mail), Ashleigh Wilson (via email), and Pamela Polzin (via email)