

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT
DEBORAH BROOKS DURDEN, JUDGE

Docket No. 18-ALT-04-0491-AP
Grievance No. PCT-0538-18

RECEIVED
DEC 04 2018
SC Court of Appeals

John Baccus # 182393, a natural person
v.

Appellant.

SCAC Director, Brian P. Skilling, Warden Scott Lewis, et al

Respondents.

BRIEF DISCUSSION OF APPELLANT'S APPEAL

1. The State of South Carolina, "JUDICIAL POWER" AND "COMMITMENT"
HOLDERS ~~RELIABLY IDENTIFIABLE~~ ^{RESPONDENTS} AND RESPONSIBLE FOR, THE ENCLOSED S.C. DC
Forms, Records Documents (SEE EXHIBITS) VIOLATED Black
Indigent Prisoner Appellant John Baccus Equal Protection
Procedural Substantive Due Process Rights Under ACA/CAC
Standards 3-4001 TO 4-4666 AND/OR HIS Administrative And
Management Process; ROSS V. BLAKE, 136 S.Ct. 1850 (2016);
WOLFE V. MC DONNELL, 419 U.S. 539 (1974); SANDIN V. CONNER, 515 U.S.
472 (1995); THOMAS V. WARDEN 49 CONN. SUPP. 416 (2005); NEESSE
V. UTAH Bd. OF PAROONS AND PAROLE, 416 P.3d 663 (2017);
STEFANOW V. MCFADDEN, 103 F.3d 1466 (9th Cir. 1996) IN RE
HOFMEYER, 376 S.C. 221 (2006); SANDIN V. CONNER, 1994 WL 46163
S.C. CODE ANN. § 1-23-610 (a) - (f) (SUPP. 2007)
BECAUSE OF Appellants Contention That Respondents, AS

His Custodians, Of His Immediate Custody, Judicial Matters And Cares, Acted With, Or In A Vindictive Callous, Reckless, Malice Conscious Manner, And Disregard Of Appellants' Above Underlined State And Federally-Created Life, Liberty And Property Secured Entitled Rights And Relief.

2. "The Central Issue In The Case At Bar, Is Whether Because Respondents Failure, To Meet The Statutory "INMATE HOUSING ASSIGNMENT", DP-21.04.47 Requirements, When Respondents Placed The Medically Ill Appellant, John Baccus Who Never Had A Masturbation Charge In His 100 Years In A Cell With An Over 20 Year Imprisoned, 40s Year Old "SEXUAL PREDATOR" Inmate Duck Lyles With 2 Decades Of Masturbation Sightings... Reports... And Charges In Duck Lyles JLC Inmate Records And Files, Resulted In Appellant Being "SECRETLY" "FALSELY PUNISHED... CHARGED... DEFAMED... WITH MASTURBATIONISM..." PLACED INTO RESTRICTED HOUSING UNIT (R.H.U.) AND LITERALLY LOSS... LOST OF LIFE, LIBERTY AND PROPERTY RIGHTS ENTITLEMENTS EMBODIED IN THE ABOVE UNDERLINED STATUTES LAWS, PROHIBITIONS".

3. The Dispute Centers On Whether Because Of The "SECRET" FALSE PUNISHMENTS PLACEMENTS IN (R.H.U.) FOR OFFENSE DESCRIPTION 854 AND SUBSEQUENT DEFAMATION PLACED UPON BACCUS' FAMILY OUTSIDE BUSINESSES AND HIS JLC "HOUSING" REQUIREMENTS

Constituted, And /or Resulted From Respondents Deliberate Reckless Violation Of Appellants Procedural Substantive Due Process... Rights By Respondents Failure To Comply With The Above Underlined Statutory Requirements And Prohibitions? , And

4. This "Great Cause" Comes Before The State Of South Carolina Court Of Appeals On An Appeal Made By A Prior Small Black Business Owner And Operator Of Tech One Automotive Computer Business Center Downtown Florence S.C., John Baccus, A Natural Person, That An Order Be Made By This Court To The Following Effect; That Whether Because Of The State Of South Carolina Majority White Ambitious "Judicial Power" And "Commitment" Holders "Respondents" Readily Identifiable In All Cases Stemming From Case No. 2000-GS-33-004 Actions Of "HATE CRIMES", Vt 2., "SECRETLY DEVIATING DEFERRING TO, CONCEALING AND ADJUDICATING ALL BLACK APPELLANTS' JOHN BACCUS CRIMINAL PRETRIAL GRAND JURORS TRIAL JUDGE AND SUBSEQUENT APPEAL PROCEEDINGS AND IMPRISONMENT CUSTODY MATTERS AS OF A "ROUTINE CRIMINAL" AND A "PRIORITY HIGH" OFFENDER (EXHIBITS #4), WHO HAS NEVER BEEN CONVICTED OF A "ROUTINE CRIMINAL" AND A "PRIORITY HIGH" OFFENSE, BASED UPON "UNPROVEN ALLEGATIONS" USING A SUSPICIOUS... OFFENDING... SOUTH CAROLINA CASE TRACKING ORDER" (EXHIBITS #4) "IN A DELIBERATELY CALLOUS RECKLESS VENDETTIVE MANNER" (SEE CASE NO.

2000-GS-33-004 TRANSCRIPT PAGES ATTACHED SHOWING WHITE
STATE COURT OFFICIALS WITHHOLDING ALIBI EXCULPATORY
VIDEOTAPE EVIDENCE, TR.P. 59 BRADY VIOLATIONS, JUDICIAL
BIAS TR.P. 3-11, COERCING EMPLOYEES AND WITNESSES
TO LIE, CHEAT, MAKE FALSE STATEMENTS/TESTIMONIES, TR.P. 5-46,
ACTING IN A RACIALLY DISCRIMINATORY MANNER, AND
ENGAGING IN PROSECUTORIAL VENDETTAS OR
MISCONDUCT, (SEE ITEM # 4 ABOVE THEN SEE EXHIBIT # 4)
ALSO SEE WHITE PRISON GUARDS ABUSE, SEXUAL ASSAULT
AND HARASSMENT, RAPE, SODOMY UPON BLACK INMATES.
APPELLANT JOHN BOCCUS FOR ENTERTAINMENTS CAPTURED
ON SURVEILLANCE CAMERAS AND DOCUMENTARY EVIDENCE.
AND THAT THESE "EXCEPTIONAL CIRCUMSTANCES"
WARRANT THE EXERCISE OF THE COURT DE APPEALS
SUPERINTENDING POWER, AND THAT ADEQUATE
RELIEF CANNOT BE OBTAIN IN ANY OTHER FORM
OR FROM ANY OTHER COURT.

THIS IS APPELLANTS REQUESTED PRAYER:
REVERSAL OF THE ABOVE ORDERS OF RESPONDENTS AND JUDGE
DEBORAH BROOKS MURDEN ORDERS THAT TANGIBLE...
EVIDENCE CLEARLY NEGATE OR INVALIDATE HERETIN.

NOVEMBER 29, 2018

Sincerely,
Mr. John Boccus

6 OF 7

1 MR. CLEMENTS: Not at this time, Your
2 Honor.

3 THE COURT: Anything further, Mr. Hoefler?

4 MR. HOEFER: Judge, simply to say that
5 there's no question that these two items exists.
6 This document and this tape existed at the time Mr.
7 Baccus was arrested. The testimony was he was
8 handcuffed. He's been in jail ever since. He
9 certainly didn't have control over this once he was
10 taken from the residence. They had -- they looked at
11 it; they reviewed the tape. And clearly, Judge, if
12 that tape shows Mr. Prosser coming to a residence but
13 doesn't show Mr. Baccus leaving or coming to the
14 residence, it's exculpatory. Argue if you want to
15 that, well, we have no way of knowing what the time
16 is. If we had the tape we might be able to tell the
17 time because if you look at the photograph of the
18 monitor it dates and time stamps the thing. Without
19 the tape we can't prove his alibi. We can't prove he
20 was in the house when this crime happened. This is a
21 crucial piece of evidence. And for the police -- for
22 law enforcement to say we didn't think it had any
23 evidentiary value because it didn't prove what we
24 wanted it to prove is ridiculous. The evidence is
25 evidence. And they had it; they looked at it. And I

FRANCES A. BAKIS, RPR

1 Q. How did Ms. Ham tell you that she knew what
2 kind of car Mr. Baccus was driving that night?

3 A. She was acquaintance with Ms. Godbolt and
4 Mr. Baccus' friends and acquaintances.

5 Q. But your testimony was that you said you
6 told Mr. Prosser about the vehicle he was driving
7 that night.

8 A. She knew ---

9 Q. How did you know ---

10 A. ---what kind of vehicle he was driving.

11 Q. How did you know he was driving that
12 particular vehicle that night?

13 A. She told me he had been driving it earlier
14 that day is the information she gave me.

15 Q. Okay. She'd seen it earlier that day?

16 A. That's what he was driving.

17 Q. Okay. Other than what Ms. Ham told you,
18 what other evidence did you have at that point that
19 would lead you to think that Mr. Baccus was involved
20 in this homicide?

21 A. Nothing, just what Ms. Ham told me at the
22 time.

23 Q. And that was based on a telephone
24 conversation she had with Ms. Godbolt?

25 A. Right.

2ND CHANCE INITIATIVE, INC.

August 24, 2010

To: Attorney at Law
RE: John R. Baccus
C.I. #187393

Dear Sir,

I am a retired attorney, who directs a recovery program in 60 prisons in 4 States, including Lieber C.I. and McCormick C.I. in SC.


John R. Baccus attends my recovery program and is an excellent, sincere student. He has suffered many injustices from the criminal justice system in SC. There are still outstanding constitutional issues in his case, Florence County 00-GS-33-004, which show failure to disclose exculpatory evidence on the part of the State and illegal acts by the police. This case should add luster to your criminal case file, with issues you should easily win. But, an appeal to upper courts is needed, and I am retired and no longer practice.

It is my hope that you will consider taking this case Pro Bono, with a view to right the injustices by the State against this man.

I would appreciate your affirmative response to this request. The case has merit and would enhance the impressive results your office has achieved.

Thank you for your cooperation.

Sincerely,



Joan B. Duncan, J.D., Law Review,
Director 2nd Chance Initiative
Director Celebrate Recovery Programs
Ret. Dist. Atty. & Admin. Law Judge

jbdatty@yahoo.com

P.O. BOX 353, Mt. Pleasant, SC 29465
www.2ndChanceRecovery.org
www.CRINewsletter.com

843-858-0703

PAGE 1 OF 14