

ORIGINAL

DECEMBER 17, 2018

Mr. John Bogarus #187393, A Neutral Person
430 Oak Lawn Road
Pelzer, S.C. 29669

RE: BOGARUS V. Stirling, et al
DOCKET NO. 18-ALT-047-0491-AP
Grievance No. PCT-0538-18

RECEIVED
DEC 19 2018
SC Court of Appeals

Dear Clerk:

I AM ENCLOSING FOR THE COURT OF APPEALS TO HEAR AND
DECIDE AND TO FILE STAMP AND RETURN A COPY OF THE
NOTICE OF APPEAL BRIEF

SERVED ON RESPONDENTS ATTORNEY OF RECORD ALTHOUGH THE
S.C. COURT OF APPEALS CLERKS, V. CLAIRE ALLEN, JENNY
ABBOTT KITCHING, JANA BRENDY SHELLY "SECRETLY" COLLUDED
ACKNOWLEDGED IN THEIR DECEMBER 6, 2018 LETTER (ENCLOSED) FORWARDING
COURTESY COPIES OF AN APPELLANT'S "APPEAL PAPERS" TO RESPONDENTS
"WERE SUFFICIENT TO PROPERLY OVERCOME ANY DEFECTS IN
APPELLANT'S NOTICE OF APPEAL BY RELYING ON S.C. COURT OF APPEALS
CLERKS' DECEMBER 6, 2018 LETTER "IS FUNCTIONAL EQUIVALENT"
COMPLIANCE WITH SCACR RULE 6J, SHOWING THAT A COPY HAS
BEEN TIMELY SERVED ON THE AGENCY AS REQUIRED BY RULES
2.01, 2.03. SCACR: ISSUES FOR THE COMMISSION ON JUDICIAL
AND LAWYER CONDUCT TO ADDRESS THESE "WILLFUL BETRAYERS"
MATTER THAT THEY WON'T SPEAK UP ABOUT.

Thank you for your cooperation and assistance in this regard.
CC: Commission on Judicial and Attorney Misconduct.

Sincerely,
John Bogarus
OF A.

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT
DEBORAH BROOKS DURDEN JUDGE

DOCKET NO. 18-ALJ-04-0491-AP
CITIZENSHIP NO. PZ-0538-18

RECEIVED
DEC 19 2018
SC Court of Appeals

John Boccus #185799. A natural person

Appellant

v.
The State of South Carolina Judicial Power and Commitment Holders
Brian Peter Stirling, Scott Lewis, et al in their official individual
Personal Capacity as Respondents

PROOF OF SERVICE

I John Boccus do certify and verify and rely on "Rightful Entitlements to Appeal" under his SCOO State Federal Administrative and Management Process Pursuant to AOA / CAG Standards 3-14001 Thru 4-4499, and Relevant SCACK Rule 201. And because Appellant is under the custody and control of the State of S.C. or its Dept, or Agency, Filing Fees is not Required. SCACK Rule 203. As Appellant is a 60 year old physically medically mentally ill conditioned indigent Black prisoner currently being warehoused in Respondents Prison Facility in Pelzer, S.C., without no other means of support, except Respondents oppressions, and Appellant who is uneducated in the Law is compelled to challenge

Dr Test His Abilities Against Respondents conscious
"Failure To Meet Its Statutory 'Inmate Housing Assignment',
OP-21, 04, 49. Requirement. When Respondents placed
Appellant who has never had a masturbation charge
in his sixty years. In a cell with an over 20 year
imprisoned 40's year old "SEXUAL PREDATOR" TIM DUCK
Lyles# who has two decades of masturbation
stigmata... Reports... Charges in Duck Lyles SENC TIM
Files Records. That resulted in Appellants and his family
being "SECRETLY" punished. Falsely charged and defamed
with masturbationism, and literally lost... Lost...
of his life, liberty and property rights entitlements
Embedded in his SENC state Federal NCA/CAC standards,
3-4001 thru 4-4449, Equal Protection Substantive Procedural
due process protections and prohibitions, while under
Respondents and Managers of Court Records undue
influence collusion, "Compelling Appellant to, for a
second time to undertake and serve 'notice' of appeal"
on Respondents, although The S.C. Court of Appeals Clerks
acknowledge in their December 6, 2018 letters CC:
forwarding courtesy copies of all appellants' appeal
papers' to Respondents (to be used for impeachment
purposes). Furthermore, Appellant's December 4, 2018
Notice of Appeal Brief Discussion of Appellants
Appeal, Proof of Service. Previously filed and stamped
by S.C. Court of Appeals were sufficient to properly
overcome any defects in Appellants Notice of
Appeal by relying on S.C. Court of Appeals Clerks
December 6, 2018 letters acknowledging forwarding

Dr. C.C.: COURTESY COPIES OF ALL APPELLANTS' APPEAL PAPERS TO RESPONDENTS IS "FUNCTIONAL EQUIVALENT" COMPLIANCE WITH THE SCAOR RULES, SHOWING THAT A COPY HAS BEEN TIMELY SERVED ON THE AGENCY, AS REQUIRED BY RULE 203 (b) (6) SCAOR. NEVERTHELESS, APPELLANT DEPOSITED A COPY OF THIS APPEAL ENCLOSED PROOF OF SERVICE, IN RESPONDENTS PRISON MAILING SYSTEM, ON DECEMBER 17, 2018, ADDRESSED TO RESPONDENTS ATTORNEYS OF RECORD, OFFICE OF GENERAL COUNSEL, 4444 BROAD RIVER ROAD, BOX 20787, COLUMBIA S.C. 29221-1787.

December 17, 2018

LS/ Mr. John BOCCIA
Mr. John BOCCIA



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
-COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

December 06, 2018

John Baccus, 187393
Perry Correctional Institution
430 Oaklawn Road
Pelzer SC 29669

Re: John Baccus #187393 v. SCDC
Appellate Case No. 2018-002144

Dear Mr. Baccus:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or this appeal will be dismissed:

- The accompanying proof of service is not in compliance with the SCACR. Specifically, the proof of service states that you sent a copy of your notice of appeal to the respondent's counsel, however, it is not clear as to whether you mailed it to the address of the respondent's counsel or just to the address of the Court of Appeals. Your proof of service should be substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- The required filing fee has not been submitted. Pursuant to the order of the Supreme Court dated October 9, 2018, the filing fee is \$250.00 for a notice of appeal filed on or after October 15, 2018.
- A proof of service showing that a copy has been timely served on the agency and/or the Administrative Law Court has not been provided as required by Rule 203(b)(6), SCACR.

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Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Bryan Peter Stirling, Esquire

6 OF 16



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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December 06, 2018

John Baccus, 187393
Perry Correctional Institution
430 Oaklawn Road
Pelzer SC 29669

Re: John Baccus #187393 v. SCDC
Appellate Case No. 2018-002144

Dear Mr. Baccus:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

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This is to advise that the title in the above matter has been changed to read as follows:

John Baccus, #187393, Appellant,

v.

South Carolina Department of Corrections, Respondent.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Bryan Peter Stirling, Esquire
Jana E. Shealy

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The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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December 06, 2018

John Baccus, 187393
Perry Correctional Institution
430 Oaklawn Road
Pelzer SC 29669

Re: John Baccus #187393 v. SCDC
Appellate Case No. 2018-002144

Dear Mr. Baccus:

We are in receipt of your "Brief Discussion of Appellant's Appeal" that was filed along with your notice of appeal on December 4, 2018. Please be advised that this brief discussion cannot be considered as part of your notice of appeal, therefore we are returning it to you.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Bryan Peter Stirling, Esquire

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ORIGINAL COPY TO BE KEPT STAMPED AND RETURNED TO APPELLANT
REC. 12/11/18 NOVEMBER 29, 2018

Mr. JOHN BACCUS # 187393, A NATURAL PERSON
430 OAK LAWN ROAD
PELZER, SOUTH CAROLINA 29669

RE: BACCUS V. SHIRING, ET AL,
DOCKET NO. 18-117-04-0491-1P
CONVOCATION NO. PCT-0538-18

RECEIVED
NOV 30 2018

PC.I. MAILROOM
RECEIVED

DEC 04 2018

SC Court of Appeals

DEAR CLERK:

I AM ENCLOSED FOR THE COURT OF APPEALS TO
HEAR AND DECIDE AND RETURN A FILED STAMPED
COPY OF THE ORIGINAL AND COPY OF THE
NOTICE OF APPEAL BRIEF

IN THE ABOVE-REFERENCED CASE. I WOULD
APPRECIATE YOUR FILING THE ENCLOSED AND RETURNING
TO ME A FILED-STAMPED COPY IN THE ENCLOSED
STAMPED ENVELOPE.

THANK YOU FOR YOUR COOPERATION AND ASSISTANCE IN THIS
REGARDS.

Sincerely,
Mr. John Baccus

10 OF 16 OF 7 PLUS 11/9 AND 1/12/18 PLEADINGS
37 PAGES

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT
DEBORAH BROOKS DURDEN, JUDGE

DOCKET NO. 18-ALJ-04-0491-AP
GRIEVANCE NO. PEI-0538-18

RECEIVED

DEC 04 2018

SC Court of Appeals

John Baccus, # 187193, A Natural Person Appellant,
v.
SCAC, Director Brian P. Stirling, Warden, Scott Lewis et al, Respondents.

NOTICE OF APPEAL

John Baccus, A Black indigent Prisoner Appellant
Appeals The State of South Carolina "JUDICIAL POWER"
And "COMMITMENT" Holders' Judge Deborah
Brooks Durden, Dated November 1, 2018, that
Appellant received written notice of entry of this
order/pretension of dismissal on November 6,
2018. And on November 14, 2018, Appellant filed
grounds for consideration.. Under A LC RULE
70, BUT FOR JUDGE Deborah Brooks Durden
IGNORANCE. SEE ATTACHED. This appeal follows.

November 29, 2018

LSI Mr. John Baccus, A Natural Person
Mr. John Baccus
430 Oak Lawn Road
Pelzer, South Carolina 29669
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11 OF 16

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ADMINISTRATIVE LAW COURT RECEIVED
DEBORAH BROOKS DURDEN, JUDGE

DEC 04 2018

SC Court of Appeals

Docket No. 18-ALT-04-0491-AP
Complaint No. PC1-0538-18

John Baccus # 182393, a natural person Appellant.

SCAC Director, Brian P. Skidling, Warden Scott Lewis, et al Respondents.

BRIEF DISCUSSION OF APPELLANT'S APPEAL

1. The State of South Carolina, "JUDICIAL POWER" AND "COMMITMENT"
HOLDERS ^{RESPONDENTS} ~~AND RESPONSIBLE FOR~~ ^{IDENTIFIABLE} ALL THE ENCLOSED S O C
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. McDONNELL, 419 U.S. 539 (1974); SANDIN V. CONNER, 516 U.S.
472 (1995); THOMAS V. WARDEN 49 CONN. SUPP. 416 (2005); NEBBE
V. UTAH Bd. OF PAROONS AND PAROLE, 416 P.3d 663 (2017);
STEFANOW V. MCFADDEN, 103 F.3d 1466 (9th Cir. 1996) IN RE
HOPFMEYER, 376 S.C. 221 (2006); SANDIN V. CONNER, 1994 WL 616163
S.C. CODE ANN. § 1-23-610 (a) - (f) (SUPP. 2007)
BECAUSE OF Appellants Contention That Respondents, AS

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His Custodians, Of His Immediate Custody, Judicial Matters And Care, 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 masterbation 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 masterbation sightings... reports... and charges in Duck Lyles JLC inmate records and files, resulted in appellant being "SECRETLY" "FALSELY PUNISHED... CHARGED... DEFAMED... WITH MASTERBATIONISM..." 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 LAW, 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

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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 or "HATE CRIMES", vi z., 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. 45-46,
ACTING IN A RACIALLY DISCRIMINATORY MANNER, AND
ENGAGING IN PROSECUTORIAL VENDETTA/VENGEANCE 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 BOCCAS FOR ENTERTAINMENT 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 BURDEN ORDERS THAT TANGIBLE...
EVIDENCE CLEARLY NEGATE OR INVALIDATE HERETIN.

NOVEMBER 29, 2018

Sincerely,
Mr. John Boccas

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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. PCI-0538-18

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DEC 04 2018

SC Court of Appeals

John Baccus # 187193, A Natural Person Appellant,

v.
SCAC, Director, Brian P. Stirling, Warden Scott Lewis, et al, Respondents.

PROOF OF SERVICE

I Certify and Verify That I Have Served The Notice Of Appeal, On The State of South Carolina in The Court of Appeals, Brian P. Stirling, et al, By Depositing A Copy of It in The Respondents' Mailing Prison System, On November 29, 2018, Addressed To His ATTORNEY OF RECORD, COURT OF APPEALS 1015 Sumter Street, Box 11629, Columbia, South Carolina 29211

November 29, 2018

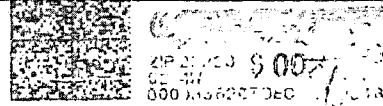
LSI Mr. John Baccus
Mr. John Baccus
430 Oak Lawn Road
Pelzer, South Carolina 29669

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Mr. John Boccard # 187393
PCT - D3-A-211
430 Oak Lawn Road
Pelzer, S.C. 29669

December 17, 2018



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DEC 19 2018
SC Court of Appeals

The South Carolina Court of Appeals
1200 Senate Street
Post Office Box 11624
Columbia, S.C. 29201

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P.C.I. MAILROOM