

88908



Theodore Wagner
General Deliver – Homeless
557 E. Bay Street
Charleston SC 29403
Phone (843) 460-2508
TheodoreWagner65@yahoo.com

To: Clerk, South Carolina Court of Appeals
The Honorable Jenny Abbott Kitchings
Attention: **Jessica Lucus**
Post Office Box 11629
Columbia, South Carolina, 29211

RECEIVED
JAN 30 2019
SC Court of Appeals

Re: Stamping extra copies – S.A.S.E. Included.

January 25, 2019

Dear Clerk, **Jessica Lucus**:

I have included a check for 50.00 Dollars and copies of all letters with a S.A.S.E. for copies of same to be returned to me. I have also sent copies of this Letter and the Letter (s) to Assistant Inspector General for Investigations; **Eric A. Johnson** all with CC: Clerk of Court on them. Please place a stamp on these also and return in the S.A.S.E provided.

Thank you for your and putting up with my **Post Dramatic Stress Disorder and Panic Disorder with agoraphobia** that was caused by Mike Davis, the defendant in this case. I wrote the Truth in my Brief and now withing days I am Court orders to Cover up the Truth and Join in this Ongoing Conspiracy. I am Freaking out so bad I do not know what to remove. In not a Lawyer.

Thank you for putting up with my Mental Disabilities.

CC: **Clerk of Court.**
Case No 2018-001125

Theodore Wagner

Theodore Wagner
Constitutional Patriot

973

67-98/532

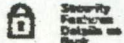
THEODORE T WAGNER

June 12th 2018
Date

Pay to the
Order of

South Carolina Court of Appeals \$ 100⁰⁰

One hundred Dollars 100 Dollars



SOUTH STATE BANK

SouthStateBank.com

Classic Checking

For

Filing Fee

Theodore Wagner

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RECEIVED

JAN 30 2019

SC Court of Appeals

For Deposit Only
SC State Treasurer's
General Deposit Account
(P04 Judicial Department)

THEODORE T WAGNER

984

67-98/532

Jan 26th 2019
Date

Pay to the
Order of

South Carolina Court of Appeals \$ 50⁰⁰

Fifty Dollars 50 Dollars



SOUTH STATE BANK

SouthStateBank.com

Classic Checking

For

Additional Filing Fee

Theodore Wagner

⑆053 20098 3⑆00 50906808⑆ 00984

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEL FROM CHARLESTON COUNTY
Danial Hall, Circuit Court Judge

Case No 2018-001125

RECEIVED
JAN 30 2019
SC Court of Appeals

Theodore Wagner.....Appellant

v.

Designa Print and Mike Davis including anyone who is Complicit or Enabled protecting Mike
Davis....Respondent

Filing Sent Pursuant to Supreme Court Order - 50.00 \$ Mailed 19-01-18 and Response

The Letter I received on January 24, 2019 dated January 18, 2019 said that "Pursuant the Order of the Supreme Court dated October 9, 2018, the filling fee is \$50.00 for a motion filed on or after October 15, 2018. I filed **Notice of Appeal** "Re: DESIGNA PRINT AND MIKE DAVIS INCLUDING ANYONE WHO IS COMPLICIT OR ENABLEBLED PROTECTING MIKE DAVIS, Respondent v. Theodore Wagner, Appellant. **COMPLAINT AGAINST CIVIL RIGHTS; TRIAL BY JURY DEMANDED** on June 13, 2018 except for S.A.S.E. that were addressed as below and I repeatedly ask this Court to Address it this way. I Filed this as **COMPLAINT AGAINST CIVIL RIGHTS; TRIAL BY JURY DEMANDED** on July 29, 2015. I did not receive any Court Order of October 24, 2018 to object to and was unaware of its existence until December 13, 2018 giving me 4 days for a person who sent proof of Mental Disabilities to Answer what I do not understand to Avail myself to my State and Federally Protected Constitutional Rights.

As this Ongoing Conspiracy started with the **Federal Bureau of Investigations in February 2002** and Facilitated by State Government against the United States Constitution and the Constitution of South Carolina Constitution which must Honor Federal Constitutional Rights I have copied the

U.S. Department of Justice ;
Office of the Inspector General
Assistant Inspector General for Investigations; **Eric A. Johnson**
1425 New York Avenue, N.W., Suite 7100
Washington, D.C. 20530-2001

copy of Transcript page that shows I did Reserve My Ninth Amendment Constitutional Right to the Truth in Court on May 7, 2018 as the Reference was wrong, The Lawfully Filled Constitutional Challenge of Federal Law, and all the Federal Case Law this Court Ordered me to remove to aid in this Ongoing Conspiracy. I do not know how much more begging or panhandling I can do to preserve my Constitutional Rights you are Oppressing. The Court and Mr. Goode has the Challenge and the Case Law already he helped Oppress as part of this Conspiracy. The Page of the Transcript I did include as I am sending it to **Mr. Johnson as the Reference was wrong in the Brief. **Panic Attacks are HELL!****

As this is this Court **is Ordering that I aid in the Oncoming Conspiracy to Cover Up that Andrea Lynn Crisel Gentry was 20 years, 1 month, 16 days old on June 25, 1999** and Cover up my Constitutionally Protected Right under the United States Constitution and the Constitution of the Great State of South Carolina to Challenge Laws made in violation of these Constitutions, I ask this Court to Grant my **Motion Requesting Permission to Serve and File Outside of the Deadline set by the Court's Order of October 24, 2018 that I was never given Notice of or ability to Object to.**

I need the Lawyer I Petitions for and was Denied because of my Mental Disability! HELP!

Date: Jan. 27th 2019

Theodore Wagner

Kenneth G. Goody, Jr., Attorney
4 Carriage Lane, Suite 204
Charleston, South Carolina 29407
Attorney for Respondent

Theodore Wagner, Pro Se
General Delivery - Homeless
557 East Bay Street
Charleston, SC 29403
Pro Se for the Appellant



January 25, 2019

RECEIVED
JAN 30 2019
SC Court of Appeals

Theodore Wagner
557 East Bay Street
General Deliver - Homeless
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To: U.S. Department of Justice
Office of the Inspector General
Assistant Inspector General for Investigations; Eric A. Johnson
1425 New York Avenue, N.W., Suite 7100
Washington, D.C. 20530-2001

Cover Letter for Federal Court Cases that Guarantee Constitutional Challenges

Regarding: **Conspiracy to give Perjured or Misleading testimony to a Federal Grand Jury under Title 18, United State Code, Section 1503 by S.A. Cynthia McCants, of the F.B.I. and Federal Assistant Attorney, Rhett Dehart and the Ongoing Conspiracy to Cover it up.**

***** Copy of a Filings in State Court that are a Direct Result of the Ongoing Conspiracy Started by **S.A. Cynthia McCants, of the F.B.I. and Federal Assistant Attorney, Rhett Dehart** in February 2002. They Refuse to hear Federal or State Constitutional Challenges as stated in **USA vs. Butler, 297 US 1 (1936) - A Law Repugnant of the Constitution is VOID.; Pollock vs. Farmers' Loan & Trust Co. 157 US 429 - To declare a law unconstitutional but the duty to do so.**

Pages 10 through 21 of Federal Cases used to show the Government willfully conspiring to Oppress Constitutional Challenges and Constitutional Rights. Used in Federal and State Courts.

Dear Mr. Johnson,

This is a Federal Constitutional Issue and a Federal Crime against the U.S. Constitution's Ninth Amendment. The cover up that Andrea was 20 years old on June 25, 1999 and the Federal Government has Intentionally and Ongoing covering it up is a Crime.

I Theodore Wagner reserve the Right to have the Government tell the Truth, the whole Truth, and nothing but the Truth about me as guaranteed by the Ninth Amendment of the U.S. Constitution!

The Ninth Amendment of the United States Constitution states "The enumeration in the Constitution, of certain rights, **shall not be construed to deny or disparage others retained by the people.**" All these Constitutional Challenges have been Filed in Federal and State Courts and Covered up. Cases uses in State Court they Forced me to Remove. **I have included 12 pages of Federal Court Cases it is the Crime for the Federal or State Governments not to give me a Full and Fair Redress of all these Constitutional Challenges.** They have been made in Federal and State Courts and Covered up.

I said in Court on May 7, 2018 to Judge Danial Hall. On that day Judge Hall looked at your Federal Evidence and said Andrea Had to Testify! The Federal Government outside a State Civil case telling the Judge what to do does make a difference. **I clearly stated and Reserved my Ninth Amendment Constitutional Right** on the Transcript May 7, 2018 (R. p. 68, Line 11-15) (Page included) **MR. WAGNER: Well, I mean, I didn't want anything of mine oppressed because the Ninth Amendment guarantees me the right to the truth, the whole truth and nothing but the truth. And I reserve that right. And that's what I'm trying to get on the record on everything.**

Federal Cases used to show once a Constitutional Challenge is made it must be given Redress. These Cases were used in Federal Filings and State Fillings.

Anton v. South Carolina Coastal Counsel, 469 S.E. 2d. 604 at 605 (S.C. 1996) - Constitution overrides the Statute. State Case Page (10)

CARTER VS. CARTER COAL CO., 298 US 238 - Shall be the Supreme Law of the Land Page (11)

DOC vs. Heller, 554 US 570 - Operative Clause - Right of the People. Page (12, 21)

Marbury vs. Madison, 1 CRANCH 137 - Law Repugnant to the Constitution is Void. Page (13)

Olmstead vs. United States, 277 US 438 - Through the Department of Justice, to avail itself of the fruits of these acts. Page (14, 29)

Pollock vs. Farmers' Loan & Trust Co. 157 US 429 - To declare a law unconstitutional but

the duty to do so. Page (15)

USA vs. Butler, 297 US 1 (1936) – All the court does or can do ... Page (16)

Schick vs. United States, 195 US 65 - Amendments must control. Page (17)

Reid vs. Covert, 354 us 1 (1957) – the language of the Constitution where clear and unambiguous must be given it plain evident meaning. The Ninth Amendment of the United States Constitution states, “The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage the others retained by the people.” **This is a Federal Issue all Government including you swore to defend. I reserved that right as shown in the included Transcript on May 7, 2018 (R. p. 68, Line 11-15)** (Page included) Page (17)

U.S. vs. Colkley, 899 F.2d. 299 (4th Cir. 1990) - Omissions in Warrant Affidavit (19)

United Mine Workers of America, vs. Illinois State Bar Asso. et al, 389 US 217 (1967)

The right to peaceable petition for a redress of grievances are among the most precious of the liberties safeguarded by the Bill of Rights. Page (19)

Lawfully Filled Constitutional Challenge Included and can not have a Shelf Life in

Federal of State Courts. The Constitutional Challenges though Oppressed still exist.

The Government should not cover up Constitutional Challenges and they are!

I sent you the Evidence. End this Ongoing Conspiracy!

**CC: Court of Appeals
Case No. 2018-001125**

12 pages that have the Federal Court Cases listed included.

Date: Jan. 27, 2019

Respectfully,

Signature: Theodore Wagner

Print Name: Theodore Wagner
Constitutional Patriot



January 25, 2019

Theodore Wagner
557 East Bay Street
General Deliver - Homeless
Charleston SC 29403
Phone (843) 406-2508
TheodoreWagner65@yahoo.com

To: U.S. Department of Justice
Office of the Inspector General
Assistant Inspector General for Investigations; Eric A. Johnson
1425 New York Avenue, N.W., Suite 7100
Washington, D.C. 20530-2001

RECEIVED
JAN 30 2019
SC Court of Appeals

Regarding: **Conspiracy to give Perjured or Misleading testimony to a Federal Grand Jury under Title 18, United State Code, Section 1503 by S.A. Cynthia McCants, of the F.B.I. and Federal Assistant Attorney, Rhett Dehart and the Ongoing Conspiracy to Cover it up.**

***** Copy of a Filings in State Court that are a Direct Result of the Ongoing Conspiracy Started by **S.A. Cynthia McCants, of the F.B.I. and Federal Assistant Attorney, Rhett Dehart** in February 2002. They Refuse to hear Federal or State Constitutional Challenges as stated in **USA vs. Butler, 297 US 1 (1936) - A Law Repugnant of the Constitution is VOID.; Pollock vs. Farmers' Loan & Trust Co. 157 US 429 - To declare a law unconstitutional but the duty to do so. Continued on Page 2.**

**This is a copy letter I was sent a letter by Claire Allen, Deputy to send 50.00 Dollars more by January 25, 2019. Now I have to break the law to panhandle.
You got the Evidence. Stop the Ongoing Conspiracy!**

Dear Mr. Johnson,

This is a Federal Constitutional Issue and a Federal Crime against the U.S. Constitution's Ninth Amendment. The cover up that Andrea was 20 years old on June 25, 1999 and the Federal Government has Intentionally and Ongoing covering it up is a Crime.

I Theodore Wagner reserve the Right to have the Government tell the Truth, the whole Truth, and nothing but the Truth about me as guaranteed by the Ninth Amendment of the U.S. Constitution!

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people.” All these Constitutional Challenges have been filed in Federal And State Courts and Covered up. Cases uses in State Court they Forced me to Remove. I have included 12 pages of Federal Court Cases it is the Crime for the Federal or State Governments not to give me a Full and Fair Redress of all these Constitutional Challenges. They have been made in Federal and State Courts and Covered up.

I said in Court on May 7, 2018 to Judge Danial Hall. He looked at your Federal Evidence and said Andrea Had to Testify! **I clearly stated and Reserved my Ninth Amendment Constitutional Right** on the Transcript May 7, 2018 (R. p. 68, Line 11-15) (Page included) **MR. WAGNER: Well, I mean, I didn't want anything of mine oppressed because the Ninth Amendment guarantees me the right to the truth, the whole truth and nothing but the truth. And I reserve that right. And that's what I'm trying to get on the record on everything.**

This is a Federal Constitutional Issue and a Constitutional Challenge of Law that does Effect the fact:

Regarding: **Conspiracy to give Perjured or Misleading testimony to a Federal Grand Jury under Title 18, United State Code, Section 1503 by S.A. Cynthia McCants, of the Federal Bureau of Investigations and Federal Assistant Attorney, Rhett Dehart and the Ongoing Conspiracy to Cover it up.**

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Continued on Page 2.

This is another Follow up letter to the Complaint / Petition I Mailed to you on October 14, 2018, Certified Mail: 7016 1370 0000 4822 5758. I have checked the Post Office for a General Deliver at the above address many times and there is no reply. As I said I am neither a Lawyer or a writer so please forgive my disjointed presentation but when you live with **Post Dramatic Stress Disorder and Panic Disorder with Agoraphobia** as diagnosed from you psychiatrist every day is a Mental Struggle.

In the 4 Government Documents I sent you this and much more Evidence I proved the

Government committed an intentional cover-up under 18 U.S.C. § 1503 by U.S. Attorney Rhett Dehart and S.A. Cynthia McCants of the F.B.I. before the Grand Jury in 2002 about my wife's party on June 25, 1999 to cover up her age as 20 years old. I sent you Evidence of not only U.S. Attorney Rhett Dehart and S.A. Cynthia McCants of the F.B.I. committing a Felony Crime before the Grand Jury in 2002 but also **United States Attorney Rhett Dehart and Federal Court Judge Micheal Duffy** aiding in this cover-up on December 19, 2013.

That is how I met Mike Davis in the Case I am copying you is I needed someone to handle my money while I was Unlawfully sent to prison by Judge Duffy. Then Mike Davis goes on for years using this Ongoing Conspiracy started by **S.A. Cynthia McCants, of the Federal Bureau of Investigations and Federal Assistant Attorney, Rhett Dehart** in 2002 to use the Internet, Posters, and many other ways to Terrorize me for years. Hence the Lawsuit.

The Right to a **Trial by Jury** was Lawful. The Constitutional Challenges were Lawful and supported by Case law. The Federal Government should not have been represented in a State Civil Case. **Kenneth G. Goody, Jr., Attorney for Respondent** took an Oath to defend the United States Constitution and the Constitution of South Carolina yet openly conspires against them.

I have now been Court Ordered to aid in this Ongoing Conspiracy against the Constitution and to help Cover up **S.A. Cynthia McCants, of the Federal Bureau of Investigations and Federal Assistant Attorney, Rhett Dehart and the Ongoing Conspiracy to give Perjured or Misleading testimony to a Federal Grand Jury under Title 18, United State Code, Section 1503** and remove all references to my Lawful Constitutional Challenges of Laws made in Violation of the United States Constitution and the Constitution of South Carolina.

Your position in the Office of the Inspector General gives you the Right and Ability to Defend these Constitutional Challenges and end the Ongoing Conspiracy by **S.A. Cynthia McCants, of the Federal Bureau of Investigations and Federal Assistant Attorney, Rhett Dehart to give Perjured**

or Misleading testimony to a Federal Grand Jury under Title 18, United State Code, Section 1503 and put on the Record they knew my wife Andrea was 20 years old on June 25, 1999 when she threw her sex party. Not Victim A. Not a child. Not a minor. But the person who facilitated the whole thing and get my name off of the Sexual Registry and end the Ongoing Conspiracy that Andrea was a Victim or a Minor on June 25, 1999 and **S.A. Cynthia McCants, of the Federal Bureau of Investigations and Federal Assistant Attorney, Rhett Dehart intentionally gave Perjured or Misleading testimony to a Federal Grand Jury under Title 18, United State Code, Section 1503 in 2002** to cover up my wife Andrea, Victim A's age as 20 years, 1 month, 16 days old on June 25, 1999.

I believe the fact that Candice Christensen and my wife Andrea were Referred Call Girls for Judges, Police, Prosecutors, Lawyers, and others prominent people in Charleston may have had something to do with my Public Pretenders helping the Government cover up My Diaries with this information in them, Denying me My "Will", lie to me about the law, and all the other things Lawyers should not do when proving their client is innocent.

If it were not for this Ongoing Conspiracy to cover up Andrea was 20 years old on June 25, 1999 Mike Davis could not have used it to Stalk me.

The Government should not cover up Constitutional Challenges and they are!

I sent you the Evidence. End this Ongoing Conspiracy!

**CC: Court of Appeals
Case No. 2018-001125**

AFFIRMATION

Pursuant to 28 U.S.C. § 1746 (2), I certify under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of January 2019.

Respectfully

Signature: Theodore Wagner

Print Name: Theodore Wagner
Constitutional Patriot

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STATE OF SOUTH CAROLINA)	
)	Court of Common Pleas
COUNTY OF CHARLESTON)	Case No. 2015-CP-10-04166
_____)	
THEODORE WAGNER,)	
)	
Plaintiff,)	
)	
vs.)	<u>Transcript of Record</u>
)	
DESIGNA PRINT and)	
MIKE DAVIS,)	
)	
Defendant.)	<u>DATE: May 7, 2018</u>
_____)	

B E F O R E:

THE HONORABLE DANIEL DEWITT HALL

A P P E A R A N C E:

THEODORE WAGNER
Pro Se Plaintiff

KENNETH GEORGE GOODE, JR.
Attorney for the Defendant

Karen V. Andersen, RMR, CRR
Circuit Court Reporter

1 important issues is third-party emotional distress requires
2 manifestation of bodily harm. And he does not have that.
3 Either got to be a relative or witness a violent act on Aaron,
4 if he's pleading that. And there's very minimal language as to
5 conduct actually directed towards him. So I don't know if
6 that's something you want to wait until a jury charge.

7 THE COURT: Well, I will deal with that in the
8 morning. Anything else?

9 MR. GOODE: No, sir, Your Honor.

10 THE COURT: Mr. Wagner, anything from you?

11 MR. WAGNER: Well, I mean, I didn't want anything of
12 mine oppressed because the Ninth Amendment guarantees me the
13 right to the truth, the whole truth and nothing but the truth.
14 And I reserve that right. And that's what I'm trying to get on
15 the record on everything.

16 From the time I met him, I showed him all these
17 documents to prove I was innocent. He believed in me. And so
18 I want the jury to see every single document. And I want
19 Andrea to just come in on those.

20 I mean, she can't say she wasn't 20 years old. They
21 were her friends. I didn't know them. I never allowed them to
22 ever do it again in my house. And they did it all the time,
23 but it was Andrea's house too. They could come over. She
24 could bring anybody over. I just didn't want the freakiness at
25 the house.

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEL FROM CHARLESTON COUNTY
Danial Hall, Circuit Court Judge

Case No 2018-001125

RECEIVED
JAN 30 2019
SC Court of Appeals

Theodore Wagner.....Appellant

v.

Designa Print and Mike Davis including anyone who is Complicit or Enabled protecting Mike
Davis.....Respondent

Affidavit of Service

I, Theodore Wagner on this day did place in the mail, Check for 50.00 Dollars, copy of the page
of the Transcript that shows I Reserved my Ninth Amendment Right to the Truth, Affidavit of Service,
Cover Letter, Filing Sent Pursuant to Supreme Court Order - 50.00 \$ Mailed 19-01-18, Copy of Letter
(s) sent to Assistant Inspector General for Investigations; Eric A. Johnson, at the U.S.P.O.:

Clerk, South Carolina Court of Appeals
To: Ms. Jessica Lucas
Post Office Box 11629
Columbia, South Carolina, 29211

U.S. Department of Justice ;
Office of the Inspector General
Assistant Inspector General for Investigations; Eric A. Johnson
1425 New York Avenue, N.W., Suite 7100
Washington, D.C. 20530-2001

Kenneth G. Goody, Jr., Attorney
4 Carriage Lane, Suite 204
Charleston , South Carolina 29407
Attorney for Respondent

Date: Jan. 28th 2019
Theodore Wagner
Theodore Wagner, Pro Se
General Delivery - Homeless
557 East Bay Street
Charleston, SC 29403
Pro Se for the Appellant



1000



29211

FCM LG ENV
NORTH CHARLESTON, SC
29405
JAN 28, 19
AMOUNT

\$1.75
R2305K142897-15



Theodore Wagner
General Delivery, Homeless
557 East Bay Street
Charleston SC 29403
United States

RECEIVED

JAN 30 2019

SC Court of Appeals

Clerk, South Carolina Court of Appeals
To Ms. Jessica Lucas
Post Office Box 11629
Columbia, South Carolina, 29211

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