

Record/FILE ON DEMAND

Acceptance of Offer with full immunity AND WITHOUT RECOURSE! NBLB-20190828NLBWILM0801-COAPP-0002<sup>©</sup>

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Case No. 2019-001208

Wilmington Savings Fund  
Society FSB as Trustee of  
Stanwich M,

Respondent,

v.

Nelson L. Bruce, et al.,

Appellant.

**AFFIDAVIT OF FACT TO THE COURT OF APPEALS IN SUPPORT OF  
APPELLANTS AFFIDAVIT OF FACT/FEE WAIVER, MOTION TO CHALLENGE  
FILING FEES, BREIF OF APPELLANT AND RECORD ON APPEAL**

Nelson L. Bruce, Propria Persona, Sui Juris  
c/o PMB1605 Central Avenue, Suite 6 # 167  
Summerville, South Carolina 29483  
(843) 437-7901  
Appellant

William S. Koehler Esquire  
1201 Main Street, Suite 1450  
Columbia, South Carolina 29201  
(803) 828-0880  
Attorney for Respondent

On or about **July 22, 2019** Appellant filed an “**Affidavit of Fact- Financial Statement Fee Waiver To Be Heard (Exercise of Constitutional I Treaty –Secured Right)**.” The public official or officials of this court has not rebutted that affidavit with sufficient facts in the form of a rebuttal affidavit signed and sworn to under oaths and affirmation rebutting the facts presented before this court in that affidavit which now stands as true, prima facie evidence that the officials are in breach of their oaths of office and are operating in a corporate capacity. **(Non Rebutted Affidavits are "Prima Facie Evidence in the Case,-- "United States vs. Kis, 658 F.2d, 526, 536-337 (7th Cir. 1981) ...“Allegations in affidavit in support of motion must be considered as true in absence of counter-affidavit.” [Group v Finletter, 108 F. Supp. 327 Federal case of Group v Finletter, 108 F. Supp. 327] ...“Indeed, no more than affidavits is necessary to make the prima facie case.” ...“Uncontested Affidavit taken as true in Opposition of Summary Judgment.” -- Melorich Builders v. The SUPERIOR COURT of San Bernardino County (Serbia) 207 Cal.Rptr. 47 (Cal.App.4 Dist. 1984).** This public official of this court only provided a statutory case, an opinion of the court that is not applicable in this situation as it conflicts with and does not supersede **Article I, Section X, Article VI of the U.S. Constitution and Article I Section II of the South Carolina Constitution**, It states nothing about motioning a court to pay a fee- This is a Constitutional Exercise of a "Right" not a "Privilege" to which the public officials of this court given an oath to uphold.

The public officials are hereby demanded to “**verify**” under **sworn statement** that the statutory case law that you presented to me (**Ex Parte Martin v. the State 321 S.C. 533 (S.C. 1995)**) in the denial letter dated **July 30, 2019** for my “**motion to proceed In Forma Pauperis**” that this case supersedes **Article I Section X of the U.S. Constitution** of me trying to follow the law and not break the law. The Appellant has been trying to follow the law since the filing of his

“Notice of Appeal” on or about **July 22, 2019**. Since this time frame, this court has not been following their own court rules nor have they been upholding their oaths of office, in breach of their oaths of office trying to get the Appellant to violate the law by requesting that he pay a filing fee in a specie that is not supported as lawful money by the U.S. Constitution. This court has recently returned my Tender of Payment, Brief of the Appellant (Initial Brief not Final Brief), and Record on Appeal as you claim is premature pursuant to **Rules 210 and 211** as you are labeling the Appellants Brief Incorrectly which is now being returned back to the court of appeals as they were and are presented to be filed pursuant to **Rule 208**, nothing provided in this brief states nor reflects “**Final Brief**”. The officials of this court are in neglect of their own rules and mistakenly misrepresenting the Appellants filings in order to label them as premature. Appellant does not intend to violate the law no proceed with any further filing fee requests in the specie requested by the public officials on behalf of the court of appeals until the court produces the specific requested Proof of Claims presented by the Appellant on or about **August 20, 2019** and the public officials of record for this referenced matter provides a proper **rebuttal affidavit** to his **Affidavit of Fact** filed on **July 22, 2019** and this Affidavit signed and sworn to under oaths and affirmation by that public officials producing such evidentiary facts in support of their denial for Appellant to move forward **In Forma Pauperis**. Appellant is providing this court **72 hours**, to include weekends to provide such proof of claims as referenced above and the following:

1. Proof of claim that the public officials of this court did not swear an oath to uphold and be bound to follow **Article VI and Article I, Section X** of the U.S. Constitution and **Article I Section II of the South Carolina Constitution**?
2. Proof of claim that Appellants “Breif of Appellant, Record on Appeal are not in line with **SCACR Rule 208 sections (a)(1) and (b)(1), (b)(8)** which “**does not**” state that it is “**mandatory**” for the initial brief to be in white, it states that it “**may be**” in white which

gives an "option" to be in white or blue as provided under **Rule 267 (e) for briefs of Appellant?**

Failure to produce the requested and necessary proof of claims and rebuttal affidavits signed and sworn under oath as presented above within 72 hours from receipt of this Affidavit shall constitute as facts before the court and your admissions and your failure to provide specific, sufficient, supported evidentiary facts to support your claims and denial and shall be used as documented facts to support that the public officials (**Jenny Abbott Kitchinigs, and Claire Allen**) and **Magistrate/Associate Judge (John D. Geathers)** representing the **SC Court of Appeals** official misconduct and violation of your oaths of office in breach of **Article I, Section X** and **Article VI** of the **U.S. Constitution** and also **Article I Section II** of the **South Carolina Constitution** trying to instruct the Appellant to proceed to operate outside the law, and to violate the supreme law of the land in order to pay corporate filing fees to a corporate government entity as he is trying to access and petition the judicial branch of government for redress of grievance not the corporate government who is blocking access as he does not have nor possess any gold or silver coins, as prescribed by United States Constitution Law, which is the lawful money to pay the restricting demands, conditionally commanded by Employees and Contractors of the Court. The said restrictions (unconstitutional) are arbitrarily (hindering Due Process) and imposed for processing the Appellants Documents, as stipulated in the United States Constitution noted above to which it seems like the Employees and Contractors of the Court this court wishes for the Appellant to break the law therefore Appellant will have no choice but to proceed with the filing of a complaint against the referenced public officials for their official misconduct and violations of law as referenced above if they continue.

I do hereby attest, affirm, ascribe, declare, to date that the aforementioned claims are true,  
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correct as well as accurate and that the Aforementioned is accurately attested to on this 28<sup>th</sup>

August, 2019 by the undersigned Appellant.

**RESPECTFULLY PRESENTED,**

“Without Prejudice”

Nelson L. Bruce 8-28-2019 Void/non- assumpsit

THE BENEFICIAL OWNER OF THE CESTI QUI EQUITABLE TRUST

Nelson L. Bruce, Propria Persona, Sui Juris

All Natural Rights Explicitly Reserved and Retained

U.C.C. 1-207/1-308, 1.103.6

**JURAT**

STATE OF South Carolina  
COUNTY OF Dorchester

On August 28, 2019, before me Veronica Hiott Notary Public, personally stood Nelson L Bruce, a natural person, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

**I certify under PENALTY OF PERJURY under the laws of the State of SOUTH CAROLINA that the foregoing paragraph is true and correct.**

Witness my hand and official seal of my office.

Signature Veronica Hiott

