

David Joe Washington
3204 Badger Road
Mullins, SC 29574

August 15, 2019

The South Carolina Court of Appeals
Honorable Jenny A. Kitchings
Post Office Box 11629
Columbia, SC 29211

RECEIVED
AUG 16 2019
SC Court of Appeals

RE: David J. Washington vs. Mullins Municipal Court

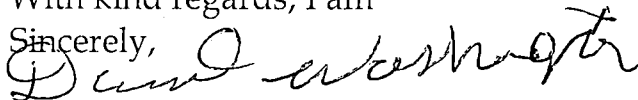
Attention: Jenny Kitchings:

I, David Washington, filed a motion in this court for a verdict. This case was dismissed by the Court of Appeals on 07/31/2019. In this same motion I am asking the court for a judgement for two million dollars. Please review ALL the documents in this matter. The judgement for two million is being requested for the violation of Title 5 of the Freedom of information act under the United States code section 55(1) and for the time and inconvenience I have suffered by being disregarded by the Mullins Municipal Court.

If you have made your decision, I will be filing this case to the Supreme Court of South Carolina. It will show all allegations in this case are true.

With kind regards, I am

Sincerely,



DAVID J. WASHINGTON

cc: SC office of Court Administration

The South Carolina Court of Appeals

David Washington, Appellant,

v.

Mullins Municipal Court, Respondent.

Appellate Case No. 2019-000531

The Honorable Michael G. Nettles
Marion County
Trial Court Case No. 2018CP3300564

ORDER

Appellant has failed to provide an update regarding the ordering the transcript, as required by Rule 207 of the South Carolina Appellate Court Rules, and as specifically requested in the Court's letter dated June 19, 2019. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc:

David Washington
Mullins Municipal Court

FILED

July 31, 2019



Marion Common Pleas

Case Caption: David Washington VS Mullins Municipal Court
Case Number: 2018CP3300564
Type: Order/Electronic Form 4

So Ordered

s/ The Honorable Michael G. Nettles #2140

Electronically signed on 2019-03-21 13:24:41 page 3 of 3

ELECTRONICALLY FILED - 2019 Mar 21 2:36 PM - MARION - COMMON PLEAS - CASE#2018CP3300564

STATE OF SOUTH CAROLINA
COUNTY OF Marion
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2018CP3300564

David Washington
PLAINTIFF(S)

Mullins Municipal Court
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☒ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☒ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☒ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☒ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☒ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

Appellant was tried before the Mullins Municipal Court for violation of S.C. Code Ann. 56-5-6520 (Failure to Wear Seatbelt). Appellant failed to appear at the trial and was convicted in absentia. Appellant has appealed on the grounds that Respondent failed to turn over video evidence prior to trial. As Appellant did not make this objection to the trial court this issue is unpreserved. The municipal court is affirmed pursuant to the following authority. City of Rock Hill v. Suchenski, 374 S.C. 12, 15, 646 S.E.2d 879, 880 (2007) (Circuit Court reviews summary court only for preserved errors), State v. Carlson, 363 S.C. 586, 595, 611 S.E.2d 283, 287 (Ct. App. 2005) (Failure to make contemporaneous objection to trial court renders issue unpreserved for appellate review).

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

☒ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 03/21/2019.

David Washington for David Washington
Mullins Municipal Court for Mullins Municipal Court
Mullins Municipal Court for Mullins Municipal Court
David Washington for David Washington

RECEIVED

AUG 16 2019

SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

FORM 1
NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM MARION COUNTY
Court of Common Pleas

Case No. 2019-000531

RECEIVED

AUG 16 2019

David J. Washington,

Appellant, **SC Court of Appeals**

v.

Mullins Municipal Court,

Respondent.

NOTICE OF APPEAL

David J. Washington appeals the order [judgment] of the Honorable Michael G. Nettles dated March 21, 2019. Appellant received written notice of entry of this order [judgment] on March 28, 2019.

April 22, 2019

s/ David J. Washington
David J. Washington
3224 Badger Road
Mullins, South Carolina 29574
(843) 331-6669
Appellant

David Washington
3204 Badger Road
Mullins, SC 29574
April 24, 2019

The Honorable Jenny Abbott Kitchenings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED

AUG 16 2019

SC Court of Appeals

This case is on appeal. David Washington VS. Mullins Municipal Court. The case number is 2019-000531. The Honorable Jenny A. Kitchenings. This will show all the allegations in this case are true.

Count 1. The Plaintiff David Washington asks the Mullins Police Department for a copy of the body camera from Officer Inman on 7-23-18. They sent me an audio.

Count 2. During the traffic stop on 7-13-18 at 9:58 AM.

Count 3. The Plaintiff, David Washington, asks the court three weeks before the hearing. I want to receive the body camera of Officer Inman.

Count 4. The Plaintiff, David Washington, asks the court in this same motion to go back two months and look at all the traffic stops by Officer Inman.

Count 5. The Plaintiff, David Washington, has been having trouble with the Mullins Police Department after I filed a law suit on 6-22-09, over nine years ago.

Count 6. Also they violated Title 5 of the Freedom of Information Act under the US States Code Section 55(1) in the same motion.

Count 7. Also the Civil Rights Act of 1964 was violated.

Count 8. Also Title 42 Chapter 21. All persons within jurisdiction of the United States shall have the same rights in every state.

Count 9. Give me a reason why this case cannot be granted to me.

Count 10. Send me a copy of all the evidence the court will be trying be the jury seal.

Count 11. The Plaintiff, David Washington, asks the court \$2,000,000,000 for pain and suffering and distress.

Count 12. Also you will see a check for \$250 for filing fees.

Notary Public

Elizabeth Patterson
My Commission Expires: 05/23/2024

Thank you,

David Washington

David J. Washington
3204 Badger Road
Mullins, SC 29574

August 5, 2019

Court of Common Pleas
103 North Main Street
Post Office Box 295
Marion, SC 29571

RE: Court Date: 03/18/2019

Dear Sir(s):

Please find a copy of the notice of Motion Scheduling and a copy of the FOIA. I request at this time a copy of the transcripts from the court date listed above.

Sincerely,


DAVID J. WASHINGTON

Enclosures: copy of notice of motion scheduling
FOIA

Mr. Washington,

You have to request transcripts from the court reporters in writing. I have enclosed her address and a copy of the final order.

Thank you,
April Smallwood

David J. Washington

3204 Badger Rd.

Mullins, SC 29574

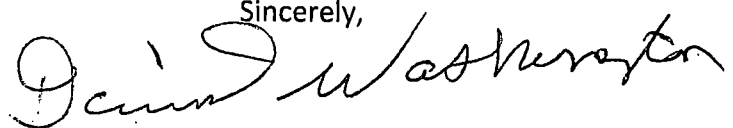
8-9-19

Sallie Beth Todd
P.O. Box 677
Conway, SC 29528

Attention Sallie Beth Todd:

Please find a copy of the notice of Motion Scheduling and a copy of the FOIA. I request at this time a copy of the transcripts from the court date listed on the next page.

Sincerely,

A handwritten signature in cursive script that reads "David J. Washington". The signature is written in dark ink and is positioned below the word "Sincerely,".

David Washington

Court Reporter Mailing Address:

Sallie Beth Todd
sbtodd@sccourts.org
P.O.Box 677
Conway, SC 29528

David J. Washington
3204 Badger Road
Mullins, SC 29574

August 5, 2019

Mullins Municipal Court
151 Northeast Front Street
Mullins, SC 29574

RE: Ticket :062445 AX
Court Date: 07/13/2018

Dear Sir(s):

Please find a copy of the ticket and FOIA. I request at this time a copy of the transcripts from the court date listed above.

Sincerely,


DAVID J. WASHINGTON

Enclosures: copy of ticket
FOIA

DEPARTMENT OF JUSTICE FREEDOM OF INFORMATION ACT REFERENCE GUIDE

I. Introduction

The Freedom of Information Act (FOIA), which can be found in Title 5 of the United States Code, section 552⁽¹⁾, was enacted in 1966 and generally provides that any person has the right to request access to federal agency records or information. All agencies of the Executive Branch of the United States Government are required to disclose records upon receiving a written request for them, except for those records (or portions of them) that are protected from disclosure by the nine exemptions and three exclusions of the FOIA. This right of access is enforceable in court, and it is supported at the administrative agency level by the "citizen-centered and results-oriented approach" of a presidential executive order (see below).

The FOIA does not, however, provide access to records held by Congress or the federal courts, by state or local government agencies, or by private businesses or individuals. All states have their own statutes governing public access to state and local government records; state agencies should be consulted for further information about them.

PUBLIC CONTACT / WARNING
STATE OF SOUTH CAROLINA
 CITY OR COUNTY OF MULLINS

First Name <u>David</u>		Middle Name <u>Joe</u>		Last Name <u>Washington</u>	
State Licensed <u>SC</u>		Driver's License No. <u>00472000 S</u>			
Race / Ethnicity <u>BLK</u>	Gender <u>M</u>	Date of Birth <u>4-28-80</u>	Latitude <u>-</u>	Longitude <u>-</u>	
Hwy Type <u>2LN</u>	Hwy No. / Name <u>N. Main</u>	County <u>34</u>	Code <u>S</u>	Date <u>7-13-88</u>	Time <u>0958</u>
Vehicle License No. <u>EYJ924</u>		State <u>SC</u>	Vehicle Make <u>Buic</u>	Year <u>01</u>	CMV ☐
Issued By <u>Inman</u>			Rank <u>PHL</u>	Badge No. <u>218</u>	

NATURE OF CONTACT

- | | |
|---|--|
| ☐ SPEEDING | ☐ DISREGARDING TRAFFIC SIGNAL |
| ☐ CONTACT ONLY | ☐ FOLLOWING TOO CLOSELY |
| ☐ IMPROPER LANE USE | ☐ CHANGING LANES UNLAWFULLY |
| ☐ FAILURE TO DIM LIGHTS | ☐ NO RIGHT OF WAY |
| ☐ IMPROPER BACKING | ☐ DEFECTIVE EQUIPMENT |
| ☐ IMPROPER LIGHTS | ☐ IMPROPER PASSING |
| ☐ IMPROPER TURN | ☐ DRIVERS LICENSE VIOLATION |
| ☐ DISREGARDING STOP SIGN | ☐ VEHICLE LICENSE VIOLATION |
| ☐ SEAT BELT VIOLATION | ☒ OTHER (SPECIFY) <u>NO Insurance Card in poss</u> |

Sections Printed in Red are required to be reported to SCDPS to comply with South Carolina code of laws 56-5-6560 (A). Any time a motor vehicle is stopped by a state or local law enforcement officer without a citation being issued or an arrest being made, the officer who initiated the stop must complete a data collection form. Data must include information regarding the age, gender, and race or ethnicity of the driver of the vehicle.

062445-AX

Form S-438 Rev. 09/2015		UNIFORM TRAFFIC TICKET											
STATE OF SOUTH CAROLINA VERSUS													
FIRST NAME DAVID		MIDDLE NAME JOE						LAST NAME WASHINGTON					
STREET 3204 BADGER RD													
CITY MULLINS						STATE SC				ZIP CODE 29574			
DL STATE SC		DRIVER'S LICENSE NO. 004720005						CLASS D		CDL ☐ YES ☒ NO			
RACE B		SEX M		BIRTH DATE 04/28/1950		HGT. 6-0		WGT. 236		HAIR BLK		EYES BRO	
VEH. LIC. NO. EYJ924		STATE SC		MAKE OF VEH. BUIC		YEAR 2001		16 PSGR VEH. HAZ. MT.		AUTO MOPED		BICYCLE MTRCYCL	
VEHICLE OWNER FIRST NAME DAVID		MIDDLE NAME JOE						LAST NAME WASHINGTON					
OWNER STREET 3204 BADGER RD		CITY MULLINS		STATE SC		ZIP CODE 29574							
YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL COURT													
NAME OF TRIAL COURT MULLINS MUNICIPAL COURT						STREET 151 E FRONT STREET							
DATE OF TRIAL 08/01/2018		TIME OF TRIAL 0930		CITY MULLINS, SC		STATE SC		ZIP CODE 29574					
VIOLATION SECTION NO. 56-05-6520 / 2886				VIOLATION - COURT APPEARANCE REQUIRED YES ☒ NO ☐									
DATE OF VIOLATION 07/13/2018				TIME OF VIOL. 0958		POST/ACT SPEED		SC POINTS		B.A. LEVEL			
VIOLATION LOCATION O N MAIN STREET						COUNTY 34							
LAT "		LONG "		CITY MULLINS									
NAME AND RANK OF ARRESTING OFFICER PTL. ANTHONY D. INMAN						SCCJA OFFICER NUMBER 3344-5556							
BAIL DEPOSITED		DATE OF ARREST 07/13/2018		BOND AMOUNT REQUESTED 25.00									
PRESENT THIS SUMMONS TO THE TRIAL COURT SHOWN ABOVE													
BE SURE YOU UNDERSTAND FROM THE ARRESTING OFFICER THE EXACT TIME AND BEFORE WHOM YOU ARE TO APPEAR. IF THIS TICKET IS WRITTEN FOR A TRAFFIC VIOLATION AND YOU FORFEIT BAIL, PLEAD GUILTY OR NOLO CONTENDERE, OR ARE CONVICTED AFTER A TRIAL, THIS VIOLATION WILL BE PLACED AGAINST YOUR DRIVING RECORD, OR FORWARDED TO YOUR HOME STATE. POINTS FOR OUT OF STATE VIOLATOR WILL BE ASSESSED BY YOUR HOME STATE LICENSING AUTHORITY AND MAY DIFFER FROM STATE TO STATE. FAILURE TO COMPLY WITH THE TERMS OF THIS SUMMONS MAY RESULT IN THE SUSPENSION OF YOUR DRIVER'S LICENSE BY YOUR HOME STATE. YOU ARE REQUIRED BY LAW TO APPEAR IN COURT FOR CERTAIN OFFENSES.													
SEE IMPORTANT INFORMATION ON THE REVERSE SIDE OF THIS TICKET													
VIOLATOR'S COPY TICKET# 7102P0994139													

NOTICE

THE PRIMARY AIM OF TRAFFIC LAW ENFORCEMENT IS TO REDUCE TRAFFIC ACCIDENTS, INJURIES AND DEATHS THROUGH FAIR, IMPARTIAL, AND REASONABLE ENFORCEMENT OF THE LAWS.

You must settle the case hereby made against you in one of the following ways:

- 1) You must appear in court at the appointed time with your South Carolina drivers license if indicated in the violation block on the front side of this summons.
- 2) You may post a cash bond with the appropriate trial court prior to the assigned date of trial. If you decide to mail in your bond rather than go to the office, MAIL MONEY ORDER, CASHIER'S CHECK OR CERTIFIED CHECK DIRECTLY TO THE TRIAL COURT OFFICE BEFORE WHOM YOU ARE SUMMONED TO APPEAR. The trial court name and address are shown on the front side of this summons. DO NOT MAIL CASH OR PERSONAL CHECK. Be sure to enclose with the bond the arresting officer's name and the summons number.
- 3) If a court appearance is not mandatory, you may pay your fine online with a credit card for citations issued in participating counties.
Go to <http://sc.gov/OnlineServices/Pages/CourtPayments.aspx> to determine if online payments are available in the county the citation was issued.
- 4) You may appear in court on the assigned date and time and have a trial conducted by the Trial Judge.

THE POSTING OF BOND BEFORE YOUR ASSIGNED TRIAL DATE IN NO WAY AFFECTS YOUR RIGHT TO HAVE A FAIR TRIAL BY THE JUDGE OR, IF YOU MAKE A WRITTEN REQUEST BEFORE YOUR SCHEDULED TRIAL BY JURY.

However, if you are NOT required to appear in court on the assigned trial date and have previously posted bond and do not appear on the trial date, your bond may be forfeited unless the judge has agreed to have your case heard at another time.

If you fail to post bond or personally appear in court on the assigned trial date, you will be tried in your absence and, if convicted, your home state's Motor Vehicle Division will be notified to suspend your license until you have cleared this matter with the trial court.

Additionally, a willful failure to appear or post bond is punishable as a separate offense by a fine of up to \$200.00 or imprisonment of up to 30 days.

LT

CITY/COUNTY OF: MULLINS

INCIDENT NO: 18002351

AGENCY/TROOP: MULLINS POLICE DEPARTMENT

**** Online Payments Made At: www.nbspay.net/mullinssc.us ****

July 23, 2018

Mullins Police Department
151 E. Front Street
Mullins, SC 29574

David J. Washington
3204 Badger Road
Mullins, SC 29574

RE: Seat Belt Violation
Statute: 56-05-6520

Attn: Mullins Police Department/Officer Inman

Enclosed please find a copy of my ticket along with a copy of the FOIA. Under title 5, it is within my rights to request to view and/or receive a copy of the body cam video of Officer Inman during the stop where I received a seat belt ticket. Please take this as my written request to view/receive a copy of the video of the traffic stop on 07/13/2018 at 9:58 am.

With Kind Regards,

David Washington

DAVID J. WASHINGTON

MAJON COUNTY SC
CHRISTY A. GRAY
CLERK OF COURT

2018 AUG -9 PM 3:31

FILED

David J. Washington
3204 Badger Road
Mullins, SC 29574

August 5, 2019

Court of Common Pleas
103 North Main Street
Post Office Box 295
Marion, SC 29571

RE: Court Date: 03/18/2019

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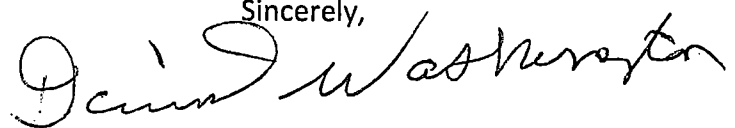
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David Washington

Court Reporter Mailing Address:

Sallie Beth Todd

sbtodd@sccourts.org

P.O.Box 677

Conway, SC 29528

RECEIVED

AUG 16 2019
SC Court of Appeals

The Honorable Jenny Abbott Kitchenings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia SC 29211



U.S. POSTAGE PAID
FORM 3829
LATA SC
2019
AUG 15, 19
AMOUNT
\$1.30
R2305K142718-02