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S.C. SUPREME COURT

2019-001852

IN THE SUPREME COURT OF SOUTH
CAROLINA

COLUMBIA, SOUTH CAROLINA

STRITZINGER v SOUTH CAROLINA

BRIEF IN SUPPORT OF CERTIORARI AND REHEARING AND TRANSFER TO FEDERAL
JURISDICTION

REQUEST FOR ORAL ARGUMENT

Trial Court Cause - 2018CP4002738

John Stritzinger
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Columbia, SC 29223
843-352-3459
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STATEMENT ON ORAL ARGUMENT

Non-Resident John S. Stritzinger requests oral argument as soon as the court can schedule a review.

A. ISSUES UNDER REVIEW

1. Did the Court of appeals make a Reversible Error?
2. Should this court issue an order of plain error, or do a De Novo Review
3. Powers of the Trial Court to Consolidate Cases
4. Transfer of the Case to Different Trial Jurisdiction
5. Citizenship and Powers of the Trial Court
6. Jurisdiction of Federal Employees
7. Emergency Issues with Children – Domestic Problems
8. Suspension by a Lower Court of the State's Highest Trial Court.
9. Misconduct by South Carolina Professionals
10. Does John S. Stritzinger have a contract with Bank of America?
11. Does John S. Stritzinger have a contract with Verizon?
12. Invalid Invoices by State Contracted Professionals Assessed against Credit
13. State Judges entering National Security Orders

B. PARTIES

- i) John Stritzinger – PRO SE – Appellant – As Previously provided
- Appellants own behalf,
 - And on Behalf of Barrack H. Obama – President of the United States
 - And as a suspended employee of Verizon under executive orders by Mr. Obama to complete work undertaken on the US Governments behalf.
 - and As an officer of Bank of America (Mortgage and Technology) but as of yet unrepresented or denied resources by Ms. Smith and Mr. Moynihan.
- ii) South Carolina
Gregory Parker – Outsourced Prosecutor - Jerry Reardon Law
Doug Farrar – Richland County
Mr. Larry Smith – Richland County
- iii) Palmetto Health – (Now Prisma) on Behalf of the State of South Carolina
Dr. Jeffrey Raynor – Director Palmetto Richland Hospital
Mental Health Programs
13 Medical Parkway
Columbia, SC 29203
- iv) Verizon Corporation
Joe Palmieri – Associate General Counsel – Patent Legal Programs
One Verizon Way
Basking Ridge NJ 07920
Self – Representation of the Corporation
- v) Verizon Federal
Brian Kennedy – Associate Federal Counsel – Federal Contracting Lawyer
22001 Loudoun County Parkway
Ashburn, VA 20147

Represented by D. Crain, and Patrick Blake
Wilcox and Savage
- vi) Verizon Wireless
Represented by Mr. Palmieri as listed above, and Appellant in his duties as Contracting Officer to President Obama and the Department of Homeland Security.
North Charleston, SC

Mr. Palmieri advised Appellants Manager Mr. Asiedu, and President of Federal Business Zeleniak that he and Appellant would manage Mr. Obama's request from the NSC.

- vii) **Bank of America Corporation**
With Officers Smith(CAO), and Moynihan (CEO)
100 N. Tryon Street
Charlotte, NC 28202
Vernon Wright, Andrea Smith & Brian T. Moynihan Personally

All represented by S. Knight, L. Slusky and Amanda Groves
Winston and Strawn
300 S Tryon St Suite 1600
Charlotte, NC 28202

And Mr. Wright hired James Richardson
221 West 6th Street – Suite 600
Austin, Texas 78738

And Louis Freeh Jr
Freeh Investigations
Wilmington DE 19806

In support of his role as former officer of Bank of America Card Services, and MBNA Corporation (Global). **Mr. Wright retired with full pay and benefits but was THREE levels below appellant at the corporation.**

- viii) **Katherine Wright, Vernon Wright, James W. Stritzinger, Lucy L. Stritzinger, Hannah M. Stritzinger(Adult Children of Katherine and John)**
14626 Thorton Mill Drive
Sparks, MD 21152
All Unrepresented at this point in time.

- ix) **James R. Stritzinger Jr – University of South Carolina**
695 Bluff Pt & Unknown Work Address to Be Supplemented
Columbia, SC 29203
843-2904149

- x) **Judges Newman, Belton, and Smiley – State of South Carolina**
South Carolina District Courthouse
1701 Main Street
Columbia, SC 29201

Note on US Government Executive NSC Orders

Appellant is simply summarizing executive orders he was provided by President Obama without his input, and was authorized to relay these items to various State and Federal agencies as appropriate. In general we believe that Federal Law Enforcement can use location processing without restriction under guidance of the GSA and various departmental leaders. However anything involving a non-business purpose, non-federal officer requires a warrant. The use of location services could eliminate crime almost entirely within 50 years time when combined with Artificial intelligence programs. This is because the issue and location of all crimes is definitely known most of the time, as are all of the potential parties in proximity to the crime scene including witnesses, and suspects.

Appellant notes that Prisma Health believes they need access to these orders to complete their work in a state court.

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D. LOWER COURT RULINGS

Appellant is the former COO of Bank of America, and Chief Architect for Verizon Federal Civil Programs in Virginia. Appellant has two corporations today where his children are the only stockholders.

Appellant was the engineer assigned by Verizon the Supreme Court of the United States, the Federal Reserve Bank, the Department of Energy, and the Department of Homeland Security. Appellant has more than 30 years of technology and Operations Experience in companies as large as 120B dollars in revenue, and designed most of the Global Networks at Bank of America built since 2000.

There have been more than 15 evidentiary rulings by the lower courts which Appellant will supplement in the near future which require significant discussion.

Effectively State Employees of Virginia, Delaware, and South Carolina have sought to suspend civil litigation while they claim mental health issues, after three US District Judges refused to issue a Summons to Verizon Federal where he worked and had significant amounts due.

The State of Virginia Magistrate told Appellant that it was a felony to owe any individual 10K in payroll, and in this case both Verizon, and Bank of America owe him in excess of 10M dollars but the State of Virginia refused to enter a criminal police report until he paid fines. The fines were not possible to be paid because of the Criminal claims which Verizon entered which took several years to try, and dismiss across five states (PA, MD, DE, SC, FL). In other words local police officers believe they can retry the same sets of facts due to the US Supreme Court ruling in Heath v Alabama. Appellant believes that judgement is in error due to Article IV of the US constitution. Appellant believes a state can only try facts which occurred after the last criminal circuit appearance, unless another circuit judge suspends the issue for later trial EXPLICITLY.

In this case a Maryland trial court judge very shortly after Verizon entered a claim found in his favor, but Virginia, and Florida police officers decided to try to push criminal investigations of their own because the subject matter impacted their own business (location processing for law enforcement). However the US Supreme Court has already ruled on this issue in Carpenter v US, requiring a warrant for location or cell phone(Riley v California) searches.

E. AN ORAL ARGUMENT IS REQUESTED BY APPELLANT IN THIS CAUSE.

F. LEGAL STANDARDS

- Code of Virginia - 40.1.29 - Wage Laws
- South Carolina - Involuntary Dismissal for Error - Rule 41
- South Carolina - Rule 260 - Dismissal and Reinstatement
- Article IV of the US Constitution
- Article I Section III of the SC Constitution - Due Process of Law
- Fifth Amendment to the US Constitution
- 28 USC 1332 - Diversity of Citizenship

- 28 USC 1441 - Transfer to Federal Jurisdiction
- 1 USC 73 Section 13 - Jurisdiction of Supreme Court Over Domestic Employees of the Whitehouse

G. CASE LAW

US Supreme Court Causes: TOPIC

- Marbury v Madison - Issue of Badges to NSTAC participants.
- Heath v Alabama - Sovereignty of States to Retry Criminal Issues
- Daubert v Merrell Pharmaceuticals - Requirements for Federal Expert Status
- Olmstead v United States - Equitable Relief following Criminal Claims
- Jones v Clinton - Issues of Suing Sitting President on National Security Programs
- Riley v California - A Warrant is Required to search a cell phone
- Carpenter v US - Case Appellant lobbied on behalf of Verizon to overturn Us v Q. Davis (11th Circuit 12-12928) which allowed warrantless search.

Federal Courts of Appeals: VERIZON CONTRACTING & NSC CASES

- Stritzinger v General Services Administration - 4th Circuit US Court of Appeals
- Stritzinger v Verizon - 5th Circuit US Court of Appeals
- Rivada Mercury v United States - DC District Court
- Kalyman v Obama - DC Court of appeals
- ACLU v Clapper - 2nd CIRCUIT COURT OF APPEALS
- Smith v Obama - Case Appellant entered in 9th circuit involving Verizon - Location processing.

State Actions of Relevance: PERSONAL ISSUES INVOLVING J. STRITZINGER - CROSS-CLAIMS

- Stritzinger v Wright - Texas Supreme Court - 11-0224 - Dismissal of Dyslexia Case
- Stritzinger v Dollar - Florida Supreme Court - Dollar Rental Car Dismissal
- Stritzinger v Bank of America - NC Supreme Court - Dismissal of Claims of President Obama
- Meadowood Hospital v Stritzinger - Delaware Superior Court - Dismissal of WRS
- Maryland v Stritzinger - Circuit Court of Maryland - Dismissal of Rental Car Case
- Santen v Tuthill - Virginia Supreme Court - Powers of Circuit Courts
- Stritzinger v Verizon - Virginia Supreme Court - 16-1610 - Trial Not Commenced

H. FACTS

Appellant has a complicated supply chain case with Verizon, Bank of America, and the US Government which has not been tried in any jurisdiction. The Civil Trial was suspended by the Circuit Court of Virginia for bi-directional criminal claims by both parties to the civil claim, and by the State of Delaware for a mental health review which was won by Petitioner.

Effectively a Probate case was a cross-claim by a non-party to enter the three civil cases without cause which was granted by judges Belton and Smiley without cause.

The claims are the result of a bid award by President Obama to Verizon Federal where Appellant was the only sales person. At previous companies he would have been paid 10% of NRC charges, and the first month of MRC charges. In this case that amount would be between 20M and 2.3B to a team of less than 10 people who were working in North Charleston, and Virginia at various Verizon offices.

This became material to Bank of America when Verizon defaulted on payment, and Bank of America offered him a contract to return as a corporate officer, when previously he was the COO.

ACTIONS OF THE COURT OF APPEALS

The court of appeals dismissed his case without a judgement due to payment of fees after denying a request to waive fees based on a Florida Circuit Judgement on insolvency. Later a SC court entered an identical finding but despite the clerk saying his orders were sufficient, they dismissed the claims without fixing the original order by a SC Appellate judge or panel.

SUMMARY OF ACTIONS THEREAFTER

- 1) Appellant requested emergency relief from the SC Magistrates office for an order to return to work at Verizon in N. Charleston. The court responded it did not have jurisdiction over anything but Richland county cases. After Verizon was re-served in Richland County, the court decided it was a federal case, and recommended it be transferred to Chief Judge Wooten - South Carolina who thereafter refused to issue a summons without payment.
- 2) Appellant then filed a labor dispute with the States Chief Labor Inspector - Mr. Love who ruled that both the Verizon and Bank of America complaints needed to be set for Trial in the Circuit Court of South Carolina **and not the probate court.**
- 3) James R. Stritzinger a non-party to the US Government, Verizon, and Bank of America cases to steal all of his property filed a probate complaint against a non-resident of the State of South Carolina who had just arrived to file a pleading in the US District Court to try to steal his litigation or terminate it where he was a civil party of one of the complaints.
- 4) Appellant asked for a single trial in the States Highest trial court involving Verizon Bank of America, and the US Government and added a 4th complaint for his family law disputes in Texas which have been denied a review there.
- 5) The court of Appeals denied his out of state order of insolvency as being valid in South Carolina despite Article IV of the US constitution.
- 6) The Trial Court has refused to hear whether Verizon and Bank of America owe him counsel under his current contracts.
- 7) Appellant believes that Verizon owes him more than 20M dollars in commissions, and possibly as much as 2.1B in commissions to his Federal teammates and himself. Alternatively,

Appellant believes his Bank of America contract is in force, which would allow him to recover Verizon payments due as an Investment Banking fee. Appellant entered a contract in 2014 with Bank of America and the company has not complied with the terms of this agreement, and owes him more than 12M dollars and as much as 2.1B in investment banking fees to himself and his corporation Greenville Associates where his children are stockholders.

I. ARGUMENTS

- **Did the Court of appeals make a Reversible Error?**

Yes. Article IV of the US Constitution should require all South Carolina State agencies to provide "Full Faith and Credit" to other equivalent bodies. Therefore the Court of Appeals made a reversible error by denying his IFP. Furthermore, after filing the original appeal, Judge Newman reversed Judge Hoods original denial of an IFP, both Chief Judges of the same Circuit just at different times. A difference of opinion of two judges on the same matter of law, is grounds for appeal.

- **Should this court issue an order of plain error, or do a De Novo Review**

Yes. Clearly the trial court erred by not consolidating Probate issues with other civil Complaints, and should have only considered the Probate issues after it understood the complexity of the legal arguments of the civil matters. In other words a mental health finding could only be entered after finding that both civil complaints were entirely without merit. Instead the court entered orders of guilt without a trial, which is exactly the opposite of all legal standards in America.

- **Powers of the Trial Court to Consolidate Cases**

Does the South Carolina Trial Court have the power to render consolidated verdicts including Family Law, Probate-Medical, Criminal, and Civil cases in the same cause or group of causes? Absolutely, and the Virginia Supreme Court recently ruled similarly in Santen v Tuthill which stated that due to the low standard of evidence in the general district courts that cases could be retried without respect to the lower court's decisions. Appellant believes that this court has to review the same standard just in South Carolina.

- **Transfer of the Case to Different Trial Jurisdiction**

Should this case be tried in the US District Court under 28 USC 1332 absolutely. The dispute with Verizon is over a 20B annual contract with the Department of Homeland Security, and 200M dollars in one-time payments for architectural renderings, preliminary patents, and other copyrighted materials of Verizon, Bank of America, and John S. Stritzinger.

- **Citizenship and Powers of the Trial Court**

Is John S. Stritzinger a South Carolina resident? No. Is John S. Stritzinger being restrained without cause. Absolutely. Does the State of South Carolina have jurisdiction over John S. Stritzinger no... not unless I have committed specific crimes here in South Carolina or Federal Crimes to which I need to be transferred. The State of South Carolina has not charged me with a crime, and has not substantiated the claims made by James R. Stritzinger.

- **Jurisdiction of Federal Employees**

Does South Carolina had jurisdiction over Federal Employees conducting business in South Carolina? Not unless they are violating various local, and state ordinances. It would take a criminal offense to exercise jurisdiction over a visiting Federal Employee who does not have property or children in South Carolina.

- **Emergency Issues with Children – Domestic Problems**

Are issues with Children emergency issues which need to be set by the trial court in 30-90 days? Yes in every other state of the Union emergency issues with Children can be set within 3 days, or by order of a Duty/Chief Judge. In South Carolina, the Clerk told me that the standard interval for all Civil trials in South Carolina was one year. An unacceptable delay in my opinion, and in violation of MD law which requires reviews of children's issues within one week.

- **Suspension by a Lower Court of the States Highest Trial Court.**

Can a lower court (Magistrate/Probate Court) suspend the orders of the States Highest Trial Court? We believe this cannot be possible. Judge Belton does not have the power to dismiss cases in another docket or cases already set by other circuit Judges based on a report by an unqualified professional.

- **Misconduct by South Carolina Professionals**

Judge Smiley ordered Gregory Parker to represent the State of South Carolina in various medical proceedings where he tries up to 50 cases a week at Richland Hospital. In almost all the cases, Mr. Parker prepares for less than 10 minutes, and calls only the doctor assigned to the patient. In our case, South Carolina doctors made no effort to validate any information about his employment situation or his statement he never said anything his brother discussed. Appellant made comments about the US Governments use of FMRI tracking systems which he believes are torture under Federal Code and were being used against political opponents of Mr. Biden and Mr. Obama.

In this case Mr. Parker advised Appellant he was his attorney, while representing to Judge Smiley he was representing the state at the same time. Appellant has appeared in mental health proceedings in four states, and this was the only time he was either not appointed counsel at all, or not allowed to present his own evidence (documents, etc). Furthermore the State of South Carolina contracted Palmetto Health to perform certain actions, and Palmetto Health did not allow Appellant to defend himself. In summary Appellant did not have counsel at all. He simply gave a statement to Mr. Parker, that he disregarded.

Furthermore, the Richland county sheriff made no effort to review the claims of James R. Stritzinger Jr in this case.

- **Invalid Invoices by State Contracted Professionals Assessed against Credit**

Can a non-party Palmetto Health invoice Petitioner for \$160K dollars for involuntary actions ordered by an unknown State employee which he presumes was either Judge Belton or Judge Smiley. In other words following a false affidavit by James R. Stritzinger JR which was in itself inadmissible, the court entered a detention order to Palmetto Health.

- **Does John S. Stritzinger have a contract with Bank of America?**
Yes. And Bank of America is both supposed to pay his salary, and defend him with someone equivalent to Ms. Groves and her firm. (a large multinational litigation company).
- **Does John S. Stritzinger have a contract with Verizon?**
Yes, at least four, and Verizon contracts all required Verizon to provide counsel, and pay him for intellectual property submissions, his work related expenses, and other items.
- **Can South Carolina Judges Enter National Security Orders?**
No. The South Carolina Legislature did not empower State Judges with entering Federal Security Clearances, and therefore cannot grant admission to National Security cases where the Attorneys involved have no experience or relevance. Therefore Judge Newman's orders of admission to Mr. Slusky should be overturned.
- **Does this court have jurisdiction over this appeal.**
This court is the only court which can order the cause transferred including every subcomponent to a court of valid Federal Jurisdiction.

J. RELIEF REQUESTED

Appellant is requesting that the court find that the Court of Appeals had to accept a Florida Circuit Order on Insolvency or issue a show cause to the State of South Carolina to file its objections on why it should not be accepted. Furthermore Appellant is seeking a simply remand of a Complex trial on all the issues with all of the parties cited which he believes may take as long as three weeks of court time. Appellant requests the court order either Judge Kelly(Chief Judge of the 4th Circuit), or Judge Birch(Chief Judge of third Circuit) to hear the case on remand.

Appellant however requests that court enter its findings on his issues plead, and then order the case transferred for a Federal Trial in Virginia(Richmond), or Washington.

Appellant is seeking a review of whether the State of South Carolina has the power to force a non-resident to comply with Civil Statutes in an area he is not conducting business including mental health relief when he was in local hotels the entire time.

K. PRAYER

Appellant prays for General Relief. Appellant prays the court orders the lower court to terminate all previous orders, and allow Appellant to return to his home State of Virginia or Texas as he sees fit.

Appellant prays for a Federal Jurisdictional Finding following oral argument.

Appellant prays for a remand to be a consolidated trial to be held by Judge Kelly in Greenville, by Judge Birch in his local courthouse, or a transfer to Rock Hill to the next

available state magistrate empowered to try the case with a trial not to be less than one week, and not to exceed three weeks.

Appellant prays the court will instruct the State of South Carolina it has no jurisdiction over non-residents of this state except if they brake local or state ordinances in the criminal code.

Appellant prays that the court appoint separate counsel for all defendants in mental health court, than the States own facilitator and that he not try to brand himself as a Guardian Ad-Litem, or other such item. Mr. Parker made no effort to support his minor children, nor to call to facilitate a resolution of issues which have spanned Texas, and the State of Maryland.

L. CERTIFICATE OF SERVICE

The following document was served to the parties on 11/26/2019 as listed above by email, and facsimile to the addresses of record.

John S. Stritzinger /S