

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED

APPEL FROM CHARLESTON COUNTY  
Danial Hall, Circuit Court Judge

NOV 14 2019

SC Court of Appeals

Case No. 2015-CP-10-4166  
Appellant Case No 2018-001125

Theodore Wagner.....Appellant

v.

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

**Constitutional Challenge under the U.S Constitution to Letter Received November 4, 2019**

**In Violation of the Supremacy Clause of the U.S. Constitution.**

**Notice of RULE 82 (c) Removal to Federal Courts Received at this Court May 13, 2019**

I, Theodore Wagner Respond to the Courts Letter received on Monday, November 4, 2019 that Rule 240 is in violation of The Supremacy Clause, The United States Constitution, The Supreme Law of the Land and as stated in Marbury vs. Madison, 1 CRANCH 137 "a law repugnant to the constitution is void". Copy of Notice of RULE 82 (c) Removal to Federal Courts attached.

**RULE 82 JURISDICTION AND VENUE**

**(c) Removal to Federal Courts. When a petition for the removal of any action pending in any court of this State to any court of the United States is filed, no order accepting the petition or directing the action to be removed shall be required.**

RULE 82 is clear. When a petition for the removal, not Motion. I give a Notice of RULE 82 (c) Removal to Federal Courts (A Petition) do to the Response to the Respondent's Brief of May 1, 2019 in the Ongoing Conspiracy to Cover Up the Truth of the Federal Felony Crimes by the persons of the Federal Government to Cover Up that My Wife Andrea was 20 years, 1 month, 16 days old on June 25, 1999 and Mike Davis's knowledge of these Felony Crimes and his Complicity and Enabling in the

Facilitation of these Federal Crimes to Cause Permanent Pain and Trauma.

As of 1791 the Fifth Sentence of the First Amendment Voided Article 3, Section 2, the last sentence of paragraph 2, **with such Exceptions, and under such Regulations as the Congress shall make.** As of the Ratifying of the First Amendment in 1791 **no part of Congress or any part of any Government** Under the Supremacy Clause of the United States could make any law Oppressing a Full and Fair Redress, Relief of Remedy of the People's Grievances. As stated in Marbury vs. Madison, 1 CRANCH 137 "a law repugnant to the constitution is void". Copy of Notice of **RULE 82 (c) Removal to Federal Courts** attached. **RULE 82 (c)** is clear. **"When a petition for the removal of any action pending in any court of this State to any court of the United States is filed, no order accepting the petition or directing the action to be removed shall be required."** I filed a Petition in the form of a Notice and this Court Received it on May 13, 2019. (Copy Included)

I have Challenged Rule 240 of SCACR as being in violation of the Supremacy Clause "and" given Notice of **RULE 82 (c)**. I ask that this case be moved to Federal Court and under Marbury vs. Madison, 1 CRANCH 137 "a law repugnant to the constitution is void" all my Constitutional Challenges be addressed.

Copy of **Notice of RULE 82 (c) Removal to Federal Courts** (A Petition) Stamped by this Court on May 13, 2019 included.

Date: November 17<sup>th</sup> 2019

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

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

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Danial Hall, Circuit Court Judge

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Appellant Case No 2018-001125

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SC Court of Appeals

Theodore Wagner.....Appellant.

v.

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

**Notice of RULE 82 (c) Removal to Federal Courts**

I, Theodore Wagner on this day give Notice of RULE 82 (c) Removal to Federal Courts do to the Response to the Respondent's Brief of May 1, 2019 in the Ongoing Conspiracy to Cover Up the Truth of the Federal Felony Crimes by the persons of the Federal Government to Cover Up that My Wife Andrea was 20 years, 1 month, 16 days old on June 25, 1999 and Mike Davis's knowledge of these Felony Crimes and his Complicity and Enabling in the Facilitation of these Federal Crimes to Cause Permanent Pain and Trauma.

Date: May 9<sup>th</sup> 2019

*Theodore Wagner*

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Pro Se for the Appellant

Kenneth G. Goody, Jr., Attorney  
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Charleston, South Carolina 29407  
Attorney for Respondent

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MAY 13 2019

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Case No. 2015-CP-10-4166  
Appellant Case No 2018-001125

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NOV 14 2019

SC Court of Appeals  
Appellant

Theodore Wagner.....

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 to all the same copies of Response to Respondent's Briefs May 1, 2019, Notice of RULE 82 (c) Removal to Federal Courts, Affidavit of Service, at the U.S. Post Office to:

Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina, 29211

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

Date: May 9<sup>th</sup> 2019

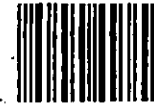
*Theodore Wagner*

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4 Carriage Lane, Suite 204  
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Attorney for Respondent



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29211

NORTH CHARLESTON, SC  
29405  
MAY 09, 19  
AMOUNT

**\$1.75**  
R2305K142897-15



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

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MAY 13 2019

SC Court of Appeals

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

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NOV 14 2019  
SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEL FROM CHARLESTON COUNTY  
Danial Hall, Circuit Court Judge

Case No. 2015-CP-10-4166  
Appellant Case No 2018-001125

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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 to all the same copies of Constitutional  
Challenge under the U.S Constitution to Letter Received November 4, 2019 In Violation of the  
Supremacy Clause of the U.S. Constitution. Notice of RULE 82 (c) Removal to Federal Courts  
Received at this Court May 13, 2019, Cover letter to The Honorable Jenny Abbott Kitchings,  
Affidavit of Service, at the U.S. Post Office to:

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

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

Date: November 12<sup>th</sup> 2019

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Kenneth G. Goody, Jr., Attorney  
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Charleston , South Carolina 29407  
Attorney for Respondent



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  
Post Office Box 11629  
Columbia, South Carolina, 29211

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Re: Stamping extra copies – S.A.S.E. Included.  
Appellant Case No. 2018-001125

NOV 14 2019  
SC Court of Appeals

November 10, 2019

**To: The Honorable Jenny Abbott Kitchings**

In response to the letter I received on November 4, 2019 I ask that you file **Constitutional Challenge under the U.S Constitution to Letter Received November 4, 2019 In Violation of the Supremacy Clause of the U.S. Constitution. Notice of RULE 82 (c) Removal to Federal Courts Received at this Court May 13, 2019** after receiving Attorney Goode's Response Brief on May 1, 2019. As it is clear in my Filing **“When a petition for the removal of any action pending in any court of this State to any court of the United States is filed, no order accepting the petition or directing the action to be removed shall be required.”** I filed that Petition. Rule 240 of the South Carolina Appellant Court Rules is in violation of the Supremacy Clause of the U.S. Constitution as presented in the included Filing with a copy of the Notice of RULE 82 (c) Stamped May 13, 2019 included.

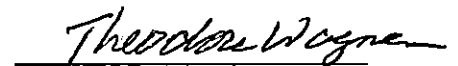
I have included copies of of the Fillings and a S.A.S.E. for copies of same to be returned to me.

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, South Carolina Court of Appeals  
The Honorable Jenny Abbott Kitchings  
Case No 2018-001125**



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



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COTTAGEVILLE, SC  
29519  
ACCOUNT  
**\$1.30**  
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Theodore Wagner  
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557 East Bay Street  
Charleston SC 29403  
United States

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

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