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Exh.b.1s

14-25

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So called "Respondant SUNTRUST MOTION ADVANTARI TO APPEAL SOLO BASIS OF APPEAL DENIAL
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RESTATE IN APPEAL

IRIS WOODSWORTH  
ESTATE # 4976 CIRCUIT  
CAIDWELL  
CITATIONS

- 14 Exhibits Recd.
- 1 ORDER DENY MOTION TO DISMISS STATUS
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  - A2 ORDER APPEARED ADMITTING JURISDICTION OVER APPEAL
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  - F EMAIL OF NON SERVED SUNTRUST MOTION
  - G REFUSAL TO FILE MOTIONS
  - H FRAUDIENT JURISDICTION CLAIM
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  - J SUNTRUST CHALLENGE NO 1841 JURISDICTION

ASHER SDNV 1994 158 FRD 278  
APPLICATION OF WATT 300 P 132; Re CAUIT 118 P 20 846  
AURORA v DE COSTA 20 JUD. CIR. COLLIER CTY 09-1212 CA (16) LACK STANDING UNCURABLE  
BASSO UTAH 495 F 2d 906

CROCKET 374 SW 2d 154  
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FRITTS 92 NW 2d 604

Hill Top Developers 478 So 2d 368; (FIA 2nd CA 1985)  
JOYCE v US 474 F 2d 215

ADDITIONAL CITATIONS IN EXHIBIT B EVIDENCE OF NO JURISDICTION

I certify a True copy served on Respondent Suntrust & Sp Admin  
Peter Kouton this day  
Scardato (Suntrust) 100 Calhoun St Charleston SC  
Peter Kouton POB 340 Johns I SC.

*Emt Coale*

MAIN v Thiboutot 1005 Ct. 2502  
MELOV US 505 F 2d 1026  
NORWOOD 34 C 329  
Sramek 840 P 2d 553  
Rosemond v Lambert 469 F 2d 416

See Addl in Exh.b.1 "Jurisdiction Exh.b.1"  
PAGE JE 1 THRU JE 7

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WYATT 300 P 132; CAUIT 118 P 2d 846  
WUEST v WUEST 127 P 2d 934

RECEIVED

FEB 20 2013

SC Court of Appeals

- > From: Neta Web <web.neta@yahoo.com>
- > Subject: # 2 APPEAL TIMELINE
- > To: staff4761@theupsstore.com
- > Date: Monday, December 10, 2012, 9:01 PM
- > IRIS WADSWORTH APPEAL
- > JUDGE IRVINE CON ORDERS:
- > 1/16/11 REMOVE ME AS
- > P.REP&APPOINT KOUTON SP. REP
- > 12/22/12 I OPEN ESTATE
- > PER REP PER WILL
- > 12/23 SUNTRUST
- > REFUSES TO PAY FUNDS TO ESTATE
- > 1/10 APPELANTS
- > MOTION TO COMPEL SUNTRUST TO PAY ESTATE
- > 1/16 SUNTRUST
- > REFUSES TO PAY FUNDS TO KOUTON
- > 1/19 MOTION TO
- > COMPEL KOUTON
- > 2/14 AD LIT "KOUTON CANT REP
- > YOU CONFLICT YOUR IN FLA DESTITUTE
- > 3/25 ORDER PAY SUNTRUST
- > LEGAL FEES PER RULES& REG OF DEPOSIT ACCOUNT BANK
- > CONTRACT ACCOUNT AGREEMENT KOUTON DETERMINED (OUTDATED
- > EXPIRED 6/1/10 RULES USED(JUST DISCOVERED)
- > NIETHER VERSION MADE ESTTE PAY SUNTRUST LAW FEES
- > SUNTRUST CLAIMED 1 SS OVERPAID INTO ACCOUNT

Appeal Timeline

RECEIVED  
FEB 20 2013  
SC Court of Appeals

2  
RE TAXES DUE

3 WILL NOT TURN OVER NC BANK ACCOUNT TILL GET RELEASE FROM  
LIABILITY ORDER COURT

4 SUNTRUST CHALLENGED JURISDICTION A NON CREDITOR NO  
INTREST IN ESTATE NO STANDING TO LITIGATE ENTERED  
AFFIDAVITS AGAINST MY MOTION TO COMPEL & KOUTONS AGAINST  
ME ECT  
12/12 ORDER ADLITS MOTION OF 6/12 SUNTRUST RETURN LEGAL  
FEES DENIED  
5/15/12 ORDERS (2) 1ST ADLITS MOTION TO RECONSIDER  
LEGAL FEES DENIED

2ND :1ST CONSIDERATION OF MY 8 MOTIONS DENIED"NO EVIDENCE  
BOTH ORDERS OF RECONSIDERATRION ADDED NEW ISSUES AGAINST  
ME & ADDED A SUNTRUST DEMANDED. PROTECTIVE ORDER  
AGAINST CODE ECT  
6/23 I RECIVE BOTH ORDERS APPEAL 6/25 FILED  
CIRCUIT COURT

9/11 SUNTRUST & KOUTON MOTION RECONSIDER PAUPER STATUS & DISMISS APPEAL DENIED  
11/27 SUNTRUST FILES UNSERVED OPPOSITION TO DISMISS APPEAL

> 11/28 JUDGE NICHOLSON DENYS APPEAL REFUSEING DUTY TO VERIFY LOWER COURT  
HAD NO JURISDICTION DE NOVO  
> NO JURISDOCTION OF LOWER COURT TO PROBATE PAY  
> SUNTRUST \$50,000.00+  
> NO STANDING NON CREDITOR NIOR TO ORDER JUDICAL  
> RELIEF&AWARDS TO SUNTRUST

12/12 APPEAL NOTICE FILED COURT OF APPEALS  
COURT REQUESTS AMMENDED NOTICE OF APPEAL

>  
> AMMENDED NOTICE FILED AS REQUESTED 1/24  
> + served all party

I VERIFY ABOVE IS TRUE UNDER LAWS TO BEST OF KNOWLEDGE  
INFO + BELIEF PJ  
Catherine

Court of Appeal

Appellate 00143

--- On Mon, 9/10/12, Neta Web <web.neta@yahoo.com> wrote: Lower Court 4976

Appellate From:

ISSUES ON APPEAL

STATE OF SOUTH CAROLINA 11 CIRCUIT  
CHARLESTON COUNTY COURT

-----x 2010 CP 10 04976

IN MATTER ESTATE OF IRIS WADWORTH

>>

> EMMETT W CALDWELL Appellant AMMENDED

-----x ADDITIONAL NON CONSTITUTIONAL  
ISSUES APPEAED

ORDER(s)5/15/12 DISMISSING APPELANTS(&ADLITS)

MOTIONS&PLEADINGS

1A)WAS IT ERROR FOR COURT TO CLAIM JURISDICTION &VENUE:DECEDANT DID NOT LIVE  
DIE NOR HAVE SC ASSETS

1B)WAS IT ERROR FOR COURT TO DISMISS APPELLANTS MOTIONS WHICH RAISED THE ISSUE  
OF NO JURISDICTION OR VENUE CONTESTED COURTS ORAL FINDING THAT  
BASED ON BANK ACCOUNT OPENED OUT OF STATE WITH SUNTRUST COURT HAS JURISDICTION  
BECAUSE SUNTRUST HAS BRANCHES IN ALL STATES?

1C) WAS IT ERROR FOR COURT TO ACCEPT UNFILED DEED  
WAIVED IN THE AIR 25 FEET AWAY FROM JUDGE BY ADLITEM JENKINS AS EVIDENCE OF  
JURISDICTION UNREAD BY COURT&DENY MOTIONED FACT DEED REJECTED AS VOID BY RMC  
&LOST UNFILED COULD NOT CONVEY JURISDICTION?

> 1)WAS IT ERROR FOR COURT TO ALLOW SUNTRUST TO ENTITLE ORDER(S) 5/15/12  
CALDWELL vs SUNTRUST NOT A PARTY&NO STANDINGNONCREDITOR .APPELLANT  
NEVER APTIONED vs SUNTRUST( vs P KOUTON ect.)SAID CAPTIONING

> WAS DELIBATE MISLEADING BY SUNTRUST &COURT TO CONFUSEAPPELATE COURT THAT  
APPELLANT WAS CONSENTING TO OR ENJOINING SUNTRUST AS A PARTY..RAISEING  
APPEARANCE OF BIAS SUNTRUST CANNOT BE A PARTY PER SC&US LAWS&IS NOT  
ALLOWED TO LITIGATE DEMAND RELIEFOR APPEAL PER SC CODE

2)WAS IT ERROR FOR COURT TO FALSELY GIVE IMPRESSION SUNTRUST "WITNESS(S)"HAD  
TESTIFIED IN COURT TO SUPPORT ANY FACT/FIND OF COURTS LIE BASED  
ORDER(S)FINDINGS AGAINST HEIR ECTERA?:

1)MADE 2 SCENES AT SUNTRUST 2CONFRONTED BANK EMPLOYEES DEMANDED FUNDS HE HAD NO  
RIGHT TO"ECT OR OTHER 'FACT'FINDS BY STATEING"WITNESS GRANT SUCRRY&BEVERLY  
HELMS WERE PRESENT"(FOR APRIL HEARING)WHEN NO SUNTRUST EMPLOYEE EVER TESTIFIED  
TO ANYTHINGEXCEPT2 SECURITY'S AFFIDAVIT/LIES

3)WAS IT ERROR FOR COURT TO FIND APPELLANT"HAD A RUN IN WITH COURTHOUSE  
SECURITY"(IN RECONSIDER&PRIOR ORDER(S)"MADE A SCENE AT  
SUNTRUST&COURTHOUSE"&AFTER LIUT JACOBIC TOLD JUDGE "NO SCENE WAS MADE BY  
HEIR" & ERR DENYING MOTION TO SUPOENA JACOBIC(AS HE REQUESTED TO RETELL  
TRUTH TO JUDGE)

4)WAS IT ERROR TO ADD NEW ISSUES&FINDINGS" BASED ON THE  
ABOVE(&INVENTED)INCIDENTS&(SUCH AS)"OTHER INTERACTIONS(NONE) WITH Mr CALDWELL  
HE MAY BE IN NEED OF MENTAL HEALTH SERVICE WHEN THERE WERE NO SUCH MENTION IN  
PRIOR MOTION/ORDERSRECONSIDERED NOR IN ANY WRITING ORDER& COURT TESTIMONYBY  
JUDGE NOR WITNESS(ONLY KOUTON& JUDGES PHONEBIAS RAPS DEENIGRATEING HEIR FROM  
DAY 1 ADMITTED)

4B) WAS IT ERROR FOR JUDGE ADDING FINDINGS NOT IN PRIOR ORDER RECONSIDERED  
ECT"BASED ON OTHER INTERACTIONS WITH THE COURT(APPELLANT NEVER APPEARED  
BEFORE COURT VISITED OFFICE 4 TIMES IN CHARLESTON ONLY 8 DAYS)"&ORDER  
REMOVEING HIM AS PER REP"WHENIN FACT ORDER IT REASON WAS DETAILEDIN  
ORDER:"PRIMARILY DUE TO HIS INABILITY TO MARSHAL ESTATE ASSETS"  
(KOUTON WAS ALSO INABLE/INCAPABLE"TO MARSHAL ASSETS")

4C) WAS IT ERROR TO FIND"CALDWELL FAILED TO SUPPORT ANY FILEING"WHEN LOTS OF

ON RECORD EVIDENCE:1 COURT HAD NO SUBJECT MATTER JURISDICTION PER CODE & SUNTRUST NO STANDN TO DEMAND CONTRACT LAW FEES & ACCT/RULES@ULATIONS WAS UNSIGNED & BY DECEDANT ALSO WILL DIRECTED PAYING \$120,000.00 ON DEATH NONTESTAMENTARY PAYMENT TO HEIR;ECT3- SUNTRUSTS RULES& REGULATIONS & FILEINGS&ACCOUNT AGREEMENT DID NOT SPECIFY NOR IMPLY SUNTRUST BANK COULDa) REFUSE TO TURNOVER FUNDS OWNED BY ESTATE PER:" RULES"b) NOR ALLOW SUNTRUST TO CHALLENGE ESTATE & LIE & SLANDER& RELEASE ACCOUNT DETAILS PUBLICLY& LIE COUNTLEESSLY BY(HALE& GALLOPOLLI SECURITY PERSONAL) IN AFFIDAVITS AGAINST HEIR& DECEDANT& ESTATE FOR INSTANCE"DECEDANT ACCORDING TO PUBLIC RECORDS OWNS REAL ESTATE AT EDINBOROUGH DR"& HEIR:"HE MADE 2 SCENES AT SUNTRUST BANK (LIE REPETED & USED BY JUDGE TO FIND HEIR APPELLANT "INCAPABLE& REMOVE HEIR& APPOINT KOUTON&ADLITEM)&ALSO LIE"ON INFO & BELIEF CALDWELL ATTEMPTED TO ACCESS MS WADSWORTHS BANK ACCOUNT IN CHARLESTON S.C."(A LIE SLANDER DELUSIONALLY REINTERPETED BY JUDGE ICONDON IN RECONSIDERATION ORDER 5/15:"HE CONFRONTED EMPLOY EES & DEMANDED FUNDS WITH NO RIGHT TO "(sick)

4E) WAS IT ERROR TO ALLOW NON STANDING SUNTRUST TO LITIGATE FOR CONTRACT RELIEF:FEES&LIE&ALLEGE AGANIST HEIR CAUSEING ENDLESS LITIGATION TO DISPROVE REQUIREING ENDLESS> REFUTATION LITIGATION & APPEAL SUNTRUST A NON AGRIVED NONCREDITOR & NO STANDING

4E1 WAS IT ERROR FOR COURT & KOUTON TO ADMIT"ITS TO COSTLY TO OPPOSE SUNTRUST LEGAL FEE CLAIMS

4E2 WAS IT ERROR FOR COURT TO "ADMIT GROUNDS EXIST AS ACCOUNT AGREEMENT BANKING CONTRACT:"RULES & REGS NOR ACCT.AGREEMENT DO NOT SPECIFY/ IMPLY SUNTRUST HAS RIGHT TO DENY ESTATE OWNED FUNDS OR CHALLENGE ESTATE OR FRAUDLENTLY CLAIM SOCIAL SECURTIY OVER PAID ""TAXES OWED" SUPECULATIVE LIABILITY PRETEXT& DEMAND A ORDER OF COURT& TO REFUSE TO PAY TO ESTATE FUNDS & FORCE A MOTION TO COMPEL CAUSEING LEGAL FEES IT DEMANDS ESTATE PAY?

5 WAS IT ERROR FOR COURT TO IGNORE ESTATE CODE DOES NOT ALLOW "TERRITORIAL APPLICATION" OF ESTATE CODE TO DECEDANTS WHO DID NOT LIVE DIE OWN PROPERTY NOR ASSETS IN SC UNREFUTED

5B) WAS IT ERROR FOR COURT TO IGNORE NO EVIDENCE ON RECORD TO SUPPORT COURTS EMERGENCY NO HEARING ORDERS APPOINTING KOUTON & JENKINS VIOLATEING APPL.DUE PROCESS US CONSTITUTION

6 WAS IT ERROR FOR COURT TO IGNORE -NO COMPETENT EVIDENCE NOR TESTIMONY OF ALLEGED 3" SCENES" MADE BY HEIR NOR DELUSIONAL FANTASY FINDING BY JUDGE HE CONFRONTED BANK EMPLOYEES& DEMANDED FUNDS WITHOUT ANY RIGHT TO THEM"NEW ISSUE IN RECONSIDER ORDER OF ADLITEMS MOTION HEIR MUST REFUTE NOW!

6B) WAS IT ERROR TO FIND CALDWELL HAS FAILED TO SUPPORT ANY FILEING MADE BY HIM WHEN THE RECORD IS PROOF & PHONE HEARING CONSTITUTIONAL RIGHT REPETED DENIED WHEREBY APPELLANT COULD HAVE PARTICIPATED ECT

6C) WAS IT ERROR BIAS/UNTRUE FOR COURT TO FIND"98% OF PLEADINGS ARE HANDWRITTEN...UNDECIPHERABLE WHEN ONLY 2% WERE HANDWRITTEN TWICE AT POST OFFICE AFTER CLOSE

7) WAS IT ERROR FOR THE COURT TO FIND IN 5/15/12 ORDER DISMISSING appellants MOTIONS"the court finds it has jurisdiction OVER THIS ESTATE AND VENUE IS PROPER WHEN NO EVIDENCE THEREOF MOTION SDISMISSED AFFIDAVIT& PROVE SUFFICIENT FACTS TO NO JURISD. NOR VENUE

8) WAS IT ERROR FOR COURT TO USE RECONSIDERATION ORDER AS A FORUM TO ADD NEW FINDINGS & ISSUES NOT IN PRIOR ORDERS & NO WITNESS OR EVIDENTARY TESTIMONY ADDING"ISSUE OF CAPACITY OF MR CALDWELL SHOULDNT BE OVERLOOKED. THE COURT IN REMOVEING HIM )AS PERSONAL REPRESENTATIVE HAS FOUND HIM TO LACK FIDUCIARY CAPACITY...& APPOINTED ADLITEN FOR MR CALDWELL BASED ON INDICATIONS HE MAY LACK CAPACITY"ESPECIALLY when adlitEM examined CALDWELLS PRE ORDER OF 1/16/12 FILED SUBMISSIONS THE ALLEGED BASIS OF "HE MAY LACK FUDICITARY CAPACITY"CLAIM IN 1/16/11 ORDER AND STATED HE DID NOT SEE BASIS OF JUDGES CLAIM

9) WAS IT ERROR FOR COURT TO FIND "HE MAY LACK CAPACITY WHEN NO COMPETENT EVIDENCE EVEN SUPPORTED PRIOR FINDING "LACK FUDICITARY CAPACITY

9B) WAS IT ERROR FOR JUDGE TO CLAIM "HE MADE 2 SCENES AT SUNTRUST AND 1 IN COURTHOUSE"NO COMPETENT EVIDENCE OR TESTIMONY OF WHAT SCENE WAS NOR HOW ALLEGED FABRICATED SCENE EVIDENCED INCAPACITY? ON COURTHOUSE RUMORS"JUDGE ALLEGED BASICALLY:" "HE MADE A SCENE IN COURTHOUSE"

REFUTED BY WITNESS (LIT JACOBIC) PRESENT AT ILLEGAL BAG SEARCH (BAG LEFT ON STREET OUTSIDE COURT TO FILE MOTION TO COMPEL

9C) WAS IT ERROR TO REFUSE MOTION SUPOENA FOR JACOBIC WHO TOLD JUDGE HEIR MADE NO SCENE & REQUESTED SUPOENA?

9D) WAS IT ERROR FOR THE COURT TO ADD NEW ISSUE 'BASED ON THE RECORD' & ORDER REMOVE MR CALDWELL AS PER REP THAT "SERIOUS DOUBTS RAISED AS TO MR CALDWELL'S ABILITY TO SERVE JUDICIAL CAPACITY"... AND CAPACITY WHEN THERE WERE NO COMPETENTLY SUPPORTED FINDINGS

10) WAS IT ERROR FOR JUDGE TO FIND IT HAD SUBJECT

> MATTER JURISDICTION & SUNTRUST HAD STANDING TO AWARD ATTORNEY FEES WHEN AURORA v DACOSTA "LACK OF STANDING AT INCEPTION DEFECT CANNOT BE CURED BY THE ACQUISITION OF STANDING AFTER CASE IS PLED (20 JUD CIRCUIT COLLIER FLA (09-142ca)

11) WAS IT ERROR TO ALLOW SUNTRUST TO ENTER LITIGATING AGAINST ESTATE JURISDICTION ECT HEIR BASED ON ITS SPECULATIVE CONJECTURAL HYPOTHETICAL BOGUS CLAIM "WE MAY BE LIABLE BECAUSE SOCIAL SECURITY MAY HAVE BEEN OVERPAID.. TAXES OWED" & SP. CT 3 PART STANDING TEST ACTUAL LIKELYHOOD OF REDRESS & INJURY IN FACT

12) WAS IT ERROR FOR JUDGE CONDON TO FIND NO EVIDENCE TO SUPPORT CLAIMS WHEN THE RECORD, SC CODE & CASE LAW ALL EVIDENCE TRIAL COURT NEVER ACQUIRED SUBJECT MATTER JURISDICTION OVER ESTATE NOR NONCREDITOR NO STANDING NO AGREED SUN TRUSTS "BANK CONTRACT AGREEMENT" CLAIMS FOR LEGAL FEES FOR REFUSING TO PAY ESTATE FUNDS & OPPOSING ESTATE JURISDICTION.

VANCE v COOK 989SO2d556, BELVINS 51 So2d556

> 13) WAS IT ERROR FOR J. CONDON FINDING "APPELLANTS PLEADINGS.. "NO GOOD GROUNDS EXIST TO SUPPORT FILEINGS... NO GOOD FAITH ARGUMENT... CLAIM CLEARLY NOT WARRANTED... MAKING FRIVOLOUS ARGUMENTS..." IN SUPPORT OF HIS PROTECTIVE ORDER FOR SUNTRUST? WHEN IN FACT THE RECORD WAS FULL OF PROOF OF NO VENUE JURISDICTION & NO AGREEMENT TO PAY SUNTRUSTS ESTATE LEGAL FEES &

13A) WAS IT ERROR COURT TO IGNORE ON RECORD PRIMA FACIE PROVES OF BASIC APPEAL ISSUES WHICH APPEAL ISSUES;

1) DECEDANT DID NOT LIVE DIE NOR OWN PROPERTY NOR HAVE ASSETS IN S.C. 2) COURT HAS NO SUBJECT MATTER JURISDICTION OVER ESTATE NOR SUNTRUST CLAIMS 3) SUNTRUST WAS NON CREDITOR NON AGREED NON PREVAILING PARTY HAD NO STANDING TO LITIGATE AGAINST HEIR & ESTATE 13A1) WAS IT ERROR FOR JUDGE TO IGNORE MOTION TO VACATE ESTATE AS HEIR FILED ESTATE ON ASSUMPTION THAT DEED TO BE FILED (WOULD CONFER JURISDICTION (DEED WAS FROM DECEDANT TO DECEDANT) BUT WHEN RMC REJECTED DEED AS VOID IT LENT NO GROUNDS FOR PRESUMED JURISDICTION AFTER INFORMING COURT & ITS REPRESENTATIVES THEY REFUSED TO ALLOW THE ISSUE TO BE RAISED & ORDER CALIMED NO EVIDENCE 'HEIR OFFERED AFFIDAVIT & ADLITEM & HEIRS SEARCH OF RMC COUNTY RECORDS DO NOT SHOW DECEDANT OWNS S.C. PROPERTY NOR PAID TAXES IN SC;

13A2) WAS IT ERROR FOR COURT TO IGNORE SUNTRUST HAD NO STANDING INTEREST & NON CREDITOR TO DEMAND RELIEF NOR RIGHT TO REFUSE TO PAY SUMS OWNED BY ESTATE NOR TO CHALLENGE ESTATE NOR DEMAND BE PAID LEGAL FEES

13B) WAS IT ERROR FOR JUDGE TO AWARD SUNTRUSTS LEGAL FEES & NOT FORCE SUNTRUST TO PAY APPELLANT & ESTATE'S LEGAL FEES FOR INTERFERING IN ESTATE IN VIOLATION OF ESTATE CODE REFUSING 2 ORDERS THAT IT PAY FUNDS OWED

13C) WAS IT ERROR FOR COURT TO DISMISS PLEADING AGAINST PETER KOUTON TO MAKE ESTATE WHOLE (SURCHARGE) WHEN KOUTON ADMITTED "IT IS TOO COSTLY TO OPPOSE SUNTRUSTS CLAIMS FOR LAW FEES"

13D) WAS IT ERROR FOR COURT TO ACCEPT SUNTRUSTS CLAIM ADMITTED "BENEFICIAL RESULT OF SUNTRUSTS INTERVENTION IN ESTATE WAS THE APPOINTMENT OF 2 COURT REPRESENTATIVES" SCARDATO ADMISSION IN "REPORT" IN OPP TO ADLITS DEMAND THAT SUNTRUST PAY LAW FEES OF ESTATE & HEIR & RETURN LAW FEES WRONGLY PAID BY KOUTON? & DENYING ADLITEMS MOTION SUNTRUST RETURN \$9,300.00 & PAY ALL LAW FEES? ESPECIALLY WHEN KOUTON AD LITEM AGREED VIA EMAILS TO ALLOW APPELLANT TO CLOSELY VACATE CHARLESTON ESTATE TRANSFER OR OPEN ESTATE IN PROPER JURISDICTION?

13D) WAS IT ERROR FOR JUDGE CONDON TO FIND APPELLANTS PLEADINGS FRIVOLOUS WITH NO REASONABLE GROUNDS OR BASIS IN FACT & NO EVIDENCE WHEN RECORD WAS PRIMA FACIE EVIDENCE OF CLAIM COURT HAS NO JURISDICTION & NO CONTRACT TO PAY SUNTRUSTS LAW FEES AND DECEDANT DID NOT LIVE DIE NOR OWN PROPERTY IN SC

13E) WAS IT ERROR FOR JUDGE TO PAY SUNTRUST FROM READING EVERY ESTATE PLEADING MOTION AND FILEING WHEN ONLY PARTS SOUGHT RELIEF OF PAYMENTS TO SUNTRUST

13F) WAS IT ERROR FOR JUDGE CONDON LET SUNTRUST BE PAID OVER \$22,000.00 FOR LEGAL FEES WHEN IT WAS OWED NO MONEY BY DECEDANT NOT A CREDITOR HAD NO STANDING & COURT HAD NO VENUE SUBJECT MATTER JURISDICTION OVER ESTATE NOR DECEDANT?

13E) WAS IT ERROR FOR COURT TO FAIL TO REQUIRE EVIDENCE PROOF OF SUNTRUST CLAIM: ISSUE OF IF THERE WAS A VALID ENFORCEABLE CONTRACT REQUIRING ESTATE TO PAY SUNTRUSTS LEGAL FEES FOR OPPOSING ESTATE & REPRESENTATIVES DENYING ESTATE FUNDS OWED & FOR ENDLESS LITIGATION, AFFIDAVITS ACCUSATIONS & CLAIMS AGAINST HEIR & ESTATE NONE PROVEN BY COMPETENT EVIDENCE ?

13F) DID THE COURT ERROR IN FINDING "ITS TOO COSTLY TO OPPOSE SUNTRUSTS LAW FEE CLAIM" SINCE THERE IS NO EVIDENCE IN "RULES & REGULATIONS OF DEPOSIT ACCOUNTS & OR ACCOUNT AGREEMENT" OF ANY CONTRACT ETC NOR CONSENT TO PAY LAW FEES IN A ESTATE COURT CASE WHERE SUNTRUST HAS NO INTEREST NO STANDING & IS NOT A PARTY NO AGGRAVED & DEMANDED A ORDER FOR RELEASE OF LIABILITY THAT WOULD HAVE BEEN GIVEN ANYWAY HAD IT PAID ESTATE FUNDS OWED LET ESTATE DEAL WITH FICTITIOUS CLAIM OF SOCIAL SECURITY PAYMENT

13G) WAS IT ERROR FOR COURT TO NOT SANCTION SUNTRUST REFUSAL TO SPAY FUNDS TO ESTATE & CHALLENGE ESTATE & LITIGATE AGAINST ESTATE & BENEFICIARYS CHARACTER WITH UNPROVED LIES? & DISPROVEN SOCIAL SEC OVERPAY?

13H) DID COURT ERR IN DECIDING SUNTRUST BANK ACCOUNT OPENED OUT OF STATE CONFERED QUASI IN REM & OR ANY VENUE & OR JURISDICTION & TERRITORIAL APPLICATION OF SC PROBATE CODE TO ESTATE. DUE TO SUNTRUST HAVING BRANCHS IN EVERY STATE INCLUDING S.C.?

14) DID COURT ERR IN NOT FINDING HEIR WAS CREDITOR PER CONTRACT TO BUILD A HOUSE (EXHIBIT B) AND NOT FINDING KOUTON FAILED TO PAY \$120,000.00 NON TESTAMENTARY DEBT WILL TESTIFIED AND ORDERED PAYMENT OF IF COURT WAS GOING TO FORCE PROBATE THE WILL AGAINST BENEFICIARYS WILL AND SC ESTATE CODE?

15) DID COURT ERR IN NOT FINDING KOUTON AND JENKINS CONSENTED TO TRANSFER ESTATE TO PROPER JURISDICTION & ALSO ERR IN NOT FINDING THEY THEREBY ADMITTED NO SC JURISDICTION/ VENUE IN APRIL-MAY 2011 AS VERIFIED IN COPYS OF EMAILS AS PLED AND EVIDENCED IN ONE OF THE SEVERAL APPELLANT MOTIONS DENIED WHOLESALY BY 5/15/12 ORDER?

16) DID COURT ERR IN DENYING ALL PLAINTIFF PLEADINGS AND MOTIONS WHOLESALY IN 5/15/ORDER

17) DID COURT ERR IN ALLOWING LAW FEES FOR SUNTRUST READING ALL OF THE APPELLANT BENEFICIARYS PLEADINGS INCLUDING SOLELY AGAINST KOUTON ETC SIMPLY BECAUSE SUNTRUST WAS NOT A INTERESTED PARTY HAD NO STANDING NOR INTEREST IN OUTCOME OF CASE & NOT AGGRAVED PARTY?

18) DID COURT ERR IN NOT RECLUSEING HIMSELF AFTER GIVING APPEARANCE OF BIAS BY UNSUPPORTED FINDINGS AND ORDERS & CONTINUEING NO SHOW SUNTRUSTS PLEADINGS 12/12 WHILE DISMISSING ALL PLAINTIFFS MOTIONS & PLEADINGS WHOLE SALE FOR SAME NO SHOW REASON?

19) DID COURT ERR IN FINDING PLAINTIFF FAILED TO AVAIL HIMSELF TO THE COURT WHEN ORDER 1/11 FOUND "DESTITUTE & STRANDED IN FLORIDA" ALSO IN LIGHT OF APPELLANTS MOTION FOR PHONE HEARING & OUT OF STATE TESTIMONY PER ESTATE CODE?

20) DID COURT ERR IN CONTINUEING THE FEE APPOINTMENTS OF "COURT REPRESENTATIVES" IN ESTATES ETC WHEN 2004 600,000.00 (& THEN) GREEKS \$ & MANSION WAS ROBBED FROM FAMILY OF 84 YEAR OLD LADY BY COURT ETAL BANKRUPTING FAMILY UNNECESSARILY? & AS COURIER STORY OF 2/11?

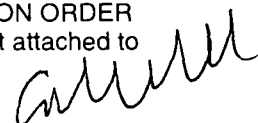
Date: 09:17 AM PST, 02/11/2013

From: Neta Web <web.neta@yahoo.com>

To: store1471@theupsstore.com

Subject: Fw: UNCONSTITUTIONAL STATUES 1 PAGE

- 20A) DID COURT ERROR IN FAILING TO FIND 62-1-201 UNCONSTITUTIONALLY VAGE & OVER BRAOD & VAGUE IN A DEFINEING INTRESTED PERSON "MEANING MAY VARY FROM TIME TO TIME. & b) FAILING TO DEFINE BENEFICIAL INTREST (:PECUNIARY BASIS TO LITIGATE?)
- 21) DID COURT ERROR FAILING TO FIND STATUES...(62-1-201)... UNCONSTITUTIONAL VAGUENESS MAY ARISE FROM UNCERTAINTY IN REGARDS TO ("INTRESTED")... PERSONS ("") WITHIN ITS SCOPE" USSSERVUTAH333US95&WINTERS vNY 333US507.; "THE CRITERIA CANNOT BE UNDERSTOOD... TOO MUCH DISCRETION REGARDING WHOM TO STOP"... (FROM CLAIMING INTRESTED PERSONS STATUS) 613F2d317;&HILHERVJUDICIAL DISTRICT 124SC12451& PAPACHRISTOUV JACKSONVILLE405US156. THE AVERAGE PERSON CANNOT PREDICT WHICH PERSON WILL BE QUALIFIED"... (AS A "INTRESTED PERSON" OR "BENEFICAL INTREST") SINCE A PECUNIARY INTREST IS NOT MANDATED BY STATUE ALLOWING UNLIMITED SPECULATION AS TO WHO MAY QUALIFY & EXHIBITING A LACK OF GUIDELINES FOR ENFORCEMENT" CHICAGO v MORALES527US41.
- 22) DID COURT ERROR FAILING TO FIND "REGULAR PERSONS CANNOT IMAGINE VAGE LIMITS OF QUALIFICATION(S) CRITERIA TO BE "INTRESTED PERSON" IN ESTATE & CHALLENGE ESTATE & LITIGATE ADVERSELY & DEMAND FUNDS & JUDICIAL RELIEF & PROTECTIVE ORDERS ECT IN ESTATE COURT & PAYMENT OF ESTATE FUNDS IF NO STANDING NOR CREDITOR
- 23) DID COURT FAIL TO FIND AS UNCONSTITUTIONAL SC CODE 62-1-308 REQUIREING 10 DAYS "AFTER RECIEPT OF WRITTEN NOTICE OF THE APPEALED ORDER... OF PROBATE COURT IS UNCONSTITUTIONAL DENYING DUE PROCESS BY FAILING TO REQUIRE SERVICE OF WRITTEN COPY OF ORDER ON (APPEALING) PARTY & REFUSAL TO STAMP FILED NOTICE OF APPEAL ON RECIEPT?
- 24) DID COURT ERR : DISMISSEING APPEAL 12/4/12a) DUE TO FAILURE OF JUDGE CONDONS COURT & PARTYS TO SERVE & NOTIFY PLAINTIFF OF ORDER TIMELY & b) ON SUNTRUST MOTION A NON PARTY TO ESTATE LACKING STANDING TO APPEAL A NON CREDITOR WITH NO BENEFICIAL INTREST IN ESTATE PER COOMON & FEDERAL LAW?
- 25) DID COURT ERROR IN FAILING TO FIND DUE PROCESS VIOLATION AS NO PARTY NOR THE COURT NOTIFIED PLAINTIFF OF THE 4/28 HEARING NOR ORDERS INTENT TO PREVENT APPEAL & ABILITY COMPLYING WITH 10 DAY. RULE OF APPEAL PLAINTIFF NEVER SERVED NOR NOTIFIED OF (2) 5/15/12 ORDERS EXCEPT AFTER DEMANDING FROM JUDGES LAW CLERK MARTEL MORRISON ORDERS (Ex EMAIL) RECIVED 6/23 APPEAL DATED FILED 7/31 ALTHOUGH RECIVED WITH ALL NEEDED INCOME INFO FOR A INDIGENCTY STATUS 6/23 (TIME STAMPED RECIVED)
- 26) DID COURT ERROR IN NOT FINDING TITLE 62 UNCONSTITUTIONALLY LACKING A DUE PROCESS RULE THAT ALL PARTYS BE TIMELY NOTIFIED OF HEARINGS & TIMELY SERVED ALL ORDERS & SC ESTATE CODE ON FACE UNCONSTITUTIONALLY DENIES DUE PROCESS UNDER COLOR OF LAW
- 27) DID COURT ERROR FINDING & ALLOWING SUNTRUSTS UNILATERAL UNPROVOKED DISPUTE CLAUSE TO BE "AS PERMITTED BY LAW" (its cavet) PLAINTIFF HARMED BY FAILURE OF SC CODE TO EXCLUDE NO NONCREDITOR/STANDING PARTYS FROM BILLING & INTERVENING IN ESTATE BANKRUPTING ESTATE & PRO SE OUT OF STATE INDIGENT DISABLED BENEFICIARY APPEALING ORDERS PAYING SUNTRUST \$ NOT OWED BY DECEDANT & DENYING APPEALANT & ADLITEMS MOTIONS THAT SUNTRUST PAY ALL LEGAL FEES DUE TO ITS NO STANDING REFUAL TO RELEASE FUNDS OWED ESTATE & UNILATERAL VENDETTA/DISPUTE AGAINST HEIR ?
- 28) DID LOWER COURTS FAIL TO FIND UNCONSTITUTIONAL STATUE TITLE 62 VIOLATEING TITLE 62 SC CODE OF LAWS IS UNCONSTITUTIONAL & IN VIOLATION OF THE AMERICANS WITH DISABILITIES ACT FAILING TO PROVIDE FOR INDIGENT HEIRS & OR BENEFICIARYS WITH A PECUNIARY INTREST IN ESTATE TO PARTICIPATE IN HEARINGS BY PHONE CONFRENCE THEREBY DENYING EQUAL PROTECTION OF LAWS?
- 29) DID JUDGE CONDON ERROR FINDING IN ORDER 1/16/11 STATEING: " CALDWELL STRANDED & DESTITUTE IN FLORIDA AND IN NEED OF LIVING EXPENSE"
- 30) DID LOWER COURT ERROR CLAIMED IT MAILED 12/6/12 JUDGE NICHOLSON ORDER NEVER SENT THEN DUPLICATEING NOTICE CLAIMING 12/10/12 SENT (exhibit attached to 1ST notice of appael)



Date: 07:13 AM PST, 02/11/2013  
From: Neta Web <web.neta@yahoo.com>  
To: store1471@theupsstore.com  
Subject: ISSUES ON APPEAL1

From: Neta Web <web.neta@yahoo.com>  
Subject: ISSUES ON APPEAL1  
To: staff4761@theupsstore.com  
Date: Monday, September 10, 2012, 7:36 PM

STATE OF SOUTH CAROLINA 11 CIRCUIT  
CHARLESTON COUNTY COURT  
-----x 2010 CP 10 04976  
IN MATTER ESTATE OF IRIS WADWORTH

>>  
> EMMETT W CALDWELL Appellant  
-----x ADDITIONAL NON CONSTITUTIONAL  
> > ISSUES APPEAL ORDER 5/15  
> > > DISMISSING APPELLANTS MOTIONS

31 > 1) WAS IT ERROR FOR COURT TO ALLOW SUNTRUST TO ENTITLE  
> ORDER 5/15/12 CALDWELL vs SUNTRUST .APPELLANT NEVER  
> CAPTIONED PETITION vs SUNTRUST( vs P KOUTON.) SAID CAPTIONING  
> WAS DELIBERATE MISLEADING BY SUNTRUST & COURT TO CONFUSE  
APPELATE COURT THAT APPELLANT WAS CONSENTING OR ENJOINING  
(COURTS APPEARANCE OF FRAUD & BIAS) SUNTRUST  
AS A PARTY. NO NO NO SUNTRUST IS A NON PARTY WITH NO  
STANDING TO PLEA LITIGATE > NOR APPEAL PER SC CODE

32 2) WAS IT ERROR FOR COURT TO FALSELY GIVE  
IMPRESSION SUNTRUST "WITNESS(S)" HAD TESTIFIED TO  
SUPPORT COURTS LIE BASED FINDINGS AGAINST HEIR

33 1) MADE 2 SCENES AT SUNTRUST 2 CONFRONTED BANK EMPLOYEES  
DEMANDING FUNDS HE HAD NO RIGHT TO "ECT OR OTHER 'FACT'  
S" BY STATEING WITNESS GRANT SUCRRY & BEVERLY HELMS WERE  
PRESENT FOR APRIL HEARING WHEN NO SUNTRUST EMPLOYEE  
EVER TESTIFIED EXCEPT BY SECURITY'S AFFIDAVIT LIES

33 3) WAS IT ERROR FOR COURT TO FIND APPELLANT "HAD A  
> RUN IN WITH COURTHOUSE SECURITY" (IN RECONSIDER  
ORDER) & "MADE A SCENE > AT COURTHOUSE" (IN ORDER  
RECONSIDERED) AFTER LIUT JACOBIC TOLD  
JUDGE NO SCENE MADE BY HEIR IN ALSO DENYING  
MOTION TO SUPOENA JACOBIC AS HE REQUESTED  
TO RETELL

34 4) WAS IT ERROR TO ADD FINDINGS" BASED ON THE ABOVE  
INCIDENTS & OTHER INTERACTIONS WITH Mr CALDWELL  
... HE MAY BE IN NEED OF MENTAL HEALTH SERVICES"  
WHEN THERE WERE NO SUCH MENTION IN PRIOR ORDERS  
RECONSIDERED NOR WRITEING NOR COURT TESTIMONY  
> BY JUDGE NOR WITNESS (ONLY KOUTON & JUDGES PHONE  
> BIAS RAPS DEENIGRATEING HEIR FROM DAY 1 ADMITTED)

34B 4B WAS IT ERROR FOR JUDGE ADDING FINDINGS NOT IN  
PRIOR ORDER RECONSIDERED ECT" BASED ON OTHER INTER  
ACTIONS WITH THE COURT (APPELLANT NEVER APPEARED  
BEFORE COURT VISITED OFFICE 4 TIMES IN CHARLESTON  
ONLY 8 DAYS) & ORDER REMOVEING HIM AS PER REP" WHEN  
IN FACT ORDER IT REASON WAS DETAILED IN ORDER: "PRIM  
ARILY DUE TO HIS INABILITY TO MARSHAL ESTATE ASSETS"  
(KOUTON WAS ALSO INABLE/INCAPABLE "TO MARSHAL ASSETS")

35 > 4 WAS IT ERROR TO FIND CALDWELL FAILED TO SUPPORT  
ANY FILEING WHEN THE RECORD EVIDENCED 1 COURT HAD NO

SUBJECT MATTER JURISDICTION PER CODE & SUNTRUST EITHER TO DEMAND CONTRACT LAW FEES SINCE RULES & REGULATIONS WAS UNSIGNED & UNSEEN BY DECEDANT ALSO WILL DIRECTED \$120,000.00 ON DEATH NONTESTAMENTARY PAYMENT TO HEIR 3- SUNTRUSTS RULES & REGULATIONS & FILEINGS & ACCOUNT AGREEMENT DID NOT SPECIFY NOR IMPLY SUNTRUST BANK COULD a) REFUSE TO TURNOVER FUNDS OWNED BY ESTATE PER: "RULES" b) NOR ALLOW SUNTRUST TO CHALLENGE ESTATE & LIE & SLANDER & RELEASE ACCOUNT DETAILS PUBLICLY & LIE THRU COUNTLESS OF VARIOUS AND SUNDRY EMPLOYEES SECURITY PERSONAL ECT IN AFFIDAVITS AGAINST HEIR & DECEDANT & ESTATE & DECEDANT FOR INSTANCE DECEDANT ACCORDING TO PUBLIC RECORDS OWNS REAL ESTATE AT EDINBOROUGH DR" & AGAINST HEIR: "HE MADE 2 SCENES AT SUNTRUST BANK (LIE REPETED & USED BY JUDGE TO FIND HEIR APPELLANT "INCAPABLE & REMOVE HEIR & APPOINT ADLITEM (ILLTEMPERED ECT) ALSO LIED" ON INFO AND BELIEF MR CALDWELL ATTEMPTED TO ACCESS MS WADSWORTHS BANK ACCOUNT IN CHARLESTON S.C." (LIE SLANDER DELUSIONALLY REINTERPETED BY JUDGE IN RECONSIDERATION ORDER "HE CONFRONTED & DEMANDED FUNDS WITH NO RIGHT TO THEM" (sick)

36 WAS IT ERROR TO ALLOW NON STANDING SUNTRUST TO LITIGATE CAUSEING ENDLESS LIES & LITIGATION TO DISPROVE THEM WHEN THERE WAS NO REASON TO LEGALLY PROSCRIBED BY LAW? REQUIREING ENDLESS > REFUTATION LITIGATION & APPEAL WHEN SUNTRUST IS & WAS A NON CREDITOR & NO STANDING

37 WAS IT ERROR FOR COURT & KOUTON TO ADMIT "ITS TO COSTLY TO OPPOSE SUNTRUST LEGAL FEE DEMAND "ADMITTING GROUNDS EXISTAS RULES & REGS NOR ACCT. AGREEMENT DO NOT SPECIFY NOT IMPLY SUNTRUST HAS RIGHT TO WITHOULD FUNDS FROM ESTATE OR CHALLENGE ESTATE OR FRAUDLENTLY CLAIM SOCICAL SECURTIY OVER PAID ESTATE AS PRETEXT TO WITHOULD FUNDS & FORCE A MOTION TO COMPEL & ORDER IT DEMANDED STATE CERTAIN FACTS

38 WAS IT ERROR FOR COURT TO IGNORE ESTATE CODE DOES NOT ALLOW TERRITORIAL APPLICATION OF ESTATE CODE TO DECEDANTS WHO DID NOT LIVE DIE OWN PROPERTY NOR ASSETTS IN SC UNRE FUTED RECORDS SHOWS DECEDANT DID NOT LIVE DIE OR HAVE PROP. WAS IT ERROR FOR COURT TO IGNORE NO EVIDENCE ON RECORD TO SUPPORT COURTS EMERGENCY NO HEARING ORDERS VIOLATEING DUE PROCESS US CONSTUTION APPOINTING KOUTON & JENKINS

39 WAS IT ERROR FOR COURT TO IGNORE -NO COMPETENT EVIDENCE OF ANY SCENES MADE BY HEIR NOR DELUSIONAL FINDING BY JUDGE 'HE CONFRONTED BANK EMPLOYEES & DEMANDED FUNDS WITHOUT ANY RIGHT TO THEM"

40 WAS IT ERROR TO FIND CALDWELL HAS FAILED TO SUPPORT ANY FILING MADE BY HIM WHEN THE RECORD IS PROOF & PHONE HEARING REPETED DENIED WHEREBY APPELLANT COULD HAVE PARTICIPATED ECT

41 WAS IT ERROR OR UNTRUE FOR COURT TO FIND "98% OF PLEADINGS > ARE HANDWRITTEN... UNDECIPHERABLE WHEN ONLY 2% WERE HAND WRITTEN TWICE AT POST OFFICE AFTER CLOSEING IN SUPERRUSH

42 WAS IT ERROR FOR THE COURT TO FIND IN ORDER DISMISSING > EMMETT CALDWELLS MOTIONS "the court finds it has jurisdiction OVER THIS ESTATE AND VENUE IS PROPER WHEN NO EVIDENCE THEREOF MOTION SDISMISSED AFFIDAVIT & PROVE SUFFICIENT > FACTS TO NO JURISD. NOR VENUE

43 WAS IT ERROR FOR COURT TO USE RECONSIDERATION ORDER AS A FORUM TO ADD FINDINGS UNFOUND ON RECORD IN ORDER OR BY WITNESS OR EVIDENTARY TESTIMONY NOR EVIDENCE BY ATTACKING HEIR > AS BUILD ING INSPECTOR KOUTON THREATENED HE COULD GET JUDGE TO > > DO & WANTED ADDING "ISSUE OF CAPACITY OF MR CALDWELL SHOULD NOT BE OVERLOOKED. THE COURT IN REMOVEING HIM (HIS) AS PERSONAL > REPRESENTATIVE HAS FOUND HIM TO LACK FIDUCITARY CAPACITY... & APPOINTED ADLITEN FOR MR CALDWELL BASED ON INDICATIONS HE MAY LACK > CAPACITY WHEN NO HEARING HELD TO APPOINT AD LITEM IN EMERGENCY

ORDER .THERE WERE NO PRIOR FINDINGS ON RECORD OF THIS 'CAPACITY  
ISSUE 1ST RAISED IN RECONSIDERATION ORDER IN ERROR& NO FINDINGS  
ON WHICH SAID "CAPACITY" FINDING IN 5/15/ORDER WAS BASED EXCEPT  
SUNTRUST LIES OF SECURITY AFFIDAVIT GALLOPOLLI NONPRESENT IN  
COURT NO RIGHT TO CONFRONT HIS LIES ALSO BASED ON" IN STREET  
COURTHOUSE RUMORS" JUDGE ALLEGED BASICALLY:" SECURITY CLAIMED  
TO ME PRIVATELY:"HE MADE A SCENE IN COURTHOUSE" REFUTED BY  
WITNESS(LIT JACOBIC)PRESENT AT ILLEGAL BAG SEARCH (BAG LEFT  
ON STREET OUTSIDE COURT 4 MIN. TO FILE MOTION TO COMPEL 1/11

- 43 >> 9 WAS IT ERROR FOR THE COURT TO FIND 'BASED ON THE RECORD' &  
ORDER> REMOVEING MR CALDWELL AS PER REP THAT "SERIOUS  
> DOUBTS RAISED AS TO MR CALDWELLS ABILITY TO SERVE IN  
FUDICITARY CAPACITY"...AND CAPACITY NOT IN ORDER RECONSIDERED  
> WHEN THERE WERE NO COMPETENTLY SUPPORTED FINDINGS PRIOR NOR  
EVIDENCE TO SUPPORT SUCH
- 44 >> 10) WAS IT ERROR FOR JUDGE TO FIND IT HAD SUBJECT  
> MATTER JURISDICTION& SUNTRUST HAD STANDING TO AWARD ATTORNEY  
> FEES WHEN AURORA V DACOSTA "LACK OF STANDING AT INCEPTION DEFECT  
> CANNOT BE CURED BY THE ACCQUISITION OF STANDING AFTER CASE  
> IS PLED(20 JUD CIRCUIT COLLIER FLA(09-142ca)
- 45 >> 11) WAS IT ERROR TO ALLOW SUNTRUST TO ENTER LITIGATEING  
> AGAINST ESTATE JURISDICTION ECT HEIR BASED ON ITS  
> SPECULATIVE CONJECTURAL HYPOTHETICAL BOGUS CLAIMS"WE  
> MAY BE LIABL BECAUSE SOCIAL SECURTIY MAY HAVE BEEN  
> OVERPAID INTO ACCOUNT"& SP CT 3 PART STANDING TEST  
> ACTUAL LIKLYHOOD OF REDRESS & INJURY IN FACT
- 46 >> 12) WAS IT ERROR FOR JUDGE CONDON TO FIND NO EVIDENCE TO  
> SUPPORT CLAIMS WHEN THE RECORD AND SC CODE 7 CASE LAW  
> ALL EVIDENCE TRIAL COURT NEVER ACQUIRED SUBJECT MATTER  
> JURISDICTION OVER ESTATE NOR 9(NONCREDITOR) SUNTRUSTS  
> CONTRACT CLAIMS FOR LEGAL FEES FOR OPPOSEING ESTATE...  
> VANCE V COOK 989SO2d556, BELVINS 51 So2d556
- 47 >> 13) WAS IT ERROR FOR J. CONDON FINDING "APPELLANTS PLEADINGS  
> "...NO GOOD GROUNDS EXIST TO SUPPORT FILEINGS...NO GOOD  
FAITH ARGUEMENT...CLAIM CLEARLY NOT WARRANTED...MAKING  
FRIVILIOUS ARGUEMENTS..." IN SUPPORT OF HIS PROTECTIVE ORDER  
FOR SUNTRUST? WHEN IN FACT THE RECORD WAS FULL OF PROOF OF  
CLAIMS PRIMA FACIE PROVEING BASIC APPEAL ISSUES WHICH APPEAL  
ISSUES ARE & WERE 1 DECEDANT DID NOT LIVE DIE NOR OWN PORPERTY  
NOR HAVE ASSETTS IN S.C.2) COURT HAS NO SUBJECT MATTER JURISDICTION  
OVER ESTATE DUE TO THAT 3) SINCE HEIR FILED ESTATE ON ASSUMPTION  
THAT DEED TO BE FILED(WOULD CONFER JURISDICTION(DEED WAS FROM  
DECEDANT TO DECEDANT) BUT WHEN RMC REJECTED DEED AS VOID IT LENT  
NO GROUNDS FOR PRESUMED JURISDICTION AFTER INFORMING COURT & ITS  
REPRESENTATIVES THEY REFUSED TO ALLOW THE ISSUE TO BE RAISED  
& ORDER CALIMED NO EVIDENCE 'HEIR OFFERED AFFIDAVIT & AD LITEM  
& HEIRS SEARCH OF RMC COUNTY RECORDS DO NOT SHOW DECEDANT OWNS  
NOR OWNED CHARLESTON PROPERTY NOR PAID TAXES IN SC;4) SUNTRUST  
HAD NO STANDING NOR SUBJECT MATTER JURISDICTION AS NON CREDITOR  
TO DEMAND RELIEF NOR RIGHT TO REFUSE TO PAY SUMS OWNED BY ESTATE  
TO ESTATE WHEN JURISDICTION WAS PRESUMED NOR TO CHALLENGE ESTATE  
NOR TO BE PAID LEGAL FEES FOR DOING SO
- 48 13B) WAS IT ERROR FOR JUDGE TO FIND LEGAL FEES FOR SUNTRUST NOR  
FORCE SUNTRUST TO PAY APPELLANT AND ESTATES LEGAL FEES  
13C) WAS IT ERROR FOR COURT TO DISMISS PLEADING AGAINST PETER  
KOUTON TO MAKE ESTATE WHOLE SURCHARGE ESPECIALLY WHEN KOUTON  
AND AD LITEM AGREED VIA EMAILS TO ALLOW APPELLANT TO CLOSE  
VACATE CHARLESTON ESTATE TRANSFER OR OPEN ESTATE IN PROPER  
JURISDICTION?

Date: 10:38 AM PST, 02/11/2013

From: Neta Web <web.neta@yahoo.com>

To: store1471@theupsstore.com

Subject: STATEMENT OF CASE

STATE OF SOUTH CAROLINA  
COURT OF APPEALS COLUMBIA

-----x APPELLATE COURT # 2013 00143

EMMETT W CALDWELL appllent  
ESTATE OF IRIS WADSWORTH

-----x CIRCUIT CASE # 2012 E

SUNTRUST BANK(SOLE RESPONDANT ESTATE COURT #10E 1841

A NON STANDING NON CREDITOR&NO

INTREST IN OUTCOME OF ESTATE)

-----x

#### STATEMENT OF CASE

1 THIS IS CASE WHERE THE LEGAL MAXIMUM THAT A PARTY WITH NO INTREST IN A CASE AT COMMENCEMENT OF ACTION CANNOT SUBSEQUENTLY BE GRANTED STANDING SUNTRUST HAD ABSOLUTELY NO STANDING NOR LAWFUL REASON REFUSE TO RELEASE ESTATE FUNDS TO 2 DIFFERENT ESTATE REP & SP.ADMN THEN TO INTERFERE IN EST ATE CAUSE OVER \$50,000.00 IN LEGAL FEES & IN 11/11 OPPOSITION.TO ADLITEMS MOTION IT REPAY\$9300.&PAY ADLIT& ESTATES LAW FFES)SUNTRUST SAID"BENEFICAL RESULT OF SUNTRUSTS INTERVENTION IN ESTATE WAS APPOINTMENTS2 COURT REPS."

COURT ERRED&LET SUNTRUST LITIGATE DEMAND ORDERS&DETERMINE CONTRACT LAW

2)THIS IS A CASE WHERE ESTATE COURT HAD A COMPLETE ABSCECE OF JURISDIC TION TO PROBATE ESTATE OR TO AWARD SUNTRUST STANDING BY "CONTRACT DETER MINATION"IN NONFILED ADVERSARY PROCEEDING & BASED ON FEES INCURRED BY DUE OF SUNTRUSTS UNREASONABLE SPECULATIVE UNPROVEN CLAIMS& INTERVENTION WITH OUT ANY STANDING BY A NONCREDITOR CHALLENGING ESTATE&ITS REPRESENTATIVES WITH SPECULATIVE UNPROVEN & FALSE CLAIMS OF LIABILITY ECT IF IT COMPLIED BY RELEASEING DECEDANT/ESTATE OWED FUNDS IN DECEDANTS SUNTRUST ACCOUNT

3) THIS IS A LITMUS TEST CASE WITH MAJOR PUBLIC POLICY CONCERNS FOR IF ALLOWED THIS "SUNTRUST NO STANDING EXCEPTION" PRECEDENT WOULD BANKRUPT 85% OF ALL SC ESTATES FORCEING PAYMENT OF LAW FEES NOT OWED BY DECEDANT

4) THIS IS A CASE WHERE SC ESTATE CODE CANNOT BE APPLIED TO ESTATE OF OUT OF STATE DECEDANT7ASSETSNONRESIDENT THEREFORE NO SC LAWFUL AUTHORITY NOR JURISDICTION FOR APPLYING SC CODE ISSUEING VOID NONJUDICIAL CAPACITY ORDERS

5) THIS IS A CASE WHERE DECEDANT WAS APPELLANTS MOTHER KILLED UNDER EXTREEMLY SUSPICIOUS CIRCUMSTANCES 3 DAYS AFTER SUNTRUST BANKER IN DURHAM NC SHOUTED LOUDLY"AREN'T YOU GOING TO TELL HER ALL THAT MONEY HAS ARRIVED"

SHE WAS HIT BY A CAR DESPITE SUNTRUSTS CLAIMS IN COURT DOCUMENTS"SHE WAS RUN OVER BY CITY BUS"ONE OF A THOUSAND UNSUPPORTED CLAIMS BANKRUPTING ESTATE REQUIRED TO BE DISPUTED & ACCEPTED WITHOUT EVIDENCE & PUT IN SUNTRUST AUTHORED ORDERS CREATING ENDLESS LITIGATION & APPEALS

TOTALLY UNRELATED TO ESTATE CODE PURPOSE OF DISTRUBITING DECEDANS ASSETS TO CREDITORS7 BENEFICIARYS UNDER COLOR OF LAW(NO ESTATE WRONGFUL DEATH CLAIM FILED BY SPECIAL REP IS PRIMA FACIE EVIDENCE OF SUNTRUSTS LIE# 37

6) THIS IS JUST ONE OF SUNTRUSTS NUMEROUS CLAIMS THRU ATTORNEY TWO NON APPEARING UNCHALLENGEABLE SUNTRUST SECURITY PERSONEL AFFIDAVITS DONNA HALE & WHICH CAUSED ESTATE & HEIR UNLIMITED TIME & LEGAL EXPENSE TO REFUTE AND TAKEN AS GOSPEL TRUTH & REINTERPETED BY JUDGE CONDON SLANDERING HEIR WHICH DUE TO KNOWINGLY FRAUDLENT VOID ORDERS IN CLEAR ABSCECE OF ANY JURISDICTION HAS COST THE ESTATE OVER \$50,000.00 LEGAL FEES NOT TO MENTION APPELLANTS \$115,000.00 SEPRATE LEGAL COSTS CONSTANTLY OCCUPIED OVER 2 YEARS TO REFUTE & OVERTURN VOID ORDERS RELIEFS & MONATARY CONTRACT AWARDS GRANTED TO SUNTRUST BY ESTATE COURT WITHOUT ANY LAWFUL BASIS NOR AUTHORITY & NO ADVERSARY CIVIL ACTION BROUGHT BY SUNTRUST AGAINST ESTATE & WITHOUT ANY LAWFUL AUTHORITY TO GRANT SUCH RELIEF DUE TO NO SUBJECT MATTER JURISDICTION OVER THE CONTROVERSEY NOR OVER THE ESTATE

7) APPELLANT OPENED ESTATE 12/21/10 4:30PM ON ARRIVAL IN SC DEED ON WHICH JURISDICTION RELIED UPON (DEDEDANT TO DECEDANT)FILED 12/22/10 REJECTED AS VOID

BY RMC 1/22/11 ;SPECIAL ADMN& COURT NOTIFIED 1/25/11 & 2/16/11  
SPEC ADMN & ADLIT AGREED TO TRANSFER JURISD.3/11(EX EMAIL )THEN REFUSED  
DEED WAIVED IN AIR20' AWAY UNSEEN BY JUDGE & UNFILED IN ESTATE COURTS BASIS  
OF JURISDICTION TOGETHER WITH INVENTED FRIVOLOUS & FRAUDLENT THEORYS  
8) SUNTRUST ATTEMPTED FRIVOLOUSLY WITHOUT ANY LAWFUL REASON TO HAVE APPEAL  
DISMISSED BY RECONSIDERATION MOTION OF PAUPER STATUS & WAS DENIED  
9) THEN ONE DAY BEFORE HEARING OF APPEAL 11/27 SUNTRUST FILED A MOTION  
TO DISMISS IN OPPOSITION TO APPEAL & ESTATE FAILING TO SERVE APPELLANT WHO  
RECEIVED A EMAILED COPY 11:40AM THE DAY OF THE HEARING 11/27(?) OF APPEAL &  
JUDGE NICHOLSON GRANTED SUNTRUSTS UNTIMELY MOTION & SIGNED IT RENAMEING IT "  
ORDER "& SIGNED MOTION RENAMED ORDER WHICH CONTRADICTED ITSELF  
DENYING JURISDICTION & CLAIMING JURISDICTION ARGUEMENTS  
FURTHER CONTRADICTED BY ORDER OF JUDGE JUST PRIOR TO SIGNING SAID ORDER WHICH  
PRIOR ORDER STATED "THIS COURT RETAINS JURISDICTION UNTIL A ORDER IS SIGNED  
HENCE THE (CONTRADICTORY/ALTERNATIVE RELIEF/FINDINGS) MOTION RENAMED ORDER WAS  
PRESENTED FOR SIGNATUE & SIGNED ALTHOUGH CONTRADICTORY  
10) THE UNCONSTITUTIONAL STATUE 62-1-201 FAILS TO EXCULED & ALLOWS UNLIMITED  
INTERPERATIONS & ADDITIONS TO LEGALLY "INTRESTED PERSONS" ENTITLED TO DISPUTE &  
LITIGATE AGAINST ESTATE STATEING "MEANING MAY VARY FROM TIME TO TIME DEPENDING  
ON..." ALLOWING JUDGE CONDON TO INCLUDE SUNTRUST

11) THE NATURE OF RELIEF SOUGHT IS APPROPRIATE RELIEF & VACATE ALL PRIOR ORDERS &  
THE ESTATE & ESCROW THE ESTATES \$122,000.00 FUNDS (OUT OF WHICH WILL SPECIFY S  
APPELLANT

IS OWED A \$120,000.00 NONTESTAMENTARY DEBT; BY ORDERING SUNTRUST & SPECIAL  
ADMINISTRATOR TO RETURN ANY FUNDS PAID OUT OF ESTATE IN A COMPLETE ABSCENCE OF  
ANY JURISDICTION & WITHOUT LAWFUL AUTHORITY UNDER SC CODES

12) THIS IS A CASE WHERE SUNTRUST TRIED TO TRICK THE LOWER COURT INTO  
BELIVEING APPELLANT SOULD NOT HAVE BEEN GRANTED INDIGENT STATUS & MOVED  
TO DENY APPEAL ON THAT BASIS CAUGHT IN A LIE IT MOTIONED DAY BEFORE APPEAL  
& INDISPUTABLE FAILED TO SERVE APPELLANT

13) IN THIS CASE SUNTRUST FAILED TO SERVE PLAINTIFF MOTION TO DISMISS  
APPEAL/ OPPOSITION TO APPEAL SUNTRUST FILED SAID MOTION 1 DAY BEFORE  
DAY COURT WAS TO CONSIDER THE APPEAL & APPELLANTS BRIEF & SUBMISSIONS 11/27/12  
FAILING TO SERVE APPELLANT WHO WAS EMAILED A COPY 11/40 AM DAY OF COURT HEARING  
DENYING DUE PROCESS AS APPELLANT WAS UNABLE TO OPPOSE EXCEPT BY INSUFFIENT TIME  
EMAIL OPPISITION COURT DID NOT CONSIDER

13B AGAIN THIS CASE JUDGE NICHOLSON ISSUED ORDER PRIOR TO SIGNING ORDER:  
"THIS COURT RETAINS JURISDICTION UNTIL ORDER IS SIGNED"(EXHIBIT ATTACHED TO  
ORIGINAL NOTICE OF APPEAL) THAT IS PROOF THE COURT HAD JURISDICTION OVER  
THE APPEAL AS DID ORDER WHICH DETERMINED APPEAL ON BASIS OF JURISDICTION  
OVER THE SUBJECT MATTER WHICH THE COURT HAD A COMPLETE ABECEBNCE OF AND WHICH  
ISSUE THE SO CALLED RESPONDANT REFUSED TO ADDRESS ALTHOUGH PLEADING  
THE COURT HAD NO JURISDICTION OVER THE ESTATE BY "CLOSED DOOR STATUE" ECT  
IN SUNTRUST 2011 MOTION TO DISMISS ESTATE (IT HAD NO STANDING TO SO MOTION

14) APPELLANT CANNOT OPEN ESTATE IN PROPER JURISDICTION UNTIL THIS ESTATE  
IS VACATED & SEALED AS SUNTRUSTS AFFIDAVITS & ACCUSATION OF REPUTATIONAL  
NATURE WOULD CREATE HAVOK & IMMENSE EXPENSE TO DUPLICATE OPPOSITON THERETO IN  
NEW JURISDICTION AGAIN BANKRUPT ESTATE.

14B) SAID UNPROVEN LIES "ATTEMPTED TO ACCESS ACCOUNT ... MADE 2 SCENES IN  
SUNTRUST ... CAUSEING JUDGE CONDON TO REMOVE & LIBAL & SLANDER APPELLANT WOULD COST  
OVER \$100,000.00 IN LEGAL FEES TO DISPROVE AND MONTHS OF THE COURTS TIME IN  
CHARLESTON COUNTY & THE PROPER JURISDICTION NEEDLESSLY IRRREPREAREBLY HARMING SOLE  
BENEFICIARY BY DEPLETING ESTATE FUNDS INTENT OF SUNTRUST & THREATENED

PLAINTIFF SEEKS APPELLATE REVIEW & DETERMINATION OF UNDISPUTED FACTS:

1) DECEDANT DID NOT LIVE DIE RESIDE NOR OWN SC ASSETS NOR PROPERTY & NONE  
WAS IN HANDS OF SC FUDICUTIARY SUBJET TO SC CODE OF LAWS THEREFORE THE SC ESTATE  
CODE CANNOT APPLY HAVING A COMPLETE ABSCENCE OF SUBJECT MATTER JURISDICTION

2) SC & JUDGE CONDON LACKED SUBJECT MATTER JURISDICTION OVER ESTATE & OF SUNTRUST  
DISPUTES & CONTROVERSARYS & TO MAKE A CONTRACT "DETERMINATION" OF BANK  
RULES & CONTRACT LAWS "DISPUTE CLAUSE" & DETERMINATION "IF SC CODE "PERMITTED BY  
LAW" & MANDATED ESTATE HAD TO PAY SUNTRUSTS ITS LAW FEES FOR SUNTRUSTS

a1) REFUSEING 2 COURT REPS & SP ADMN ESTATE OWED FUNDS

a2)DISPUTEING 2 ESTATE REPS ORDERS &b) RAISEING DISPUTE WITH BENEFICIARY&c)LITIGATEING DISPUTES AGAINST ESTATE UNDER ITS"CUSTOMER PAYS ATTORNEY FEES IN ANY DISPUTE"CLAUSE(IF)"AS PERM ITED BY LAW"(ieARE NONSTANDING DISPUTES PERMITTED BY SC TITLE 62 ESTATE CODE?)WHICH J.CONDON GRANTED SWAYED BY REELECTION HOPES &"PERMITTED"UNDER COLOR OF LAW"DUE TO MCNAIRLAW FIRM BEING THE MOST POLITICALLY POWERFUL LAW FIRM IN SC

15)THIS CASE IS ABOUT AFRAUDLENT COURT& FRAUDELENT SPECIAL ADMINISTRATOR & ADLITEM WHO CHOSE TO REFUSE TO RAISE ISSUES IT WAS THEIR DUTY TO ABOUT NO SC CODE JURISDICTION OVER ESTATE &DENY FUNDS OWED HEIR\$120,000.00 OUT OF \$122,000.00 ESTATE (LEAVING \$2,000.00 AVAIABLE FOR THEIR FEES)

16)THIS CASE IS ABOUT NONCREDITOR SUNTRUST DENYING SC CODE A BANK WITH A VENDETTA AGAINST HEIR& NO STANDING/LAWFUL RIGHT TO INTERFERE IN ESTATE BY:

1)REFUSEING TO PAY DECEDANTS ACCOUNT FUNDS HELD &OWED TO ESTATE OF DECEDANT REFUSEING 1ST APPELLANT AS PER REP THEN PETE KOUTON AS SPECIAL ADMINISTRATOR CASUEING \$50,000.00(UP TO 1/13)IN LAW FEES TO BE PAID BY ESTATE UNLAWFULLY& WITHOUT ANY LAWFUL CONTRACT NOR SC CODE AUTHORITY

2)CHALLENGE ESTATE JURISDICTION WITHOUT STANDING NOR INTREST

3)SUBMIT NUMEROUS AFFIDAVITS&UNLIMITED ALLEGATIONS AGAINST BENEFICIARYS

4)DEMAND COURT MAKE ADVSARY DETERMINATION OF BANKING LAW& RULES

5)DEMAND COURT RELEASE IT INSTEAD OF SPECIAL ADMINISTRATOR (AS CUSTOMARY)

6)MAKEING SPECULATIVE UNPROVEN UNTRUE CLAIMS 1)SOCIAL SECURITY OVERPAID INTO ACCOUNT(THEN DRAFTING ORDERS FRAUDLENTLY CHANGEING DEATH DATE TO SUPPRT ITS LIE)2)REAL ESTATE TAXES DUE & SUNTRUST WOULD BE LIABLE IF IT

PAID ALL FUNDS TO ESTATE 3)&LIE"ACCORDING TO PUBLIC RECORDS DECEDANT OWED PROPERTY AT EDINBOROUGH DR DURHAM NC"

7)DEMAND COURT ORDER ESTATE TO PAY SUNTRUST IMMEDIATE&GIVE IT PRIORITY OVER FUNDS OWED BENEFICIARY & PRIORITY CREDITOR(s)ROBBING CREDITOR(s)&BENEFICIARYS & CREATING 4 50,000.00 IN UNEEDED LEAL FEES FOR ESTATE ECT

8)WITHOUT PROOF SLANDER & LIBAL HEIR & HAVE COURT BY UNKNOWN MEANS INCLUDE UNPROVEN LIES IN ORDERS AS FINDING OF FACT

9)FRAUDLENTLY CLAIMING HEIR IS NOT INDIGENT WITHOUT ANY EVIDENCE TO KILL APPEAL OF ITS BEING PAID OVER \$20,000.00 AT THAT DATE LAW FEES7 DENY DUE PROCESS & MEANING APPELLATE REVIEW OF THE KANGAROO COURT FRAUDS

10)FILE A OPPOSITION & DISMISSAL OF APPEAL ONE DAY BEFORE HEARING WITHOUT SERVING APPELLANT IN FLORIDA WITH NO DUE PROCESS

11)ERASEING THE WWORD MOTION FROM ITS OPPOSITION & DISMMISAL OF APPEAL& TYPEING IN THE WORD ORDER ALTHOUGH THE ALTERNATIVE RELIEF(&FINDINGS RENDERED THE MOTION /ORDER CONTRADICTORY & SELF ANNULLING(&SKISOPHRENIC?)

12)APPARENTLY GETTING ESTATE COURT & CIRCUIT JUDGES TO PROSTITUTE S.C.CODE OF LAWS BY ISSUEING VOID ORDERS WITHOUT ANY BASIS IN FACT NOR COMPETENT EVIDENCE INFLUENCE PEDDLEING ORDERS THRU MCNAIR STATES POWERFUL LAW FIRM

16)SPECIAL ADMINISTRATOR REFUSED TO ACKNOWLEDGE HEIR/APPELLANT WAS OWED \$ 120,000.00 & A PRIMARY CREDITOR UNTIL EVIDENCE NOTARY ON WILL FRAUDLENT THEN HE OFFERED TO PAY DEBT HE KNEW ALL ALONG & PRIMA FACIE STATED IN WILL IF APPELLANT KEPT QUIET AND WENT ALONG WITH THE FRAUD(EXHIBIT EMAIL )

17)FOREMOST THIS CASE IS ABOUT HOW LAW FIRMS & CORRUPT JUDGES & CLERKS ARE ABLE TO PREVENT MEANING FUL APPELLATE REVIEW THRU REFUSALS TO SERVE ORDERS TIMELY & CLOCK IN APPEALS & BRIEFS ECT TO DISENFRANCHISE UNDER COLOR OF LAW 7 TRICKERY TO PAY ESTAE FUNDS TO ATTORNEYS INSTEAD OF HEIRS & BENEFICIARYS( A PRACTICE TAUGHT IN ROSEN) AS GREEK LADY 85 TAKEN FROM HOME AFTER LEARNING OF \$600,000.00 CASH IN BANK DAUGHTER TOLD "YOU CAN ONLY SEE HER 1 HOUR A WEEK SUPERVISED VISIT"... "YOU ARE THE CAUSE OF LAW EXPENSES"

AFTER THET STOLE ALL THE CASH THE COURT TOOK 7 SOLD THE MANSION DESTITUTE DAUGHTER LEARNED ABOUT CHARLESTON CORRUPTION & DESTITUTEING HEIRS 1ST HAND

*Scott W. Caldwell*  
*Scott W. Caldwell*

Date: 08:44 AM PST, 02/11/2013

From: Neta Web <web.neta@yahoo.com>

To: store1471@theupsstore.com

Subject: KOUTON REPLY TO EMAIL: WILL NOT NOTARIZED BY NOTARY SUMS OWED APPELLANT

1<sup>ST</sup> Exhibit  
Koutons offers to pay

5 minutes after FAX  
THAT NOTARY IS FAKA  
HIS DAUGHTER IS NOTARY  
NOT MAN WAS SIGNED

--- On Mon, 1/7/13, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: Re: WILL OF IRIS WADSWORTH 1NOT NOTARIZED BY NOTARY  
To: "Peter Kouten" <pkouten@gmail.com>  
Cc: gjmorrisatty@comcast.net  
Date: Monday, January 7, 2013, 6:16 PM

Mr KOUTON

THANK YOU FOR ACKNOWLEDGEING I AM CREDITOR PER WILL HOWEVER THIS MUST BE PAID BEFORE SUNTRUST OR ANYONE IS PAID SINCE IT IS A NONTESTAMENTARY DEBT THAT MUST BE PAID BEFORE TESTEMENTRY DEBTS FURTHER THE CONTRACT I SENT IN 1/2011 EVIDENCES THAT

WILL YOU PLEASE MAKE THE APPROPRIATE MOTION TO RECOOP THE FUNDS THAT WERE PAID TO SUNTRUST AS Mr JENKINS FAILS HIS FUDCITUARY DUTYS TO DO SO IN DEFRENCE TO YOUR APPARENT AUTHORITY & OR ADVICE

I HAVE REFRAINED FROM INSTIGATING UNEEDED LITIGATION AFTER FINDING HOW SUNTRUSTS DOING SO AGAINST ESTATE IS SO COSTLY AND TIME CONSUMEING. I THANK YOU IN ADVANCE FOR YOUR ANTICIPATED COOPERATION

--- On Mon, 1/7/13, Peter Kouten <pkouten@gmail.com> wrote:

From: Peter Kouten <pkouten@gmail.com>  
Subject: Re: WILL OF IRIS WADSWORTH 1NOT NOTARIZED BY NOTARY  
To: "Neta Web" <web.neta@yahoo.com>  
Cc: "Ittriss Jenkins" <ittriss@jenkinlaw1.com>  
Date: Monday, January 7, 2013, 5:45 PM

The will indicates that you are to receive the estate balance as a repayment of a loan. I am drafting closing documents and was planning to file them this week. Once the court receives these, we can distribute to you within 30-60 days.

Please inform Mr Jenkins if this will be satisfactory. Also, please inform him as to how these remaining funds should be handled. It can be put in Mr. Jenkin's account or can be written to you. Please give Mr. Jenkins a proper mailing address as these funds must be signed for first, receipt returned, then mailed certified with your receipt signature necessary.

Peter Kouten

\*

On Mon, Jan 7, 2013 at 12:22 PM, Neta Web <web.neta@yahoo.com> wrote:

I HAVE MADE MOTION REFUSED AFTER I HAD JUST BEEN INFORMED THAT CHRISTIAN SALES NOTARY ON WILL IS A WOMAN NOT THE MAN WHO CLAIMED TO BE HER & HANDED ME THE NOTARY STATEMENT HE SAID TO PUT WITH MY MOTHERS WILL.

ALSO HE SIGNED IT IN HER ABSCEENCE I JUST FOUND OUT PLAEASE MAKE MOTION TO VACATE ESTATE YOU CAN VERIFY HANDWRITEING OF FRAUDLENT NOTARY WITH STATE OF NORTH CAROLINA THE HANDWRITEING IS NOT THAT OF THE NOTARY .

HIS DAUGHTER OR FAMILY MEMBER IS CHRISTIAN SALES APPARENTLY  
PLEASE REPLY ASAP

\* EXHIBIT B

Exhibit A  
REFUSAL TO FILE MOTIONS  
APPEAL ECT

Date: 09:28 AM PST, 02/11/2013

From: Neta Web <web.neta@yahoo.com>

To: store1471@theupsstore.com

Subject: Fw: REFUSAL TO ALLOW APPEAL ECT TO BE FILED BY JUDGE CONDON CLERK

On Sat, 12/8/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>

Subject: REFUSAL TO ALLOW APPEAL ECT TO BE FILED BY JUDGE CONDON CLERK

To: "ups" <store1666@theupsstore.com>

Cc: pkouten@gmail.com

Date: Saturday, December 8, 2012, 6:18 PM

On Fri, 4/13/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>

Subject: Re: APPEAL

To: "Martelle Morrison" <MMorrison@charlestoncounty.org>

Date: Friday, April 13, 2012, 8:35 PM

HE CANNOT BE REACHED I FILED NOTICE OF APPEAL DIRECTLY PLEASE  
CONFIRM RECIEPT

From: Martelle Morrison <MMorrison@charlestoncounty.org>

To: Neta Web <web.neta@yahoo.com>

Sent: Friday, April 13, 2012 3:33 PM

Subject: RE: APPEAL

Mr. Caldwell.

You will have to file your pleadings through Attorney Itriss Jenkins

Martelle

From: Neta Web [mailto:web.neta@yahoo.com]

Sent: Friday, April 13, 2012 3:28 PM

To: Martelle Morrison

Subject: APPEAL

MR MORRISON

PLEASE ACKNOWLEDGE APPEAL AND SEND ME JUDGES ORDER VIA  
EMAIL I CANNOT

AFFORD TO PRINT THE EMAIL CASE FILE I NEED

1)SUNTRUST REPLY TO JENKINGS MOTION

2 JENKINS MOTION

3 ALL ORDERS OF COURT

4 SUNTRUSTS INITAL MOTIONS IN OPPOSITION TO KOUTON MOTION TO  
COMPEL

5AFFIDAVIT OF INDIGENCY APPEAL FILEING COSTS



Date: 08:44 AM PST, 02/11/2013

From: Neta Web <web.neta@yahoo.com>

To: store1471@theupsstore.com

Subject: KOUTON REPLY TO EMAIL: WILL NOT NOTARIZED BY NOTARY SUMS OWED APPELLANT

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To: "Peter Kouten" <pkouten@gmail.com>  
Cc: gjmorrissatty@comcast.net  
Date: Monday, January 7, 2013, 6:16 PM

WILL NOTARY FRAUD

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To: "Neta Web" <web.neta@yahoo.com>  
Cc: "Ittriss Jenkins" <ittriss@jenkinslaw1.com>  
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Peter Kouten

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HIS DAUGHTER OR FAMILY MEMBER IS CHRISTIAN SALES APPARENTLY PLEASE REPLY ASAP

R.EPLY



\* EXHIBIT B

EX A2

Caldwell  
 PLAINTIFF(S)

Estate of Wadsworth  
 DEFENDANT(S)

Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

**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
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

2012 DEC -4 AM 11:37  
 FILED  
 CLERK OF COURTS  
 ARMY  
 COLLEGE

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: Motion Granted; Court Retains Jurisdiction to Sign Formal Order

**ORDER INFORMATION**

This order  ends  does not end the case.

Additional Information for the Clerk: Motion to Dismiss

INFORMATION FOR THE PUBLIC INDEX		
Complete this section below when the judgment affects title to real or personal property, or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order: N/A		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

[Signature]  
 Circuit Court Judge

2117  
 Judge Code

11/27/12  
 Date

Ex B

## JURISDICTION

DECEPANT HAD NO PROPERTY ASSETS NOR HAD MINIMUM  
CONTACT IN S.C. THEREFORE COURT JURISDICTION  
UNOBTAINABLE SCHAEFER/HOINER 925 S.Ct 2569

"Once **jurisdiction is challenged**, the court cannot proceed when it clearly appears that the court lacks jurisdiction, the court has no authority to reach merits, but, rather, should **dismiss the action**." Melo v. US, 505 F2d 1026.

A judgment rendered by a **court without personal jurisdiction** over the **defendant** is void. It is a nullity. [A judgment shown to be void for lack of personal service on the defendant is a nullity.] Sramek v. Sramek; 17 Kan. App. 2d 573, 576-77, 840 P.2d 553 (1992), rev. denied 252 Kan. 1093 (1993).

"Court must **prove on the record**, all jurisdiction facts related to the jurisdiction asserted." Latana v. Hopper, 102 F. 2d 188; Chicago v. New York, 37 F Supp. 150.

"The law provides that once State and Federal **Jurisdiction** has been challenged, it must be **proven**." Main v. Thiboutot, 100 S. Ct. 2502 (1980).

"Jurisdiction can be challenged at any time." and "**Jurisdiction**, once challenged, cannot be assumed and **must be decided**." Basso v. Utah Power & Light Co., 495 F 2d 906, 910.

"**Defense of lack of jurisdiction** over the subject matter **may be raised at any time**, even on appeal." Hill Top Developers v. Holiday Pines Service Corp., 478 So. 2d. 368 (Fla 2nd DCA 1985)

"Once challenged, **jurisdiction** cannot be assumed, it **must be proved** to exist." Stuck v. Medical Examiners, 94 Ca 2d 751. 211 P2d 389.

"There is no discretion to ignore that lack of jurisdiction." Joyce v. US, 474 F2d 215.

"The burden shifts to the **court to prove jurisdiction**." Rosemond v. Lambert, 469 F2d 416.

"A universal principle as old as the law is that a proceedings of a **court without jurisdiction** are a **nullity** and its judgment therein without effect either on person or property." Norwood v. Renfield, 34 C 329; Ex parte Giambonini, 49 P. 732.

"Jurisdiction is fundamental and a judgment rendered **by a court that does not have jurisdiction** to hear is **void ab initio**." In Re Application of Wyatt, 300 P. 132; Re Cavitt, 118 P2d 846.

"Thus, where a judicial tribunal has **no jurisdiction** of the subject matter on which it assumes to act, its **proceedings** are absolutely **void** in the fullest sense of the term." Dillon v. Dillon, 187 P 27.

"A **court has no jurisdiction to determine its own jurisdiction**, for a basic issue in any case before a tribunal is its power to act, and a court must have the authority to decide that question in the first instance." Rescue Army v. Municipal Court of Los Angeles, 171 P2d 8; 331 US 549, 91 L. ed. 1666, 67 S.Ct. 1409.

"A departure by a court from those recognized and established requirements of law, however close apparent adherence to mere form in method of procedure, which has the effect of **depriving one of a constitutional right**, is an **excess of jurisdiction**." Wuest v. Wuest, 127 P2d 934, 937.

"Where a court failed to observe safeguards, it amounts to **denial of due process of law**, court is deprived of juris." Merritt v. Hunter. C A. Kansas 170 F2d 739

No immunity for extra-judicial actions of fraud, deceit and collusion." In *Edwards v. Wiley*, 314 P.2d 284, the court ruled and determined that, "Judicial officers are not liable for erroneous exercise of judicial powers vested in them, but they are not immune from liability when they act wholly in excess of jurisdiction." See also, *Vickery v. Dunnivan*, 279 P.2d 853, (1955). In *Beall v. Reidy*, 457 P.2d 376, the court ruled and determined, "Except by consent of all parties a judge is disqualified to sit in trial of a case if he comes within any of the grounds of disqualification named in the Constitution. In *Taylor v. O'Grady*, 888 F.2d 1189, 7<sup>th</sup> Cir. (1989), the circuit ruled; "Further, the judge has a legal duty to disqualify, even if there is no motion asking for his disqualification." Also, when a lower court has no jurisdiction to enter judgment, the question of jurisdiction may be raised for the first time on appeal. See *DeBaca v. Wilcox*, 68 P. 922. The right to a tribunal free from bias and prejudice is based on the Due Process Clause. Should a judge issue any order after he has been disqualified by law, and if the party has been denied of any of his/her property, then the judge has engaged in the crime of interference with interstate commerce; the judge has acted in his/her personal capacity and not in the judge's judicial capacity. See *U.S. v. Scinto*, 521 F.2d 842 at page 845, 7<sup>th</sup> circuit, 1996. Party can attack subject matter jurisdiction at anytime in the proceeding, even raising jurisdiction for the first time on appeal, *State v. Begay*, 734 P.2d 278. "A prejudiced, biased judge who tries a case deprives a party adversely affected of due process." See *Nelson v. Cox*, 66 N.M. 397.

**There is no time limit when a judgment is void:**

*Precision Eng. V. LPG*, C.A. 1<sup>st</sup> (1992) 953 F.2d 21 at page 22, *Meadows v. Dominican Republic* CA 9<sup>th</sup> (1987) 817 F.2d at page 521, *In re: Center Wholesale, Inc.* C.A. 10<sup>th</sup> (1985) 759 F.2d 1440 at page 1448, *Misco Leasing v. Vaughn* CA 10<sup>th</sup> (1971) 450 F.2d 257, *Taft v. Donellen* C.A. 7<sup>th</sup> (1969) 407 F.2d 807, and *Bookout v. Beck* CA 9<sup>th</sup> (1965) 354 F.2d 823. See also, *Hawkeye Security Ins. V. Porter*, D.C. Ind. 1982, 95 F.R.D. 417, at page 419, *Saggers v. Yellow Freight* D.C. Ga. (1975) 68 F.R.D. 686 at page 690, *J.S. v. Melichar* D.C. Wis. (1972) 56 F.R.D. 49, *Ruddies v. Auburn Spark Plug*. 261 F. Supp. 648, *Garcia v. Garcia*, Utah 1986 712 P.2d 288 at page 290, and *Calasa v. Greenwell*, (1981) 633 P.2d 555 at page 585, 2 Hawaii 395. "Judgment was vacated as void after 30 years in entry," *Crosby. V. Bradstreet*, CA 2<sup>nd</sup> (1963) 312 F.2d 483 cert. denied 83 S.Ct. 1300, 373 US 911, 10 L. Ed. 2.d 412. "Delay of 22 years did not bar relief," *U.S. v. Williams*, D.C. Ark. (1952) 109 F.Supp. 456.

- >A motion to set aside a judgment as **void** for lack of jurisdiction is **not subject to the time limitations** of Rule 60(b). See *Garcia v. Garcia*, 712 P.2d 288 (Utah 1986).
- >A judgment is **void**, and therefore subject to relief under Rule 60(b)(4), only if the court that rendered judgment lacked jurisdiction or in circumstances in which the court's action amounts to a plain usurpation of power constituting a violation of due process. *United States v. Boch Oldsmobile, Inc.*, 909 F.2d 657, 661 (1st Cir. 1990)
- >Where Rule 60(b)(4) is properly invoked on the basis that the underlying judgment is **void**, "relief is not a discretionary matter; it is mandatory." *Orner v. Shalala*, 30 F.3d 1307, 1310 (10th Cir. 1994) (quoting *V.T.A., Inc. v. Airco, Inc.*, 597 F.2d 220, 224 n.8 (10th Cir. 1979)).
- >In order for a judgment to be **void**, there must be some jurisdictional defect in the court's authority to enter the judgment, either because the court lacks personal jurisdiction or because it lacks jurisdiction over the subject matter of the suit. *Puphal v. Puphal*, 105 Idaho 302, 306, 669 P.2d 191, 195 (1983); *Dragotoiu*, 133 Idaho at 647, 991 P.2d at 379.
- >A court may not render a judgment which **transcends the limits of its authority**, and a judgment is **void** if it is beyond the powers granted to the court by the law of i SC ESTATE.

CODE TERRITORIAL APPLICABLE TO ESTATES OF CODE PRECLUDES APPLYING CODE TO UNADSWORTH ESTATE

b2

Tann v. Service Distributors, Inc., D.C.Pa.1972, 56 F.R.D. 593, affirmed 481 F.2d 1399. This rule establishing requirement for granting relief from a final judgment or order is to be given a liberal construction. U. S. v. One 1966 Chevrolet Pickup Truck, E.D.Tex.1972, 56 F.R.D. 459. 7. -- Void judgment clause: Although this rule providing for relief from judgment is not substitute for appeal and finality of judgments ought not be disturbed except on very narrow grounds, liberal construction should be given this rule to the end that **judgments which are void or are vehicles of injustice not be left standing.** Brennan v. Midwestern United Life Ins. Co., C.A.7 (Ind.) 1971, 450 F.2d 999, certiorari denied 92 S.Ct. 957, 405 U.S. 921, 30 L.Ed.2d 792.

A claim for relief from judgment on basis of "any other reason justifying relief from operation of the judgment" is cognizable where there is evidence of extraordinary circumstances or where there is evidence of extreme hardship or injustice, and, once extraordinary circumstances or hardship is found, this rule is to be liberally applied to accomplish justice. U. S. v. McDonald, N.D.Ill.1980, 86 F.R.D. 204.

Attorney's motion for reconsideration on ground that court lacked jurisdiction to order him to pay court reporter could be entertained under rule governing relief from judgment and was not subject to time constraints of rule governing motion to amend judgment. U.S. v. 789 Cases of Latex Surgeon Gloves, C.A.1 (Puerto Rico) 1993, 13 F.3d 12

Void judgments are those rendered by a court which lacked jurisdiction, either of the subject matter or the parties, Wahl v. Round Valley Bank 38 Ariz. 411, 300 P. 955 (1931); Tube City Mining & Milling Co. v. Otterson, 16 Ariz. 305, 146 P. 203 (1914); and Milliken v. Meyer, 311 U.S. 457, 61 S.Ct. 339, 85 L.Ed. 2d 278 (1940).

**A void judgment which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, or an order procured by fraud, can be attacked at any time, in any court, either directly or collaterally, provided that the party is properly before the court, Long v. Shorebank Development Corp., 182 F.3d 548 ( C.A. 7 Ill. 1999).**

A void judgment is one which from the beginning was complete nullity and without any legal effect, Hobbs v. U.S. Office of Personnel Management, 485 F.Supp. 456 (M.D. Fla. 1980). Void judgment is one that, from its inception, is complete nullity and without legal effect, Holstein v. City of Chicago, 803 F.Supp. 205, reconsideration denied 149 F.R.D. 147, affirmed 29 F.3d 1145 (N.D. Ill 1992).

Void judgment is one where court lacked personal or subject matter jurisdiction or entry of order violated due process, U.S.C.A. Const. Amend. 5 – Triad Energy Corp. v. McNell 110 F.R.D. 382 (S.D.N.Y. 1986).

**Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A.; U.S.C.A. Const. Amend. 5 – Klugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985).**

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A void judgment is one which, from its inception, was a complete nullity and without legal effect, Lubben v. Selevtive Service System Local Bd. No. 27, 453 F.2d 645, 14 A.L.R. Fed. 298 (C.A. 1 Mass. 1972).

A void judgment is one which, from its inception, is and forever continues to be absolutely null, without legal efficacy, ineffectual to bind the parties or to support a right, of no legal force and effect whatever, and incapable of enforcement in any manner or to any degree – Loyd v. Director, Dept. of Public Safety, 480 So. 2d 577 (Ala. Civ. App. 1985).

A judgment shown by evidence to be invalid for want of jurisdiction is a void judgment or at

b3

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A void judgment is one which from the beginning was complete nullity and without any legal effect, Hobbs v. U.S. Office of Personnel Management, 485 F.Supp. 456 (M.D. Fla. 1980). Void judgment is one that, from its inception, is complete nullity and without legal effect, Holstein v. City of Chicago, 803 F.Supp. 205, reconsideration denied 149 F.R.D. 147, affirmed 29 F.3d 1145 (N.D. Ill 1992).

Void judgment is one where court lacked personal or subject matter jurisdiction or entry of order violated due process. U.S.C.A. Const. Amend. 5 – Triad Energy Corp. v. McNell 110 F.R.D. 382 (S.D.N.Y. 1986).

Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A.; U.S.C.A. Const. Amend. 5 – Klugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985).

A void judgment is one which, from its inception, was, was a complete nullity and without legal effect, Rubin v. Johns, 109 F.R.D. 174 (D. Virgin Islands 1985).

A void judgment is one which, from its inception, was a complete nullity and without legal effect, Lubben v. Selevtive Service System Local Bd. No. 27, 453 F.2d 645, 14 A.L.R. Fed. 298 (C.A. 1 Mass. 1972).

A void judgment is one which, from its inception, is and forever continues to be absolutely null, without legal efficacy, ineffectual to bind the parties or to support a right, of no legal force and effect whatever, and incapable of enforcement in any manner or to any degree – Loyd v. Director, Dept. of Public Safety, 480 So. 2d 577 (Ala. Civ. App. 1985).

A judgment shown by evidence to be invalid for want of jurisdiction is a void judgment or at

immunity for extra-judicial actions of fraud, deceit and collusion." In *Edwards v. Wiley*, 314 P.2d 284, the court ruled and determined that, "Judicial officers are not liable for erroneous exercise of judicial powers vested in them, but they are not immune from liability when they act wholly in excess of jurisdiction." See also, *Vickery v. Dunnivan*, 279 P.2d 853, (1955). In *Beall v. Reidy*, 457 P.2d 376, the court ruled and determined, "Except by consent of all parties a judge is disqualified to sit in trial of a case if he comes within any of the grounds of disqualification named in the Constitution. In *Taylor v. O'Grady*, 888 F.2d 1189, 7<sup>th</sup> Cir. (1989), the circuit ruled, "Further, the judge has a legal duty to disqualify, even if there is no motion asking for his disqualification." Also, when a lower court has no jurisdiction to enter judgment, the question of jurisdiction may be raised for the first time on appeal. See *DeBaca v. Wilcox*, 68 P. 922. The right to a tribunal free from bias and prejudice is based on the Due Process Clause. Should a judge issue any order after he has been disqualified by law, and if the party has been denied of any of his/her property, then the judge has engaged in the crime of interference with interstate commerce; the judge has acted in his/her personal capacity and not in the judge's judicial capacity. See *U.S. v. Scinto*, 521 F.2d 842 at page 845, 7<sup>th</sup> circuit, 1996. Party can attack subject matter jurisdiction at anytime in the proceeding, even raising jurisdiction for the first time on appeal, *State v. Begay*, 734 P.2d 278: "A prejudiced, biased judge who tries a case deprives a party adversely affected of due process." See *Nelson v. Cox*, 66 N.M. 397.

**There is no time limit when a judgment is void:**

*Precision Eng. V. LPG*, C.A. 1<sup>st</sup> (1992) 953 F.2d 21 at page 22, *Meadows v. Dominican Republic* CA 9<sup>th</sup> (1987) 817 F.2d at page 521, *In re: Center Wholesale, Inc.* C.A. 10<sup>th</sup> (1985) 759 F.2d 1440 at page 1448, *Misco Leasing v. Vaughn* CA 10<sup>th</sup> (1971) 450 F.2d 257, *Taft v. Donellen* C.A. 7<sup>th</sup> (1969) 407 F.2d 807, and *Bookout v. Beck* CA 9<sup>th</sup> (1965) 354 F.2d 823. See also, *Hawkeye Security Ins. V. Porter*, D.C. Ind. 1982, 95 F.R.D. 417, at page 419, *Saggers v. Yellow Freight* D.C. Ga. (1975) 68 F.R.D. 686 at page 690, *J.S. v. Melichar* D.C. Wis. (1972) 56 F.R.D. 49, *Ruddies v. Auburn Spark Plug*. 261 F. Supp. 648, *Garcia v. Garcia*, Utah 1986 712 P.2d 288 at page 290, and *Calasa v. Greenwell*, (1981) 633 P.2d 555 at page 585, 2 Hawaii 395. "Judgment was vacated as void after 30 years in entry," *Crosby. V. Bradstreet*, CA 2<sup>nd</sup> (1963) 312 F.2d 483 cert. denied 83 S.Ct. 1300, 373 US 911, 10 L. Ed. 2.d 412: "Delay of 22 years did not bar relief," *U.S. v. Williams*, D.C. Ark. (1952) 109 F.Supp. 456.

- >A motion to set aside a judgment as **void** for lack of jurisdiction is **not subject to the time limitations** of Rule 60(b). See *Garcia v. Garcia*, 712 P.2d 288 (Utah 1986).
- >A judgment is **void**, and therefore subject to relief under Rule 60(b)(4), only if the court that rendered judgment lacked jurisdiction or in circumstances in which the court's action amounts to a plain usurpation of power constituting a violation of due process. *United States v. Boch Oldsmobile, Inc.*, 909 F.2d 657, 661 (1st Cir. 1990)
- >Where Rule 60(b)(4) is properly invoked on the basis that the underlying judgment is **void**, "relief is not a discretionary matter; it is mandatory." *Orner v. Shalala*, 30 F.3d 1307, 1310 (10th Cir. 1994) (quoting *V.T.A., Inc. v. Airco, Inc.*, 597 F.2d 220, 224 n.8 (10th Cir. 1979)).
- >In order for a judgment to be **void**, there must be some jurisdictional defect in the court's authority to enter the judgment, either because the court lacks personal jurisdiction or because it lacks jurisdiction over the subject matter of the suit. *Puphal v. Puphal*, 105 Idaho 302, 306, 669 P.2d 191, 195 (1983); *Dragotoiu*, 133 Idaho at 647, 991 P.2d at 379.
- >A court may not render a judgment which **transcends the limits of its authority**, and a judgment is **void** if it is beyond the powers granted to the court by the law of *ISC ESTATE*.

CODE TERRITORIAL ADDITIONAL TO ESTATES CODE  
APPLYING CODE TO UNADSWORTH ESTATE CODE PRECLUDES

BS

matter or parties, *Cockerham v. Zikratch*, 619 P.2d 739 (Ariz. 1980).

Void judgments generally fall into two classifications, that is, judgments where there is want of jurisdiction of person or subject matter, and judgments procured through fraud, and such judgments may be attacked directly or collaterally, *Irving v. Rodriguez*, 169 N.E.2d 145, (Ill. app. 2 Dist. 1960). Invalidity need to appear on face of judgment alone that judgment or order may be said to be intrinsically void or void on its face, if lack of jurisdiction appears from the record, *Crockett Oil Co. v. Effie*, 374 S.W.2d 154 ( Mo.App. 1964).

Decision is void on the face of the judgment roll when from four corners of that roll, it may be determined that at least one of three elements of jurisdiction was absent: (1) jurisdiction over parties, (2) jurisdiction over subject matter, or (3) jurisdictional power to pronounce particular judgment hat was rendered, *B & C Investments, Inc. v. F & M Nat. Bank & Trust*, 903 P.2d 339 (Okla. App. Div. 3, 1995). **Void order may be attacked, either directly or collaterally, at any time.** *In re Estate of Steinfeld*, 630 N.E.2d 801, certiorari denied, See also *Steinfeld v. Hoddick*, 513 U.S. 809, (Ill. 1994).

Void order which is one entered by court which lacks jurisdiction over parties or subject matter, or lacks inherent power to enter judgment, or order procured by fraud, can be attacked at any time, in any court, either directly or collaterally, provided that party is properly before court, *People ex rel. Brzica v. Village of Lake Barrington*, 644 N.E.2d 66 (Ill.App. 2 Dist. 1994).

While voidable orders are readily appealable and must be attacked directly, void order may be circumvented by collateral attack or remedied by mandamus, *Sanchez v. Hester*, 911 S.W.2d 173, (Tex.App. - Corpus Christi 1995). Arizona courts give great weight to federal courts' interpretations of Federal Rule of Civil Procedure governing motion for relief from judgment in interpreting identical text of Arizona Rule of Civil Procedure, *Estate of Page v. Litzenburg*, 852 P.2d 128, review denied (Ariz.App. Div. 1, 1998).

**When rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory.** *Orner v. Shalala*, 30 F.3d 1307, (Colo. 1994).

Judgments entered where court lacked either subject matter or personal jurisdiction, or that were otherwise entered in violation of due process of law, must be set aside, *Jaffe and Asher v. Van Brunt*, S.D.N.Y.1994. 158 F.R.D. 278.

A "void" judgment as we all know, grounds no rights, forms no defense to actions taken thereunder, and is vulnerable to any manner of collateral attack (thus here, by).

**No statute of limitations or repose runs on its holdings, the matters thought to be settled thereby are not res judicata, and years later, when the memories may have grown dim and rights long been regarded as vested, any disgruntled litigant may reopen the old wound and once more probe its depths. And it is then as though trial and adjudication had never been.** 10/13/58 *FRITTS v. KRUGH*. SUPREME COURT OF MICHIGAN, 92 N.W.2d 604, 354 Mich. 97.

**On certiorari this Court may not review questions of fact. *Brown v. Blanchard*, 39 Mich 790. It is not at liberty to determine disputed facts (*Hyde v. Nelson*, 11 Mich 353), nor to review the weight of the evidence. *Linn v. Roberts*, 15 Mich 443; *Lynch v. People*, 16 Mich 472. Certiorari is an appropriate remedy to get rid of [{{a void judgment one which there is no evidence to sustain.}}] *Lake Shore & Michigan Southern Railway Co. v. Hunt*, 39 Mich 469.**

In *Stoesel v. American Home*, 362 Sel. 350, and 199 N.E. 798 (1935), the court ruled and determined that, "Under Illinois Law and Federal Law, when any officer of the Court has committed "fraud on the Court", the order and judgment of that court are void and of no legal force and effect." In *Sparks v. Duval County Ranch*, 604 F.2d 976 (1979), the court ruled and determined that, "No immunity exists for co-conspirators of judge. There is no derivative

JENKINS + KOUTON REFUSE TO RAISE JURISDICTION ISSUE  
KNOWING COURT HAD NONE DUE TO NO SC RESIDENCE, PROBITY  
ASSETS NOR SC DEATH WITH IMPUNITY AS JUDGE CONDON RNCV

From: Itriss Jenkins <ittriss@jenkinslaw1.com>  
Subject: Re: JURISDICTION VENUE SCAM PROBATE CONSPIRACY  
To: "Neta Web" <web.neta@yahoo.com>  
Date: Friday, November 9, 2012, 12:51 PM

As I said before, jurisdiction is based on the fact that you submitted yourself to the jurisdiction when you filed. The petitioner cannot challenge jurisdiction only the defendants can. The would be the one who would not file an answer do to the fact that jurisdiction is improper. You are the petitioner. You filed the action and the Court accepted.

*Law Office Of Itriss J. Jenkins*  
*Itriss J. Jenkins Esq.*  
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*Charleston, SC 29401*  
**843-608-3407 Office**  
**866-307-5541 Fax**  
[Ittriss@JenkinsLaw1.com](mailto:Ittriss@JenkinsLaw1.com)

--- On Thu, 11/8/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: Re: JURISDICTION VENUE SCAM PROBATE CONSPIRACY  
To: "Itriss Jenkins" <ittriss@jenkinslaw1.com>  
Date: Thursday, November 8, 2012, 4:24 PM

THEN PLEASE CLARIFY WHAT WAS JURISDICTION BASE UPON? I DO NOT WANT TO BE SAYING UNTRUE THINGS TO YOU

--- On Thu, 11/8/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: Re: JURISDICTION VENUE SCAM PROBATE CONSPIRACY  
To: "Itriss Jenkins" <ittriss@jenkinslaw1.com>  
Cc: pkouten@gmail.com  
Date: Thursday, November 8, 2012, 12:32 PM

I RECALL EXACTLY I AGREE CONDON DID NOT BASE BUT 1/2 HIS DECISION HIS COURT HAD JURISDICTION ON SUNTRUSTS HAVING CHARLESTON BRANCH

YOU SAID TO ME HE SAID SINCE SUNTRUST HAS CHARLESTON BRANCH THE FUNDS COULD BE CONSIDERED HERE ; DEED WAS THE OTHER 1/2 OF JURISDT

YOU SHOULD HAVE RECIVED 6/10 NEW RULES & REGULATIONS VOIDING THE OUTDATED VERSION SUNTRUST FRADUDLEENTLY SAID WAS IN EFFECT AT THE TIME OF COURTS DECISION

IN OTHER WORDS KOUTON & COURT DETERMINED ON OUTDATED RULES NEW 6/10 RULES DID NOT AUTHORIZE ATTORNEY FEES WILL YOU MAKE THE MOTION OR HAVE MINE SUBMITTED? NEW EVIDENCE?

--- On Wed, 11/7/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: Re: JURISDICTION VENUE SCAM PROBATE CONSPIRACY  
To: "Itriss Jenkins" <ittriss@jenkinslaw1.com>  
Date: Wednesday, November 7, 2012, 8:05 PM

Mr JENKINGS, PLEASE ENLIGHTEN ME & REFRESH MY MEMORY ON WHAT DID JUDGE CONDON BASE HIS COURTS JURISDICTION OVER MY MOTHERS ESTATE & FUNDS?

--- On Wed, 11/7/12, Itriss Jenkins <ittriss@jenkinslaw.com> wrote:

From: Itriss Jenkins <ittriss@jenkinslaw1.com>  
Subject: Re: JURISDICTION VENUE SCAM PROBATE CONSPIRACY  
To: "Neta Web" <web.neta@yahoo.com>  
Date: Wednesday, November 7, 2012, 7:20 PM

that is not what he said, and I never joked ge by saying that. Judge Condon did not base his entire decision on th fact that Suntrust had a branch in Charleston. He did say that they could not call the account a North Carolina account since they are a multistate bank and they have branches in Charleston. At the time I told you that, I thoug I was telling you a good thing. You told me about the dee and I told the judge. If you remember at that hearing Suntrust did not want to turn over any money. The whole thing began with Peter's motion to turn the money over to him as PR. one of the bank's arguements was tha Charleston did not have jurisdiction because the account is a NC account

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Exhibit C

Hasty Reply to Suntrust 11/26  
Filed M.D.T. on Dismiss/Oppose Appeal

Not served on Appellant  
Appeal Hearing Date 11/27

copy emailed  
1140am 11/28

-----Original Message-----

From: Neta Web [mailto:web.neta@yahoo.com]

Sent: Tuesday, November 27, 2012 2:16 PM

To: Bonnie Campbell

Cc: gjmorrisatty@comcast.net

Subject: Fw: URGENT HEARING 2:30 JUDGE NICHOLSON RECIVED 11:40am 11/27

STATE OF S.C.CIRCUIT COURT  
CHARLESTON COUNTY

-----x APPEAL FROM ESTATE DIVISION 1841-2010

-----x  
ESTATE OF IRIS WADSWORTH

> > -----x

RE

SUNTRUST ADMISSIONS

> >

NOW COMES APPELLANT AND SHOWS THE COURT APPELLANT NOT SERVED TILL 11:40 VIA  
EMAIL BY AD LITEM VIA 1PM HEARING DENYING DUE PROCESS. ALL JUDGE CONDONS ORDERS  
VOID

"VOID JUDGEMENT IS ONE WHERE COURT LACKED JURISDICTION OR ENTRY OF ORDER  
VIOLATED DUE PROCESS" TRIAD110FRD382(SDNY)KLUGH620F.SpP892

SUNTRUSTS PLEADING PROVES

1 NO JURISDICTION FACT STATED PAGE 4 LINE 4:

"... COURT NOTED THAT SUNTRUST HAS BRANCHES IN CHARLESTON COUNTY &  
THEREFORE THE ASSETS CONTAINED IN THE IRIS WADSWORTH ACCOUNT COULD BE  
VIEWED AS BEING LOCATED IN CHARLESTON... CONCLUDED COURT WILL MAINTAIN  
JURISDICTION..." (ADLITEM DENIED THIS IS BASIS OF JURISDICTION SEE

EXHIBIT IN OPPOSITION TO DISMISSAL OF APPEAL)

THE COURT NEEDS TO GO NO FURTHER THAN THIS PROVEN & ONLY (& FRIVILIOUS)  
BASIS OF JUDGE CONDONS "JURISDICTION" TO PROBATE NONRESIDENT NON ASSET  
NON PROPERTY OWNERS DECEDANTS ESTATE TO VACATE VOID ORDERS

APPELLANT HAD NO CHOICE BUT TO DEMAND COURT REFUND THE ESTATE FUNDS  
PAID TO SUNTRUST FOR LEGAL FEES AFTER COURT MADE A JUDICIAL "DETERMINATION"  
OF WHAT COURT STATED "BANKING CONTRACT...

ACCOUNT AGREEMENT CLAIM" WHICH

COURT HAD NO SUBJECT MATTER JURISDICTION TO "DETERMINE"

SUNTRUST HAD TO BE SERVED APPELLANTS MOTIONS TO COURT HAVING BEEN  
ILLGALLY MADE A PARTY TO ESTATE IN VIOLATION OF SC CODE & FEDERAL LAWS LIMITING  
TO THOSE WITH A PECUNIARY INTEREST IN ESTATE.

UNCONSTITUTIONALLY VAGUE DEFINITION OF INTERESTED PERSONS "MAY VARY FROM  
TIME TO TIME..." ALLOWED JUDGE CONDON TO ADD SUNTRUST AS A INTERESTED  
PERSON DUE TO SUNTRUSTS ACTS & CLAIMS & LITIGATION AGAINST ESTATE & HEIR &  
FOR LEGAL FEES NOT OWED BY DECEDANT (NEW EVIDENCE FOUND SUNTRUST  
SUBMITTED EXPIRED 6/10 ACCOUNT AGREEMENT RULES FOR COURT TO PAY NEW  
RULES NOR PRIOR DID NOT AUTHORIZE PAYMENT OF LEGAL FEES DUE TO

SUNTRUSTS REFUSAL TO PAY FUNDS TO ESTATE!!!!!!!!!!!!)

SUNTRUST BY S.C. CODE

WAS REQUIRED TO PAY DECEDANTS ESTATE FUNDS &  
NOT CHALLENGE ESTATE REPS AUTHORITY NOR COURTS JURISDICTION NOR DEMAND ORDERS  
"RELIEF FROM LIABILITY" WHICH RELEASE IS STANDARD IF IT HAD COMPLIED HAVING NO  
STANDING TO DO SO.

SUNTRUST SUGGESTS APPELLANT WAS NOT COMPETENT IN HIS OFFICIAL CAPACITY AS  
PERSONAL REP TO BE PAID ESTATE FUNDS BUT THEN REFUSED TO PAY SPECIAL  
ADMINISTRATOR PETER KOUTON ALSO 1/1911 TILL ORDERED 3/25/12

SUNTRUST MENTIONS 2 CHECKS WRITTEN BY DECEDANT TO APPELLANT "HAD TO  
BE INVESTIGATED" THOSE CHECKS ONE TO

ETRADE & 1 TO AMERITRADE IN CASE ETRADE DID NOT HONOR PROMOTIONAL 30 DAY  
FREE TRADING OFFER TO NEW CUSTOMERS (APPELLANT WAS OLD CUSTOMER) WERE  
PRESENTED & DENIED BY SUNTRUST 10/10 & HAD NOTHING TO DO WITH THE FEES PAID &  
ESTATE & A LAWSUIT IS PENDING DUE TO DENIAL

>  
 >  
 SUNTRUST ATTEMPTS TO MISLEAD COURT WITH FALSE STATEMENTS  
 > WHICH APPELLANT WILL REFUTE & NO EVIDENCE PRESENTED IN SUPPORT  
 > SUNTRUST ADMITS: 1st) 1/19/11 PETER KOUTON WAS APPOINTED SPECIAL  
 > ADMINISTRATOR  
 > FACT : SUNTRUST REFUSED TO TURN ESTATE FUNDS OVER TO SP ADMN  
 > KOUTON 2 MONTHS!!!! 1/19 TILL ORDER 3/25/11 >  
 MOTION TO COMPEL 1st HEARD 2/16 (ADJOURNED TO 3/16) AS COURT  
 > STATED: KOUTON COULD NOT REPRESENT ME "DESTITUTE IN FL" APPOINTED  
 > ADLITEM JENKINS SUNTRUST WITH NO INTREST/STANDING IN ESTATE CONTINUED  
 > 1/23/10-3/25/12 REFUSED 2 SC ESTATE ORDERS IT PAY FUNDS TO ESTATE REP  
 > & KOUTON CHALLENGEING JURISDICTION WITHOUT STANDING UNLAWFUL INTERFEARANCE  
 CASUEING LAW FEES & DEMANDED ORDER RELEASEING IT FROM  
 LIABILITY IF IT PAID  
 FUNDS & FOR LAW FEES UNOWED  
 > 1B) SUNTRUST 2) I DID NOT AS SUNTRUST DELIBERETLY UNSPECIFIED &  
 VAGUELY CLAIMS  
 "RAISE CERTAIN QUESTIIONS CONCERNING... ABILITY TO HANDLE OR DEAL WITH  
 > MS WADSWORTHS ACCOUNT"  
 FACT: I WAS REMOVED 1/19/11 AND STILL SUNTRUST CONTINUED ILLEGAL ACTS OF  
 REFUSEING TO COMPLY WITH SC ESTATE CODE & SPECIAL ADMN DEMANDS IT PAY OWED  
 FUNDS & UNREASONABLY & UNLAWFULLY WITH NO LEGAL NOR CONTRACT RIGHT TO DO SO  
 3) SUNTRUST FALSELY CLAIMS UNSUPPORTED & WITH NO EVIDENCE  
 A) "FAILED TO TIMELY COMPLY FILEING APPEAL"  
 FACT: ADLITEM DID NOT RECIVE 4/28 &  
 5/15/12 ORDERS TILL 6/20/12 "I HAVENT SEEN IT YET" (:ADLITEM) I DID NOT GET IT  
 TILL 6/23 FILED NOTICE OF APPEAL ON ALL PARTYS & LOWER COURT > WITHIN 3 DAYS (ON  
 6/25) OF  
 HAVING RECIVED IT 6/23 A AFFIDAVIT OF INDIGENCY WAS SUBMITTED STATEING NO  
 INCOME OR CLERK BONNIE HELD APPEAL STAMPED  
 > RECIVED (SEE EXHIBIT IN OPPOSITION TO DISMISSAL) BUT FAILED TO RECORD  
 > FILE IT TILL JULY 31 APPELLANT WAS ASKED TO SUBMIT ADDITIONAL AFFIDAVIT HE  
 HAD NO INCOME BUT THAT WAS INCLUDED IN ORIGIONAL AFFIDAVIT OF INDIGENCY A  
 UNNECESSARY DELAY IN FILEING APPEAL ALTHOUGH STAMPED RECIVED 6/25 WITHIN DAYS  
 OF SERVICE OF VOID ORDERS 2 ON  
 > APPELLANT ON 6/23/12  
 > B) "APPELLANT SUBMITTED A DEED TO THIS COURT TO SHOW DECEDANT  
 > OWNED PROPERTY IN SC" F A L S E  
 > FACT: I DID NOT FILE ANY DEED ADLITEM ONLY WAIVED UNFILED DEED ON  
 > 3/16 AFTER 1/22 REJECTION AS VOID BY RMC (DEED LOST DID NOT CONVEY) WAIVEING  
 IN THE AIR A VOID DEED JUDGE NEVER SAW IS INCOMPETENT EVIDENCE AS SUNTRUST  
 KNOWS THE FACTS  
 NO EVIDENCE DECEDANT OWNED IN SC BRIEF: "# C) 'APPELLANT DID NOT OBTAIN  
 APPROVAL OF ADLITEM" FRIVOLOUS & INCOMPETENT CLAIM AS ADLITEM STATED "I DO NOT  
 DO APPEALS AND EMAILED "GOOD LUCK" FURTHER ORDER IS STAYED & APPEALED WHICH  
 MADE SAID UNCONSTITUTIONAL IMPEDIMENT TO APPEAL ALSO ADLITEM REFUSES TO RAISE  
 ISSUES OF NO JURISDICTION FOR COURT TO PAY HIS &  
 > SUNTRUSTS FEES FURTHER ADLITEM INEFFECTIVELY ASSISTS APPELLANT AND  
 > DELAYS & OBSTRUCTS TIMELY NOTICE OF HEARINGS & CETERA & REFUSES TO  
 > GIVE COPS OF ORDERS & MOTIONS AS DOES JUDGES COURT CLERK & ASSISTANT IN  
 > SUMMARY SUNTRUST HAS NO LEGAL STANDING TO OPPOSE ESTATE NOR TO OPPOSE THE  
 APPEAL OF JUDGE CONDONS ORDERS IT IS NOT A LEGAL PARTY OF INTREST  
 > AND HAD NO RIGHT TO ASK COURT TO MAKE LEGAL ADVESARY DETERMINATION RE  
 > LAW FEES AGAINST ESTATE DID NOT FILE A PETITION  
 AGAINST ESTATE NOR IN  
 > CIRCUIT COURT PROPRER VENUE FOR ADVEASRTY PETITIONS IN CONCLUSION SUNTRUST  
 FAILED TO SERVE THEIR LATEST BRIEF AGAINST APPEAL ON APPELLANT SERVING ADLITEM  
 WHO HAS NOTHING TO DO WITH APPEAL 11/26 I ONLY RECIVED COPY 11:40 AND SUNTRUST  
 HAS NO RIGHT TO DO AS IT DID NOR TO BE PAID FOR IT TAKING FUNDS OWED HEIR  
 \$120,000.00 PER WILL HEIR IS ONLY CREDITOR REFUSED BY KOUTON WHO SAID "WE ARE  
 GOING TO PLAY 3 CARD MONTY WITH YOUR MONEY" (HOUSE INSPECTOR TURNED ATTY 2 YEARS A

Exhibit D

Lower Court  
1st Brief

(Amended Brief will be  
Forwarded Lost)

Getting copy from Court

Date: 07:32 AM PST, 02/11/2013  
From: Neta Web <web.neta@yahoo.com>  
To: store1471@theupsstore.com  
Subject: Fw: APPEAL CITATIONS AGGRIVED REFERS TO>>.

From: Neta Web <web.neta@yahoo.com>  
Subject: BRIEF APPEAL PLEASE FORWARD TO SUNTRUST ASAP THANK YOU  
To: staff4761@theupsstore.com  
Cc: pkouten@gmail.com  
Date: Wednesday, September 19, 2012, 8:24 PM

STATE OF SOUTH CAROLINA  
11 CIRCUIT COURT CHARLESTON -----  
-----x 12 4976

EMMETT W CALDWELL appellant BRIEF OF APPEAL  
in lower ct

case# 10 1841  
ESTATE OF IRIS WADSWORTH NOJURY SUMMARY JUDGEMENT.

-----x

NOW COMES APPELLANT AND SHOWS THIS COURT FOLLOWING IS TRUE UNDER LAWS PERSONALLY KNOWN TO AFFIANT THE ENTIRE RECORD IN LOWER COURT IS TH  
1) IT IS UNDISPUTED NO SUNTRUST WITNESS GAVE TESTIMONY IN SUPPORT OF COURTS FINDINGS IN ORDERS OF 2011 NOR AT RECONSIDERATION HEARING OF 4 12  
1a) LOWER COURT HAD & HAS NO VENUE 62-2-1303 NO JURISDICTION 62-21302 OVER SUBJECT MATTER ESTATE & SUNTRUST "CONTRACT DISPUTE" (FOR LEGAL FEES) PER SC CODE DECEDANT DID NOT LIVE, DIE NOR OWN PROPERTY OR ASSETS IN S.C.  
1B \*S.C. ESTATE CODE & TERRITORIAL APPLICATION LIMITS JURISDICTION & VENUE TO DECEDANTS WHO LIVED, DIED OR HAD ASSETS OR PROPERTY IN S.C. DECEDANT DID NOT; ORDERS ARE VOID NO EVIDENCE IN RECORD ESTATE SUBJECT TO SC CODES RECORD AFFIDAVIT" ESTATE OPENED IN ERROR "IGNORED IN BIAS  
1C APPELLANT OPENED ESTATE IN ERROR PER UNFILED DEED FROM DECEDANT TO DECEDANT ADVISED IT WOULD GIVE JURISDICTION; RMC REJECTED SAID DEED AS VOID & KOUTON'S RECORD SEARCH 1/11 PROVED DECEDANT OWNED NO SC PROPERTY!  
1D) DECEDANT DID NOT LIVE, DIE OR OWN S.C. ASSETS/PROPERTY  
2 \*RMC REJECTED DEED 1/22/11 SPECIAL ADMINISTRATOR KOUTON WAS ASKED TO INFORM COURT & MOTION & TO VACATE ESTATE & FAILED TO DO SO & AD LITEM JENKIN WAIVED UNFILED DEED COPY 20 FEET IN AIR AWAY FROM JUDGE IRVIN CONDON AS EVIDENCE: "VENUE & JURISDICTION" & JUDGE ACCEPTED BY 20 FT AWAY GLANCE UNREAD DEED IN ERRIGIOUS DERELICTION OF DUTY & S.C. CODE  
2a KOUTON AGREED TO TRANSFER JURISDICTION IN MAY 2011  
EXa) EMAIL THEN REFUSED (MOTION APPEALED RASIED FACT)  
2b) ALL SC STATUES RELIED ON TO PROBATE ESTATE OVER OBJECTIONS OF HEIR ARE UNCONSTITUTIONAL DENYING DUE PROCESS (RULE 65 ALLOWING EMERGENCY NO HEARING ORDERS VAGUE IN FAILING TO & REQUIRE DEFINEING EMERGENCY JUD. CONDON ERRED BY NOT STATEING IMMEDIATE & IRREPARABLE INJURY LOSS/DAMAGE BASIS FOR NO HEARING SUESPONA APPOINTMENT OF KOUTON & JENKINS BILLING ESTATE & \$30,000.00 NEEDLESSLY & VIOLATEING PLAINTIFFS DUE PROCESS & JUDICIAL REVIEW. RIGHT SLOAN v SC 370 SC 452; 6362d598 B) STATUE OF EVIDENCE VAGUE ALLOWING JUD. CONDON TO REPETE "NC AFFIDAVIT "LIES OF SUNTRUST "HE MADE 2 SCENES AT SUNTRUST". (GALLOPOLLI). "TRIED TO ACCESS ACCOUNT IN S.C." (D HALE) "CONFRONTED BANK EMPLOYEES & DEMANDED FUNDS WITH NO RIGHT TO DO SO"... "MADE SCENE

AT COURTHOUSE"...HAD RUN IN WITH COURTHOUSE SECURITY":  
J. CONDON( LIE) DENIED DUE PROCESS TO REBUTTAL ACCUSER  
BY DENIAL OF PHONE HEARING ATTENDANCE OF HEIR.AS A BASIS  
TO APPOINT AD LITEM & KOUTON& TO DENY/RESTRICT FUNDS  
WITHOUT ANY BASIS IN TRUTH OR FACT:FICTICIOUS FABRICATIONS  
3)A COURT CANT AWARD LEGAL FEES TO NON INTREST PARTY &  
NO STANDING NON CREDITOR NOT OWED AT TIME OF DEATH FOR  
REFUSEING OBEY ESTATE COURT&2 SEPRATE REPS ORDERS TO  
PAY FUNDS OWED TO ESTATE PER "SOCIAL SECURITY OVERPAID LIE"  
3a)SUNTRUST HAD NO RIGHT OF CLAIM/INTREST NO RIGHT TO OPPOSE  
ESTATE REPS DEMANDS ATTACK HEIR HEIR& ESTATE VENUE ECT  
BASED ON"BANK CONTRACT"(FAILS TO SPECIFY RIGHT) OR S.C.CODE  
3B)SUNTRUST CLAIMED SOCIAL SECURITY OVERPAID(LIE) & WAS LIBAL  
IF IT TURNED OVER FUNDS TO ESTATE SO IT WAS DEMANDING A COURT  
TO BE PAID FOR BY ESTAE BEFORE IT WOULD COMPLY WITH PRIOR  
ORDERS OF COURT ORDER TO RELEASE FUNDS TO PER.REP & THEN  
TO SPECIAL ADMN KOUTON WHICH IT REFUSED TO DO REPETEDLY  
FAILED TO PROVE" TREASURY DEPT WAS OWED " CLAIMED FALSELY  
HAD 120DAYS 10/1/10 TO HEARING 3/11 TO VERIFY LIE&PLED IT 3/11  
3C)SUNTRUST CLAIMED HEIR MADE ALLEGATIONS AGAINST SUNTRUST  
ET AL BUT FAILED TO SPECIFY NOR OPPOSE ANY&WITHDREW OPPOS  
ITION&BRIEF AGAINST CLAIMED OFFENSIVE MOTION TO COMPEL ECT.&  
EXCUSES FOR ENTERING LITIGATION WERE ALL FALSE&OR UNPROVEN  
SUNTRUST HAD NO LAWFUL RIGHT TO REFUSE TO PAY FUNDS&LITIGATE  
4)THE LEGAL CASES & ARGUEMENTS IN APPELLANTS OPPOSITION TO  
KOUTONS MOTION TO RECONSIDER,& OPP TO INDIGENANT STATUS &  
IN ISSUES ON APPEAL IS RESTATED& INCORP. HEREIN BY REFRENCE  
5)SUNTRUST FALSELY NO EVIDENCE OR PROOF CLAIMED IT WAS AGG  
RIVED PARTY:"LIBAL FOR"OVERPAID SOCIAL SECURITY BENEFITS"  
AS A SPECULATIVE BASIS TO OPPOSE PAYING ESTATE& INTERFERE  
6)SUNTRUST DEMANDED COURT ORDER IT TO PAY FUNDS TO ESTATE,  
NEVER WAS AGGRIVED PARTY HADNO INTREST RIGHTS,HAD NO RIGHT  
NOR PRETEXT NOR CONTRACT TO CAUSE MOTIONS TO COMPEL & OR  
ARGUE AGAINST ESTATES JURISDICTION & ACCUSE HEIR REPETEDLY  
REQUIREING HEIR & ESTATE TO INCURR LAW FEES & TO APPEAL  
SUNTRUST CLAIMED IT" MAY BE OWED LEGAL FEES"PER R& REGL.  
FOR NOT PAYING FUNDS TO ESTATE(& LITGAGEN AGAINST IT& HEIR).  
7)JUDGE CLAIMED INERROR" FUNDS DEPOSITED IN SUNTRUST WERE  
AVAILABLE FOR WITHDRAWAL IN S.C."DECEDANTS HAD S.C.ASSETS"  
THAT WOULD GIVE EVERY STATE IN UNION & CANADA JURISDICTION  
A EXCEEDINGLY UNREASONABLE FALSE BASIS OF JURISDICTION  
8)SUNTRUST BRAGGED IN REPORT (OPP TO DEMAND IT RETURN&  
PAY ESTATE& HEIRS LEGAL FEES"THE BENEFICAL RESULT OF SUN  
TRUSTS INTERVENION (FORBIDEN BY SC CODE ECT)IN ESTATE WAS  
APPOINTMENT OF 2 COURT REPRESENTATIVES(KOUTEN& JENKIN)"  
9)SAID BOAST GAVE APPEARANCE OF BIAS&INFLUNCEING COURT  
10)SUNTRUSTS INTERVENTION COST ESTATE \$50,000.00IN LEGAL  
FEES TO OPPOSE SUNTRUST UNPROVEN SPECULATIVE CLAIMS  
& CONTEST UNOPPOSED("TOO COSTLY")BY COURT & KOUTON  
SUNTRUST CLAIM "RULES& REGULATIONS &ACCOUNT AGREE  
MENT STATE ESTATE MUST PAY ITS LEGAL FEES IN DISPUTE  
A ESTATE REPS COURT ORDER IT RELEASE FUNDS TO ESTATE  
IS NOT A DISPUTE SUNTRUST WANTED TO DISPUTE JURISDICTION  
&DEMAND ESTATE COURT RELIEF "A RELEASE "IT WOULD HAVE  
BEEN GIVEN IF IT COMPLIED 1ST&2ND&WANTED TO ACCUSE HEIR  
PREVENT HIM FROM ACTING AS PERSONAL ESTATE REP&BRAG  
GED OF HAVING"HAD BENEFICAL EFFECT OF APPOINTING"KOUTON  
SPECIAL ADMN WHO IT ALSO REFUSED TO DEAL WITH UNTIL IT WA  
S GRANTED THE ORDER IT SUED FOR&DEMANDED SHOULD PAYFOR  
SUNTRUST CANNOT BE GIVEN STANDING AFTER NONE INATIALLY  
KOUTON REFUSED WILL DICTATE(AFTER FORCEING PROBATE IN  
BAD FAITH KNOWING AFOREMENTIONED OR SHOULD HAVE)KNOWN  
DUTY TO PAY NONTESTAMENTARY \$120,000.00 TO HEIR SO HE &

ETAL COULD BE PAID & VIOLATEING CONTRACT(EX B)&TRUST DEED  
EX(C)UNPAID WITH IMPUNITY BY BIASED JUDGE REFUSEING TO REM  
OVE HIMSELF AFTER REPETED APPEARANCE&EVIDENCES OF BIAS  
#1 BIAS IN REMOVEING HEIR AS PER REP(RECORD DID NOT SHOW  
FINDING CLAIMED IN ORDER 1/16/11"IRECORD INDICATES ..INCAPA  
BLE OF PERFORMING FUDICITARY DUTYS"(JENKINS DISAGREED)  
#2)2 EMERGENCY APPOINTMENTS WITH NO EVIDENCE OF EMER  
GENCY NOR COMPETENT GROUNDS FOR ORDERS1/16/11&2/ /11  
#3)CONTINUEING MOTION HEARING FOR SUNTRUSTsUNEXPLAINED  
NO SHOW ADLITS MOTION DEMAND FOR FEES& RETURN FEES  
UNLAWFULLY PAID 11/11 WHILE IN BIAS SIMUTANEOUSLY DISMISS  
ING NO SHOW HEIRS MOTIONS& PLEADINGS AT THE SAME TIME  
INCLUDEING MOTION FOR RECLUSAL FOR BIAS PRIOR TO 11/ /11  
#4)OBSCENE ERROR OF ADDING IN RECONSIDERATION ORDERS  
NOT PRIOR ASSERTED FINDINGS AGAINST HEIRS "CAPACITY"&  
"NEED FOR MENTAL HEALTH SERVICES"IN DENIAL OF ADLITS  
MOTION AND IN SEPRATEM ORDER DENYING HEIRS MOTIONS  
AND PLEADINGS INVESTITUDE OF SLAVERY & SET UP FOR  
DENYING HEIR FUNDS AS KOUTON CLAIMED THE ORDER  
APPOINTING KOUTON QUESTIONED HEIR "PSYCHATRIC  
ABILITY TO HANDLE MONEY REQUIREING PSYCHATRIC EXAM  
THAT KOUTON SAID HE WOULD"ARRANGE"  
#5 BIAS IN REFUSEING TRANSCRIPTS FOR APPEAL TO SHOW  
THERE WAS NO TESTIMONY IN SUPPORT OF ANYORDERS  
FIDINGS ONLY UNREFUTABLE RUMOR&AFFIDAVITS OF SUN  
TRUST ...USED BY JUDGE TO FABRICATE DELUSIONAL SCENE  
HE CONFRONTED BANK EMPLOYEES DEMANDING FUNDS HE  
HAD NO RIGHT TO(sic)ENOUGH BIASLIES TO MAKE A VICTIM PUKE  
#6 ERROR FINDING IN ORDER 5/15"TOO COSTLY TO OPPOSE SUNTRUST  
DEMAND FOR LEGAL FEES"IT WOULD HAVE COST KOUTON ZERO TO  
7)JUDGE CONDONS ORDERS ERREGIOUS "EMERGENCY APPOINT  
MENT ORDERS OF KOUTON & KONDON DENIED DUE PROCESS&  
FAILED TO STATE THE INNAMENT IRREPARABLE DAMAGERule65  
VILATED 5TH AMMENDMENT"NO PERSON SHAL BE DEPRIVED OF  
(LIBERTY INTREST)PROPERTY WITHOUT DUE PROCESS..."REQUIRE  
ADEQUATE NOTICE TO BE HEARD(EVEN IF BY PHONE HEARING)  
DISPUTE EVIDENCE&WITTNESSES&CROSS EXAMINESLOANvSC  
370SC452;636SE2D598 NO EXPARTE ORDER DEFINED INJURY OR  
STATED WHY IRREPARABLE& WHY GRANTED WITHOUT NOTICE  
LEAVING ORDER VOID LACKING DUE PROCESS REQUIRED FINDINGS  
11) CONTINUANCE 3/11 TIL 5/15/12 ORDER ADRESSING ISSUES COST  
ESTATE \$50,000.00 WHICH JUDGE NOT ESTATE NOR HEIR SHOULD  
PAY.& ESTATE SHOULD NOT PAY HEIRS AD LITEM FEES HEIR  
FORCED TO USE AD LITEM WHEN PERFECTLY CAPABLE OF  
SUMMITTING MOTIONS ON ISSUES IF COURT WOULD ALLOW OUT  
OF STATE PHONE HEARING & OR TESTIMONY AS PLED FOR!  
12) ORDER APPOINTING AD LITEM WAS VOID& DEFICENT  
JUDGE CONDON FAILED TO ESTABLISH LAWFUL GROUNDS FOR  
EMERGENCY ORDERS APPOINTING COURT REPRESENTATIVES  
"ON INFO AND BELIEF A' REPORT 'FILED(FAILING TO SAY 'REPORT'  
WAS HEIRS MOTIONS & LETTER TO COURT RE HARASSMENT  
OF BAG SEARCH LEFT OUTSIDE IN STREET(UNLAWFUL SEARCH)  
13)COURT REFUSED TO RECLUSE ITSELF ALTHOUGH BIAS WAS  
SHOWN IN REMOVEING HEIR WTHOUT CAUSE2 REFUSEING TO  
ACKNOWLEDGE COURT HAD NO JURISDICTION  
13A)SUNTRUST WITHDREW ITS BRIEF IN OPPOSITION TO APPELL  
ANTS MOTION TO COMPEL & ALL "REPUTATIONAL INTREST "CLAI  
MS FOR LITIGATEING& OR LAW FEES 2/11&REPLID TO KOUTONS  
THEREAFTER WAS A NON PARTY IN NON COMPLIANCE WITH LAWFUL  
ESTATE ORDER SEEKING TO INTERFERE WITHOUT JUSTIFICATION NOR  
RIGHT UNDER SC PROBATE LAWS INJURIOUSLY CAUSEING LAW FEES  
SEE JUDGE CASTLES ORDER IN PRECISION ACQUSITION v BANK of A.  
13B) SUNTRUST NEVER HAD STANDING PER SUPREME COURT(SUMMER

Date: 08:08 AM PST, 02/11/2013  
From: Neta Web <web.neta@yahoo.com>  
To: store1471@theupsstore.com  
Subject: Fw: JURISDICTION EMAIL JENKINS SUNTRUST BRANCH IN CHARLESTON

Exhibit E  
AD LIT ADMITS JURISDICTION  
BASED ON

SUNTRUST HAVING CHARLESTON  
BRANCH & VOID INVALID DEED

--- On Sat, 2/9/13, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: JURISDICTION EMAIL JENKINS SUNTRUST BRANCH IN CHARLESTON  
To: "e c" <web.neta@yahoo.com>  
Date: Saturday, February 9, 2013, 5:12 PM

--- On Thu, 11/8/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: Re: JURISDICTION VENUE SCAM PROBATE CONSPIRACY  
To: "Ittriss Jenkins" <ittriss@jenkinslaw1.com>  
Cc: pkouten@gmail.com  
Date: Thursday, November 8, 2012, 5:32 PM

I RECALL EXACTLY I AGREE CONDON DID NOT BASE BUT 1/2 HIS DECISION HIS COURT HAD JURISDICTION ON SUNTRUSTS HAVING CHARLESTON BRANCH

YOU SAID TO ME HE SAID SINCE SUNTRUST HAS CHARLESTON BRANCH THE FUNDS COULD BE CONSIDERED HERE ; DEED WAS THE OTHER 1/2 OF JURISDT.

YOU SHOULD HAVE RECIVED 6/10 NEW RULES & REGULATIONS VOIDING THE OUTDATED VERSION SUNTRUST FRADUDLEENTLY SAID WAS IN EFFECT AT THE TIME OF COURTS DECISION

IN OTHER WORDS KOUTON & COURT DETERMINED ON OUTDATED RULES NEW 6/10 RULES DID NOT AUTHORIZE ATTORNEY FEES WILL YOU MAKE THE MOTION OR HAVE MINE SUBMITTED? NEW EVIDENCE?

--- On Wed, 11/7/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: Re: JURISDICTION VENUE SCAM PROBATE CONSPIRACY  
To: "Ittriss Jenkins" <ittriss@jenkinslaw1.com>  
Date: Wednesday, November 7, 2012, 8:05 PM

Mr JENKINGS, PLEASE ENLIGHTEN ME & REFRESH MY MEMORY ON WHAT DID JUDGE CONDON BASE HIS COURTS JURISDICTION OVER MY MOTHERS ESTATE & FUNDS?

--- On Wed, 11/7/12, Ittriss Jenkins <ittriss@jenkinslaw1.com> wrote:

From: Ittriss Jenkins <ittriss@jenkinslaw1.com>  
Subject: Re: JURISDICTION VENUE SCAM PROBATE CONSPIRACY  
To: "Neta Web" <web.neta@yahoo.com>  
Date: Wednesday, November 7, 2012, 7:20 PM

that is not what he said, and I never joked ge by saying that. Judge Condon did not base his entire decision on the fact that Suntrust had a branch in Charleston. He did say that they could not call the account a North Carolina account since they are a multistate bank and they have branches in Charleston. At the time I told you that, I thought I was telling you a good thing.

SUN MOTION DISMISS

EXHIBIT F RECEIVED

JUDGE HEARD MOTION

MOTION OF SUNTRUST  
2/10/12 before

UNSERVED FAXED

PARTIAL OPPOSITION

--- On Wed, 11/28/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>

Subject: RE: URGENT HEARING 2:30 JUDGE NICHOLSON RECEIVED 11:40am 11/27

To: "Bonnie Campbell" <BCampbell@charlestoncounty.org>

Date: Wednesday, November 28, 2012, 10:15 PM

DEAR MS CAMPBELL I JUST AT 11:40 RECIVED SUNTRUST OPPOSITION TO APPEAL TO BE HEARD TODAY THIS IS ILLEGAL CAN YOU PLEASE FORWARD THIS EMAIL TO HIS LAW CLERK AND GET ME HIS EMAIL # THANK YOU HIS LAW CLERK

HON JUDGE

PLEASE INCLUDE IN YOUR ORDER THE SPECIFICS I DID COMPLY WITH FILEING ON TIME APPEAL OTHER ISSUE WAS IF ESTOPPED BY JUDGES ORDER REQUIREING AD LITEM CLEARLY NO JURISDICTION OF THE COURT LOWER COURT WAS A APPEALABLE ISSUE INTERLACTORY

--- On Tue, 11/27/12, Bonnie Campbell <BCampbell@charlestoncounty.org> wrote:

From: Bonnie Campbell <BCampbell@charlestoncounty.org>

Subject: RE: URGENT HEARING 2:30 JUDGE NICHOLSON RECEIVED 11:40am 11/27

To: "Neta Web" <web.neta@yahoo.com>

Date: Tuesday, November 27, 2012, 7:19 PM

I can mark these received and stick them in the file but can't "file stamp" them.

Bonnie Campbell  
Court Management Supervisor  
100 Broad Street, Ste. 106  
Charleston, SC 29401

Exhibit G  
REFUSAL TO FILE MOTIONS  
APPEAL ECT

Date: 09:28 AM PST, 02/11/2013  
From: Neta Web <web.neta@yahoo.com>  
To: store1471@theupsstore.com  
Subject: Fw: REFUSAL TO ALLOW APPEAL ECT TO BE FILED BY JUDGE CONDON CLERK

--- On Sat, 12/8/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: REFUSAL TO ALLOW APPEAL ECT TO BE FILED BY JUDGE CONDON CLERK  
To: "ups" <store1666@theupsstore.com>  
Cc: pkouten@gmail.com  
Date: Saturday, December 8, 2012, 6:18 PM

--- On Fri, 4/13/12, Neta Web <web.neta@yahoo.com> wrote:

From: Neta Web <web.neta@yahoo.com>  
Subject: Re: APPEAL  
To: "Martelle Morrison" <MMorrison@charlestoncounty.org>  
Date: Friday, April 13, 2012, 8:35 PM

HE CANNOT BE REACHED I FILED NOTICE OF APPEAL DIRECTLY PLEASE  
CONFIRM RECIEPT

From: Martelle Morrison <MMorrison@charlestoncounty.org>  
To: Neta Web <web.neta@yahoo.com>  
Sent: Friday, April 13, 2012 3:33 PM  
Subject: RE: APPEAL

Mr. Caldwell.

You will have to file your pleadings through Attorney Itriss Jenkins

Martelle

From: Neta Web [mailto:web.neta@yahoo.com]  
Sent: Friday, April 13, 2012 3:28 PM  
To: Martelle Morrison  
Subject: APPEAL

MR MORRISON  
PLEASE ACKNOWLEDGE APPEAL AND SEND ME JUDGES ORDER VIA  
EMAIL I CANNOT  
AFFORD TO PRINT THE EMAIL CASE FILE I NEED  
1)SUNTRUST REPLY TO JENKINGS MOTION  
2 JENKINS MOTION  
3 ALL ORDERS OF COURT  
4 SUNTRUSTS INITAL MOTIONS IN OPPOSITION TO KOUTON MOTION TO  
COMPEL  
SAFFIDAVIT OF INDIGENCY APPEAL FILEING COSTS



Emmett W Caldwell

- III AFFIDAVIT PLAINTIFF

Estate of Iris Wadsworth

- - - - X

16 1841

1st PAGE OF FILED AFFIDAVIT

RE LIES OF SUNTRUST DONNA HAIE

2 IN JUDGE CONDON'S ORDER & ON

INFO + BELIEF SUNTRUSTS

BEVERLY HAIE & GRANT SCURRY

THE UNDERSIGNED JULY SWOIN DEPOSES AND SAYS FOLLOWING IS TRUE UNDER LAWS

1) There is only 1 Suntrust Branch known to Plaintiff in Charleston at E Bay St Plaintiff went there on or about 12/23 AS Estate Personal Rep & presented ID & Letters of Administration never demanded funds except as personal estate rep

2) Plaintiff/Her never "confronted" BANK PERSONAL ORDER: over his right to obtain funds although he had not provided any right to obtain these funds ... withdrawal of Ms Wadsworth's full account. Judge Condon Order p 2 NO DATE TO PRESENT BANK VIDEO PROOF SUPPOENA

3) Plaintiff arrived in Charleston 12/23 & left 1/4 or 5th

4) Suntrust presented NO Evidence of following:

A) **NO** Decedant's signature agreeing to Suntrust's Rules & Regulations relied upon by Suntrust as basis for legal fees

B) **NOR** ANY referred to Applicable Paragraph in Rules & Regs authorizing legal fees IF Suntrust refused to pay TO ESTATE FUNDS OWED TO & OWNED BY ESTATE per Rules & ARGUED AGAINST ESTATE JURISDICTION ETC ETC

C) ACCOUNT BALANCE PROOF THAT "CALDWELL PRESENTED 2 CHECKS EACH FOR FULL AMOUNT OF ACCOUNT BALANCE

D) DATE TIME DETAILS HOW; 1) CALDWELL MADE 2 SCENES AT SUNTRUST 2) "... TRIED TO OBTAIN FUNDS ALTHOUGH HE HAD NO RIGHT TO" 3) ATTEMPTED TO ACCESS ACCOUNT IN CHARLESTON DONNA HAIE 4) DATE HOLD PUT ON ACCOUNT BANK RECORDS



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P

1-10-11