

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

**PETITION FOR WRIT OF CERTIORRI FROM
THE SOUTH CAROLINA COURT OF APPEALS
Court of Common Pleas**

Case No. 2018-000056
2018-000174

RECEIVED

JAN 17 2020

S.C. SUPREME COURT

Churchill Park, Respondent

v.

Alan G. Nix, Norma J. Nix and the Estate of Norma J. Nix, Defendants,

Of which Alan G. Nix is the Appellant

Appellate Case Number 2019-0001540

**MOTION TO CLARIFY ORDER DENYING RELIEF DATED 16 DECEMBER 2019
AND DISMISS WRIT OF CERTIORRI**

Petitioner, Alan Nix, petitions the Court to enter an order clarifying if Chief Justice Beatty's order denying all relief requested in Petitioner's motion dated 4 December 2019 was intended to, or could be construed to, legalize obstruction of justice by the South Carolina Judicial System and its Members, including but not limited to Officers of the Court. Once Chief Justice Beatty has entered an order clarifying this matter, Petitioner requests the Court to dismiss this Writ as Petitioner intends to utilize the Federal legal system to resolve the matters raised in this Writ.

BACKGROUND

By way of motion dated 4 December 2019, Petitioner requested the South Carolina Supreme Court to grant the Petitioner two forms of relief. The first request for relief was to “*to place this Writ in a status of on hold until the numerous acts of misconduct by members of the SC Judicial System are appropriately addressed in judicial forums outside of that of South Carolina*“. The second request for relief was for the South Carolina Supreme Court to enter an order that required “*all other courts within the SC Judicial System to properly preserve all evidence and documents, in any format, related to any case nominally related to this Writ.*” Less than two weeks later, Chief Justice Beatty entered an order in response to these two requests for relief denying all relief requested in the motion.

ARGUMENT

Given, at a minimum, the Charleston County Master in Equity Court and the Charleston County Clerk of Court has already committed multiple acts of obstruction of justice, including, but not limited to, refusing to turn over recordings of hearings of 21 March 2016 in case 2014-CP-10-05407 and 26 September 2017 in cases 2014-CP-10-05407/2017-CP-10-04031, of which the transcripts are known to contain serious and material inaccuracies; has refused to schedule hearings for 60(b) motions filed in case 2014-CP-10-05407 on 13 November 2018 and filed in case 2017-CP-10-04031 on 9 November 2019 and, beginning on or about 17 October 2019, has refused to file any motions or other legal documents from the Petitioner which remotely eludes to the word “Churchill”, the Petitioner seeks a clarification from Chief Justice Beatty to determine if Chief Justice Beatty’s denial of Petitioner’s request for the South Carolina Supreme Court to enter an order requiring “*all other courts within the SC Judicial System to properly preserve all evidence and documents, in any format, related to any case nominally related to this Writ*“ was intended to legalize the act of obstruction of justice by the South Carolina Judicial System, and its Members. If this was not the intention of Chief Justice Beatty’s denial, and his denial of this specific request for relief was simply a mistake, perhaps Chief Justice Beatty would like to amend his order in addition to clarifying his intent.

Given the background of just these acts of misconduct that have occurred in the Ninth Judicial Circuit and the Charleston County Master in Equity Court, which Petitioner alleges are not the only acts of obstruction of justice by Members of the South Carolina Judicial System, clearly a reasonable person could conclude that if the Chief Justice of the South Carolina State

Supreme refused to grant such a simple request for relief in the known presence of such a pattern of ongoing misconduct, that he was by default legitimizing such misconduct. Given Chief Justice Beatty's very limited language in his denial for all relief requested, Petitioner submits it is in the State's and Justice's interest for Chief Justice Beatty to sufficiently clarify his intent as to his blanket denial of Petitioner's request for the Court to enter an order requiring "*all other courts within the SC Judicial System to properly preserve all evidence and documents, in any format, related to any case nominally related to this Writ.*" Without such clarification, clearly one of the many less than ethically inclined attorneys in our State could reasonably argue that their acts of obstruction of justice are, or have been, legally sanctioned by Chief Justice Beatty's short, and hopefully less than well thought out, denial in this matter.

Once Chief Justice Beatty has entered his clarification of his order of 16 December 2019 to properly resolve this serious matter, Petitioner requests the Court to dismiss this Writ. At the time the Petitioner filed this Writ in September 2019, over four months ago at the time of this motion, the Petitioner sought the Supreme Court's review of whether the SC Court of Appeals had improperly, and with improper intent, denied multiple motions of the Appellant beginning in May 2018 to return the underlying appeals to the lower court to file 60(b) motions, have motions heard that were filed before the appeal was filed, and to have critical transcripts corrected which substantially affected the Appellant's ability to properly pursue an appeal. At the time of this motion, the Petitioner has concluded that the SC Court of Appeals conduct beginning in May 2018 was intentional and was intended to aid and abet Charleston County's / the Charleston County Master in Equity Court's pattern of misconduct, and will allege the same and seek justice in the Federal legal system. Consequently, the benefit of maintaining this Writ, at least as it applies to Petitioner, is non-existent at this point in time.

THEREFORE, Petitioner requests Chief Justice Beatty to enter an order clarifying if he intended to legalize obstruction of justice by the SC Judicial System when he denied all relief requested by Petitioner by way of motion dated 4 December 2019. Once Chief Justice Beatty has entered this order, Petitioner requests the Court to enter an order dismissing this Writ as unnecessary as the matters raised in this Writ will be more properly dealt with in the Federal legal system.

(signatures on next page)

Dated: January 14, 2020

Respectfully submitted,



Alan G. Nix
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Of which Alan G. Nix is the Appellant

Appellate Case Number 2019-001540

PROOF OF SERVICE

The undersigned certifies that a copy of the motion to clarify Chief Justice Beattie's denial of the Appellant's motion dated 4 December 2019 has been served upon the individuals listed below, by mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown below this 15th day of January 2020 to:

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Tonnya Kohn
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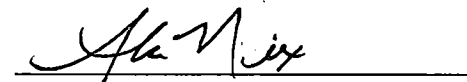
Luke Rankin, Chairman
SC Senate Judiciary Cmte.
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Dated: January 14, 2020

Respectfully submitted,

By:



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