

2020-006122

MOTION TO TRANSCRIBE, RECONSIDER AND BRIEF IN SUPPORT

THE STATUTE CITED BY THIS COURT IS IN ERROR

1) Appellant, John S. Stritzinger, believes that the Probate Court of South Carolina Does not have the power to suspend a Trial in the highest Trial Court in South Carolina which has already been verified, found sufficient and set for further proceedings, while the reverse is true.

PROFESSIONAL OPINIONS RENDERED IN THE LOWER COURT WERE NOT ADMISSABLE

2) Appellant notes, that such actions were taken by a Probate Judge which had not heard any evidence in the case, except unrelated facts relayed to her by doctor's and other professionals who had no formal legal experience, no special education experience, no national security experience, no employment law experience, no patent legal experience, all of which are Inadmissible under the South Carolina Rules of Evidence on the basis of RELEVANCE, and HERESAY.

PROBATE JUDGES ENTERED ORDERS IN UPPER COURTS WHERE THEY HAD NO KNOWLEDGE OR EVIDENCE WITHOUT HAVING AN EVIDENTIARY HEARING

3) Furthermore, Judges Belton and Smiley, had not heard from any material witnesses subpoenaed to testify in the Circuit Court on facts and legal bases not plead in the Probate Court, because the Chief Labor Inspector of the State of South Carolina had told both verbally and writing that Appellate had to file AND TRY his claims in the Circuit Court, because more than one year had passed since the issues had occurred, and that the Labor Inspectors office **could only investigate claims which occurred within one year of the dispute in question.** A year had passed in this case, not due to Petitioner/Appellant's errors and omissions but because a Texas US District Judge, a South Carolina US District Judge, and a Florida Circuit Judge refused to order Verizon to appear, and to try the case on the Merits, with the Florida Circuit Court Citing Florida as an "At Will State". Florida labor law only allows damages claims from terminations, not an opportunity to review separations in general. This case however was different in that President Barrack Obama had bound Verizon by Executive Order to deliver a specific set of products he had requested.

STOLEN DOCUMENTS AND INADMISSABILITY OF EVIDENCE

RECEIVED
FEB 18 2020
SC Court of Appeals

4) Furthermore, James R. Stritzinger Jr, had stolen specific documents out of Appellants mail, and medical files which are inadmissible because: 1) they had never been entered into a foreign court of law, 2) because they were taken in violation of US Code 3) Their disclosure to third parties was a violation of US and South Carolina State Privacy laws. 4) The Documents themselves were inadmissible because they were based on cascading hearsay from Doctor's in Texas which were also not qualified under the law to render a professional opinion, or qualified only to testify about specific subjects that they were. 5) The facts that James R. Stritzinger Jr swore an affidavit had already been tried in a Delaware Court of law by a competent Medical Magistrate – Delaware Superior Court Judge Valvala, who rendered a completely different verdict and dismissed the case because he himself had personal knowledge and experience of the technical items Appellant discussed in his court of law.

STANDING TO ENTER A CIVIL CLAIM

5) James R. Stritzinger Jr is not a lawyer. Not a doctor, and had not seen Appellant for over two years before the morning of Saint Patricks day 2018. Furthermore, Appellant was not living with him. Appellant believes that the State of South Carolina cannot take civil mental health claims from citizens of another state. Appellant was only in South Carolina for two and one half days before being served, and had stayed at local hotels both days.

SUSPENSION OF CIVIL LITIGATION INVOLVING CHILDREN RESULTS IN FELONY CRIMINAL ACTIONS

6) Suspension of a civil trial involving physical custody, and support of a Child (Lucy Stritzinger) without a hearing, or court appointed counsel results in Felony Kidnapping. An order by a District Judge which is a Felony violation of State Criminal Code is an INVALID ORDER, and cannot be complied with by any competent judicial officer of the state, either attorney, or Judicial Officer. The State of Maryland has classified all cases involving children and physical possession an Emergency case, and requires special filings in every county. That does not mean the Chief Judge of the County where filed will however enter an order supporting such claims, but will likely result in a case being set in an appropriate court of law.

BANK OF AMERICA – STOLE A 600K DOLLAR HOUSE FROM A FORMER EMPLOYEE AND TOOK ALL OF THE EQUITY WITHOUT CAUSE WITHOUT ANY PAYMENT TO APPELLANT.

7) Appellant owned his house at 4301 Hookbilled Kite, Austin, Texas 78738 outright, and owed no money to the corporation, however, the corporation sold his house illegally to WSFS Bank of Wilmington, Delaware without even offering to pay the \$350K dollars in equity he had even before joining the company. This is a FELONY GRAND LARCENY CHARGE AGAINST ANDREA B. SMITH, A BANK OF AMERICA CORPORATE OFFICER, a charge which cannot be set in the Probate Court. Deposi

AFFADAVIT OF JOHN S. STRITZINGER

"My name is John S. Stritzinger, and I am a Federal Officer. In 2013, I had a legal dispute with my employer Verizon Federal on a sale to Office of President Obama and the FBI for over 200M dollars of which he was one of several workers participating. Appellant has sales, intellectual property, and corporate agreements with Verizon which they have breached, and in some states these breaches are simple civil matters which need to be tried in a civil court of law like South Carolina, Pennsylvania, and Delaware, but in Virginia are actually considered criminal acts constituting a felony breach of Virginia Labor Laws 40.1.29. The issue in this case, is that the General District Court of South Carolina would not allow me to issue subpoenas and gather evidence against Verizon Federal citing jurisdictional claims. The Virginia Circuit Courts, and the Virginia Court of Appeals upheld this position on appeal. Essentially Virginia state courts cannot subpoena US Government documents with Federal classifications. Furthermore, the Virginia Magistrate believed that Probable cause was not established for a criminal warrant as they believed was necessary to invoke a Virginia Felony Criminal investigation by the Virginia Beach Police department. (See Wheaton). Chief Judge Woolard, and Senior Judge Layne (Now the Chief Judge of the county) found that probable cause had been established that a dispute needed to be tried, set my case for trial, and denied all subpoenas before that hearing was completed. When the case was set for trial, the GDC Judge Hodges then ruled that her court did not have power over issues which were disputes larger than 15K dollars, and ordered the case reset in the Circuit Court almost a year later, even though there were emergency issues pending.

Furthermore, the FBI has contended that Judge Hodges was in fact having a relationship with Verizon Outside counsel at the time of her judgment, which was an offense which would render the need for retrial, and a potential disbarment offense, REQUIRING AN FBI CRIMINAL COMPLAINT. But appellant notes that the Virginia Supreme Court had already agreed that due to the low standard of evidence in the General District Courts of Virginia which are equivalent to the Magistrate and Probate Courts of South Carolina, can be reset in the Circuit Court, or retried without respect to the lower courts decision if good cause shown (Santen v Tuthill - Virginia Supreme Court 2014). Furthermore, suing one of five General District Judges in my county is unhealthy for someone who wants to remain living there, and where Appellant was happy.

In August of 2014, and almost a year from the Verizon employment action, and while the Circuit case was pending, the Bank of America Chairman of the Board, made me an offer to return to a new position which was in-line with what Barbara Desoer had previously, and we entered a contract cementing the

agreement in writing, and verbally for 2M dollars a year which Bank of America has not honored or paid.

Furthermore, Bank of America made an offer to buy the Verizon disputed materials for 2.1B dollars from me or my company subject to an arbitration review of the same. I set these issues before the Circuit Court of South Carolina, and my brother who has no relevant facts to offer the court, and no standing to enter the litigation made effectively a motion to terminate the higher court actions on mental health grounds. I don't believe that James R. Stritzinger has any relevant knowledge or experience related to this cause of action, and should have been denied not by the court, but by the County Sherriff.

Furthermore, when I left Virginia in October of 2013 because of my employment dispute where I was suspended but not fired by Verizon for misconduct, I took my personal correspondence and medical files to South Carolina to await a trial either in Texas or South Carolina in the US District Court. However under Federal Rules of Procedure, Respondents do not have to file an answer in the District Court, and are in default after 21 days. In this case a default judgment in my favor would have simply restored my previous job, and pay at its previous levels, and granted me all of my intellectual property. This was a judgment which should have been rendered by as many as four courts very quickly but has not been, because various Judges believed that Mr. Asiedu had entered a criminal complaint which was terminated by the States of Maryland and Florida, but it took more than five years to achieve said result.

James R. Stritzinger did not have the right to "SEARCH" and "SEIZE" my medical records, and correspondence which he did, and then turned over to the Richland County Sheriffs depDeputy with which he spoke. This is a 4th Amendment violation, and all evidence taken in this manner is the "Fruit of the Poisonous Tree Principle" as discussed by the US Supreme Court".

APPELLANT MOTIONS FOR THE COURT TO TRANSCRIBE HIS DEPOSITION ON AN IFP OR TO ORDER JAMES R. STRITZINGER TO PROVIDE PROBATE FUNDS OF 2000.00 TO DO SO WITHIN 48 HOURS.

Appellant notes James R. Stritzinger did not show for his deposition, did not respond to requests for discovery, and did not provide copies of discovery materials before trial, and therefore cannot testify at trial on his legal theories, thoughts, and expert opinions. Furthermore, James R. Stritzinger Jr is not a fact witness in this case as he has no first hand knowledge of any issue
Which has occurred since 2009, the last time the parties discussed the situation.

NOTICE OF FAILURE TO APPEAR BY BANK OF AMERICA OFFICERS SMITH, ATTORNEY KNIGHT, AND JAMES R. STRITZIGNER JR WITH DEPOSITIONS, AND

A TIMELY ANSWER TO PETITIONS FOR CIVIL RELIEF – REQUEST FOR DEFAULT JUDGEMENT

Appellant notes that the parties Bank of America, and James R. Stritzinger Jr did not appear for their depositions, and did not file a responsive answer within the 21 days required under the rules. Furthermore, since the parties were in default, This court should enter a Default Judgment in his favor.

Signed this 16th day of
February, 2019

John S. Stritzinger
2156 Cresthill Rd
Columbia, SC 29223
843-352-349

Vs BAC

EXHIBIT A – BRIEF ALREADY INCLUDED ON DOCKET – INCLUDED AS REFERENCE

JUSTIA

View the **2019 South Carolina Code of Laws** | View Previous Versions of the South Carolina Code of Laws

2013 South Carolina Code of Laws Title 62 - South Carolina Probate Code ARTICLE 1 - GENERAL PROVISIONS, DEFINITIONS, AND PROBATE JURISDICTION OF COURT SECTION 62-1-308. Appeals.

Universal Citation: SC Code § 62-1-308 (2013)

Except as provided in subsection (1), appeals from the probate court must be to the circuit court and are governed by the following rules:

(a) A person interested in a final order, sentence, or decree of a probate court may appeal to the circuit court in the same county, subject to the provisions of Section 62-1-303. The notice of intention to appeal to the circuit court must be filed in the office of the circuit court and in the office of the probate court and a copy served on all parties not in default within ten days after receipt of written notice of the appealed from order, sentence, or decree of the probate court.

(b) Within forty-five days after receipt of written notice of the order, sentence, or decree of the probate court, the appellant must file with the clerk of the circuit court a Statement of Issues on Appeal (in a format described in Rule 208(b)(1)(B), SCACR) with proof of service and a copy served on all parties.

(c) Where a transcript of the testimony and proceedings in the probate court was prepared, the appellant shall, within ten days after the date of service of the notice of intention to appeal, make satisfactory arrangements with the court or court reporter for furnishing the transcript. If the appellant has not received the transcript within forty-five days after

STRITZINGER v BANK OF AMERICA

IN THE COURT OF APPEALS

SOUTH CAROLINA

2020-000122

CERTIFICATE OF SERVICE

The previous document was served by Facsimile and email to the parties of record on February 17th, 2020.

John S. Stritzinger

2156 Cresthill Rd

Columbia, SC 29223

843-352-3459

A handwritten signature in black ink, appearing to read "John S. Stritzinger". The signature is stylized with large, overlapping loops and a long, sweeping tail that extends to the right.

UNIT 16 ST 110K 1311

P



U.S. POSTAGE
\$7.50
PM 1-DAY
29201 0005
Date of sale
02/16/20
06 2S
11488053
SSX

PRIORITY MAIL 1-DAY®

EXPECTED DELIVERY DAY: 02/19/20

5.50 oz

0005

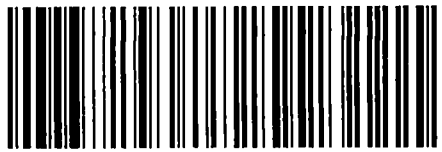
76

SHIP TO:

1220 Senak Street

**COURT OF
APPEALS
COLUMBIA SC 29201**

USPS TRACKING® NUMBER



9505 5066 3336 0047 1661 31