

To the Honorable Judge of S.C. Court of Appeals:

David Washington
3204 Badger Rd.
Mullins, SC 29574

2-07-2020

David Washington VS. Mullins Municipal Court

Case No. 2019-000531

RECEIVED
MAR 24 2020
SC Court of Appeals

May it please the court:

This is a violation to with-hold evidence under SC Code of law 19-5-5-10 the Evidence Act.

Count 1 Mullins Municipal Court withheld evidence from the Plaintiff, David Washington, on 7-23-18.

Count 2 Common Pleas Court in Marion withheld evidence from the Plaintiff, David Washington.

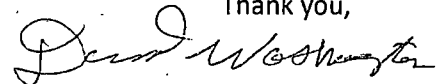
Count 3 South Carolina Court of Appeals withheld evidence from the Plaintiff, David Washington.

Count 4 Also under the U.S. Constitution the 14th Amendment says (any person of life, liberty, or property without due process of law)

Count 5 The Plaintiff, David Washington, is asking the court for 6 million dollars judgment for pain and suffering.

Count 6 Also are cases under the Freedom Of Information Act were denied then granted on Appeal. You will see on the back of this letter.

Thank you,



David Washington



State of South Carolina
The Circuit Court of the Fifteenth Judicial Circuit

Sallie Beth Todd
COURT REPORTER

POST OFFICE BOX 677
CONWAY, SC 29528
sbtodd@sccourts.org

[December 27, 2019]

David J. Washington
3204 Badger Road
Mullins, South Carolina 29574.

Re: David Washington versus Mullins Municipal Court
Case Number: 2018-CP-33-00564

Dear Mr. Washington:

I am in receipt of your letter dated December 9, 2019. I am not in any way trying to withhold information from you. I am glad to provide you with the transcript of your hearing; however, I am requesting payment upfront. As I provided to you in the previous letter, your transcript be approximately 12 pages. Based on the current rate of \$4.25 per page, the cost will be \$51.00. Under our rules, I have 60 days in which to complete the transcript. If you would like your transcript expedited (within 7 days), the page rate is \$5.00 and the approximate cost is \$60.00.

I look forward to hearing from you.

Very truly yours,

SBT

Sallie Beth Todd
Court Reporter

Attention: Sallie B. Todd.

12-27-2019
David Washington

This is my response to your letter of 12-27-2019. I am sending you the \$51.00 for the transcript.

I will look forward to hearing from you as soon as possible.

Thank you,
David Washington

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO VIEW

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3204 Badger Rd.
Mullins, SC 29574

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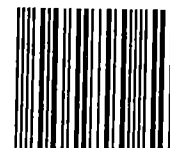
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**RE: David Washington VS Mullins Municipal Court
(Appellate Case 2019-000513)
Statements of Case**

RECEIVED

MAR 24 2020

SC Court of Appeals

Count=1 This case is based on the fact that I asked the Mullins Police Department for a copy of the body camera from Officer Inman on 7-23-2018 and they sent an audio copy and not a video copy of the traffic stop.

Count=2 The traffic stop was on 7-13-2018 at 9:58 am. They had ample time to send the body cam video showing IF my seatbelt was or was not on at the time.

Count=3 The Plaintiff, David Washington, asked the court three weeks before the hearing to receive the video of the traffic stop.

Count=4 The Plaintiff, David Washington, asked the court in the same motion to review the past two months of Officer Inman's traffic stops.

Count=5 The Plaintiff, David Washington, has been having trouble with the Mullins Police Department after he filed a law suit on 09/22/2009, over ten years ago.

Count=6 Also, the plaintiff's right under Title 5 of the Freedom of Information Act under the US State Code Section 552-1 in the same motion were violated, also Brady vs Maryland, 373 U.S. 83, by withholding material exculpatory evidence.

Count=7 Also, the Plaintiff was violated Under Title 6 of the Civil Rights Act of 1964.

Count=8 Title 42 Chapter 21. All persons within jurisdiction of the United States shall have the same rights in every state.

Count=9 The Plaintiff asked for reasons why this case cannot be granted to him.

Count=10 The plaintiff requests that all evidence the court has been presented with against him be furnished for his review,

Count=11 The plaintiff asks the court for Two Million Dollars for all the violations that have been put forth against him and for the distress this has caused him mentally, physically and financially.

Count=12 This case was filed on 04/16/2019 in the South Carolina Court of Appeals and was overlooked by the court this is a violation under the 14th amendment.

Count=13 This case was dismissed on 07/31/2019 the Court of Appeals of South Carolina sent this case back down to a lower court on 09/03/2019. That is a violation.

Count =14 The Court of Appeals for South Carolina sent the plaintiff a letter for a rehearing on 09/03/2019. The order was granted 02-14-2020.

Count=15 On 2-21-2020 the Plaintiff, David Washington, sent a letter to the court under rule 208 and 209.

Count=16 This case will be filed in the Supreme Court of South Carolina.

Count=17 The plaintiff will show the evidence in this case is true.

Elizabeth Batkinson

Notary Public of South Carolina

My Commission expires: 05/23/2021
March 2, 2020

Thank you,

David Washington

David Washington

The South Carolina Court of Appeals

David Washington, Appellant,

v.

Mullins Municipal Court, Respondent.

Appellate Case No. 2019-000531

ORDER

This court has received Appellant's petition for rehearing. Within ten days of the date of this order, Appellant shall provide proof he has made "satisfactory arrangements (including agreement regarding payment for the transcript), in writing with the court reporter for furnishing the transcript." Rule 207(a)(1), SCACR. This court will act on Appellant's petition for rehearing upon receipt or the expiration of ten days.


FOR THE COURT

Columbia, South Carolina

cc:

David Washington

Mullins Municipal Court

FILED

January 24, 2020

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS

COUNTY OF MARION) 2018-CP-33-0564

DAVID WASHINGTON,)

Plaintiff,)

vs.)

MULLINS MUNICIPAL COURT,)

Defendant.)

Transcript of Record

MARCH 18, 2019

B E F O R E:

Honorable Michael Nettles
Marion County Courthouse
Marion, South Carolina

A P P E A R A N C E S:

Sallie Beth Todd
Circuit Court Reporter

I N D E X

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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(THERE WERE NO WITNESSES CALLED DURING THIS CASE.)

Certificate of Court Reporter 10

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>	<u>PAGE</u>
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(THERE WERE NO EXHIBITS MARKED DURING THIS CASE.)

1 **THE COURT:** The next case is David Washington versus
2 Mullins Municipal Court.

3 **MR. WASHINGTON:** Good morning, Judge.

4 **THE COURT:** Are you David Washington?

5 **MR. WASHINGTON:** Yes, sir.

6 **THE COURT:** Alright. And Mullins Municipal Court, is
7 there someone who normally appears on their behalf, Madam
8 Clerk?

9 **CLERK:** (Negative response)

10 **THE COURT:** There isn't. Alright. Is there a Return on
11 this? I assume this is an appeal.

12 **CLERK:** Yes, sir.

13 **THE COURT:** Alright. Is there a Return?

14 **CLERK:** There is.

15 **THE COURT:** There is. Can I see it? He's probably got
16 it for me right here.

17 Alright. Hang on just one second. I'm going to take a
18 look at this appeal and then I'll hear from you. Hang on just
19 one second.

20 Alright. Yes, sir. I'll be glad to hear from you.

21 **MR. WASHINGTON:** My name for the record, my name is David
22 Washington. Judge, Your Honor, may it please the Court. This
23 motion was filed 9/4/2018. This contains about a seatbelt
24 violation. The violation number is 56-05566520. At the time
25 when Officer Inman pulled me, my seatbelt was on me, but the

1 officer stated it was off. The record will show when I filed
2 this motion to the Court, I asked the Court for this seatbelt
3 camera -- for Officer Inman's body camera. They offered a
4 copy. A copy of the body camera of the officer during the
5 traffic stop 7/13/18 at 9:58 in the morning. Also, David
6 Washington asked the Court before the court hearing two or
7 three weeks for the body camera. Also, David Washington asked
8 the Court for a motion to show this traffic stop of Officer
9 Inman. Count five, David Washington has been having trouble
10 with the Mullins department since I filed a lawsuit in 2009,
11 nine years ago against Mullins department. Count six, also
12 they violated Title 5, Freedom of Information Act. They
13 violated that too. Under the code 5-55-551 in the same
14 motion, also known as the Civil Rights Act of 1964. They
15 violated that too. Also, Title 42, Chapter 21 any person
16 within the jurisdiction of the United States shall have the
17 same rights in every state, that was count nine. Count ten,
18 give me a reason why this motion cannot be granted to me,
19 David Washington. Count ten, David Washington, the Court said
20 \$25 for a seatbelt judgment against David Washington. They
21 didn't give me the body camera; they gave me audio. They gave
22 me audio. That's not what I asked for. I want you to look at
23 the documents that I have, please, sir. May I approach the
24 bench?

25 **THE COURT:** Yes.

1 **MR. WASHINGTON:** Look at the document. The document will
2 show the trouble about this case. You said earlier they
3 appealed. I was not notified. If you're gone appeal a case,
4 you at least need to notify somebody. I was not notified.

5 **THE COURT:** Did you file this motion with the Magistrate?

6 **MR. WASHINGTON:** No.

7 **THE COURT:** You filed the motion for the bodycam after
8 the trial?

9 **MR. WASHINGTON:** Yeah.

10 **THE COURT:** Okay. Alright. Mr. Washington ---

11 **MR. WASHINGTON:** Yes, sir.

12 **THE COURT:** --- one of the things that -- I would really
13 like to be in a position to help you but the law won't allow
14 me to do that and I'm going to explain why. In -- you're
15 right in that the body camera might have aided you in your
16 defense.

17 **MR. WASHINGTON:** Right.

18 **THE COURT:** That would have been something that you would
19 have had to file with the Magistrate's Court, and you would be
20 entitled to see that.

21 **MR. WASHINGTON:** Right.

22 **THE COURT:** But you did not file that before the trial of
23 the case. So, in the future if this ever comes up you need to
24 file a motion with the Magistrate so you can see the body
25 camera. It's a very good point that you make. But the rules

1 say that I am restricted. I can't make findings of fact on
2 the record here today. That's all done by the Magistrate. In
3 the Return that was filed by the Magistrate he said that he
4 heard testimony from the officer and heard testimony from you
5 and that he made the finding that the police officer was
6 correct in that you did not have your seatbelt on. It's a
7 factual issue that I can't change. You following me? So, the
8 fact that you're filing a motion for a body cam, which very
9 well might have helped your defense, should have been done
10 before the trial. If you ever get charged with a traffic
11 offense or some Magistrate or Municipal offense, probably be a
12 good idea number one to get a lawyer. And number two if
13 you're going to try the case it'd probably be better to try it
14 before a jury.

15 **MR. WASHINGTON:** Judge, you have been very kind and very
16 helpful. I wanted a jury trial. The Judge said you can't
17 have one. I said what. You can't have a jury trial; you get
18 a trial by the bench. I said well that's a violation of my
19 rights right there.

20 **THE COURT:** Okay. Well, that is not put forward on the -
21 - I'm restricted by what's in the Return and the Return says
22 nothing about a request for a jury trial.

23 **MR. WASHINGTON:** No. On the form she filed out you can
24 not have a jury trial; it was a bench trial.

25 **THE COURT:** Well, I am -- I am restricted to the

1 parameters of the -- hang on just one second. Okay, one of
2 the -- you would have indeed been intitled to a jury trial if
3 you would have number one, sent a letter requesting it; or
4 shown up on the day of your bench trial but you didn't show
5 up.

6 **MR. WASHINGTON:** Right. Judge, I'm gone explain that to
7 you too. I'm on medication.

8 **THE COURT:** Right.

9 **MR. WASHINGTON:** My recollection, I could not show up so
10 what I did -- my doctor -- I take that receipt that I gave Mr.
11 (inaudible) so I can go see a doctor because -- I paid the
12 ticket, Judge. Why I could not go to the trial, my body
13 weren't able, so I went back to the doctor to get my
14 medication. So, then I sat down, and I thought about it.
15 Now, here I am an honest man doing what's right. I'm
16 innocent, that's the gospel. This officer sat there and lied
17 on me. I said Lord, why. This is a test on me. This is why
18 I filed the motion, Judge, Your Honor. I'm not a hypocrite.

19 **THE COURT:** Look here that's not the worst thing in the
20 world to get a seatbelt violation.

21 **MR. WASHINGTON:** The officer lied. That's what I put in
22 my Complaint.

23 **THE COURT:** Alright, Mr. Washington. I understand what
24 you're saying. And I appreciate that, and I wish I could help
25 you, but the law won't allow me to do that.

1 **MR. WASHINGTON:** Yes, sir.

2 **THE COURT:** And one of the things, if it makes you feel
3 better, you agree that you did not have your proof of
4 insurance. You admit that.

5 **MR. WASHINGTON:** Right. Right.

6 **THE COURT:** He gave you a warning on that.

7 **MR. WASHINGTON:** Yes, he did.

8 **THE COURT:** He could have really lite you up as a result
9 of that, but he didn't do it.

10 **MR. WASHINGTON:** I have a receipt in my car where I paid
11 it. I said ---

12 **THE COURT:** Alright.

13 **MR. WASHINGTON:** I got a letter. I can show you were I
14 paid my insurance. Now, he could have got me for that.
15 Right.

16 **THE COURT:** What I'm saying is that the equities of the
17 whole thing, it doesn't seem as though you were really done
18 that poorly. But, regardless of the equities of it, the law
19 won't allow me to do anything and I'm going to have to deny
20 your appeal. I wish you the best of luck. And if you get
21 charged with a traffic ticket in the future what are you gone
22 do?

23 **MR. WASHINGTON:** File it.

24 **THE COURT:** You're going to ask for a jury trial in
25 writing, number one. And number two, you're going to show up

1 on the date that your ticket is returnable and not get tried
2 in your absence. Okay. Does that sound good?

3 **MR. WASHINGTON:** Yes. I will say this, Judge. When a
4 man will lie like that, he will steal. He will get caught.
5 He will get caught. You can't cover up ---

6 **THE COURT:** Well, that very well might be true, but it's
7 not really before me now and I wish you the best of luck.

8 **MR. WASHINGTON:** Thank you.

9 **THE COURT:** Thank you.

10 **(COURT ADJOURNED)**

C E R T I F I C A T E

I, the undersigned, Sallie Beth Todd, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete transcript of the Transcript of Record of the hearing held in the interest of David Washington versus Mullins Municipal Court held in the Court of Common Pleas for Marion County, Marion County Courthouse, Marion, South Carolina, on March 18, 2019.

I do hereby certify that I am neither of kin, counsel, nor interest to any party hereto.



Sallie Beth Todd, CVR

Official Reporter

March 6, 2020.

David J. Washington
3204 Badger Rd.
Mullins, SC 29574



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Attn: Jenny Abbott Kitchen
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P.O. Box 11629
Columbia, SC 29211

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