

No. _____

IN THE
Supreme Court of South Carolina

PETITION REGARDING MATTER FROM
RICHLAND COUNTY CENTRAL
MAGISTRATE COURT

RECEIVED

AUG 28 2020

SC Court of Appeals

Honorable Daniel McLeod Coble, Magistrate Judge
Honorable Caroline Streater, Magistrate Judge

Travis Stewart, Petitioner

COPY

v.

Aspyre Assembly, Respondent

Case No. 2018CV4010800184
Appellate Case No. 2019-000422

**MOTION AND MEMORANDUM FOR
DECLARATORY JUDGMENT**

Most Honorable Chief Justice and Associate Justices of the South Carolina Supreme Court:

Petitioner, most respectfully Motions this Court to file *in forma pauperis* this
Memorandum pursuant to Federal Rules of Civil Procedure 60(b)(1) and 60(b)(6) for “Excusable
Neglect and, ... any other reason that justifies relief.” Petitioner asserts extenuating

circumstances, including dire financial straits, and exigencies occasioned by the COVID-19 Coronavirus Pandemic precluded Petitioner's ability to timely to seek Declaratory Judgment from this Court to enjoin Beverley D. Wilson, Co-Lessee of Aspyre/YOUnion Apartment 3106, as Co-Defendant/Co-Appellant, now Co-Petitioner in this matter, and other third parties as Co-Plaintiffs and Co-Respondents in this action, countersuit actions, or alternatively, as third parties Co-Defendants, or independent parties in claims and cross-claims as derivative actions from this matter as discussed herein.

Petitioner asserts Co-Lessee Beverley D. Wilson, M.D., J.D., Power of Attorney for Defendant/Appellant/Petitioner Stewart, has joint property and legal interests with Petitioner in Aspyre/Younion Apartment 3106 but, was unjustly barred by the South Carolina Court of Appeals from directly petitioning the Court as a party in the above matter with Petitioner/Appellant/Defendant. Petitioner's April 12, 2019, May 13, 2019, and January 7, 2020 Motions to Enjoin Co-Lessee Wilson as a Co-Appellant/Co-Defendant in this matter were Denied by the South Carolina Court of Appeals. Petitioner/Appellant Stewart also informed the South Carolina Appeals Court on January 7, 2020 that Petitioner/Appellant/Defendant was still awaiting receipt of the Transcript of the December 14, 2018 Richland County Court of Common Pleas Hearing, and asked the SC Court of Appeals' forbearance until same was received to compose the Initial Brief of the Appellant, Designation of Matter, and Petition the SC Supreme Court for Declaratory Judgment to Affirm Co-Lessee Wilson's status as a Co-Defendant in this matter to allow Co-Lessee Wilson to properly represent their legal and property interests in Aspyre/YOUnion Apartment 3106. Despite same, and without Petitioner/Appellant/Defendant's knowledge, the South Carolina Court of Appeals elected to

proceed prior to Petitioner/Appellant/Defendant Stewart's receipt of the December 14, 2018 Transcript, and unconscionably required Petitioner/Appellant/Defendant Stewart, a disabled, legally illiterate individual with spectral PTSD to represent his and Co-Lessee Wilson's legal property interests in Aspyre/YOUnion Apartment 3106.

In late February, early March 2020, the COVID-19 Coronavirus Epidemic/Pandemic advanced rapidly in the United States of America and South Carolina causing national and statewide shutdowns, school and college closings, and shelter in place orders. Co-Lessee Wilson departed Charleston March 5, 2020 for Spring Break reasoning the South Carolina Court of Appeals had acceded to Petitioner/Appellant/Defendant's January 7, 2020 petition for forbearance to allow Petitioner/Appellant/Defendant to obtain the December 14, 2018 Richland County Court of Common Pleas Hearing Transcript to file the Initial Brief and Designation of Matter with the Court since, as of March 5, 2020, Co-Lessee had received no correspondence from the South Carolina Court of Appeals at her Charleston U.S. Postal box. Co-Lessee Wilson had been informed by Court Transcriptionist Ms. Nevers, that Ms Nevers would notify Co-Lessee Wilson via email when the December 14, 2018 Transcript was available, and Petitioner/Appellant/Defendant would subsequently notify the South Carolina Court of Appeals of same, and simultaneously petition for a Declaratory Judgment from the SC Supreme Court affirming Co-Lessee Wilson's Co-Defendant/co-Appellant status using that Initial Brief. Petitioner/Appellant/Defendant and Co-Lessee Wilson had no expectation the South Carolina Court of Appeals would swiftly Dismiss this matter in the absence of the December 14, 2018 Richland County Court of Common Pleas Hearing Transcript, which was necessary for the filing

of the Initial Brief of the Appellant, Designation of Matter, and Declaratory Judgment in this case - in the midst of the COVID-19 Coronavirus Pandemic.

The Charleston School of Law cancelled all in person classes after the Spring 2020 Break concluded March 13, 2020. Co-Lessee Wilson was unjustly denied financial aid for the Spring 2020 Semester by Financial Aid Director Bobby Greer of the Charleston School of Law in March 2020, despite Co-Lessee Wilson's active petition for same to President Bell after Financial Aid Director Bobby Greer repeatedly refused to honor Co-Lessee Wilson's requests to disburse her financial aid as requested for the Spring 2020 semester. Absent financial aid for the Spring 2020 Semester, Co-Lessee Wilson's final and most expensive semester of law school, Co-Lessee Wilson was unable to continue the 2 ½ hour trips to Charleston four to five days per week to attend the Charleston School of Law after the Spring 2020 Break, or proffer her portion of the lease payments for Aspyre/YOUnion Apartment 3106 for the Spring and Summer of 2020. The COVID-19 Coronavirus Epidemic and Pandemic foreclosed Co-Lessee Wilson's ability to gainfully secure self-employment opportunities in her diminished capacity absent her medical office and inability to execute proper contagion control measures for COVID-19 Coronavirus to see patients to obtain income sufficient for even the most basic of expenses.

Transcriptionist Ms. MaryAnn Nevers notified Co-Lessee Wilson that the December 14, 2018 Hearing Transcript was available April 15, 2020, but included a request for an additional charge of \$40 resulting in a balance of \$32.50 in excess of the pre-paid transcription fee that had to be paid before Ms. Nevers would transmit that transcript to Co-Lessee Wilson. Three weeks later, Co-Lessee Wilson remained bereft of financial aid for the Spring 2020 Semester, despite repeated petitions to the U.S. Department of Education (USDOE) seeking the USDOE's

COPY

assistance for disbursement of Co-Lessee Wilson's financial aid for the Spring 2020 Semester. Co-Lessee Wilson received continued refusals from Charleston School of Law Financial Aid Director Mr. Greer to release her financial aid for the Spring 2020 Semester.

Co-Lessee Wilson contacted the South Carolina Court of Appeals Case Manager Elizabeth Carter regarding Petitioner/Appellant/Defendant Stewart and Co-Lessee Wilson's extenuating financial circumstances and inability to obtain the December 14, 2018 Transcript, to seek information regarding obtaining an extension to acquire the December 14, 2018 Transcript and, subsequently submit the Initial Brief and Designation of Matter, but was informed, instead, by Case Manager Ms. Elizabeth Carter that this case had been Dismissed by the South Carolina Court of Appeals March 3, 2020 due to Petitioner/Appellant/Defendant's failure to file the Initial Brief and Designation of Matter, and that the Remittitur had been returned to the Richland County Central Magistrate Court April 23, 2020 - only one week after the December 14, 2018 Hearing Transcript became available April 15, 2020 - even though that transcript was necessary for Petitioner/Appellant/Defendant to file the Initial Brief, Designation of Matter, and properly petition the SC Supreme Court for a Declaratory Judgment affirming Beverley D. Wilson, Co-Lessee for Aspyre/YOUnion Apartment 3106, as Petitioner/Appellant in this matter. Petitioner/Appellant specifically asserts the SC Appellate Court Rules allow 30 days from receipt of the transcript before the Initial Brief and Designation of Matter has to be filed.

Petitioner/Appellant received the December 14, 2018 Hearing Transcript May 21, 2020 after Ms. Nevers agreed to suspend the \$40 transmission fee and provided Petitioner/Appellant a hard copy of the Transcript, as Petitioner/Appellant's funds were extremely diminished, such that printing an electronic transcript was cost prohibitive. Petitioner/Appellant Motioned the South

Carolina Court of Appeals to Recall the Remittitur June 19, 2020. The South Carolina Court of Appeals Denied Petitioner/Appellant/Defendant's Motion to Recall the Remittitur July 2, 2020. Respondent/Plaintiff Aspyre/Younion Petitioned for and was Granted a *Writ of Ejectment* from the Richland County Central Magistrate's Court June 26, 2020 based upon Respondent/Plaintiff's supposition that Petitioner/Appellant/Defendant had not paid lease/rent payments for Apartment 3106 since December 2018. Respondent?Plaintiff served the *Writ of Ejectment* upon Petitioner/Appellant//Defendant Thursday, July 2, 2020 with execution scheduled for Friday 3, 2020.

Petitioner/Appellant/Defendant notes that all lease payments from January 2019 to July 2020 are current. Additionally, as Co-Lessee Wilson noted to Opposing Counsel Howard via email along with Richland County Central Magistrate Deputy Clerk of Court Damaris Camacho July 15, 2020:

There are no instances in which a payment has been tendered late since 2018 without just cause. USC has ownership or leasehold interest in a bank of Apartments in Aspyre/YOUnion. Opposing Counsel Mr. Thomas Howard, Jr. was instrumental in fraudulently assisting SCE&G in transferring the utilities for Apartment USC from Mr. Stewart to [Aspyre]/YOUnion. Appellant/Petitioner has repeatedly requested Mr. Howard to transfer the utility interest for Apartment 3106 back to SCE&G.

USC and the Charleston School of Law have been instrumental in denying and egregiously delaying disbursement of financial aid to Appellant/Petitioner Stewart and Co-Lessee Wilson to create occasions whereby lease payments cannot be timely tendered after the sitting Governor had Co-Lessee Wilson's landlords eject Co-Lessee Wilson from her office June 30, 2017 after she submitted complaints to the US Department of Justice's Civil and Criminal Divisions enumerating numerous egregious violations of Co-Lessee Wilson and her two eldest children's civil rights by Mr. McMaster, members of the judiciary and legal systems in South Carolina, and high ranking business, governmental officials in South Carolina. Specifically, the following semesters financial aid disbursements have been tortiously disrupted:

- The Charleston School of Law's Dean of Students Andy Abrams promised directed support to the US Department of Education on Co-Lessee Wilson's behalf including authorized emergency disbursement of financial aid above the Cost of Attendance for the Fall 2017 semester, only to secretively withdraw that support while purporting to the contrary, until Co-Lessee Wilson requested her financial file and exposed Dean Abram's deceit;

- USC egregiously delayed, ultimately denied Appellant/Petitioner Stewart's financial aid for the Spring 2018 semester after Ms. Amanda [Bidinger] employed deceitful means of delaying Mr. Stewart's approval for financial aid beyond a point whereby Mr. Stewart could timely/successfully enroll at USC for the Spring 2018 semester; Co-Lessee Wilson discovered Ms. Bidinger's clandestine activities, Ms. Bidinger was released by/from USC;

- USC egregiously delayed disbursing Appellant/Petitioner Stewart's financial aid for the Fall 2019 semester until December 2019, 1 to 2 days after classes ended;

- The Charleston School of Law has egregiously withheld Co-Lessee Wilson's financial aid for the entirety of the Spring 2020 semester and ongoing to now, despite President Bell's expressed commitment that he supported disbursement of my financial aid to the US Department of Education as long as there were no violations the Charleston School of Law would be committing. There are no violations that would be committed by the Charleston School of Law disbursing financial aid to Co-Lessee Wilson on a discretionary basis with Mr. Bobby Greer, Director of Financial Aid certifying same in his professional judgment with appropriate documentation of Co-Lessee Wilson's extenuating circumstances justifying same, the SC Commission of Higher Education Director, Dr. Woodfaulk and Dr. Lane have stated; Co-Lessee Wilson has provided her specific extenuating circumstances to Mr. Greer, the U.S. Department of Education, and President Bell.

Additionally, Appellant/Petitioner Stewart posits the year lease for Apartment 3106 converted to a month to month lease absent provision and signing of the current lease. Under that lease,

Parking in the Aspyre/YOUnion Garage was free, as was water and sewage. Placement of large boxes being disposed was also allowed via placement just outside the garbage disposal room, if that room was full and transporting that/those boxes would have been cumbersome, dangerous via the elevator as same was for two large boxes disposed of by Appellant/Petitioner Stewart in February/March 2020. Appellant/Petitioner Stewart has kindly requested Respondent to remove the \$50 charge per box for disposal accordingly.

Co-Lessee Wilson posited to Mr. Howard, that it is not common practice for a party to a complaint to be allowed to benefit from detriment to the opposing party, if that complaining party contributed to the opposing party's detriment. Co-Lessee Wilson posits Aspyre/YOUnion is seeking such benefit as USC has leasehold interest in Apartment 3106 which Appellant/Petitioner Stewart and Co-Lessee Wilson have jointly leased since February 2018.

Co-Lessee Wilson has forwarded Respondent proof of Renter's insurance via Progressive for the past two years for Aspyre/YOUnion Apartment 3106.

July 6, 2020 Petitioner/Appellant/Defendant filed a Motion with the Richland County Central Magistrate Court to Stay the *Writ of Ejectment* and simultaneously filed the Notice of Appeal with the United States Supreme Court after being informed July 2, 2020 by the South Carolina Court of Appeals and S.C. Supreme Court's Clerk of Court officials that the S.C. Supreme Court would not be able to receive an Appeal from Petitioner/Appellant//Defendant due to lack of jurisdiction due to the South Carolina Court of Appeals proper Return of the Remittitur to the Richland County Central Magistrate Court. The United States Supreme Court returned Petitioner/Appellant/Defendant's Notice of Appeal and Memorandum to Appellant July 22, 2020 and specifically required Petitioner/Appellant/Defendant to Appeal this case to the S.C. Supreme Court for a Final Judgment or Order prior to Petitioning the United States Supreme Court for a *Writ of Certiorari*.

Petitioner/Appellant/Defendant posits extenuating circumstances warrant the SC Supreme Court's use of Discretion to Grant Petitioner/Appellant/Defendant the Declaratory Judgment petitioned herein. Of particular importance, regarding the Court's discretion to legally recognize and declare Beverley D. Wilson's Co-Lessee status with Petitioner/Appellant/Defendant Stewart for Aspyre, now YOUnion Apartment 3106 is increased instances of mail tampering by the leasing office personnel at Aspyre/YOUnion including most recently August 24, 2020 Co-Lessee Wilson was informed by SC Bar Commission personnel Tina Bryant that Co-Lessee Wilson's Petition to sit for the July 2020 Bar Exam had been denied July 22, 2020 and returned to Co-Lessee Wilson's Aspyre, now YOUnion, Columbia address and delivered July 23, 2020. Co-Lessee Wilson acquired the tracking number for said package and tracking and further investigation revealed the package was delivered to the YOUnion leasing office.

Co-Lessee Wilson spoke with Mr. Drake Heuerman, Resident Director for YOUnion who confirmed YOUnion leasing office staff signed for the Certified Mail package addressed to Co-Lessee Wilson, did not contact or notify Co-Lessee Wilson or Co-Lessee Stewart of said Certified Mail Package's arrival and receipt via telephone, email, letter, or in person communication. Instead, the YOUnion leasing office held said package which was clearly addressed from the Supreme Court of South Carolina, Daniel Shearhouse, Clerk of Court to Co-Lessee Beverley D. Wilson, M.D., 1000 Whaley Street, Apartment 3106, Columbia, SC. When Co-Lessee Wilson complained to YOUnion Resident Director Mr. Heuerman that said package's timely delivery was very important, Mr. Heuerman retorted, "YOUnion leasing policy states YOUnion leasing office staff does not have to deliver or notify anyone not listed on our

leasing roster of mail or any other packages left with or brought to this office. You [Co-Lessee Wilson] are not listed as a resident on our [Aspyre/YOUnion's] roster.” Co-Lessee Wilson explained to Resident Director Heurman that she “was a Co-Lessee of Aspyre/YOUnion Apartment 3106 with Co-Lessee Mr. Stewart since February 2018 as negotiated by Assistant residential Manager Tiffany Maddox, and that Ms. Maddox should have long since amended the Aspyre/YOUnion Apartment 3106 leasing contract/leasing roster to reflect same, as Ms. Maddox assured Co-Lessee Wilson and Stewart she [Ms. Maddox] would do with Aspyre/YOUnion's central management in February 2018, but did not follow through on same, despite several requests by Co-Lessee Wilson.

Co-Lessee Wilson further informed Resident Director Heurman that Aspyre/YOUnion's leasing office staff's signing and receiving Certified Mail from the U.S. Postal Service addressed to Co-Lessee Wilson obligated that Aspyre/YOUnion employee and Aspyre/YOUnion to ensure that Certified Mail delivered package was actually tendered to/delivered to Co-Lessee Wilson, and that failure to tender/deliver that Certified Mail Delivered package to Co-Lessee Wilson was tortious interference with delivery of Co-Lessee Wilson's Mail and constituted a federal felony.” Resident Heurman again retorted, “You [Co-Lessee Wilson] are not on our leasing roster. We don't have to deliver your mail or ensure that you receive your mail. In fact, we were going to return your mail back to the sender in a few days.”

Co-Lessee Wilson repeated the aforementioned statements to Mr. Heurman, then asked, “Exactly when were you going to return the Certified Mail Package Aspyre/YOUnion signed for a month ago on July 23, 2020 and had a duty, once that package was signed for to deliver to me [Co-Lessee Wilson] That package was time sensitive and contained matter that had to be

addressed and returned on or before August 31, 2020?" Director Heuerman did not respond other than as noted, when Co-Lessee Wilson asked Resident Director Heurman if Aspyre/YOUnion contacted their central leasing office or attorney regarding this matter as Co-Lessee Wilson had complained of this matter in December 2019 and relayed that she had been informed by Assistant Residential Manager Maddox that she [Co-Lessee Wilson] was entitled to full benefits of Aspyre/Younion Lessee status, including mail delivery, fob and electronic key possession and use, ability to order services and repairs for Apartment 3106 on direct command, decaled parking within the Aspyre/Younion gated and fob accessed Garage, and any and all other benefits, including use of the recreational, Club House, e.g., of Aspyre/YOUnion Lessees.

Petitioner/Appellant/Defendant and Co-Lessee Wilson assert further investigation is required regarding ongoing potential Conspiracy and Fraud within and without the State of South Carolina, including and between the Charleston School of Law and the U.S. Department of Education, possibly at the behest of individuals directed against the interests of Petitioner and Co-Lessee Wilson, that resulted in the Charleston School of Law's denial of Co-Lessee Wilson's financial aid for the Spring 2020 semester, and is unlikely to be discovered and proven in a timely manner to provide Petitioner the Relief sought in this Motion as a right, rather than a discretion, upon Petitioner being able to provide the SC Supreme Court proof of that Fraud perpetrated upon and against Petitioner and Co-Lessee Wilson. Thus, Petitioner Stewart and Co-Lessee Wilson are asking this Court to expeditiously affirm and declare Co-Lessee Wilson status for Aspyre/YOUnion Apartment 3106 with Petitioner Stewart and the obligation of the Charleston School of Law's President Ed Bell and Financial Aid Director Mr. Bobby Greer to

immediately tender Co-Lessee Wilson's financial aid for the Spring 2020 Semester at the Charleston School of Law as requested and agreed to and assured by President Bell as will be detailed herein, and to Stay Respondent/Plaintiff's *Writ of Ejectment* and further lease payments for by Petitioner/Appellant/Defendant for Aspyre/YOUnion Apartment 3106 until the Charleston School of Law Department of Financial Aid has been tendered said financial aid to Co-Lessee Wilson.

Petitioner asserts the U.S. Constitution purports "Presumptions Against Impossibility, Injustice, Inconvenience and Absurdity in Statutes" and declares, "In all cases of doubt or ambiguity as to the meaning of any statute that presumption will be adopted which will avoid impossible, unjust, inconvenient" requirements and the "law was not designed to be used as a shield from liability, after a demand had become impossible. The law is not so unreasonable as to require the performance of impossibilities as a condition to the assertion of acknowledged rights." Most Honorable Chief Justice and Associate Justices of the South Carolina Supreme Court, Petitioner asserts an impossibility to timely tender lease payments occurred only when USC or the Charleston School of Law tortiously interfered with the disbursement of financial aid to Defendant/Appellant/Petitioner Stewart and Co-Lessee Wilson from the Fall 2017 Semester to the Spring 2020 Semester - and ongoing currently for the Charleston School of Law - purposefully **creating** and crafting circumstances of extremely limited finances and financial demise in Petitioner Stewart and Co-Lessee Wilson that were insurmountable in Petitioner and Co-Lessee Wilson's individual capacities as a graduate student of Biomedical Engineering and law student, respectively. Petitioner respectfully asserts the following:

(1) Petitioner's Right to Petition the South Carolina Court of Appeals for FRCP Rule 60(b), amended, Relief (a) from South Carolina Court of Appeals March 3, 2020 Order Dismissing this case; July 2, 2020 Order Denying Petitioner/Appellant/Defendant's Motion for Recall of the Remittitur; the *Writ of Ejectment*; (b) by Declaratory Judgments Affirming Beverley D. Wilson's status as: Co-Lessee for Aspyre/YOUnion Apartment 3106, Co-Petitioner/Co-Appellant/Co-Defendant in this matter; and a duly authorized recipient of student financial aid as requested by Co-Lessee Wilson with cessation of obstructive delaying tactics with, henceforth, forthright authorization and disbursement of that financial aid by Bobby Greer, Director of Financial Aid of the Charleston School of Law for the Spring 2020 Semester and Fall 2017 Semester; (c)with *In forma pauperis* filing status.

Federal Rule of Civil Procedure 60(b), amended, provides for Relief from a Final Judgment or Order or Proceeding "[o]n Motion and just terms, the Court may Relieve a party or its legal representative from a Final Judgment, Order, or proceeding [if].... (4) the judgment is [V]oid and [for] (6) any other reason that justifies relief." As to the timing and effect of a FRCP 60(b) motion, amended, "a motion under FRCP 60(b) amended must be made within a reasonable time."

(2) The South Carolina Court of Appeals' former/Final Order in this matter should be deemed Void and Vacated due to the South Carolina Court of Appeal's Denial of Petitioner's and Co-Lessee Wilson's Procedural and Substantive Due Process Rights as guaranteed by Fifth and Fourteenth Amendments: no one shall be "deprived of life, liberty or property without due process of law."

(3) Procedural due process constitutionally requires that when the government* acts in a manner that denies a citizen of a life, liberty, or property interest, that person must be given notice, the opportunity to be heard, and a decision by a neutral decision maker. (*The University of South Carolina, a state supported institution, has a leasehold property interest in Aspyre/YOUnion Apartments including Petitioner and Co-Lessee Wilson's Apartment 3106.)

(4) In the case at hand, the South Carolina Court of Appeals denied Petitioner/Appellant/Defendant's Due Process Rights by denying Petitioner/Appellant/Defendant meaningful access to the courts and denying Petitioner/Appellant/Defendant's Co-Lessee Beverley D. Wilson the Right to represent Petitioner/Appellant and Co-Lessee Wilson's legal and property interests in Aspyre/YOUnion Apartment 3106.

(5) The South Carolina Court of Appeals' barring of Co-Lessee Wilson from direct court participation in this case in view of Co-Lessee Wilson's vested interest in Aspyre/YOUnion Apartment 3106; Petitioner/Appellant/Defendant Stewart and Co-Lessee Wilson's grave extenuating circumstances financially; and exigencies created by the COVID-19 Coronavirus Pandemic - particularly in light of the fact that Petitioner/Appellant/Defendant Stewart is disabled by spectral PTSD, unable to represent himself legally, unable to afford legal representation, and ineligible for pro bono legal representation - constitutes the South Carolina Court of Appeals acting as a nonneutral party, instead of being a neutral decision maker as mandated by the law in these matters.

(6) The South Carolina Court of Appeals egregiously exceeded the scope of the Court's prescribed authority in Dismissing this case prior to the Transcript of the Richland County Court of Common Pleas December 14, 2018 Hearing (Transcript) becoming available,

when that Transcript was necessary to produce Petitioner/Appellant/Defendant's Initial Brief of the Appellant and Designation of Matter and greatly abridged Petitioner/Appellant/Defendant's Due Process Rights which greatly aggrieved Petitioner/Appellant/Defendant.

(7) Petitioner/Appellant/Defendant posits "reasonable" is relative and includes the time at which a party to a complaint, utilizing the "reasonable person" *Pro Se* litigant standard, becomes legally cognizant to a reasonable certainty that legal malfeasance has occurred, and has deprived that party of Due Process, access to the Courts. Petitioner/Appellant/Defendant asserts the South Carolina Court of Appeal's: Refusal to acknowledge Co-Lessee Wilson's vested interest in Aspyre/YOUnion Apartment 3106 and status as a Co-Defendant in this matter; Barring of Co-Lessee Wilson's rights to defend Petitioner/Appellant/Defendant and her vested property interests as Co-Lessees of Aspyre/YOUnion Apartment 3106; and Dismissal of this case prior to Petitioner/Appellant/Defendant's receipt of the December 14, 2018 Richland County Court of Common Pleas Hearing Transcript; Refusal to exercise leniency to Petitioner in light of grave financial and personal extenuating circumstances of Petitioner/Appellant/Defendant and Co-Lessee Wilson that were greatly complicated by the COVID-19 Coronavirus Pandemic are instances of legal malfeasance by the South Carolina Court of Appeals that have deprived Petitioner and Co-Lessee Wilson of due Process and access to the Courts.

(8) Federal Rule of Civil Procedure 60(b), amended, Relief from a Final Judgment or Order or Proceeding is particularly poignant and relevant when there is an inaccurate application and interpretation of the laws and/or an incorrect viewing of the facts involving a party in a case that materially and substantially affect the rights of that party, as has occurred to

Petitioner/Appellant/Defendant and Co-Lessee Wilson in this case. Petitioner/Appellant again, reiterates the immediately preceding facts stipulated.

(9) The South Carolina Court of Appeals, and the preceding courts in this matter, denied Petitioner/Appellant/Defendant's and Co-Lessee Wilson's Procedural and Substantive Due Process Rights to have neutral judges administer these proceedings/adjudicate this case.

(10) Petitioner/Appellant/Defendant posits proper judicial contextual applications and interpretations of the law as it relates to Petitioner/Appellant's case, and more compassionate viewing of the facts of this case in light of Petitioner/Appellant/Defendant's disabilities, would render a different ruling. There is no justifiable evidence or reasonable inference to justify the irregularities and rulings in the legal proceedings in this case to date, save a tortious conspiratorial theme exists that guides a predetermined narrative that precludes victory for Petitioner/Appellant/Defendant Stewart and Co-Lessee Wilson.

(11) Petitioner/Appellant/Defendant most respectfully posits serious breaches of judicial codes of conduct regarding honesty, integrity, judicial prudence, abuse of judicial discretion and abuse of power have resulted in a lack of impartially and honest candor in this case.

(12) Petitioner/Appellant/Defendant most respectfully presents to this Court seeking Declaratory Judgments in order to seek judicial Relief as petitioned above and herein .

STATEMENT OF THE CASE

Petitioner/Appellant/Defendant received no financial aid assistance from USC for the Spring 2018 semester due to his lack of re-enrollment at USC. (M/M Apr. 12, 2018 pp. 2, 3, 4, 13.) Petitioner's rent became delinquent in January and February 2018. (M/M Apr. 12, 2018 p.

3.) Respondent/Plaintiff filed Rule to Vacate or Show Cause at Olympia Magistrate Court with Magistrate Harold A. Cuff in January and February 2018. Petitioner's mother, Beverley D. Wilson, M.D., paid January and February 2018 rents for Petitioner. (M/M Apr. 12, 2018 p. 3.) Petitioner encountered encumbrances to USC re-enrollment from USCOSC. (M/M Apr. 12, 2018 pp. 2, 3, 4, 13, 16, 17, 18.) March 2018 rent became delinquent.

The Respondent/Plaintiff filed an Application for *Writ of Ejectment* March 12, 2018 and filed a Rule to Vacate or Show Cause March 21, 2018. (M/M July 30, 2018 p. 2.) Petitioner/Appellant/Defendant filed a Motion for a Jury Trial March 29, 2018. A bond hearing was scheduled April 5, 2018 pursuant to SC Code Section 27-40-790. At the bond hearing, Judge Cuff ordered a bond of \$2120.00 payable no later than 5:00 p.m. on April 11, 2018 and a continuing bond of \$1005 due on the 1st of each month and payable to the Court no later than the 5th of every month during the pendency of Petitioner's Jury Trial. (M/M July 30, 2018 p. 2.) The Court further provided that if the 5th of the month fell on a weekend or holiday, the bond was to be posted on the preceding business day.

Petitioner was unable to post the bond by April 11, 2018. The Court issued Respondent/Plaintiff a *Writ of Ejectment* April 12, 2018. (M/M July 30, 2018 p.2) April 12, 2018, Petitioner filed a Motion for Leave of Court for Excusable Neglect for Reconsideration of Petitioner's Motion to Add Parties to Respondent/Plaintiff and Petitioner/Defendant in the Rule to Vacate or Show Cause Action and Reconsideration of Judgment for Petitioner/Defendant to Vacate. Judge Cuff Convened a Special Hearing April 16, 2018 and Granted Petitioner's Motion for a Jury Trial contingent upon Petitioner posting bond of \$2120 by 5:00 p.m./end of business day with continuing posting of monthly rent as previously ordered. (M/M July 30, 2018 p. 2.) No

written Order was generated from that hearing, despite Petitioner's inquiring of Judge Huff and the Clerk of Court if a written Order would be generated.

Petitioner presented to Court April 16, 2018 to post \$2120 bond. Two Hundred dollars of that bond would not transmit electronically due to administrative technical difficulties at PayPal. The Clerk of Court informed Petitioner to return at 8:00 a.m. April 17, 2018 to post the bond in its entirety. Petitioner complied with same April 17, 2018.

May 4, 2018, case transferred to Richland County Central Magistrate's Court.

May 7, 2018, Petitioner filed and was Granted Motion for Continuance for Cause of the May 24, 2018 Mediation Conference Regarding the Motion for Leave of Court for Reconsideration of Petitioner/Defendant's Motion during the Bond Hearing to Add Parties (USC) to Respondent/Plaintiff and (Beverley D. Wilson, M.D.) to Petitioner/Defendant in Rule to Vacate or Show Cause Action.

July 30, 2018, Petitioner filed a Motion for Continuance of the August 6, 2018 Jury Trial alleging numerous acts of Bad Faith by assistant/co-resident manager Tiffany Maddox and Andy Walter, including a June 25, 2018 Assault and Battery of Petitioner by assistant resident manager Tiffany Maddox subsequent to which Petitioner's PTSD was immediately triggered and spectrally displayed as bipolar affective disorder and schizoaffective disorder/schizophrenia resulting in a prolonged course of hospitalization of Petitioner - Petitioner was discharged home July 27, 2018 (M/M July 30, 2018 pp. 6-10.); assistant resident manager Andy Walter's allegation during June 2018 Mediation Conference that Aspyre rented Apartment 3106 to another individual "since Aspyre had received no rent payment from [Petitioner/Appellant/Defendant] since the April [2018] hearing;" (M/M July 30, 2018 pp.

2-3.) and numerous unresolved maintenance issues for Petitioner's apartment, despite numerous computer generated and verbal requests to the Aspyre resident managers and management staff for the repairs to be addressed by Apyre maintenance team. Court denied Petitioner's Motion. (M/M July 30, 2018 p. 4-6.)

July 31, 2018 Petitioner's mother Petitioned for Durable and Healthcare Powers of Attorney over Petitioner, filing copies of same with the Richland County Register of Deeds and presenting a copy of same to the Richland County Central Magistrate's Court August 1, 2018. August 6, 2018, Petitioner Motioned for, but was Denied a Continuance to properly perform Discovery, issue Interrogatories and Production of Documents, and depose witnesses to prepare for trial in Richland County Central Magistrate's Court. Hearing held Richland County Central Magistrate's Court August 21, 2018 with Judge Streater presiding. Respondent/Plaintiff argued and Judge Streater found Petitioner failed to meet requirements of bond, thus waived Jury Trial. Judge Streater immediately issued a new *Writ of Ejectment*.

Petitioner/Appellant/Defendant filed Notice of Appeal and Motion to Stay *Writ of Ejectment* with Richland County Circuit Court August 27, 2018. Initial Brief of Appellant filed September 26, 2018. Respondent/Plaintiff did not file an Initial Brief of Respondent or Designation of Matter. Case not Dismissed by Default by Honorable Judge Walton J. McLeod of Richland County Court of Common Pleas as Default against Respondent/Plaintiff. Hearing scheduled, instead, for December 14, 2018.

Opposing Counsel Thomas I. Howard, Jr. falsely stated during the December 14, 2018 Hearing that the University of South Carolina possessed no leasehold interest in Petitioner/Appellant's Aspyre/YOUnion Apartment 3106. Co-Lessee Wilson subpoenaed

SCE&G whose legal counsel provided written evidence that Respondent's Counsel Thomas I. Howard, Jr., after having been served the Notice of Appeal in this matter, August 27, 2018, knowingly, materially fraudulently informed SCE&G that Petitioner/Appellant/Defendant had been Ejected from Aspyre/YOUnion Apartment 3106 to fraudulently effect the October 19, 2020 transfer of the utility interests for Aspyre/YOUnion Apartment 3106 from Petitioner to S.C. Student Housing and Lease Co., LLC, which represents a University of South Carolina based leasehold interest in a tract of apartments in Aspyre/YOUnion which includes Petitioner/Appellant/Defendant's Apartment 3106. Respondent/Plaintiff refuses to return the SCE&G utility interest back to Petitioner/Appellant/Defendant despite repeated requests by Petitioner/Appellant/Defendant for return of same.

January 30, 2019, Petitioner/Appellant, via a Proposed Order to the Court, Motioned the Court to Sanction Opposing Counsel Howard for Committing Fraud upon the Court. Judge McLeod Declined to Sanction Mr. Howard; Issued his Final Order February 15, 2019; Ruled in favor of Respondent; and Affirmed the Judgment of the Richland County Central Magistrate Court Presiding Magistrate Caroline Streater for *Writ of Ejectment*.

Petitioner/Appellant/Defendant filed a Notice of Appeal April 12, 2019 to Stay Execution of Respondent's *Writ of Ejectment*, to Compel Respondent/Plaintiff to Facilitate Return of SCE&G Utilities for Apartment 3106 to Petitioner/Appellant/Defendant, and to Add Amanda Bidingler, Alisa Liggett, and the University of South Carolina's Office of Student Conduct as Co-Plaintiffs and Beverley D. Wilson as Co-Defendant to Complaint. April 22, 2019, Petitioner/Appellant/Defendant emailed Court Transcriptionist Ms. Maryann Nevers, ordered an electronic version of the December 14, 2018 Richland County Court of Common Pleas Hearing,

and tendered payment via money order of \$215 to Ms. Nevers via certified mail for said electronic Transcript of the December 14, 2018 Richland County Court of Common Pleas Hearing.

Petitioner encountered much delay obtaining the December 14, 2018 Richland County Court of Common Pleas Hearing Transcript. The South Carolina Court of Appeals mandated Petitioner/Appellant Stewart//Defendant to file an Initial Brief and Designation of Matter and forbade Co-Lessee Wilson to petition or address the South Carolina Court of Appeals in any official capacity to represent Petitioner/Appellant/Defendant Stewart and Co-Lessee Wilson's legal property interest in Aspyre/YOUnion Apartment 3106, under penalty of prosecution for practicing law without a license. January 7, 2020, Petitioner/Appellant/Defendant Stewart filed a Motion for Reconsideration, to file all Court proceedings in this case *in forma pauperis*, and to enjoin Co-Lessee Wilson, Petitioner/Appellant/Defendant's Power of Attorney, as a Co-Defendant/Co-Appellant, now Co-Petitioner in this case. Petitioner/Appellant/Defendant Stewart also notified the South Carolina Court of Appeals of Petitioner/Appellant/Defendant's difficulties encountered obtaining the December 14, 2018 Richland County Court of Common Pleas Hearing from the Court Transcriptionist, Ms. Nevers, and asked the Court's forbearance regarding the Initial Brief and Designation of Matter, until Petitioner/Appellant/Defendant received the December 14, 2018 Richland County Court of Common Pleas Hearing Transcript as the December 14, 2018 Transcript was needed to file the Initial Brief and Designation of Matter.

Late February/early March 2020 the COVID-19 Coronavirus Epidemic/Pandemic gained a foothold in and quickly disseminated throughout the United States and South Carolina causing many court delays and effected greater use of court discretion in the interests of justice that court

delays and COVID-19 Coronavirus Epidemic/Pandemic complexities and complications - logistical, economic and otherwise, would not result in unjust outcomes to parties to complaints. Court Transcriptionist Ms. Nevers announced the December 14, 2018 Richland County Court of Common Pleas Hearing Transcript was available April 15, 2020. Transcript received by Petitioner/Appellant/Defendant May 21, 2020. Unknown to Petitioner/Appellant/Defendant, South Carolina Court of Appeals Dismissed the case March 3, 2020 **prior to the December 14, 2018 Richland County Court of Common Pleas Hearing being available** citing Petitioner/Appellant/Defendant's failure to File an Initial Brief and Designation of Matter. South Carolina Court of Appeals Returned the Remittitur to the Richland County Central Magistrate Court April 23, 2020.

Petitioner/Appellant/Defendant filed a Motion for Recall of the Remittitur from the Richland County Central Magistrate Court to the South Carolina Court of Appeals Due to Excusable Neglect due to Extenuating Circumstances and extenuating financial circumstances complicated by the COVID-19 Coronavirus Pandemic June 19, 2020.

Petitioner/Appellant/Defendant Stewart also Motioned the Court to allow Petitioner/Appellant/Defendant to seek Declaratory Judgment from the SC Supreme Court on Co-Lessee Wilson's status as Co-Lessee of Aspyre/YOUnion Apartment 3106 in order to Enjoin Co-Lessee Wilson as a Co-Defendant/Co-Appellant, now Co-Petitioner in this matter June 19, 2020.

Respondent/Plaintiff Petitioned and Received a *Writ of Ejectment* from the Richland County Central Magistrate Court June 26, 2020. South Carolina Court of Appeals Denied Petitioner/Appellant/Defendant Stewart's Motion to Recall the Remittitur July 2, 2020.

Respondent/Plaintiff Petitioned for and was Granted a *Writ of Ejectment* which was delivered via Richland County Sheriff's Deputy Thursday, July 2, 2020, with an enforcement date of Friday, July 3, 2020 . Petitioner/Appellant/Defendant Stewart was informed an Appeal could not be filed with the SC Supreme Court due to lack of jurisdiction absent Recall of the Remittitur by the South Carolina Court of Appeals.

Petitioner/Appellant/Defendant Stewart filed a Notice of Appeal to the United States Supreme Court July 6, 2020. July 22, 2020, the Supreme Court of the United States returned Petitioner Stewart's Notice of Appeal and mandated Petitioner Stewart seek an appellate judgment from the SC Supreme Court per the mandated protocol of the Supreme Court of the United States per 28 USC Section 1257. Petitioner respectfully filed a Notice of Appeal with a detailed Motion and Memorandum of the Final Order of the South Carolina Court of Appeals to the SC Supreme Court in this Matter August 1, 2020 and an Amended Notice of Appeal was filed August 13, 2020 to provide proper contextualization for the Court to analyze the Issues and Motions Petitioner presented the Court. The Court construed Petitioner's Notice of Appeal and detailed motion and Memorandum as a *Writ of Certiorari* improperly filed without adherence to the SC rules of Appellate Procedure, and Dismissed Petitioner's Notice of Appeal, and Motions for Declaratory Judgments. Petitioner and Co-Lessee Wilson respectfully Petition the Court to allow this matter to be filed *in forma pauperis* due to Petitioner and Co-Lessee Wilson's abject dire financial circumstances which would presently prohibit Petitioner and Co-Lessee Wilson's ability to access the Court due to inability to pay for these Court proceedings, which would violate Petitioner and Co-Lessee's U.S. and South Carolina Constitutional rights to access the courts. Petitioner/Appellant/Defendant has concurrently filed a Petition for Rehearing and

Reinstatement of this case, including Recall of the Remittitur from the Richland County Central Magistrate's Court and a Stay of Respondent/Plaintiff's *Writ of Ejectment* as *in forma pauperis Pro se* litigants and respectfully submits this Petition for Declaratory Judgments, *in forma pauperis Pro se*.

FACTS

Petitioner is a 27 yo graduate student in his final year of study in the Master's of Science Program in Biomedical Engineering at the University of South Carolina, Columbia, South Carolina (USC). (M/M July 30, 2018 p. 2.) Petitioner withdrew academically for medical reasons from USC for the Fall 2017 semester after being hospitalized twice for a period of time totalling nearly two months from August 19, 2018 to October 17, 2017. (M/M Apr. 12, 2018 p. 6.) Petitioner's vehicle was towed from the Aspyre garage September 29, 2017 while he was hospitalized despite Petitioner's mother having informed (assistant) resident manager Taylor (?Last Name) of Petitioner's hospitalization and that manager's assurance he would be vigilant regarding Petitioner/Appellant/Defendant's interests until Petitioner improved sufficiently clinically. (M/M July 30, 2018 p. 4.; M/M Apr. 12, 2018 p. 6.)

Petitioner has resided at Aspyre for 7 ½ to 8 years, greatly appreciates the security, familiarity, and comfort his small studio apartment affords him and desperately needs his apartment as Petitioner's apartment is within 7 to 10 minutes walking distance from USC's Biomedical Engineering Building and Petitioner now has no vehicle, nor finances of his own. (Apr. 12, 2018 pp. 3, 16; July 30, 2018 pp. 2-4.) Petitioner has primarily provided the bulk of his own rent payments for years with his income derived from his academic endeavors, and part-time jobs at or near USC. Petitioner alleges it would have been unfair to displace Petitioner in April 2018,

when Petitioner was going to enroll at USC for Summer 2018 and receive his funding by special permission by USC Office of Financial Aid due to his unique financially distressed situation secondary to non-enrollment for Spring 2018 semester. (Apr. 12, 2018 p. 16.)

Through no fault of his own, Petitioner has disabling mental health due to repetitive childhood trauma inflicted by his biological father and his biological father's girlfriend. (Apr. 12, 2018 p.

4.) Petitioner received excellent counseling via Duke University and the Medical University of South Carolina's National Crime Victims Center and was told to avoid extremes of stress or triggers for his childhood abuse. Petitioner and his family ensured Petitioner remained as stress free as possible under the circumstances. (Apr. 12, 2018 pp. 18, 19.) Petitioner's only other major mental health incapacitation since his childhood diagnosis was in 2011 following a traumatic life-unsettling event experienced without support of family in China. (July 30, 2018. p. 10; Apr. 12, 2018 p. 17)

Petitioner has only two requirements remaining to complete his degree requirements for his Master's Degree in Science for Biomedical Engineering at USC: his Master's Thesis Project this fall and his Biomedical Engineering Research Seminar in Spring 2019. (Apr. 12, 2018 p. 16.) If Petitioner is ejected from his apartment at Aspyre, Petitioner has no ability to obtain housing sufficiently proximate to USC to allow his successful attendance at USC without a car. Petitioner spends many hours in the USC Biomedical Engineering and Mechanical Engineering laboratories and library and must remain within walking distance of his USC Graduate Studies Program.

In February 2018, Petitioner's mother was informed by Aspyre and Petitioner that Petitioner's rent was two months in arrears and Aspyre had served Petitioner a Rule to Vacate or

Show Cause. (Apr. 12, 2018 p. 3) Petitioner's mother made two months rental payments to Aspyre for January and February 2018 rents in February 2018. Petitioner's mother has limited income status post displacement from her medical office and is a third year law student at Charleston School of Law. Petitioner's mother was, therefore unable to proffer the March and April 2018 rents by April 11, 2018 to avoid the *Writ of Ejectment* being obtained by Aspyre on April 12, 2018. (July 30,, 2018 p. 6.)

April 12, 2018, Petitioner's mother Motioned the Olympia Magistrate's Court for Consideration for Excusable Neglect due to extenuating circumstances for an extension of time to pay the rent in arrearage and for a Jury Trial to contest the *Writ of Ejectment* and renew Petitioner's lease for his apartment for the 2018-2019 academic year. (M/M July 30, 2018 p. 2.) April 16, 2018, Olympia Magistrate Judge Cuff, after a Special Hearing in which Judge Cuff heard and considered Petitioner's extenuating circumstances, deemed Petitioner's circumstances compelling enough to Deny Respondent/Plaintiff's Motion for Execution of the *Writ of Ejectment*. (M/M July 30, 2018 p. 2.)

At the conclusion of the April 16, 2018 Special Hearing, Judge Cuff informed Respondent/Plaintiff that Respondent/Plaintiff could not eject Petitioner if Petitioner cured Apartment 3106's rent arrearage by close of that business day and kept the rent payments current during the pendency of the jury trial requested. Petitioner's mother pawned the fine jewelry she was wearing April 16, 2018 - the only remaining fine jewelry she owned status post a home invasion, robbery, and vandalism November 2016 - and presented to Court prior to the established 5:00 p.m. deadline April 16, 2018 to post \$2120 bond Specifically, Petitioner returned to Olympia Court at approximately 4:30 p.m. with a combination of cash and a few

electronic wire transfers via PayPal totaling \$2120. All but \$200 was immediately payable to the Court when the electronic funds were accessed. Despite PayPal's assistance, that last remaining \$200 could not be accessed. The Clerk of Court informed Petitioner's mother to return to Court the next morning at 8:00 a.m. to post the funds as the Clerk of Court had a previously scheduled engagement and the Court could not process a partial rent payment. Petitioner's mother worked with PayPal until the funds properly attached to Petitioner's Paypal account. Petitioner's mother tendered \$2120 to Olympia Magistrate's Court when the Court opened April 17, 2018 as directed by the Clerk of Court.

Petitioner was unable to re-enroll at USC during the Spring 2018 semester due to encumbrances imposed by then Assistant Director of the USC Office of Student Conduct, Amanda Bidinger, who requested overly broad, overreaching, HIPPA violating requests for mental health records from Petitioner's inpatient and outpatient mental health providers. (Apr. 12, 2018 pp. 2, 3, 4, 13, 16, 17, 18.) USC Counsel Henry White admitted such and worked in concert with USCOSC, Petitioner and Petitioner's mother to draft HIPPA compliant mental health record and outpatient provider followup requests. (Apr. 12, 2018 p. 5.)

Petitioner is a professional student and receives the bulk of his finances from his academic enrollment at USC with income supplementation by part-time jobs at USC and in the surrounding Columbia area. (Apr. 12, 2018 p. 3.) Petitioner received no financial aid assistance from USC for the Spring 2018 semester due to his lack of re-enrollment at USC. (Apr. 12, 2018 pp. 2, 3, 4, 13.) Subsequently, Petitioner's rent became delinquent in January and February 2018. Respondent/Plaintiff filed Rule to Vacate or Show Cause at Olympia Magistrate Court with Magistrate Harold A. Cuff in January and February 2018. (Apr. 12, 2018 p. 3.) Petitioner's

mother, Beverley D. Wilson, M.D., paid January and February 2018 rents for Petitioner conditional upon Petitioner's mother's recognition as a co-signer on Petitioner's lease for apartment 3106 to protect Petitioner's interests. (Apr. 12, 2018 p. 3.) Petitioner and Respondent/Plaintiff agreed verbally. Petitioner's mother requested a written contract, but Respondent/Plaintiff declined, stating the oral contract would be honored by Respondent/Plaintiff in full. (Apr. 12, 2018 p. 3.) Petitioner's mother was given an electronic key to Apartment 3106 and all rights as pertains to Apartment 3106 except only one fob would be shared between the Petitioners. (Apr. 12, 2018 p. 3.)

The Respondent/Plaintiff filed an Application for *Writ of Ejectment* March 12, 2018 and filed a Rule to Vacate or Show Cause March 21, 2018. (July 30, 2018 p. 2) Petitioner filed a Motion for a Jury Trial March 29, 2018. A bond hearing was scheduled April 5, 2018 pursuant to SC Code Section 27-40-790. At the bond hearing, Judge Cuff ordered a bond of \$2120.00 payable no later than 5:00 p.m. on April 11, 2018 and a continuing bond of \$1005 due on the 1st of each month and payable to the Court no later than the 5th of every month during the pendency of Petitioner's Jury Trial. The Court further provided that if the 5th of the month fell on a weekend or holiday, the bond was to be posted on the preceding business day. (July. 30, 2018 p. 2.) Petitioner was unable to post the bond by April 11, 2018. The Court issued Respondent/Plaintiff a *Writ of Ejectment*. (July 30, 2018 p. 2.)

April 12, 2018, Petitioner filed a Motion for Leave of Court for Excusable Neglect for Reconsideration of Defendant's Motion to Add Parties to Plaintiff and Defendant in the Rule to Vacate or Show Cause Action and Reconsideration of Judgment for Defendant to Vacate. Judge Cuff Convened a Special Hearing April 16, 2018 in which Judge Cuff Granted Petitioner's

Motion for a Jury Trial contingent upon Petitioner posting bond of \$2120 by 5:00 p.m./end of business day with continuing posting of monthly rent as previously ordered. (July 30, 2018 p. 2.) No written Order was generated from that hearing, despite Petitioner's inquiring of Judge Huff and the Clerk of Court if a written Order would be generated - Judge Huff, personally and via communication by the Clerk of Court stated "No."

Petitioner's mother pawned the fine jewelry she was wearing April 16, 2018, the only remaining fine jewelry she owned status post a home invasion, robbery, and vandalism November 2016, and presented to Court prior to the established 5:00 p.m. deadline April 16, 2018 to post \$2120 bond. Two Hundred dollars of that bond would not transmit electronically due to administrative technical difficulties at PayPal. The Clerk of Court verbalized she had a previously scheduled appointment at 5:00 p.m. and informed Petitioner to return at 8:00 a.m. April 17, 2018 to post the bond in its entirety as the Clerk of Court could not post anything other than the bond in its entirety. Petitioner complied with same April 17, 2018.

May 7, 2018, Petitioner filed Motion for Continuance for Cause of the May 24, 2018 Mediation Conference Regarding the Motion for Leave of Court for Reconsideration of Defendant's Motion during the Bond Hearing to Add Parties (USC) to Respondent/Plaintiff and (Beverley D. Wilson, M.D.) to Petitioner/Appellant/Defendant in Rule to Vacate or Show Cause Action. The Court Granted Continuance.

July 30, 2018, Petitioner/Defendant filed a Motion for Continuance of the August 6, 2018 Jury Trial alleging numerous acts of Bad Faith by assistant/co-resident manager Tiffany Maddox and Andy Walter, including a June 25, 2018 Assault and Battery of Petitioner/Defendant by assistant resident manager Tiffany Maddox who alleged Petitioner/Defendant was "smelly and in

the Business Center she wished to show to prospective clients” (July 30, 2018 p. 6-10.); assistant resident manager Andy Walter’s allegation during June 2018 Mediation Conference that Aspyre rented Apartment 3106 to another individual “since Aspyre had received no rent payment from [Petitioner] since the April [2018] hearing; (July 30, 2018 p. 2-3.)” numerous unresolved maintenance issues for Petitioner’s apartment, despite numerous computer generated and verbal requests to the Aspyre resident managers and management staff for the repairs to be addressed by Aspyre maintenance team for past 8 to 9 months, including broken toilet seat, clogged kitchen sink and bathtub, malfunctioning garbage disposal, blown out lights throughout apartment, including light in bedroom closet not functional since Aspyre fire of 2 years ago; carpet in Petitioner’s apartment needs professional cleaning and hasn’t been professionally cleaned in 7 years. Petitioner verbalized he was uncomfortable being responsible for cleaning carpet with a commercial carpet cleaner due to the potential for mold growth in the carpet, carpet padding, and apartment and health hazards associated with same. Ms. Maddox agreed Aspyre would professionally clean the carpet in Petitioner’s apartment; lack of key to Aspyre postal box for eleven months since Petitioner’s key inadvertently given to another patient and Petitioner unable to access his postal box except by establishing contact with the U.S. Postal worker directly upon Aspyre mail delivery. Aspyre and the U.S. Post Office each deny having any extra keys to Petitioner’s Aspyre postal box. (July 30, 2018 pp. 4-6.)

Additionally, on June 25, 2018, Tiffany Maddox called 911 engaging Columbia Police Department, rather than USC Police Department per Aspyre and USC protocol. (Aug. 6, 2018 pp. 2-3.) Ms. Maddox alleges Petitioner was subsequently “taken away by EMS on a stretcher after [Petitioner] engaged in a confrontation with Columbia and USC police officers.” (July 30,

2018 p. 6-7.) Ms. Maddox alleged she “[had] not seen [Petitioner] in about a week.” Despite previous assurances to Petitioner’s mother from Ms. Maddox, who stated her sister suffered from mental illness and that she [Tiffany Maddox] would be vigilant regarding Petitioner’s behavior and call Petitioner’s mother regarding any concerning behavior by Petitioner, Ms. Maddox declined to do same. Instead, Petitioner alleges Ms. Maddox aggressively laid hands upon Petitioner in an attempt to extract Petitioner from the Business Center the morning of June 25, 2018 after Petitioner declined Ms. Maddox’ request he leave the Aspyre Business Center. (Aug. 6, 2018 p. 2.) Petitioner’s PTSD was immediately triggered by Ms. Maddox’s Assault and Battery and spectrally displayed as bipolar affective disorder and schizoaffective disorder/schizophrenia during the course of that hospitalization. (Aug. 6, 2018 pp. 2.)

Petitioner was discharged home July 27, 2018 after a very contentious hospitalization at Palmetto Baptist with Dr. Tim Malone as admitting attending/attending after receiving and experiencing profound adverse reactions to numerous psychotropic medications. (July 30, 2018 pp. 9-15; August 6, 2018 p.4.) Petitioner’s clothing on admission to that facility were returned to Petitioner on discharge and “smelled pleasant, like Downy as they did when they were initially washed” per Petitioner’s mother; During the afternoon of July 27, 2018, Aspyre custodial worker Carolyn Weston witnessed and stated [Petitioner’s] clothing worn when hospitalized June 25, 2018 smelled pleasantly like Downy in the presence and company of Aspyre resident manager Michelle Nesmith, who declined to smell Petitioner’s clothing directly, but noted no foul smells emanating from the clothes from a short distance of approximately one foot away. (July 30, 2018 pp. 8.)

July 31, 2018 Petitioner's mother Petitioned for Durable and Healthcare Powers of Attorney over Petitioner, filing copies of same with the Richland County Register of Deeds and presenting a copy of same to the Richland County Central Magistrate's Court August 1, 2018. August 6, 2018, Petitioner Motioned for, but was Denied a Continuance to properly perform Discovery, issue Interrogatories and Production of Documents, and depose witnesses to prepare for trial. Hearing held Richland County Central Magistrate's Court August 21, 2018 with Judge Streater presiding. Respondent/Plaintiff argued and Judge Streater found Petitioner failed to meet requirements of bond, thus waived Jury Trial. Judge Streater immediately issued a new *Writ of Ejectment*. Bond payment history is affixed below. *See Appendix I – Bank Documents authenticating Petitioner's receipt of funds for payments.

Petitioner filed Notice of Appeal and Motion to Stay *Writ of Ejectment* with Richland County Circuit Court August 27, 2018. Initial Brief of Petitioner filed September 26, 2018.

Listed below are the actual dates of rental payments by Petitioner to the Court:

1. April 16 → *April 17, 2018 \$2020 Rental Arrearage Pay (Deemed TIMELY)

*Secondary to **Clerk of Olympia Magistrate Court's directive to make bond payment on April 17, 2018** status post PayPal account administrative posting error requiring correction by Paypal to properly direct \$200 in funds for payment to Court toward Petitioner's rental payment to cure arrearage;

2. May 4, 2018 Olympia Magistrate Court transferred Petitioner's Aspyre Escrow Account to Richland Central Magistrate Court.**

Petitioner arrived at Olympia Magistrate Court at 4:40 pm to make monthly rental payment as ordered by Court. Olympia Magistrate Clerk of Court informed Petitioner payment must be made to Richland County Central Magistrate Court. Petitioner noted inadequate time to get to Richland County Central Magistrate Court before 5:00 pm to make payment to Court. Olympia Magistrate Clerk of Court contacted Clerk of Richland County Central Magistrate Court, **received authorization for Petitioner to make monthly rental payment on May 7, 2018.

Note: Petitioner originally dated check May 5, 2018 to withdraw funds from Forest Drive First

Citizens Bank on that date, but subsequently elected to go to a closer First Citizens Bank to save gas May 7, 2018. Counter checks cost \$1; Petitioner kept, presented May 5, 2018 check on May 7, 2018 to conserve funds.:

May 4 → *May 7, 2018 → \$1009 Rental Payment (Deemed TIMELY)

3. June 5 → *June 6, 2018 → \$1010 Rental Payment (Deemed TIMELY)
Petitioner's vehicle's engine failure due to serpentine belt broke June 5, 2018 rendering Petitioner unable to travel to Court. Petitioner notified Richland County Central Magistrate **Court and told Petitioner to present payment June 6, 2018.** It is noted Petitioner usually drives 2 ½ hours one way from Charleston, SC and misses law school classes to make payments to Richland County Central Magistrate Court due to Court Denial of Petitioner's Request/Motion to make rental payment in a Charleston Magistrate Court.

4. July 5, 2018 \$1010 Rental Payment made TIMELY.

5. August 3 → August 6, 2018 \$478 Cash + \$327 Cash + \$200 Cashier's Check Contribution from Bibleway Social Action Foundation = \$1005 Rental Payment (Should be Deemed TIMELY).

SCE&G Head Manager Jackie Harris referred Petitioner to Good Neighbor "Fund (GNF) requested **Petitioner postpone August rental payment until late, e.g., 4:00 p.m. on day of August 3, 2018 to attempt to allow GNF Director Chris Faircloth to deliver Petitioner funds to allow up to \$600** and a one- to-one funding match to apply SCE&G GNF funds to Petitioner's rent, allowing same amount to be paid toward Petitioner's electrical utility bill to **restore SCE&G service** which was sacrificed for one month by Petitioner to ensure funds for September 2018's rent payment. Petitioner encountered much slowed traffic on I-77 August 3, 2018 due to **two traffic incidents per interstate motorist communication signage en route to Richland County Central Magistrate Court delaying Petitioner's arrival at Court** greater than 20 minutes. Petitioner arrived at Court at 5:07 to 5:08 p.m. to see last employee exiting the Richland County Central Magistrate Court. Petitioner returned to Court August 6, 2018 to make August 2018 rental payment.

6. September 5, 2018 \$410 Cashier's Check, \$600 Check from SCE&G Good Neighbor Fund made TIMELY.

Petitioner's lease payments to Respondent are current.

7. October 3, 2018 \$1015 Money Order, October 2018 Rental Payment Made Timely.
8. October 31, 2018 \$1010 Money Order, November 2018 Rental Payment Made Early.
9. November 27, 2018 \$2020 Money Order, December 2018, January 2019 Rental Payments made Early.
10. January 24, 2019 \$8,072 Cashier's Check, February 1 to September 30, 2019 Rental Payments made Early.
11. December 13, 2019 \$3015 Cashier's Check, October to December 2019 Rental Payments Made Late, Should be Deemed TIMELY as USC Disbursed Fall 2019 Financial Aid Two Days After Last Day of Fall 2019 Classes. (Bank Reissued Check July 14, 2020).
12. January 3, 2020 \$1005 Cashier's Check, January 2020 Rental Payment Made Timely.
13. February 1, 2020 \$2010 Cashier's Check February 1 to March 31, 2020 Rental Payments Made Timely.
14. July 6, 2020 \$4420 Cashier's Check April 1 to July 31, 2020 Rental Payments Made Late, Should be Deemed TIMELY as the Charleston School of Law Unjustly Delinquent in Disbursement of Financial Aid for Co-Lessee Wilson for Spring 2020 In Ongoing Manner. Charleston School of Law Similarly Unjustly Delinquent, Failed To Disburse Supplemental Financial Aid for Fall 2017 in November 2017 Ongoing Into Spring 2018.
15. USC Office of Student Conduct Improper Delays Instrumented by Former Employee Amanda Bidinger with approval of her director Alisa Liggett foreclosed Petitioner Stewart's USC Enrollment and Financial Aid Spring 2018. Any Delinquencies for January to May 2018 Rental Payments Should Be Deemed Timely as Excused.
16. Special Provisions made to tender USC Financial Aid for Summer 2018 foreclosed by Assault and Battery of Petitioner Stewart by Aspyre/YOUnion Assistant Manager Tiffany Maddox resulting in 32 day hospitalization of Petitioner Stewart and inability To Attend USC's Summer 2018 Sessions, Receive Financial Aid. Any Delinquencies for June to August 2018 Rental Payments Should Be Deemed Timely as Excused.
17. Richland Central Magistrate's Court Granted Extension to Petitioner/Defendant to pay August 2020's \$1005 Rental Payment by Friday, August 21, 2020. Petitioner/Defendant Paid \$1010 via Cashier's check via mail postal stamped to Court August 21, 2020 pending resolution of outstanding issues and Motions before the Courts in this matter.

Co-Lessee Wilson has been repeatedly denied her request for financial aid for the Spring 2020 semester by Mr. Bobby Greer, the Financial Aid Director of the Charleston School of Law, despite the Charleston School of Law's President Ed Bell's March 24, 2020 emailed statement to the U.S. Department of Education, USDOE, in support of the release of Co-Lessee Wilson's financial aid for the Spring 2020 Semester, subject to the express requirement the USDOE unequivocally assert the Charleston School of Law's Financial Aid Director had discretionary authority to approve Co-Lessee Wilson's financial aid for the Spring 2020 Semester. President Bell's email is included herein:

From: J Edward Bell <jeb@edbelllaw.com>
Sent: Tuesday, March 24, 2020 1:22 PM
To: Beverley Wilson <bdwilson@charlestonlaw.edu>; FSA Ombudsman Office <FSAOmbudsmanOffice@ed.gov>
Cc: Bobby Greer <bgreer@charlestonlaw.edu>; Ed Bell <ebell@charlestonlaw.edu>
Subject: RE: U.S. Department of Education Ombudsman Office Case #01885249, Opened August 22, 2019

Dear Sir

I am the President of the Charleston School of Law. I would encourage you to look favorably on Dr. Wilson's application for the funds that she is seeking. We are ready to approve of the disbursement of these funds with your permission.

Time is of the essence and your expedited response would be immeasurably beneficial to Dr. Wilson. Dr Wilson is one of our prominent students at our School and like many others, has sacrificed a lot to attain her law degree. She needs this financial assistance and your help would be most appreciated.

If you have any questions, please don't hesitate to contact me.

Thanks

Ed Bell
President, Charleston School of Law

It is well-settled law and established custom in South Carolina and nationwide that financial aid directors of graduate level institutions of higher education have the discretionary authority to approve financial aid for students with extenuating circumstances financially utilizing their professional judgment subsequent to academic approval of that student's course load for that semester by the graduate school's Registrar, with or without simultaneous academic approval by the Dean of Academics or Dean of Students of that graduate level institution of higher education.

To date, the USDOE has not provided an unequivocal declaration of the discretionary authority of the Financial Aid Director of the Charleston School of Law despite multiple requests and petitions by Co-Lessee Wilson for same and letters of support requesting same and urging release of Co-Lessee Wilson's financial aid from both of South Carolina U.S. Senators, the Honorable Lindsey Graham and the Honorable Timothy Scott. Professor Debra Gammons, Director of the Office of Diversity at the Charleston School of Law; Dr. Karen Woodfaulk, S.C. Commission on Higher Education, SCCHE, Director for Student Affairs; and Ms. Peggy Simons, Program Coordinator Title IV Funds of the Director of Academics Office, Dr. John Lane, of the S.C. Commission on Higher Education, all unequivocally stated Co-Lessee Wilson was entitled to and should have been approved for financial aid for the Spring 2020 Semester by Mr. Greer on a discretionary basis due to Co-Lessee Wilson's extenuating financial circumstances as Co-Lessee Wilson reported to Mr. Greer, with Mr. Greer's documentation of the rationale for utilization of his professional judgment to approve Co-Lessee Wilson's financial aid request in Co-Lessee Wilson's financial aid record at the Charleston School of Law, then submission of

Co-Lessee Wilson's approved application for financial aid for the Spring 2020 Semester to the USDOE for disbursement of that financial aid. Included herein is Co-Lessee Wilson's email to Ms. Linda Clarke, Team Lead of USDOE's Ombudsman's Office, June 17, 2020:

On Wed, Jun 17, 2020 at 8:22 AM Beverley Wilson <bdwilson@charlestonlaw.edu> wrote:
Good Morning Ms. Clarke,

Thank you for responding to my June 11, 2020 email in part. May you please affirmatively confirm or definitively deny that Ms. Baker, as Registrar of the Charleston School of Law, and Dean Lawton, as Dean of Academics of the Charleston School of Law, have the requisite authority/discretionary authority to approve my 11 credit hours of coursework taken in the Spring 2020 Semester as academic coursework counting toward my graduation from the Charleston School of Law and submit that approved coursework to Mr. Greer; and that Mr. Greer, as Director of Financial Aid of the Charleston School of Law, has the discretionary authority to approve my thus, academically approved 11 credit hours of coursework for the Spring 2020 Semester, due to my extenuating circumstances by utilizing his professional judgment, and to document the reasoning he utilized in granting that discretionary approval for my financial aid request for the Spring 2020 Semester in my financial records at the Charleston School of Law, and to subsequently submit a copy of that documentation to the USDOE as part of my approved application for financial aid for the Spring 2020 Semester to the USDOE, which would allow "the Charleston School of Law to stand ready to disburse my financial aid upon approval by [and receipt of that financial aid from] the [USDOE]" as President Bell stated in his email to the USDOE March 24, 2020 and copied to me.

Thank you in advance for your expeditious response to this inquiry/request to prayerfully resolve this matter to my benefit.

Respectfully,

B.D. Wilson, M.D., J.D.

COPY

Co-Lessee Wilson's lack of financial aid during the Spring 2020 Semester, her last semester of law school was extremely problematic for Co-Lessee Wilson academically regarding and including late procurement of legal textbooks and supplies for law school, difficulty effecting the 2 ½ hour commute each way to the Charleston School of Law from Columbia, and timely compliance with meeting SC July 2020 Bar examination requirements, as well as securing the much delayed Transcript from the December 14, 2018 Richland County Court of Common Pleas Hearing. Lack of the December 14, 2018 Transcript precluded Co-Lessee Wilson's ability to complete and submit her Petition for Declaratory Judgment to the SC Supreme Court regarding Co-Lessee Wilson status with Petitioner/Appellant/Defendant for Aspyre, now YOUnion, Apartment 3106.

In Further Support of Motions to Enjoin Parties and for Declaratory Judgment

Petitioner Travis Stewart, pursuant to Rule 59(e) of the South Carolina Rules of Civil Procedure, in support of Motions to the Court for Leave of Court to Enjoin additional parties to Respondent/Plaintiff, Aspyre/YOUnion Apartments and Petitioner/Appellant/Defendant Travis Stewart as requested during, but, not ruled upon by the judge at the bond hearing April 6, 2018 and subsequently, wishes to preserve this issue for appeal if not Granted, based upon the ruling in *Timmerman*, 331 S.C. 455, 460, 502 S.E.2d 920, 922 (Ct.App 1998) to raise the issue as a new issue and, alternatively, based upon the ruling in *Elam v. South Carolina Dept. of Transp.*, 361 S.C. 9, 24 602 S.E.2d 772, 780 (2004) to ask for a ruling on the previously requested, but not addressed issue.

Specifically, Petitioner Motions to Enjoin the University of South Carolina Office of Student Conduct, and its Director, Alisa Liggett, and Assistant Director Amanda Bidinger;

Aspyre/YOUnion Assistant Residential Manager Tiffany Maddox and Residential Managers Andy Walter and Taylor (? last name, Fall/Winter 2017) as Co-Plaintiffs/Co-Respondents in this action, or alternatively, as third parties Co-Defendants in this, countersuit actions, or alternatively, independent derivative actions and cross-claims arising from this matter.

Petitioner asserts these individuals and entities he seeks to enjoin as

Co-Respondent/Co-Plaintiffs to this action, or alternatively, as third parties as Co-Defendants in this and countersuit actions, or derivative actions and cross-claims, have violated

Petitioner/Appellant/Defendant Travis Stewart's Procedural and Substantive Due Process rights as guaranteed by the Fourteenth and Fifth Amendments of the U.S. Constitution, and the

American Disabilities Act and its Amendments. Petitioner Motions to Enjoin Ed Bell, President of the Charleston School of Law, Andy Abrams, former Vice President of the Charleston School of Law, Bobby Greer, current Director of Financial Aid at the Charleston School of Law, Anita Elliott, former Director of Financial Aid at the Charleston School of Law, the Charleston School of Law, and Honorable Secretary Betsy Devos, U.S. Department of Education, Maria

Rodriguez, Program Compliance, U.S. Department of Education, and Linda Clarke, Team Leader, U.S. Department of Education as Co-Respondents/Co-Plaintiffs to this action, or

alternatively, as third parties Co-Defendant in this and countersuit actions, or derivative actions and cross-claims, for purposeful, obstructive efforts to unjustly, and potentially unlawfully,

withhold Co-Lessee Beverley Wilson's supplemental financial aid beyond the Cost of

Attendance for the Fall 2017 into Spring 2018 semesters and financial aid for the Spring 2020

Semester and ongoing currently, directly affects Co-Lessee Wilson's financial interests, legal

obligations, and Co-Lessee Wilson's ability to tender her expected portion of payments for lease,

utilities, and other expenses for Aspyre/YOUnion Apartment 3106, which directly and indirectly affects Petitioner's financial, property, and legal interests regarding Aspyre/YOUnion Apartment 3106.

Petitioner also Motions to Enjoin Kimberly Phillips, Esquire and Margaret Lawson, Esquire as Co-Defendants/Co-Respondents in this action, or third party independent derivative actions and cross-claims arising from this matter due to Kimberly Phillips, Esquire's and Margaret Lawton, Esquire's egregious tortious violations of Due Process, *Rehabilitation Act* academic disabilities violations, and Abuse of Power violations by the Charleston School of Law that directly and indirectly impacted Co-Lessee Wilson's post-graduate academic opportunities and financial viability, and consequently Petitioner Stewart's and Co-Lessee Wilson's legal and property interests in Aspyre/YOUnion Apartment 3106 Alternatively, Petitioner Stewart wishes to Enjoin Kimberly Phillips, Esquire and Margaret Lawson, Esquire as third party claim Co-Defendants/Co-Respondents, alternatively as third party independent claims, derivative actions and or cross-claims in this action, if they are not able to be enjoined as Co-Defendants/Co-Respondents in this action.

Petitioner wishes to enjoin Beverley D. Wilson, as a Co-Petitioner/Co-Appellant/Co-Defendant in this action. Petitioner Motions to enjoin Co-Lessee Beverley D. Wilson as a Co-Petitioner/Co-Appellant/Co-Defendant in this action due to Beverley D. Wilson's shared legal and property interests in Aspyre/YOUnion Apartment 3106.

Petitioner expresses his desire to reserve on appeal the right to enjoin these and other individuals and entities into this action, and as independent third parties in this, countersuit, and derivative actions and cross-claims as same may be evidenced upon further investigation and

discovery, for causes of actions to include Fraud, Abuse of Power, Abuse of Discretion, Tortious Interference, and Conspiracy.

Petitioner asserts, and Co-Lessee Wilson testified at the bond hearing, that the University of South Carolina Office of Student Conduct, and its Director, Alisa Liggett, and Assistant Director Amanda Bidinger should be enjoined as Co-Respondents/Co-Plaintiffs in this cause of action as they committed and/or allowed violations against Petitioner that foreclosed Petitioner's ability to timely enroll for the Spring 2018 semester in the Graduate Program of Biomedical Engineering at the University of South Carolina. Petitioner Stewart is a usually enrolled as a full-time graduate student in Biomedical Engineering at the University of South Carolina and depends upon overage of financial aid received by virtue of full-time enrollment to pay for cost of attendance expenses, including his residential lease agreement with Aspyre/YOUnion Apartments at which Petitioner has resided for the past near nine years. Petitioner alleges that, but for these parties' failure to act timely and appropriately upon his repeated petitions for re-enrollment and to allow effective timely enrollment at USC for the Spring 2018 semester, Petitioner would not be before this Court in this present action.

Petitioner places particular emphasis upon the University of South Carolina's Office of Student Conduct's requests for overreaching FERPA medical records release request of Petitioner which would, as written on its face, have allowed overly broad access to Petitioner's medical information from his medical providers/mental health providers violating his HIPPA rights and rights to privacy. Co-Lessee Beverley D. Wilson, Petitioner's mother and a physician with nearly thirty years of clinical practice as a pediatrician, full knowledge of Petitioner's medical and psychiatric history, and longstanding history of sexual abuse by his biological father

and girlfriend, and has now completed law school at the Charleston School of Law. Co-Lessee Wilson apprised Ms. Liggett and Ms. Bidinger of the University of South Carolina Office of Student Conduct of the overreach and overbreadth of the requests USC's Office of Student Conduct was requiring Petitioner Stewart to comply with in order to be re-enrolled at the University of South Carolina for the Spring 2018 semester, and proposed a more appropriate set of conditions for limited release of medical information that would fully allow USC, via its Office of Student Conduct, to protect USC, its other students and Petitioner Stewart, and timely allow Petitioner/Appellant/Defendant Travis Stewart to re-enroll for the Spring 2018 semester.

Ms. Bidinger, specifically refused to agree to the conditions proposed by Co-Lessee Beverley D. Wilson since early February 2018, even after a committee convened which included Ms. Liggett, members of USC's psychiatrists, ombudsmen, and attorney, and agreed to the proposed conditions almost verbatim as presented by Co-Lessee Beverley D. Wilson until the first week of April 2018. Additionally, Ms. Bidinger strictly forbade Drs. Shazly and Moss from signing Petitioner Stewart's petition to re-enroll at USC for classes, specifically six hours of graduate research/independent study until he complied with all requirements of the USC Office of Student Conduct, particularly the overly broad, overreaching FERPA release for Office of Student Conduct requesting medical records information from Travis' providers, which precluded Petitioner's ability to timely enroll for classes for the Spring 2018 Semester.

In addition to reasons cited above, Petitioner wishes to add Co-Lessee Beverley D. Wilson as a Co-Petitioner/Co-Appellant/Co-Defendant in this matter. Co-Lessee Beverley D. Wilson was added to Petitioner/Appellant/Defendant Travis Stewart's lease in February 2018 as a Co-Lessee of Apartment 3106 with **full rights and benefits thereto and immediate recall and**

discharge of the restraining order Aspyre/YOUnion had executed against Beverley D. Wilson, M.D. for the premises of Aspyre/YOUnion in July 2017, by express oral agreement between Petitioner Stewart, Respondent/Plaintiff Aspyre and Beverley D. Wilson, M.D. in exchange for consideration of payment by Beverley D. Wilson, M.D. of Petitioner's two months of rent in arrearage. Beverley D. Wilson, M.D. tendered a cashier's check for Petitioner's January and February 2018, the two months of rent in arrearage, and orally formalized agreement between Tiffany Maddox, Assistant Residential Manager of Aspyre/YOUnion, Petitioner Stewart, and herself (Beverley D. Wilson), and was immediately accorded full Co-Lessee status and benefits for Aspyre/YOUnion Apartment 3106, and the restraining order was extinguished. Petitioner and Co-Lessee Wilson were denied their request of immediate provision of a revised lease contract for Aspyre/YOUnion Apartment 3106 from Respondent/Plaintiff Aspyre/YOUnion Apartments evidencing modification of Petitioner's lease to reflect addition of Beverley D. Wilson as Co-Lessee to memorialize the oral contract by express oral agreement with Aspyre/YOUnion Assistant by Residential Manager Tiffany Maddox, who stated Petitioner Stewart's renewed contract to memorialize Co-Lessee Wilson's status for Aspyre/YOUnion Apartment 3106 would be soon forthcoming, but has not tendered same to Petitioner and Co-Lessee Wilson. Petitioner posits that had Ms. Maddox properly and timely tendered the revised contract for Aspyre/YOUnion Apartment 3106 listing Co-Lessee Wilson as a Co-Lessee, Co-Lessee Wilson would have had formal notice and proper recognition by the Court as a Co-Defendant in this action.

Petitioner Motions to Enjoin as Co-Respondents/Co-Plaintiffs to this action, or alternatively, countersuit actions, or as independent third parties claim, derivative actions and

cross-claims in this matter, Aspyre/YOUnion Assistant Residential Manager Tiffany Maddox and Residential Managers Andy Walter and Taylor (? last name, Fall/Winter 2017). Petitioner has inquired to Taylor's last name several times from Aspyre/YOUnion central office Regional Manager Abby Jarvela, but was "decline[d] provision of Taylor's last name for privacy reasons, due to central office protocol, per management." Petitioner Motions enjoining Ms. Maddox and Mr. Walter in this action for their express, open violation of Petitioner Stewart's *Amended American Disabilities Act, Fair Housing Act, and Civil Rights Acts* confirmed by their oral proclamations in July 2018: "Initially, this was about the money. Now, we just don't want him (Travis Stewart) here," during discussions between Mr. Walter, Ms. Maddox, and Co-Lessee Wilson regarding Petitioner Stewart's spectral Post Traumatic Stress Disorder recovery with ongoing outpatient therapy status post acute exacerbation of Petitioner Stewart's spectral PTSD after Ms. Maddox' Assault and Battery of Petitioner Stewart June 25, 2018 that resulted in hospitalization.

Petitioner petitions to enjoin Taylor (? last name) to this action, or alternatively, as third parties in this and countersuit actions, or alternatively as derivative actions and cross-claims arising from this matter, for promised, but failed effort to ensure Petitioner Stewart's assets and interests at Aspyre/YOUnion were protected during Petitioner Stewart's hospitalizations during the Fall 2017 semester when Petitioner Stewart's Aspyre decaled vehicle, a 1994 Cadillac, was towed from Aspyre/YOUnion Garage due to expiration of the decal during Petitioner's hospitalizations, and subsequently sold at auction by Absolute Towing. Petitioner Stewart no longer has a vehicle to pursue remote job or personal interests. Due to Petitioner's hospitalization, spectral PTSD, and the restraining order against Co-Lessee Wilson from the

premises of Aspyre/YOUnion Apartments, there was not awareness by Petitioner or Co-Lessee Wilson their 1994 Cadillac had been towed during Petitioner's hospitalization, as Co-Lessee Wilson detrimentally relied upon Aspyre/YOUnion Fall/Winter 2017 Residential Manager Taylor (? last name)'s assurance he would protect Petitioner Stewart's Apartment, property, and car.

Petitioner Stewart also expressly Motions to preserve his right on appeal to Enjoin Ed Bell, President of the Charleston School of Law, Andy Abrams, former Vice President of the Charleston School of Law, Bobby Greer, current Director of Financial Aid at the Charleston School of Law, Anita Elliott, former Director of Financial Aid at the Charleston School of Law, the Charleston School of Law, and Honorable Secretary Betsy Devos, U.S. Department of Education, Maria Rodriguez, Program Compliance, U.S. Department of Education, and Linda Clarke, Team Leader, U.S. Department of Education as Co-Respondents/Co-Plaintiffs to this action, or alternatively, as third parties in this and countersuit actions, or derivative actions and cross-claims for purposeful, obstructive efforts to unjustly, and potentially unlawfully, withhold Co-Lessee Beverley Wilson's supplemental financial aid beyond the Cost of Attendance for the Fall 2017 into Spring 2018 semesters and financial aid for the Spring 2020 Semester and ongoing currently:

(1) Supplemental financial aid beyond the Cost of Attendance for the Fall 2017 Semester - November 9, 2017, Mr. Andy Abrams, Dean of Students, purported to authorize for disbursement by the U.S. Department of Education, then refused to follow through with same after Co-Lessee Wilson discovered Mr. Abram's and Ms. Elliott's falsified intent and action per March 20, 2018 email and telephone conversation with Ms. Maria Rodriguez, U.S. Department

of Education, Program Compliance, March 20, 2018 who declined to further investigate and ensure follow through regarding falsified intent and obstructive behavior by Mr. Abrams, the second highest ranking official at the Charleston School of Law, who, per Ms. Elliott's November 14, 2018 notation in Co-Lessee Wilson's financial aid records at the Charleston School of Law, Ms. Elliott emailed a U.S. Department of Education official to Add the packet of supporting documentation presented to Dean Abrams (and President Ed Bell) for Co-Lessee Wilson's request for supplemental financial aid beyond the Cost of Attendance [that Dean Abrams enthusiastically stated he would support and present/express that support to the US Department of Education] to "Dr. Wilson's closed case file." Specifically, November 14, 2017, Ms. Elliott emailed: "Per my Dean, Add these to Dr. Wilson's closed case file," referring to the petition for emergency financial aid to Dean Abrams -and President Bell- Co-Lessee Wilson drafted and distributed to President Bell and Dean Abrams by hand delivery due to the urgency of the request and acute financial lack after being ejected from her medical office upon the behest of Governor McMaster of Co-Lessee Wilson's medical office landlords, B&B Properties June 30, 2017, per the report of Mr. Michael Hunter, consultant for B&B Properties, Co-Lessee Wilson's former landlord at Brookside Park Office Building Suite 221, at 1 Harbison Way, Columbia, SC, after the U.S. Department of Justice opened Civil and Criminal Division investigations regarding complaints of civil rights violations and crimes of conspiracy perpetrated against Co-Lessee Wilson and her children involving Governor, former SC Attorney General, Henry McMaster, judges, a sitting State Senator, and other high ranking South Carolina officials and business owners. Dean Abrams and Ms. Elliott's actions resulted in the failure of

equitable, just disbursement of financial aid funds by the U.S. Department of Education to Co-Lessee Wilson during the Fall 2017 Semester into the Spring 2018 Semester.

Lack of Supplemental funds for the Fall 2017 semester into the Spring 2018 semester ultimately resulted in the towing away of Co-Lessee Wilson's 1989 Fleetwood RV and 2008 Dodge Durango SUV from the Charleston City Garage due to Co-Lessee Wilson's inability to tender payment for parking in the the Charleston City Garage to be able to attend law school without income from medical practice at her medical office and continued delay in the receipt of the supplemental financial aid for the Fall 2017 Semester. Dean Abrams informed Co-Lessee Wilson he "enthusiastically and whole-heartedly endorsed and supported [Co-Lessee Wilson's] request for supplemental aid for the Fall 2017 Semester to the US Department of Education."

3/20/2018

Dear Ms. Wilson:

Thank you for contacting the U.S. Department of Education's office of Federal Student Aid. We have completed a second level review of your complaint in case number 01037047 regarding Charleston School of Law and determined that a proper resolution was provided in the original review.

The cost of attendance is determined by law and is not subject to regulation by the Department of Education. Under special circumstances, a school may choose to exercise professional judgment to increase the cost of attendance (COA) of a student; and Charleston School of Law had previously approved such a request and awarded you accordingly. Our previous investigation concluded that that you have been awarded a combination of Institutional and Federal awards up to the already increased COA.

Thank you for allowing us the opportunity to review your concerns. Your case with our office remains closed.

Sincerely,

Maria Rodriguez

Program Compliance
Federal Student Aid
U.S. Department of Education

Mar 20,
2018, 6:15
PM

Beverley Wilson
<bdwilson@charlestonlaw.edu>

to Student

Good Evening Ms. Rodriguez,

Thank you for responding to my request for second level review of my financial aid request and appeals to the Office of Financial Aid of the Charleston School of Law for maximization of my Cost of Attendance for the 2017-2018 academic year. However, the increased Cost of Attendance you alluded to in your response was the one-time Cost of Attendance increase of \$2000 allowed by the Charleston School of Law during a student's tenure at the Charleston School of Law to purchase a computer. I made a second request (and appeals to the denied requests) to the Charleston School of Law (CSOL) in September, October, and November of the Fall 2017 semester for an increase in the Cost of Attendance to the maximum annual amount allowed for Cost of Attendance by the U.S. Department of Education for the 2017-2018 academic year which would have resulted in approximately \$9800 in additional financial aid award to me for the 2017-2018 academic year.

May you please specifically perform the second level review upon and address my November 9, 2017 appeal request that CSOL Dean of Students Andy Abrams approved November 9, 2017 and directed CSOL Financial Aid Director Ms. Anita Elliott to approve to the U.S. Department of Education for processing and disbursement by you AND for which Ms. Elliott stated to me she "approved to the U.S. Department of Education, but that the U.S. Department of Education denied, still." More specific[ally] still, can and may you provide me verification that Ms. Anita Elliott presented the U.S. Department of Education approval as CSOL Financial Aid Director for my November 9, 2017 appeal request for maximization of my Cost of Attendance for the 2017-2018 year? Additionally, if Ms. Elliott presented approval of my November 9, 2017 appeal request for maximization of my Cost of Attendance for the 2017-2018

academic year, may you provide me with the statute(s), rule(s), and/or regulation(s) whereby the U.S. Department of Education rejected my November 9, 2017 appeal request for maximization of my Cost of Attendance for the 2017-2028 academic year.

Respectfully,

B.D. Wilson, M.D.

Beverley Wilson
<**bdwilson@charlestonl
aw.edu**>

Mar 20, 2018, 7:19 PM

Good Evening again Ms. Rodriguez,

Point of clarification: I am not asking for review of the original Case 01037047. I understand and accept your explanation for the original case and first level appeal. I am specifically requesting investigation, evaluation, and disposition of the November 9, 2017 second appeal request related to the then closed Case 01037047 presented to and via CSOL Dean of Students Andy Abrams to Ms. Anita Elliott as Financial Aid Director of CSOL asking that that case be RE-OPENED, APPROVED, and dispositioned for disbursement of the absolute maximum Cost of Attendance allowed by the U.S. Department of Education for the 2017-2018 academic year.

CSOL Dean of Students Andy Abrams has told me multiple times since November 9, 2017 that he robustly supported re-opening and approving my case, Case 01037047, and directed Ms. Elliott as Financial Aid Director of CSOL to contact the U.S. Department of Education to re-open and approve my case, and transmit the packet of supporting documentation I presented him warranting granting my request for maximization of my financial aid to the maximum amount allowed by the U.S. Department of Education for the 2017-2018 academic year, for inclusion in my case file.

Ms. Elliott has informed me several times that she followed Dean Abrams' directives and requested my case be re-opened and approved, and transmitted the packet of supporting documentation for addition to my case file. Still, Ms. Elliott added, the U.S. Department of Education rejected my November 9, 2017 second

appeal request for absolute maximization of Cost of Attendance to that allowed by the U.S. Department of Education for the 2017-2018 academic year. Yet, a review of my requested Charleston School of Law Financial Aid file from Ms. Elliott only reveals an email from Ms. Elliott November 14, 2017 requesting a U.S. Department of Education official add my packet of supporting documentation to my 'closed case file.' There is no recorded evidence/documentation in my CSOL Financial Aid file of Ms. Elliott re-opening or approving my appeal request for maximization of my Cost of Attendance to the absolute amount allowed by the U.S. Department of Education for the 2017-2018 academic year. Does the U.S. Department of Education possess this specific missing documentation and/or verification by a U.S. Department of Education official Ms. Elliott otherwise communicated, e.g. verbally, this directive to receive-open and approve my case that Ms. Elliott has not provided me, despite my request for same?

These are the specific matters I respectfully ask you to address directly.

Thank you for your patience and understanding in this matter.

Most Respectfully,

B.D. Wilson, M.D.

Repeated invasions of Co-Lessee Wilson's Orangeburg home began after Co-Lessee Wilson matriculated into the Charleston School of Law in August 2016 and rendered Co-Lessee's Orangeburg home unsafe for habitation. The first invasion of Co-Lessee Wilson's Orangeburg home occurred in late October/early November 2016. December 19, 2018, nearly \$150,000 of furniture, furnishings, including valued antiques and one of a kind collectibles and numerous chandeliers were stolen from Co-Lessee's home. In early February 2019, Co-Lessee complained about the repeated robberies and vandalization of her Orangeburg home with little to no effective police investigation of fingerprints and DNA evidence, surveillance, prevention, or recovery of the criminals responsible for the thefts and vandalism of Co-Lessee Wilson's home, or recovery of Co-Lessee's property and goods to her (Co-Lessee's) Criminal Trial Advocacy

professor District Attorney David Pascoe, District Attorney for Orangeburg, Berkeley, and Dorchester Counties, who stated he would “go by [Co-Lessee’s] home and look into the matter, that evening” only never to broach/speak with Co-Lessee Wilson regarding the repeated robberies and vandalism of her Orangeburg home again, for the entirety of the remainder of that course over the Spring 2019 semester. No answers. No suggestions. No discussion.

Co-Lessee Wilson could not afford to commute 2 ½ hours each way from Columbia to Charleston, SC and back, 4 to 5 up to 6 days per week after being ejected from her medical office June 30, 2017. Co-Lessee Wilson’s Fleetwood RV and Dodge Durango SUV allowed Co-Lessee Wilson to attend the Charleston School of Law, without Co-Lessee Wilson having to sleep overnight in her Ford Edge SUV in the Charleston City Garage when Co-Lessee Wilson no longer had sufficient funds for gas to commute back to Columbia from Charleston after leaving the Charleston School of Law Library when it closed at midnight. Early in the morning of May 22, 2018, while Co-Lessee Wilson was in Cambridge, Massachusetts, having left her Fleetwood RV and Dodge Durango SUV in Charleston, SC in the Charleston City Garage the prior evening to board a flight to Cambridge, Massachusetts to attend the graduation of her eldest daughter from graduate school at Harvard, Captain Grady Mason, the Head of Security at the Charleston School of Law, telephoned Co-Lessee Wilson to inform Co-Lessee Wilson her Fleetwood RV and Dodge Durango SUV were being towed from the first floor of the Charleston City Garage. Captain Mason informed Co-Lessee Wilson he had attempted to intervene on Co-Lessee Wilson’s behalf, as Co-Lessee “Dr. Wilson was a student at the Charleston School of Law, and it was [his (Captain Mason’s)] duty as Head of Security at the Charleston School of Law, to intervene and stop the towing of a student’s dwelling that was necessary to attend the Charleston

School of Law in the physical absence of that student.” Captain Mason informed Co-Lessee Wilson he was informed to “Stand down. The Charleston School of Law is not going to get involved in this matter,” by Vic Silvis, Head of Facilities at the Charleston School of Law. Co-Lessee Wilson’s Fleetwood RV and Dodge Durango SUV were towed from the Charleston City Garage May 22, 2018. Dr. Wilson appealed to President Bell for assistance in retrieving her Fleetwood RV and Dodge Durango SUV, but was informed “the matter does not concern the Charleston School of Law. I cannot intervene on your behalf.” Co-Lessee Wilson was never able to retrieve her Fleetwood RV and Dodge Durango SUV from Turkey’s Towing due to lack of sufficient funds to pay the accumulated costs for parking in the Charleston City Garage during the 2017-2018 academic year, towing, storage, and late fees due to nonreceipt of supplemental financial aid Above the Cost of Attendance for the Fall 2017 going into Spring 2018 semesters.

(2) Spring 2020 Semester financial aid - Mr. Bobby Greer, Director of Financial Aid at the Charleston School of Law, persistently refused to issue discretionary approval for Co-Lessee Beverley Wilson’s Spring 2020 Semester financial aid request, by providing his discretionary approval with a statement asserting use of his professional judgment to disburse Co-Lessee Wilson’s financial aid for the Spring 2020 Semester due to extenuating circumstances to effectuate President Bell’s stated support of approval for disbursement of financial aid to Co-Lessee Wilson as noted in President Bell’s March 24, 2020 email to the U.S. Department of Education. Co-Lessee Wilson was unable to timely receive financial aid for the Spring 2020 Semester, despite the enlisted support of the Honorable U.S. Senator Lindsey Graham and the Honorable U.S. Senator Timothy Scott:

March 23, 2020

COPY

Beverley D. Wilson, M.D. P.O. Box 21612 Charleston, S.C. 29413
bdwilson@charlestonlawedu 803/724-7560

U.S. Department of Education Ombudsman Office

Case #01885249, Opened August 22, 2019; (U.S. Department of
Education Ombudsman Office: 844/651-0077)

Senator Lindsey Graham 202/224-5972(o) 202/224-3808(f)
843/849-3887(o) 843/971-3669(f)

Good Afternoon Honorable Senator Lindsey Graham:

I trust you, your family, and staff are well in the midst of the COVID-19 Coronavirus Pandemic and thank you for all you do for the citizens of South Carolina and our nation. Senator Graham, I urgently need your assistance and advocacy regarding my request for financial aid for the Spring 2020 semester, my final semester of coursework at the Charleston School of Law and am respectfully asking if you would contact the U.S. Department of Education Ombudsman's Office and asking the USDOE Ombudsman Office to issue a **guidance statement** that Mr. Bell, as President of the Charleston School of Law, and Mr. Greer, as Director of Financial Aid at the Charleston School of Law can utilize to properly disposition my case. Specifically, that **Directors of Financial Aid at Institutions of Higher Education are duly authorized to make discretionary decisions to approve a student's eligibility to receive financial aid, if that student's total number of credit hours reach, then exceed, the minimum number of hours to graduate with that student's present coursework for their final semester of study to complete their degree work, if that student is in (1) good academic standing; (2) taking courses at that school; (3) that are taught by professors at that school; and (4) those courses would otherwise ordinarily be able to count toward that student's degree coursework.**

Senator Graham, Mr. Greer has been the Financial Aid Director at the Charleston School of Law for the past two years and has, in my case scenario, interpreted the 2019-2020 Federal Student Aid guidelines in the most draconian manner possible, and has,

thereby, egregiously denied me financial aid in its entirety for the Spring 2020 semester, other than for my one required course for graduation, the Barbri Bar Review course, alleging that 3 hour course gives me 91 credit hours, and 90 credit hours is the minimum number of credit hours required to graduate with a *Juris Doctor* degree from the Charleston School of Law. I am a part-time student at the Charleston School of Law, and am usually allowed to take up to 12 credit hours of coursework each semester and receive financial aid.

Mr. Greer's bases his argument for denial of my request for financial aid for the Spring 2020 semester upon three sentences he has (1) taken out of context; (2) inappropriately interpreted; and, therefore, (3) inappropriately applied from the USDOE's 2019-2020 Enrollment Status Guidelines. I utilized two of the three sentences from Mr. Greer's arguments in my petition and appeal for financial aid for the Spring 2020 semester and posited that the third sentence did not apply to my Spring 2020 Charleston School of Law coursework, as my courses were neither courses or coursework equivalents for a cooperative program or a correspondence program.

Mr Greer refuses to accede that my Spring 2020 coursework at the Charleston School of Law is **not in the category of excluded coursework alluded to in the 2019-2020 Federal Student Aid Handbook, specifically, (1) cooperative education program coursework, or (2) correspondence program coursework**, but holds to a strict argument that **all financial aid eligibility ceases once a student reaches 90 credit hours at the Charleston School of Law**. I posit all of the courses I enrolled in at the Charleston School of Law for the Spring 2020 semester are **eligible for academic credit** for me as a student:

(1) enrolling as "at least half time to receive [financial] aid from the Direct Subsidized/Unsubsidized and Direct PLUS Loan programs;

(2) "enrolled half time...taking at least half of the courseload of a full-time student;

and the Charleston School of Law's Financial Aid Department can

(3) award me “[financial] aid for [my] classes [as those classes] do count toward [my]degree...[as] instruction provided or overseen by the school,”

here, the Charleston School of Law. My other courses for the Spring 2020 semester are Medical Malpractice Law, in which I am specializing; Advanced Trial Advocacy, necessary for any attorney who will litigate/advocate often; and Law Practice Management Economics, necessary for me as I will be combining a new solo law practice with my pediatric practice and require expert guidance to properly execute a well designed, integrated business model that functions

well. I will simultaneously vigorously advocate for the creation of a South Carolina Children’s Court for physically, sexually, and emotionally abused children, particularly those with autism, learning disabilities, and emotional disturbances.

Mr. Graham I have **appealed to President Bell since February 6, 2020 and the USDOE Ombudsman Office since August 22, 2019** that, **all of my courses for the Spring 2020 semester count toward the minimum 90 credit hours required for graduation** from the Charleston School of Law. Additionally, I am **in progress of completing other requirements for graduation: my Professionalism Series, my Pro Bono service hours, my 403 court hours, enrollment in the full Barbri Bar Preparation Program, e.g., and lack of financial aid has greatly hindered my progress to this end and has greatly complicated my ability to acquire the basic requirements, e.g., textbooks, transportation to and from the Charleston School of Law from and to Columbia to attend law school as I travel 2 1/2 hours each way daily at least four days per week prior to our school’s present online platform approach due to the COVID-19 Coronavirus Pandemic.**

Senator Graham, please ask the USDOE Ombudsman Office to draft an **informational statement as I outlined in paragraph one above to assure President Bell and Mr. Greer that Mr. Greer has the authority to immediately disburse my financial aid.** Mr. Greer can then cease to exposit denial of my financial aid based upon improperly drawn conclusions based upon his improper interpretation and application of policy in the USDOE’s 2019-2020 Federal Student Aid Handbook.

Mr. Graham, I have been egregiously, and obstructively denied financial aid for the Spring 2020 semester, despite having informed Mr. Greer of his improper draconian interpretation and application of USDOE's 2019-2020 Federal Student Aid policy as espoused in the USDOE's 2019-2020 Federal Student Aid Handbook since August 22, 2019. The U.S. Department of Education Ombudsman Office has been disturbingly lacking in its failure to timely address this matter with a final decision since my appraisal to them of this matter since August 22, 2019, despite my repeated calls asking them to give their disposition in my case.

There are six weeks left in school for the Spring 2020 semester. Mr. Greer's denial of my financial aid is egregious and unconscionable and has caused me undue hardship. Mr. Greer could have given discretionary approval for my financial aid at the outset of the Spring semester, as I am a student in good academic standing at the Charleston School of Law and a Medical University of South Carolina Raymond Greenberg Presidential Scholar, a collaborative effort between the Charleston School of Law and a Medical University of South Carolina, which requires me to be enrolled at the Charleston School of Law on at least a half-time basis.

Honorable Senator Graham, your assistance is needed immediately as I must: (1) tender my amended application directly to the South Carolina Supreme Court with funds to support the \$1500 application fee no later than Friday, March 27, 2020; (2) pay approximately \$1500 for enrollment in my Barbri Bar Review course; (3) pay for cost of attendance and living expenses until August 2020 to allow proper, uninterrupted study time for the SC Bar. I graciously thank you in advance for any assistance you are able to provide me in this matter as outlined herein.

Respectfully,

Beverley D. Wilson, M.D.

P.S. Senator Graham, I will fax you Attachments 1 - 10 immediately following this fax showing the 2019 - 2020 Federal Student Aid Handbook guidelines and Charleston School of Law graduation requirements referred to highlighted.

B.D. Wilson, M.D.

Chapter One of Volume 1, pp 1-12 to 1-19 of The U.S. Department of Education's Federal Student Aid Handbook for 2019-2020, Title IV Federal Student Aid Regulations regarding student eligibility for graduate schools can be accessed at ifap.ed.gov and states that financial aid directors for graduate school have discretion to approve financial aid and that graduate level institutions have the authority to determine what courses are approved for credit toward graduation, and what number of credit hours constitute a full or part-time course load status. Yet, the U.S. Department of Education equivocated upon direct request by Co-Lessee Wilson for a written response confirming Mr. Greer possessed proper authority to grant discretionary approval for Co-Lessee Wilson's Spring 2020 request for financial aid due to extenuating circumstances that, when exercised, would not result in any repercussions for the Charleston School of Law.

Co-Lessee Wilson contacted Mr. Joseph Durant, Director of Financial Aid for Graduate Students at the Medical University of South Carolina, a flagship institution of South Carolina, who stated with confidence he utilizes a "two-tiered process to approve graduate students for financial aid, including those who exceed the minimum number of hours to graduate as they are taking their last required course to graduate and they would not have enough credit hours remaining to enroll in, to qualify for and receive financial aid." Mr. Durant related he "relied upon the MUSC Registrar to use their sound expert judgment to approve the coursework requirements for each graduate student to assure the graduate student has properly satisfied the number of credit hours required for full-time or part-time status to satisfy the first prong

Department of Education requirement.” Mr. Durant, then related he “relied upon that graduate student’s MUSC Dean of Academics approval (Mr. Durant states a graduate school’s Dean of Students approval could be used, as well) as *bona fide* proof the graduate student’s chosen coursework is appropriate for credit toward graduation in their major program of study to satisfy the second prong of the U.S. Department of Education’s requirements for approval of financial aid for graduate students.” Mr. Durant related that “the Registrar’s and Dean of Academics’ (or Dean of Students’) approval together provide him sound footing upon which to grant general as well as discretionary approval for financial aid for students.” Mr. Durant related further, “each graduate school Financial Aid Director has discretionary authority to grant financial aid for extenuating circumstances based upon their professional judgment for graduate students to receive financial aid once their last required course exceeded the minimum number of hours for graduation, but other coursework was necessary to be taken to qualify for part-time or full-time status to receive financial aid for that semester.” Mr. Durant stated “the graduate school financial aid director would then authorize discretionary approval for the US Department of Education to disburse financial aid to the graduate student based upon his professional judgment and document his rationale for use of his discretionary authority in the graduate student’s financial records.” Mr. Durant agreed to discuss his use of discretionary authority for disbursing financial aid for graduate students with extenuating circumstances with Mr. Greer, if Mr. Greer desired to speak with him, but emphasized “each Director of Financial Aid of a graduate school has the right to exercise discretion in his or her own professional judgment.”

Co-Lessee Wilson also spoke with the South Carolina’s flagship institution University of South Carolina’s Office Financial Aid and the Registrar’s Office regarding approval of graduate

student financial aid for who exceed the minimum number of hours to graduate as they are taking their last required course to graduate, but needed to qualify for and receive financial aid in order to attend graduate school. Based upon discussions with Brandon Lindsey, USC's graduate and undergraduate schools' Financial Aid Director, and administrative personnel within the USC Registrar's Office, USC's graduate schools utilize a two pronged approach like that utilized by MUSC's graduate school Financial Aid Director. Specifically, a graduate student in any of USC's graduate programs, e.g., USC Biomedical Engineering Graduate Programs, would seek academic advisement and approval from their graduate school level academic advisor (e.g., a professor of the Biomedical Engineering Faculty) regarding the academic merit of that student's coursework toward that student's graduation from their specific program of study for a specific semester. That graduate student would then seek further academic merit approval of their coursework from their graduate program's director (e.g., the Graduate Director of Biomedical Engineering). USC's Registrar must then receive and approve that graduate student's credit hours of coursework as sufficient for part-time or full-time status and submit the graduate student's elected course load for that specific semester to the Director of Financial Aid for disposition, including discretionary disposition for extenuating circumstances. USC's Financial Aid Director and Registrar noted, like MUSC's Graduate School Financial Aid Director, Mr. Durant, USC's Financial Aid Director has discretionary authority to approve a graduate student's coursework for disbursement of financial aid for a specific semester based upon USC's Financial Aid Director's professional judgment of that student's extenuating circumstances.

Dr. Karen Woodfaulk, Director of Student Affairs at the SC Commission on Higher Education, and Peggy Simon, Title IV Coordinator for Dr. John Lane Director of Academic

Affairs at the SC Commission on Higher Education both confirmed, “Mr. Greer, and every other Financial Aid Director at a graduate level institution of higher education, possesses the authority to grant discretionary approval to a student to receive financial aid for extenuating circumstances, that include having exceeded the minimum number of hours required to graduate with their last required course in the last semester of study at that institution, but that student would otherwise, not be eligible to qualify for financial aid for other classes needed to qualify for financial aid or take other coursework recommended for or desired by a student for professional development or a specific career choice, for example. That Financial Aid Director for graduate school level institutions may utilize his ‘professional judgment’ to approve the extenuating circumstances that he deems justifies use of his discretion, and should thereby submit his approval to the U.S. Department of Education to allow that student to receive financial aid for that semester and document same in the student’s financial aid records, particularly the basis upon which that Financial Aid Director relied to determine the student’s extenuating circumstances justified the use of professional discretionary approval.”

Co-Lessee has provided President Bell and Mr. Greer with contact information for Dr. Woodfaulk and Ms. Simon of the SC Commission on Higher Education and Mr. Durant, MUSC’s Graduate School Director of Financial Aid for further discussion/inquiry as to Mr. Greer’s discretionary authority to approve Co-Lessee Wilson’s financial aid request for the Spring 2020 Semester, in addition to asking President Bell and Mr. Greer, to execute President Bell’s March 24, 2020 statement of tacit approval for disbursement of Co-Lessee Wilson’s financial aid for the Spring 2020 Semester when President Bell emailed the US Department of Education, “The Charleston School of Law stands ready to dispense Dr. Wilson’s [financial aid]

funds for the Spring 2020 semester with your permission[,]” by allowing Dean Margaret Lawton, the Charleston School of Law’s Academic Dean and Ms. Emma Baker, Registrar for the Charleston School of Law, and Mr. Greer exercising his professional judgment and discretion authority to disburse Co-Lessee Wilson’s financial aid due to Co-Lessee Wilson’s grave extenuating financial and overall circumstances by functioning in the manner as explained by Dr. Woodfaulk and Ms. Peggy Simon on behalf of Dr. Lane of the SC Commission on Higher Education, and the Financial Aid Directors of MUSC’s and USC’s Graduate Schools.

Finally, Petitioner Stewart Motions to Enjoin Kimberly Phillips, Esquire and Margaret Lawson, Esquire as third party Co-Defendants in a counterclaim, or cross-claim to this action due to Kimberly Phillips, Esquire’s and Margaret Lawton, Esquire’s egregious tortious violations of Due Process, *Rehabilitation Act* academic disabilities violations, and Abuse of Power violations by the Charleston School of Law that directly and indirectly impacted Co-Lessee Wilson’s financial viability, access to postgraduate academic education, and employment opportunities immediately and long-term that occurred in events and actions during Co-Lessee Wilson’s tenure at the Charleston School of Law August 2016 to May 2020 culminating July 15, 2020 when Professor Kimberly Phillips Chairperson of the Charleston School of Law’s Faculty Academic Standards Committee summarily withdrew the July 1, 2020 Committee decision Professor Phillips announced as the “final decision and the only remedy the Faculty Academic Standards Committee could and would offer and was offering to settle the longstanding academic complaints and grade disputes lodged by [Co-Lessee] Wilson: convert Co-Lessee Wilson’s courses with disputed grades to “Pass/Fail,” with “Pass” as the Final Grade, as no numerical or letter grades could or would be assigned by the Faculty Academic Standards

Committee, as that committee did not have the authority to compel the involved faculty members for the courses with the disputed grades to reassess and regrade the challenged items to reassign a grade for those courses.” (See accompanying Dean’s Questionnaire which contains several of the most salient of Co-Wilson’s complaints.) Chairperson Phillips informed Co-Lessee Wilson that she [Co-Lessee Wilson] needed to choose the courses she [Co-Lessee Wilson] desired changed to “Pass/Fail” that day [July 1, 2020], and that would resolve the matter finally, with ‘no opportunity for [Co-Lessee Wilson] to reopen or challenge those course grades later.’”

Co-Lessee Wilson expressed her disagreement and disappointment to Chairperson Phillips and the Committee that the “Pass” grade did not accurately convey her academic ability in courses that would customarily be assigned a numerical or letter grade, but accepted the Faculty Academic Standards Committee’s conditions in order to resolve the longstanding disputed grades, as overall more equitable than the current egregiously assigned and contested grades for the courses petitioned for grade changes. Co-Lessee asked that her Civil Procedure 1, Criminal Procedure, Art of Lawyering, and Constitutional Law I Grades to be assigned “Pass.” Co-Lessee Wilson then thanked Chairperson Professor Phillips and the Faculty Academic Standard Committee for settling the longstanding academic grade disputes to provide definitive closure for Co-Lessee Wilson regarding those classes. Co-Lessee Wilson implored the Faculty Academic Standards Committee to allow the submitted Legal Writing and Research Paper I to be graded; and to allow Co-Lessee Wilson to make the recommended corrections to the Legal Writing and Research Paper II for submission to Professor Eberle for grading as Professor Eberle stated at the conclusion of that class he would accept an actual Final Draft for grading if he was authorized by the Dean of Academics or the Faculty Academic Standards Committee to do so;

COPY

removal of the letter grade penalty from the Children and the Law Upper Level Writing Paper; while awaiting the completion of Professor McCullough's evaluation of the Secured Transactions Final Exam for points earned, but not credited.

Professor Phillips informed Co-Lessee Wilson her grades would be changed to reflect the "Pass" status for the courses Co-Lessee chose, but failed to mention the Constitutional Law I class in her closing statement. Professor Phillips informed Co-Lessee Wilson the "Pass" grades would not be noted on Co-Lessee Wilson's Grade Report or Transcript until Monday, July 6, 2020, due to Friday July 3, 2020 being celebrated as a holiday for July 4, 2020. Co-Lessee Wilson emailed Professor Phillips immediately after the conclusion of the July 1, 2020 meeting:

Wed, Jul 1,
1:58 PM

Beverley Wilson
<bdwilson@charlestonlaw.edu>

to Kim

Good Afternoon Again Professor Phillips,

Thank you again for convening this meeting to resolve the outstanding appeals I have before the Faculty Academic Standards Committee.

May you also change my Constitutional Law I grade to a "Pass." The currently assigned grade in Constitutional Law in no way reflects my abilities in that subject. That final exam was taken with only 1 day for studying the course material, 2 days after my father died, after I had spent three weeks straight in the hospital, around the clock, most of which was in cardiac intensive care, with attendance at law school each day, then driving across town to be with my Dad at the ARTS Hospital (Specialized Cardiology Hospital at MUSC) at the end of each day.

That was absolutely the most bittersweet time of my entire life, but also one of the most priceless 3 weeks of my life. I would not

exchange or change that time in any way for the world. Thank you and the committee for the opportunity to correct what was a horribly painful association with that time.

Thank you again. Have a most blessed day and remain safe.

B.D. Wilson, M.D., J.D.

July 15, 2020, Chairperson Phillips unexpectedly reversed the Committee's July 1, 2020 opinion and decision, then announced a radical, fundamentally different opinion and decision than agreed to July 1, 2020 by Co-Lessee Wilson:

Jul 14, 2020,
4:28 PM

Kimberly Phillips

to me, Margaret, Laa

Dear Dr. Wilson,

The Academic Standards Committee has reviewed your grade appeals and requests and made final decisions as outlined below. Please note: although some of your grade appeals and requests were untimely, the committee reviewed the merits of each of your appeals and requests and determined that even if the requests had been timely, the committee would deny each one. Therefore, the committee has made final decisions on all of your appeals and requests.

Civil Procedure I (Fall 2016):

You requested a change in your Civil Procedure I grade to a Pass. The committee has denied your request, and the committee's decision is final.

Children and the Law (Spring 2019), Higher Education Law (Spring 2019), and the Art of Lawyering Summer 2019):

For Children and the Law and Higher Education Law, you requested removing imposed grade penalties and grade reductions and instead receive a Pass in both classes. The professor did not impose a penalty in Higher Education Law. For Children and the Law, the committee deferred to the professor's decisions regarding your paper and final grade. Accordingly the committee has denied your requests for those two courses. For the Art of Lawyering, the committee defers to the professor's decisions regarding the course; therefore, the committee has denied your request for a Pass in that course. The committee's decisions denying your requests for these three courses are final.

Remedies (Fall 2019):

You were removed from the course based on an excessive number of absences. At that time, you requested from the committee a waiver of the penalty for excessive absences (removal from the course), which the committee denied. You requested that the committee reconsider that decision. The committee has considered that request and denied it. The committee's decision is final.

Criminal Procedure (Summer 2018), Torts II (Spring 2017), and Constitutional Law I (Fall 2017) and II (Spring 2018):

For these courses, you requested that the committee remove the mandatory grading curve and allow the professors for those courses to reassign grades without applying the mandatory curve. You also asked for a Pass in Criminal Procedure. The committee has denied all of your requests regarding these courses, and the committee's decisions are final.

LRAW I (Fall 2016):

You requested the "grading of your LRAW I actual Final Memorandum already submitted, but not graded". The committee has denied your request, and the committee's decision is final. Please note: you had previously elected to receive a Pass in this course.

LRAW II (Spring 2017):

You requested "allowing the correction of the 'Final Rough Draft' of the LRAW II Final Memorandum, which had to be submitted as a 'Final Memorandum' due to inability to submit corrections in the absence of proper timely assignment." The committee has denied

your request, and the committee's decision is final. Please note: your professor did not penalize you for lateness.

Property I (Fall 2017) and II (Spring 2018):

You requested the "grading of the submitted final exams based upon percentage of the exam completed." The committee has denied your request for both courses, and the committee's decisions are final. Please note: you had previously elected to receive a pass In Property I.

Secured Transactions (Fall 2018):

Your professor reviewed your exam and found that your grade was correctly assigned, and you agreed with your professor. Therefore, this matter is closed.

Sincerely,

Professor Phillips

Co-Lessee Wilson responded:

Wed, Jul
15, 9:27 AM

Beverley Wilson
<bdwilson@charles
tonlaw.edu>

to
Kim
berl
y,
Larr
y,
Mar
gar

et,
bcc
:
Tay
lor

Good Morning Professor Phillips,

I formally reject your decision as presented in your email yesterday, July 14, 2020, as final in this matter. The decision rendered is void as Professor Paskan recused himself from these proceedings at the outset, and the decisions rendered even in his absence are no more than conclusory statements without any bearings on the actual merits of my claims. In that regard, I am also requesting recusal of Professors Zisk and Katie Brown in any Faculty Academic Standards Committee deliberations or proceedings as having a conflict of interest with my interests.

Professor Phillips, the entire purpose of the Deans of Students' Questionnaires was to provide proper context and foundation of reasoned academic guidance from which sound decisions could and would be formed by the Charleston School of Law's Faculty Academic Standards Committee, "Committee," regarding my appeals and future student appeals. I will continue to seek responses from the remaining Deans of Students to that end as I have stated numerous times previously as just and equitable decisions rendered to the benefit of student and Committee alike.

To that end objective, I am perplexed as to the closed nature of and the additional proceedings in this matter after the conclusion of the July 1, 2020 meeting. You convened the Academic Standards Committee, deliberated in my absence, stated you reached a conclusion to award a "Pass" as the only remedy I could choose for my individual claims, asked me which claims I wished to consider receiving a "Pass" in, which I assumed would conclude the matter without additional deliberation as final. That was the only reason I did not formally object to Professor Paskan's "reappearance" on

the Committee, though I sincerely questioned your judgment and inclusion of Professor Paskan from both a Procedural and Substantive Due Process perspective in this matter given Professor Paskan's proper recused status and your knowledge of same. I formally object to Professor Paskan's inclusion as voiding the proceedings, as any deliberations after my acceding to receive a "Pass" in the classes I agreed to were contrary to my understanding that my decision to accept a "Pass" in those classes concluded the matter, and all that remained were the decisions regarding Upper Level Writing Papers and LRAW Memoranda. Additionally, for clarification, I formally rejected receiving a "Pass" on either of my Upper Level Writing Papers and disagreed with receiving a "Pass" in the remaining classes as a whole as an effective remedy, even if it resulted in an overall increase in my grade point average, as the sheer volume of that many Passes exceeded the Charleston School of Law guidelines and created a situation that would make it difficult to assess my academic abilities in a truly representative manner, as a "Pass" could be any grade from a "D-" to an "A+," and provided an objective evaluation of my individual academic abilities and strengths difficult to determine. Thus, I chose to accept a "Pass" in the classes I chose, because the grades as recorded were so unfairly assigned as to be completely unrepresentative of my abilities and no other options were afforded by the Committee, per your statements July 1, 2020, a decision I was willing to accept as **concluding** the entire matter based upon the Committee having reached that decision after reviewing Dr. Marvin Wilson's responses.

Professor Phillips, you are a Constitutional Law professor. I remain perplexed at your actions in this matter and your conclusions posited as being based upon sound deliberations based upon merits and facts and reject each of those decisions, save Secured Transactions. I am willing to receive a "Pass" in Civil Procedure I, Criminal Procedure, Constitutional Law I, and The Art of Lawyering and the removal of the grade penalty from my final grade for my Upper Level Writing Paper for Children and the Law to conclude this matter as I stated July 1, 2020. Alternatively, I am willing to await the responses of the remaining Deans of Students to the Questionnaire and Supplemental Questionnaire, with the understanding that those responses will be utilized as the basic foundation of reasoned opinions to assist the Committee in reaching a just conclusion regarding my appeals.

Professor Phillips, I am genuinely attempting to resolve this matter without litigation. May you please equitably assist me in doing so.

Respectfully,
B.D. Wilson, M.D., J.D.

Petitioner posits no adverse consequences or events await the Charleston School of Law subsequent to Financial Aid Director Mr. Greer exercising discretion and approving Co-Lessee Wilson's financial aid for the Spring 2020 semester for 11 credit hours of coursework approved by Dean Lawton, Dean of Academics, and Ms. Baker, Registrar of the Charleston School of Law. Absent disbursement of financial aid for the Spring 2020 Semester, Co-Lessee Wilson was not able to: (1) Provide supplemental information to timely complete registration for the July 2020 SC Bar Examination; (2) Sit for the July 2020 SC Bar Examination after Co-Lessee presented that supplemental information and Co-Lessee asked President Bell if he would write a letter of support to the SC Supreme Court for an exception to allow late admission for Co-Lessee Wilson to take the July 2020 SC Bar Exam, as lack of financial aid funds for the Spring 2020 Semester directly impacted and caused Co-Lessee Wilson's inability to timely tender the supplemental documentation need to complete her timely submitted original application for the July 2020 Examination; (3) Timely enroll in the Barbri SC Bar Review Program until the end of the third week of that ten week program due to lack of financial aid for the Spring 2020 semester; (4) Co-Lessee Wilson and Petitioner/Appellant/Defendant constantly continue to face the threat of Ejectment from Aspyre/YOUnion Apartment 3106 since March 6, 2018, since Dean

Abrams' refusal to honor his promise to support his "enthusiastic approval" of supplemental financial aid above the Cost of Attendance for the Fall 2017 semester in November 2017 - The Charleston School of Law should be held liable for not providing Co-Wilson the supplemental financial aid above the Cost of Attendance for the 2017-2018 academic year as Co-Lessee Wilson had to attend the Charleston School of Law in the most abject form of poverty, which necessitated studying and sleeping in her Ford Edge SUV in the Charleston City Garage, when the Charleston School of Law Library closed, hungry, scared, and cold in the winter, hot in the summer, afraid to fall asleep because homeless individuals roamed the garage, particularly at night, and Charleston City Garage attendants only manned the exit gates on the first floor of that garage; (5) Co-Lessee Wilson's 1989 Fleetwood RV and 2008 Dodge Durango provided reprieve briefly, however, absent supplemental financial aid, Co-Lessee Wilson was unable to honor her payment agreement with the Charleston City Garage to acquire a decal and paid presence on the first floor of the Charleston City Garage. Co-Lessee Wilson attempted to obtain a Charleston School of Law student parking decal or a temporary pass to park in the RV area of the Charleston City Garage from Assistant Dean of Students Dean Barker in February 2018 until Co-Lessee Wilson's Fall 2017 supplemental financial aid was disbursed. Dean Barker kindly expressed to Co-Lessee Wilson, he was not authorized to offer passes for the RV area of the Charleston City Garage for students.

Mid to late February 2018, Co-Lessee Wilson communicated directly with management of the Charleston City Garage to utilize the RV parking area until her [Co-Lessee Wilson's] Supplemental financial aid for Fall 2017 arrived. Dean Abrams dishonored and did not follow through on his "enthusiastic support for [Co-Lessee] Wilson's supplemental financial aid

request” for Fall 2017 into Spring 2018. Co-Lessee Wilson’s 1989 Fleetwood RV and 2008 Dodge Durango SUV were towed from the Charleston City Garage May 22, 2018 and never returned/retrieved. President Bell declined Co-Lessee Wilson’s request for assistance to retrieve her Fleetwood RV and Dodge Durango SUV; (6) Debt of \$16,369 assigned to Co-Lessee’s Charleston School of Law account for the Spring 2020 semester, which represents the full cost of the Spring 2020 Semester without any accounting for Co-Lessee Wilson’s \$10,000/yr scholarship, or any financial aid for any of the 11 credit hours Co-Lessee Wilson enrolled in for the Spring 2020 semester, including the required 3 credit hour Barbri Bar Review Course. Co-Lessee Wilson has requested a detailed accounting of her bill for the Spring 2020 Semester from the Charleston School of Law’s Registrar Ms. Baker, and Mr. Greer, Director of Financial Aid. To date, no accounting has been provided to Co-Lessee Wilson; (7) Adverse health impact due to exacerbation of Co-Lessee Wilson’s underlying labile hypertension and familial hypercholesterolemia. (8) Denial of Acceptance in Master In Bioethics Program and Master of Laws Programs at Harvard and McGill University, respectively based squarely upon inconsonant academic performance with otherwise highly merited application for admission to those programs with invitation to reapply after the disputed grades were resolved. A law student’s strong academic performance and passage of the Bar Examination create enhanced opportunities for employment and acceptance into postgraduate programs to specialize in law which further enhances employment opportunities and ability to pay one’s debts.

Petitioner/Appellant Stewart Petitions this Court to Grant Declaratory Judgment

Declaring/Ordering:

(1) Co-Lessee Wilson's status affirmatively as Co-Lessee of Aspyre/YOUnion Apartment 3106 as Tiffany Maddox, Assistant Manager of Aspyre/YOUnion agreed to in February 2018 on behalf of Aspyre, now YOUnion Apartments, with proper Co-Petitioner/Co-Appellant /Co-Defendant status subsequent to and consonant with same.

(2) The University of South Carolina Office of Student Conduct, and its Director, Alisa Liggett, and Assistant Director Amanda Bidinger; Aspyre/YOUnion Assistant Residential Manager Tiffany Maddox and Residential Managers Andy Walter and Taylor (? last name, Fall/Winter 2017) as Co-Plaintiffs/Co-Respondents in this action, or alternatively, as third parties Co-Defendants in this, countersuit actions, or alternatively, independent derivative actions and cross-claims arising from this matter as liable for having violated Petitioner/Appellant/Defendant Travis Stewart's Procedural and Substantive Due Process rights as guaranteed by the Fourteenth and Fifth Amendments of the U.S. Constitution, and the *Amended American Disabilities Act*, and the *Rehabilitation Act* and its Amendments regarding admission to USC Spring 2018, receipt of financial aid Spring and Summer 2018, Fall 2019, tortious obstruction of Petitioner and Co-Lessee Wilson's leasehold interests in Aspyre Apartment 3106.

(3) The Charleston School of Law, President Ed Bell, and Financial Aid Director Bobby Greer; the U.S. Department of Education, Honorable Secretary Betsy Devos, Maria Rodriquez, USDOE Compliance Manager, School Eligibility Service Group, Federal Student Aid, and Linda Clarke, USDOE Ombudsman Group, Team Lead are liable for violating well-established U.S. Department of Education guidelines and Graduate School Director of Financial Aid disbursement of financial aid protocols, legalities, and ethical standards, for graduate students, and are liable for [possible collusion] in the obstruction and prevention of

disbursement of financial aid to Co-Lessee Wilson, despite President Bell's stated and written approval - and the absence of adverse consequences that could legally befall the Charleston School of Law secondary to disbursing financial aid to Co-Lessee Wilson - due to extenuating circumstances for the Spring 2020 Semester and ongoing; and Fall 2017 extending into Spring 2018 Semester Supplemental Financial Aid beyond the Cost of Attendance to Co-Lessee Co-Petitioner/Co-Appellant /Co-Defendant Wilson and the dire financial consequences that befell Co-Lessee Wilson as detailed herein, particularly as relates to lodging, lease payments, Co-Lessee and Petitioner/Appellant/Defendant Stewart.

(4) The Charleston School of Law, President Ed Bell, Dean of Students Andy Abrams, Former Charleston School of Law Financial Aid Director Anita Elliott, and the Charleston School of Law's Head of Facilities Vic Silvis, The U.S. Department of Education, and Maria Lopez, Compliance Manager, School Eligibility Service Group, Federal Student Aid for the USDOE, and Turkey's Towing as liable for violation of ethical standards and [collusion] in the tortious obstruction of the disbursement of Co-Lessee Wilson's supplemental financial aid for the Fall 2017 and Spring 2018 beyond the Cost of Attendance, as well as for the full payment of all storage, delinquency, or other fees necessary to effect the return of fully restored, mold and mildew free, water or other damage free, or full replacement of Co-Lessee Wilson's 1989 Fleetwood Nomad RV and 2008 Limited Edition Dodge Durango SUV, and the contents thereof, or payment with punitive penalties as the Court deems reasonable for the inconvenience, emotional harm, and physical harm, e.g., worsening labile hypertensive events, neurological sequelae associated with Co-Lessee Wilson's academic accommodations, and emotional trauma, life endangerment Co-Lessee Wilson experienced due the egregious manner in which the

Charleston School of Law and the individuals named herein, effectively and willfully abandoned Co-Lessee Wilson property interests and failed to operate with any due diligence that an educational institution/law school would be expected to exhibit in that student's absence and that student's only lodging is in jeopardy of being towed/confiscated, and foreseeably disenfranchised Co-Lessee Wilson's right to own, possess, maintain, and utilize her [Co-Lessee Wilson's] Fleetwood RV and Dodge Durango SUV and the contents therein as a student utilizing those vehicles and their contents to avail her [Co-Lessee Wilson's] only self-supporting means to attend the Charleston School of Law.

(5) Professor Kimberly Phillips, Chairperson of, and Dean of Academics Margaret Lawton, and member of expeditiously effect the Faculty Academic Standards Committee of the Charleston School of Law as being liable for violation of Co-Lessee Wilson's academic accommodations and the *Rehabilitation Act*, to Order Professor Phillips and Dean Lawton to expeditiously honor the Faculty Academic Standard Committee's July 1, 2020 decision to award "Pass" grades in Civil Procedure I, Criminal Procedure, Constitutional Law I, and The Art of Lawyering; Remove the Grade Penalty from Upper Level Writing Paper for "Children and the Law; and also Request Assignment of a grade by Professor Kevin Eberle to the already submitted Legal Research and Writing Paper I; Allow Co-Lessee Wilson to submit a corrected Legal Research and Writing II Paper for grading to Professor Kevin Eberle; and Allow Co-Lessee Wilson to Receive "Excused Withdrawal for Cause" from Remedies.

(6) Mandate President Bell to draft a letter of Support to the South Carolina Supreme Court and/or the New York Bar Examiners for exception to allow Co-Lessee Wilson to take an off-schedule SC Bar Examination or the New York Bar Examination October 8, and 9, 2020 due

to Excusable Neglect due to profound extenuating circumstances and tortious interference with Co-Lessee Wilson's financial aid for the Spring 2020 Semester and ongoing which prevented Co-Lessee Wilson from optimally and timely completing and submitting her [Co-Lessee Wilson's] application for the SC Summer 2020 Bar Examination, and pay for the additional \$1000 Co-Wilson had to pay for the having to engage an installment plan to pay for the BARBRI Course for the Summer 2020 Bar Examination absent disbursement of financial aid for the Spring 2020 Semester..

As stated in previous petitions to this Court, Petitioner/Appellant/Defendant and Co-Lessee Wilson no longer have an inhabitable home at 1980 Broughton Street, Orangeburg, SC due to repeated robberies of nearly all the contents of their home and repeated vandalism of their Orangeburg home since late October/early November 2016 after Co-Lessee Wilson's matriculation into the Charleston School of Law during the Fall 2016 Semester. These robberies and acts of vandalism have rendered Petitioner/Appellant/Defendant's and Co-Lessee Wilson's Orangeburg home unsecurable, presently. Co-Lessee Wilson's abject lack of funds to effect proper securing of their Orangeburg home and to tender payments to procure documents necessary to effect the current legal proceedings in the present action are worsened by Co-Lessee Wilson's inability to aggressively pursue her medical practice opportunities and interests due to the COVID-19 Coronavirus Pandemic restrictions. Thus, Petitioner and Co-Lessee Wilson's lease interests in Aspyre, now YOUnion Apartment 3106 are of extreme importance, as Petitioner and Co-Lessee Wilson's dire financial circumstances would preclude securing another apartment and render both homeless during the current COVID-19 Coronavirus Pandemic landscape.

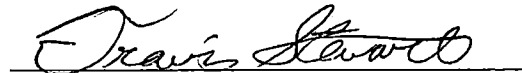
Thus, in addition to the above six Declaratory Judgments mandates, Petitioner respectfully petitions the Court to Grant Petitioner's Motion for Leave of Court Due to Excusable Neglect to Motion the Court to file *in forma pauperis* this Motion and Memorandum for Declaratory Judgments in this case, Add Beverley D. Wilson as Co-Petitioner/Appellant/Defendant to Complaint, additional parties as Co-Plaintiffs/Co-Respondents to this action, or alternatively, as independent third parties in this and countersuit actions, or derivative actions and cross-claims as detailed herein, and to Abate lease late fees and interest due to extreme extenuating circumstances and dire financial need as noted above. Petitioner asserts he is unable to garner sufficient funds personally or from his nuclear family - three of the four of whom are graduate students, like Petitioner; the remaining sibling is 24 years old and the youngest sibling, who struggles to share her resources with Petitioner and Co-Lessee Wilson to ensure neither starves while rationing food to survive during Petitioner's, Co-Lessee Wilson's, and Petitioner's family's dire, extenuating financial circumstances.

Finally, Petitioner is unable to afford paid legal counsel; does not qualify for *pro bono* legal services; and is unable to effectively prepare for and tender payment to the Court to submit a legally sufficient and proper Initial Brief and Designation of Matter to adequately represent Petitioner and Co-Lessee Wilson's lease interests in Aspyre/YOUnion, Apartment 3106 on his own. Petitioner lacks legal training and there exists an exceedingly great and undesired potential for acute exacerbation of Petitioner's spectral PTSD and Major Depression, which greatly outweigh and preclude Petitioner's active lead participation in this matter *Pro Se* to which Petitioner and Co-Lessee Wilson object to as an assault upon Co-Lessee Wilson's legal right to

protect her leasehold interest along with Petitioner's as Co-Lessees of Aspyre/YOUnion
Apartment 3106.

Petitioner prayerfully petitions the Court to Grant the above Motions for Declaratory Judgments
in his and Co-Lessee Wilson's favor and any other relief as the Court so deems proper.

Respectfully,



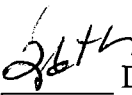
Travis G. Stewart, *Pro Se* Appellant
1000 Whaley Street
Apartment 3106
Columbia, South Carolina 29201
Telephone: (803)724-7560

With full assistance from



Beverley D. Wilson, M.D., J.D.
Power of Attorney for Appellant
P.O. Box 21612
Charleston, South Carolina 29413
Telephone: (803)724-7560

Other Counsel of Record

Thomas I. Howard, Jr., Esquire
Brownlee Whitlow & Praet, PLLC
2420 Mall Drive, Suite 110
P.O. Box 62975 (29419)
North Charleston, South Carolina 29406
Attorney for Respondent
Telephone: (843)628-7120
Facsimile: (843)628-0847

This  Day of August 2020

RECEIVED
AUG 28 7:07
SC Court of Appeals

P		U.S. POSTAGE
		\$7.50
		PM 1-DAY
		29201 0006
		08/26/20
		06 25
		11488053
PRIORITY MAIL 1-DAY®		
EXPECTED DELIVERY DAY: 08/28/20	15.70 oz	0006
<i>B. D. Wilson, M.D., J.D.</i>		
<i>1000 Ashley Street</i>		
<i>Apartment 3106</i>		
<i>Columbia, SC 29201</i>		
		C076
SHIP TO:	<i>SC Court of Appeals</i>	
	<i>1220 SENATE ST</i>	
	<i>Columbia SC 29201-3769</i>	
USPS TRACKING® NUMBER		
		
9505 5066 3338 0239 2358 67		