

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEL FROM CHARLESTON COUNTY

AUG 07 2020

Danial Hall, Circuit Court Judge

SC Court of Appeals

Case No. 2015-CP-10-4166
Appellant Case No 2018-001125

Theodore Wagner.....Appellant

v.

Designa Print and Mike Davis including anyone who is Complicit or Enabled protecting Mike Davis....Respondent

Motion for Late Filing – Surgery - Medical Extraordinary Circumstances

I, Theodore Wagner **Motion for Late Filing – Surgery - Medical Extraordinary**

Circumstances .

Days after reeving the last Court Letter I had my intestines come out of my Belly Button. The doctor was clear that as Fat / Obese as I am that the mesh that is used during surgery has a high probability of ripping. I had to stay in bed to keep my intestines from coming back out and hold them in while for months I tried to loose weight to have the operation.

Libraries are still closed do to the Coronavirus Disease. Not only was my only access to WiFi and trying to find help was shut down but I could not sit outside of the Library to use 1 bar WiFi.

Even though I am just at the Obese weight (I have lost weight.) I could not weight any longer to have the operation and had the operation on July 28, 2020. **Discharge paper included.** I waited one week after surgery to move not wanted to rip the mesh and intestines come back out.

I then get to the Post Office to find the letter from this Court with a Dead Line when I dear not move for fear of ripping the mesh.

This Court has denied me as a person with mental disability to access to Legal Representation.

My Mental Counselor have shut down their office.

The Public Bus System moved everyone to the back where everyone coughs on you. Because of my Post Dramatic Stress Disorder and Panic Attacks I can not ride the Bus and Panic when I go outside with crack heads who cough on you.


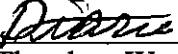
For an Experienced Lawyer this may not be an inconvenience but for a person with a documented Mental Disorder this Court refuses to recognize it is an extraordinary circumstance.

As for the Federal Court I did go to the Federal Court on Broad Street and show them the papers. They told me I had to file a Law Suit against Retired Judge Duffy and I have already done that that he knowingly did that with Special Agent Cynthia McCants, Assistant Prosecutor Rhett Dehart etc. He said the State Court would Transfer the case to them. That was 6 months ago a long time ago.

The Ongoing Conspiracy to Cover up this Crime that I am Innocent in violation of my Civil Rights still Exist Still Exist.

I use old Filing do to PDS and Panic Attacks.

Date: August 5, 2020



Theodore Wagner, Pro Se
General Delivery - Homeless
557 East Bay Street
Charleston, SC 29403
Pro Se for the Appellant

Kenneth G. Goody, Jr., Attorney
4 Carriage Lane, Suite 204
Charleston, South Carolina 29407
Attorney for Respondent

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*Please Stay
and Return
in S.C.*

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Evidence for Late Filing - Surgery - Medical Circumstances

I, Theodore Wagner Motion for Late Filing - Surgery - Medical Extraordinary Circumstances .

Discharge paper for Hernia, Umbilical July 28, 2020

Days after reeving the last Court Letter I had my intestines come out of my Belly Button. The doctor was clear that as Fat / Obese as I am that the mesh that is used during surgery has a high probability of ripping. I had to stay in bed to keep my intestines from coming back out and hold them in while for months I tried to loose weight to have the operation.

Even though I am just at the Obese weight (I have lost weight.) I could not weight any longer to have the operation and had the operation on July 28, 2020. **Discharge paper included.** I waited one

CC: Clerk of Court

week after surgery to move not wanted to rip the mesh and intestines come back out.

I then get to the Post Office to find the letter from this Court with a Dead Line when I dear not move for fear of ripping the mesh. With extreme Panic the Post Office for Months was not even on my mind.

All you think about is your Intestines coming back out or having the mesh Rip and your Intestines come out again.

The Ongoing Conspiracy to Cover up this Crime that I am Innocent of Andrea's party on June 25, 1999 and the cover up that my wife Andrea's party in violation of my Civil Rights still Exist Still Exist and her Lover on the Tape Barbie Harris who was an Adult is working for Homeland Security Dwells on my mind.

I use old Filing do to PDS and Panic Attacks.

Date: August 5, 2020

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Kenneth G. Goody, Jr., Attorney
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Charleston, South Carolina 29407
Attorney for Respondent

ROPER ST. FRANCIS
HEALTHCARE

316 Calhoun Street
Charleston, South Carolina 29401
843-724-2000

WAGNER, THEODORE THOMAS

Date of Birth: **02/17/1958**
Medical Record Number: **737702**
Admission Date: **07/28/2020**

Discharge Instructions

Your Diagnosis

Hernia, umbilical, 07/28/2020

Surgical Procedures Performed

- Hernia Repair Ventral or Incisional SI Robotic (07/28/2020)

What to do next

Instructions From Your Care Team

Provider Instructions for Activity: As Tolerated, Daily walk, Limit lifting to less than 10 pounds, May shower, No Baths/Hot Tubs/Oceans/ or Pools, You may drive if comfortable and not taking pain medication (07/28/20 12:05:00)

Provider Instructions for Diet: A Healthy Diet, As Tolerated (07/28/20 12:05:00)

Provider Instructions for Wound Care: Keep clean and dry, Report signs/symptoms of infection such as fever, swelling, heat, drainage, redness to surgeon (07/28/20 12:05:00)

Follow Up Appointments

Follow Up with BENJAMIN
FORD-MD
When In 2 weeks

Why: Call for followup appointment
Where: 100 Callen Blvd
Suite 330
Summerville, SC 29486-
(854) 529-3001

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Affidavit of Service

I, Theodore Wagner, on this day did place copies of an **Affidavit of Service** with a **Evidence and Motion for Late Filing for – Surgery – Medical Extraordinary Circumstances** Along With

CC: Of Cover Letter to The Honorable Jenny Abbott Kitchings.

- 1 - Cover Letter to **The Honorable Jenny Abbott Kitchings.**
- 2 – Cover letter and Discharge paper for Hernia, umbilical, Operation July 28, 2020.
- 3 - **Motion for Late Filing – Surgery - Medical Extraordinary Circumstances.**
- 4 - **Motion Requesting Permission to serve the Record on Appeal outside of the Deadlines for the Medical Reasons and Surgery ans State with Evidence**
- 5 - Designation of Matter to Be Included in The Record On Appeal August 31, 2018
- 6 – Affidavit of Service including Designation of Matter to Be Included in The Record on Appeal August 31, 2018
- 7 – Receipt from the Post Office of the Mailing to Court of Appeals and Mr. Goode August 31, 2018
- 8 – Cover of Transcript for May 7, 2018; including page 68 where on line 11 I state 'Well, I mean, I didn't want anything of mine oppressed because the Ninth Amendment guarantees me the right to the truth, the whole truth and nothing but the truth, **and I reserve that right** And that's what I'm trying to get on the record on everything.

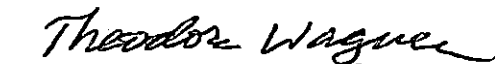
9 – Constitutional Challenge Filed in the lower Court on December 19, 2016 which is part of the lower Court Record and **I Reserved that Ninth Amendment Right** in Court on the Transcript on May 17, 2018 and is part of the Transcript Record above.

This in no way is intended to Impede or Impair my previous **Motion for Removal to Federal Court** or 100.00 Dollars to hear my Constitutional Challenges under the Supremacy Clause in the United States Constitution of the Ninth and First Amendment's Rights to the Truth to End the Ongoing Conspiracy to Cover up that the Government knew at the **Grand Jury** on April 9, 2002, "Victim A" – Named Andrea Crisel in the FBI 302 Forms was Born on May 9, 1979 and was my wife when she threw her party with her friends, not mine, on June 25, 1999, and was a 20 year, 1 month, 16 Day old adult. The Government committed an intentional cover-up under 18 U.S.C. § 1503 by U.S. Attorney Dehart and S.A. Cynthia McCants in the **Grand Jury Transcript** from April 9, 2002 who was a Married Adult and not a Child or a Minor as Required to be a Victim to cover up the Truth with others who were Complicit and Enabled this Cover up that Causes me reoccurring Pain, Panic, and Trauma at the U.S. Post Office to:

Clerk, South Carolina Court of Appeals
To: The Honorable Jenny Abbott Kitchings
Post Office Box 11629
Columbia, South Carolina, 29211

Kenneth G. Goody, Jr., Attorney
4 Carriage Lane, Suite 204
Charleston , South Carolina 29407
Attorney for Respondent

Date: August 5, 2020


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Attorney for Respondent



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Phone (843) 460-2508
TheodoreWagner65@yahoo.com

To: Clerk, South Carolina Court of Appeals
The Honorable Jenny Abbott Kitchings
Post Office Box 11629
Columbia, South Carolina, 29211

Re: Stamping extra copies – S.A.S.E. Included.
Appellant Case No. 2018-001125

August 5, 2020

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AUG 07 2020
SC Court of Appeals

To: The Honorable Jenny Abbott Kitchings

I just received a Letter from this court I could not have received before now. I, Theodore Wagner Motion for Late Filing – Surgery - Medical Extraordinary Circumstances .

Days after receiving the last Court Letter I had my intestines come out of my Belly Button. The doctor was clear that as Fat / Obese as I am that the mesh that is used during surgery has a high probability of ripping. I had to stay in bed to keep my intestines from coming back out and hold them in while for months I tried to loose weight to have the operation.

Even though I am just at the Obese weight (I have lost weight.) I could not weight any longer to have the operation and had the operation on July 28, 2020. **Discharge paper included**. I waited one week after surgery to move not wanted to rip the mesh and intestines come back out.

The last papers I sent to you with a Self Addressed Stamped Envelope was never returned. They are part of the story of the Evil and Bias of the Court system and I ask that the be Stamped Received and Returned as they do show the Complicity and Enabling of an Ongoing Conspiracy to cover up the

Truth, The whole Truth, and Nothing but the Truth in Violation of the Supremacy Clause of the United States Constitution. Please return the last papers I mailed in in the Envelope I provided.

I will Supply another Self Addressed Stamped Envelope

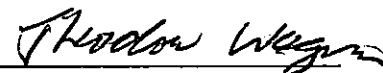
I need the Appointment of a Lawyer and want a continuous record of this. South Carolina Appellant Court Rules is in violation of the Supremacy Clause of the U.S. Constitution. I have Tried to put things in the Form of a Motion even though the wording of the First Amendment makes it unlawful to force me as a mentally handicapped person to have to do that to have a Redress of my Grievances.

I have included copies of of the Fillings and a S.A.S.E. for copies of same to be returned to me.

Thank you for your and putting up with my **Post Dramatic Stress Disorder and Panic Disorder with agoraphobia** that was caused by Mike Davis, the defendant in this case. I wrote the Truth in my Brief and the Court Orders the Cover up of the Truth and Join in this Ongoing Conspiracy. I am Freaking out so bad I do not know what to remove. I'm not a Lawyer.

Thank you for putting up with my Mental Disabilities.

**CC: Clerk, South Carolina Court of Appeals
The Honorable Jenny Abbott Kitchings
Case No 2018-001125**



Theodore Wagner, Pro Se
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557 East Bay Street
Charleston, SC 29403
Pro Se for the Appellant



U.S. POSTAGE PAID
 PERMIT NO. 1000
 NORTH CHARLESTON, SC
 29403
 AIR MAIL
 \$2.60
 R2304H108335-15



Theodore Wagner
 General Delivery - Homeless
 557 East Bay Street
 Charleston SC 29403
 United States

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