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NOV 16 2020

SC Court of Appeals

11-11-2020

Spencer v. City  
Appellant

v.

S.C. Dept of  
CORR.

Respondent

MOTION FOR  
REQUEST OF COURT  
TO FILE AND VIOLATIONS  
OF LAW BELOW:

RE: Case # 2020-  
001124

The Appellant comes before  
the Court with a motion  
upon request of Court for  
Appellant to file, received a  
~~ORDER~~ <sup>ORDER</sup> to file in case # 2020-  
001124.

1. The Judge Funderburk of the  
Adm. Law <sup>Court</sup> committed fraud  
and violations of law.

Judge Funderburk committed  
fraud and violations of law.

It is clear from the final  
order of the discussion pg 2

1. Spencer v. City

SCENCO P. 11/16/20

signed by Judge Funderburk of  
the Adm. Law Court dated 7-30-  
2020, Judge Funderburk knew  
the sentencing sheet in ~~the~~

Indictment No. 99-GS-05-137  
that the sentencing <sup>sheet</sup> on face  
contained ambiguity and committed  
fraud when Judge Funderburk did  
NOT RULE.

Ambiguity - expression or an  
expression obscure because subject  
to more than one interpretation,  
even if Judge Funderburk states  
Appellant is under § 16-11-330  
(a), there is no way possible to  
say it's a violent sentence  
because it's NOT on the sentencing  
sheet and the sentence could of  
been violent or non-violent.

Judge Funderburk acted in  
a complete departure from  
his judicial role in clear  
absence of all jurisdiction.

see STUMP v. SPARKMAN, 435  
U.S. 349, 98 S. CT. 1099 (1978).

GRANT the case ~~for~~ above and  
immediate release from prison.

see case in ITS ENTIRETY, and  
OVERTURN CASE.



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SC Court of Appeals

Spencer Utsey  
Appellant

CERTIFICATE  
SERVICE

v.

S.C. DEPT. of  
CORR.  
Respondents

RE: case # - 2020 -  
001124

I do hereby aver that I, Appellant did serve the Court of Appeals; The Adm. Law Court and General Counsel addresses below; on 11/11/20 and placed copies in REIT mail system on 11/11/2020

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S.C. COURT OF APPEALS  
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Columbia, S.C.  
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#192660  
Spencer Utsey

SPENCER UTSEUTR 192660

Mailroom F2-B-139

Kirkland Correctional Institution

4344 Broad River Road

Columbia, S.C. 29210

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NOV 18 2020

SC Court of Appeals

CLERK

South Carolina COURT of Appeals

P.O. BOX 11629

Columbia, S.C. 29211

**KCI MAILROOM**

NOV 13 2020

**LEGAL  
MAIL  
ONLY**