

"Indeed, no more than affidavits is necessary to make the prima facie case." United States v. Kis, 658 F2d 526 (7th Cir. 1981); certiorari denied, 50 U.S.L.W. 2169; S.Ct. March 22, 1982

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Appellate Case No. 2020-001130

RECEIVED
OCT 30 2020
SC Court of Appeals

Wilmington Savings Fund
Society FSB as Trustee of
Stanwich M,

Respondent,

v.

Nelson L. Bruce, et al.

Appellant.

Notice/Motion in the form of an Affidavit to the Court to Challenge Filing Fees And Relief from Order dated October 15, 2020 denying motion to proceed in forma pauperis with brief attached

Supplemental Notice by Affidavit for Relief from Order and Challenge of filling fee

This document is not to be used to create any form of jurisdiction by this captioned Court.

I, Nelson L. Bruce, of the age of the majority and competent to testify, state as follows based on my own personal knowledge and under penalty of the U.S. and State Constitutions present by my Affidavit:

1. Affiant is now requesting relief from order and request relief from all appeal costs associated with appeal filings, motions, appeal transcript, and appeal bill of exceptions.
2. That on or about 10-15-2020 this Court issued an order denying the affiant's motion to proceed in forma pauperis without a proper rebuttal of the Affidavit for fee waiver of the Affiant.

3. That Affiant was instructed, by the Court's order dated 10-15-2020, to pay a filing fee within fifteen days of the date of the order which is now hereby being objected to and challenged with this Notice/Affidavit and attached brief.

4. Affiant is not refusing to pay any court costs assessed as in the above referenced averments. The South Carolina Appeals Court in the case of *Raymond C. Harrison v. Sherry Diane Harrison (2007)* the appeals court granted Appellant motion to proceed in forma pauperis as granted both in appeals court and in the family court as the court recognized that In, *Ex Parte: Martin v. State, 321 S.C. 533, 471 S.E.2d 134 (1995)*, the supreme court addressed when an inmate may proceed in forma pauperis. The Supreme Court held: "In the absence of a statutory provision allowing the general waiver of filing fees, we conclude motions to proceed in forma pauperis may only be granted where specifically authorized by statute or required by constitutional provisions." *Id. at 535, 471 S.E.2d at 134-35 (citations omitted)*. The supreme court went on to state: "Further, where certain fundamental rights are involved, **the Constitution requires that an indigent be allowed access to the courts.** *Id. at 535, 471 S.E.2d at 135 (citing as an example Boddie v. Connecticut, 401 U.S. 371, 91 S.Ct. 780, 28 L.Ed.2d 113 (1971) (an indigent must be given access to courts in divorce action))*. As listed in this affidavit for Affiant and the Affiant's Affidavit filed in this court on or about **8-10-2020** which is hereby reiterated and incorporated by reference in its entirety as evidence to support his claims, Affiant is not able to obtain any lawful money dollars that complies with The Constitution of the United States America **Article 1 Section 10** and this court is denying me my due process rights to access the court.

7. Affiant is not aware of any lawful money dollars that complies with The Constitution of the United States America **Article 1, Section 10**, that Affiant can find in circulation and pay to the Court for the Court costs assessed Debt to the demanding Court in the instant case.

8. Affiant is not in receipt of any proof that any lawful money, "money of account", dollars that complies with The Constitution of the United States America **Article 1, Section 10**, that Affiant may obtain and pay to the Court for the demanded court costs assessed Debt to the State of **South Carolina** or **Dorchester County** in the instant case as it exist today.

9. Affiants is therefore handed an impossibility to obtain legal money of gold or silver Coin that complies with The Constitution of the United States America **Article 1, Section 10**, to make payment of the demanded Debt in the instant case, Affiant is then prevented from obtaining any lawful money dollars to lawfully "pay" any Debts which include filing fees to the **State of South Carolina**.

11. That if this Court orders payment in gold or silver Coin, then Affiant request to move this Court for an additional Order directing the Secretary of the United States Treasury to supply the Coin at par for circulation that Affiant may obtain gold or silver Coin to pay said Debts to the court, the **State of South Carolina** as written law constrains.

12. That if no such Coin of lawful money dollars that complies with The Constitution of the United States America **Article 1, Section 10**, is put into circulation, then Affiant is precluded

from complying with said order in fact.

13. That a brief and memorandum of Law titled as "Brief and Memorandum of Law" as associated with gold and silver being removed from circulation has been delivered to the Court, and Governor of the **State of South Carolina**, at this time. See as attached.

14. That a Judicial Notice titled as "**NOTICE FOR PRESIDING JUDGE TO TAKE JUDICIAL NOTICE**" is in support of this affidavit.

Conclusion

For the reasons specified above, an Order should be filed with the Clerk of the Court for which the judge then sign titled as "**Order for Relief from October 15, 2020 Order**" along with an alternative order also titled as "**Alternative Order Granting Appellant motion to proceed in form pauperis**" to meet this barrier.

RESPECTFULLY PRESENTED,

"Without Prejudice"

Nelson L. Bruce 10-28-2020

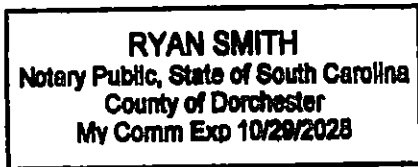
THE BENEFICIAL OWNER OF THE CESTI QUI EQUITABLE TRUST
Nelson L. Bruce, Propria Persona, Sui Juris
All Natural Rights Explicitly Reserved and Retained
U.C.C. 1-207/1-308, 1.103.6
c/o 144 Pavilion Street, Summerville South Carolina [29483]
Ph. 843-437-7901

I, **Nelson L. Bruce**, in honor, state, attest, certify and affirm jurisdiction of Sui Juris that the following is true and correct.

Nelson L. Bruce
Affiant: Nelson L. Bruce

State South Carolina
County of Dorchester

Personally appeared before me the undersigned notary public on this 20th day of October, 2020, **Nelson L. Bruce** proved to me on the basis of satisfactory evidence to be the person(s) me with valid identification, and/or personally known to me, who first being duly sworn, deposes and says that the forgoing, Affidavit was subscribed and sworn before me.



Ryan Smith
Notary Signature:
Ryan Smith
Print Name:

SEAL

10/29/2028 My Commission Expires

Record/FILE ON DEMAND

**PROOF OF SERVICE OF A NOTICE/MOTION TO THE COURT IN AFFIDAVIT
FORM TO CHALLENGE FILING / JUDICIAL NOTICE/BRIEF**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas Case No. 2016-CP-18-01678

Diane S. Goodstein, Circuit Court Judge

Appellate Case No. 2020-001130

RECEIVED
OCT 30 2020
SC Court of Appeals

Wilmington Savings Fund Society FSB as Trustee of Stanwich Mortgage Loan Trust C,

Respondent,

v.

Nelson L. Bruce, et al.

Appellant.

PROOF OF SERVICE

I Nelson L. Bruce, Appellant, hereby certify that I served a copy of the
“NOTICE/MOTION TO THE COURT IN AFFIDAVIT FORM TO CHALLENGE FILING /
JUDICIAL NOTICE/BRIEF” on Wilmington Savings Fund Society FSB as Trustee by
depositing a copy of it in the United States Mail, postage prepaid under priority mail addressed
to their attorney of record, William S. Koehler, to South Carolina Housing Trust Fund / SC
Housing Corp by depositing a copy of it in the United States Mail, postage prepaid under priority
mail addressed to their attorney of record, Tracey C. Easton and to the Governor of the State of
South Carolina. Dated this 28th day of October, 2020.

RESPECTFULLY PRESENTED,

“Without Prejudice”

Nelson L. Bruce 10-28-2020

THE BENEFICIAL OWNER OF THE CESTI QUI EQUITABLE TRUST

Nelson L. Bruce, Propria Persona, Sui Juris
All Natural Rights Explicitly Reserved and Retained
U.C.C. 1-207/1-308, 1.103.6
c/o 144 Pavilion Street
Summerville, South Carolina [29483]
Ph. 843-437-7901

Addressed To:

ALBERTELI LAW
Attention: William S. Koehler
1201 Main Street, Suite 1450
Columbia, South Carolina 29201
(803) 828-0880
Attorney for Respondent

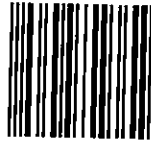
South Carolina Housing Trust Fund
SC Housing Corp
Attention: Tracey C. Easton
300-C Outlet Pointe Boulevard
Columbia, South Carolina 29210
(803) 896-8771 / (803) 896-9023
Other Respondent Attorney

The Honorable Henry McMaster
State House
1100 Gervais Street
Columbia, South Carolina 29201
Governor for the State of South Carolina

PRESS FIRMLY TO SEAL



1006



29201

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29485
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MAIL**

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From: as man, Nelson : Bruce, Sui Juris
c/o 144 Pavilion Street
Summerville, South Carolina Republic
Non-Domestic, Non-Assumpsit
without the United States Corp.*
[zip code exempt - DMM 602 1.3e (2)]

USPS Intl. MAIL MANUAL
<http://pe.usps.com/text/imm>
742.1 Marketing Postage Paid
742.2 Parcels w/o Stamps - treat as Pre Paid

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**COURT OF APPEALS
ATTENTION: CLERK OF COURT
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 2920**

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- USPS Tracking® included for domestic and many international destinations.
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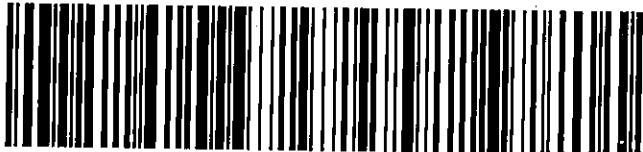
Insurance does not cover certain items. For details regarding claims exclusions see the Domestic Mail Manual at <http://pe.usps.com>.

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