

From: James Reese  
717 Cindy Drive  
Columbia South Carolina 29203

**RECEIVED**  
DEC 08 2020  
SC Court of Appeals

To: Honorable V. Claire Allen  
Clerk of South Carolina Court of Appeals  
Post Office Box 11629  
Columbia South Carolina 29211

7020 1290 0002 1168 4526

RE: Richie D. Barnes v. James Reese; Appellant Case 2018-002157

Greetings,

The intent of this letter is to respond adequately and sufficiently to JORDAN LAW FIRM's attorney-at-law, Leonard R. Jordan Jr., acting as attorney for the Respondent, Richie D. Barnes, who request for a dismissal of the above case in which I, James Reese, received on or around the 18th day of October 2020.

Let this court of superior and competent jurisdiction take cognizance to the grounds presented to the court for dismissal is hereby considered unfair, unjust, unreasonable, and without good conscious. This court of justice has been given previous notice of my, James Reese, medical eye conditions and extreme disabilities that has hindered me and it's well known to the world, most importantly the court, that we are still under a current national emergency due to the ongoing COVID-19 pandemic and its known effects on the elderly population. Its important to take notice to the fact that I, James Reese, can not control nor prevent any of these presented "forces of nature" and I, James Reese, will be stead fast in all matters in which I able to exercise vigilantly my interest, rights, or any property thereof.

The Respondent and his attorney assert that I, James Reese, have not followed the rules of the court. I, James Reese, object to this statement on the grounds that evidence shows within the courts records I, James Reese, who is not skilled in law, have acted in honor and good faith with instructions from the court of any pertinent errs or defects that has been sufficiently corrected.

Please take mandatory notice that Respondent and his attorney have acted unjustly to undermine South Carolina Appellant Court power's by petition for a "Rule to Show Cause" case number 2018-CP-40-06265 with presiding judge Joseph M. Strickland, Master in Equity of Richland County. It is to my found knowledge that equity will not allow a statute to be used as a cloak for fraud and equity will do justice by wholes and not by halves [see attachment "A" 'Rule to Show Cause']. If the lower court were to act without final decision or order in the superior court I, James Reese, will suffer irreparable prejudice along with, not limited to, present and future financial disabilities. The Respondent and attorney, Leonard R. Jordan Jr., seem to have unreasonable and unfair minds and are acting unconsciously and without consideration to the facts.

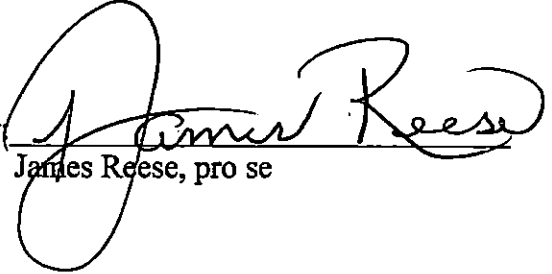
Therefore, I, James Reese, require the court to preserve and not to rush justice by allowing my motion to continue for if dismissal request is honored such order will present extreme prejudice and a conflict of my substantial rights. Also I, James Reese, pray to the court to barr the lower court from continuing any further action until the superior appellant jurisdiction has made its final decision and all

other remedies have been fully exhausted to the fullest extent of the law according to the Constitution for the United States of America.

November 01, 2020

Date

Drafted by

  
James Reese, pro se

**Copies sent to:**

Joseph M Stickland

P.O. Box 192

Columbia SC 29202

**USPS Certified Mail Number:**

70201290000211684441

Leonard R. Jordan Jr., ID#3221

JORDAN LAW FIRM

211 Veterans Road, Suite D

Columbia, South Carolina 29209

Attorney for the Respondent

**USPS Certified Mail Number:**

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THE STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

IN THE COMMON PLEAS COURT

**RECEIVED**  
DEC 08 2020  
SC Court of Appeals

Richie D. Barnes,

Plaintiff,

vs.

James Reese,

Aggrieved Defendant.

Term: Special Term

Case No.: 2018-CP-40-06265

**MOTION TO STAY PROCEEDINGS  
SC RULE 62(d) AND MANDATORY  
JUDICIAL NOTICE 201**

**STATEMENT IN SUPPORT OF DEMAND FOR STAY OF THESE PROCEEDINGS**

WHEREAS I, James Reese, with clean hands and in good faith who comes disabled in the rules of at law only to demand the aid of the court to preserve my, James Reese, substantial rights and interest in this rule to SHOW CAUSE petitioned by Plaintiff, Richie D. Barnes, to be heard on the 10<sup>th</sup> of December, 2020 at 2:30 P.M to why my property should not be applied toward the satisfaction of the Judgment set out in the Petition; and to SHOW CAUSE why a Receiver of my, James Reese, property should not be appointed, pursuant to the provisions of South Carolina Code Ann. 15-39-310. It's vital that this court take cognizance to the conflict and variance of the rules at law and my substantial equitable rights and interest (*see Fairey v. Gardner, 233 S.C. 297 (1958)*). Also I, James Reese, in no way comes to these proceeding as a mere volunteer for equity does not aid those who volunteer, but aids only those who are vigilant, but with my substantial rights held and protected by the Constitution for the United States of America in which my rights are seen and preserved.

I, James Reese, now provides to this court the following adequate and sufficient grounds for a stay of this SHOW CAUSE until all constitutional protected relief and remedies have been fully exhausted.

- 1.) Let this court take mandatory notice that the property rights and interest in dispute in

this cause of action has been removed from the lower courts jurisdiction to South Carolina Appellate Court, a superior court of competent jurisdiction, and has yet to be dismissed by the appellant court nor remanded for correction. Appellate courts will conduct an independent review of constitutional claims, when necessary upon proper application. It is within knowledge of the court that no man shall be deprived of his property (rights) without being heard in his own defense. (See Kinney v. Beverly 2 Hen. & M (VA) 318, 336.). The superior court has accepted my, James Reese, appeal on grounds of valid and specific objections to the substance of the issue along with the lower courts error on its face and in weighing and evaluating the evidence presented that has now created irreparable harm, against my, James Reese, rights and interest that can only be redeemed in a superior court with equitable powers and constitutional protections.

- 2.) It is also within the knowledge of this court that preserving error is more the subject of case law than of the rules themselves and such errors objected to are now preserved on grounds, but not limited to, of miscarriage of justice, unfairness, bad faith, and dishonesty.
- 3.) The judgment rule on 18th of November 2018 has been properly objected in a timely fashion and my protected right to an appeal has been preserved on record on the grounds of obvious errors in the evaluation of the sufficient evidence resulting in miscarriage of justice and fraud by the Plaintiff, Richie D. Barnes. Any overruling of any objections made a receipt of the evidence must have constituted prejudicial error, which means that it probably had a substantial influence on the verdict or otherwise “affected a substantial right” of the party objecting which is prejudicial error.
- 4.) Plaintiff, Richie D. Barnes, has committed intentional and willful acts of breach of our

agreed contract for sale of real estate, not a lease to sale agreement.

- 5.) The court will act in err with obvious willful intent if such acts interfered into the superior appellate court's independent review on the property in dispute in result clogging my, James Reese, equitable and protected constitutional right of due process and equal protection clauses of the Fourteenth Amendments.
- 6.) I, James Reese, have suffered a financial disability in preserving my rights and interest and due to the COVID-19 pandemic I, James Reese, have suffered further lost of business opportunities and income to sustain my financial health.
- 7.) Contracts relating to real estate, to be binding at law must be in writing, and signed by the party to be charged, or by some other person by him thereunto lawfully authorized, however, it has been proven by expert forensic witness that the contract in dispute is not my, James Reese, genuine signature or mark which the attorney-at-law, Leonard Jordan Jr, for Plaintiff, himself admitted on record that the signature on the fraudulent lease is my son, Ujama Reese, who for the record did not have authorization to act on my behalf. [TOA: §578 The Signature, page 687]
- 8.) Once an order as been entered upon the records in my, James Reese, favor the superior appellate court will show on its face that the Plaintiff and his attorney have lied to the court had has possibly committed acts perjury.
- 9.) I, James Reese, have been instructed by the Most High God to settle with thy adversary, however, not under the conditions of fraud or unjust enrichment.

### CONCLUSION

I, James Reese, now require this court of equity to decide "*ex aequo et bono*" (what's fair and just) not bound by legal rules for equity is the fountain of justice, limitless, grace, and is the source of all law. Equity aids all suits to prevent the doing of an illegal or inequitable act to the injury of

complainant's property rights, or interest. I, James Reese, demand that the court not uphold any mode or follow any procedure which would abrogate the Constitution for this State and the Constitution for the united States of America and seek only what's righteous, fair, and just be not allowing a statute to be used as a cloak for fraud. Equity will not allow a wrong to done without remedy.

**PRAYER FOR RELIEF**

I, James Reese, pray to the court to do uphold the equitable principles using God's conscious which is fair, righteous, and just and for this court to grant the following;

A) Sanction the Plaintiff \$10,000 for the damages or injuries I, James Reese, incurred in attempt to preserve my rights and interest in the property in dispute for the Plaintiff along with his attorney has wasted my time and more importantly this courts time for this matter his now under the superior appellate courts jurisdiction.

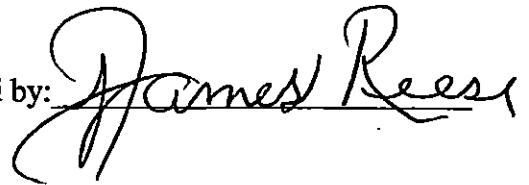
B) Dismiss this SHOW CAUSE with prejudice for the Plaintiff's attempts to undermine the justice system to act in bad faith to unjustly enrich themselves;

C) Stay these proceedings until further notice form the superior appellate court; or

D) For this court to provide any other substantial and just reason relief that this court finds "A" or "B" is not be included.

November 5, 2020

Drafted by:

A handwritten signature in black ink that reads "James Reese". The signature is written in a cursive style and is positioned over a horizontal line.

CC:

South Carolina Appellate Court  
1220 Senate Street  
Columbia, SC 29201

THE STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

IN THE COMMON PLEAS COURT

Richie D. Barnes,

Plaintiff,

vs.

James Reese,

Aggrieved Defendant.

Term: Special Term

Case No.: 2018-CP-40-06265

PROOF OF SERVICE

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This proof of service is to Plaintiff's attorney- at the JORDAN LAW FIRM, LLC this 'Motion To Stay Proceedings and Mandatory Notice' and of SHOW CAUSE in the lower court for hearing set for 10<sup>th</sup> of December at 02:30 p.m. and I, James Reese, in the above named case, hereby give this notice by way of United States Postal delivered to Richland County Pleas Court at 1701 Main Stree, Columbia SC, 29201.

(s) *James Reese*

