

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2019-CP-10-04492

RECEIVED

Dec 23 2020

SC Court of Appeals

Heideh Larijani, Chris Khamnei, Richard Kozlowski, Warren Westbrook Wills,
Respondents,

V.

Cyrus Kamini,

Appellant.

NOTICE OF APPEAL

The Trial Court Plaintiff---Cyrus Kamini-----appeal from the judgement of the Honorable Judge Bentley Price, dated November 25th, 2020, and received by Plaintiff November 30th by US Postal Delivery. Plaintiff also appeals any order denying his Motion for Reconsideration of that judgement as well as any intermediate rulings and orders affecting the judgement.

The Plaintiff filed a timely motion to reconsider on November 10/19/2020, on 25th day of November and order of denial of motion was issued by the J. Bentley Price, **(See Ex.1)**

1)-Cyrus Kamini seeks to have the appellate division overturn the decision of the J. Bentley Price in that the law is clear regarding J. Bentley Price dismissal of my case “With Prejudice”. I am constructively barred from my remedy at law and am no longer able to seek remedy from the parties that have damaged me, this is harsh and unnecessary punishment for Plaintiff (a Pro Se litigant), and is not a proper use of authority in that the Plaintiff has simply made procedural errors in his filings to the court in this matter and should have been granted leave of court to correct said errors and not lose his remedy at law.

2)- SCRCP 12 (b) (1),(4),(6) ad (15) is clear that a dismissal of the Plaintiff’s case should have been made without prejudice. Please see Plaintiffs motion for reconsideration submitted to the court here as (See Ex. 2)

Respectfully Submitted,

December 18, 2020

Cyrus Kamini In Pro Per

2601 Carner Avenue,
North Charleston, SC
29405 843-460-7462

cyrus.kamni907@gmail.com

OTHER COUNCEL & DEFENDANTS OF
RECORD

Warren Westbrook Wills III
2395 Folly Road., Unit 2-E
Folly Beach, SC 29439
wwills@wwillslaw.com

Chris Khamnei 82
Overlake Park Burlington
VT, 05401
chriskhamnei@gmail.com

Amanda C. Williams Esq.

Parker Poe Adams & Bernstein
LLP
200 Meeting street, suite 301
Charleston SC, 29401

Ex. 1

JULIE J. ARMSTRONG
CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2258
RETURN SERVICE REQUESTED



clerkofcourt.charlestoncounty.org

39



CYRUS KAMINI
2601 CARNER AVE
NORTH CHARLESTON SC 29405-8344

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC

Order/Pltffs motion to reconsider is Denied

CASE NO: 2019CP1004492

Cyrus Kamini VS Heideh Larijani , defendant, et al

This judgment was entered on the 25th day of November, 2020, and notice mailed first class on Wednesday, November 25, 2020, to all counsel of record and/or all parties entitled to receive notice.

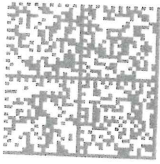
You may view and download this document at <http://clerkofcourt.charlestoncounty.org> or obtain a copy in person at the Clerk of Court's Office during regular Charleston County business hours.

[Handwritten signature]

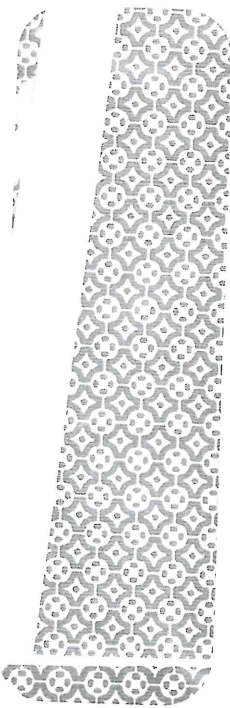
U.S. POSTAGE → PITNEY BOWES



ZIP 30341 \$ 000.41⁹
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PRESORTED
FIRST CLASS



PLEASE RECYCLE
THIS ENVELOPE

JKJ-S4B 29405



Ex. 2

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
Cyrus Kamhi)
 Plaintiff,)
 vs.)
Heideh Idrissi ET AL)
 Defendant.)

IN THE COURT OF COMMON PLEAS
9th JUDICIAL CIRCUIT
 CASE NO.: 209-CP-10-4492
**MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET**

Plaintiff's Attorney: <u>Cyrus Kamhi</u> Bar No. Address: <u>2601 W. Main Ave. In. Prof. Bldg. N. Charleston, SC 29405</u> Phone: <u>843-460-7462</u> Fax: _____ E-mail: <u>Cyrus.Kamhi@comcast.net</u> Other: _____	Defendant's Attorney: <u>W. Williams</u> Bar No. _____ Address: <u>Amasa C. Williams, Charleston, SC</u> Phone: _____ Fax: _____ E-mail: <u>wwilliams@williams-law.com</u> Other: _____
---	---

- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
- FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
- PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: X
 Estimated Time Needed: None Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type

- Written motion attached
- Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Signature of Attorney for Plaintiff / Defendant Date submitted _____

SECTION III: Motion Fee

- PAID - AMOUNT: \$ _____
- EXEMPT: (check reason)
 - Rule to Show Cause in Child or Spousal Support
 - Domestic Abuse or Abuse and Neglect
 - Indigent Status State Agency v. Indigent Party
 - Sexually Violent Predator Act Post-Conviction Relief
 - Motion for Stay in Bankruptcy
 - Motion for Publication Motion for Execution (Rule 69, SCRPC)
 - Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions
- Name of Court Reporter: _____
- Other: _____

JUDGE'S SECTION

- Motion Fee to be paid upon filing of the attached order.
- Other: _____

JUDGE CODE _____

Date: _____

CLERK'S VERIFICATION

- Collected by: _____ Date Filed: _____
- MOTION FEE COLLECTED: \$ _____
- CONTESTED - AMOUNT DUE: \$ _____

STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT

CYRUS KAMINI

CASE NO.: 2019-CP-10-4492

Plaintiff

vs.

HEIDEH LARIJANI, et al

**MOTION FOR
RECONSIDERATION**

Defendants

TO ALL PARTIES:

YOU WILL PLEASE TAKE NOTICE that Plaintiff Cyrus Kamini, In Pro Per, will advance the foregoing Motion for Reconsideration of the Honorable Court's Order dated, October 7th, 2020, granting Defendants Motion to Dismiss with Prejudice. This Motion was received by mail and post marked October 9th but received on Saturday October 10th.

The Plaintiff is a Pro Se Litigant out of necessity and should be considered as it is a long held constitutional right as a citizen to have access to and remedy of the court.

The Plaintiff has made procedural errors in his filings. These errors do not warrant or are not grave enough in nature to deprive the Plaintiff of his right to take leave, revise and reassert his claims.

The Defendants together have been involved in a scheme to dispossess the Plaintiff of his Sweat Equity and investments in a number of properties downtown Charleston by and through abuse of their working knowledge of the legal system and have engaged in gross illegal conduct that puts them outside the umbrella of immunity and should be held accountable for their actions.

2020 OCT 19 AM 10:32
JULIE J. ARMS, PROCLERK OF COURT
FILED

A dismissal with Prejudice would essentially rob the Plaintiff of his remedy for the wrongdoing of the ^{DEFENDANTS} Plaintiffs which are of a serious nature and deserving of fair hearings, access to courts and deciders of fact as a constitutional issue.

SCRCR P Rules 12(b)(1),(4), (6) and 15 (a) are clear that a dismissal of the Plaintiff's case should be made without prejudice

Cyrus Kamini
2610 Carner Avenue,
North Charleston SC, 29405
Cyrus.kamni907@gamil.com

2020 OCT 19 AM 10:32
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

CERTIFICATE OF SERVICE

I Cyrus Kamini, certify that on this Oct 19, 2020, I served a true and correct copy of the foregoing Motion for Inspection on the Defendants, via email, and delivered

VIA US MAIL

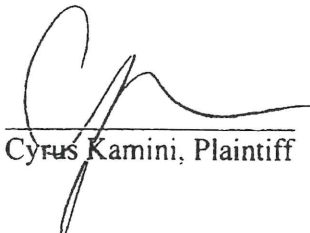
Heideh Larijani 412 Farrel
Street, #320 South Burlington
Vermont, 05403

Chris Khamnei 82 Overlake
Park Burlington VT, 05401
chriskhamnei@gmail.com

Richard W. Kozlowski C/O

Warren Westbrook Wills III
2395 Folly Road., Unit 2-E
Folly Beach, SC 29439
wwills@wwillslaw.com

Amanda C. Williams Esq.,
PARKER POE ADAMS &
BERNSTEIN LLP
200 meeting street, suite 301
Charleston SC 29401


Cyrus Kamini, Plaintiff

FILED
2020 OCT 19 AM 10:32
JULIE J. ARMSTRONG
CLERK OF COURT

Common Pleas
Clerk : Julie Armstrong
Charleston County Judicial Center
Charleston, SC 29401
Phone:(843) 958-5000 Fax:(843) 958-5020

Received From: Kamini, Cyrus

Date: 10/19/2020
 Receipt #: 625105
 Clerk: COCDGR

Paying for: Self

Transaction Type: Payment

Payment Type: Credit Card \$25.00
 Convenience Fee \$0.43
 SC.gov Portal Fee \$1.00

Reference #:
 Comment:
 Non-Refundable

Total Paid: \$26.43

Total Received: \$25.00

Change Due: \$0.00

You may check the status of your Charleston case at:
<http://www.sccourts.org/caseSearch/>

Case #	Caption	Previous Balance	Amount Paid	Balance Due
2019CP1004492	Cyrus Kamini VS Heideh Larijani , defendant, et al	\$25.00	\$25.00	\$0.00

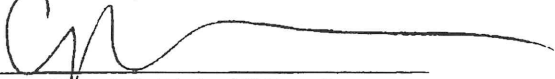


Total Cases: 1	\$25.00	\$25.00	\$0.00
	Convenience Fee:	\$0.43	
	SC.gov Portal Fee:	\$1.00	
	Total Paid:	\$26.43	

c. Award any other relief deemed appropriate:

This, 9th day of December 2019

at Charleston, South Carolina.


Cyrus Kamini, Plaintiff Pro-Se
2601 Carner Avenue
North Charleston, South Carolina 29405. 843.460.7462

CERTIFICATE OF SERVICE

I Cyrus Kamini, certify that on this ^{DEC. 18TH 2020} day of December, 2019, I served a true and correct copy of the foregoing Motion for Inspection on the Defendants, via email, and delivered

VIA US MAIL

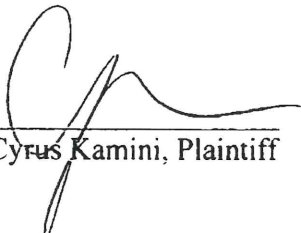
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BERNSTEIN LLP
200 meeting street, suite 301
Charleston SC 29401


Cyrus Kamini, Plaintiff