

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Case No. 2018-CP-400-6344

Appellate Case # 2019-001488

RECEIVED

Dec 29 2020

SC Court of Appeals

MB Hutson/ MB Hudson

Appellant.

v.

Penn America Insurance Company,
Global Indemnity Group, Inc.,
Timothy J. Newton, Esq. and
J.R. Murphy, Esq., John Doe #1 and
John Doe #2

Respondents.

APPELLATE'S RESPONSE TO RESPONDENTS' RETURN TO APPELLANT'S
MOTION TO AMEND HIS DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL AND APPELLANT'S DECEMBER 22, 2020
LETTER TO THE COURT

Comes now the Appellant that states the following:

1. Respondents' cite the following:

A Pro Se litigant who knowingly elects to represent himself assumes full responsibility for complying with substantive and procedural requirements of the law--City of Columbia vs. ASSA'Ad-Faltas, 420 S.C. 28, 49, 800 S.E. 2d 783, 793

(2017)--"*No one, rich or poor, is entitled to abuse the judicial process*".

--Childs v. Miller 713 F. 3D 1262, 1265 (10th Cir. 2013).

2. Appellant states that he does not wish to be Pro SE. Contrary to Respondents' assertion, being Pro Se was not Appellant's choice, nor his election. Appellant had been intentionally defrauded, tricked, scammed, railroaded and guided by these Respondents down to be slaughtered, and, in fact, Appellate was financially slaughtered. These Respondents fully recognized the existing fraud upon the Court perpetrated by TLC Holdings, LLC and their attorneys who had sued this Appellant. TLC Holdings' attorneys also fully understood the situation and that this Appellant did not understand this fraud perpetrated against him. The TLC Holdings' attorneys prosecuted a lawsuit against this Appellant the they knew that 1) this Appellant was unaware of the fraud upon the court and 2) Appellant's Insurance Companies were cooperating with TLC Holdings' attorneys in maintaining the concealments via these Respondents (attorneys) agreeing *not to acknowledge or report the Extrinsic Fraud* -- knowing full well that with the shroud of the undisclosed Extrinsic Fraud upon the Court, this Appellant could *never have his case heard* in court and was thereby doomed to lose all cases. These Respondents --via not disclosing the Extrinsic Fraud upon the Courts—co-joined with the existing Extrinsic Fraud Upon the Court and proceeded to conspire with the TLC Holdings' attorneys instead of reporting it, as required by law. This Appellant has clearly laid this out, and is now indigent and has no way to regain any financial future due to the intentional conspiracy perpetrated by all these attorneys. *THEREFORE, this Appellant has had no other choice than to becoming a Pro SE, now fighting for his life.* The extrinsic fraud upon the courts and fraud upon the Appellant still continues. All damages all directly caused by these Respondents' pretense to represent Appellant while fully knowing that until the Extrinsic Fraud Upon the Court was reported, fully disclosed and removed (which was a responsibility of the Respondents since Appellant was their insured) the fraudulently concealed facts would continue. All the Respondents fully comprehended that Appellant would be financially destroyed as a result of their collusion with the

perpetrators and their failing to execute their duty to expose the Fraud upon the Courts as Officers of the Court. Nevertheless, they choose not to report the Fraud Upon the Court for their own personal and business reasons, leaving their insured, this Appellant, unrepresented in the truest sense and vulnerable to total indigency.

3. This "Return to Appellant's Motion to Amend his Designation of Matter proves that these "Officers of the Court" who represent(ed) Penn America Insurance Company and Global Indemnity have violated some forty-seven rules of law including the South Carolina Rules of Professional Conduct, including (but not limited to) --grossly violating their oath, Rule 407 required prior to even practicing law. Respondents fight ceaselessly, as if they are totally innocent. All Respondents operate without honesty to the extent that Respondent, Tim Newton, Esq., actually told Appellant twice that "I am praying for you" while orchestrating a farce to appear that he was actively assuring proper representation for this Appellant in Court, but was actually secretly conspiring and orchestrating the assurity that this Appellant could never win anything in court due to the Extrinsic Fraud Upon the Court which he was diligently conspiring to keep concealed. These Respondents are less than animals with no conscience for another's human life.
4. Appellant readily admits that he is not a skilled, licensed attorney who fully understands the law. Appellant *is, however, a victim* (at age 76) of skilled, licensed, Officers of the Court....
5. Christian Stegmaier, Esq. who represents Penn America and Global Indemnity in this case, was caught lying—in open court--, to a criminal case Judge, about this Appellant in an attempt to dis-credit him. Appellant is more than willing to produce the concrete evidence via transcript of his intentional lie. Respondent Tim Newton who also formerly represented Penn America and Global Indemnity recently stood up before the same judge and stated the following: "Your Honor, anything pertaining to Extrinsic Fraud, let it fall on me". He then points to himself. This is the same Respondent who swore he new nothing about Extrinsic Fraud! Why would any officer of the Court offer

to take responsibility for such a criminal action if not already guilty and making an attempt to protect others?

6. Appellant again begs for understanding and remand this case to a jury. All the papers laying out the extrinsic fraud upon the court and pretense to represent Appellant (the insured) is laid out clearly through all submitted documents and filings.
7. Last but not less, Appellant reminds the Honorable Court that the Affidavit prepared by one of TLC's attorneys, Tom Harper, hides the truth for at that time Appellant had no idea that Harper and other attorneys for TLC Holdings, LLC were creating the underlying Extrinsic Fraud against this Appellant. Harper prepared the papers for TLC Holdings, LLC were the 22M dollars placed upon Appellant was totally and completely hidden. Appellant plans to file a Federal Court suit against TLC's attorneys as soon as feasible.

Appellant PRAYS that the Honorable Court sees through this extrinsic fraud upon the court and fraud upon Appellant by sending this case to a jury. Appellant pleads for this justice and that opportunity. Without that opportunity, Appellant has no hope for justice, nor recovery. Dear God, I sincerely pray that this Honorable Appeals Courts has the courage to award justice...even if it means bringing down Officers of their own Court.

Signed this 27th of December 2020:



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SC Court of Appeals

CERTIFICATE OF SERVICE

I, the undersigned, Pro Se Appellant M. B. Hutson, do hereby certify that I have this date served:

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via electronic mail, addressed to Respondents and/counsel as follows:

Respondents Penn America Ins. Co. & Global Indemnity, through their attorneys:

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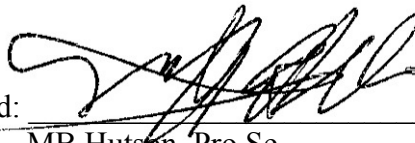
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Dated: December 27, 2020

Signed: _____



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