

THE STATE OF SOUTH
CAROLINA

In The Court of Appeals

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SC Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas
Judge Robert Hood, Fifth Circuit

Case # 2020-CP-400-3810

Appellate # 2020-001708

Penn America Insurance Company and)	
Global Indemnity Group, LLC,)	
Plaintiffs/Counter-Defendants,)	
)	
v.)	
)	
Morris Beach Hutson a/k/a M.B. Hutson,)	More Proof that Respondents are
Defendant/Counter-Plaintiff,)	
)	
AND)	Liars; this shows how Common
)	
Morris Beach Hutson a/k/a M. B. Hutson,)	Pleas Judge Robert Hood
Third Party Plaintiff,)	
)	Intentionally Ignored the Extrinsic
v.)	
)	Fraud By Twisting the Law.
)	
Penn America Ins. Co. & Global)	
Indemnity Group, LLC, Timothy J.)	
Newton, Esq. of Murphy & Grantland,)	
P.C.; & Christian Stegmaier, Esq. of)	
Collins & Lacy P.A.,)	
Third Party Defendants,)	
)	
of whom Morris Hutson is the Appellant,)	
)	
and Penn America Ins. Co. & Global)	
Indemnity Group, LLC, Timothy J.)	
Newton, Esq., of Murphy Grantland,)	
P.C., & Christian Stegmaier, Esq. of)	
Collins & Lacy P.A., are the)	
Respondents.)	

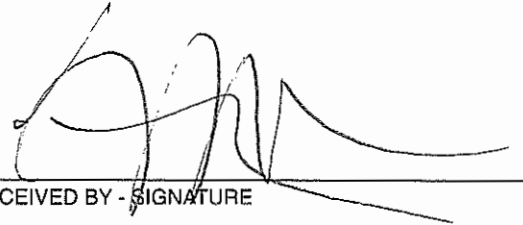
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STATE OF SOUTH CAROLINA

COUNTY OF SUMTER

M. B. HUTSON

Plaintiff(s)

vs.

ROBERT E. HOOD, ESQ.

Defendant(s)

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2020 CP 4000940
2021CP4000940

(Please Print)

Submitted By: M. B. Hutson

Address: Post Office Box 2755
Orangeburg, SC 29116-2755

SC Bar #: NONE: PRO SE
Telephone #: (803) 308 - 2714
Fax #: NONE
Other: NONE
E-mail: hmr226621@gmail.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this cover sheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint. NON-JURY TRIAL demanded in complaint.
- This case is subject to ARBITRATION pursuant to the Circuit Court Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Circuit Court Alternative Dispute Resolution Rules.
- This case is exempt from ADR (certificate attached).

NATURE OF ACTION (Check One Box Below)

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Contracts
<input type="checkbox"/> Constructions (100)
<input type="checkbox"/> Debt Collection (110)
<input type="checkbox"/> Employment (120)
<input type="checkbox"/> General (130)
<input type="checkbox"/> Breach of Contract (140)
<input type="checkbox"/> Other (199) | <input type="checkbox"/> Torts - Professional Malpractice
<input type="checkbox"/> Dental Malpractice (200)
<input type="checkbox"/> Legal Malpractice (210)
<input type="checkbox"/> Medical Malpractice (220)
<input type="checkbox"/> Other (299) | <input type="checkbox"/> Torts - Personal Injury
<input type="checkbox"/> Assault/Slander/Libel (300)
<input type="checkbox"/> Conversion (310)
<input type="checkbox"/> Motor Vehicle Accident (320)
<input type="checkbox"/> Premises Liability (330)
<input type="checkbox"/> Products Liability (340)
<input type="checkbox"/> Personal Injury (350)
<input type="checkbox"/> Other (399) | <input type="checkbox"/> Real Property
<input type="checkbox"/> Claim & Delivery (400)
<input type="checkbox"/> Condemnation (410)
<input type="checkbox"/> Foreclosure (420)
<input type="checkbox"/> Mechanic's Lien (430)
<input type="checkbox"/> Partition (440)
<input type="checkbox"/> Possession (450)
<input type="checkbox"/> Building Code Violation (460)
<input type="checkbox"/> Other (499) |
| <input type="checkbox"/> Inmate Petitions
<input type="checkbox"/> PCR (500)
<input type="checkbox"/> Sexual Predator (510)
<input type="checkbox"/> Mandamus (520)
<input type="checkbox"/> Habeas Corpus (530)
<input type="checkbox"/> Other (599) | <input type="checkbox"/> Judgments/Settlements
<input type="checkbox"/> Death Settlement (700)
<input type="checkbox"/> Foreign Judgment (710)
<input type="checkbox"/> Magistrate's Judgment (720)
<input type="checkbox"/> Minor Settlement (730)
<input type="checkbox"/> Transcript Judgment (740)
<input type="checkbox"/> Lis Pendens (750)
<input type="checkbox"/> Other (799) | <input type="checkbox"/> Administrative Law/Relief
<input type="checkbox"/> Reinstate Driver's License (800)
<input type="checkbox"/> Judicial Review (810)
<input type="checkbox"/> Relief (820)
<input type="checkbox"/> Permanent Injunction (830)
<input type="checkbox"/> Forfeiture (840)
<input type="checkbox"/> Other (899) | <input type="checkbox"/> Appeals
<input type="checkbox"/> Arbitration (900)
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<input type="checkbox"/> Worker's Comp (960)
<input type="checkbox"/> Zoning Board (970)
<input type="checkbox"/> Administrative Law Judge (980)
<input type="checkbox"/> Public Service Commission (990)
<input type="checkbox"/> Employment Security Comm (991)
<input type="checkbox"/> Other (999) |
| <input type="checkbox"/> Special/Complex /Other
<input type="checkbox"/> Environmental (600) <input type="checkbox"/> Pharmaceuticals (630)
<input type="checkbox"/> Automobile Arb. (610) <input type="checkbox"/> Unfair Trade Practices (640)
<input type="checkbox"/> Medical (620) <input checked="" type="checkbox"/> Other (699) | | | |

FRAUD AND CONSPIRACY

Submitting Party Signature:

Date: Friday, February 26, 2021

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCF, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

2021 MAR -2 AM 9:30
CLERK OF COURT
SUMTER COUNTY

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

M. B. Hutson, Plaintiff

v.

SUMMONS

Judge Robert E. Hood, Esq.
Fifth Judicial Circuit,
Defendant

To: Robert E. Hood, Esq., DEFENDANT:

YOU ARE HEREBY SUMMONED and notified that an action has been filed against you in this court. Within thirty (30) days of the day you receive this Summons, you must respond in writing to this Complaint by filing an Answer with this Court. You must also serve a copy of your Answer to this Complaint upon the Plaintiff, Pro Se at the address shown below.

If you fail to answer the Complaint, judgment by default could be rendered against you for the relief requested in the Complaint.

ELECTRONICALLY FILED - 2021 February 26 5:45 PM - RICHLAND - COMMON PLEAS -
CASE#2021CP400 _____



M. B. Hutson, Pro Se
Post Office Box 2755
Orangeburg, SC 29116-2755
(803) 308-2714
hmr226621@gmail.com

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

CASE # 2021CP4000946

M. B. Hutson, Plaintiff

v.

COMPLAINT

Judge Robert E. Hood, Esq.
Fifth Judicial Circuit,
Defendant

(FRAUD AND CONSPIRACY)

Comes now the Plaintiff who states the following:

1. It is the sacred duty of all Officers of the Court to protect the sanctity and honor of the Court System in the State of South Carolina (and, in fact, throughout these United States of America).

2. For the benefit of the Courts and news media, and to make abundantly sure that all understand the definition of "Extrinsic Fraud Upon the Court". Plaintiff gives a definition and an example of Extrinsic Fraud Upon the Court. This is to be certain that *any* Judge who hears this case will clearly recognize Extrinsic Fraud. This is not meant to intentionally, or unintentionally, ignore the extreme importance that each and every judge must never allow Extrinsic Fraud to operate in their court room. If it does, it prevents the sitting judge from having an ability to fully and accurately weigh the case before him/her. If a Judge's indiscretion permits, overlooks, or fails to recognize and address the Extrinsic Fraud operating under his jurisdiction, then he is likely to decide to rule with the conspiring council like Judge Robert E. Hood did. A judge's actions to collude with Extrinsic Fraud is inexcusable and reveals their lack of suitability for the office. This is true even if the judge

takes the position that he/she did not recognize it, or even pretends that he/ she does not recognize the Extrinsic Fraud. Therefore, Plaintiff makes it CLEAR what extrinsic fraud is prior to presenting this case.

3. **United States Court of Appeals for the Sixth Circuit** has delineated five (5) elements of conduct that constitute extrinsic fraud upon the Court:

- A. "On the part of an officer of the Court"
- B. "That is directed to the judicial machinery itself,"
- C. "That is intentionally false, willfully blind to the truth, or is in reckless disregard for the truth,"
- ~~D. "That is a positive averment or is concealment when one is under a duty to disclose,"~~
- E. "That deceives the Court."

The United States Court of Appeals for the Sixth Circuit spelled out these five (5) delineated elements for no other reason but to prevent any and all lawyers and officers of the courts from having a loophole to commit Extrinsic Fraud through. Guilty parties try to "get away with" Extrinsic Fraud upon the Courts for one reason and one reason only:

To totally tilt the scale of Justice in their favor by keeping the presiding judge unaware of all the facts through their concealment of those facts for the sole benefit of clients, or their own wrongdoings.

4. To further illustrate how Extrinsic Fraud can completely thwart the role of justice, we will examine the actions of a police officer when reporting a crime while desiring to "cover up" his own failure to address an issue that was his responsibility:

- a. A police officer is standing at an intersection watching traffic.
- b. A citizen approaches the officer asking for directions.

- c. The traffic light changes and a deranged man steps off a bus and starts shooting toward the officer and the citizen.
- d. The officer freezes and the citizen, who happens to be legally armed, jerks out his pistol and shoots the deranged shooter, killing him.
- e. Since the officer is required to write up a policy report, he takes out his pad and writes, "*Citizen shot the deranged man in the intersection.*"

The officer intentionally leaves out the crucial fact that the "citizen" was defending himself because the officer on the scene failed to perform his duty: the officer took NO ACTION to stop the initial criminal act. Thereby the officer was protecting his own indiscretion and failure to act. How could anyone under those circumstances, young or old, get a fair trial?

The answer is simple. It would be impossible!

5. This illustrates why this Plaintiff lost all of his former cases: Extrinsic Fraud upon the Courts and unscrupulous attorneys covering up for their fellow-attorneys and refusing to report the Fraud upon the Court. When confronted, one said, "We lawyers just don't do each other that way." The Defendant (Hood) was made aware (through documents filed by this Plaintiff prior to the hearing) of the underlying, unexposed, extrinsic fraud which those Plaintiff attorneys had become party to. Nevertheless, Hood chose to assist those same Officers of the Court / attorneys in "covering up" their failure to expose the Extrinsic Fraud upon the Courts...to the extent of overlooking/assisting those attorneys... possibly resulting in the changes of the transcript tape.

6. South Carolina RULE 3.3 "CANDOR TOWARDS THE TRIBUNAL"
specifically FORBIDS Counselors (Attorneys) from **committing extrinsic fraud:**

"One who intentionally conceals critical evidence for the sole purpose of self preservation at the cost of disgracing, deceiving, plotting and defrauding the Honorable Court, is creating Extrinsic Fraud upon the Court".

Having this clear understanding of the law, and the fact that all these attorneys represented PAGI (either currently or formerly), and PAGI dismissed Murphy Grantland, P.A. and moved their account to Collins and Lacy, P.C. in the middle of those former suits. PAGI was made fully aware of TLC's attorneys' schemed fraud, as they engaged L. Paton, Esq. who researched and identified 77 counts, filed them in court, and to her employer...PAGI, through T. Newton, Esq. at Murphy Grantland, P.A. PAGI and their attorneys at Murphy Grantland, P.A. (Newton and JR Murphy) and later at Collins and Lacy, P.C. (Stegmaier) *all* refused to report the fraud upon the court, as they were

~~required to by law. Therefore, they became a part of the fraud, for the sole reason that~~

their client (PAGI) wanted Hutson 'off their books' to appease PAGI's umbrella carrier/Torus Starstone Insurance Company, who threatened to sue PAGI if PAGI did not get that open insurance case wrapped up, and severely scolded Newton/Murphy Grantland, P.A. in a two page letter (attached to this complaint as Exhibit 1) for not settling inexpensively and choosing to "go to a jury trial." (NOTE: PAGI severely damaged this Plaintiff/Hutson, their insured, through their poor decisions executed by Murphy Grantland's attorneys. Those decisions cost Hutson millions of dollars that he is entitled to recover, but has not received due to the lawyers and their firms continuing to cover up their lack of reporting TLCs lawyers. Now they have co-joined themselves with the Extrinsic Fraud by failing to report it at the appropriate time. Should the lawyers now report it, it will likely cost them their license, and they know that. They are also aware, but failing to so admit, that if they did, Plaintiff/Hutson could win all court cases. At this point, Hutson is seeking help from the news media, the Attorney General, and the Commission of Lawyer Conduct to expose and address the crimes and bring him justice

and recovery. Due to the recent actions of those same dishonest attorneys, Plaintiff is now faced with the dishonest Judge Robert E. Hood, as is outlined below.

7. South Carolina Canons forbid a Judge from committing extrinsic fraud or conspiring with extrinsic fraud, even to aid his fellow attorneys:

Canon 3; D; 2: "A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct contained in Rule 407, SCACR, should take appropriate action. A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects shall inform the appropriate authority." (Emphasis mine.)*

"SHALL" according to Rule 501 of the Code of Judicial Conduct; Preamble ¶ 2; ll. 6-7 states:

"When the text uses "shall" or "shall not," it is intended to impose binding obligations the violation of which can result in disciplinary action."

8. CASE LAW clearly states: "... court has the inherent authority, within the exercise of sound judicial discretion, to dismiss an action when a plaintiff (as in this underlying case (# 2020-cp-400-3810; Judge Hood Presiding and where Plaintiff/ PAGI and their attorneys) perpetrated fraud upon the court, or where a party refuses to comply with court orders." Kornblum v. Schneider, 609So. 2d 138, 139 (Fla. 4th DCA 1992.) Case Law *also* states **that when a judge acts as a trespasser of the law, when a judge does not follow the law, he then loses subject matter jurisdiction and the Judge's orders are void, of no legal force or affect.**

9. Responding to Judicial & Lawyer Misconduct, (SC Rule 3 # 2.15):

(A) A judge having knowledge that another judge has committed a violation of this Code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.

(B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's

honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority. (Emphasis mine.)

C) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this Code shall take appropriate action. (Emphasis mine.)

(D) A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action.

(Emphasis mine.) NOTE: Judge Robert E. Hood did not take any action. To the contrary, Judge Hood rewarded the lying fellow attorneys.

10. S.C. Rule 8.4-MISCONDUCT (RULE 3.3: Candor Toward the Tribunal)

(a) "A lawyer shall not knowingly:"

(1) "make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false."

(b) “A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.”

(c) “The duties stated in paragraphs (a) and (b) apply when the lawyer is representing a client before a tribunal as well as in an ancillary proceeding conducted pursuant to the tribunal's adjudicative authority, such as a deposition. These duties continue to the conclusion of the proceeding, and ~~apply even if compliance requires disclosure of information otherwise~~ protected by Rule 1.6.”

(d) “In an ex parte proceeding, a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.”

Comment

“[1] This Rule governs the conduct of a lawyer who is representing a client in the proceedings of a tribunal. See Rule 1.0(q) for the definition of “tribunal.” It also applies when the lawyer is representing a client in an ancillary proceeding conducted pursuant to the tribunal's adjudicative authority, such as a deposition. Thus, for example, paragraph (a)(3) requires a lawyer to take reasonable remedial measures if the lawyer comes to know that a client who is testifying in a deposition has offered evidence that is false.”

“[2] This Rule sets forth the special duties of lawyers as officers of the court to avoid conduct that undermines the integrity of the adjudicative

process A lawyer acting as an advocate in an adjudicative proceeding has an obligation to present the client's case with persuasive force. Performance of that duty while maintaining confidences of the client, however, is qualified by the advocate's duty of candor to the tribunal. Consequently, although a lawyer in an adversary proceeding is not required to present an impartial exposition of the law or to vouch for the evidence submitted in a cause, the lawyer must not allow the tribunal to be misled by false statements of law or fact or evidence that the lawyer knows to be false."

~~11. More Rules about fraud being committed by attorneys or Judges who are also~~

an attorney: (ABA Rule 8.2 Judicial and Legal Officials" (are barred from the following:)

- ... (C) "commit a criminal act involving moral turpitude";
- (D) "engage in conduct involving dishonesty, fraud, deceit or misrepresentation";
- (E) "engage in conduct that is prejudicial to the administration of justice"

12. The Supreme Court of the State of South Carolina required all attorneys (even those who are attorney/judges to swear a solemn OATH (SC Rule 402k):

Attorney Oath required by the Supreme Court of S.C.

"I will employ for the purpose of maintaining the causes confided to me only such means as are consistent with trust and honor and the principles of professionalism, and will never seek to mislead an opposing party, the Judge or Jury by a false statement of fact or law".

13. Plaintiff states that there are more than seventy (70) rules and regulations preventing Judges or Attorneys from committing extrinsic fraud or conspiring with the same fraud by pretending that they don't recognize same.

14. Penn America/Global Indemnity (PAGI) filed a lawsuit against this Plaintiff (Hutson) requesting the following:

- a) Plaintiff's cross complaint be dismissed, and
- b) an injunction preventing Defendant from filing a possible additional lawsuit against PAGI and their lawyers @ Collins & Lacey, (Christian Stegmaier) and @ Murphy Grantland, (Timothy Newton, John Grantland and JR Murphy) all sworn in attorneys and Officers of the Court.

15. Plaintiff states that the following actions were performed (on October 15, 2020) by Robert E Hood, Esq. in the case # 2020 CP 400 3810:

COUNT ONE:

Failure to address Extrinsic Fraud in the Hearing

16. Robert E. Hood, is a seasoned lawyer who understands what extrinsic fraud upon the court is. He understands that it tilts the scales of justice to one side so the other side will lose. Hood has had specialized expert training having been employed by the Attorney General's Office to indict possible criminals, and is presently both a practicing attorney and sitting 5th Circuit Court Judge. Hood is also a seasoned attorney in criminal matters and clearly understands the definition of extrinsic fraud upon the court and judges. He ignored this Plaintiff's evidence of Extrinsic Fraud and ordered him to cease and desist from those declarations during the court hearing.

COUNT TWO

Conspired with fellow attorneys

17. Hood has the absolute ability to recognize Extrinsic Fraud when it appears in his courtroom. However, he pretended like he did not recognize the fraud that Collins &

Lacy, P.C.'s attorneys and Timothy Newton, Esq., John Grantland, Esq. and JR Murphy, Esq. all of Murphy Grantland, P.A. brought into Hood's courtroom on October 15, 2020. Plaintiff did his best to alert Hood to the extrinsic fraud, but Hood stated that Plaintiff was repeating himself, ordering Plaintiff to "stop it". Hutson provided concrete evidence, including one of PAGI's own lawyers (Laura Paton, Esq.'s) brief, who cited 77 counts of fraud perpetrated by TLC's attorneys of which all PAGI's lawyers were aware, but failed to report it to the Tribunal in a prior case. The law requires all lawyers to report such crimes, but Newton of Murphy Grantland, stated that "lawyers just don't do each other that way." Apparently counsel's priorities are to protect their fellow attorneys rather than uphold the law of the state. This position and failed action by PAGI attorneys is precisely why Plaintiff has been financially destroyed.

18. **South Carolina Canon 2:** states: "**A Judge Should Avoid Impropriety and the Appearance of Impropriety in all Activities.**" Respect for Law. A judge should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

19. "The trial court has the inherent authority, within the exercise of sound judicial discretion, to dismiss an action when a plaintiff has perpetrated a fraud on the court, or where a party refuses to comply with court orders". (Kornblum v. Schneider, 609So. 2d 138, 139 (Fla. 4th DCA 1992)." Required sound, judicial discretion was NOT employed by Hood in the hearing when the Insurance Attorneys continued to cover up their role in the underlying Extrinsic Fraud upon the Court. In fact, Hood refused to hear Hutson's pleas and attempts to expose the attorneys' deception.

COUNT THREE

Attorney Violation of Rule 1.2 SCRPC not Enforced by Hood

20. Judge Hood was presented an overwhelming amount of clear evidence by Plaintiff of which is attached hereto. In addition, PAGI's attorneys were complying with their client, PAGI to not expose the Extrinsic Fraud. (The S.C. Attorneys violated the S.C. Rules of Attorney Conduct, which provides that if their client(s) request them to violate the law, they are to resign from that representation.) That requirement by PAGI was for their attorneys to lie to the courts and judges to protect their guilt which was fraud, deception, failure to protect their insured and to deceive the Plaintiff in order to save millions of dollars that Plaintiff could have collected from the attorneys who originally perpetrated the Extrinsic Fraud but ~~Murphy Grantland's attorneys were too cowardly to confront them and/or report~~ them. Judge Hood is knowledgeable and should have checked up on the allegations of Hutson and verified the truth therein. Hood failed to execute his duties responsibly. Therefore Hood assisted Penn America's fraudulent scheme. (See Shelley, 305 S.C. 180, 407 S.E. 2d 626 (1991). S. C. Rule 1.16 (b) permits withdrawal by a lawyer who believes their client is using the lawyer's services to pursue fraudulent conduct.

21. This is a clear violation of Rule 1.2: If the lawyer discovers during the representation that conduct originally believed to be lawful is not lawful, the lawyer cannot continue to assist the client and must withdraw from the representation. Rule 1.2, cmt. 10. In some situations withdrawal may not be sufficient. It may be necessary for the lawyer to give notice of withdrawal and to disaffirm any opinion, document, or affirmation. See Id. cmt. 10 and Rule 4.1.

22. Furthermore, SCRPC p. 54 states: Rule 1.2(d) forbids a lawyer from assisting a client in known fraudulent conduct. See In re Kenyon, 327 S.C. 307, 491 S.E.2d 252 (S.C.1997). **HOWEVER, since SCRPC, Rule 1.6 p. 81 (2016 ed) Wherein "a lawyer shall**

not reveal information....unless the client gives informed consent, clearly puts the responsibility for the damages caused by their permissions, or lack thereof, directly on the Insurance Companies (PAGI) although the attorneys cannot, my state statue be relieved from their professional Rules of Conduct.

COUNT FOUR

Hood Ignored the Extrinsic Fraud and Rewarded the Dishonest Fellow-Attorneys

23. Judge John Hood intentionally ignored the over-whelming evidence of Fraud upon the Court. To the contrary, Hood awarded his fellow attorneys, Timothy Newton, Esq., John Grantland, Esq., and JR Murphy, Esq. of Murphy Grantland, and Christian Stegmaier, Esq. and Laura Baer, Esq. both of Collins and Lacy, P.C. all that they had asked for, even though the court smelled from the cloaked fraud.

24. Even though John Grantland of Murphy Grantland was not named in the case, and did not speak in the hearing while it was in session, a long discourse by John Grantland has shown up on the transcript.

25. **Case Law also states that when a judge acts as a trespasser of the law, when a judge does not follow the law, he then loses subject matter jurisdiction and the Judges orders are void, and of no legal force or affect.**

26. **2.15.** Responding to Judicial & Lawyer Misconduct (American Bar Assoc.)

(A) A judge having knowledge that another judge has committed a violation of this Code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.

(B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.

(C) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this Code shall take appropriate action.

(D) A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action.

COUNT FIVE

An Abundance of Probable Cause and Concrete Evidence Intentionally Ignored

27. Judge Hood fully understood that to remand to a jury required:

- a scintilla of evidence,
- probable cause, and
- factual evidence.

All criteria were met but ignored by Hood's Court.

28. Many case laws were cited by Hutson including (77) cited fraudulent actions by attorneys prepared by Laura Paton, Esq. (who was paid by PAGI). All were presented to Hood and were totally ignored.

COUNT SIX

Hood failed to disclose and even failed to consider those 77 counts.

29. Judge John Hood was fully aware of, and had a copy of Attorney Paton's (77) cited underlying fraudulent actions against Hutson filed for his review by Hutson. These attorneys also, who hired Paton, had copies. Another example of ignored Extrinsic Fraud.

COUNT SEVEN
Judge Hood Intentionally Made a Bogus Declaration

30. Judge Hood warned the lawyers consisting of Collins and Lacy, Christian Stegmaier and John Grantland, stating that "if any attorney lied to him, he would put them in jail and they know it". Christian Stegmaier got up and stated (page 59 & 60 of the October 15th hearing) "~~Number one, Mr. Hutson has a history of misrepresenting and misleading. On~~ two occasions with regards to this action, Mr. Hutson sends two e-mails telling Hood how he had talked to the clerk of court and that a judge had been assigned to this matter and that a hearing was imminent." "That certainly wasn't the case." "I'm saying these things because they're illustrative of the way he operates." This was a complete lie for Plaintiff objected and explained what really happen between the clerk of Common Pleas and Plaintiff offered to provide Judge Hood immediate copy's of the entire email between himself and the clerk. The following day Plaintiff did in fact email the entire conversation by way of email and it completely proves that Christian Stegmaier intentionally lied to Judge Robert Hood. Yet Hood takes no actions against Christian Stegmaier to protect his fellow attorney.

31. In addition, Plaintiff wrote a letter to Hood asking when would an attorney/officer of the Court Christian Stegmaier be jailed since Hood promised to put in jail any. Until this day, Judge Robert Hood has not attempted to reprimand nor jail the officer of the Court who intentionally lied in Court to Judge Hood. Christian Stegmaier lied intentionally to discredit this Plaintiff.

COUNT EIGHT

Judge Hood should be held responsible for the manipulation of the transcript.

32. Plaintiff swears that the transcript has been altered for Plaintiff made notes and this Plaintiff is completely certain that someone tampered with the transcript. All areas of the transcript that were altered were in favor of those Plaintiffs and their lying attorneys.

COUNT NINE

Judge Hood intentionally twisted the facts in behalf of the attorney Plaintiffs.

33. Judge John Hood intentionally conspired with the Plaintiff and their dishonest attorneys, Timothy Newton, Christian Stegmaier, John Grantland, Murphy Grantland and Collins and Lacy. Attached is the evidence submitted. No Judge can ignore such concrete evidence. Plaintiff must bring in the news medias to publish this type of conspiracy, fraud and intentionally failure to reprimand nor jail Hoods fellow attorneys. News Media is a MUST if Plaintiff is going to get justice for Common Pleas Judges simply won't do the right thing.

COUNT TEN

Intentional Dereliction of Duty by Judge Hood

34. Plaintiff has been significantly damaged by the absurd actions including fraud, conspiracy, intentional dereliction of duty as a responsible and honest judge who has spent years working inside of the Attorney General's Office in South Carolina for the sole purpose of indicting law breakers and criminals. Robert Hood certain knows the law and fully understood all of the clear and factual evidence presented to him regarding the lawyers lying and committing extrinsic fraud upon the court. However, he failed to address it.

COUNT ELEVEN

Hood's Orders Merely Echoed the Underlying Fraud

35. Case law also states that when a judge acts as a trespasser of the law, when a judge does not follow the law, he then loses subject matter jurisdiction and the Judge's Orders are void, of no legal force or affect. This is justified by Robert Hood's dishonesty and pretense not to understand the extrinsic fraud.

COUNT TWELVE

Judge Hood flip flops in an attempt to camouflage his lies.

36. Hearing Transcript of October 15, 2020, page 38 (lines 1 through 19):

MR. HUTSON: Okay. It says that the Judge has an obligation to report it.

THE COURT: That's actually not what the rule says, but that's fine.

MR. HUTSON: Sir?

THE COURT: That's actually not what the rules says, but that's fine.

MR. HUTSON: Well, I could go back here again and look at it.

THE COURT: Well, you would actually need to read the rules that apply in this courtroom, which would be the South Carolina Rules – Appellate Court Rules on Judicial Canons, which does not say that it shall be reported. It says the Judge having knowledge – like personal knowledge, like no doubt about it, first-hand information – that a lawyer has done something that involves dishonesty, fraud – and I think there's one other word – shall deal with the appropriate authority or the appropriate body. So that means I could basically do anything I wanted to do with it.”

37. **Canon 3(2)** “A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct contained in Rule 407, SCACR, should take appropriate action. A judge having knowledge* that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects **shall inform the appropriate authority.**”*

38. Judge Hood intentionally lied to confuse the Plaintiff, Pro Se, for he is certainly responsible for reporting and addressing the wrongdoings in his courtroom...”to the ~~appropriate authority.” He intentionally lied to protect his fellow attorneys, and failed to act~~ appropriately. Judge Hood has thereby committed Extrinsic Fraud, since he knew what he was stating was untrue. Hood’s actions are violations of the law of the State of South Carolina, therefore, Robert Hood’s immunity becomes null and void.

Therefore, Plaintiff prays for the following:

1. Remove Judge Robert Hood from judgeship and the practice of law as an attorney due to his intentional corruption for Hood conspired with the dishonest attorneys: Christian Stegmaier, of Collins and Lacy P.C. and Timothy Newton, of Murphy Grantland, P.A.
2. Grant permission to have reporters in forthcoming hearing(s).
3. Grant damages to Plaintiff for not less than \$125,000.00 dollars for intentional fraud and conspiracy against the Plaintiff while aiding the lying attorneys: Christian Stegmaier, Timothy Newton and John Grantland.
4. Require Robert Hood to recuse himself from any other legal issues regarding this Plaintiff forever.

5. Send this case directly to a Jury.

Respectfully submitted this 26th day of February, 2021.



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OTHER EXHIBITS WILL FOLLOW WITHIN FIVE (5) BUSINESS DAYS.

Service on next page.
