

The State, Respondent

) THE SOUTH CAROLINA COURT OF APPEALS

)

) Trial Court Case No.2017GS1003228

v.

) Appellate Case No.2020-000075

)

) AFFIDAVIT OF MIQUELL LUTRON BRYAN

)

MIQUELL LUTRON BRYAN,

)

Appellant

)

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SC Court of Appeals

Personally, before me, Miquell Lutron Bryan, upon being duly sworn, deposes and says as follows:

1. On or about the 31st of December 2019, I Miquell Lutron Bryan filed a Motion to Terminate Attorney at 1:22 PM in the Court of General Sessions. And affiant believes that no evidence to the contrary exist ("See Exhibit A")
2. On or about the 31st of December 2019, I Miquell Lutron Bryan gave Attorney of Record ("Jason T. Mikell") a copy of the filed the Motion to Terminate Attorney in person At the Mikell Law Firm at 321 Wingo Way #201 Mt. Pleasant, S.C. 29464. And affiant believes that no evidence to the contrary exist ("See Exhibit A")
3. On or about the 31st of December 2019, I Miquell Lutron Bryan emailed Attorney of Record ("Jason T. Mikell") and Assistant Solicitor ("Stephanie B. Linder") an actual and constructive notice of Motion to Terminate Attorney at 3:16 PM. And affiant believes that no evidence to the contrary exist ("See Exhibit B")
4. I Miquell Lutron Bryan has never consented to a contract "quasi"(implied) or "expressed" for specific performance with the Plaintiff ("STATE OF SOUTH CAROLINA") to become surety under the statute of frauds SC Code Ann 32-3-10. & 32-3-20. For the \$107,145.7 (under equity jurisdiction) and affiant believes that no evidence to the contrary exist ("See Exhibit C")

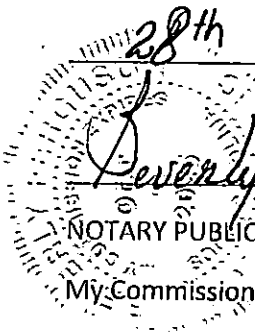
That the information supplied in the within affidavit is true to the best of my knowledge and belief so help me God!



Miquell Lutron Bryan, Affiant

SWORN to and Subscribed to before me this

28th day of April, 2021.

A circular notary seal for Beverly Ferguson, Notary Public for South Carolina. The seal contains the text "NOTARY PUBLIC FOR SOUTH CAROLINA" and "My Commission Expires: 10-1-25".
Beverly Ferguson
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 10-1-25

VERIFICATION

I, _____, am a _____ in the above titled action. I have read the foregoing _____ and know the contents thereof. The same is true of my own knowledge, as I am a first-hand witness of these events. As these events are on the record and cannot be rebutted by the respondent.

I declare under the penalty of perjury that the foregoing is true and correct and this declaration was executed at Ridgeland South, Carolina.

EXHIBIT A

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF GENERAL SESSIONS
MOTION COVERSHEET

WARRANT/TICKET/
INDICTMENT #s

2017100GS1003231
2017GS1003230
2017GS1003228
2017GS1003229

STATE OF SOUTH CAROLINA

Mignell Bryan
-vs-
DEFENDANT

Solicitor: _____, Bar No. _____	Defendant's Attorney: _____, Bar No. _____
Address: _____	Address: _____
Phone: _____	Phone: _____
E-mail: _____	E-mail: _____

MOTION HEARING REQUESTED
 FORM MOTION, NO HEARING REQUESTED

SECTION I: Hearing Information

Nature of Motion: Motion to terminate Attorney

Estimated Time Needed: 15 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.

Mignell Bryan
Signature of Solicitor Attorney for Defendant
Def

12-31-19
Date submitted

FILED
2019 DEC 31 PM 1:22
JULIE C. ARMSTRONG
CLERK OF COURT

JULIE C. ARMSTRONG (S) CLERK OF COURT
DEPUTY CLERK

STATE SOUTH CAROLINA)
)
COUNTY AT CHARLESTON)
)
STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS
FOR THE NINTH CIRCUIT

Plaintiff,)

vs.)

Miguel Bryan)

Defendant,)

Case No: # 2017100GS1003231
2017GS1003230
#2017GS1003228
2017 GS100329

229 MB

MOTION TO TERMINATE ATTORNEY

COMES NOW Miguel Bryan in his proper person let it be known to the courts and all agents thereof, I waive no rights, I do claim and reserve all rights, remedies, defenses, statutorial or procedural, and I retain full constitutionally secured rights, power, privileges and prerogatives and enjoy the benefits thereof, at all times- in all places: I do waive the benefit privilege.

I move to terminate my contract with my present attorney of record and withdraw all appearances by said attorney of record and all so called pleas to the quasi in rem jurisdiction of the court by all general appearances. Made in the past by said attorney either by motion or application to this time .

The reason for such termination of attorney of record is that I believe the attorney of record is incompetent as there is no injured party "corpus delicti" before the court to give the court subject matter jurisdiction over my person. Said attorney of record as of this time has not file one Motion to Discharge /Dismiss/ Challenge Subject Matter Jurisdiction of the court, As there is also no "express" or "implied" contract before the court. That gives the court quasi in rem jurisdiction over my person.

I expressly reserve the right to represent my self or appoint a special master if needed .All future appearances either by motion or application, by me will be in my proper person as a man before the court by special limited appearances only without prejudice without waving any rights remedies or defenses statutorial or procedural. In a court of record with a competent court reporter under the Griffin Doctrine

This Termination of the present attorney of record is effective immediately

this 31 day of December 2019

All rights expressly Reserved
by: Miguel Bryan
Signature

JULIE J. ARMSTRONG
CLERK OF COURT

2019 DEC 31 PM 1:22

FILED

ATTEST:
JULIE J. ARMSTRONG (SEAL)
CLERK C.P., G.S. & F.C.
By: Dona Lamb
DEPUTY CLERK

EXHIBIT B



elron giffin <redressisbest@gmail.com>

sent info

1 message

Mitchell, Gayle <Gayle.Mitchell@va.gov>
To: elron giffin <redressisbest@gmail.com>

Thu, Jan 30, 2020 at 11:02 AM

From: Mitchell, Gayle
Sent: Tuesday, December 31, 2019 3:16 PM
To: linders@scsolicitor9.org
Cc: JMikell@mikellfirm.com
Subject: Actual Constructive Notice of Service

Good Afternoon,

This is actual constructive notice of service. Sent by US mail, e-mail, and e-fax.

EXHIBIT C

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON
STATE VS.

MIQUELL LUTRON BRYAN

AKA: Miguel Lutron Bryan, Miquell Lutron Bryant
Race: Black/African American Sex: M
DOB: SS#: _____
Address: _____
City, State, Zip: Charleston, SC 29406-4734
DL# _____ SID# SC01003467

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2017-GS-10-03228
A/W: 2017A1010900151
Date of Offense: 03/05/2015
S.C. Code §: 44-53-0370(e)(2)(a)1
CDR Code#: 0278

SENTENCE SHEET

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*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: **Trafficking in Cocaine - 3rd Offense**
In violation of § 44-53-0370(e)(2)(a) of the S.C. Code of Laws, bearing CDR Code # 0147

CONVICTED OF or PLEADS

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-43
(CSC w/minor 1st or CSC w/minor 3rd)
The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

TEST: _____
Stephanie B. Linder, Assistant Solicitor 72656 SC Bar # _____ Defendant
_____ 73072 Attorney for Defendant SC Bar # _____

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center,
for a determinate term of 25 days/months/years or under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ 50,000; provided that upon the service of _____ days/months/years and or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____
months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which
are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State
Department of Corrections.
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP _____
Total: \$ _____ plus 20% fee: \$ _____ days/hours Public Service Employment
Payment Terms: _____ Obtain GED
 Set by SCDPPPS _____ Attend Voc. Rehab. Or Job Corp. _____
May serve W/E beginning _____

Recipient: _____

*Fine:		\$ 50,000.00
§14-1-206 (Assessments 107.5%)		\$ 53,750.00
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
Proviso (Public Def/Probation)	\$500	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ 150.00
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	\$	\$ 3,120.75
TOTAL		\$ 107,146.75

Substance Abuse Counseling
Random Drug/Alcohol Testing
Fine may be pd. in equal consecutive weekly/monthly
pmts. of \$ _____ Beginning _____
\$ _____ Paid to Public Defender Fund
Other: _____
 Appointed PD or appointed other counsel,
Proviso requires \$500 be paid to Clerk
during probation and shall be collected before any other fees.

Clerk of Court/Deputy Clerk: _____
Court Reporter: Nicole Carney

Presiding Judge: _____
Judge Code: 2122
Sentence Date: January 7, 2020

ATTEST: A TRUE COPY
JULIE J. ARMSTRONG (SEAL)
CLERK, C.F. S.S. & F.C.
BY _____ PENNY M. BUSICHER
PRESIDING JUDGE
DEPUTY CLERK

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THE SOUTH CAROLINA COURT OF APPEALS

The State, Respondent)
)
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v.)
)
Miquel L. Bryan)
Appellant,)

Trial Court Case No. 2017GS1003228
Appellate Case No. 2020-000075

I certify that on this date, I served a copy of Writ of Mandamus/Prohibition Rule 14-3-310, SCRCP (Motion to Dismiss), and Affidavit of Miquell Lutron Bryan dated, on 22 April 2021 (nunc pro tunc) by U.S. Mail/Mailing it to him/her, at his /her last known address as follows:

Cc: Clerk of Supreme Court
1231 Gervais Street
Columbia, South Carolina 29201

Clerk of Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

William M. Blicht, Esquire
1000 Assembly St,
Columbia, SC 29201

Robert Michael Dudek, Esquire
1330 Lady St. Suite 401 Suite 401
Ridgeland, South Carolina 29211

Stephanie Linder
101 Meeting Street
Charleston, South Carolina 29401
(843)958 -5150
(843) 958 -5160 (fax)

Perry M Buckner III (Official Capacity)
General Sessions Court
100 Broad Street
Charleston, South Carolina 29201

Alan Wilson
1000 Assembly St,
Columbia, SC 29201

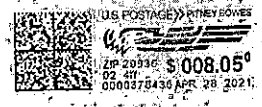
Jason Mikell
321 Wingo Way #201
Mt. Pleasant, South Carolina 29464

Delivering by commercial delivery service in accordance with rule 4(d)(9),

On this 22th of April, 2020
Date

by: Miquel L. Bryan (sui juris)
Miquel Bryan #282448
Ridgeland CI CB31
c/o 5 Correctional Drive
Ridgeland, South Carolina [29936]

Michelle Bevan 282448
Rifolinski, CL 88-31
PO Box 2039
Richland, SC 29936



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SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kishinger, Clerk
1220 Senate St
Columbia, SC 29201

