THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

William O. Spencer Jr., Lawyer

Case No.2018-000355

JPMorgan Chase Bank,
National Association — *Respondent,*

v.

Fritz Allen Timmons — *Appellant.*

MOTION TO REHEAR/ STRIKE AND DISREGARD RESPONDENTS SUPPLEMENTAL RECORD/ REMOVE RESPONDENTS COUNSEL

Nicholas Andrew Charles @
Nelson Mullins
P. O. Box 11070
Columbia, SC 29211

Benjamin Rush Smith, III,
Sarah Beth Nielsen, @
Nelson Mullins
P. O. Box 11070
Columbia, SC 29211,
Tasha B. Thompson
Scott & Corley, PA
2712 Middleburg Drive Suite 200
Columbia SC 29204

Attorneys for Respondent

Fritz A. Timmons, Pro Se
P. O. Box 367
Hartsville, SC 29551

It comes to no surprise that this Self Protecting Criminal Organization that calls itself a Justice system of which are all members of the SC Bar Association would make decisions in opposition to or fully ignoring of Federal and State statuary codes as well as it's own court rules in order to protect the lower courts and Bar Association members criminal actions. Thus causing a party not only to make arguments against an opposing party but also against the Court system and members there of, including judges. Violations against the Rights that is Guaranteed by the United States Constitution and South Carolina Constitution is common practice and runs ramped through out this supposedly Justice system. While this Court continue the criminal actions of the lower court and that of the respondent, the Appellant was offered $35,000 in order to drop this Appeal by the respondent, Therefore, makes one wonder as to what did the respondents offer this court to make decisions in violations of statutory codes and court rules.

As for section 1 of the order, This case was presided by Judge Henderson in which he could not determine if the case was for either the filing for foreclosure or for intervention ("dual tracking") while the Respondent failed to show, plead or argue their case or prove they are the party of interest, Ipso Facto, abandoned their cases and waived any possible remedies in Law or Equity. Therefore, Judge Henderson erred by continuing the case for intervention instead of making a ruling under Rule 55, SCACR for defaulting and dismissing the cases entirely. Therefore, the action of Foreclosure was dismissed while the action of Intervention was continued with no response from the Respondent. The Respondent therefore failed to show any of the following: (1) any default, (2) any specific debt owed to Chase, (3) that Chase was Owner and Holder of the Original wet ink Note, (4) that Chase was Owner and Holder of the Original wet ink Mortgage, (5) no evidence of express or implied intent that the Mobile Home serve as collateral to secure any debt, (6) that Chase was Party of Interest, (7) that Michael P Leddy (Fraudulent signature upon Respondents "Copy of the Note") was owner of the Note (copy) nor had Power of Attorney (Attorney in Fact), (8) complied to Administrative Order (Order No. 2009-05-22-01), (9) had Appellant's consent. The Appellant show waivers by the original lender as well as the Breach of Contract by the Respondent. Therefore the Clerk of Court had no Authority to Pull this case out from under a presiding Judge and give it to William

O. Spencer specifically selected by and conspiring with the Respondents. Ipso Facto, the case was NOT properly in front of a special referee.. In 1994, the U.S. Supreme Court held that "Disqualification is required if an objective observer would entertain reasonable questions about the judge's impartiality. If a judge's attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified." [Emphasis added]. Liteky v. U.S., 114 S.Ct. 1147, 1162 (1994). Moreover, "[t]o establish the existence of a conspiracy, proof of an express agreement is not necessary, and direct evidence is not essential, but the conspiracy may be sufficiently shown by circumstantial evidence and the conduct of the parties." *State v. Kelsey*, 331 S.C. 50, 63, 502 S.E.2d 63, 70 (1998).

This is the Second time the Clerk of Court of Chesterfield County has Violated the Appellants Rights of Due Process. The first was when the Clerk Failed or Refused to Notify the Appellant of the first hearing that was heard by Judge Henderson of which the Respondents Failed to Show, plead or argue their case, Ipso Facto, abandoned their case.

Secondly, the power and authority of a master-in-equity and special referee is granted and limited by the Legislative Branch and not the Judiciary Branch, Section 14 Chapter 11 of South Carolina's Code establishes these powers and authority. Therefore, the power and authority of a circuit judge given by the Judiciary Branch is completely Unconstitutional and directly violates the Appellants Rights to Due Process. Ipso Facto, Rule 53(c) SCRCP null and void and has no legal bindings, authority or merit. This Court has claimed that S.C. Code Ann. § 14-11-60 does not apply, However, Rule 53(c), SCRCP clearly states "Master and Special Referee Defined. The term "master" means the master-in-equity for the county. *The term "special referee" means a member of the South Carolina Bar to whom a matter has been referred under S.C. Code Ann. § 14-11-60.*" (emphasis added). Pursuant to Rule 53, SCRCP, a master has no power or authority except that which is given to him by an order of reference. Smith v. Ocean Lakes Family Campground, 315 S.C. 379, 381, 433 S.E.2d 909, 910 (Ct. App. 1993). Not only is it a Violation of Color of Law for this Court to close the doors upon statutory laws that controls a case but it's own Rules confirms the control.

Thirdly, the power and authority of a Clerk of Court is granted and limited by the

Legislative Branch and not the Judiciary Branch, Section 14 Chapter 17 of South Carolina's Code establishes these powers, authority and limitations. Therefore, the power and authority of a Clerk of Court to transfer a case out from under a Presiding Judge and appoint a special referee that is given by the Judiciary Branch is completely Unconstitutional, Ipso Facto, Rule 53(b) SCRCP null and void and has no legal bindings, authority or merit. Also the Note to 1994 Amendment: that states "This Rule 53(b) amendment clarifies *the authority of the clerk of court to issue orders of reference in default cases and where all the parties consent.*" (emphasis added) clearly limits the actions and authority of the Clerk of Court to only be able to issue an order of reference if the case is a Default Case and that ALL PARTIES CONSENT. Ipso Facto, any other orders of reference by a Clerk of Court are outside of their jurisdiction and are null and void and violates the Rights of Due Process do to being nothing more then a "Sham legal process". See SECTION 30-9-30. Filing of written instruments concerning real or personal property; false or fraudulent documents. (4) (a) "Sham legal process" means a document that is not issued lawfully and that purports to be a judgment, lien, or order of a court or appropriate government entity, or otherwise purports to assert jurisdiction over or determine the legal or equitable status, rights, duties, powers, or privileges of a person or property.

For this court to claim that the Statutory Codes that set the authority, power, limitations and process of that of the clerks of court, master-in-equity and special referee does not apply is a clear and unambiguous action of a direct Violation of the Color of Law, See 18 U.S. Code §242 stating "Whoever, under color of any law, statute, ... willfully subjects any person in any State, ... to the deprivation of any rights, privileges, ... secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; ...", as well as violations of 16-5-10 for Conspiracy against civil rights. See Rule ---3B(2),CJC, Rule 501, SCACR "A judge shall be faithful to the law* and maintain professional competence in it." and Rule ---3B(5),CJC, Rule 501, SCACR "A judge shall perform judicial duties without bias or prejudice". Therefore, the specific relief requests in issue eight are hereby invoked and to be analyze by this Court. Not only shall this Court apply the applicable statutory codes

to their decision but also apply the conditions and process set forth in Administrative Order (Order No. 2009-05-22-01). If this Court constitutes statutory codes or arguments that is part of the Record on Appeal (Transcript of the Trial Court) to be waived, then this Court and judges waives any and all immunity in any and all civil and/or criminal actions.

With this Court unlawful Order, this Court has Knowingly, Willfully and Admittedly conspired with the Respondent to commit racketeering. See 18 U.S. Code § 1961. "As used in this chapter— (1) "racketeering activity" means (A) any act or threat involving ..., robbery, bribery, extortion, ...which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code:... sections 471, 472, and 473 (relating to counterfeiting), ... section 1951 (relating to interference with commerce, robbery, or extortion), section 1952 (relating to racketeering), ...section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity)... section 2320 (relating to trafficking in goods or services bearing counterfeit marks.". This includes the Fraudulent signature upon the copy of the Note used by the Respondent. The Fraudulent signature and Counterfeit Notary Republic seal (P. 13) of a fictional Court Reporter on the Transcript of the Respondents Supplement Record of which Violates every applicable Court Rules. The Supreme Court has also held that if a judge wars against the Constitution, or if he acts without jurisdiction, he has engaged in treason to the Constitution. If a judge acts after he has been automatically disqualified by law, then he is acting without jurisdiction, and that suggest that he is then engaging in criminal acts of treason, and may be engaged in extortion and the interference with interstate commerce.

As for section 2 of the order, With this Court stating "Chase had standing to bring this case because Chase held the Note and was assigned the Mortgage", this Court had no evidence nor legal standing to support it. The Respondent had abandoned the Case while in front of Judge Henderson, Ipso Facto, the complaint of the Respondent is considered abandoned, null and void, therefore this Court must strike and disregard the Respondent's complaint. Also, this complaint nor any of the issues within it was raise during the trial on appeal nor was a Rule 59(e)[, SCRCP,] motion asking the trial court to rule on the issue

in order to preserve it for appeal.") was made, Ipso Facto, the Respondent's complaint was not preserved for review by this Court. Chase has also Failed to establish that it is the actual debt holder. "'An abuse of discretion arises from an error of law or a factual conclusion that is without evidentiary support.'" *Id.* (quoting *State v. Irick*, 344 S.C. 460, 464, 545 S.E.2d 282, 284 (2001)).)). Bias or prejudice either inherent in the structure of the trial system or as imposed by external events will deny one's right to a fair trial. Thus, in Tumey v. Ohio 48 .Bias or prejudice of an appellate judge can also deprive a litigant of due process Dugan v. Ohio, 277 U.S. 61 (1928). Ipso Facto, a Fraudulent claim by this Court to cover up the Criminal Actions of the Lower Court. With the Appellant producing in hand the Original wet ink Note indorsed in blank (Ipso Facto, Prima facie evidence) and during the trial that produced the final Order that is on Appeal, this Court can not deny nor ignore this Fact and evidence. This Court also can not deny the fact that the respondents only produced Copies of the Mortgage and Note of which has no more Legal and/or Equity standing then the copies of said that is in the Record on Appeal. Therefore, the respondents with only having copies of said has no standing in Equity nor at Law and are no more then Hearsay evidence (see Rule 802, SCRE. "Hearsay is not admissible except as provided by these rules or by other rules prescribed by the Supreme Court of this State or by statute")., Ipso Facto, the Respondents are Not the real party in interest. The Supreme Court has ruled and has reaffirmed the principle that "justice must satisfy the appearance of justice", Levine v. United States, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing Offutt v. United States, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954).

Copies of the Mortgage and/or Note are deemed as reference material only, therefore when these copies are given a legal and/or equity standing they are thereby deemed Counterfeit. If this Court gives these Copies Legal and/or Equity standing then this Court is Knowingly and Willfully Aiding and Abiding the manufacturing and use of Counterfeit Mortgages. Also if this Court gives Legal and/or Equity standing to copies of Notes or Mortgages it must also give Legal standing to Copies of Federal Reserve Notes, aka Counterfeit, in order to fulfill the debts. See 18 U.S. Code §471 and §472.

With the Appellant in possession of the Original wet ink Note indorsed in blank and the Respondent in possession of only a reduced monotone copy with a Fraudulent

signature of the Note, the Copy of the Mortgage in the possession of the Respondent or the Original wet ink Mortgage of which is either Lost, Destroyed or in the Hands of Another are thereby deemed Void and Null. (S.C. Code Ann. § 36-3-205(b) (2003) ("When indorsed in blank, an instrument becomes payable to bearer and may be negotiated by transfer of possession alone until specially indorsed."); Ballou v. Young, 42 S.C. 170, 176, 20 S.E. 84, 85 (1894) ("The transfer of a note carries with it a mortgage given to secure payment of such note."). Therefore, the Appellant is the owner of the Mortgage regardless of the Assignment of the Mortgage upon the Record of the Mortgage. Also, Section 23 of the Mortgage states that Mortgage Electronic Registration Services (MERS) is the Mortgagee of which directly violates S. C. Code 37-22-120 that states "(A) Without first obtaining a license pursuant to this chapter it is unlawful for a person, other than an exempt person, doing business in this State to: (1) act as a mortgage lender or, directly or indirectly, engage in the business of a mortgage lender under any name or title; or ...) and thereby Voids and Nullify any assignment by MERS. MERS has never been licensed to conduct business nor has been licensed as a mortgage agent. And without an assignment of the Mortgage to MERS or an Attorney of Fact (Power of Attorney) recorded upon the Record of the Mortgage, MERS has unlawfully Assigned the Mortgage. Ipso Facto, invokes the doctrine of unclean hands.

As for the Demand for Jury Trial, not only is this an infringement upon the Rights of Due Process of which a Jury Trial is a Guarantee Right of the Constitution but is also Preserved in S.C. Code Ann. §15-53-90 stating "When a proceeding under this chapter involves the determination of an issue of fact such issue may be tried and determined in the same manner as issues of fact are tried and determined in other civil actions in the court in which the proceeding is pending. *All existing rights to jury trials are hereby preserved.*" (emphasis added). Ipso Facto, voids and nulls Rule 38, SCRCP that limits and infringement upon the Rights to a Jury Trial. Rule 38, SCRCP is also in direct opposition to Public Policy, Judges and Lawyers Oath's of office in regard to upholding and defending the Constitution of the United States and the Constitution of South Carolina.

As far as Section 3, 4, 5, and 6 of the Order, This Court shall apply the same

standards to Both the Appellant and Respondent. Therefore, under S.C. Dep't of Transp. v. First Carolina Corp. of S.C., 372 S.C. 295, 301-02, 641 S.E.2d 903, 907 (2007) ("There are four basic requirements to preserving issues at trial for appellate review. The issue must have been (1) raised to and ruled upon by the trial court, (2) raised by the appellant, (3) raised in a timely manner, and (4) raised to the trial court with sufficient specificity." (quoting Jean Hoefer Toal et al., Appellate Practice in South Carolina 57 (2d ed. 2002))), and Cowburn v. Leventis, 366 S.C. 20, 41, 619 S.E.2d 437, 449 (Ct. App. 2005) ("When a trial court makes a general ruling on an issue, but does not address the specific argument raised by a party, that party must make a Rule 59(e)[, SCRCP,] motion asking the trial court to rule on the issue in order to preserve it for appeal."),

With out any documentation from the filed record of the case at trial, the Respondent waived its complaints and motions by failure to raise them during the trial court and without being raise there cannot be a ruling. Ipso Facto, perjury. Branche Builders, Inc. v. Coggins, 386 S.C. 43, 48 n.4, 686 S.E.2d 200, 202 n.4 (Ct. App. 2009) ("The failure to plead an affirmative defense is deemed a waiver of the right to assert it.") therefore, The failure to plead a claim is deemed a waiver of the right to assert it, thus failed to preserve the claims. A judgement is void if it not consistent with Due Process of law. Orner v. Shalala, 30 F.3d 1307, 1308 (C.A.10 (Colo.),1994); V.T.A., Inc. V. Airco, Inc., 597 F.2d 220, 221 (1979). A judgment reached without due process of law is without jurisdiction and thus void. Bass v. Hoagland, 172 F. 2d 205, 209 (1949). If voidness of judgment is found then relief from judgment is not discretionary and any order based upon that judgment is also void. V.T.A., Inc. V. Airco, Inc.,supra @ 221; Venable v. Haislip, 721 F.2d 297, 298 (1983).

A ruling on an issue that has not been raised during trial is a Direct violation of the Rights to Due Process that deprives a person of the opportunity to be heard, present a case or defend against any claims against them. Therefore, the only issue raised by the Respondent is that it's cause of action for Foreclosure is Foreclosure, Ipso Facto, the Respondent had no Cause of Action and No equity or other remedy has been invoked. See Dunaway v. Allstate Ins. Co., 813 N.E.2d 376, 387 (Ind. Ct. App. 2004) ("Issues not raised before the trial court on summary judgment cannot be argued for the first time on

appeal and are waived."); See Biales v. Young , 315 S.C. 166, 168, 432 S.E.2d 482, 484 (1993) ("Failure to argue is an abandonment of the issue and precludes consideration on appeal."); A party waives appellate review of an argument or objection if the party does not raise it with the trial court. See Hicks v. Midwest Transit, Inc., 500 F.3d 647, 652 (7th Cir. 2007) ("[A]rguments not raised before the district court are waived on appeal.");

As to the Order itself, a pre-trial made Order created by the Respondents and rubberstamped by William O. Spencer is another denial of the Rights of Due Process. A private prior agreement to rule in favor of a party is a violation of section 1983 of the Civil Rights Act, which prohibits "the deprivation of any rights, privileges, or immunities secured by the Constitution," and holds liable any person in violation thereof. 42 U.S.C. § 1983 (1982) protects every citizen from any violation of all rights, privileges, and immunities secured by the Constitution. *See id.* A judge's secret agreement to rule against a party, prior to any judicial proceeding, violates the right to a fair and impartial tribunal guaranteed by the due process clause of the Fourteenth Amendment. *See* U.S. Const. amend. XIV. This also include the Pre-trial motion Order for the Demand for Jury Trial. *see Stump,* 435 U.S. at 362. A private prior agreement, no matter how broadly interpreted, is still an illegal act that takes place before the judicial process ever begins.

As for section 6 of the order, did file a challenge that the Mortgage only applied to the Property and did NOT admitted Chase's allegation asserted in its complaint that the Mortgage covered the mobile home too. As far as this Courts Claim that the Appellant abandoned his argument about the Fourth Amendment, This "Sham legal process" conducted by the Lower Court and Continued by this Court, would thereby unlawfully seize the Property as well as the mobile home of the Appellant and thereby is subject to the authority of the Fourth Amendment. Without a Legal standing, this Court nor the Lower Court has no Authority nor Jurisdiction to seize ones property. This Court as well as the Lower Court has Failed to show that it has any Authority or Jurisdiction to seize and sell ones property. Ipso Facto, these Court has waives any Authority and/or Jurisdiction to confiscate/seize and sell the property of a citizen. See Brockbank v. Best Capital Corp., 341 S.C. 372, 379, 534 S.E.2d 688, 692 (2000) ("Additionally, we find the

mobile home was not a fixture to the real estate and thus not subject to the equitable mortgage. A mobile home is generally classified as personal property, such that a security interest may be perfected by listing the interest on the certificate of title.") and Lewis at 171, 568 S.E.2d at 363 ("Basic contract law provides that when a contract is clear and unambiguous, the language alone determines the contract's force and effect. It is not the function of the court to rewrite contracts for parties." (citation omitted));

Secondly, the Respondents waive its arguments by failure to raise the issue during the Trial. See Dunaway v. Allstate Ins. Co., 813 N.E.2d 376, 387 (Ind. Ct. App. 2004) ("*Issues not raised before the trial court* on summary judgment *cannot be argued for the first time on appeal and are waived.*") (emphasis added); Biales v. Young , 315 S.C. 166, 168, 432 S.E.2d 482, 484 (1993) ("Failure to argue is an abandonment of the issue and precludes consideration on appeal."); A party waives appellate review of an argument or objection if the party does not raise it with the trial court. See Hicks v. Midwest Transit, Inc., 500 F.3d 647, 652 (7th Cir. 2007) ("[A]rguments not raised before the district court are waived on appeal."). Ipso Facto, each and every one of Chase's allegation and claims are thereby waived. Therefore, this Court's Order is in direct opposition and conflict with it's own Case Laws.

With this Court using Court Rules to support it's Ruling against the Appellant, it must also apply the Rules against the Respondent as well or considered as being willfully, knowingly and admittedly being Bias and violating the Appellants Rights of Due Process. Rule 81, SCRCP states " These rules, or any of them, shall apply to every trial court of civil jurisdiction within this state, within the limits of the jurisdiction and powers of the court provided by law, and the procedure therein shall conform to these rules insofar as practicable. ....", Thus, this Court must apply the Following Rules and correct the Violations there of ;

(1) Rule 264 SCACR that states "(a) Continued Representation. The attorneys of the respective parties in the court below shall be deemed the attorneys of the same parties in the appellate court until withdrawal is approved and notice is given as provided in this Rule. (b) Withdrawal. An attorney of record in a matter pending before an appellate court may not withdraw from representation of his client without justifiable cause on petition to

and by written order of the appellate court, and with notice to the adverse party.". The Respondents Counsel Nicholas Andrew Charles is not properly before the court and therefore must be removed as Counsel and all documentation filed by this counsel to be stricken and disregarded. The Respondent's Counsel for the Trial that produced the final Order that is on Appeal was Tasha B. Thompson and not Nicholas Andrew Charles. The Counsels failed to get approval from the appellate court and no notice was given (Section (a)). The Counsel Tasha B. Thompson withdrew without justifiable cause nor on petition. The Counsel did not have a written order of the appellate court nor notified the Appellant.

(2) Rule 212 SCACR that states "(b) By a Party. With the written consent of all attorneys of record, a party may supplement the Record on Appeal at any time before argument commences. Without such consent or after argument commences, a party desiring to supplement the Record on Appeal must move the appellate court for leave to do so. In response to that motion, the other party(s) shall designate any supplemental materials which that party desires to add if the Court grants the motion.". The Respondent produced a Supplemental Record without the consent of the Appellant, after the argument commenced and failed to motion this Court for leave. The Respondent filed their pre-motion made Supplemental Record along with a motion to add it to the record, this denied the Appellant to designate any supplemental materials especially the transcript of the Original Hearing under the Presiding Judge Henderson, thereby Altering the Record on Appeal.

This Supplemental Record also contains a Fictional transcript produced by the Respondent by a fictional Court Reporter with a Counterfeit Notary Public Seal, Ipso Facto the Respondent has committed Fraud upon the Court, Perjury (§16-9-10), Forgery (§16-13-10) and Counterfeiting, Thereby, invoking the doctrine of unclean hands again. Also Violating 15 U.S. Code § 1692e that states "A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: ... (10) The use of any false representation or deceptive means to collect or attempt to collect any debt or ....".

This Fictional transcript was supposedly transcribe on the same day as the motion

hearing and without being orders. It was signed by a Fictional court reporter that did not work for the apparent court reporter agency as indicated. This Fictional court reporter also signed (Forgery) as a Notary Public (Perjury) with a Counterfeit Notary Public Seal. The transcript also contained reference as to the Appellant referencing South Carolina Tort Claims Act, The Initial brief of the Appellant was the first time that the Tort Claims Act was referenced to by the Appellant, Ipso Facto the Fictional Transcript was created by the Respondent After the arguments on Appeal had started. Therefore, this is another Cause for the Transcript as well as the Supplemental Record in which it is contained is must be stricken and disregarded. This Fictional Transcript also supports that the Respondent failed to show, plead or argue at the supposed hearing of the party of interest Motion Hearing that denied the demand for jury trial. The lack of hearing is also supported by William O. Spencer having to ask Tasha B. Thompson (a black woman with a southern accent) was Sarah Beth Nielsen (a white woman with a northern accent according to the transcript itself), Therefore, William O. Spencer never met with Sarah Beth Nielsen, Ipso Facto, no hearing was ever held. The order was produced several weeks after by the Respondents and rubberstamped by William O. Spencer, Ipso Facto, another Violation of the Appellant's Right to Due Process. If this Court upholds and continue these Criminal Acts, not only is this Court Knowingly and Willfully Aiding and Abiding but also opens the doors for any and all mortgage agencies, servicers, debt collectors ect to be able to Foreclose upon anyone without Cause, mortgages nor notes, this also include the judges of this court.

Within a week of this Court issuing this order, the Respondents has already started trespassing upon the Appellants Property, evidence of said was left on Property claiming the Appellant's property was abandoned and if not then call either Chase or Mortgage Contracting Services. Therefore, requesting this Court to issue a restraining Order upon the Respondents and their affiliates. With the property being Posted for No Trespassing, the Respondents and/or their affiliates has committed Trespassing. also requesting charges of Trespassing to filed against the Respondents and their affiliates.

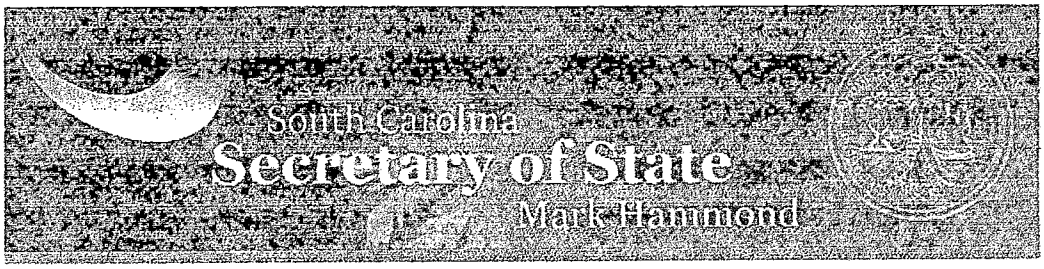
And Finally, Under Rule 501, SCACR Canon 3 and U.S Title 28 Code 455, Judge Geathers and Judge McConald was and are Disqualified from hearing this Case due to

Previously Violating the Appellants Rights of Due Process and Color of Law for upholding, Aiding and Abiding the Following Violations of the State of South Carolina and County of Chesterfield; (1) Unconstitutional Affidavit, (2) Unconstitutional Search Warrant, (3) Practicing Law without a license, (4) Unlawful acting as a Law Enforcement Officer, (5) (Multible) Double Jeopardy, (6) Disclosure of Evidence, (7) racketeering, (8) Conspiracy against civil rightsas well as many other Violations that constitutes as a Sham legal process

Therefore, The Order is Thereby Deemed Void and Null as discussed and discribed in the above.

Fritz A. Timmons (Pro Se)
P. O. Box 367
Hartsville, SC 29551

July 6, 2021



Notaries Search Results as of 4/2/2019 3:00:01 AM

NAME	COUNTY	EXPIRATION

No Search Results were Found

Notary Name: geraldine mendoza
County: All County

« Return to Search

Disclaimer: The South Carolina Secretary of State's Notary Public database is provided as a convenience to our customers to research information on notary publics commissioned by our office. Updates are uploaded every 48 hours. Users are advised that the Secretary of State, the State of South Carolina or any agency, officer or employee of the State of South Carolina does not guarantee the accuracy, reliability or timeliness of such information, as it is the responsibility of the notary public to inform the Secretary of State of any updated information. While every effort is made to ensure the reliability of this information, portions may be incorrect or not current. Any person or entity that relies on information obtained from this database does so at his own risk. Search results will reflect all current notaries and any notaries whose commission has expired within the last year.

Physical Address: Edgar Brown Building - 1205 Pendleton Street Suite 525 Columbia, SC 29201
Mailing Address: SC Secretary of State's Office 1205 Pendleton Street Suite 525 Columbia, SC 29201

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
JUL 08 2021
SC Court of Appeals

APPEAL FROM CHESTERFEILD COUNTY
Court of Common Pleas

William O. Spencer Jr., Lawyer

Case No.2018-000355

Respondent,

JPMorgan Chase Bank.
National Association

v.

Appellant.

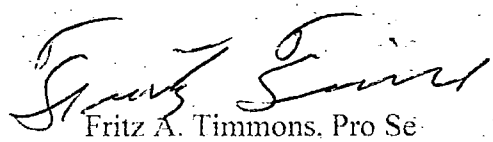
Fritz A. Timmons

PROOF OF SERVICE

I certify that I have served a Copy of the MOTION TO REHEAR/ STRIKE AND DISREGARD RESPONDENTS SUPPLEMENTAL RECORD/ REMOVE RESPONDENTS COUNSEL on attorneys of record Nicholas A. Charles @ Nelson Mullins., PO Box 11070, Columbia SC 29211, by depositing a copy of it in the United States Mail, postage prepaid, on July 6, 2021.

July 6, 2021

Respectfully



Fritz A. Timmons, Pro Se
P. O. Box 367
Hartsville, SC 29551

RECEIVED
JUL 08 2021
SC Court of Appeals

July 6, 2021

The Honorable Jenny Abbott Kitchings
Clerk of Court
P.O. Box 11629
Columbia, SC 29211

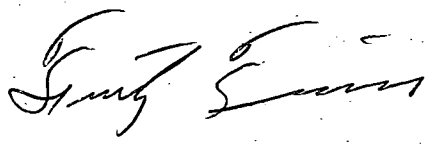
RE: JPMorgan Chase Bank, National Association. Respondent v. Fritz A. Timmons Appellant Case No 2018-000355

Dear Jenny Abbott Kitchings

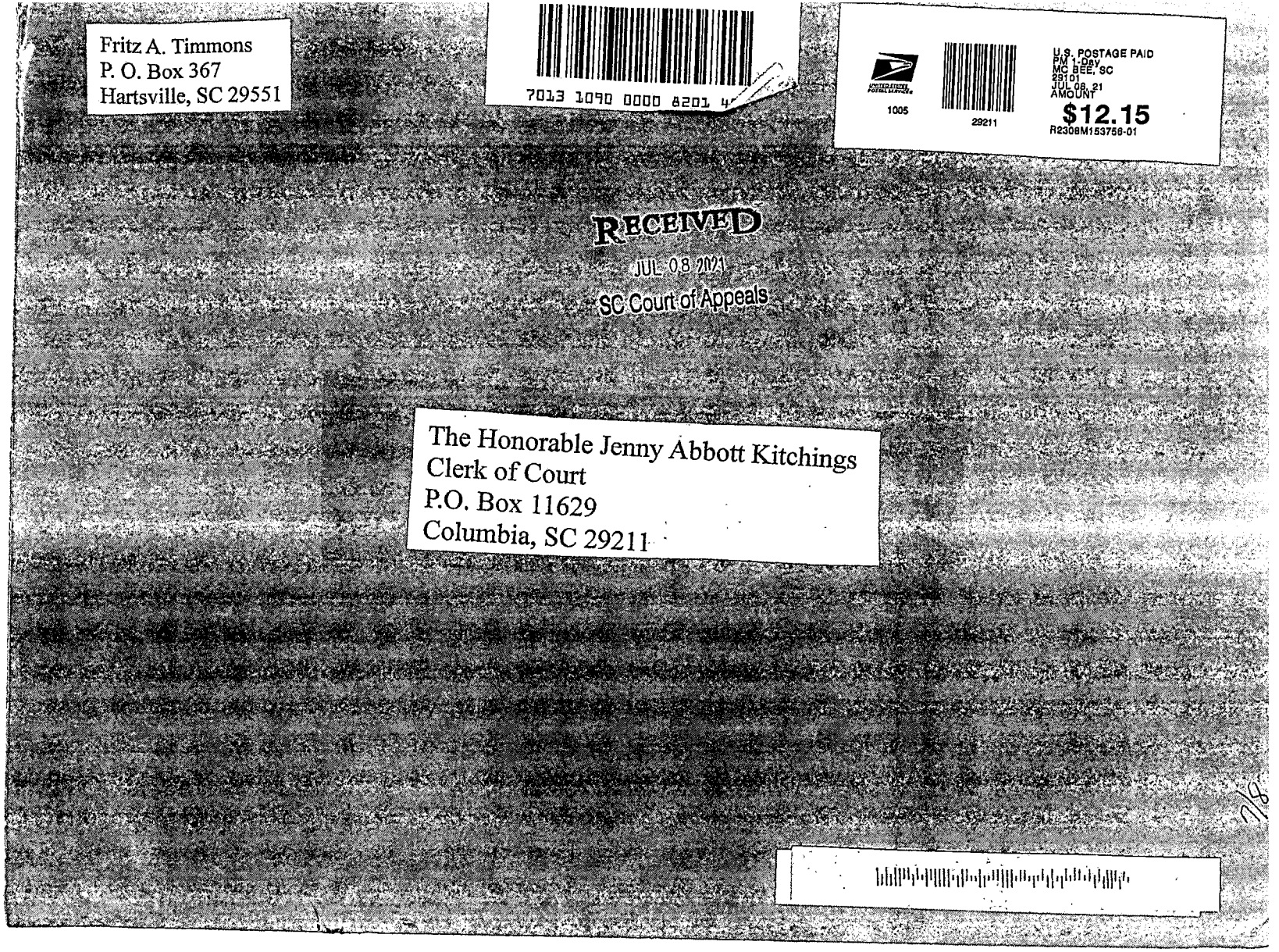
Enclosed for filing are the following:

1. 6 copies of the MOTION TO REHEAR/ STRIKE AND DISREGARD RESPONDENTS SUPPLEMENTAL RECORD/ REMOVE RESPONDENTS COUNSEL of which one is unbound
2. Proof of service

Sincerely,



Fritz A. Timmons
P. O. Box 367
Hartsville, SC 29551


Fritz A. Timmons
P. O. Box 367
Hartsville, SC 29551
7013 1090 0000 8201
1005
29211
U.S. POSTAGE PAID
PM 1-Day
MC BEE, SC
29101
JUL 08 21
AMOUNT
$12.15
R2308M153756-01
RECEIVED
JUL 08 2021
SC Court of Appeals
The Honorable Jenny Abbott Kitchings
Clerk of Court
P.O. Box 11629
Columbia, SC 29211