

STATE OF SOUTH CAROLINA )  
COUNTY OF York )

IN THE COURT OF COMMON PLEAS  
16<sup>th</sup> JUDICIAL CIRCUIT

CASE NO.: 2017-CP-460-3261

Mr. William Theoplas Coleman )  
Plaintiff, )

**MOTION AND ORDER INFORMATION  
FORM AND COVERSHEET**

vs. )

Michael J. Neubauer )  
Defendant. )

Plaintiff's Attorney: <u>William Theoplas Coleman</u> Bar No. <u>N/A</u> Address: <u>237 Clinton Avenue, R.H.S.C. 29222</u> Phone: <u>(803) 915-2339</u> Fax _____ E-mail: <u>richbusinessonly@gmail.com</u> Other: _____	Defendant's Attorney: <u>Michael J. Neubauer</u> , Bar No _____ Address: <u>P.O. Box 11549 Columbia, S.C. 29211-1549</u> Phone: _____ Fax _____ E-mail: _____ Other: _____
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- 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: Appeal  
Estimated Time Needed: 30-45 min 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.

\_\_\_\_\_, 20\_\_\_\_  
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: \_\_\_\_\_, 20\_\_\_\_

**CLERK'S VERIFICATION**

Collected by: \_\_\_\_\_ Date Filed: \_\_\_\_\_, 20\_\_\_\_

- MOTION FEE COLLECTED: \$ \_\_\_\_\_
- CONTESTED - AMOUNT DUE: \$ \_\_\_\_\_

**RECEIVED**

**FORM 1  
NOTICE OF APPEAL IN A CIVIL CASE**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals  
[In The Supreme Court]

**RECEIVED**

**AUG 17 2021**

**S.C. SUPREME COURT**

APPEAL FROM YORK COUNTY

Court of Common Pleas

R. Lawton McIntosh,

Circuit Court Judge

Case No. 2017-CP-460-3261

Michael J. Neubauer, as Respondent for  
the State of South Carolina,

Respondent,

v.

William Theoplas Coleman,

Appellant.

**NOTICE OF APPEAL**

William Theoplas Coleman appeals seeking writ of certiorari on the order [judgment] of the Judge R. Lawton McIntosh dated July 6th, 2021. Appellant received written notice of entry of this order [judgment] on July 18th, 2021.

August 14th, 2021    s/ William Theoplas Coleman

William  
Theoplas  
Coleman  
237 Clinton Ave Rock Hill S.C. 29730  
(803) 915-2339  
Attorney for Appellant

Other Counsel of Record:  
Michael J. Neubar  
Post Office Box 11549  
Columbia, South Carolina 29211-  
1549 Attorney for Respondent

STATE OF SOUTH CAROLINA  
COUNTY OF YORK  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2017 CP-46-03261

WILLIAM T. COLEMAN  
PLAINTIFF(S)

STATE OF SOUTH CAROLINA  
DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41, SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

FILED-RECEIVED  
 2021 JUL 4 AM 11:19  
 DAVID HAMILTON  
 CLERK OF COURT  
 COUNTY OF YORK

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

APPLICANT SEEKS AN AWARD OF MONETARY DAMAGES IN THE AMOUNT OF \$300,000 FOR WRONGFUL ARREST, WHICH IS NOT AVAILABLE UNDER THE POST CONVICTION RELIEF ACT. APPLICANT ALSO SEEKS IMMUNITY FROM ARREST BY ROCK HILL POLICE, WHICH IS ALSO NOT AVAILABLE UNDER THE ACT. THAT LEAVES HIS REQUEST TO VACATE HIS CONVICTIONS UNDER THE POST CONVICTION RELIEF ACT. APPLICANT'S GROUNDS THAT HE WAS NOT AFFORDED DUE PROCESS OR THE RIGHT TO AN ATTORNEY FALLS UNDER SECTION 17-27-20 SUBSECTION 1. APPLICANT SEEKS TO VACATE PRIOR FINDINGS OF GUILT BY TRIALS IN HIS ABSENCE. THE COURT CANNOT SIMPLY VACATE HIS CONVICTIONS BUT MAY VACATE AND REMAND FOR NEW TRIALS. HOWEVER, IN THIS MATTER APPLICANT INTRODUCED EXHIBIT 1 INTO EVIDENCE [UNIFORM TRAFFIC TICKETS]. THE UNIFORM TRAFFIC TICKETS ADVISED APPLICANT OF THE DATE, TIME, AND PLACE OF THE HEARING AS WELL AS THE CHARGE. APPLICANT TESTIFIED THAT HE WAS NOT ADVISED OF HIS RIGHT TO SEEK REPRESENTATION BY THE PUBLIC DEFENDER, HOWEVER, THERE IS NO EVIDENCE THAT THE APPLICANT EVER REQUESTED AN ATTORNEY OR THAT HE FILED AN APPLICATION WITH THE PUBLIC DEFENDER SEEKING REPRESENTATION. THE APPLICANT WAS UNCLEAR AS TO WHETHER HE ATTENDED THE HEARINGS ON THE SPECIFIED DATES, BUT HE ADMITTED TO BEING LATE ON AT LEAST SOME OCCASSIONS. APPLICANT'S EXHIBIT 1 ESTABLISHES THAT THE SHOPLIFTING TRIAL WAS HELD IN HIS ABSENCE BY WAY OF A BENCH TRIAL ON APRIL 3, 2017 AND THAT APPLICANT DID NOT APPEAR. THE DRIVING UNDER SUSPENSION THIRD OR SUBSEQUENT SHOWN BY EXHIBIT 1 WAS SHOWN TO HAVE TAKEN PLACE IN HIS ABSENCE ON MAY 31, 2017 BY WAY OF A BENCH TRIAL. APPLICANT OFFERED NO OTHER EXHIBITS OR EVIDENCE AT THE HEARING. ACCORDINGLY, APPLICANT HAS FAILED TO MEET HIS BURDEN OF PROOF IN THAT HE WAS DENIED THE RIGHT TO AN ATTORNEY, PUBLIC DEFENDER, OR DUE PROCESS. MR. NEUBAUER TO PREPARE A FORMAL ORDER.

This order  ends  does not end the case.

**INFORMATION FOR THE JUDGMENT INDEX**

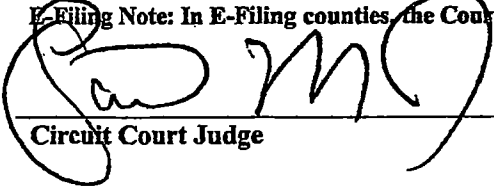
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.



Circuit Court Judge

2155

Judge Code

7-6-21

Date

**For Clerk of Court Office Use Only**

This judgment was entered on the 14<sup>th</sup> day of July, 2021 and a copy mailed first class or placed in the appropriate attorney's box on this 14<sup>th</sup> day of July, 2021 to attorneys of record or to parties (when appearing pro se) as follows:

William T. Coleman  
237 Clinton Avenue  
Rock Hill, SC 29730  
 ATTORNEY(S) FOR THE PLAINTIFF(S)

Michael J. Neubauer  
P.O. Box 11549  
Columbia, SC 29211-1549  
 ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

**Court Reporter:**

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Fileers or who are appearing pro se. See Rule 77(d), SCRPC.

**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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