

STATE OF SOUTH CAROLINA

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IN THE COURT OF APPEAL

AUG 03 2022

APPEAL FROM THE Dorchester County Court

SC Court of Appeals

OF Common Pleas Judge Maite Murphy

Case No. 2022-1800388

Appellate Case No. 2022-000819

James Anthony Primus 252315

Appellant

v

Solicitor First Judicial Circuit

David M Pascoe, Margaret McDonald

DEFENDANT

Appellant Memorandum This Appeal is Not Moot
IN Light of the Circuit Court granting Appellant
MOTION FOR RECONSIDERATION

OVERVIEW

Pro Se Inmate James Anthony Primus 252315 Has Sued
Solicitor First Judicial Circuit For Fraud Violating
Appellant 5, 6, and Fourteenth Amendment of The
Constitution

FACTS

At its September 1997 Term the Dorchester County Grand Jury Indicted Pro Se Appellant For Kidnapping the Indictment Case 97-GS-18-1046 Alleged that James Anthony Primus 252318 in Dorchester County on or about July 13 1997 unlawfully seize can fine inveigle decoy kidnap abduct or carry away Nikki Scott without Authority of law against the Peace and dignity of the State Contrary to the Statute in such Case made provided Exhibit (A) The Case Came For Trial before the Honorable Luke N Brown Jr. at the September 1998 Term of the Court of General Session of Dorchester County after a Jury Trial in which Appellant was defended by William L. Runyon Esquire Appellant was convicted of Kidnapping a violation of S.C. Code 16-3-910 on the Indictment Judge Brown ask the Jury to deliberate The Sex offenses First on the Sentencing Sheet Judge Brown that the offense was Violent and most Serious and Sentenced Appellant to Thirty (30) years Confinement in the State Department of Correction Exhibit (B) Appellant is now serving that Kidnapping sentence with a Projected Release Date of 1-1-2028 AB HAW

No Arrest Warrant No Indictment actual Controversy

IN THIS ACTION Appellant states that all five solicitors for Dorchester County prosecuted this case including the Judge Maite Murphy and was fully aware that under no circumstances that Appellant would plead guilty to a crime that Appellant had not committed. Appellant filed post conviction stating how the solicitor forged sentence sheet to indicate a plea of guilty. The Honorable Diane Schaffer Goodstein would not look at original trial transcripts and accuse me of a crime and told assistant solicitor Donald Sorcason to contact sled to be charge which sled found to be and false accusation allegedly Appellant was never charge with any wrong doing. Judge Goodstein signed the final order of dismissal 2018-CP-1800604 May 23 2019. The Honorable Maite Murphy signed the conditional order on November 8 2018 after Appellant filed a motion for Judge Murphy to recuse herself for being bias and knowingly Appellant had not pled guilty to any crime in this case. Appellant only went to trial once. The solicitor office and SDC have several versions of Appellant sentencing sheets hiding the sentence sheets that are fraudulent in classification files in SDC. The Honorable Edgar Dickerson also refuse to review Appellant original trial transcripts to acknowledge Appellant jury trial 2013-CP-18-0382.

2011-CA-18-2485 Judge Maite Murphy Recuse
Herself From this case and signed the order 5-9-2012
also without Appellant consent Appellant own attorney
conceded in his closing argument kidnapping

RELIEF REQUESTED

For the reason more fully stated above it is most
Respectfully Submitted that this Court should disregard
Suggesting mootness in light of the Circuit Court grant
of Appellant motion to Reconsider and should Grant Appellant
the Relief Requested in a Jurisdictional statement no where
the Rules of this Court is there any indication that a
Memorandum Suggesting mootness is proper or correct way
to answer under the Rule is either a motion to affirm
or Dismiss the Issue This Appeal is not moot in light
of the Circuit Court granting Appellant motion to Reconsider
the Issue of the legality of the Case is not moot and
should be moved to S.C. Court of Appeals

DATE July 27 2022

Respectfully Submitted
James Anthony Paines 252315
James Anthony Paines Pro se
1516 Old Gilliard Road
Ridgeville S.C. 29472

STATE OF South Carolina

IN THE Court of Appeals

Appeal From the Dorchester County Court

of Common Plea Judge Maite Murphy

Case No. 2022-18-388

Appellate Case No. 2022-000819

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SC Court of Appeals

James Anthony Primus 252315

Appellant

v

Solicitor First Judicial Circuit

Defendant

David M. Pascoe, Margaret McDonald

Certificate of Service

I hereby certify that a copy this memorandum
Appeal is not moot I have this date serve upon all
parties to this cause by depositing a copy here of in
The United States Mail Postage Paid

Date July 27 2022

S. C. Court of Appeals

clerk office

1220 Senate St.

Columbia S.C. 29201

State of S. C.

Office of Solicitor

First Judicial Circuit

101 Ridge Street 2nd floor

Saint George S.C. 29477

James Anthony Primus 252315

James Anthony Primus Pro Se

7516 Old Gilliard Road

Ridgeville S.C. 29472

James Anthony Primus 252315
Mac Dougall Correctional Inst.
1516 Old Gilliard Road
Ridgeville, S.C. 29472

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SC Court of Appeals

S.C. Court of Appeals
Clerk Office

1220 Senate Street
Columbia S.C. 29201

RE James Anthony Primus 252315 v Solicitor First
Judicial Circuit
Appellate Case no. 2022 - 000819

Dear Honorable Clerk

Please find enclosed Appellant memorandum addressing this
Appeal is not moot in light of the Circuit Court grant of
Appellant motion to Reconsider

Please accept this with my kindest regards

Sincerely

James Anthony Primus

James Anthony Primus 252315
Macooagall Correctional Institution
1516 Old Gilliard Road
Ridgeville S.C. 29472

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AUG 03 2022

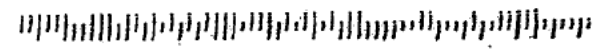
SC Court of Appeals



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Columbia S.C. 29201

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