

ⓐ


#24

RECEIVED

SEP 26 2022

S.C. SUPREME COURT

EXHIBIT B

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <i>S. Dickerson</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <i>S. Dickerson</i></p> <p>C. Date of Delivery  <i>5-18-2018</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:  <i>Sumter Court of Common Pleas          215 N. Harvin St.          Sumter, SC 29150</i></p>  <p>9590 9402 2290 6225 9436 37</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Addressee Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Mail  <input type="checkbox"/> Mail Restricted Delivery (500)</p> <p><input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)  <i>7012 1010 0002 9701</i></p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p> <p style="text-align: right;">Domestic Return Receipt</p>	

7012 1010 0002 9701 8175

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ 0.42
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 6.62</b>

Postmark  
 MA 08 2018

LEE CI MAIL RO

Sent To: *Sumter Court of Common Pleas*  
 Street, Apt. No., or PO Box No.: *215 N. Harvin St.*  
 City, State, ZIP+4: *Sumter, SC 29150*

PS Form 3800, August 2006 See Reverse for Instructions

Record of action  
3 of 5

OBJ  
15 of 17



Exhibit  
C

ALAN WILSON  
ATTORNEY GENERAL

August 2, 2018

Robert William Wazney  
990 Wisacky Highway  
Bishopville, South Carolina 29010

**Re: Robert William Wazney v. State of South Carolina**

Dear Mr. Wazney:

Enclosed please find the original Post-Conviction Relief application I received from you in the mail on June 6, 2018. I have also received a copy of your June 16, 2018 filing in the South Carolina Supreme Court, as well as your letter dated June 29, 2018.

While I did receive your application, there is no record that it has been filed by the Sumter County Clerk of Court. Our office cannot open a file on the application until it has been filed by the Clerk. Once the Clerk files the application, they will serve me with a clocked copy and I can file a response. Although it appears from your letter that you attempted to send your application to the Clerk, I do not see any indication that the Clerk received it or filed the application.

Because I represent the State, I cannot give you legal advice regarding your application. However, please note that your application must be filed within one year of your October 17, 2017 remittitur from the South Carolina Court of Appeals in order to be considered timely.

Sincerely,

Julie A. Coleman  
Assistant Attorney General

JAC/ks  
Enclosure

COMPLAINT REGARDING  
INDIFFERENCE BY CLERK  
page 3 of 5



Exhibit  
D

## The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT  
BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499

June 21, 2018

Mr. Robert William Wazney, #363679  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, SC 29010

Dear Mr. Wazney;

Please be advised that an application for post-conviction relief is filed with the circuit court. S.C. Code §17-217-10 et seq.; Rule 71.1 of the South Carolina Rules of Civil Procedure. Further, you must use the specified application form.<sup>1</sup>

Therefore, I am returning your document to you and I have enclosed the required application form along with a civil action cover sheet. No action will be taken on your document by this Court.

Sincerely,

Daniel E. Shearouse

Enclosures

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<sup>1</sup> While you have not provided the indictment numbers, this document is apparently related to the convictions and sentences in 2014GS4300317, 2014GS4300317, 2015GS4300333, and 2015GS4300334



EXHIBIT  
E

ALAN WILSON  
ATTORNEY GENERAL

April 30, 2019

Robert William Wazney, #363679  
F3-2214-B  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, South Carolina 29010

**Re: Robert William Wazney v. State of South Carolina**

Dear Mr. Wazney:

I have received your letters dated December 5, 2018 and April 7, 2019 asking this office to 're-check' with the Sumter County Clerk of Court's Office for your filed post-conviction relief application. However, I did not receive a letter dated February 21, 2019.

At this time, there is no record your application has been filed by the Sumter County Clerk of Court, therefore, we are taking no action.

Sincerely,

Janell H. Gregory  
Assistant Attorney General

JHG/ks  
Enclosure



# SUMTER COUNTY CLERK OF COURT

JAMES C. CAMPBELL

EXHIBIT  
F

Sumter County Judicial Center ■ 215 North Harvin Street ■ Sumter, South Carolina 29150

August 6, 2019

RECORDED  
2019 AUG -6 AM 10:16  
JAMES C. CAMPBELL  
CLERK OF COURT  
SUMTER COUNTY, S.C.

Clerk's Office  
(803) 436-2227  
Fax (803) 436-2223

Family Court  
(803) 436-2366  
Fax (803) 436-2396

Common Pleas  
(803) 436-2228  
(803) 436-2231

Jury Information  
(803) 436-2233

Fines & Restitution  
(803) 436-2230

General Sessions  
(803) 436-2264  
(803) 436-2265

Re: Robert W. Wazney #363679 vs State of South Carolina  
Appellate Case No. 2018-001730

Dear Mr. Shearouse:

We have received your letter regarding Mr. Wazney. According to our files, he never filed a PCR application with us. I received a letter from him requesting a copy of the PCR. I returned the letter with a blank application, stating one was never filed with us. He sent the enclosed documents to us without a case number as reference. When an application is sent, it is clocked in, given a case number and the criminal file is pulled, and copies are made. One copy is sent to the inmate and the other to the Attorney General's office. If we can assist you further, let us know.

Sincerely Yours,

Barbara Sharper  
Deputy Clerk of Court

STATE OF SOUTH CAROLINA

COUNTY OF LEE

ROBERT WILLIAM WAZNEY

Plaintiff(s)

vs.

JAMES C. CAMPBELL CLERK OF COURT

Defendant(s)

Submitted By: ROBERT WILLIAM WAZNEY

Address: 990 Wisacky Highway  
Bishopville, SC 29010

**EXHIBIT G**  
IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

-CP-

Priority Matter

SC Bar #:

Telephone #: 803-428-2800

Fax #:

Other:

E-mail:

NOTE: The coversheet 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 cases that are NOT E-Filed. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint. This form is NOT required to be filed in E-Filed Cases.

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 Court Annexed Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- |   |  |   |   |
|---|--|---|---|
| <p><b>Contracts</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Constructions (100)</li> <li><input type="checkbox"/> Debt Collection (110)</li> <li><input type="checkbox"/> General (130)</li> <li><input type="checkbox"/> Breach of Contract (140)</li> <li><input type="checkbox"/> Fraud/Bad Faith (150)</li> <li><input type="checkbox"/> Failure to Deliver/Warranty (160)</li> <li><input type="checkbox"/> Employment Discrim (170)</li> <li><input type="checkbox"/> Employment (180)</li> <li><input type="checkbox"/> Other (199)</li> </ul> | <p><b>Torts - Professional Malpractice</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Dental Malpractice (200)</li> <li><input type="checkbox"/> Legal Malpractice (210)</li> <li><input type="checkbox"/> Medical Malpractice (220)</li> <li>Previous Notice of Intent Case #<br/>20 <u>-NI-</u></li> <li><input type="checkbox"/> Notice/ File Med Mal (230)</li> <li><input type="checkbox"/> Other (299)</li> </ul> | <p><b>Torts - Personal Injury</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Conversion (310)</li> <li><input type="checkbox"/> Motor Vehicle Accident (320)</li> <li><input type="checkbox"/> Premises Liability (330)</li> <li><input type="checkbox"/> Products Liability (340)</li> <li><input type="checkbox"/> Personal Injury (350)</li> <li><input type="checkbox"/> Wrongful Death (360)</li> <li><input type="checkbox"/> Assault/Battery (370)</li> <li><input type="checkbox"/> Slander/Libel (380)</li> </ul> | <p><b>Real Property</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Claim &amp; Delivery (400)</li> <li><input type="checkbox"/> Condemnation (410)</li> <li><input type="checkbox"/> Foreclosure (420)</li> <li><input type="checkbox"/> Mechanic's Lien (430)</li> <li><input type="checkbox"/> Partition (440)</li> <li><input type="checkbox"/> Possession (450)</li> <li><input type="checkbox"/> Building-Code Violation (460)</li> </ul> |
|---|--|---|---|

Inmate Petitions  
 PCR (500)  
 Mandamus (520)  
 Habeas Corpus (530)  
 Other (599)  
**Publication of Process Against Town Clerk**

**Special/C**  
 Environmental (600)  
 Automobile Arb (610)  
 Medical (620)  
 Other (699)  
 Sexual Predator (510)  
 Permanent Restraining Order (68)  
 Interpleader (690)

Submitting Party Signature: \_\_\_\_\_

Date: 11-10-21

*What County are you trying to file this in? It was sent to Sumter County. Your filings state Lee County? Which is it?*

0)  
(920)  
  
(990)  
Comm (991)

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

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
Division of Inmate Services

EXHIBIT H

AGREEMENT TO DEBIT E.H. COOPER ACCOUNT

Inmate's Name: ROBERT WARNEY	SCDC#: PCR 363679	Housing Unit: F2 1139	Date: MAY 9, 2018
---------------------------------	----------------------	--------------------------	----------------------

GENERAL MATERIAL

\*\* Inmate must have the funds in his/her account to pay for the materials.

To be completed by  
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage		
Tape		
Box		
Electronic Repair		
Other		
Sub-Total:		

**RECEIVED**  
MAY 08 2018  
LEE CI MAIL ROOM

LEGAL MATERIAL

\*\* Inmate is not required to have the funds in his/her account to pay for the materials; however, his/her account must be debited for all materials s/he elects to receive.

To be completed by  
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage	27.48	
Other		
Sub-Total:		\$27.48

CERTIFIED  
RETURN  
RECEIPT  
X4

PHOTOCOPIES

\*\* Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

To be completed by  
SCDC staff:

Item	Amount	Cost
Photocopies		
		\$27.48
		<b>TOTAL</b>

Inmate's Signature

*[Signature]*

(Mailroom/Canteen Signature (Request filled by))

5/8/18  
Date

OBJ  
16 of 17

White - Inmate  
Canary - Mailroom/Canteen Employee

Record of action  
4 of 5

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
Division of Inmate Services

*EXHIBIT I*

**AGREEMENT TO DEBIT E.H. COOPER ACCOUNT**

Inmate's Name: <i>ROBERT WAZNEY</i>	SCDC #: <i>363679</i>	Housing Unit: <i>CYP 018</i>	Date: <i>July 22, 2012</i>
--	--------------------------	---------------------------------	-------------------------------

**GENERAL MATERIAL**

\*\* Inmate must have the funds in his/her account to pay for the materials.

To be completed by  
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
*SUMNER COUNTY CLERK'S COURT  
215 NORTH HARVARD ST  
SUMNER SC 29150*

2. Article Number (Transfer from service label)  
*7021 0950 0001 9690 3572*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*Susan Gregory*  Agent  Addressee

B. Received by (Printed Name)  
*Susan Gregory*

C. Date of Delivery  
*7-28-22*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Adult Signature  Priority Mail Express®  
 Adult Signature Restricted Delivery  Registered Mail™  
 Certified Mail®  Registered Mail Restricted Delivery  
 Certified Mail Restricted Delivery  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation™  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery

To be completed by  
SCDC staff:

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage		
Other <i>2</i> <u>CERTIFIED TO SC, ANY STATE</u> <u>CERTIFIED + RETURN</u> To: <u>RECEIPT</u> — <i>SUMNER COUNTY CLERK'S COURT</i>	$1.92 + 4.00 = 5.92$ $1.92 + 4.00 + 3.25 = 9.17$	<i>15.09</i>
Sub-Total:		<i>15.09</i>

\* PLEASE PROVIDE TRACKING RECEIPTS. **PHOTOCOPIES**  
\*\* Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

To be completed by  
SCDC staff:

Item	Amount	Cost
Photocopies		
		<i>15.09</i>
		<b>TOTAL</b>

Inmate's Signature  
*[Signature]*

Mailroom/Canteen Signature (Request filled by)  
*[Signature]*

Date  
*7-25-22*

White - Inmate  
Canary - Mailroom/Canteen Employee

*rec'd 7-29-22*

Exhibit 3  
Page 7

Robert William Wazney  
9848 Goldmine Hwy  
Kershaw, S.C. 29067

RECORDED

2022 JUL 28 PM 12:07

JAMES C. CAMPBELL  
CLERK OF COURT  
SUMTER COUNTY, S.C.

July 22, 2022

SUMTER County Clerk of Court  
215 NORTH MARVIN ST.  
SUMTER SC 29150

Re: Robert Wazney  
CASE NO.  
2015-63

STATE OF SOUTH CAROLINA  
-GS-43-00317,  
334

We need the  
original copy  
of your PCR

Dear Sumter

Enclosed for

- (1) PROOF Application
- (2) NOTICE SUPPLEMENT CONVICT

How many:

- (3) LEAVE TO FILE SUPPLEMENT TO APPLICATION FOR POST-CONVICTION RELIEF;

which includes Robert William Wazney's completed:

- (4) APPLICATION FOR POST-CONVICTION RELIEF (PCR) S.C. Supreme Court date stamped "JUNE 21, 2018" (pp. 4-12);
- (5) APPLICATION TO PROCEED WITHOUT PAYMENT OF COSTS AND AFFIDAVIT IN SUPPORT THEREOF (p. 13); and

(6) CERTIFICATE OF SERVICE (OF PCR)

Also Enclosed is:

(7) CIVIL ACTION COVERSHEET

Sincerely,



ROBERT WILLIAM WAZNEY  
Indigent, Applicant,

cc: S.C. ATTORNEY GENERAL  
PO Box 11549  
Columbia, S.C. 29211-1549

Encls: 18 pages

cover letter  
page 2 - of - 2

LEGAL

WAZNEY-363679

ROBERT WILLIAM WAZNEY

990 Wisacky Highway  
Bishopville, South Carolina 29010  
803-428-2800

November 18, 2021

Clerk of Court  
Lee County Courthouse  
123 S. Main Street  
Bishopville, SC 29010

RE: Publication of Process Against Town Clerk

Dear Clerk of Court of Lee County:

Please find enclosed the following motions in regards to publication of process:

1. CIVIL ACTION COVER SHEET;
2. APPLICATION TO PROCEED WITHOUT PAYMENT OF COSTS AND AFFIDAVIT IN SUPPORT THEREOF;
3. EX PARTE MOTION--FOR PUBLICATION OF PROCESS AGAINST TOWN CLERK;
4. AFFIDAVIT--In support of motion for publication of process against town clerk--Inability after diligent efforts to locate officers or agents of town clerk within jurisdiction;
5. Exhibits A, B, C, D, E, F; and
6. CERTIFICATE OF SERVICE,

totaling twenty-eight pages, to be filed with the Court of Common Pleas in Lee County South Carolina.

Respectfully,

ROBERT WILLIAM WAZNEY

P.S. 2014GS4300317, 2014GS4300317, 2015GS4300333, and 2015GS4300334 are case/indictment numbers.

Encls. 28 pages

Exhibit K  
30 pages

STATE OF SOUTH CAROLINA

COUNTY OF LEE

ROBERT WILLIAM WAZNEY

Plaintiff(s)

vs.

JAMES C. CAMPBELL CLERK OF COURT

Defendant(s)

Submitted By: ROBERT WILLIAM WAZNEY

Address: 990 Wisacky Highway  
Bishopville, SC 29010

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

-CP -

Priority Matter

SC Bar #:

Telephone #: 803-428-2800

Fax #:

Other:

E-mail:

NOTE: The coversheet 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 cases that are NOT E-Filed. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint. This form is NOT required to be filed in E-Filed Cases.

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 Court Annexed Alternative Dispute Resolution Rules.
This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- Contracts: Constructions (100), Debt Collection (110), General (130), Breach of Contract (140), Fraud/Bad Faith (150), Failure to Deliver/Warranty (160), Employment Discrim (170), Employment (180), Other (199)
Torts - Professional Malpractice: Dental Malpractice (200), Legal Malpractice (210), Medical Malpractice (220), Previous Notice of Intent Case # 20 -NI-, Notice/ File Med Mal (230), Other (299)
Torts - Personal Injury: Conversion (310), Motor Vehicle Accident (320), Premises Liability (330), Products Liability (340), Personal Injury (350), Wrongful Death (360), Assault/Battery (370), Slander/Libel (380), Other (399)
Real Property: Claim & Delivery (400), Condemnation (410), Foreclosure (420), Mechanic's Lien (430), Partition (440), Possession (450), Building Code Violation (460), Other (499)
Inmate Petitions: PCR (500), Mandamus (520), Habeas Corpus (530), Other (599)
Administrative Law/Relief: Reinstate Drv. License (800), Judicial Review (810), Relief (820), Permanent Injunction (830), Forfeiture-Petition (840), Forfeiture-Consent Order (850), Other (899)
Judgments/Settlements: Death Settlement (700), Foreign Judgment (710), Magistrate's Judgment (720), Minor Settlement (730), Transcript Judgment (740), Lis-Pendens (750), Transfer of Structured Settlement Payment Rights Application (760), Confession of Judgment (770), Petition for Workers Compensation Settlement Approval (780), Incapacitated Adult Settlement (790), Other (799)
Appeals: Arbitration (900), Magistrate-Civil (910), Magistrate-Criminal (920), Municipal (930), Probate Court (940), SCDOT (950), Worker's Comp (960), Zoning Board (970), Public Service Comm. (990), Employment Security Comm (991)
Special/Complex /Other: Environmental (600), Automobile Acc (610), Medical (620), Other (699), Sexual Predator (510), Permanent Restraining Order (680), Interpleader (690), Pharmaceuticals (630), Unfair Trade Practices (640), Out-of State Depositions (650), Motion to Quash Subpoena in an Out-of-County Action (660), Pre-Suit Discovery (670)

Submitting Party Signature:

Date:

11-10-21

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

STATE OF SOUTH CAROLINA  
County of Lee

COURT OF COMMON PLEAS

ROBERT WILLIAM WAZNEY

APPLICATION TO PROCEED  
WITHOUT PAYMENT OF COSTS  
AND AFFIDAVIT IN SUPPORT THEREOF

Plaintiff,

v.

JAMES C. CAMPBELL CLERK OF COURT,

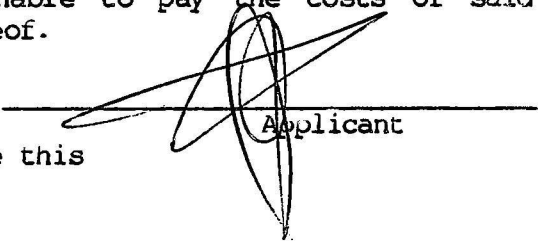
Defendant.

Priority Matter

AFFIDAVIT

I, ROBERT WILLIAM WAZNEY, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. I am attempting to institute a PCR proceeding, SC Code § 17-27-20 reads "any person who has been convicted of or sentenced for, a crime and who claims that the conviction or the sentence was in violation of the Constitution of the United States or the Constitution or laws of this state; that there exists evidence of material facts, not previously presented and heard, that requires vacation of the conviction or sentence in the interest of justice; or that the conviction or sentence is otherwise subject to collateral attack upon any ground of alleged error heretofore available under any common law, statutory or other writ, motion, petition, proceeding or remedy; may institute, without paying a filing fee, a proceeding under this chapter to secure relief." Also, "inmate seeking PCR was not required to pay filing fee or file certified copy of his trust account showing account balance to institute action for PCR relief, regardless of inmates financial status," Thompson v. State, (SC 1997) 325 SC 58, 479 S.E.2d 808, see also Lakes v. State, 333 S.C. 382, 510 S.E.2d 228, I should be permitted to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

  
Applicant

SWORN or affirmed to and subscribed before me this  
10<sup>th</sup> day of November, 2021.

Upha G. McCrea  
Notary Public  
My Commission Expires: March 4<sup>th</sup> 2024

STATE OF SOUTH CAROLINA  
County of Lee

COURT OF COMMON PLEAS

ROBERT WILLIAM WAZNEY

EX PARTE MOTION--FOR PUBLICATION  
OF PROCESS AGAINST TOWN CLERK

Plaintiff,

v.

JAMES C. CAMPBELL CLERK OF COURT,

Defendant.

Priority Matter

MOTION FOR PUBLICATION OF PROCESS

Plaintiff, ROBERT WILLIAM WAZNEY, moves the above-entitled court for an order directing service of the APPLICATION FOR POST-CONVICTION RELIEF in this action on defendant, JAMES C. CAMPBELL CLERK OF COURT, by publication and by mailing a copy of such process to Defendant at its last-known address pursuant to Rule 4(d) SCRCP, on the grounds that Defendant has no officer or other person on whom such process can be served who, after due diligence can be found in South Carolina. Personal service is unavailable to Plaintiff. Service of process has been attempted via U.S. Mail (Exhibit B) but un-noticed by Defendant (see S.C. Sup. Ct. 2019-001730); see also Sup.Ct. 2018-001376, and Sup.Ct. 2018-001373, letters to 3rd Circuit administrative judge (administrative at the time) unanswered. Papers from S.C. Attorney General claims it cannot force Defendant to file the process, and Defendant action--or inaction--as indicated in federal case no. 6:18-2825--HMH-KFM Complaint entitled Writ of Supervisory Control (stated under 2018 WL 6068472 and 2018 WL 6573083) complaining of Defendant not performing ministerial duties of filing In Forma Pauperis court papers including PCR, <sup>ET AL.)</sup> deems personal or substituted service as impossible or impracticable.

This Motion is made and based on the attached affidavit of ROBERT WILLIAM WAZNEY and on all pleadings, records and papers filed in this action.

Date: 11-10-21

  
ROBERT WILLIAM WAZNEY  
Plaintiff, Captive

STATE OF SOUTH CAROLINA  
County of Lee

COURT OF COMMON PLEAS

ROBERT WILLIAM WAZNEY

Plaintiff,

v.

JAMES C. CAMPBELL CLERK OF COURT,

Defendant.

AFFIDAVIT--In support of motion  
for publication of process against  
town clerk--Inability after diligent  
efforts to locate officers or agents  
of town clerk within jurisdiction

Priority Matter

AFFIDAVIT

State of South Carolina  
County of Lee

ROBERT WILLIAM WAZNEY, Plaintiff, Affiant, being first duly sworn,  
deposes and says:

1. Affiant is the Plaintiff in the above-entitled action and is familiar with all of the facts and circumstances in this case.

2. This affidavit is in support of Plaintiff's motion for an order directed that service of the APPLICATION FOR POST-CONVICTION RELIEF (PCR) in this action be made on defendant, JAMES C. CAMPBELL CLERK OF COURT, by publication in a newspaper of general circulation most likely to give notice to Defendant, pursuant to S.C.Code 15-9-710, and by substitute service, via U.S. Mail, pursuant to Rule 4(d) SCRPC.

3. This action is brought to have Plaintiff's PCR "filed" with Defendant. Plaintiff is a citizen of the United States, and a person, who has been convicted of, and sentenced for, a crime in violation of the Constitution of the United States and in violation of the Constitution of South Carolina, there exists evidence of material facts, not previously presented and heard, that requires vacation of the conviction or sentence in the interest of justice, et al. Plaintiff, therefrom, is seeking institution of a PCR proceeding, pursuant Rule 71.1 SCRPC, and S.C.Code Ann. §§ 17-27-10 to -120 (1985) a/k/a Uniform Post-Conviction Procedure Act, and has filed a verified PCR (Exhibit A) in this action with the town clerk (Defendant) of Sumter County, S.C. on May 10, 2018, pursuant the Uniform Post-Conviction Procedure Act, by mailing Defendant the PCR, Defendant then signed for PCR (Exhibit B [signed by town clerk agent S. Dickerson]). However, Defendant is failing to notice Plaintiff's PCR (see S.C.Sup.Ct. case# 2018-001376, 2018-001373, 2019-001730). Under the circumstances of incarceration, personal service of process is unavailable (S.C.D.C. KIOSK to Mailroom 21-02118186 and to Major KIOSK 21-02118164) to Plaintiff, and Defendant cannot be found by substituted service of process using U.S. Mail, S.C.Code § 15-9-710(3). Plaintiff seeks relief by order directing service of process--of his PCR--by publication and substituted service of process by United States Mail by the court.

4. Defendant is a necessary party to the action because S.C.Code § 17-27-40 reads "A proceeding is commenced by filing an application verified by the applicant with the clerk of the court in which the conviction took place," and "the clerk shall docket the application upon its receipt and promptly bring it to the attention of the court and deliver a copy to the solicitor of the circuit in which the applicant was convicted and a copy to the Attorney General," Plaintiff's PCR action cannot move forward or continue until the PCR is docketed by Defendant (Exhibit C), and is thereby the only person who can accept it.

D.

A good cause of action exists against Defendant because "an application for postconviction relief is deemed 'filed' ... when it is DELIVERED TO and RECEIVED by the clerk of the court ..." Mose v. State (SC 2017) 420 S.C. 500, 803 S.E.2d 718. In this case, Plaintiff DELIVERED PCR to Defendant via U.S. Mail, pursuant Rule 71.1 SCRCP and S.C.Code §§ 17-27-10 to -120, however, Defendant, avoiding service, by not noticing the process content, is not RECEIVING PCR (see S.C. Sup. Ct. case # 2019-001730, "objections" motion dated Sept. 2, 2019, pp. 4-13), therefore Defendant is concealed, cannot be found, and estopping the judicial machinery, deeming PCR "un-filed" and resulting in unlawful violation of Plaintiff's right of due process, USCA CONST Amend. XIV, S.C. CONST, Art. 1 § 3, and right to habeas corpus by suspension of habeas corpus, USCA CONST Art. 1 §9, cl. 2; and S.C. CONST Art. 1, §18. Defendant is a necessary or proper party to the action, and this action is one in which service by publication and mail is appropriate.

5. Defendant is a town clerk of court, a public official, a ministerial officer of the court and represents an "arm" of the court, created by state statute, and is sworn to uphold its office duties and preserve, protect, and defend the Constitution(s). Its principal place of business within South Carolina is 215 North Harvin Street, Sumter, South Carolina 29150. Its office for the transaction of business in South Carolina last known to be located at 215 North Harvin Street, Sumter, South Carolina 29150. It is located at a county courthouse in Sumter, South Carolina.

6. Plaintiff made the following, et al., bona fide efforts to ascertain names of any persons authorized to accept service for Defendant:

- June 14, 2018, — Filed PCR with S.C. Supreme Court, Sup.Ct. stamped and returned without action, (Exhibit D)
- June 26, 2018, -- Filed PCR with District Court (Court returned, stamped, no action)
- June 29, 2018, -- Served PCR Supplement motion upon town clerk with case numbers 2014GS4300317, 2014GS4300317, 2015GS4300333, and 2015GS4300334, unanswered

- July 17, 2018, -- Filed Original Jurisdiction motion with SC. Sup. Ct., eventually dismissed
- July 18, 2018, -- Filed Complaint motion with S.C. Supreme Court, eventually dismissed
- July 28, 2018, -- Sent complaint to presiding judge of local circuit, three attempts, unanswered
- October 15, 2018, -- Filed habeas corpus with district court, district court dismissed, court said Plaintiff needed to file PCR
- December 15, 2018, -February 21, 2019, and -April 7, 2019,
  - Plaintiff sent letters to Attorney General, April 30, 2019, Attorney General replies it re-checked town clerk, PCR not docketed (Exhibit E)
- July 29, 2019, -- Sup.Ct. case # 2018-001730, SC.Sup.Ct. Order of return for Defendants answer to Plaintiff allegations, town clerk 8/6/19 answer (Exhibit F) claims it received papers other than PCR (papers it claimed to have received are dated one month later, making clerk claim impossible, as stated in Plaintiffs "Objections" motion dated 9/2/19)
- November 27, 2019, -- Complaint to S.C. Attorney General Crime Victim Services Division Department of Crime Victim Ombudsman, ultimately claims it cannot help
- June 7, 2020, -- Complaint to S.C. Court Administration, three attempts for reply, no resolution
- September 29, 2020, -- Plaintiff Complaint to State Justice Institute (Virginia), no reply
  - Plaintiff complains to Thomas W. Cooper, Jr. c/o Commission on Judicial Conduct, (Columbia, SC), no reply
  - Plaintiff complains to Alan D. Clemmons c/o Judicial Merit Selection Commission (Columbia SC), no reply
- October 2, 2020, -- Plaintiff Complains to State Inspector General (Columbia SC), no reply

-October 4, 2020, -- Plaintiff Complains to State Human Affairs Commission (Columbia SC), no reply  
-- Plaintiff provides Docket Complaint to S.C. Court Administration, no reply, no resolution  
April 13, 2021, -- Plaintiff opens PCR complaint to S.C. Court Administration, S.C. Supreme Court Chief Justice, U.S. District Court Justice Herlong, U.S. Court of Appeals Justice Traxler, Defendant, and U.S. Court Administration, April 19, 2021 and June 18, 2021 replies has produced no real solution, Plaintiff is currently awaiting reply from S.C. Court Administration

No person authorized to accept service for defendant can, after diligent efforts, be found in South Carolina.

7. DISCUSSION: In this case, Plaintiff claims he mailed PCR to Defendant, Defendant signed for the mail but claims there was no PCR in Plaintiffs mailing, Plaintiff cannot provide personal service upon Defendant verifying content of process and is limited to only United States Mail. Under such circumstance, Plaintiff can mail--over and over again--the PCR to the Defendant, and although "A party is presumed to know the contents of a paper signed or accepted by him", Federal Land Bank of Columbia v. Sumter, 168 S.C. 510, 167 S.E. 830 (1933), Defendant can claim, over and over, it never receives any PCR. The illegal conduct alleged here is continuing and there is no indication that Defendant will not continue such activity into the future. If Defendant is not enjoined from the conduct constituting unlawful practices as set forth in this Complaint, Defendant will continue to engage in those unlawful practices in violation of the rights of Plaintiff as described in this Complaint. Plaintiff will suffer irreparable injury unless relief is granted. Plaintiff seeks Court to order service by publication and service by United States Mail to ensure certifiable service of PCR upon Defendant, which would grant Plaintiffs prayer for relief.

8. "The Item" published in Sumter, South Carolina, is the newspaper most likely to give notice to Defendant because it is a newspaper of general circulation in South Carolina and is published daily.

WHEREFORE, Plaintiff respectfully requests an order directing that service of the PCR in this action be made on Defendant by publication of such process in The Item and by mailing a copy of the PCR to Defendant's last-known address, pursuant to Rule 4(d) SCRPC, and any other relief as this Court deems fit and appropriate.

I, ROBERT WILLIAM WAZNEY, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing, the allegations of fact contained in this paper are true to my own knowledge, except as to those matters stated to be alleged on information and belief and as to those matters I believe them to be true; that I cannot afford counsel and do not have counsel at the time of filing this affidavit, and declare under penalty of perjury the foregoing is true and correct.

Date: 11-10-21

  
ROBERT WILLIAM WAZNEY

990 Wisacky Highway

Bishopville, South Carolina 29010

Plaintiff, Affiant, Complainant, Captive

SWORN to and subscribed before me this 10<sup>th</sup>  
day of November, 2021.  
Alba Y. McCrea (L.S.)

Notary Public

My Commission Expires: March 4, 2024

RECEIVED

Exhibit A

JUN 21 2019

STATE OF SOUTH CAROLINA  
County of Sumter  
RO

ROBERT WILLIAM WAZNEY, 803-428-2800  
Applicant,

V.

State of South Carolina.

) COURT OF COMMON PLEAS  
) S.C. SUPREME COURT

) APPLICATION FOR  
) POST-CONVICTION RELIEF

) ~~Jury Trial Demanded~~

) Priority Matter

NOTWITHSTANDING prejudice demonstrated by Sumter County Clerk Of Court and many Justices and officials associated with the South Carolina Judicial System towards ROBERT WILLIAM WAZNEY, this Motion comes pursuant Rule 71.1 SCRCF and South Carolina Code Ann. §§ 17-27-10 to - 120 (1985). Because of inappropriate Government interference by the incursion of pretrial freezing of above titled Applicant's assets as a criminal defendant, consequently and subsequently effecting his poverty, this Motion is taken in forma pauperis (Attached) establishing that Applicant, ROBERT WILLIAM WAZNEY, will be unable to pay the fees and costs of the proceedings.

1. Place of detention: Lee Correctional Institution.
2. Name and location of Court which imposed sentence: Sumter County Judicial Center, Court of General Sessions, 215 North Harvin St., Sumter, South Carolina 29150.
3. Names of co-defendants: N/A.
4. The indictment number or numbers (if known) upon which and the offenses for which sentences was imposed: N/A.
5. The date upon which sentence was imposed and the terms of the sentence: April 17, 2015, terms not agreed upon by ROBERT WILLIAM WAZNEY.
6. Check whether a finding of guilty was made:
  - (a) after a plea of guilty: No
  - ~~(b) after a plea of not guilty: Yes~~
  - (c) after a plea of nolo contendere: No
7. Did you appeal from the judgment of conviction or the imposition of sentence?: Yes
8. If you answered "yes" to (7), list:

(a) the name of each Court to which you appealed:

- i. South Carolina Supreme Court
- ii. Sumter Family Court
- iii. Sumter Probate Court
- iv. Sumter Court of Common Pleas
- v. United States District Court
- vi. South Carolina Court of Appeals
- vii. United States Bankruptcy Court

(b) the result in each such Court to which you appealed:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A
- v. N/A
- vi. N/A
- vii. N/A

(c) the date of each such result:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A
- v. N/A
- vi. N/A
- vii. N/A

(d) if known, citations of any written opinion or orders entered pursuant to such results:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A
- v. N/A
- vi. N/A
- vii. N/A

9. If you answered "no" to (7), state your reasons for not so Appealing:

(a) N/A

(b) N/A

(c) N/A

10. State concisely the grounds on which you base your allegation(s) that you are being held in custody unlawfully:

- ~~(a) ROBERT WILLIAM WAZNEY was denied the right to be confronted with the witnesses against him and to have compulsory process for obtaining witnesses in his favor - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution - During the guilt-or-innocence phase of his trial.~~
- (b) ROBERT WILLIAM WAZNEY was denied the right to counsel of choice - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution.
- (c) ROBERT WILLIAM WAZNEY was denied the right of effective Appellate counsel - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina constitution.
- (d) ROBERT WILLIAM WAZNEY was denied the right of access to the Courts - guaranteed by the fourteenth Amendment to the United States of America Constitution and by article I §§ 3 and 14 of the South Carolina Constitution.
- (e) ROBERT WILLIAM WAZNEY was denied the right to an impartial Jury - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution.
- (f) ROBERT WILLIAM WAZNEY was denied the right to effective assistance of trial counsel - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution.
- ~~(f) ROBERT WILLIAM WAZNEY was denied the right to effective assistance of trial counsel - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution.~~
- (g) ROBERT WILLIAM WAZNEY was denied the right to confrontation - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the

S South Carolina Constitution.

- (h) ROBERT WILLIAM WAZNEY was denied the right to effective assistance of trial counsel - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution.
- (i) ROBERT WILLIAM WAZNEY was denied the right to counsel - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution.
- (j) ROBERT WILLIAM WAZNEY was denied the right to speedy trial - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution.
- (k) ROBERT WILLIAM WAZNEY claims actual innocence.
- (l) ROBERT WILLIAM WAZNEY commitment order(s) is illegal.
- (m) ROBERT WILLIAM WAZNEY was denied the right to effective assistance of Appellate counsel - guaranteed by the sixth and fourteenth amendments to the United States of America Constitution and by Article I §§ 3 and 14 of the South Carolina Constitution.

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

- (a) Supporting facts: Court improperly limited impeachment of alleged victim testimony when it excluded relevant, material, highly probative, noncumulative, nonconfusing, nonprejudicial video testimony, vital to the central issue in the case, regarding Applicants innocence, ostensibly based on the rape shield statute.
- (b) Supporting facts: The Government interfered by its incursion of pretrial freezing of criminal Defendants assets needed to retain counsel.
- ~~(c) Supporting facts: Appellate counsel failed to develop a complete~~  
record notwithstanding Applicants complaints of erroneous transcripts from both March and April trials.
- (d) Supporting facts: The Government interfered with Applicants attempt to secure legal representation and communicate with

an attorney, Applicant was forced to attend his bail proceeding without legal representation.

- (e) Supporting facts: Trial Judge tainted Jury during voir dire.
- (f) Supporting Facts: Trial counsel failed to fully inform Applicant.
- (g) Supporting facts: Trial proceedings were had in absence of

~~Applicant.~~

- (h) Supporting facts: It did not occur to Applicants Counsel that collateral estoppels of relevant exculpatory material evidence permitted at the first trial would not be permitted at the retrial, foreclosing testimony of the alleged victim video statement of Applicants innocence, precluding introduction of contrary evidence at subsequent trial.
- (i) Supporting facts: Arguments between Applicant and counsel conspired regularly, to include subsequent Applicant complaint to the Court at first trial about his Constitutional rights abridgement regarding speedy trial.
- (j) Supporting facts: Applicant was incarcerated over fourteen months before being tried.
- (k) ROBERT WILLIAM WAZNEY is actually innocent.
- (l) Supporting facts: Commitment order(s) is in violation of State and Federal Statutes and Constitutions, commitment order(s) was established in violation of public policy. ROBERT WILLIAM WAZNEY offered no acceptance nor did he agree to the commitment order(s); therefore there is no validity of assent. Commitment order(s) are void ab initio.
- (m) Supporting facts: Appellate counsel took advice of trial counsel notwithstanding Appellants conflict of interest with trial counsel.

12. Prior to this application have you filed with respect to this conviction:

(a) any petition in a State Court under South Carolina Law?: Yes

~~(b) any petition in State or Federal Courts for habeas corpus or~~  
post-convictions relief?: Yes

(c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)?: Yes

(d) any other petitions, Motions or applications in this or any other Court?: Yes

13. If you answered "yes" to any part of (12), list with respect to each petition, Motion or application:

(a) the specific nature thereof:

- i. see case # 2014-DR-43-0038, 2015-DR-43-0046
- ii. see case # 2017-000916, 2016-001342, 2016-001674, 2016-000221, 2015-002193, Order of Default (appeal, etc.), 2017-001490, 2017-001112, 2018-000081.
- iii. see case # 2017-001728, 2017-001776
- iv. see case # 2017-CP-43-00569, 2016-CP-43-00733
- v. see case # N/A
- vi. see case # 17-9C009-dd
- vii. see case # 3:17-cv-02873-HMH-KFM, 3:17-cv-02900-HMH-KFM, 3:17-cv-<sup>3216</sup>~~01116~~-HMH-KFM, 6:15-cv-01116-HMH-KFM, 3:18-921-HMH-KFM

(b) the name and location of the Court in which each was filed:

- i. Sumter County Family Court, 215 N. Harvin St. Sumter, S.C. 29150
- ii. S.C. Court of Appeals, PO Box 11629, Columbia, SC. 29211
- iii. S.C. Supreme Court, PO Box 11330, Columbia SC. 29211
- iv. Sumter County Common Pleas, 215 N. Harvin St. Sumter, S.C. 29150
- v. Sumter County Probate Court, 215 N. Harvin St., Sumter, SC. 29150
- vi. U.S. Bankruptcy Court, 1100 Laurel St., Columbia, SC. 29201
- vii. U.S. District Court, 300 E. Washington St., Room 239, Greenville, S.C. 29601

(c) the disposition thereof:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A
- v. N/A
- vi. N/A

~~vii. N/A~~

(d) the date of each such disposition:

- i. N/A
- ii. N/A
- iii. N/A

iv. N/A

v. N/A

vi. N/A

vii. N/A

(e) if known, citations of any written opinions or orders entered  
~~pursuant to each such disposition:~~

i. N/A

ii. N/A

iii. N/A

iv. N/A

v. N/A

vi. N/A

vii. N/A

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed? Yes

15. If you answered "yes" to (14) identify:

(a) which grounds have been presented:

i. N/A

ii. N/A

iii. N/A

(b) the proceedings in which each ground was raised:

i. N/A

ii. N/A

iii. N/A

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

(a) N/A

(b) N/A

(c) N/A

17. Were you represented by an attorney at any time during the course of:

(a) your arraignment and plea? N/A

(b) your trial, if any? No

- (c) your sentencing? No
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? No
- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed?  
No

18. If you answered "yes" to one or more parts of (17), list:

(a) the name and address of each attorney who represented you:

i. N/A

ii. N/A

iii. N/A

(b) the proceedings at which each such attorney represented you:

i. N/A

ii. N/A

iii. N/A

19. State clearly the relief you seek in filing this application: Vacation of sentence(s) and equitable damages and any other relief as the Court deems fit and proper, and independent rulings for each issue upon its merits.

20. Are you now under sentence from any other court that you have not challenged?: N/A

STATE OF SOUTH CAROLINA )

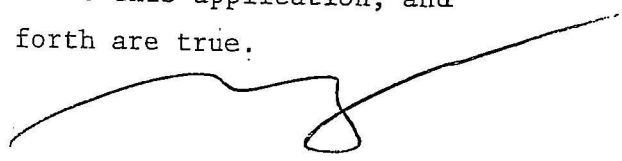
VERIFICATION

County of Lee )

I, ROBERT WILLIAM WAZNEY, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that I do not have post-conviction counsel at the time of filing ~~this application, further I do not yet have a copy of trial counsels file,~~ access to discovery, access to funds for expert and investigative services, or any ability to conduct an investigation. Given those limitations, I cannot provide further information regarding additional claims for post-conviction relief, although I, ROBERT WILLIAM WAZNEY, BELIEVE THERE ARE OTHER VIABLE

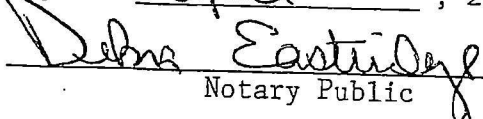
post-conviction claims available to me with the exception of the specific issues included in this application at this time. I, ROBERT WILLIAM WAZNEY, do not waive the attorney-client privilege to any extent, and I request that my trial counsel not provide any portions of my files to any representative of the Attorney General's office, outside the scope of the specific claims ~~addressed in this application and any amendment to this application;~~ and that the matters and allegations therein set forth are true.

April 25, 2018.

/s/ 

ROBERT WILLIAM WAZNEY .:  
990 Wisacky Highway  
Bishopville, SC 29010  
Indigent, Applicant, pro se

SWORN to and subscribed before me this 25  
day of April, 2018.

  
Notary Public (L.S.)

My Commission Expires: 3/3/2021

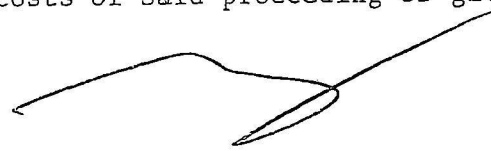
APPLICATION TO PROCEED WITHOUT PAYMENT  
OF COSTS AND AFFIDAVIT  
IN SUPPORT THEREOF

I. ROBERT WILLIAM WAZNEY, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the Applicant in this action and I believe I am entitled to redress.
- (2) Because of inappropriate Government interference by the incursion of pretrial freezing of my assets as a criminal defendant effecting my poverty I am unable to pay the costs of said proceeding or give security thereof.

April 25, 2018:

/s/

  
ROBERT WILLIAM WAZNEY  
990 Wisacky Highway  
Bishopville, SC 29010  
Indigent, Applicant, pro se

SWORN or affirmed to and subscribed before me this  
25 day of April, 2018:

Delma Eastridge  
Notary Public

My Commission Expires: 3/3/2026

STATE OF SOUTH CAROLINA )  
County of Sumter )

COURT OF COMMON PLEAS

ROBERT WILLIAM WAZNEY, 803-428-2800, )  
Applicant, )

v. )

CERTIFICATE OF SERVICE

State of South Carolina. )  
)

The undersigned hereby certifies that on ~~April~~ <sup>MAY</sup> 9, 2018 true and correct copies of the APPLICATION FOR PCST-CONVICTION RELIEF were served by placing the same in the prison mail system U.S. Mail postage prepaid to the following addresses:

SUMTER COURT OF COMMON PLEAS  
215 N. Harvin St.  
Sumter, SC 29150

UNITED STATES COMMISSION ON CIVIL RIGHTS  
Attn: Complaints Referral  
624 Ninth St. NW,  
Washington, DC 20425


UNITED NATIONS  
ECONOMIC AND SOCIAL COUNSEL  
New York, NY. 10017

DEPARTMENT OF JUSTICE  
950 Pennsylvania Ave., NW  
Washington, DC 20530

/s/

ROBERT WILLIAM WAZNEY  
990 Wisacky Highway  
Bishopville, SC 29010  
Indigent, Applicant, pro se

#24  
 Exhibit  
 B

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <i>S. Dickerson</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
1. Article Addressed to: Sumter Court of Common Pleas 215 N. Harvin St. Sumter, SC 29150  9590 9402 2290 6225 9436 37	B. Received by (Printed Name) <i>S. Dickerson</i> C. Date of Delivery <i>5-15-2008</i>
2. Article Number (Transfer from service label) 7012 1010 0002 9701 8175	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
PS Form 3811, July 2015 PSN 7530-02-000-9053	3. Service Type <input type="checkbox"/> Agent Signature <input type="checkbox"/> Priority Mail <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Mail <input type="checkbox"/> Mail Restricted Delivery (500)
	Domestic Return Receipt

U.S. Postal Service™ <b>CERTIFIED MAIL™ RECEIPT</b> (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees	\$ 0.42 3.45 2.75 \$ 6.62
Sent To Sumter Court of Common Pleas Street, Apt. No., or PO Box No. 215 N. Harvin St. City, State, ZIP+4 Sumter, SC 29150	<b>RECEIVED</b> MAY 08 2008 Postmark <b>LEE CI MAIL RO</b>
PS Form 3800, August 2006      See Reverse for Instructions	

Record of action  
 3 of 5      OBJ  
 15 of 17

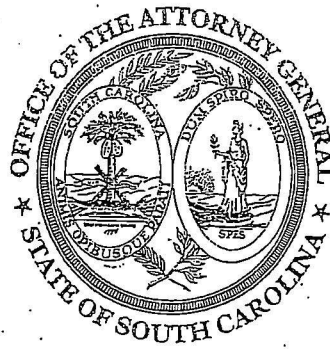


Exhibit  
C

ALAN WILSON  
ATTORNEY GENERAL

August 2, 2018

Robert William Wazney  
990 Wisacky Highway  
Bishopville, South Carolina 29010

**Re: Robert William Wazney v. State of South Carolina**

Dear Mr. Wazney:

Enclosed please find the original Post-Conviction Relief application I received from you in the mail on June 6, 2018. I have also received a copy of your June 16, 2018 filing in the South Carolina Supreme Court, as well as your letter dated June 29, 2018.

While I did receive your application, there is no record that it has been filed by the Sumter County Clerk of Court. Our office cannot open a file on the application until it has been filed by the Clerk. Once the Clerk files the application, they will serve me with a clocked copy and I can file a response. Although it appears from your letter that you attempted to send your application to the Clerk, I do not see any indication that the Clerk received it or filed the application.

Because I represent the State, I cannot give you legal advice regarding your application. However, please note that your application must be filed within one year of your October 17, 2017 remittitur from the South Carolina Court of Appeals in order to be considered timely.

Sincerely,

Julie A. Coleman  
Assistant Attorney General

JAC/ks  
Enclosure

COMPLAINT REGARDING  
INDIFFERENCE BY CLERK  
page 3 of 5



11 Exhibit  
D

# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT  
BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499

June 21, 2018

Mr. Robert William Wazney, #363679  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, SC 29010

Dear Mr. Wazney;

Please be advised that an application for post-conviction relief is filed with the circuit court. S.C. Code §17-217-10 et seq.; Rule 71.1 of the South Carolina Rules of Civil Procedure. Further, you must use the specified application form.<sup>1</sup>

Therefore, I am returning your document to you and I have enclosed the required application form along with a civil action cover sheet. No action will be taken on your document by this Court.

Sincerely,

Daniel E. Shearouse

Enclosures

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<sup>1</sup> While you have not provided the indictment numbers, this document is apparently related to the convictions and sentences in 2014GS4300317, 2014GS4300317, 2015GS4300333, and 2015GS4300334



PP  
EXHIBIT  
E

ALAN WILSON  
ATTORNEY GENERAL

April 30, 2019

Robert William Wazney, #363679  
F3-2214-B  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, South Carolina 29010

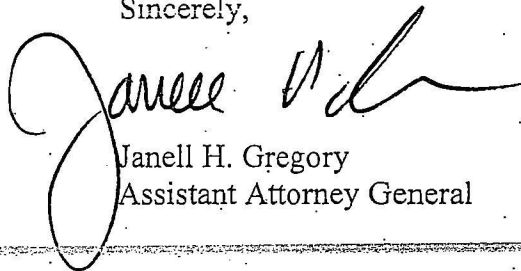
**Re: Robert William Wazney v. State of South Carolina**

Dear Mr. Wazney:

I have received your letters dated December 5, 2018 and April 7, 2019 asking this office to 're-check' with the Sumter County Clerk of Court's Office for your filed post-conviction relief application. However, I did not receive a letter dated February 21, 2019.

At this time, there is no record your application has been filed by the Sumter County Clerk of Court, therefore, we are taking no action.

Sincerely,



Janell H. Gregory  
Assistant Attorney General

JHG/ks  
Enclosure



# SUMTER COUNTY CLERK OF COURT

JAMES C. CAMPBELL

*Exhibit F*

Sumter County Judicial Center ■ 215 North Harvin Street ■ Sumter, South Carolina 29150

August 6, 2019

RECORDED  
2019 AUG -6 AM 10:16  
JAMES C. CAMPBELL  
CLERK OF COURT  
SUMTER COUNTY, S.C.

Clerk's Office

(803) 436-2227

Fax (803) 436-2223

Family Court

(803) 436-2366

Fax (803) 436-2396

Common Pleas

(803) 436-2228

(803) 436-2231

Jury Information

(803) 436-2233

Fines & Restitution

(803) 436-2230

General Sessions

(803) 436-2264

(803) 436-2265

Re: Robert W. Wazney #363679 vs State of South Carolina  
Appellate Case No. 2018-001730

Dear Mr. Shearouse:

We have received your letter regarding Mr. Wazney. According to our files, he never filed a PCR application with us. I received a letter from him requesting a copy of the PCR. I returned the letter with a blank application, stating one was never filed with us. He sent the enclosed documents to us without a case number as reference. When an application is sent, it is clocked in, given a case number and the criminal file is pulled, and copies are made. One copy is sent to the inmate and the other to the Attorney General's office. If we can assist you further, let us know.

Sincerely Yours,

Barbara Sharper

Deputy Clerk of Court

STATE OF SOUTH CAROLINA )  
County of Lee )

COURT OF COMMON PLEAS

ROBERT WILLIAM WAZNEY )

CERTIFICATE OF SERVICE

Plaintiff, )

v. )

JAMES C. CAMIBELL CLERK OF COURT, )

Defendant. )

Priority Matter

-----  
CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of -CIVIL ACTION COVERSHEET, -APPLICATION TO PROCEED WITHOUT PAYMENT OF COSTS AND AFFIDAVIT IN SUPPORT THEREOF, -EX PARTE MOTION--FOR PUBLICATION OF PROCESS AGAINST TOWN CLERK, -AFFIDAVIT--In support of motion for publication of process against town clerk--Inability after diligent efforts to locate officers or agents of town clerk within jurisdiction, and -Exhibit(s) A thru F, totaling twenty-six pages, were served by depositing the same in the prison mail system addressed to the following addresses, U.S. Mail pre-paid, on this day:

Clerk of Court  
Lee County Courthouse  
123 S. Main Street  
Bishopville, S.C. 29010

Keith Gedamike  
c/o THE ITEM NEWSPAPER  
20 North Magnolia Street  
Sumter, S.C. 29150

TIFFANY RAINES  
c/o S.C. Court Administration  
1015 Sumter Street, Ste 200  
Columbia, SC 29201

DONALD BEATTY  
c/o S.C. Supreme Court  
PO Box 11330  
Columbia, SC 29211

CERTIFICATE OF SERVICE

Page 1-of-2

JAMES C. CAMPBELL CLERK OF COURT  
215 North Harvin Street  
Sumter, SC 29150

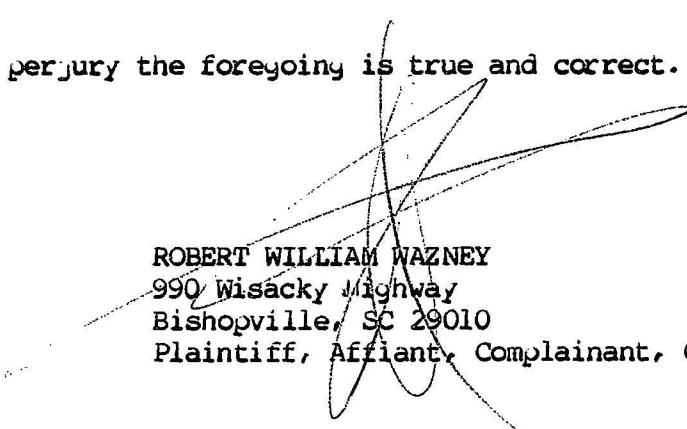
Hon. Henry Herlong  
c/o U.S. District Court  
901 Richland Street  
Columbia, SC 29201-2431

Hon. WILLIAM TRAXLER  
c/o U.S. Court of Appeals  
1100 East Main Street, 5th Floor  
Richmond, VA 23219-3517

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS  
ASSISTANT DIRECTOR OFFICE OF COURT ADMINISTRATION  
One Columbus Circle, NE  
Washington, D.C. 20544

I declare under penalty of perjury the foregoing is true and correct.

Date: 11-10-21



ROBERT WILLIAM WAZNEY  
990 Wisacky Highway  
Bishopville, SC 29010  
Plaintiff, Affiant, Complainant, Captive

ROBERT WILLIAM WAZNEY

\*

990 Wisacky Highway  
Bishopville, South Carolina 29010  
803-428-2800

November 10, 2021

JAMES C. CAMPBELL CLERK OF COURT  
215 North Harvin Street  
Sumter, SC 29150

RE: Publication of Process Against Town Clerk

JAMES C. CAMPBELL CLERK OF COURT:

Please find enclosed the following motions in regards to publication of process:

1. CIVIL ACTION COVER SHEET;
2. APPLICATION TO PROCEED WITHOUT PAYMENT OF COSTS AND AFFIDAVIT IN SUPPORT THEREOF;
3. EX PARTE MOTION--FOR PUBLICATION OF PROCESS AGAINST TOWN CLERK;
4. AFFIDAVIT--In support of motion for publication of process against town clerk -Inability after diligent efforts to locate officers or agents of town clerk within jurisdiction;
5. Exhibits A, B, C, D, E, F; and
6. CERTIFICATE OF SERVICE,

totaling twenty-eight pages, which I have filed with the Court of Common Pleas in Lee County, South Carolina. For your files, records and information.

Respectfully,



ROBERT WILLIAM WAZNEY

P.S. 2014GS4300317, 2014GS4300317, 2015GS4300333, and 2015GS4300334 are case/indictment numbers.

Encls. 28 pages

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
Division of Inmate Services

**AGREEMENT TO DEBIT E.H. COOPER ACCOUNT**

Inmate's Name: <i>RCR - 50A</i> <i>ROBERT WARNEY</i>	SCDC #: <i>3636 79</i>	Housing Unit: <i>F3 2214</i>	Date: <i>11-10-21</i>
---	------------------------	------------------------------	-----------------------

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.cc](http://www.usps.cc)

**OFFICIAL USE**

Certified Mail Fee \$ *3.75*

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ *3.05*

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ *2.16*

Total Postage and Fees \$ *8.96*

Sent To *Lee County Clerk*  
Street and Apt. No., or PO Box No. *125 S. MAIN ST*  
City, State, ZIP+4® *DISHONVILLE, SC 29010*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Other *cert RE*

7201 0950 0000 0779 5104

**MATERIAL**

for the materials.

To be completed by SCDC staff:

**RECEIVED**  
NOV 15 2021  
LEE CI MAIL ROOM

Cost
<i>2.16-53</i>
<i>1.63</i>
<i>3.75</i>
<i>3.05</i>
Sub-Total: <i>6.80</i> <b>8.43</b>

**LEGAL MATERIAL**

\*\* Inmate is not required to have the funds in his/her account to pay for the materials; however, his/her account must be debited for all materials s/he elects to receive.

Item	Amount
Envelope	
Pen	
Paper	
Postage <i>8</i>	
Other <i>CERTIFIED, RETURN Receipt - see clerk ONLY</i>	

*2.16*  
*5 @ 1.43 (1.96-53)*  
*1.63 (2.16-53)*

To be completed by SCDC staff:

Cost
Sub-Total: <b>10.94</b>

**PHOTOCOPIES**

\*\* Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

Item	Amount
Photocopies	

To be completed by SCDC staff:

Cost
<b>19.37</b>

**TOTAL**

Inmate's Signature

Mailroom/Canteen Signature (Request filled by)

*11/15/21*  
Date

White - Inmate  
Canary - Mailroom/Canteen Employee

Exhibit L

ROBERT WILLIAM WAZNEY  
\*  
4848 Goldmine Highway  
Kershaw, South Carolina 29067  
803-896-3300

March 10, 2022

S.C. Commission on Indigent Defense  
1330 Lady Street  
Columbia, S.C. 29201

Dear S.C. Commission on Indigent Defense:

I was convicted and sentenced of a crime in the state of South Carolina on or about April 2015. Appeal was taken and SCCID appointed me counsel (Alexander). In the event appeal is affirmed, counsel removes itself from the case and the case is remanded to lower court unless certiorari is sought. Certiorari is not allowed if an Anders brief is filed by counsel. Regardless, at the end of the appellate process, an inmates next step is to file a PCR pursuant PCR Act if desired, and he/she must do so within one year of the affirming of the appeal. The process is simple, the inmate fills out a PCR form and simply mails it to the town clerk of the county in which the conviction took place. Noting that during the PCR application process, the inmate is not represented by counsel and is left to fill out and mail the PCR on his own, once PCR is filed with the county court, counsel is assigned again by the State where the PCR can be amended, etc., etc.

HOWEVER, in my situation, I timely mailed my PCR to the proper town-clerk in 2018, S. Dickerson Signed for it on May 10, but the town-clerk is not following statutory law by not docketing the PCR, et al. This town-clerk misfeasance prevents the State Attorney General from moving forward with the case, his office said so, and this town-clerk misfeasance effectively suspends and collaterally estopps the PCR process and suspends habeas corpus. I have complained to many, many, State and Federal authorities with no avial. I filed habeas corpus--with federal court--but they said I need to file the PCR. It has been almost, if not more than, four years since I mailed in my PCR to town clerk, and I have provided the town-clerk with copies of PCR many other times and ways, scarcely the town-clerk replies with a 'post-it' note asking what the papers are for. I even filed PCR with S.C. Supreme Court who stamped the PCR and claimed it is 'filed with the circuit court' but they will not entertain it unless I provide them with court fees which I do not have. I fully understand that the courts are "supposed to" do certain things, but they are not, and they simply push the helpless unrepresented inmate around with their 'errors'.

I am not trained in the complex science of law, I have no money, and I request if you can you help me with this legal problem?

Sincerely,

  
ROBERT WILLIAM WAZNEY  
Captive

cc: S.C. Attorney General