

IN THE SOUTH CAROLINA
COURT OF APPEALS FOR
THE FOURTH JUDICIAL

11-17-2022

RECEIVED

RE:

Donald R. Burr, Appellant

NOV 21 2022

v.

SC Court of Appeals

PAGELAND POLICE Department, Respondent

APPELLATE CASE No. 2022-001568

APPELLANT'S RESPONSE TO
COURT OF APPEALS NOTICE
DATED, November 08, 2022

TO THE HONORABLE COURT OF APPEALS;

Comes Now Donald R. Burr, Appellant
in the above-styled and numbered cause
and files this response, and shows this
court the following:

I

THIS APPELLANT HAS CONTINUOUSLY
ATTEMPTED TO SERVICE DEFENDANTS UNTIL
AND FROM APPROXIMATELY (2) WEEKS AFTER
THE FIRST INCIDENT WITH DEFENDANTS

1) AND HAS ACCOMPLISHED THIS FILINGS WITH

NUMEROUS (EXHIBITS ATTACHED) TO PROVE TO THIS COURT THE FOLLOWING:

- 1) THAT FILINGS IN THIS CAUSE BY THIS APPELLANT WAS HAND-DELIVERED TO THE RESPONDENTS FROM DECEMBER, 2021 UNTIL AROUND AUGUST, 2022, WITH ABSOLUTELY NO RESPONSE, NO APPEARANCES AT ANY COURT DOCTER CALLS OR AND NOTICES IN RETURN, AND DURING THIS TIME PERIOD AFTER SPEAKING WITH THE PAGERLAND POLICE DEPT, WAS INFORMED THAT THE (2) DEFENDANT INVOLVED IN THE NOV. 2021 INCIDENT THAT HAS CAUSED THIS TO BE A CASE, NO LONGER WORK THERE AND THEY WOULD NOT, AND HAVE NOT RESPONDED TO ANY FILINGS BY APPELLANT. SEE ATTACHED (EXHIBITS A, B, C,) and NO USE TO FILE ANYMORE, THEREFORE ON OR ABOUT AUGUST, 2022, APPELLANT FILED A CHANGE OF VENUE AND FILED IT WITH THE CLERK OF COURT, CHESTERFIELD COUNTY, APPELLANT ALSO SENT A FILING TO THE SOUTH CAROLINA SUPREME COURT, PREDICTING HE WOULD BE, RETALIATED AGAINST, BEFORE THE DECEMBER 26TH 2021 (2ND INCIDENT) BY
- 2)

ANOTHER POLICE OFFICER WHO THREATENED APPELLANT BECAUSE OF THE COMPLAINT FILED AGAINST HIS (OFFICER BUDDIES) RELATING TO THE NOVEMBER 2021 ORIGINAL INCIDENT. (SEE EXHIBIT D) ATTACHED, AND HAS CONTINUOUSLY DONE SO AGAINST APPELLANT EVERYWHERE, STALKING APPELLANT AT GROCERY STORES, SUPPLY COMPANY ETC.

2) SINCE THESE FILINGS STARTED, AND THE (2) OFFICERS NO LONGER WORK THERE, THEY WERE THEN HIRED BY THE CHASTERTFIELD COUNTY SHERIFFS DEPT WHERE THEY NOW WORK AS DEPUTIES.

THAT'S WHEN THEY NOW ARE ATTEMPTING TO USE STATE PROSECUTORS AS LISTED ATTORNEYS, AND APPELLANT FILED AN OBJECTION TO DEFENDANT'S USING STATE CRIMINAL PROSECUTORS AS ATTORNEYS AGAINST HIM FOR CIVIL/CONSTITUTIONAL RIGHTS VIOLATIONS AND, EVEN THE LISTED ATTORNEYS HAVE NEVER SPOKEN TO, ANSWERED ANY FILINGS, AND BEEN AT ANY COURT OF COMMON PLEAS DOCKET CALLS OR HEARINGS ETC, IT IS AS IF THEIR NAME IS JUST PUT THERE SINCE THEY (DEFENDANTS) NOW WORK FOR (SHERIFFS DEPT.)

3)

4) THE REASON IS APPELLANT ARGUES THAT THIS IS BIAS AND PREJUDICIAL DUE TO THE FOLLOWING:

APPELLANT + FAMILY HAS BEEN ROBBED (3) TIMES IN (2) YEARS BY (SAME PERSONS) MOST RECENTLY IN AUGUST 2022, AGAIN IN SEPT. 2022, FOR THOUSANDS OF DOLLARS AND PROPERTY, AND THE SAME PROSECUTOR'S OFFICE IN CHESTERFIELD COUNTY WANT (APPELLANTS) TO HELP THEM PROSECUTE THE INDIVIDUALS WHO ARE IN CUSTODY (TRAIL AWAITING HEARING/TRIAL) BUT YET, INTEND TO THEN DEFEND DEFENDANTS AGAINST APPELLANT IN THIS CIVIL CAUSE BUT YET HAVE NEVER ESTABLISHED THEMSELVES AS ATTORNEYS FOR DEFENDANT IN THIS CAUSE.

NOTE: APPELLANT ARGUES WHY IS IT HE HAS TO SERVICE SAID PROSECUTORS/ATTORNEYS FOR DEFENDANTS NOW, WHEN THEY HAVE NEVER ESTABLISHED, INFORMED ANYONE, ANSWERED ABSOLUTELY NO FILINGS, DISREGARDED DOCKET CAUSES, HEARINGS ETC.

4) IT'S AN ATTEMPT TO CONFUSE, FRUSTRATE AND IMPEDE APPELLANT'S REQUEST TO BE

HEARD FAIRLY, A FAIR HEARING, IN A COURT OF COMPETENT JURISDICTION BY A FAIR JUDGE.

APPELLANT ARGUES THAT IF THE SAID PROSECUTORS / ATTORNEYS WOULD ESTABLISH THEMSELVES OR HAD, HE WOULD HAVE SERVICED THEM PROPERLY, THERE OFFICE IS RIGHT BESIDE THE COURTHOUSE / CLERK OF COURTS OFFICE WHERE HE WAS CONSTANTLY HAND-DELIVERED ALL OF HIS FILINGS IN PERSON.

IT'S HARD FOR A PRO SE APPELLANT TO SERVICE OTHERS WHEN HE HAS ALL THESE ISSUES / FILINGS WITH NO RESPONSE TO ANYTHING, SO APPELLANT ATTEMPTED TO SERVICE DEFENDANTS (SEE EXHIBITS A THRU E) AND NOW ASK TO SERVICE PROSECUTORS WHO SHOULD NOT BE ALLOWED TO DEFEND DEFENDANTS, AND NOW THEY ARE DOING THE SAME THING, SO APPELLANT FILES HIS DOCUMENTS WITH THE CLERK OF COURT, WHAT ELSE CAN HE DO, SOMEBODY SHOULD RESPOND TO SOMETHING, FILE SOMETHING OR SOMETHING. IT'S LIKE THERE NAME IS THERE, BUT THEY DON'T EXIST ON THIS CASE,

5)

APPELLANT HAS ALSO ATTACHED DOCUMENTS

WHEREIN, SOME PROSECUTOR'S OFFICE IS
WANTING APPELLANT TO HELP THEM INDIVIDUALS
WHO APPARENTLY WENT ON A CRIME SPREE
AND APPELLANT IS ALSO THE VICTIM OF THAT
(3) TIMES

SEE ATTACHED EXHIBITS F, G, H.

ARGUMENT

APPELLANT WITH DUE DILIGENCE HAS
ATTEMPTED TO DO EVERYTHING POSSIBLY TO
DO THE RIGHT THING THROUGHOUT THE ENTIRE
ENTIRE EPISODE, TO INFORM, ATTENDED, INFORM
PROPERLY AND ABIDE BY RULES, PROCEDURES
WITHOUT ANY RESPONSE, AND ARGUES IF
HIS FILINGS (HABEAS CORPUS) DECEMBER 2021
AND THERE WERE NO LISTINGS OF ANY
ATTORNEYS THEN, BUT YET NOTHING HAS BEEN
DONE, PERIOD.

DEFENDANTS ARE PURPOSELY, WITH HOLDING
THE PROPER ADMINISTRATION OF JUSTICE BY
COMPLETELY IGNORING THE RULES AND SERVICE OF
JUSTICE, HOPING THAT (A) COURT WILL DISMISS
IT, SO THEY WILL NEVER HAVE TO RESPOND
AS THEY HAVE SO FAR.

6)

PRAYER

HONORABLE REQUEST

THEFORE PREMISES CONSIDERED, APPELLANT PRAYS THAT THE DEFENDANTS ESTABLISH WHO THEIR ATTORNEYS REALLY ARE AND INFORM APPELLATE WITH TO SERVICE, AND RECEIVE SOMETHING FILED ESTABLISHING THAT NOT, MERELY A NAME PUT ON A COURT PAPER, PRINTED BY THE CLERK'S OFFICE ON A NOTICE OF THE NEXT HEARING TO APPELLANT IN WHICH IN THE APRIL, AUGUST, DOCKET CALLS, NOT HEARING, NO ONE SHOWED UP, AND HONORABLE JUDGE WALT, WHO WAS HAD EXTENSIVE MEDICAL ISSUES, SURGERY IS TEMPORARILY UNAVAILABLE, AND IN OCTOBER 2022, WHEN APPELLANT CALLED CLERK'S OFFICE AND WAS TOLD ABOUT JUDGE WALT, FEW DAYS LATER ANOTHER JUDGE, DENIED APPELLANT'S CHANGE OF VENUE WITH APPELLATE NEVER EVEN MET, WITHOUT A HEARING, AND NO KNOWLEDGE OF THE CASE AND DEFENDANTS OR ALLEGED ATTORNEYS NEVER EVEN FILED AND ANSWER, PERIOD AND WAS. AND HAVE NEVER EVEN APPEARED, HOW IS THIS, THAT'S WHY APPELLANT HAD NO CHOICE BUT TO COME TO THIS HONORABLE COURT OF

7) APPEALS FOR SOME TYPE OF RELIEF, AND

Respectfully Request the cause be Remanded
to the lower court, and Request someone
Establish their (Defendants) Attorney's and
that his Habeas Corpus be heard first
as filed first and that would resolve most
of these issues, and therefore Appellant
would not have to clutter this court
of Appeals with unnecessary paper work
that should have been resolved properly
in lower court.

Respectfully,
Donald R. Burr
Appellant

DECLARATION

I Donald R. Burr, declare under PENALTY
OF PERJURY THAT THE foregoing is TRUE and
CORRECT TO BEST OF KNOWLEDGE.

Respectfully

Donald R Burr

EXHIBIT A

CERTIFICATE OF SERVICE

I Donald R. Burr certify that
a copy of the foregoing has been delivered
either in person or via fax to the clerk's
of the Piquette Municipal Court and County
Magistrate Court on the 18th day of January
2022.

Donald Burr

EXHIBIT B

CERTIFICATE OF SERVICE

I DONALD R. BURR CERTIFY THAT
THE TRUE ORIGINAL FOREGOING DOCUMENT HAS
BEEN HAND-DELIVERED TO THE OFFICE OF
CLERK OF THE PAGERAND MUNICIPAL COURT
ON THIS 29TH DAY OF AUGUST, 2022.

Donald R. Burr

EXHIBIT C

CERTIFICATE OF SERVICE

I Donald R. Burr Pro Se
PETITIONER CERTIFIES THAT A TRUE
COPY OF THE FOREGOING STEP 1
GRIEVANCE IN COMPLIANCE WITH U.S.C.
42, § 1983 (EXHAUSTION OF STATE REMEDY)
HAS BEEN HAND DELIVERED TO THE
PAGWOOD, S.C. POLICE DEPT. AND NOTICE
OF TIME LIMITATIONS ARE HEREIN ON THIS
13TH DAY OF DECEMBER, 2021

Donald R. Burr

EXHIBIT D

CERTIFICATE OF SERVICE

PETITIONERS CERTIFY THAT A COPY OF THE FOREGOING HAS BEEN (Faxed) TO THE CLERK OF THE SUPREME CT., OF SOUTH CAROLINA, ON THIS 15TH DAY OF December, 2021.

Alberta Mall
Donald R. Bunn
PETITIONERS

Petitioners

1714 AIRPORT Rd.

WAGELAND, S.C. 29728

PH # 843-672-2911

cc. ORIGINAL / COPY
Faxed

EXHIBIT E

CERTIFICATE OF SERVICE

I DONALD R. BURR CERTIFY THAT
A TRUE COPY OF THE FREAGONG REQUEST
FOR WRIT OF HABEAS CORPUS WAS
HAND DELIVERED TO THE CLERK OF
COURT ON THIS THE 10TH DAY OF
DECEMBER, 2021.

Donald R. Burr

THIS IS PETITIONER'S ATTEMPT TO FILE
THIS WRIT ON THIS 16TH DAY OF DECEMBER
2021, HIS FIRST (ABOVE) WAS DENIED
BECAUSE HE CANNOT AFFORD TO PAY
THEIR REQUIRED \$150.00 FEE BECAUSE
HE IS ON FIXED INCOME AND TO POOR
TO PAY.

A True Copy Attest
Christy F. Gaddy
CLERK OF COURT C.P. & G.S.
CHESTERFIELD COUNTY, SC.
2021 DEC 16 P 1:06
Christy F. Gaddy
CLERK OF COURT
CHESTERFIELD COUNTY, SC.

26

**STATE OF SOUTH CAROLINA
COUNTY OF CHESTERFIELD**

EXHIBIT F

Donald Ray Burr
1714 Airport Rd
Pageland, SC 29728

STATE vs James Albert Lewis
Case # 20220510005629
Charge Trespassing / Entering premises after warning or refusing to
leave on request

SUMMARY COURT NOTIFICATION

Dear Sir/Madam:

Court records indicate that you are a victim in the above referenced case. This case is scheduled for a **Hearing** on November 28, 2022 beginning at 10:00 AM. This trial will be held in the

**Chesterfield County Central Court
200 West Main St.
Chesterfield, SC**

You are being notified of this hearing as required by the laws of the State of South Carolina, State Statute 16-3-1535.



Chesterfield County Central Court

**Chesterfield County Central Court
200 West Main St.
Chesterfield, SC 29709
Phone: (843) 623-3431
Fax: (843) 623-3494**

October 25, 2022



Chesterfield County Sheriff's Office

Sheriff James (JD) Dixon

November 7, 2022.

EXHIBIT G

RE: 22-4292

Mr. Donald Burr;

Our records indicate that you are a victim of a crime. When a crime is committed in Chesterfield County, one of the primary concerns of the Sheriff's Office is the victim. In an effort to ensure the rights of the victim, the Sheriff's Office has established a Victims Services Office. Listed below are some of the services available to victims:

- Referrals to agencies for counseling and other services
- Assistance with problems resulting from victimization
- Emotional Support
- Assistance in applying for Victim's Compensation Fund
- Courtroom escort (if needed)
- Criminal Justice System and relevant case information

In our Victim Service Office we are here to assist you in the above-mentioned areas. We would like very much to meet and talk with you concerning your incident. Our office is located within the Chesterfield County Sheriff's Office. This service is **free** and **confidential**. Please give me a call at (843) 623- 2721 or (843) 623- 2101 Victims Advocate Services extension.

Sincerely,

Stephanie Luther

Stephanie Luther
Victim Advocate

State of South Carolina
Office of the Solicitor – Fourth Judicial Circuit

105 Green St. & 207 W. Main St.
PO Box 594
Chesterfield, South Carolina 29709
Telephone: (843) 479-6516

1033 Old Latta Hwy, Suite C
PO Box 868
Dillon, South Carolina 29536
Telephone: (843) 774-1448

info@solicitor4.com



207 W. Main Street
PO Box 616
Bennettsville, South Carolina 29512
Telephone: (843) 479-6516

1 Public Square
Room 410
Darlington, South Carolina 29532
Telephone: (843) 398-4300

www.solicitor4.com

WILLIAM B. ROGERS, JR.
Solicitor

October 27, 2022

Donald Burr
1714 Airport Road
Pageland, SC 29728

EXHIBIT H

Re: St. vs.

Leslie Burr Wilkes

CR# 22-4288

Dear Donald Burr:

It is with deep regret that I have learned that you are a victim in the above-referenced case. I have instructed my staff to do everything possible to help you with your court involvement and to minimize any inconvenience to you while the matter is being resolved. **During this time if you are harassed by the defendant, I ask that you immediately contact law enforcement.**

If you wish to be notified of the progress of this case from this point forward, **you must fill out the enclosed Victim Impact Statement and return it to our office within 10 days, or you may go to our website at www.solicitor4.com and submit the Victim Impact Statement online within 10 days.** If you do not have access to the internet or the ability to submit the Victim Impact Statement online, you may come to any of the Fourth Circuit Solicitor's Office locations to do so. A completed Victim Impact Statement is the only way we can be sure we have your correct address, phone number, and restitution amounts. Any additional information you would like to share with us should be included on the form as well. Should you move at any time before this case comes to court, you will need to contact us immediately so that we can update our records. We cannot keep you informed of court dates or other proceedings if we cannot locate you.

Bebe Chapman has been assigned as your victim advocate to assist you throughout the prosecution of this case. I encourage you to contact her immediately at 843-479-6516 to discuss your constitutional rights as a victim, and to answer any questions you may have concerning your case. I sincerely wish to make this process as easy for you as possible. I am here to help you.

With kindest personal regards, I am

Sincerely yours,

William B. Rogers, Jr.
Solicitor

South Carolina Victim Impact Statement

Circuit Headquarters
 110 Liberty Street
 PO Box 616
 Bennettsville, South Carolina 29512
 Telephone: (843) 479-6516
 Fax: (843) 479-6519
 [] Please Reply



Chesterfield Office
 PO Box 594
 Chesterfield, SC 29709
 Telephone: (843) 623-3265
 Fax: (843) 623-5330
 [X] Please Reply

William B. Rogers, Jr., Solicitor

Defendant:	LESLIE WILKES	Case #: 22-4288
Charge(s):	Petty Larceny (\$2,000 or less); Burglary, 1st Degree; Grand Larceny (\$10,000 or more)	V/W Advocate: Bebe Chapman
Co-Defendant(s)		Case #:
Asst. Solicitor:	MARY JOHNSON-LEE	

TO BE COMPLETED BY VICTIM OR **REPRESENTATIVE (if victim is a minor, business, deceased or incapacitated)

Please return this form **within 10 days**. Failure to do so may result in your receiving no further hearing notifications or information regarding your case—assistance in completing this form is available upon request.

Victim Name: DONALD BURR	Phone# VERY IMPORTANT , Please provide:
**Representative:	Home :
Relationship to Victim:	Work :
Mailing Address: 1714 AIRPORT ROAD PAGELAND, SC 29728	Cell/Other :

Work Address:

E-Mail:

FINANCIAL LOSS: YOU MUST ATTACH COPIES OF RECEIPTS, BILLS, ESTIMATES AND OTHER DOCUMENTS

<p>Expenses:</p> <p>Medical (+) \$ _____</p> <p>Counseling (+) \$ _____</p> <p>Funeral (+) \$ _____</p> <p>Property Loss/Damage (+) \$ _____</p> <p>Deductible Amount (+) \$ _____</p> <p>Other (+) \$ _____</p> <p>Subtotal (=) \$ _____</p>	<p>Recovery Amounts From:</p> <p>Insurance reimbursement (-) \$ _____</p> <p>Insurance Company & Address _____</p> <p>_____</p> <p>Victim Compensation (SOVA) (-) \$ _____</p> <p>TOTAL DUE: \$ _____</p>
---	---

PLEASE READ AND CHECK STATEMENT(S) WITH WHICH YOU AGREE:

- I **DO** wish for this case to be **DISMISSED**. I do not wish to proceed with prosecution. **(EXPLAIN ON SEPARATE SHEET OF PAPER.)**
- I **DO** agree for the accused to receive Pre-Trial Intervention instead of going to court if possible.
- I **DO** wish to be notified of all court proceedings pertaining to this case.
- I **DO** wish to be notified of all *post-conviction* hearings, including appeals, probation, parole, release, or escape from prison, etc.
- I **DO NOT** wish to be notified of any court proceedings or post conviction hearings as listed above

It is your responsibility to inform the Solicitor's office of any changes to your address and telephone number.

Please continue and complete the next page.

This portion of the Victim Impact Statement requests information about the effects of the crime. Please consider the following questions and **respond only to those that apply to you and to this case**. You may use additional paper for your answers if needed. We encourage your input.

Did you suffer any physical injuries? _____ Did these injuries cause any permanent or long-term disabilities or disfigurements? Please describe:

Have you noticed any change in your lifestyle since this happened? (This may include personal habits, close relationships, the amount of tension and nervousness, or your ability to work.) Please describe:

Please describe how this crime has affected you financially?

Have you received any mental health counseling as a result of this crime? _____ If not, are you interested in receiving counseling?

Please use this space for additional comments you may have:

Thank you for taking time to complete and return this form. This will help your voice to be heard by the criminal justice system. Please sign and return immediately.

CERTIFICATE OF SERVICE

I DONALD R. BURR, CERTIFY THAT
THIS AFOREGOING DOCUMENT WAS PLACED IN
THE PAGE AND U.S. POST OFFICE ON THIS
17TH DAY OF NOVEMBER, 2022, DELIVERED
IN PERSON AS THIS HONORABLE COURT REQUESTED.

Respectfully

Donald R. Burr

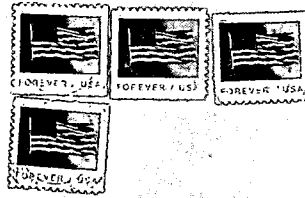
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NOV 21 2022

SC Court of Appeals

Donald R. Burr
1714 AIRPORT RD
PAGELAND, SOUTH CAROLINA.

29728



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NOV 21 2022

SC Court of Appeals

SOUTH CAROLINA COURT OF APPEALS
% CLERK

1220 SENATE STREET

COLUMBIA, SOUTH CAROLINA

29201

