

THE SOUTH CAROLINA COURT OF APPEALS

James Anthony Primus 252315  
Appellate

Appellate Case No. 2013-000051  
MOTION FOR APPOINTMENT  
OF COUNSEL

v.

Mr. William Byars

S.C. Dept. of Corr.

Respondant

Pursuant to S.C.R.C.P. Appellate moves for an order appointing counsel to represent him in this case. In support of this motion Appellate states

1 S.C.D.C. employee's interrupts Appellate legal process  
2 Appellate is unable to afford counsel he has requested  
leave to proceed in forma pauperis

3 Appellate imprisonment will greatly limit his ability to litigate the issues involved in this case. are complex and will require significant research and investigation Appellate has limited access to the law library and limited knowledge of the law

3AA Trial in this case will likely involve conflicting testimony and counsel would better enable Appellate to present evidence and cross examine witnesses

LI Appellate has made repeated efforts to  
obtain a lawyer

WHEREFORE PLAINTIFF request that the  
Court appoint appellate lawyer a member  
of the Appellate Defense as counsel in this  
Case.

DATE

MAY 31 2013

Respect fully Submitted

James anthony Primus 252365

James Anthony Primus Pro, Se  
MacDougall Corr. Inst M2D5A  
1516 old Gilliard Road  
Ridgeville S.C. 29472

THE SOUTH CAROLINA COURT OF APPEALS

James Anthony Primus 252315 • Appellate Case No. 2013-000651

Appellate

v.

CERTIFICATE OF SERVICE

William Byars

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

RESPONDENT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of Appellate notice of appeal motion for Counsel was served upon Respondent William Byars SOUTH CAROLINA DEPARTMENT OF CORRECTIONS By mailing a copy of same properly addressed VIA FIRST CLASS U.S. Mail with sufficient postage affixed thereto on DATE May 31 2013

Chris Floridan  
William Byars  
S.C. Dept of CORR.  
P.O. Box 21787  
4444 Broadriver Rd  
Columbia S.C. 29221  
S.C. Court of Appeals  
Ms. Jenny Abbot Kitchings  
P.O. Box 11629  
Columbia S.C. 29211

MR. James A. Stucky  
MS ALISSA R. COLLINS  
Attorney at Law  
123 meeting St.  
Charleston S.C.  
29401

James Anthony Primus 252315  
James Anthony Primus Pro Se  
MacDougal Correctional Inst.  
Magnolia Unit 2 D5A  
1516 Old Gilliard Rd.  
Ridgeville S.C. 29472

THE SOUTH CAROLINA COURT OF APPEALS

James Anthony Primus 252315

Appellate Case No. 2013-000051

Appellate

MOTION TO PROCEED

IN FORMA PAUPERIS

v.

AFFIDAVIT IN

SUPPORT

William Byars

SOUTH CAROLINA DEPARTMENT

OF CORRECTIONS

RESPONDENT

Now comes James Anthony Primus Pro Se Here by  
Certify under Penalty of Perjury that the information  
given in this above affidavit is true and correct  
Submits as follow

- 1 That due to my incarceration that I am unable to pay the cost of filing and service
- 2 I proceed in this action in good faith with profound belief that the issues are meritorious and that I am entitled to relief
- 3 I respectfully submit that if this Honorable Court should deny this motion that such would defeat the fair administration of Justice

SWORN TO AND SUBSCRIBED  
BEFORE ME  
NOTARY PUBLIC  
TAMMY C. WAY  
SOUTH CAROLINA  
EXPIRES March 9, 2014

James Anthony Primus 252315  
James Anthony Primus Pro Se  
MacDougall Corr. Inst.  
Magnolia 2 D51  
1516 Old Gilliard Road  
Ridgeville S.C. 29472

INMATE TRUST FUND ACCOUNT REPORT  
for SOUTH CAROLINA COURT FILING FEES

MacDougall  
**RECEIVED**

APR 26 2013

**INSTRUCTIONS TO INMATE:** Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court Mailroom. MacDougall Corr. Inst.

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

INMATE NAME (print): James Anthony Primus

SCDC# 252315 INMATE SIGNATURE: James Anthony Primus

I plan to file this action in the SC County of Richland

The section below is for SCDC - Financial Accounting Branch's use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period\* ..... \$ 256.50
- (2) Twenty percent (20%) of line 1 ..... \$ 51.30
- (3) Account balance - current date ..... \$ 0.07
- (4) PAYMENT AMOUNT \*\*  
(lesser of line 2 or line 3)  
Enclosed check # \_\_\_\_\_ \$ 0

**\*\*NOTE to COURT:** If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

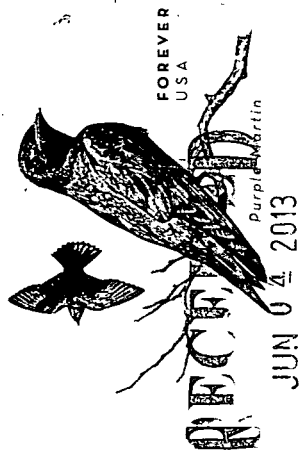
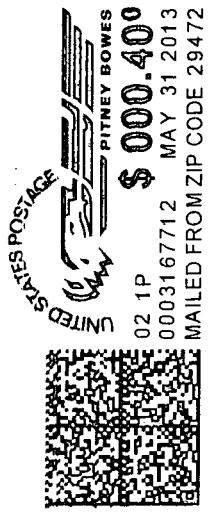
South Carolina Department of Corrections  
Financial Accounting - Room 234  
PO Box 21787  
Columbia, SC 29221-1787

\*Admission date is noted here if inmate incarcerated less than six months \_\_\_\_/\_\_\_\_/\_\_\_\_

[Signature]  
Prepared by Financial Accounting Branch - SCDC

5/9/13  
Date

James Anthony Primus 252315  
MacDougal Correctional Institute  
Magnolia unit 2 P 5A  
1516 Old Gilliard Rd  
Ridgeville S.C. 29472



The South Carolina Court of Appeals  
Mrs Jenny Abdott Kitchings (Clerk)  
P.O. Box 11629  
Columbia S.C. 29211



2921131629



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The Department of Corrections has not covered this item, therefore, the Department does not assume responsibility for its written contents - Massachusetts Correctional Institution.

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