

THE SOUTH CAROLINA
COURT OF APPEALS

RECEIVED
JUN 28 2013

SC Court of Appeals

CASE NO: 2013-001130

OPPOSITION

State of South Carolina
County of Richland
James GRAHAM #249255
Appellant
Vs
SC DEPT. OF CORRECTIONS
Respondent

Come Now James GRAHAM #249255 Appellant.
Respondent Opposition to the Following DEFICIENCY ARE
DEFICIENCIES, See exhibit (1) and exhibit (2) in "Held:
Under 4(a)(1) PRO SEE PRISONERS NOTICES OF APPEAL ARE "Filed
at the moment of delivery to Prison authorities FOR FORWARD-
ING to the district court. CF FALLON V. UNITED STATES, 378
US, 139, 84 S. Ct. 1689, 12 L. Ed. 2d. 760 (Stewart, J,
CONCARRING), UNSKILLED IN LAW, UNGUIDED BY COUNSEL, AND
UNABLE TO LEAVE PRISON, A PRO SEE PRISONERS CONTROL OVER THE
PROCESSING OF HIS NOTICES NECESSARY AS SOON AS HE HANDS
IT OVER TO ONLY PUBLIC OFFICIAL'S TO WHOM HE HAS ACCESS-
THE PRISON AUTHORITIES AND THE ONLY INFORMATION HE WILL
LIKELY HAVE IS THE DATE HE DELIVERED THE NOTICES TO THOSE
AUTHORITIES AND THE DATE ULTIMATELY STAMPED UPON IT,

SWORN to and subscribed
before me this 27th day of June, 2013
Notary Chris F. [Signature]
my Comm. expires Feb. 9th, 2010

James Graham
JAMES GRAHAM #249255



CERTIFICATE OF SERVICE

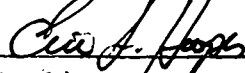
Comes Now James Graham #249255 Here in after
Appellant, who, submits that He Has this day
Served His OPPOSITION UPON the ADMINISTRATIVE
Law COURT (ALC) and South Carolina Department
OF CORRECTIONS (SCDC) BY PLACING the same in
the United States mail. Postage Prepaid and
addressed as follows:

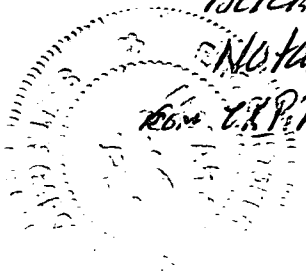
(1) Clerk's Office

South Carolina Administrative
Law Court
1250 Pendleton Street, Suite 224
Columbia S.C. 29201


James GRAHAM #249255

SUBSCRIBED and subscribed
before me this 27th day of Feb. 2006

NOTARY 
Com. Expires Feb. 9th, 2006



JUN 27 2013

INMATE TRUST FUND ACCOUNT REPORT
for SOUTH CAROLINA COURT FILING FEES

JUN 11 2013

RECEIVED

JUN 28 2013

SCDC COURT OF APPEALS

1A0195

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.

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 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 full amount of subsequent payments until payment is completed.

INMATE NAME (print) JAMES GRAHAM

SCDC # 249255

INMATE SIGNATURE: James Graham

I plan to file this action in the SC County of RICHLAND COUNTY

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

- (1) Total deposits to inmate's account for preceding six months' period* \$ 0
- (2) Twenty percent (20%) of line 1 \$ 0
- (3) Account balance - current date \$ 4.60
- (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 1/1

[Signature]
Prepared by Financial Accounting Branch - SCDC

6/21/13
Date edit: do not prepare 1/97

Certificate of Service

Comes Now James GRAHAM #242955 Here in after
Appellant, who, submits that he has this day
served his 59(e) motion upon the Administrative
Court (ALC) and South Carolina Department of
Corrections (SCDC) by placing the same in the
United States mail, postage prepaid and addressed
as follows:

1 CLERK'S OFFICE
South Carolina Administrative
Law Court
1205 Pendleton Street, Suite 224
Columbia SC. 29201

2 SCDC General Counsel
P.O. Box 21787
4444 Broad River Rd
Columbia SC. 29221-1787

James Graham
James GRAHAM 242955

SWORN to and subscribed
before me this 16th day of May 2013

Notary C. J. Hooper
Expires Feb. 9th, 2010

exhibit

CERTIFICATE OF SERVICE

I Hereby Certify that I James GBaham on the
11 day of June 2013 in BENNETTSVILLE 29512 City
 South Carolina, served a copy of the foregoing motion
 FOR FORMA PAUPERIS all parties to this matter
 by depositing the same in the United State mail,
 Postage Paid, OR in the mail Room of the
 undersigned institution and address as follows:
 Name of Person/Agency served South Carolina
 Address: SUPREME COURT P.O. Box 11330
 City, State, ZIP code Columbia S.C. 29211

James GBaham

PRINT YOUR NAME

SWORN TO AND SUBSCRIBED
before me this 11th day of June 2013

James GBaham

NOTARY C. J. Cooper

EXPIRES Feb 9th, 2020

CC:



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 20, 2013

James Graham, 249255
Evans Corr. Inst. F-I-A-195
610 Hwy 9 West
Bennettsville SC 29512

Re: James Graham v. SCDC
Appellate Case No. 2013-001130

Dear Counsel:

Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- A proof of service has not been provided for the notice of appeal. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- Amended notice of appeal must be filed containing all the information required in Rule 203, SCACR.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Christopher D. Florian