

The State of South Carolina
County of Florence

Dominique Williams
Pro se Plaintiff

VS

South Carolina Department of
Corrections and Florence County
Sheriff Department

Represented by Defendants
Samuel F. Arthur III
181 East Evans St Suite 409
Florence S.C. 29506

IN the Court of Appeals

D. Craig Brown Circuit Court Judge

Appeal From the
Court of Common
Pleas

Case Number:
2020-CP-21-01272

BRIEF OF
Appellant
Initial

RECEIVED

JUN 15 2023

SC Court of Appeals

I am Pro se Plaintiff of the
above case against the South
Carolina Department of Corrections
and Florence County Sheriff department
I wish to Appeal Judge D. Craig Brown
Circuit Court Judge decision in granting defendant
motion for Summary Judgment.

STATEMENT OF ISSUES ON Appeal

① Did the Summary Judgment Judge D. Craig Brown ERR by granting Defendants Motion For Summary Judgment when the Defendants did not have any Evidence supporting thier affidavit?

② Did the Summary Judgment Judge D. Craig Brown Err by not Checking the Calender to see IF 12-9-12 was a Sunday?

③ Did the summary Judgment Judge D. Craig Brown err by automatically believing defendants Affidavit to be true and not verify that what was stated by defendants were indeed the truth?

④ IF 12-9-12 is a Sunday how could defendants Affidavit be true. Therefore the Judge err in granting Defendants Motion For Summary Judgment when it is not true.

Statement of Issues on Appeal

→ Defendants Alleged that Plaintiff Failed to Comply with requirements set forth in SC Code Ann Section 15-78-110 - relating to the 2 year statute of limitations to file suit against a government agency.

↳ Defendants allege that Plaintiff was registered as a sex offender on 12-9-12 and the suit was filed in 2020, therefore the 2 year statute of limitation to file suit on government agencies has passed and the Plaintiff claim should be barred forever. ultimately Judge D. Craig Brown granted defendants motion for summary judgment because of this

↳ Plaintiff allege that he was not registered as a sex offender until 2018 and that he filed suit within the 2 year statute to file suit on government agencies. Plaintiff believes the courts erred in granting defendants motion for summary judgment 10-13-22 because the defendants did not provide any evidence that Plaintiff was registered as a sex offender in 12-9-12. Defendants only submitted affidavit saying Plaintiff registered in 12-9-12. But this affidavit was not supported by evidence. Plaintiff believe that if the affidavit can be proven to not be true then the case should go to trial. 12-9-12 was a Sunday.

Statement of the case

The Plaintiff of this case was wrongfully registered as a sex offender. In 2008 Family Court ordered that Plaintiff not to register as sex offender for his guilty plea.

In 2018 Plaintiff was registered as a sex offender by the Florence County Sheriff department. This act by the Florence County Sheriff department violates the Court order and violates Plaintiff rights.

In 2020 Plaintiff filed suit for damages and compensation

On March 2021 defendants filed motion for summary judgment

On September 2022 a hearing was held for summary judgment and on 10-13-22 Judge D. Craig Brown granted defendants motion for summary judgment

Plaintiff Filed Notice of Appeal and
Served Defendants on October 26th 2022

Facts

The Plaintiff wish to present the following facts of his case. Facts that will be presented at trial to prove his case and fulfill his burden of proof.

- 2012 Calendar
- Proof of Registry
- Proof that I should not have been registered as a sex offender.
- The defendants alleged that they registered Plaintiff on 12-9-12.
- Plaintiff wish to show the courts that there is no way he could have been registered on 12-9-12 because 12-9-12 was a Sunday. Plaintiff wish to ask courts to see calendar for the year 2012 Day 9th month December
- Please see the following evidence. This evidence will show the courts that Judge D. Craig Brown erred in granting Defendant Summary Judgment

Arguments

on 10-13-2022 Judge D. Craig Brown Circuit Court Judge granted Defendants motion For Summary Judgment because defendants alleged that Plaintiff Failed to Follow requirements in SC Code Ann Section 15-78-110. Defendants only submitted affidavit that Plaintiff was registered 12-9-2012. But Defendants Failed to submit any solid evidence that this affidavit is true. Defendants Alleged to have registered Plaintiff on 12-9-12

But the Plaintiff Argues that 12-9-12 was a Sunday. So there is no way the defendants affidavit could have been true. Plaintiff ask Courts to look at the Calendar For December 9th 2012. IF 12-9-12 was a Sunday that will mean Judge D. Craig Brown erred in granting defendants motion For Summary Judgment because defendants Affidavit Swearing they registered Plaintiff on 12-9-12. And the case should go to trial.

Grounds of The Appeal

①

Defendants Alleged that Plaintiff failed to file his summons and Complaint within the 2 year statute given to bring suit against Government agencies.

The defendant presented an affidavit by SOR point of Contact with the Florence County Sheriff Office Chad Collins. The affidavit only shows that Chad Collins entered Plaintiff on the Sex offender registry on 12-9-12. The Affidavit did not have Plaintiff's signature for the year of 2012. The affidavit clearly is dated in 2018.

The fact that Chad Collins Affidavit did not have any solid evidence supporting the allegation made in the Motion for summary judgment, means that the Courts erred in granting defendants motion for summary judgment, because Chad Collins Affidavit does not count as evidence that what is stated in his affidavit is indeed True. So Plaintiff ask the Appeal courts to reverse this decision by the Judge D. Craig Brown and order this case to trial.

I will also ask the Appeal court to grant Plaintiff appeal on the grounds that - 12-9-2012 was a Sunday. (Please see calendar) There is no way the Plaintiff could have been registered as a sex offender on a Sunday. This fact will automatically disqualify defendants from being granted summary judgment because the defendants cant show any evidence of their allegation because Plaintiff was not registered until 2018.

which means that the statute of limitations ② was met by plaintiff and that defendants never should have been granted summary judgment

I ask the courts to check the 2012 calendar to verify that 12-9-12 was in fact a Sunday. This will mean that there is no way the defendants' allegations made in summary judgment could be true or supported by evidence.

I the plaintiff allege that I was not registered as a sex offender by FCSO until 2018 and I will submit evidence of this allegation that should convince the courts that the allegation is true.

The 2 yr statute given to bring suit against a government agency clearly state that a person has 2 years to file suit, starting from the date the injury occurred, or should have been discovered. In this case the plaintiff's rights were violated when he was registered as a sex offender for a crime that the courts said he was not to register as a sex offender for. So when ever the sheriff office registered the plaintiff as a sex offender is the date of injury. I ask the courts to ask defendants to submit evidence of any registration in 12-9-12 or any year before 2018. And they wont be able to.

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How can the courts grant the defendants Summary Judgment because the government agency submitted an affidavit saying that this incident happened this way, but the defendants don't have any solid physical evidence supporting this allegation. The judge took my right to a trial when he did not have any evidence behind the defendant's statement made under oath. The defendant could have lied and just put that on the paper. The defendants are Government agencies and should be held to a higher standard in this case. The agencies have records division and there is no reason why they could not show evidence of their allegations if they are true. But the allegations are not true because 12-9-12 was a Sunday. And there is no way I could have been registered on a Sunday, I was not registered in 2012, 2013, 2014, 2015, 2016 or 2017. I was registered in 2018 and have evidence, I filed suit in 2020. From 2018 to 2020 is 2 years. I filed suit in May 2020 and was not registered until December 2018. This is within the 2 year statute of limitations given to file a law suit on government agencies.

So I ask the appeal court how did I fail to 4
meet the requirements in 15-78-110; I was injured
when registered and filed suit within the 2 years
allowed by law.

I believe the courts made a mistake by granting
the defendants summary judgment. When defendants only
stated under oath their allegation. The defendants are
government entities and should be able to show more
evidence and the summary judgment judge D. Craig
Brown should have ask defendants to present evidence
of their allegations. They have a records division!
Why couldn't they submit records of their
allegations. I believe the government entities should
have been held accountable to a higher standard
than they were by the summary judgment courts
I feel as if I was robbed of my right to a
trial and I request the appeal court to
review this case, please see calendar to verify
that the day the defendants claimed to register
plaintiff was a Sunday. This will show the
courts that defendants should of never been granted

summary judgment if they could not present any
evidence of their allegation. Therefore I ask the
appeal court to order this case to trial

Evidence (see back)

* The Following is evidence
That I was not to be registered
For the offences. Evidence that
I was registered. The defendants
entered affidavit of Chad Collins
and state that Plaintiff was
registered on 12-9-12. But I
ask the court to view 2012
Calendar. 12-9-12 is a Sunday
How is this statement under
oath true? The Summary Judgment
Court granted defendants motion for
Summary Judgment because of this
affidavit. But how could it be true?

December 2012 Calendar

FILED

2012 NOV 14 PM 2:50

DORIS POULOS O'HARA
SCOP & GS
FLORENCE COUNTY, SC

Doris Poulos O'Hara
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

CERTIFIED: A TRUE COPY

*How could Plaintiff be registered IF 12-9-12 WAS a Sunday.

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Plaintiff submit this calendar as proof and Evidence that the Defendant's Affidavit is not true. Defendants Affidavit states that the Plaintiff was placed on the Sex Offender Registry on 12-9-12 (December 9th 2012). Plaintiff will submit this calendar to prove that he was not registered on 12-9-12 and therefore the Courts should Alter or Amend its Judgment in the order that grants defendant's motion For Summary Judgment because of this Affidavit.

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE
IN THE INTEREST OF
DOMINIQUE WILLIAMS

Evidence

IN THE FAMILY COURT
TWELFTH JUDICIAL CIRCUIT
08-JU-21-64

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**COMMITMENT ORDER
(DJJ)**

HEARING DATE 6/12/2008
JUDGE Jerry D. Vinson, Jr.
COURT REPORTER Sara Snipes

ATTORNEY FOR SOLICITOR David A. Richardson, Jr.
ATTORNEY FOR JUVENILE Guy Ballenger

On 5/21/2008, a ~~verified~~ petition was filed in this Court by David A. Richardson, Jr. alleging that Dominique Williams was a delinquent child in that he in Florence County on 1/4/2008 did commit the crime of Armed Robbery Kidnapping Assault and Battery with Intent to Kill Grand Larceny Greater Than Five Thousand Dollars Possession of a Weapon During the Commission of a Violent Crime Conspiracy in violation of Section(s) 16-11-330(A) and 16-1-60 16-9-310 and 16-1-60 16-3-620 and 16-1-60 16-13-30(B)(2) 16-23-490 16-17-410 Code of Laws of South Carolina (2003).

AN ADJUDICATORY HEARING was held on the June 12, 2008, and Pursuant (admitted guilt to) / (a hearing on the merits), the above-named child was found upon proof beyond a reasonable doubt to be delinquent, for having committed the crime of Armed Robbery and Kidnapping in violation of Section(s) 16-11-330(A) and 16-1-60 16-9-310 and 16-1-60 Code of Laws of South Carolina (2003).

A DISPOSITIONAL HEARING was held on 6/12/2008 and as a result thereof, I find Dominique Williams is a suitable person to be committed to the South Carolina Department of Juvenile Justice.

Therefore it is,

ORDERED, ADJUDGED AND DECREED in the best interest of Dominique Williams that (he)/(she) is hereby committed to the South Carolina Department of Juvenile Justice, which shall arrange for placement of this child in a suitable corrective environment, with said commitment being for an indeterminate period not to exceed the twenty-first birthday of said child, unless sooner released by proper authority, said commitment commencing upon his completion of or termination from the Georgetown Marine Institute. A specific finding was made by the Court that Dominique Williams shall not have to register as a sex offender as part of his plea to Kidnapping.

AND IT IS SO ORDERED.

June 12, 2008

Florence, South Carolina

*This was
There the
Whole time!*

FILED
2008 JUN 12 PM 4:57
COMBIE NEEL-SHEARIN
Clerk of Court & GS
FLORENCE COUNTY, SC

CERTIFIED: A TRUE COPY

Sara Paula Ottava
CLERK OF COURT - FAMILY COURT
FLORENCE COUNTY, S.C.

*This Paper is Proof that
Plaintiff should of never
been registered as a sex
offender
see the last sentence*

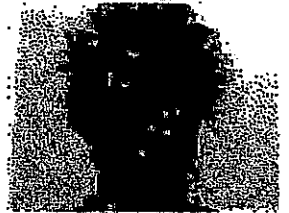
EVIDENCE
 In 2012 I was mistakenly required to register
 But was not officially registered until 2018
 State of South Carolina
SEX OFFENDER REGISTRATION
Offender Information Form Print Date: 12/14/2018 2:35:28 PM

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SCANNED

OFFENDER INFORMATION

Name: WILLIAMS, DOMINIQUE MAURICE JACKSON
 SID: SC02081933 SSN: 251-91-8789
 SRS Number: 1851087 DOB: 6/1/1993
 FBI UCN: 884560TD3 SCDC #: 341120
 NCIC Number: X382779287
 Offender Type: JUVENILE TIER II
 Status: JUVENILE-UNRELEASABLE



PHYSICAL DESCRIPTION

Gender: MALE Height: 6 FEET 0 INCHES Weight: 165
 Hair Color: BLACK Eye Color: BROWN
 Race: BLACK Ethnicity: NON-HISPANIC
 Skin Tone: DARK BROWN

ADDITIONAL INFORMATION

POB State: SC POB Country: UNITED STATES OF AMERICA (USA)
 Mobile Ph: 843-206-1816 Other Ph:
 Mobile Ph 2: Other Ph 2:
 Initial Registration Date: 12/9/2012 Term of Registration: LIFETIME REGISTRATION
 Registration End Date: Registration Frequency: BI-ANNUAL
 Registration Type: STANDARD Passport Number:
 Immigration ID:
 Immigration Status:

Defendants only entered this document
 as proof of registry in 2012. But they could
 have lied on this paper. 12-9-12 is a Sunday
 I ask the courts to view 2012 calendar
 This is not enough to prove
 anything
 How do you
 know its
 TRUE

ALIASES

First Name	Middle Name	Last Name	Suffix
MAURICE		JACKSON	
DOMINIQUE		WILLIAMS	
DOMINIQUE	MAURICE	WILLIAMS	
DOMINIQUE	MAURICE J	WILLIAMS	
NIQU		WILLIAMS	

SCARS, MARKS, TATTOOS AND OTHER CHARACTERISTICS

ADDRESSES

By Law code 23-3-450; A offender
 shall not be considered to have registered
 until all information prescribed by Sled
 has been provided to the Sheriff

I attest that the information that I have provided and listed above is accurate so dated 12-14-18

The defendants will not be able to show proof/evidence that the Plaintiff was placed on the registry on 12-9-12. This initial Registry date is wrong. I was not registered by Florence County Sheriff Office until 2018. They will not be able to show any records of Plaintiff registering with the Florence County Sheriff Office in 2012-2013-2014-2015-2016-or 2017. I'm suing for being wrongfully registered in 2018 by Chad Collins. NOT for being mistakenly required to register as a sex offender in 2012. Both defendants could have prevented this, from happening. in 2012

PROFF
OF
Registry

Evidence
PROFF OF Registry

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State of South Carolina
SEX OFFENDER REGISTRATION
Offender Information Form

Print Date: 12/14/2018 2:35:28 PM

Verified Date: 12/14/2018

Current Appear By Date: 12/31/2018

Next Appear By Date: 6/30/2019

Verified Information: BI-ANNUAL TIER II REGISTRATION

Next Appointment Date:

The defendants will not be able to show any proff that Plaintiff was placed on the Sex Offender registry in 2012. They only will be able to show a registry and reregistry date in 2018 because this is when I was officially placed on the Sex Offender registry. In 2012 Plaintiff was mistakenly required to register by SCDC.

I attest that the information that I have provided and listed above is accurate

so dated

12/14/18

Signature

CERTIFIED: A TRUE COPY
Donna Parks O'Hara
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

I am the plaintiff of
Case # 2020-CP-21-01272
and this is my signature
to the Notice of Appeal

DONNA PARKS O'HARA
C.C.P. & G.S.
FLORENCE COUNTY, SC

2022 OCT 24 PM 4:44

FILED

S/D Williams

Dominique Williams

10-20-22

Cases and Statutes

* Plaintiff ask Courts to review the Following Cases that relate to this Case

State vs Binnar, State vs Moultrie and State vs Thompson

* These Cases will help the Courts understand the paperwork Plaintiff completed in 2012 did not mean the Plaintiff was registered. It only meant to Notify Plaintiff of his duty to register as a Sex Offender

* Plaintiff ask the Courts to review the Following Statutes and Codes;

- 23-3-450: An offender shall not be considered registered until all information prescribed by SIED is provided to the Sheriff.

- 23-3-400 — 23-3-555: This Code is the code for the sex offender laws

Conclusion

For the reasons stated the Appeal
Courts should reverse the Judge
D. Craig Bawn Order Granting defendants
Motion For Summary Judgment and order
this case to trial

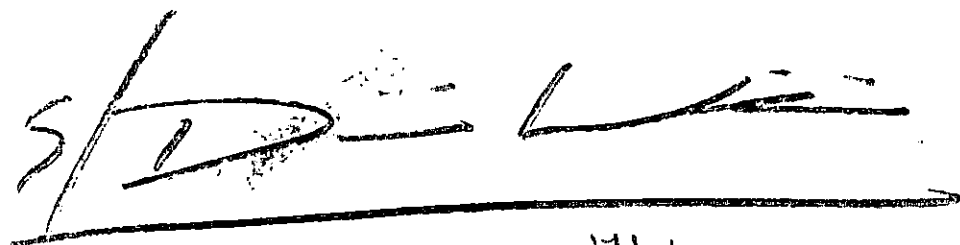
S/D — W

Dominique Williams

10-28-22

Signature

I am the Pro se Plaintiff of
Case number 2020-CP-21-01272
and I certify that this is my
signature for the "Initial Brief"

A handwritten signature in black ink, appearing to read 'S/D - Williams', written over a horizontal line.

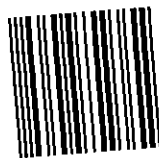
Dominique Williams

10-28-22

Dominique Williams
458 Guildford Cir
Florence, SC 29501



RDC 99



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JUN 15 2023

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