

Feb 15 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS
D. CRAIG BROWN, CIRCUIT COURT JUDGE

CASE NO. 2020-CP-21-01272
APPELLATE CASE NO. 2020-001750

Dominique Williams.....Appellant,

v.

South Carolina Department of Corrections and Florence
County Sheriff's Department.....Respondents,

MOTION TO DISMISS APPEAL

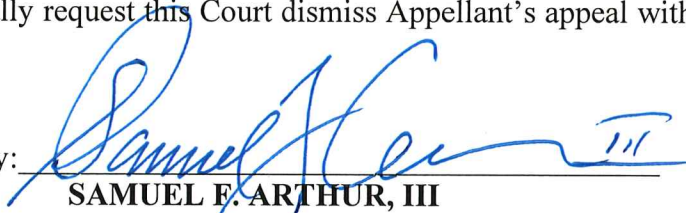
Respondents respectfully move this court, pursuant to Rule 240 of the South Carolina Appellate Court Rules, for an order dismissing Appellant's Appeal in this case on the grounds that Appellant has failed to comply with the rules of this Court inasmuch as Appellant's purported Record on Appeal and Final Brief do not comply with the applicable rules.

In particular, the Record on Appeal does not comply with Rule 210, SCACR, in several respects, including, but not limited to noncompliance with Rule 267 and the Record on Appeal fails to comply with Rule 210(c), SCACR inasmuch as the pages of the single copy of the purported Record on Appeal served on counsel for Respondents are not numbered so as to allow proper reference to the Record in

Respondents' Final Brief.

Counsel for Respondents is also in receipt of correspondence from Appellant that included a document purporting to be Appellant's Final Brief. However, counsel for Respondents is not able to determine from a review of the South Carolina Court of Appeals website if Appellant has properly filed a copy of the Record on Appeal or Appellant's purported Final Brief. Accordingly, inasmuch as counsel for Respondents is not able to determine if copies of the purported Record on Appeal and Final Brief served on counsel for Respondents have been submitted to the Court for review, copies of same are submitted herewith as Exhibits A and B respectively.

In conclusion, inasmuch as Appellant has failed to properly comply with the applicable South Carolina Appellate Court Rules with respect to submission of a Record on Appeal and a Final Brief within the time deadlines established for the creation and service of an appropriate record on appeal that is compliant with the SCACR and the creation and service of a final brief that is compliant with the SCACR, Respondents respectfully request this Court dismiss Appellant's appeal with prejudice.

By: 

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ATTORNEYS FOR RESPONDENTS

Florence, South Carolina

February 15, 2024.

The State of South Carolina

IN the Court of Appeals

Dominique Williams

Pro se plaintiff

VS

(SCDC) South Carolina Dept of
Corrections and (FCSD) Florence
County Sheriff Dept. Defendants

IN the Court of
Appeals

Appeal From
Florence County

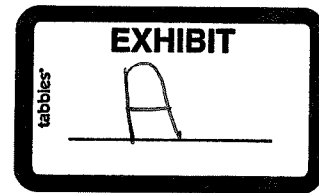
Common Pleas Court

D. Craig Brown
Circuit Court Judge

Case Number:
2020 - CP - 21 - 01242
Appeal #: 2022 - 001750

Record on Appeal

Index



- 1) Judge D. Craig Brown order Granting defendants Motion For Summary Judgment.
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- 3) Plaintiff's opposing motion For Summary Judgment.
- 4) Plaintiff's Amended Complaint.
- 5) Plaintiff's Commitment Order
- 6) Transcript of Summary Judgment hearing held on 9-15-22
- 7) Affidavit of Chad Collins
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State of South Carolina
In the Court of Appeals

Dominique Williams

VS

SCOC and FCSD

South Carolina Dept of Corrections
and
Florence County Sheriff Dept.

IN the Court
OF APPEALS
Appeal From
Florence County
Common Pleas
Appeal #
2022-001750
Certificate of
Appellant

The undersigned hereby Certifies that
the Record on Appeal Contains all Material
Proposed to be included by Plaintiff
and not any other Material

S/D:W-ec

Dominique Williams

1-8-24

IN the state of South Carolina	)	IN the Court OF
In the Court of Appeals	)	Appeals
	)	
Dominique Williams	)	Appeal From
pro se plaintiff	)	Florence County
VS	)	Common Pleas
FCSD and SCDC	)	Appeal #
	)	2022-001750
Florence County Sheriff Dept	)	
and	)	Judge D. Craig Brown
South Carolina Dept of Corrections,	)	order granting defendants
Defendants	)	Motion For summary
	)	Judgment
	)	

The Following Section is the order
OF Judge D. Craig Brown granting
the defendants Motion For Summary
Judgment

S/D Williams
Dominique Williams

1-8-24

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

IN THE COURT OF COMMON PLEAS
C/A NO.: 2020-CP-21-01272

Dominique Williams,)
Plaintiff,)

vs.)

South Carolina Department of)
Corrections and Florence County)
Sheriff's Department,)
Defendants.)

**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

THIS MATTER COMES BEFORE THE COURT upon motion of the Defendants, pursuant to Rule 56 of the *South Carolina Rules of Civil Procedure*, for an Order granting summary judgment.

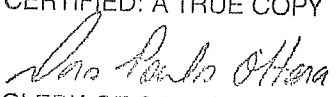
A hearing in this matter was conducted by this court on September 15, 2022 via WebEx. Present at the hearing were Samuel F. Arthur, III for Defendants and Plaintiff appeared *pro se*. After review of Defendants' motion, related submissions of the parties, and careful consideration of the arguments presented by counsel during the hearing, this court, for the reasons set forth below, agrees that Defendants are entitled to summary judgment and this matter should be dismissed.

Background

This is a civil action filed by a *pro se* Plaintiff claiming he was improperly enrolled on the South Carolina Sex Offender Registry ("SOR").

According to the Commitment Order Plaintiff attached to his original Complaint, on June 12, 2008, he was committed to the custody of the South Carolina Department of Juvenile Justice in connection with pleading guilty to 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, and Conspiracy."

CERTIFIED: A TRUE COPY


CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

Plaintiff's Amended Complaint alleges that on June 12, 2018, he was wrongly registered as a sex offender for his juvenile record. Plaintiff further alleges he was 25 years old at that time; that he did not understand why he was being registered at 25 years old; and that he informed both defendants that he "was DJJ and they could not punish me after my 21st birthday." He claims both Defendants showed gross negligence by "not looking into" this wrongdoing and that he was harmed as a result.

Defendants concede that the Commitment Order relied on by Plaintiff provides that he was not supposed to be required to register as a sex offender as part of his guilty plea to Kidnapping in 2008. However, Defendants assert the records of Plaintiff's incarceration reveal Plaintiff was actually initially placed on the Sex Offender Registry ("SOR") on or about December 9, 2012 and that Plaintiff completed paperwork on December 9, 2012 acknowledging that he was being placed on the SOR at that time. Accordingly, Defendants assert Plaintiff had notice of his placement on the SOR as early as December 9, 2012 and that his claims in this case, originally filed May 18, 2020, are therefore time barred and should be dismissed.

Summary Judgment Standard

Summary judgment will be granted when a moving party demonstrates that no genuine issues of material fact exist and that party is entitled to judgment as a matter of law. Rule 56(c), SCRPC. In determining whether any genuine issues of fact exist, the court must view both the evidence and all reasonable inferences able to be drawn from the evidence in the light most favorable to the non-moving party. Simmons v. Tuomey Regional Medical Center, 341 S.C. 32, 39, 533 S.E.2d 312, 316 (2000). Nonetheless, the court must search the proof to ascertain whether it discloses a real issue, rather than a formal, perfunctory, or shadowy one. Saluda Motor Lines v. Crouch, 300 S.C. 43, 46, 386 S.E.2d 290, 292 (Ct.App.1989). The presence of a factual dispute is

not enough to preclude summary judgment; the issue must be one which a party is entitled to litigate. Id. “In order to resist a motion for summary judgment, the nonmoving party must come forward with specific facts showing genuine issues necessitating trial.” Nationsbank v. Scott Farm, 320 S.C. 299, 303, 465 S.E.2d 98, 100 (Ct.App.1995).

The moving party need not support his motion with affidavits or other similar materials negating the opponent’s claim. Once the moving party carries its initial burden, the opposing party “may not rest upon the mere allegations or denials of his pleading, but his response . . . must set forth specific facts showing that there is a genuine issue for trial.” Midland Mut. Life Ins. Co. v. Harrell, 331 S.C. 394, 397-98, 503 S.E.2d 189, 190-91 (Ct.App.1998) *reh’g denied* (Aug. 1998), *cert. denied* (Apr. 1999).

Applicable Law

South Carolina Code § 15-78-110 provides that an action brought pursuant to the South Carolina Tort Claims Act “is forever barred unless an action is commenced within two years after the date the loss was or should have been discovered....” S.C. Code Ann. § 15-78-110 (1976 & Supp.).

Findings of Fact and Conclusions of Law

In this case, the record is clear from the documents provided by FCSO and SCDC that Plaintiff knew on December 9, 2012 that he was being placed on the SOR. Accordingly, to the extent Plaintiff may have had a claim that his placement on the SOR was inconsistent with the terms of the Commitment Order related to his 2008 conviction, the two-year clock started running on said claim on December 9, 2012 and expired on December 9, 2014. As such, Plaintiff’s initial filing of a complaint on May 18, 2020, alleging erroneous placement on the SOR, is clearly time barred and Defendants are entitled to summary judgment as to same.

Additional Sustaining Grounds

Even if Plaintiff's Complaint had been timely filed, these Defendants would still be entitled to summary judgment because neither of them are legally responsible for entry or maintenance of the South Carolina Sex Offender Registry.

Pursuant to S.C. Code Ann. Section 23-3-420 (2007 & Supp. 2020), the South Carolina Law Enforcement Division ("SLED") is responsible for establishing the methods and manner of entry and storage of SOR information. *See* S.C. Code Ann. Section 23-3-420 (2007 & Supp. 2020); *see also* Powell v. Keel, SLED, and The State of South Carolina, 433 S.C. 457, 860 S.E.2d 344. Furthermore, SLED is charged with the creation of regulations for the implementation of the provisions of the South Carolina Sex Offender Registry Act ("SORA"), S.C. Code Ann. §§ 23-3-400 to -555 (2007 & Supp. 2020), including the development and operation of the SOR. *Id.*

In this case, Plaintiff claims his information was placed on the SOR because of his kidnapping conviction without regard for, and in violation of, the commitment order relating to said conviction that included a provision indicating Plaintiff would not be required to register as a sex offender. While SCDC records appear to indicate Plaintiff completed paperwork related to SOR registration in 2012, there is no evidence that anyone at SCDC was actually responsible for verifying that Plaintiff was indeed required to register for the SOR or actually responsible for placing Plaintiff's information on the SOR, much less that he or she was grossly negligent in discharging any such responsibility.

Furthermore, regardless of any actions of SCDC employees with respect to gathering Plaintiff's information and providing same to SLED, the law is clear that SLED is ultimately responsible for ensuring that the information placed on the SOR is accurate and verifying that individuals registering for the SOR are indeed required to do so. Thus, Plaintiff in this case is not able to establish that any SCDC employee was grossly negligent simply by gathering information

from Plaintiff and providing same to SLED for review, verification, and possible entry upon the SOR.

Similarly, Plaintiff has not established that any FCSO employee was grossly negligent in connection with the entry of his information upon the SOR. At best, Plaintiff's allegations, if true, establish that an FCSO employee or employees were instrumental in the process of Plaintiff being removed from the SOR and there is simply no evidence that anyone at FCSO was involved in the gathering of information from Plaintiff related to his initial registration in 2012 or that anyone at FCSO had anything to do with Plaintiff's information initially being placed on the SOR.

While Plaintiff's allegations, if true, are indeed unfortunate, there is simply no evidence that any employee of SCDC or FCDC was responsible for the improper entry of Plaintiff's information on the SOR, much less that any employee of either entity knew or should have known of the exemption provision in the Commitment Order at the time of Plaintiff's initial registration in 2012. Furthermore, the statutory scheme that created the SOR verifies that neither SCDC nor FCDC are responsible for the development and operation of the SOR. Therefore, SCDC and FCSO are not the proper entities to be named as defendants for the claims brought by Plaintiff in this case and they are both entitled to summary judgment and dismissal of Plaintiff's Complaint.

Conclusion

Rule 56 of the *South Carolina Rules of Civil Procedure* specifically provides for relief to a party when there is no genuine issue as to any material fact and applicable law weighs in favor of a specific party. In such a case, the moving party is entitled to judgment as a matter of law. The Amended Complaint in this case fails to raise any genuine issue that Plaintiff is entitled to the relief sought and the law weighs in favor of Defendants.

THEREFORE, for all the foregoing reasons, this court finds that Defendants are entitled to judgment as a matter of law, GRANTS Defendants' Motion for Summary Judgment, and dismisses this action with prejudice.

IT IS SO ORDERED!

The Honorable D. Craig Brown
Chief Administrative Judge
Twelfth Judicial Circuit

Florence, South Carolina

October ____, 2022

(34715)



Florence Common Pleas

Case Caption: Dominique Williams VS Department Of Corrections South Carolina ,
defendant, et al
Case Number: 2020CP2101272
Type: Order/Summary Judgment

IT IS SO ORDERED

s/D. Craig Brown (2160)

Electronically signed on 2022-10-26 14:31:14 page 7 of 7

CERTIFIED: A TRUE COPY

Donna R. Ottone
CLERK OF COURT C.R. & G.S.
FLORENCE COUNTY, S.C.

In the State of South Carolina

In the Court of Appeals

Dominique Williams

VS

FLSD and SCDC

IN the Court of
Appeals

Appeal From
Florence County
Common Pleas

Appeal #
2022-001750

Judge D. Craig Brown
Order denying Plaintiff
Motion to Alter/Amend

The Following Section is the order
of Judge D. Craig Brown denying the
Plaintiff's Motion to Alter/Amend Judgment

S/D - Wee

Dominique Williams

1-8-24

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

Dominique Williams,
Plaintiff,

v.

South Carolina Department of Corrections
and Florence County Sheriff's Department,
Defendants.

IN THE COURT OF COMMON PLEAS
TWELFTH JUDICIAL CIRCUIT

Civil Action No. 2020-CP-21-01272

**ORDER DENYING PLAINTIFF'S
MOTION TO ALTER OR AMEND
JUDGMENT AND MOTION TO
RECONSIDER**

On or about October 13, 2022, this Court signed an Order granting Defendant's Motion for Summary Judgment. On or about October 24, 2022, Plaintiff filed a Motion to Proceed In Forma Pauperis. On or about November 2, 2022, this Court granted Plaintiff's Motion to Proceed In Forma Pauperis. On or about November 2, 2022, Plaintiff filed a Motion to Alter or Amend Judgment. Upon review of the Plaintiff's Motion to Alter or Amend Judgment, this Court hereby denies Plaintiff's request.

Furthermore, on or about October 24, 2022, Plaintiff filed a "Notice of Appeal" with the Florence County Clerk of Court's Office. In his appeal, Plaintiff states that he "hereby appeals to the United States Court of Appeals for the Florence County. . . ." While Plaintiff's filing states it is a "Notice of Appeal" this Court has considered it as a Motion to Reconsider pursuant to Rule 59(e), SCRCP, along with Plaintiff's Motion to Alter or Amend Judgment. In light of this Court considering Plaintiff's "Notice of Appeal" as a Motion to Reconsider, Rule 59(e), SCRCP, this Court hereby denies Plaintiff's request. Any appeal from this Order shall be in compliance with the South Carolina Appellate Court Rules.

CERTIFIED: A TRUE COPY
Anna Paula Herrera
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY S.C.

IT IS SO ORDERED.

The Honorable D. Craig Brown
Presiding Judge

November _____, 2022
Florence, South Carolina



Florence Common Pleas

Case Caption: Dominique Williams VS Department Of Corrections South Carolina ,
defendant, et al
Case Number: 2020CP2101272
Type: Order/Other

IT IS SO ORDERED

s/D. Craig Brown (2160)

Electronically signed on 2022-11-16 09:17:05 page 3 of 3

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Donna Paula Ottone
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

The State OF South Carolina

In the Court OF Appeals

Dominique Williams

VS

SCDC and FCSD

IN the Court
OF Appeals

Appeal From
Florence County
Common Pleas
Court

Appeal #:

2020-001750

Plaintiff's Opposing
Motion For
Summary Judgment

The Following is the Plaintiff's
Opposing motion For Summary
Judgment

S/D-W
Dominique Williams

1-8-24

State of South Carolina
County of Florence

Dominique Williams

VS

Pro Se Plaintiff

Florence County Sheriff Department
and South Carolina Department of
Corrections

Defendants

In the Court of
Common Pleas

Case #

2020CP2101272

Memorandum in
Support of Opposing

Motion For
Summary

Judgement

CERTIFIED TRUE COPY

[Signature]

CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

FILED

2022 MAY 11 PM 12:34

DORIS POULOS OHARA,

CCCP & GS

FLORENCE COUNTY, SC

I, Dominique Williams Jackson Williams
of the above case and would like to submit
the following Memorandum in Support of My Opposing
Motion For Summary Judgement. I will be
verifying this Memorandum under oath. I certify
under penalty of Perjury that the foregoing
is true and correct.

Statement of The Plaintiff:

Upon receiving a copy of the Memorandum in
Support For Defendants Motion For Summary Judgement
I found a lot of Material that can be used as
evidence in a trial that will ultimately Cause
Jurors to rule in Plaintiff's favor. I will submit
the material that can be used as evidence and
Prove my case. See all Circled Sections of
my copy of defendants Memorandum in Support
of motion for Summary Judgement. Also see
law codes: 23-3-480, 23-3-450, 23-3-440. These codes
support my claim and I submit these copies that is evidence of this
claim.

Also these code of law will help prove my case: 63-19-7020, Juvenile Justice Code that shows the duty that both defendants in this case breached by not locating Juvenile commitment order in a timely manner. Any injuries suffered by the Plaintiff by being wrongly register as a sex off order by Chad Collins or FCSO in 2018 could have been prevented. By law it should have been. This is the duty of both defendants and neither one performed their duty, and this is grossly negligent. Also, referring to incorrect name of Florence County Sheriff department, in Law Code 23-3-460. It refer to the Sheriff's office as Sheriff department in the Sixth Sentence. But if it is needed I will ask the Judge at this time to amend my complaint so that I can fix this incorrect name.

Evidence:

This Next Section explain the Submitted documents by defendants in the memorandum in support of their motion For Summary Judgement. And explain How These documents will be used as evidence in a trial. Also These documents will show that the Judge shall not grant defendants their Summary Judgement or dismissal due to claim being time barred and how these defendant are indeed the correct defendants to file suit and not Steel.

SCDC Records indicate that it
was registered on 12-9-12 by SCDC
(This is a false statement because SCDC
is not a registry agency.) Then in the
Argument Section of defendant
Memorandum of Support of the
motion For Summary Judgement
The Statement ~~Part 2~~ It says that
Defendants are not legally responsible
For the placement of information on
the S.O.K. Sec Memorandum in support of motion
For Summary Judgement. This will be used as Evidence.

Law 23-3-450 Clearly States that
an offender is not considered to have registered
until all information prescribed by Stat is
Provided to the Sheriff Office. This is a
contradicting statement and further verify
that the 2 year clock on Plaintiff damages
in this case did not start on 12-9-12 and
end on Dec 9 2014. My injuries were suffered
after registering with FCIC in 2018. Thus
starting the 2 year clock on the Plaintiff's claim
There for Plaintiff Claim is not time barred.

In the Argument Section of this Supporting Memorandum the defendants claims that Plaintiff claim is time barred and express the two year clock that a Plaintiff has to file suit from the date of loss. I filed a law suit for being wrongfully registered as a sex offender and the mental anguish suffered after being wrongly registered in 2018. Law Code 23-3-450 clearly states that an offender is not considered registered until all information prescribed by sled has been provided to the Sheriff. And I will like it to be known that the defendant stated I was initially registered on 12-9-12 but did not present a registry and reregistry date in 2012 2013, 2014 2015 2016 or 2017 or a consistency of reregistering and reregistering in those years because I was not registered by the Sheriff Office until 2018. See documents attached from defendant's memorandum. this will be used as evidence.

The defendant has no record of registry and reregistry in the years of 2012, 2013, 2014, 2015, 2016, or 2017 because there is none. The only record of registry in the memorandum is 12-14-2018. The notice of registry form has a section that gives the offender a reregistry date and is to be completed by the Sheriff Office. This notice of registry from SCDC records never had a Sheriff Office complete this section and SCDC couldn't complete this section because SCDC is not a registering agency. See Law Code 23-3-440 and Law Code 23-3-450. The fact that SCDC can't provide a registry and reregistry date that is to be completed by the Sheriff Office will be used as evidence that I was not registered by the FCSO until 2018. See attached documents. Signed Jannle Kelly not Sheriff Office

In the Statement of the case section, the
Sentence claimed that I claimed to be
improperly enrolled on the Sex Offender registry,
I did not make this claim, I am suing
for being wrongly registered as a Sex
Offender and the damages suffered After
this wrongful registration as a sex
offender by Chad Collins, of the FCSO.
Both Defendant are 100% Liable for
all damages due to their grossly negligent
behaviors, that if not grossly negligent
these injuries could have been prevented
or stopped from ever happening after
registering with the Sheriff Office,
in 2018. Also Defendants claim that I
Plaintiff was initially placed on S.O.R
on 12-9-12. This is a incorrect Statement.
12-9-12 was a Sunday. Furthermore in
the defendants Statement of case it says
that Defendants are not responsible for any
erroneous placement of plaintiff or any
identifying information on the S.O.R. Law
code 23-3-420 clearly states that an offender is not
considered to have registered until all information
prescribed by stat is provided to the Sheriff

In the Factual Background Section of this supporting memorandum, the Paragraph reads...that Plaintiff was Initially Placed on the S.O.R on or about December 9th 2012. This is an incorrect statement. 12-9-12 was a Sun. The Following Monday I reported to my parole officer office and informed her of this matter/situation. She advised me that she did not hear anything about me being required to register. Law Code 23-3-440 clearly states that Parole officers and D.O.C IS SUPPOSE to know about the offenders release and notify him/her that they are to register. The information that SCDL collects is used in the event of an offender failure to register. My Parole officer advised me not to worry about registering, Plaintiff then Completed term of Parole From 2012-2014.

Another sentence in this section states that I knew I was being placed on the SOR on 12-9-12. due to paperwork I completed, 12-10 was never registered with the sheriff until 2018.

ALL OF MY INJURIES WAS SUFFERED
AFTER THIS WRONGFUL REGISTRATION
AS A SEX OFFENDER IN 2018
BY THE SHERIFF OFFICE. I WAS
ADVISED THAT CHAD COLLINS HAD CALLED
MY PAROLE OFFICER MS. HERBERT
ON OR ABOUT 12-16-19 AND TOLD
HER THAT I WAS NOT TO REGISTER
ANYMORE DUE TO THE FINDING OF
THE JUVENILE COMMITMENT ORDER.
I WAS REGISTERED BY FCSO IN JUNE
2018 AND GIVEN A RE-REGISTRY DATE
OR DECEMBER 2018. AFTER CHAD COLLINS
ADVISED ME THAT HE WOULD TALK
TO SLED TO OBTAIN THIS COMMITMENT
ORDER, I DID NOT HAVE ANY KNOWLEDGE OF
THIS COMMITMENT ORDER. THIS NEXT
SECTION WILL EXPLAIN THE DUTY
AND BREACH OF DUTY BY BOTH DEFENDANT.
CHAD COLLINS TOLD ME HE WOULD TALK TO SLED ABOUT MY
COMMITMENT ORDER IN JUNE 2018, BUT I SAT ON THE REGISTRY
UNTIL 12-16-2019. THIS IS GROSSLY NEGLIGENT BY FCSO. SEE LAW CODE 63-19-2020

Law Code 63-19-2020 is known as the Juvenile Justice Code.

under the Confidentiality Section the Juvenile Justice Code it clearly states that both defendants in this case had the jurisdiction to obtain the commitment order in a timely manner. SCDC was grossly negligent after I told them to look into this wrongdoing they refused to and made me sign paper work saying that I would report to the FCSO to register as a sex offender. The records that SCDC has provided in their Memorandum will be evidence that they had access to the records on 12-9-12 and a duty to close. By Breaching this duty, I was registered as a sex offender in 2018, almost six years later, and Plaintiff suffered Mental Anguish After this registry in 2018

Florence County Sheriff Office
was grossly negligent when
After being registered in June
2018 Chad Collins ensured me
that he would contact Sled
to obtain commitment order to
see if the Judge ordered me
to register. I was given a
reregistry date of 12-31-2018
in June 2018. Ultimately I
sat on the registry until on or
about 12-16-2019. Upon finding
the commitment order I found
FCSO to be grossly negligent
by not obtaining this commitment
order in a timely manner that
Law code 63-19-2020 confidentiality
of the Juvenile Justice Code provide.
By Law FCSO could obtain these records
before 12-16-19 but showed grossly negligence by
not doing so. Ultimately being wrongly registered for
18 months

Also I want the Courts to know,
regaurding to my Opposing Motion
For Defendants Motion for Summary Judgement
that when the defendant entered records
indicating that I was initially registered
as a Sex Offender on 12-9-12 or 12-5-12
IS a Lie. 12-9-12 was an Sunday and
the Sheriff's office are not open to
register or reregister on weekends to
my knowledge. The Probcal that
SCVC followed is what I'm now
learning to be: Notice of Duty to
register, Law code 23-3-480

I was never placed on the sex
offender registry by Sheriff's office
until 2018 by Chad Collins. SCVC
is not a registry agency, they
just notify offenders of their
duty to register, with their Sheriff's
Office. IF Offender Fails to register
then he is charged with Failure
to register.

I was First registered in 2018
In June by Chad Collins and at
that time I was given a date
to reregister in Dec 2018. This
was the First time I registered
With Florence County Sheriff
Office. If you check the records
In search or me registering in
2012, '13, '14, '15, '16 or 2017 with
the Florence Sheriff Office you
won't find none. That's why the
defendants didn't present any
records indicating that I was
registered in 2012, 2013, 2014, 2015, 2016
or 2017. And they will not be able
to present any records showing
that I was registered at those times
with The Florence County Sheriff Office

IF you look at the records they provided, they cant show an initial registry date and a reregistry date for 2012, 2013, 2014, 2015, 2016, or 2017. And I believe that the records lady could have obtained the same commitment order in 2012 that they presented to the Courts on March 2022. This would have prevented me from ever being wrongfully registered as a sex offender by Florence county Sheriff Office in 2018. Once I was released in 2012 my DJJ Parole Officer Directed me not to worry about this SOR. So I completed my Parole Term '12-'14

unaffected by being registered as
a Sex offender. Then years
later in 2018 I was placed
on the Sex offender registry.

I think the records provided
by SCDC and FCSO basically
prove that they had the Power and duty
to obtain the information that
was needed to stop this
from happening but they did
nothing, for about 6 years and
this grossly negligent behavior led
to me being injured in 2018 by
being wrongfully registered and re-registered
as a Sex offender in 2018.

Law code: 23-3-450 clearly states that an
offender shall not be considered to have registered
until all information prescribed by statute has been provided to Sheriff
in the 10th sentence of the Paragraph.

Conclusion

The Plaintiff is suing for damages suffered after being registered by the FCSO. Plaintiff provided Law Code 23-3-4150 that verify an offender is not considered registered until all information prescribed by Sled is provided to The Sheriff office. This shows that my claim is not time barred. Records from SCDC can not show any registry and reregistry date in 2012, '13, '14, '15, '16, or 2017 this further verify that I was not injured until registered as a Sex offender in 2018 by FCSO. The Papers signed by Plaintiff in 12-9-18 clearly says that a offender must personally appear to register and reregister with the Sheriff not SCDC. And in this case the registry and reregistry was not done until 2018. This registry and reregistry resulted in the injury of Plaintiff. The 2yr clock starts from the date of injury. This is a Genuin issue of matters Fact and I ask the Judge not to dismiss plaintiff's claim and deny Defendant's motion for Summary Judgement. It was the duty of both defendant to locate the Judges Order. See next page.

Florence County Family Court
Judicial Center
181 N Irby Street, Suite 2700
Florence SC, 29501

September 13, 2019

Mr. Williams,

Please see enclosed Commitment Order (Sentencing Sheet), per your request. To obtain a copy of your transcripts you will need to reach out to The Court Administration in Columbia, SC. I am not sure what the fee is to obtain a copy, if any. All Juvenile files are confidential, if you have additional question please contact the attorney assigned to your case Mr. Guy Ballenger, at the time.

Thank You,

Florence County Family Court

Evidence

FROM

(THU) JUN 6 2010 12:11/NO. 0005492290

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

IN THE INTEREST OF

DOMINIQUE WILLIAMS

THE FAMILY COURT
FIFTH JUDICIAL CIRCUIT
08-JU-21-64

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 she 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 (x 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.

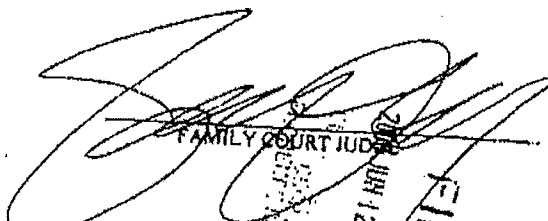
Therefore it is,

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


FAMILY COURT JUDGE
JUN 12 PM 4:57
FILE

SEE law code
63-19-2020
Confidentiality.

This is Evidence
that Defendants could
have located commitment
order before making me
sign papers.

SCDC Documents 000047
34715 Dominique Williams v. SCDC and FCSO

Evidence that this is grossly negligent

See proof
in 5.0.2
of order 1070
10/10/18

This was not Sled Duty on 12-9-18
- This is Evident

Law Code 63-19-2020

Juvenile Justice Code under
Confidentiality Section Clearly
give both defendants the
ability and jurisdiction to
obtain this commitment
order. It is their duty
to do. Both defendants.

failed to locate the
Commitment order. When
Confronted by Plaintiff, (I will
verify this Complaint so that
it can be used as Evidence)

This is an grossly negligent
act by both defendants that
led to injuries in 2018.
So Both Defendants are 100%
Liable for damages.

Damages were suffered in 2018.

Completed

Parole Term

2012-2014

See Law Cod

23-3-440

Notification
OF

Sheriff

Protocol

STATE OF SOUTH CAROLINA
BOARD OF JUVENILE PAROLE

ORDER OF CONDITIONAL RELEASE

DOMINIQUE MAURICE JACKSON WILLIAMS

I.D. # 00341120

WHEREAS,

The above-named juvenile is eligible to be conditionally released from the South Carolina Department of Corrections,

WHEREAS,

It being the opinion of the South Carolina Board of Juvenile Parole that the release of this juvenile is compatible with the welfare of society,

WHEREAS,

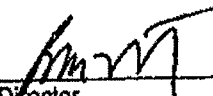
It further appearing that the Board is satisfied that this juvenile will not be a public charge on release.

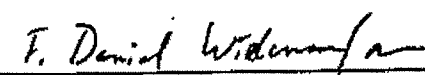
IT IS THEREFORE ORDERED THAT the juvenile be conditionally released, this 5th Day of November 2012, subject to the specific conditions of such release as set forth on the attached Release Agreement. However, this release shall not prevent the delivery of this Juvenile to the authorities of Federal or any State government entities entitled to his custody.

IN WITNESS WHEREOF, this Order bearing the seal of the State of South Carolina is issued this 5th Day of November 2012.

Witness:

STATE OF SOUTH CAROLINA
BOARD OF JUVENILE PAROLE


Director


Chairperson

Juvenile shall be released to:

SCDC to serve 30-day family court sentence

Then to:

John Williams - grandfather
1442 Whitehall Drive
Florence, SC 29501
(843) 245-2979

On: November 9, 2012

Exhibit P-14



State of South Carolina
Board of Juvenile Parole

Parole office
advised me not to worry
about SOK in 2012 After release.

SCDC Documents 000094
34715 Dominique Williams v. SCDC and FCSD

Plaintiff was Registered in
2018. Resulting in Mental Anguish
and Plaintiff's injuries

Evidence That I
was not hurt

See Law Code 23-3-440

DOMINIQUE MAURICE JACKSON WILLIAMS
PAGE 1

I.D. # 00341120

RELEASE AGREEMENT

I understand that I am being conditionally released from the South Carolina Department of Corrections and will be under the supervision of the Department of Probation, Parole and Pardon Services or its designated contract provider until [REDACTED] (21st birthday).

I understand that I will be expected to follow all of the standard and special conditions listed herein and any violation of these conditions will be cause to return me to the Department of Corrections or its designated contract provider to await a formal hearing by the South Carolina Board of Juvenile Parole which will determine whether or not my release will be revoked.

I understand that conditions of my parole may be added, modified or the term of my parole extended by the South Carolina Board of Juvenile Parole prior to my twenty-first birthday.

The following are standard conditions of my parole:

1. I will obey all laws, including but not limited to, state education laws, attend school regularly and obey all school rules and regulations so I will not be suspended or expelled or I will be gainfully employed.
2. I will not leave the state, change my approved placement, school or job without the prior permission of my aftercare provider.
3. I will maintain contact with my aftercare provider while in the community and I will keep all scheduled appointments unless excused by the aftercare provider.
4. I will not own, possess, or use any weapons or instruments which could cause injury to others.
5. I will not fight or harm any other persons.
6. I will not purchase, possess, or use any illegal drugs or alcoholic beverages.
7. I agree to submit to urinalysis tests and/or blood tests when required and agree that the test results may be used as evidence regarding violations of the conditions of my release.
8. I will keep the curfew set by my aftercare provider and parent or legal guardian.
9. Consistent with SC Code Section 83-19-1850(A), I will permit the search or seizure, without a search warrant, with or without cause, of my person, any vehicle I own or am driving, and any of my possessions by law enforcement or any person authorized by law to conduct such a search.

Exhibit P-15 (1 of 3)



State of South Carolina
Board of Juvenile Parole

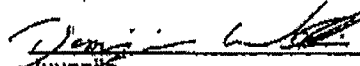
DOMINIQUE MAURICE JACKSON WILLIAMS
PAGE 2

I.D. # 00341120

The following are special conditions of my parole:

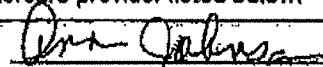
1. Must cooperate with the referrals and recommendations of the Dept. of Probation, Parole, and Pardon Services.
2. Must participate in and cooperate with substance abuse counseling.
3. Must cooperate with a referral to the Dept. of Vocational Rehabilitation.

This release agreement has been fully explained to me.


Juvenile

11/5/12
Date

I certify that I have carefully reviewed this document with the juvenile, have explained its contents and answered any questions raised by the juvenile. A copy has been left with proper authorities to be given to the juvenile upon his/her physical departure from the institution. The juvenile has been instructed to report immediately to the aftercare provider listed below.


Parole Examiner

11/5/12
Date

Aftercare Provider:

Florence County PP&P
City-County Complex, Room 204
180 North Irby Street, Box M
Florence, SC 29501
Phone: 843-665-3063



State of South Carolina
Board of Juvenile Parole

Exhibit P-16 (2 of 3)

EVIDENCE

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

IN THE COURT OF COMMON PLEAS
C/A NO.: 2020-CP-21-01272

Dominique Williams,)
Plaintiff,)

vs.)

South Carolina Department of)
Corrections and Florence County)
Sheriff's Department,)
Defendants.)

MEMORANDUM IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT

Carefully read
Defendants' Statements in
the above Memorandum

Defendants, South Carolina Department of Corrections ("SCDC") and Florence County Sheriff's Office ("FCSO") (incorrectly identified as Florence County Sheriff's Department) by and through their undersigned counsel, respectfully submit this memorandum in support of their motion for summary judgment.

STATEMENT OF THE CASE

This is a civil action filed by a *pro se* Plaintiff claiming he was improperly enrolled on the South Carolina Sex Offender Registry ("SOR"). See Complaint and Amended Complaint. Plaintiff's original Complaint was filed on May 18, 2020. In response thereto, Defendants filed an Answer and Motion to Dismiss SCDC on June 15, 2020. At the hearing of Defendant SCDC's motion to dismiss, Judge Newman ruled Plaintiff would be allowed to file an Amended Complaint and counsel for Defendants agreed to accept service of same. Plaintiff filed an Amended Complaint on December 1, 2020. Thereafter, Defendants filed an Answer to the Amended Complaint on December 7, 2020. Defendants are now seeking summary judgment as to all of Plaintiff's claims and submit this memorandum in support of their motion for summary judgment filed simultaneously herewith.

Defendant claim that Plaintiff knew
he was being placed on the SOR at that time
See circled section

Kidnapping in 2008, further investigation has resulted in the discovery of documentation that

Dec 9 2012 was a Sunday
Plaintiff was actually initially placed on the Sex Offender Registry ("SOR") on or about December 9, 2012¹. See Affidavit of Lt. Chad Collins and attached records maintained by FCSO, attached as Exhibit A. More importantly, records provided by SCDC document that Plaintiff completed

paperwork on December 9, 2012 acknowledging that he was being placed on the SOR at that time.

See Affidavit of SCDC Records Custodian Vicky Lindler and attached records numbered SCDC Documents 000058 – 000064, attached as Exhibit B.

SUMMARY JUDGMENT STANDARD

EVIDENCE

A court will grant a moving party's motion for summary judgment when no genuine issue of material fact exists, and that party is entitled to judgment as a matter of law. Rule 56(c), SCRCP. In determining whether any genuine issues of fact exist, the court must view both the evidence and all reasonable inferences able to be drawn from the evidence in the light most favorable to the non-moving party. Simmons v. Tuomey Regional Medical Center, 341 S.C. 32, 39, 533 S.E.2d 312, 316 (2000). Nonetheless, the court must search the proof to ascertain whether it discloses a real issue, rather than a formal, perfunctory, or shadowy one. Saluda Motor Lines v. Crouch, 300 S.C. 43, 46, 386 S.E.2d 290, 292 (Ct.App.1989). The presence of a factual dispute is not enough to preclude summary judgment; the issue must be one which a party is entitled to litigate. Id. "In order to resist a motion for summary judgment, the nonmoving party must come forward with specific facts showing genuine issues necessitating trial." Nationsbank v. Scott Farm, 320 S.C. 299, 303, 465 S.E.2d 98, 100 (Ct.App.1995).

December 9th was a Sunday

¹ Per FCSO documents attached to the Affidavit of Chad Collins, Plaintiff's date of birth is June 1, 1993. Accordingly, on December 9, 2012, he was nineteen (19) years old and had clearly reached the age of majority in South Carolina.

See 19100016 23-3-450 and 23-3-440

EVIDENCE

The moving party need not support his motion with affidavits or other similar materials negating the opponent's claim. Once the moving party carries its initial burden, the opposing party "may not rest upon the mere allegations or denials of his pleading, but his response . . . must set forth specific facts showing that there is a genuine issue for trial." Midland Mut. Life Ins. Co. v. Harrell, 331 S.C. 394, 397-98, 503 S.E.2d 189, 190-91 (Ct.App.1998) *reh'g denied* (Aug. 1998), *cert. denied* (Apr. 1999).

ARGUMENT

I. PLAINTIFF'S CLAIMS ARE TIME BARRED AND MUST BE DISMISSED.

South Carolina Code § 15-78-110 provides that an action brought pursuant to the South Carolina Tort Claims Act "is forever barred unless an action is commenced within two years after the date the loss was or should have been discovered...." S.C. Code Ann. § 15-78-110 (1976 & Supp.).

In this case, the record is clear from the attached documents provided by FCSO and SCDC that Plaintiff knew on December 9, 2012 that he was being placed on the SOR. Accordingly, to the extent Plaintiff may have had a claim that his placement on the SOR was inconsistent with the terms of the Commitment Order related to his 2008 conviction, the two-year clock started running on said claim on December 9, 2012 and expired on December 9, 2014. As such, Plaintiff's initial filing of a complaint on May 18, 2020, alleging erroneous placement on the SOR, is clearly time barred and Defendants are entitled to summary judgment as to same.

II. DEFENDANTS ARE NOT LEGALLY RESPONSIBLE FOR THE PLACEMENT OF INFORMATION ON THE SOR.

Even if Plaintiff's Complaint is found to have been timely filed, Defendants are entitled to summary judgment because neither of them are legally responsible for entry or maintenance of the South Carolina Sex Offender Registry.

See law code 23-3-440
See law code 23-3-450
This is a contradicting statement of Plaintiff's claim to Plaintiff knowing he was being placed on the SOR at that time

Evidence

This supports
that Plaintiff
injuries was not

Pursuant to S.C. Code Ann. Section 23-3-420 (2007 & Supp. 2020), the South Carolina Law Enforcement Division ("SLED") is responsible for establishing the methods and manner of entry and storage of SOR information. *See* S.C. Code Ann. Section 23-3-420 (2007 & Supp. 2020); *see also* Powell v. Keel, SLED, and The State of South Carolina, 433 S.C. 457, 860 S.E.2d 344. Furthermore, SLED is charged with the creation of regulations for the implementation of the provisions of the South Carolina Sex Offender Registry Act ("SORA"), S.C. Code Ann. §§ 23-3-400 to -555 (2007 & Supp. 2020), including the development and operation of the SOR. *Id.*

Suffered
until
2018
See
Carol
Collins
and
in
registry
date

In this case, Plaintiff claims his information was placed on the SOR because of his kidnapping conviction without regard for, and in violation of, the commitment order relating to said conviction that included a provision indicating Plaintiff would not be required to register as a sex offender for that particular conviction. And while SCDC records appear to indicate that

Plaintiff completed paperwork related to SOR registration in 2012 (there is no evidence that anyone

at SCDC was actually responsible for verifying that Plaintiff was indeed required to register for the SOR or actually responsible for placing Plaintiff's information on the SOR) Furthermore

regardless of any actions of SCDC employees with respect to gathering Plaintiff's information and

providing same to SLED, the law is clear that SLED is ultimately responsible for ensuring that the

information placed on the SOR is accurate and verifying that individuals registering for the SOR

are indeed required to do so. Thus, Plaintiff in this case is not able to establish that any SCDC

employee was grossly negligent simply by gathering information from Plaintiff and providing

same to SLED for review, verification, and possible entry upon the SOR.

Similarly, Plaintiff has not established, and cannot establish, that any FCSO employee was

grossly negligent in connection with the entry of his information upon the SOR. At best, Plaintiff's

allegations, if true, establish that an FCSO employee or employees were instrumental in the

18 months or 12 months is
too long to sit on the SOR
when the Judge's order
was there for SCDC and FCSO staff.

SCDC and FCSO
is required to
locate Judge's order
this is their duty.

Here the defendant SCDC
basically admit to not placing Plaintiff's
information on registry
see law code
23-3-450

see law code
23-3-440

see law code
23-19-2020

here it says possible
entry not entry
upon 12-9-12

La. Code 23-3-450 Clearly states that an order is not to be considered to have occurred until information presented by that is provided to the court. ~~23-3-450~~

process of Plaintiff being removed from the SOR and there is simply no evidence that anyone at FCSO was involved in the gathering of information from Plaintiff related to his initial registration in 2012 or that anyone at FCSO had anything to do with Plaintiff's information initially being placed on the SOR. La. Code 23-3-450 This evidence

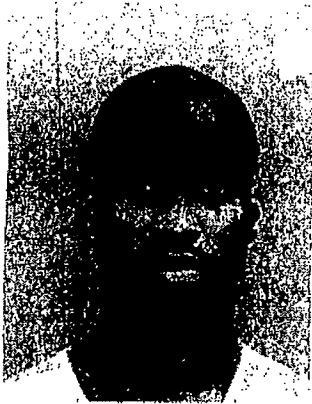
Simply put, while Plaintiff's allegations, if true, are indeed unfortunate, there is simply no evidence that any employee of SCDC or FCDC was responsible for the improper entry of Plaintiff's information on the SOR, much less that any employee of either entity knew or should have known of the exemption provision in the Commitment Order at the time of Plaintiff's initial registration in 2012. Furthermore, the statutory scheme that created the SOR verifies that SCDC or FCDC are not responsible for the development and operation of the SOR. Therefore, SCDC and FCSO are not the proper entities to be named as defendants for the claims brought by Plaintiff in this case and they are both entitled to summary judgment and dismissal of Plaintiff's Complaint.

CONCLUSION

Rule 56 of the *South Carolina Rules of Civil Procedure* specifically provides for relief to a party when there is no genuine issue as to any material fact and applicable law weighs in favor of a specific party. In such a case, the moving party is entitled to judgment as a matter of law. The Amended Complaint in this case fails to raise any genuine issue that Plaintiff is entitled to the relief sought and the law weighs in favor of Defendants. Therefore, judgment as a matter of law should be ordered in favor of Defendants or the Complaint should be dismissed on other grounds set forth herein.

This is evidence that my lawsuit is not time barred. My injuries occurred after being placed on the SOR by FCSO in 2018. Thus, starting the 2 year clock on the time allowed by the statute of limitations. This is clear evidence and a statement by the defendants and their attorney. This will be used as evidence to deny the defendants motion for summary judgment

Evidence



SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS
INMATE NUMBER:
00341120
LAST NAME:
WILLIAMS
FIRST NAME:
DOMINIQUE
MIDDLE NAME:
MAURICE
PHOTO DATE:
03-18-2019

See
Law
code
23-3-440

See
Law Code
23-3-440
require SCDC to
take a current photo
or MC and provide it
to Sled in the event
I fail to register. They
will have no records on
File showing an updated
Photo in '12, '13, '14, '15, '16 or 2017.

Evidence

The paper work collected by SCDC is protocol and is not registry. See law code 23-3-440. I clearly state that SCDC is to receive of vendor the help is to register with Sheriff Office. And Law code 23-3-450 states that an offender is not considered to have registered until all information prescribed by Steel is submitted to the Sheriff Office. See law code 23-3-440 and 23-3-450

EVIDENCE

Sec law code
23-3-450

803 895 3194

Turkeyville

11:28:45

12-05-2012

4/14

DW Under penalty of perjury, I certify that to my knowledge all the information I have provided this agency is true and accurate.

Below is an outline indicating what months you will be required to register in the future. For instance, if you are required to register bi-annually and your birthday is in January, you will register in January and July. If you are required to register quarterly and your birthday is in January, you will register in January, April, July and October.

Birth Month	2 nd Quarter	3 rd Quarter	4 th Quarter
January	April	July	October
February	May	August	November
March	June	September	December
April	July	October	January
May	August	November	February
June	September	December	March
July	October	January	April
August	November	February	May
September	December	March	June
October	January	April	July
November	February	May	August
December	March	June	September

This is not
completed form
until 2018

MY NEXT REGISTRATION IS IN THE MONTH OF

(TO BE COMPLETED BY SHERIFF'S OFFICE)

I understand that I am required to register pursuant to S.C. Code Ann. § 23-3-430 and that I have received notice of the registry conditions listed above, both verbally and in writing. By initialing beside each condition, I indicate that I understand my responsibilities.

[Signature]
Signature of Offender

Dominique Williams 12/5/12
Print Name Date

341120
SCDC# /BH Number

[Redacted]
SID Number

[Signature]
Signature of Agency Employee

Jannie Kelly 12/5/12
Print Name Date

Witness Signature

Witness (Print Name) Date

Offense(s) Convicted of Date of Release

(CJ-031) (11/2011)

This will be used as Evidence of Law
code 23-3-540 that I was not registered
and re-registered until 2018. This is date of loss

Evidence

This Section

Can not be completed
by SCDC because it is
not the Sheriff's Office.
and by Law Code

23-3450 it clearly
states that an offender
is not considered register
until all information
presented by sled is
submitted to the Sheriff's
Office. My jail suit
is suing for being
injured after registering
with the FCSO. This
will start the 2 year
clock on statute of limitations
not 12-9-12

Evidence

SCDC and FCSC will not be able to provide registry and reregistry dates From 2012 2013, 2014, 2015, 2016, or 2017 because there are none. In 2018 I was registered and reregistered by FCSC This Paper will be used as Evidence to Support Law Code 23-3-450

My Law Suit is suing both defendants for being wrongly registered in 2018 and And All injuries Suffered after. This starts the clock of 2yr Statue.

Evidence

Law Code 23-3-450

States that an offender
is not considered registered
until all information prescribed
by sled is provided to the
sheriff office. My Law Suit
is suing for damages suffered
after this wrongful registry
in 2018. This paper will be
used as evidence to prove
I was not registered or
re registered until 2018.

This is why my claim is
not time barred. All injury
or loss was suffered in 2018 and Aff

Evidence

803 896 3194

Turbeville

11:29:02

12-05-2012

11/14

Tier II Bi-Annual Registration:

- Engaging a Child for Sexual Performance (S.C. Code Ann. § 16-3-810);
- Producing, Directing, or Promoting Sexual Performance by a Child (S.C. Code Ann. § 16-3-820);
- Peeping, Voyeurism, or Aggravated Voyeurism (S.C. Code Ann. § 16-17-470);
- Violations of Article 3, Chapter 15 of Title 16 involving a minor including but not limited to S.C. Code Ann. §§ 16-15-335, 342, 345, 382, 387, 397, 405, 415, and 425;

A person, regardless of age, who has been convicted, adjudicated delinquent, pled guilty or nolo contendere in this State, or who has been convicted, adjudicated delinquent, pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted, adjudicated delinquent, pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that based on the circumstances of the case the convicted person should register as a sex offender;

Kidnapping (S.C. Code Ann. § 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

Trafficking in persons (S.C. Code Ann. § 16-3-930) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense; (residency restrictions if victim is a minor)

Any other offense specified by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-249), the Sex Offender Registration and Notification Act (SORNA);

Committing or Attempting Lewd Act Upon Child Under Sixteen (S.C. Code Ann. § 16-15-140 (does not involve sexual contact per § 18 USC §2246, and the sexual contact is not of the naked genitalia and victim is 13-15 years old);

Sexual Intercourse with a Patient or Trainee (S.C. Code Ann. § 44-23-1150) (where misconduct involves sexual contact as defined therein by §18 U.S.C. § 2246 and the sexual contact is not of the naked genitalia and victim is 13-15 years old or the victim is 15-17 years old);

Accessory before and after the fact to commit an offense enumerated in this item and as provided for in S.C. Code Ann. § 16-1-40;

- Attempt to commit an offense enumerated in item (2) as provided by S.C. Code Ann. § 16-1-80;

Whoever made me sign papers in 2012 should have know this Law. They should have known to look for my commitment order. This is their duty

This is PROOF OF SCDC and FCSD
Duty to obtain commitment order
and finding the finding on record

I did not
know this law
as a juvenile
It was SCDC duty to find Judge Orr
refusing to find this record
is Grossly Negligent +

IF an offender is sentenced to probation
then SCDC staff know to look for Sentencing
Sheet to see what the Judge ordered. The
same apply to the S.O.R. SCDC staff and
FCSO should have known to locate Judges order to
Verify Judges order to see if offender was ordered
to register as a S.O.R. Even if Plaintiff was
unaware or did not have commitment order. This is
SCDC and FCDC duty.

23-3-450

Proves that an
offender is not
considered registered
until registering
with the Sheriff

Office. It is the duty
to look for the Judge's
order by both defendants. Even
if plaintiff has no knowledge
of this. FCDC and SCDC had a duty and
they failed to do it. This is
grossly negligent

Law Code 16-3-910 States that a Person must Register For the offence of kidnapping of a person 18 yrs of age or older except when the Court makes a Finding on the record that the offence did not include a Criminal Sexual offence or an attempt Criminal Sexual offence.

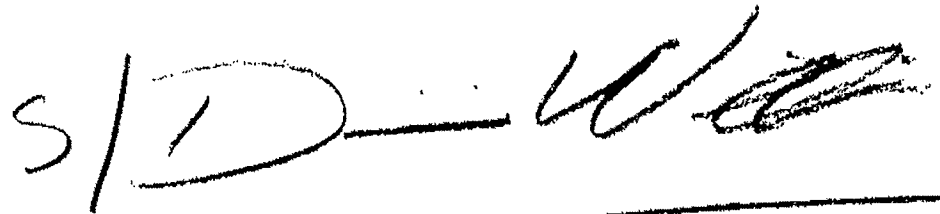
I was a Juvenile at the time of my release on 12-9-12 and had little to no knowledge of the law in regard to this law or almost all laws. But it was the duty of both defendants to find the Juvenile Commitment Order to see if the Judge ordered Plaintiff to register as a sex offender. Both defendants refused to do so or did not do so in a timely manner. This grossly negligence led to an injury suffered by Plaintiff in 2018.

When an offender is sentenced to probation, SCDC and FCDO know to look for the Sentencing Sheet or Commitment Order to see what the Judge Ordered

The same goes for the Sex Offender registry when an offender argues that he/she is not to register, the Government Agency with in this case is SCDC and FCDO should know to locate that Offenders Sentencing Sheet or in a juveniles case; a Commitment Order. Even if Plaintiff had no proof or knowledge of this Law Staff - at SCDC and FCDO should have know where to locate the Judges order, in a timely manner to prevent lawsuits.
see SCDC records

Signature

I Dominique Maurice Jackson Williams
is the Plaintiff of Case #2020 CP 21012712
and this is my signature to the
memorandum in support of Plaintiff's
opposing motion for Summary Judgment

A handwritten signature in black ink, appearing to read 'S/D Williams', with a horizontal line drawn underneath it.

Dominique Williams

4-4-2022

Address:

Florence County Detention Center
6719 Friend Field Road
Effingham S.C 29541

The State of South Carolina
In the Court of Appeals

Dominique Williams

vs

FCSD and SCDC

) IN the Court
) OF Appeals
)
) Appeal From
) Florence County
) Common Pleas
) Court
)
) Appeal #
) 2020-001750
)
) Plaintiff's
) Amended
) Complaint

The following is the Plaintiff's
Amended Complaint

1-8-24

S/D-W-ell
Dominique Williams

STATE OF SOUTH CAROLINA

COUNTY OF FlorenceDominique Maurice Jackson Williams
Plaintiff(s)vs.
South Carolina Dept of Corrections
Florence County Sheriff Dept
Defendant(s)

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2020-CP-01-1272

Submitted By: _____

Address: _____

SC Bar #: _____

Telephone #: _____

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) _____
Inmate Petitions
☐ PCR (500)
☐ Mandamus (520)
☐ Habeas Corpus (530)
☐ Other (599) _____ | Torts - Professional Malpractice
☐ Dental Malpractice (200)
☐ Legal Malpractice (210)
☐ Medical Malpractice (220)
Previous Notice of Intent Case #
20 <u>-NI-</u>
☐ 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) <u>Cross Negligence</u> | Real Property
☐ Claim & Delivery (400)
☐ Condemnation (410)
☐ Foreclosure (420)
☐ Mechanic's Lien (430)
☐ Partition (440)
☐ Possession (450)
☐ Building Code Violation (460)
☐ Other (499) _____ |
| Special/Complex/Other
☐ Environmental (600)
☐ Automobile Arb. (610)
☐ Medical (620)
☐ Other (699) _____
☐ Sexual Predator (510)
☐ Permanent Restraining Order (680)
☐ Interpleader (690) | 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)
☐ Other (999) _____ |

Submitting Party Signature: D. WilliamsDate: 5-18-20

CERTIFIED: A TRUE COPY

Shirley P. Ottana
 CLERK OF COURT C.P. & G.S.
 FLORENCE COUNTY, S.C.

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

Effective January 1, 2016, Alternative Dispute Resolution (ADR) is mandatory in all counties, pursuant to Supreme Court Order dated November 12, 2015.

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

Pursuant to the ADR Rules, you are required to take the following action(s):

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs.
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

**Please Note: You must comply with the Supreme Court Rules regarding ADR.
Failure to do so may affect your case or may result in sanctions.**

STATE OF SOUTH CAROLINA,

COUNTY OF _____

Dominique Williams

Plaintiff,

vs.

Florence Sheriff Dept

Defendant.

IN THE COURT OF COMMON PLEAS

SUMMONS

FILE NO. 2020-CP-21-1272

TO THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

Florence, South Carolina

Dated: 5-18-20

Dominique Williams
Plaintiff/Attorney for Plaintiff

Address: 458 Guildford Cir
Florence SC 29501

SCCA 401 (5/02)

CERTIFIED: A TRUE COPY

Shirley R. Ottina
CLERK OF COURT C.R. & G.S.
FLORENCE COUNTY, S.C.

5-11-20

STATE OF South Carolina,
County of Florence

IN the Court of
Common Pleas

Amended
Complaint

Dominique Williams
1102 Fieldale Rd
Florence SC 29501
(843) 206-1816
VS,

Plaintiff,
Rose

Case NO. 2020 CP 211272

South Carolina Dept. of corrections)
Florence County Sheriff Dept)
Defendant)

CERTIFIED: A TRUE COPY
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

I am notifying you of this complaint and
you have 30 days to reply.
DW

On June 12th 2018 I was wrongly registered as
a sex offender for my juvenile record. At the time
I was 25 years old and did not understand why I
was being registered at 25 years old. I informed
both defendants that I was DJJ and they could not
punish me after my 21st birthday. Both defendants
showed gross negligence by not looking into this
wrongdoing. As a result I was wrongly registered
as a sex offender, as a result of this wrongdoing
I lost my ambition and motivation to reach my
dream that was promised to me because of embarrassment
and shame. Also I battled/suffered mental conditions
due to this wrongdoing. I'm asking to be compensated
for my pain/suffering. I want both defendants to
pay for every day I was wrongly registered a sex offender.

Date: 5-18-20

Dij W 

Florence County Family Court
Judicial Center
181 N Irby Street, Suite 2700
Florence SC, 29501

September 13, 2019

Mr. Williams,

Please see enclosed Commitment Order (Sentencing Sheet), per your request. To obtain a copy of your transcripts you will need to reach out to The Court Administration in Columbia, SC. I am not sure what the fee is to obtain a copy, if any. All Juvenile files are confidential, if you have additional question please contact the attorney assigned to your case Mr. Guy Ballenger, at the time.

Thank You,

Florence County Family Court

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

IN THE INTEREST OF

DOMINIQUE WILLIAMSIN THE FAMILY COURT
TWELFTH JUDICIAL CIRCUIT
08-JU-21-64**COMMITMENT ORDER
(DJJ)**HEARING DATE 6/12/2008ATTORNEY FOR SOLICITOR David A. Richardson, Jr.JUDGE Jerry D. Vinson, Jr.ATTORNEY FOR JUVENILE Guy BallengerCOURT REPORTER Sara Snipes

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 (x 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

CERTIFIED: A TRUE COPY

[Signature]
CLERK OF COURT - FAMILY COURT
FLORENCE COUNTY, S.C.

FAMILY COURT JUDGE

FILED
JUN 12 PM 4:57
CLERK OF COURT
FLORENCE COUNTY, SC

CERTIFIED: A TRUE COPY

[Signature]
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

State of South Carolina
County of Florence

Dominique Williams
Plaintiff,

VS

South Carolina Dept of Corrections
Florence County Sheriff Office

Defendants,

In the Court of Common Pleas
case 2020-CP-21-01272

Opposition to
motion to Dismiss
SCDC

CERTIFIED: A TRUE COPY

Sharon P. Ottina
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

To whom this may concern. I am addressing your motion to dismiss SCDC from Lawsuit 2020-CP-21-01272, because I failed to serve SCDC properly. You also state that its not enough to state a claim or failure to do so.

I apologize for the short description of the situation. I've been through alot because of this negligence and didnt think I could fit it all on a complaint. I did not have a lawyer and my knowledge of how a complaint was suppose to be furnished was close to none. I was registered in 2018 after SCDC failed to look into this wrongdoing. I feel SCDC could have stoped this wrongdoing well before I was wrongly registered as a sex offender. Thats why they (SCDC) are included in this Law suit. I informed both defendants that I was a juvenile and they could not hold this pass my 21st birthday. Both defendants showed gross negligence by not looking into this wrongdoing. so as a result I am mentally damaged. was assaulted, and just beat down socially.

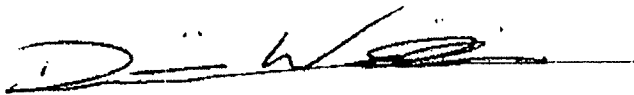
I did not know that I was suppose to put all of my evidence in the summons and complaint. I have other injuries related to this situation also. That will be presented at this motion to Dismiss SCDC from case #10 2020-CP-21-01272. I ask that the case continue with SCDC as a defendant on the grounds that this whole wrongdoing could have been prevented if SCDC would have used normal protocol regarding research for a Department of Juvenile Justice Persons records. By Law SCDC were entitled to records well before this wrongdoing that ruin my daily life. I will address all issues and details of this complaint filed by myself at the motion. Attached is a description of the incident to address your concerns and a copy of all evidence that I possess. I ask for defendant to pay \$10,000 per day I was wrongly registered.

Dominique Williams 6-19-20

cell 843 601-6292

1102 Fieldale Road

Florence SC 29501



D. Williams
1102 Fieldale Rd
Florence SC 29501
*843 601 6292

Dominique
Williams

SCDC Role in Wrongdoing

On December 9th 2012 I was released from SCDC on DJJ Parole. While being released I was notified at last minute that I was to report to Sheriff Office to register. I told the officer "NO" I would not sign the paper because I was DJJ. I asked this officer to go check his paper work files to confirm this. The officer then aggressively told me that if I did not sign the paper, I would be sent back to my Dorm and not be released. I then signed this form not having any knowledge of any evidence used in this case to prove me right. Or did I know how to obtain these records until years later after the wrongdoing of being wrongfully registered and constantly facing fear in my life. I grew tired of the lies of the Sheriff Office claiming they would help but never looked into this wrongdoing. To me this is SCDC role in the wrongdoing. They could have stopped this in the beginning. Laws that support my arguments will be shown at hearing.

DW

I was later registered in 2018
by the FCSO because both
defendants were grossly negligent
when confronted by Dominique
Williams about this being a
wrongdoing. So to the Plaintiff
the case should move forward
and SCDC should not be dismissed
as a defendant. ~~SCDC~~ ~~SCDC~~ ~~SCDC~~

D. Williams

Dominique Williams

843 601-6292

MENTAL ANGUISH:

MENTAL Suffering which includes Fright, Feelings of Distress, Anxiety, Depression, Grief, and/or psychosomatic physical Symptoms. It is distinguished from physical pain due to an Injury but it may be considered in award winning damages for physical Injury Due to a defendants negligence or intentional infliction of harm.

LOSS OF Consortium:

is a term used in the Law of torts that refer to the deprivation of the benefits of a family member due to Injuries

FEAR & Shock/Trauma: I'm scared of Society and Public. ^{Feeling being killed by the Mob like I did}

- Humiliation: That might have ^{caused} Permalate Damages.
- Deep Depression that lead to Suicidal Thoughts
- Physical Altercations in Prison because of ~~SOB~~ SOB

Near death encounters in Prison by almost being Stab/Shanked because I was A SOB.

Inmates Forced me to go onto Protective Custody while in Prison.

- I was denied from most shelters for needy people because I was on the SOB. This caused great stress and embarrassment.

I had to sleep outside in the winter time and I sleep in a truck that I could had died in due to Carbon Monoxide and I just cant take the pain anymore.

- Drugs - In 2018 I started using Crack Cocain from the pressure that the pain caused due to being wrongly registered as a Sex offender in 2018

My Injuries

It has ~~been~~ Because OF the Sex Offender Registry Wrongdoing Completely destroyed My Life Slowly.

Being Wrongly registered as a Sex Offender has delivered Massive blows to my Mental Health and Conditions and I Can not Focus in Society the Way I Once did as a Child in the neighborhood. I Feel Dirty, and Nasty For being secretly registered as a Sex Offender in public places. Because of my anger Outburst at the voices that yell around me and the people that followed me claiming to be "here for the kids safety," Making people and old friends say Im going Crazy Over the Past 2 years.

I shut everything down when it comes to people. I Can no longer Communicate With the the Way I once did before being Wrongly registered as a Sex Offender. I think I am permanatly damaged mentally and Will never live my life unaffected by being Wrongly Registered as a Sex offender. My pain and Suffering. Cant fit on paper, I cant put it into Words but Here is the best I Can Do....

I am now going through a stage I think is a "State of Shock". I cry, I get mad, I get Scared, I am now Undergoing treatment For the damages caused by the Gross Negligence of the 3rd grade Sheriff's Department at Dec. the Mental Health

I was diagnosed with Schictzophrina Form in 2017. I was later diagnosed with Bi-Polo disorder and other mental disorders in 2017 also or 2018. I am now Mentally disabled and recieve Monthly benifits on the 1st of each month.

After I was wrongly Registered as a sex offender my mentality started to decnigrate and fade away. My mind went from Bad to Worst. People followed me and I heard voices and scen moblike people on the T.V saying that they was watching me for the kids safty and would never go away. They said they would also make sure I would never be able to chase my Dream or American Dream to be a Famous and wealthy Music Producer and Enginer. I dont like them following me because I was Sentenced as a child and they should not keep me from my Friends and Family and opportunities to reach Dreams that is free to every one else in America, because they was watching me for other kids safety. When I got mad I curse them out and then they got mad and threatening to kill me. so I have to run alot from them.

Because I fear being exposed to public audiences as a person who is on or use to be on the S.O.R, I ~~could~~ eventual gave up on chasing my American Dream to be in the Music Industry as a Famous and even a Legendery Music Maker. I could also be killed for being registered as a Sex offender Wrongly, Witch was an everyday fear also.

After this I felt "Not cool" and slowly started to deteriorate socialy from my friends and family. I am currently undergoing treatment for this trama and shock. I hope I dont feel like this forever. It feels like somthing inside my head and body is broken. Its like I dont Operater right. Its sad but I think Im broken forever because of this whole incident or being Wrongly registered as a Sex offender. It stoped me from Writing! This letter is the only thing I have had an intrest in writing in some 2 years.

It has Crushed my "Sex life". I fear relationships with girls in anytype of way now. Most girls have kids and this triggered a deadly response From depression inside or me. I will never forget this ordeal.

I have not had sex since being registered as a sex offender. I can't even talk to girls because I'm secretly embarrassed about being registered as a sex offender. It's hard to go on dates and to even ask a girl to go on a date with me, because of the sex offender registry! Mental anguish is triggered by the thought of kids or the sound of kids playing. I can't describe the anger, confusion, depression and fear and other feelings I felt, but it is not good. I think it's the worst feeling in the world when it comes to depression and other emotion that we all feel on the daily basis. It drives you crazy into a dark hole and leave you there with no mercy or regard to your feelings or mental conditioning or the worsening of your mind. It's cold. I fear the police department will never treat me the same because I was registered as a sex offender. It's almost like there's running across trash when they approach me on the streets. It also leads thoughts that I should move out of SC for good and start my life "new" somewhere else. It's like the police is always secretly watching me.

I just want to relocate my family of 2 nephews 2 neices, 1 grandmother, Dad, 4 brothers, 1 sister and 2 Cusins. I also want it to be know that I also suffered From loss of Consortium /loss of Companionship due to being registered as a Sex Offender. This is how....

Over the Past 2 years I have lost Two Close Cusins to death. Their ~~names~~ ^{names} are Nigil Jordan and Candido Smith.

now Mc and these two people was very close before I was wrongly registered. We was like brothers. We made trips to Florida together to work at a Fair for the kids in Miami once and I'll never forget it. But this was before I was registered. After I was registered I could no long participate the way I once did in family activities. We could no go to the movies any more for example. Mc and my cousins love to go out. But if we got pulled or stoped by police, they would run through dispatch that I was a registered Sex Offender. I would then be arested for being around Children. We rarely did anything without their 2 kids

ALSO I want it to be known that the wrongdoing of being wrongly registered caused me to seek job opportunity because of my mental health while enduring the pain from my mental anguish. I feared I feared getting mad at bosses and fighting co workers and creating a bad track record and making it harder to get job opportunity in the future. This caused me to stop seeking employment through out the whole time ~~I was~~ ^{was} registered and because I was registered, as a sex offender. I did not want to act reckless on them people job because I got mad at the voices and the people that are following me but nobody else can see.

I now still feel feelings of fright to seek job employment because of my mental dissability to connect with to reality. To me my reality was one that involved kids, family, happy, laughing, ups, downs, vacations and stuff that regular people enjoyed together. When I was registered this reality of mine slowly faded away by pain, confusion and shock that would later develop to trauma. It was like losing my life but I could not do nothing. I just slowly watched me slip from reality.

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The Sex offender registry took my old life. It seem like I was in a paralyzed state mentally everyday for about a whole years. It was torture... everyday, day in, day out! Voices I heard, people following me. They slowly took over my life and it got so bad that I had to seek medical attention at Pee dee mental health. I am now perscribed medication by Doctor Kulp for Stabelizing my moods and for the voices I hear and people following me. I am now ready to start working on transitioning back into my community for social events that will hopefully help with this broken feeling that I have on the inside of me. I am practicing taking this medication and so far it is doing a great job with the voices, and the people following me. OR maybe they are just hiding out, I dont know but I hope in the future that I can be healthy. I ~~am~~ have a long journey ahead of me. I just plan to take it slowly. This pain and suffering occured on every day, day to day basis so I'm going to have to take a recovery Road one day at a time also. I think this is the smart way and so do Dr. Kulp.

My old life is just replaced by a black hole of Depression, Humiliation and mental anguish. As long as I can rebuild my relationship with my family I will have a back bone. My dad is behind me.

I also was denied places to live at because of being wrongly registered as a sex offender. These places stated that they did not house Registered sex offenders. This caused me to live in shelters for homeless people in 2019.

For now I plan to stay out of the work force because of my mental health conditions. I will stay this way until Doctor Kulp say that I'm 100 percent. We plan to work on some recovery plans. For me, in the future, when I feel comfortable to enter the work force and perform job tasks, I will then return to job seeking. I currently receive mental disability check on every 1st of the month I receive \$443.00 a month. This is how I make income. Until I can properly function in society I will not participate in social events. When I'm mentally stable I will return to the work force. But for now due to the SOP I can not function properly to perform every day tasks that I use

FOLLOW-UP PSYCHIATRIC MEDICAL ASSESSMENT ORDERS AND SERVICE NOTES (PMA)**Name:** DOMINIQUE WILLIAMS**Service Date:** 04/09/2020**DOB:** 06/01/1993**Ticket No:** 54081461**ID:** 10157487**Facility:** 3E - PEE DEE MHC**Modifier:** GT**Place of Service:** 02 TELEHEALTH**Medicare Authorized Provider:** NONE

Time	Staff ID	Staff Name
30	0205	ELI KOLP

HISTORY**Chief Complaint/Reason for Visit**

The voices and paranoia are gone and I am feeling much better, but I could not do the Depakote test because everything is locked down.

History of Present Illness

Explained to patient that service today will be provided via telephone rather than in the office for health safety reasons due to COVID-19, with no change from usual office billing. Service was provided via telephone since video capability was not available. Obtained verbal consent to provide services by telephone.

The patient developed psychotic symptoms ("voices", "paranoia") since age 18 or 19 and then recurrent episodes of mood swings 2 or 3 years later. After the initial evaluation the patient started the treatment with Haldol 10 mg PO BID to control psychotic symptoms and Depakote 500 mg PO BID to control mood instability. Se tolerates psycho-pharmacotherapy well, with no signs of side-effects.

The patient's condition has significantly improved in response to the treatment with an antipsychotic agent and a mood-stabilizer. The severity of psychotic symptoms and mood instability has markedly decreased and remained well-controlled. The patient is cooperative, verbal, open, with an appropriate behavior. He has no SI and/or HI.

LAB TEST RESULTS: Depakote serum level was not done due to an ongoing coronavirus epidemic.

H

Taking medications as prescribed; Denies medication side effects; Denies depressive symptoms; Denies manic symptoms; Denies AVH; Denies SI/HI;

Psychiatric Medications (DMH)

Med	Dosage	Sig
Depakote	500 mg	Take 1 tablet, delayed release (DR/EC) by mouth twice a day
haloperidol	10 mg	Take 1 tablet by mouth twice a day

Allergies

nkda

Substance/Alcohol Use

All reviewed/updated 04/09/2020.

Service	Last Update	Substance	Age Started	Frequency/Quantity	Date of Last Use
H052	04/09/2020	CANNABIS	19	daily, 1 - 2 gm/day	March, 2019
Method/Comments: quit smoking 11 months ago					

EXAMINATION**Musculoskeletal****Mental Status Examination**

Attitude: Cooperative; Behavior: Calm; Speech: Normal for Client; Associations: Intact; Thought Process: Logical/Goal Directed; Delusions: Denies; Suicidal Ideation: Denies; Homicidal Ideation: Denies; Hallucinations: Denies; Mood: Euthymic; Affect: Appropriate; Sensorium: Alert; Oriented: Time, place, person; Recent Memory: Intact; Remote Memory: Intact; Attention: Intact; Concentration: Intact; Language: Average; Judgment: Fair; Insight: Fair; Fund of Knowledge: Average;

MEDICAL DECISION MAKING**Diagnosis**

296.20 Schizoaffective disorder, Bipolar type (Prim Dx)

TxGoal(s)

Symptom reduction, medication adherence, maintain therapeutic gains, restore level of functioning;

Labs and Review of Medical Records

Labs Ordered;

Current and New DMH Rx List

Med	Dosage	Sig	Amount	Refills	Type	Start Dt	Archive Dt
Depakote	500 mg	Take 1 tablet, delayed release (DR/EC) by mouth twice a day	60	2	eRx	02/20/20	04/09/20
		Reason for Archive: Refill eRx					
haloperidol	10 mg	Take 1 tablet by mouth twice a day	60	2	eRx	02/20/20	04/09/20
		Reason for Archive: Refill eRx					

New DrFirst E-Rx

Med	Dosage	Sig	Amount	Refills	Type	Start Dt
Depakote (N)	500 mg	Take 1 tablet, delayed release (DR/EC) by mouth twice a day	60	2	eRx	04/09/20
haloperidol (N)	10 mg	Take 1 tablet by mouth twice a day	60	2	eRx	04/09/20

Physical Health / Other Meds**Medication Education/Counseling Provided**

Present for counseling: Client;

Discussion: Medication dose & time to take, purpose/expected benefits/risks, common side effects, expected length of treatment;

Neuroleptic Consent

A paper consent form was last obtained: 02/20/2020

Recommendations and Referrals

Follow up with: APRN, requires monitoring of response to medication, requires monitoring of medication side effects;

Time until next PMA and/or NS: three month(s);

Follow up with MH clinician: Psychotherapy interventions, improve level of functioning, monitoring to prevent decompensation/hospitalization, monitoring to maintain therapeutic gains, symptoms improving (resolving and controlled);

Referral: None;

Emergency admission to inpatient psychiatric care: N/A;

Other Comments**TREATMENT PLAN:**

1. Continue treatment with Haldol 10 mg PO BID to control psychotic symptoms
2. Continue treatment with Depakote 500 mg PO BID to control mood instability
3. Check Depakote serum level in one to two months
4. Continue ongoing counseling
5. F/U in three months



Eli Kolo

09 Apr 2020 4:26:34 PM

(page 2)

CID: 10157487

Date: 04/09/2020 16:26:32

INITIAL PSYCHIATRIC MEDICAL ASSESSMENT ORDERS AND SERVICE NOTES (PMA)

Name: DOMINIQUE WILLIAMS

Service Date: 02/20/2020

DOB: 06/01/1993

Ticket No: 53822538

ID: 10157487

Facility: 3E - PEE DEE MHC

Modifier: GT

Place of Service: 02 TELEHEALTH

Medicare Authorized Provider: NONE

Time	Staff ID	Staff Name
60	0205	ELI KOLP

HISTORY

Chief Complaint/Reason for Visit

I continue hearing voices and people are after me. They follow me around and talk about me on TV. It really makes me very paranoid.

History of Present Illness

The patient developed psychotic symptoms ("voices", "paranoia") since age 18 or 19 and continue having auditory hallucinations and persecutory delusions through the present time, on and off. In addition, he has developed recurrent episodes of mood swings 2 or 3 years later and continues having mood instability through the present time, on and off. His condition remains unstable, with the worsening of both psychotic symptoms and mood instability, which led to the present psychiatric evaluation.

Psychiatric History

The patient was admitted to a psychiatric hospital for the first time in 2017. He had one more subsequent psychiatric hospitalizations in 2018. He has no history of suicidal ideations in the past.

Psychiatric Medication Trials

Haldol and Depakote in the past. No medications for the past 18 months.

Allergies

nkda

Past Medical History

No chronic systemic illnesses

Substance/Alcohol Use

All reviewed/updated 02/20/2020.

Service	Last Update	Substance	Age Started	Frequency/Quantity	Date of Last Use
H012	02/20/2020	CANNABIS	19	daily, 1 - 2 gm/day	March, 2019
Method/Comments: quit smoking 9 months ago					

Family History

Denied

Social History

Patient completed 11th grade and then dropped out of high school, but got GED later on

Patient was never married and has no children

Patient is currently on parole due to being a registered sex offender (he received a kidnapping charge during a failed robbery attempt)

Was homeless for two years, presently lives with his brother

Disabled since 2017

Not working or in school; Living with family; Collecting disability/government benefits;

EXAMINATION

Vital Signs and Measurements

Service	Date	Height	Weight	BMI
H012	02/20/2020	6FT0	183Lbs	25

Musculoskeletal

Abnormal Movements: None;

Mental Status Examination

Appearance: WNL; Attitude: Guarded, suspicious; Behavior: Hyperactive; Speech: Pressured; Associations: Tangential; Thought Process: Flight of Ideas; Delusions: Persecutory; Suicidal Ideation: Denies; Homicidal Ideation: Denies; Hallucinations: Auditory; Mood: Angry, Irritable, anxious; Affect: Labile; Sensorium: Alert; Oriented: Time, place, person; Recent Memory: Intact; Remote Memory: Intact; Attention: Intact; Concentration: Intact; Language: Average; Judgment: Fair; Insight: Fair; Fund of Knowledge: Average;

MEDICAL DECISION MAKING

Diagnosis

ELECTRONICALLY FILED - 2020 Dec 01 4:49 PM - FLORENCE - COMMON PLEAS - CASE#2020CP2101272

FOLLOW-UP PSYCHIATRIC MEDICAL ASSESSMENT ORDERS AND SERVICE NOTES (PMA)**Name: DOMINIQUE WILLIAMS****Service Date: 06/02/2020****DOB: 06/01/1993****Ticket No: 54331378****ID: 10157487****Facility: 3E - PEE DEE MHC****Modifier: SA GT****Place of Service: 02 TELEHEALTH****No-charge reason: COVID-19 Telephone Service**

Time	Staff ID	Staff Name
30	0448	KENDRICK JAMES

HISTORY**Chief Complaint/Reason for Visit**

Follow-up, last PMA was 4/9/2020

Service was provided today via telephone since video capability was not available. Identification/location of the patient were confirmed, name/credentials of this practitioner were provided, and emergency procedures were reviewed. The patient was briefed that the session is not recorded, and that notes taken from the session would become part of the medical record. Patient consented to care. The electronic nature of this clinical encounter is necessitated by the current COVID-19 emergency.

History of Present Illness

Explained to patient that service today will be provided via telephone rather than in the office for health safety reasons due to COVID-19, with no change from usual office billing. Service was provided via telephone since video capability was not available. Obtained verbal consent to provide services by telephone

Patient reports that he is doing ok, Denies feeling depressed/anxious. Reports that AH has decreased Reports that he is able to rest well at night. He reports that he is compliant with medications-denies having any medication side effects. Appetit is good. Denies SI and HI.

Taking medications as prescribed; Denies medication side effects; Denies depressive symptoms; Denies anxiety symptoms; Denies manic symptoms; Denies AVH; Denies SI/HI;

Review of Systems — Psychiatric

General/Skin: WNL; Sleep: WNL; Interest: WNL; Energy: WNL; Concentration: WNL; Appetite: WNL; Psychomotor: WNL;

Psychiatric Medications (DMH)

Med	Dosage	Sig
Depakote	500 mg	Take 1 tablet, delayed release (DR/EC) by mouth twice a day
haloperidol	10 mg	Take 1 tablet by mouth twice a day

Allergies

nkda

Pregnancy Status

Not Pregnant

Review of Systems — Medical

Head/Eyes: Denies Problems; ENT: Denies Problems; Cardiovascular: Denies Problems; Respiratory: Denies Problems; Gastrointestinal: Denies Problems; Genitourinary: Denies Problems; Musculoskeletal: Denies Problems; Neurologic: Denies Problems; Endocrine: Denies Problems; Hematologic/Lymphatic: Denies Problems; Allergic/Immunologic: Denies Problems;

Substance/Alcohol Use

All reviewed/updated 06/02/2020.

Service	Last Update	Substance	Age Started	Frequency/Quantity	Date of Last Use
H053	06/02/2020	CANNABIS	19	daily, 1 - 2 gm/day	March, 2019
Method/Comments quit smoking 11 months ago					

Social History

Not working or in school; Living with family; Collecting disability/government benefits;

EXAMINATION**Musculoskeletal****Mental Status Examination**

Attitude: Cooperative; Behavior: Calm; Speech: Normal for Client; Associations: Intact; Thought Process: Logical/Goal Directed; Delusions: Denies; Suicidal Ideation: Denies; Homicidal Ideation: Denies; Obsessions: Denies; Hallucinations: Auditory: Mood: Euthymic; Sensorium: Alert; Oriented: Time, place, person, circumstance; Language: Average; Judgment: Fair; Insight: Poor; Fund of Knowledge: Unable to assess at this time;

MEDICAL DECISION MAKING

Diagnosis

295.70 Schizoaffective disorder, Bipolar type (Prim Dx)

TxGoal(s)

Symptom reduction, medication adherence, maintain therapeutic gains, restore level of functioning;

Labs and Review of Medical Records

Labs Ordered, review of other pertinent medical/history information;

Current and New DMH Rx List

Med	Dosage	Sig	Amount	Refills	Type	Start Dt	Archive Dt
Depakote	500 mg	Take 1 tablet, delayed release (DR/EC) by mouth twice a day	60	2	eRx	04/09/20	06/02/20
Reason for Archive: Refill eRx							
haloperidol	10 mg	Take 1 tablet by mouth twice a day	60	2	eRx	04/09/20	06/02/20
Reason for Archive: Refill eRx							

New DrFirst E-Rx

Med	Dosage	Sig	Amount	Refills	Type	Start Dt
Depakote (N)	500 mg	Take 1 tablet, delayed release (DR/EC) by mouth twice a day	60	2	eRx	06/02/20
haloperidol (N)	10 mg	Take 1 tablet by mouth twice a day	60	2	eRx	06/02/20

Physical Health / Other Meds**Medication Education/Counseling Provided**

Present for counseling: Client;

Discussion: Medication dose & time to take, purpose/expected benefits/risks, common side effects, lab monitoring required/reason, risk of no treatment;

Neuroleptic Consent

A paper consent form was last obtained: 02/20/2020

Recommendations and Referrals

Follow up with: Nurse, aprn, requires monitoring of response to medication, requires monitoring of medication side effects;

Time until next PMA and/or NS: 3 month(s);

Follow up with MH clinician: Psychotherapy interventions, improve level of functioning, monitoring to prevent decompensation/hospitalization, monitoring to maintain therapeutic gains;

Referral: None;

Emergency admission to inpatient psychiatric care: N/A;

Other Comments

Ordered VPA level

Continue current medications

Follow-up with patient in 3 months

Signed By
Kendrick James, MSN, APRN
02 Jun 2020 1:49:56 PM

(page 2)

CID: 10157487

Date: 06/02/2020 13:49:53

295.70 Schizoaffective disorder, Bipolar type (Prim Dx)

TxGoal(s)

Symptom reduction, medication adherence, maintain therapeutic gains, restore level of functioning;

Labs and Review of Medical Records

Labs Ordered;

Current and New DMH Rx List**New DrFirst E-Rx**

Med	Dosage	Sig	Amount	Refills	Type	Start Dt
Depakote (N)	500 mg	Take 1 tablet, delayed release (DR/EC) by mouth twice a day	60	2	eRx	02/20/20
haloperidol (N)	10 mg	Take 1 tablet by mouth twice a day	60	2	eRx	02/20/20

Physical Health / Other Meds**Medication Education/Counseling Provided**

Present for counseling: Client;

Discussion: Medication dose & time to take, purpose/expected benefits/risks, common side effects, expected length of treatment;

Recommendations and Referrals

Follow up with: MD, requires monitoring of response to medication, requires monitoring of medication side effects;

Time until next PMA and/or NS: two month(s);

Follow up with MH clinician: Psychotherapy interventions, improve level of functioning, monitoring to prevent decompensation/hospitalization, monitoring to maintain therapeutic gains, symptoms improving (resolving and controlled);

Referral: None;

Emergency admission to inpatient psychiatric care: N/A;

Other Comments**TREATMENT PLAN:**

1. Restart treatment with Haldol 10 mg PO BID to control psychotic symptoms
2. Restart treatment with Depakote 500 mg PO BID to control mood instability
3. Check Depakote serum level in three to four weeks
4. Refer patient to counseling
5. F/U in two month

ELECTRONICALLY FILED - 2020 Dec 01 4:49 PM - FLORENCE - COMMON PLEAS - CASE#2020CP2101272

Eli Kolp

The State of South Carolina
In the Court of Appeals

Dominique Williams

VS

SCDC and FCSD

) IN the Court
) OF Appeals

) Appeal From
) Florence County
) Common Pleas

) Appeal #
) 2022-001750

)
) Plaintiff's Juvenile
) Commitment Order

The Following is a Copy of the
Plaintiff Juvenile Commitment order
As proff that he should never been
Registered as a Sex Offender

S/D Will

Dominique Williams

1-8-24

STATE OF SOUTH CAROLINA)

COUNTY OF FLORENCE)

IN THE INTEREST OF)

DOMINIQUE WILLIAMS)

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

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 (x 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, 20 08

Florence, South Carolina

CERTIFIED: A TRUE COPY

Donna Paula Ottana
CLERK OF COURT - FAMILY COURT
FLORENCE COUNTY, S.C.

[Signature]
FAMILY COURT JUDGE
2008 JUN 12 PM 4:57
FILED
CLERK OF COURT
FLORENCE COUNTY, SC

The State of South Carolina
in the Court of Appeals

In the Court of
Appeals

Dominique Williams

vs

SCDC and FCSD

Appeal From Florence

County Common

Pleas Court

Appeal #

Affidavit of Chad

Collins

The Following is a Copy of L.I. Chad
Collins's Affidavit.

S/D - Wil

Dominique Williams

1-8-24

State of South Carolina
SEX OFFENDER REGISTRATION
Offender Information Form

NOTICE OF SEX OFFENDER REGISTRY FORUM

Pursuant to S.C. Code Ann. §23-3-430, "Any person, regardless of age, residing in the State of South Carolina, who has been convicted of, adjudicated delinquent for, pled guilty or nolo contendere to an offense described below, or who has been convicted, adjudicated delinquent, pled guilty or nolo contendere in any comparable court in the United States, or who has been convicted, adjudicated delinquent, pled guilty or nolo contendere in the United States Federal courts of a similar offense, or who has been convicted of, adjudicated delinquent for, pled guilty or nolo contendere to an offense for which the person was required to register in the state where the conviction or plea occurred, shall be required to register pursuant to the provisions of this article. In addition, upon conviction, adjudication of delinquency, guilty plea, or plea of nolo contendere of a person of an offense not listed in this article, the presiding judge may order as a condition of sentencing that the person be included in the sex offender registry if good cause is shown by the solicitor."

All offenders must register bi-annually or quarterly for life depending upon his/her classification as a Tier II or Tier III offender (See Attachment "A").

I understand that I am required to register and I **MUST**:

Do Present myself in person to register and re-register at the sheriff's office of my primary county of registration and provide information on any and all county or state locations where I reside, own real property, am employed, or attend, am enrolled, volunteer, intern, or carry on a vocation at any public or private school including but not limited to a secondary school, adult education school, college or university and any vocational, technical or occupational school within the prescribed time frames as set forth below:

- An offender being released from DOC or DJJ at the completion of their sentence, to an early release program, to extended work release, or upon parole or release to the custody of a parent, custodian, or guardian **MUST** register within one (1) business day of his/her release.
- An offender sentenced to probation or new resident of the state that are to be supervised by PPP **MUST** register within one (1) business day of his/her sentencing or establishing residency.
- An offender who is not under the jurisdiction of the DOC, PPP, or DJJ at the time of moving into the State of South Carolina **MUST** register within three (3) business days of establishing residency.

Do Provide all information, as prescribed by SREG, in order to be considered registered. (For a complete list of information required see Attachment "B")

Do Provide written notification in person within three (3) business days of establishing a new residence, or acquiring real property in the same county, to the sheriff's office of the offender's primary county of registration (S.C. Code Ann. §23-3-460(C))

Do Provide written notification in person within three (3) business days of the change of his/her permanent or temporary address to a new county with the county sheriff in the new county and in person to the county sheriff in the previous county with whom he/she last registered. (S.C. Code Ann. §23-3-460(D))

Do Provide written notification in person within three (3) business days of change of address to a new jurisdiction to the county sheriff with whom the person last registered. (S.C. Code Ann. §23-3-460(E))

Do Comply with the new jurisdiction's registration requirements; Note: Under the Adam Walsh Child Protection and Safety Act of 2006, 18 United States Code 2250, if you travel to another jurisdiction and fail to register as required, you are also subject to federal prosecution that carries penalties of a fine and/or imprisonment up to ten years.

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

Evidence

Sec law code 23-3-430

This is Evidence

State of South Carolina
SEX OFFENDER REGISTRATION
Offender Information Form

or
re-registered until 2016

Below is an outline indicating what months you will be required to register in the future. For instance, if you are required to register bi-annually and your birthday is in January, you will register in January and July. If you are required to register quarterly and your birthday is in January, you will register in January, April, July and October.

Birth Month	2nd Quarter	3rd Quarter	4th Quarter
January	April	July	October
February	May	August	November
March	June	September	December
April	July	October	January
May	August	November	February
June	September	December	March
July	October	January	April
August	November	February	May
September	December	March	June
October	January	April	July
November	February	May	August
December	March	June	September

They can't
have a
consistent
record or
signed Re

MY NEXT REGISTRATION IS IN THE MONTH OF

(TO BE COMPLETED BY SHERIFF'S OFFICE)

I understand that I am required to register pursuant to S.C. Code Ann. § 23-3-430 and that I have received notice of the registry conditions listed, both verbally and in writing. I understand that I must abide by the registry conditions set forth in Title 23, Chapter 3, Article 7. By initialing beside each condition, I indicate that I understand my responsibilities.

SECTION 23-3-470. Failure to register or provide required notifications; penalties. (A) It is the duty of the offender to continue to abide by the order to register, provide notification of change of permanent or temporary address, or notification of change of employment, or in attendance, enrollment, employment, volunteer status, intern status, or conviction at any public or private school, including, but not limited to, a kindergarten, elementary school, middle school or junior high, high school, secondary school, adult education school, college or university, secondary vocational, technical, or occupational school. If an offender fails to register, provide notification of change of address, or notification of permanent or temporary change in employment, or attendance, enrollment, employment, volunteer status, intern status, or conviction as required by this article, he must be punished as provided in subsection (B). (B)(1) A person convicted for a first offense is guilty of a misdemeanor and may be fined not more than three thousand dollars, or imprisoned for not more than three hundred sixty-six days, or both. Notwithstanding the provisions of Sections 22-3-540, 22-3-541, 22-3-550, or any other provision of law, a first offense may be tried in magistrate court. (2) A person convicted for a second offense is guilty of a misdemeanor and must be imprisoned for a mandatory period of three hundred sixty-six days, no part of which shall be suspended nor probation granted. (3) A person convicted for a third or subsequent offense is guilty of a felony and must be imprisoned for a mandatory period of five years, three years of which shall not be suspended nor probation granted.

SECTION 23-3-475. Registering with false information; penalties. (A) Anyone who knowingly and willfully gives false information when registering as an offender pursuant to this article must be punished as provided in subsection (B). (B)(1) A person convicted for a first offense is guilty of a misdemeanor and may be fined not more than one thousand dollars, or imprisoned for not more than three hundred sixty-six days, or both. Notwithstanding the provisions of Sections 22-3-540, 22-3-541, 22-3-550, or any other provision of law, a first offense may be tried in magistrate court. (2) A person convicted for a second offense is guilty of a misdemeanor and must be imprisoned for a mandatory period of three hundred sixty-six days, no part of which shall be suspended nor probation granted. (3) A person convicted for a third or subsequent offense is guilty of a felony and must be imprisoned for a mandatory period of five years, three years of which shall not be suspended nor probation granted.

Signature of Offender

Print Last Name

Date

SCDC/DJJ Number

SID Number

SRS/Reg/GCA

Signature of Agency Employee

Print Last Name

Date

Witness Signature

Witness (Print Name)

Date

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

in the Court of
the 'State of South Carolina', Appeals
in the Court of Appeals
Appeal From
the Florence
County Common Pleas
vs
Appeal #:
SCDC and FCSD
2022 - 001750
Calendar For
December 9th 2012

The following is a hand-made
Calendar For the Month of December
9th day of december, year 2012

1-8-24

S/D - WLL

Dominique Williams

Calendar December 2012

5	M	T	W	T	F	S
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.					

* This calendar proves that December 31st 2012 was a Sunday and there is no way the defendants Affidavit can be true.

The State of South Carolina
IN the Court of Appeals

Dominique Williams

VS

SCDC and FCSD

IN the Court
OF Appeals

Appeal From
Florence County
Common Pleas

Appeal #
2022-001750

Transcript

The Following is a Copy of
the Transcript from the Summary
Judgment hearing held on 9-15-22
via web-EX

1-8-24

S/D-Wel
Dominique Williams

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I N D E X

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EXHIBITS

<u>MARKED</u>	<u>ENTERED</u>
---------------	----------------

NO EXHIBITS PROFFERED

DOMINIQUE WILLIAMS VS. SC DEPARTMENT OF CORRECTIONS

THE COURT: All right. Mr. Arthur, how are you doing this morning? Good morning sir.

MR. ARTHUR: Good morning, Your Honor.

THE COURT: And, Mr. Williams; is that correct?

MR. WILLIAMS: (No audible response.)

THE COURT: Mr. Williams, can you hear me okay?

MR. WILLIAMS: Yes, sir.

THE COURT: How are you doing this morning?

MR. WILLIAMS: Doing good. How are you all doing?

THE COURT: Doing well, thank you. Right. We're here on -- let's see. Mr. Arthur, it looks like you have two motions on here. One being a motion for Summary Judgment, as well as a Motion to Defer Mediation, I guess, which is dependent upon my summary judgment ruling. Are you ready to proceed here today, Mr. Arthur?

MR. ARTHUR: Yes, Your Honor.

THE COURT: Mr. Williams, are you ready to proceed?

MR. WILLIAMS: Yes, sir.

THE COURT: All right.

This is the case of Dominique Williams versus Department of Corrections, South Carolina Department of

1 Corrections. Case 2020-CP-21- 01272. Mr Arthur's
2 motion for Summary Judgment. I'll be happy to hear from
3 you first, Mr. Arthur, as it relates to that motion.

4 MR. ARTHUR: Thank you, Your Honor, may it please
5 the Court? Your Honor, I represent the South Carolina
6 Department of Corrections and the Florence County
7 Sheriff's Office in connection with this case. We
8 submitted a memorandum in support of our Motion for
9 Summary Judgment back in March to Your Honor's clerk,
10 and served Mr. Williams with a copy of that. I hope
11 that was received. If not, I can certainly send you
12 another copy, Judge.

13 Essentially, we have asserted two grounds for
14 summary judgment in our memorandum. First, being that
15 Mr. Williams' claims are time barred by the statute of
16 limitations set forth in the Tort Claims Act. And,
17 second, that the claims that he is seeking to bring, are
18 being brought against the improper entities and should
19 have been brought against SLED, if at all.

20 Your Honor, by way of a little bit of background,
21 Mr. Williams was arrested and charged with various
22 crimes, in 2008. And he pled guilty to a number of
23 those crimes, including kidnapping. And was committed
24 to the South Carolina DJJ. As, as Mr. Williams claims
25 in his amended complaint, the commitment order relating

1 to his commitment to DJJ, specifically states that he's
2 not required to be placed on the sex offender registry.
3 So we do not take issue of that allegation of the
4 complaint. However, Your Honor, in investigating Mr.
5 Williams' claims in this case, we discovered that he was
6 actually placed on the sex offender registry in 2012.

7 And I've gotten a little bit ahead of myself
8 here. In this case, Mr. Williams claims that he was
9 improperly placed on the sex offender registry in
10 violation of his original commitment order. And he
11 seeks to hold the Florence County Sheriff's Office and
12 the Department of Corrections responsible for that
13 placement on the sex offender registry.

14 Mr. Williams alleges he was not aware of his
15 placement on the sex offender registry until sometime in
16 2018. However, Your Honor, in connection with
17 investigating the facts of this case and Mr. Williams'
18 claims, we discovered that Mr. Williams was actually
19 placed on the sex offender registry in 2012.

20 In 2000 -- let's see. At some point in his
21 incarceration, Your Honor, Mr. Williams was transferred
22 from DJJ to the South Carolina Department of
23 Corrections. And there's a document attached to the
24 memorandum that appears to reflect that a transfer
25 occurred in June of 2010.

1 In 2012, Mr. Williams completed his sentence with
2 SCDC and was released. And in connection with that
3 release, Mr. Williams executed paperwork acknowledging
4 that he was going to be placed on the sex offender
5 registry.

6 And, Your Honor, that paperwork is attached to
7 the affidavit of Ms. Vicky Lindler, who is the records
8 management supervisor at South Carolina Department of
9 Corrections. And, Your Honor, I will point out that the
10 documents that were attached to the affidavit of Ms.
11 Lindler and produced in connection with our memorandum
12 in support of summary judgment, are the documents that,
13 that we're relying on.

14 However, when I served Mr. Williams with a copy
15 of the motion and memo, I sent him a complete copy of
16 his incarceration records, as authenticated by Ms.
17 Lindler. So, just so Your Honor's aware of that,
18 because you'll note the affidavit indicates that she's
19 authenticating 104 documents. And just wanted the
20 record to reflect that I have sent Mr. Williams a
21 complete copy of those records in case he wishes to rely
22 on any of those in opposition to this motion.

23 Your Honor, the documents attached to the
24 affidavit of Ms. Lindler include a Notice of Sex
25 Offender Registry Form, wherein, Mr. Williams initialed

1 a number of provisions acknowledging his notice of
2 certain provisions of the statute. And then signed that
3 document, on the third page of that document. And that
4 was completed in December of 2012.

5 So, Your Honor, it's our position that Mr.
6 Williams certainly had notice that someone was going to
7 attempt to place him on the sex offender registry, and
8 he had that notice in 2012, in December 2012.

9 He certainly had his commitment order from 2008,
10 indicating that he was not supposed to be placed on the
11 sex offender registry. So, he certainly could have
12 expressed an objection to placement on the sex offender
13 registry in 2012, when asked to fill out this paperwork.

14 So, Your Honor, it would be our position that his
15 clock, with regard to the statute of limitations, the
16 two year statute of limitations provided by the Tort
17 Claims Act, would have expired in 2012, and clearly
18 expired long before the filing of his complaint in 2020.

19 Your Honor, as an additional ground, it's our
20 position that the Sheriff's Office and the South
21 Carolina Department of Corrections are simply not the
22 proper parties from which to seek relief for any errors
23 related to the sex offender registry. Whether it be
24 placement of information on the registry or registration
25 on the registry.

1 As Your Honor is I'm sure aware of Section
2 23-3-400 of the South Carolina code is the statutory --
3 sets forth the statutory theme for the sex offender
4 registry. And it specifically provides that the
5 registry is under the direction of the chief of the
6 State Law Enforcement Division and shall contain the
7 information the chief considers necessary to assist law
8 enforcement in the location of persons convicted of
9 certain offenses.

10 And it -- and I'm referring to section
11 23-3-410(a) for the record, which also states that SLED
12 shall develop and operate the registry to collect,
13 analyze, and maintain information. Make enforcement
14 available to every enforcement agency in the state and
15 in other states. And this is the important part: And
16 establish a security system to ensure that only
17 authorized persons may gain access to information
18 gathered under this article.

19 Your Honor, it's our position that SLED is the
20 operator of the sex offender registry. Information may
21 be gathered by the Department of Corrections and
22 provided to SLED to be used in connection with operating
23 a sex offender registry. But, but the South Carolina
24 Department of Corrections is not ultimately responsible
25 for looking into a person's qualifications or

1 requirement to be on the sex offender registry as, as
2 Mr. Williams argues in his complaint. And while it's
3 certainly unfortunate that if Mr. Williams was placed
4 on the sex offender registry and shouldn't have been,
5 pursuant to the commitment order, that's certainly
6 unfortunate. But the time for him to seek some sort of
7 remedy for that error has passed.

8 And it's our position that his claims are time
9 barred, and that the Department of Corrections and the
10 sheriff's office are entitled to summary judgment as to
11 his claims in this case, Your Honor. Thank you.

12 THE COURT: Let me ask you this, Mr. Arthur. You
13 mentioned he was -- delivered the papers back in '08.
14 Signed or Mr. Williams allegedly signed certain
15 documents upon his release in 2012, notifying him of
16 being placed on the registry. Was there some subsequent
17 notice that Mr. Williams is currently incarcerated and
18 he's appearing today virtually from, I guess -- are you
19 in Florence County here, Mr. Williams; is that right?

20 MR. WILLIAMS: Yes, sir.

21 THE COURT: Okay. Was he subsequently convicted
22 by plea or a trial of an offense after his release in
23 2012 that warranted -- that allegedly warranted him
24 being placed on the registry?

25 MR. ARTHUR: Your Honor, I'm not aware of that.

1 THE COURT: Okay.

2 MR. ARTHUR: I -- he is not -- my understanding
3 is, is that he is currently detained on an offense that
4 might ultimately require him to be placed on a sex
5 offender registry, but those charges have not been
6 disposed of yet. That -- they are not related to this,
7 this particular action in any way. So, Your Honor, it's
8 not, it's not our position that he was legitimately
9 placed on the sex offender registry at a later date, if
10 that's what you're asking.

11 THE COURT: Okay. All right. Anything else at
12 this time, Mr. Arthur, before I turn to Mr. Williams?

13 MR. ARTHUR: No, Your Honor.

14 THE COURT: Okay. All right. Mr. Williams, be
15 happy to hear from you, sir.

16 MR. WILLIAMS: All right. Your Honor, can you
17 hear me? Can you hear me well?

18 THE COURT: Yes, sir.

19 MR. WILLIAMS: All right. The paperwork that
20 he's stating to in 2012 that I signed, it was notice of
21 the Sex Offender Registry Act and that I was to report
22 to the sheriff's office to register. I was a juvenile
23 and I did not know where the sheriff's office was
24 located because I never got into any adult trouble.

25 So, when I got out, I talked to my probation

1 officer, which was at the Forest College Judica Center
2 [sic]. And my probation officer, you know, she must
3 have had my file, you know, because I knew I wasn't
4 never supposed to be placed on the registry because the
5 judge talked to me and told me he was not going to make
6 me register.

7 I argued. I put up a defense, and SCDC, they
8 told me, if you don't sign this paperwork, you was not
9 going to be released. So I signed the paperwork, and I
10 knew that it'll be worked out, because the judge told me
11 in my face in the courtroom in front of everybody that I
12 was not placed on the registry.

13 And then when I got out, I went and talked to my
14 probation officer and she told me that she didn't hear
15 nothing about me having to register. She said that I
16 didn't have to register. And I went and I was on parole
17 from 2012, December 9th, 2012, until my 21st birthday in
18 2014. I never had to register. I was on parole. My
19 probation -- parole officer, I went and reported to her.
20 Faithfully, she never sent out no registry.

21 And I talked to her about the registry, and she
22 said I didn't have to register, so I was never placed on
23 the registry. So I thought it was nipped in the -- I
24 thought it was over with. You know, I ain't knew
25 nothing about the Florence County Detention Center

1 because I've never been here before.

2 So, I went 2012, 2013, 2014, 2015, '16, and '17,
3 I was never placed on the registry. And then in 2018,
4 Chad Collins sent an officer to me, and I was telling --
5 I didn't know nothing about the law or how they were
6 saying that if the judge made a finding on the record
7 that you weren't supposed to be placed on it.

8 So I told the officer, I said, officer, man, the
9 judge told me, man, to my face that I was not to be
10 placed on the registry. Officer, he like, you've got to
11 go up to there to the Florence County Detention Center,
12 and if you don't, then the next time I see you, I'm
13 gonna arrest you. So, I took to the -- the officer
14 called somebody, and the person where he called, they
15 verified that I wasn't to be placed on the registry.
16 So, he told me, he say, the officer told me this, it's
17 the officer doing it, they said that I'm okay. And he
18 never gave me a problem after that.

19 So, I got booked in on trespassing. And then
20 Chad Collins came back to me. Chad Collins say I needed
21 to speak with you. And then I told Chad Collins -- I
22 was trying to tell Chad Collins -- like, I thought that
23 when I told Chad Collins I was DJJ, that he was gonna
24 automatically turn me awry and tell me not to even
25 register because it was over my 21st birthday. I didn't

1 know that I could be placed on the registry after 21 or
2 anything that -- after that 21st birthday could be held
3 on me.

4 So, when I told Chad Collins, I said, I'm 21
5 years old. I'm over 21 years old. Chad Collins say,
6 oh, that's okay, you could still go on the registry.
7 And he turned the computer towards me and showed me that
8 once he clicked his button -- this was in 2018. He told
9 me once he clicked this button, that it would be
10 juvenile release where nobody would be able to see it on
11 the internet.

12 So I told Chad. I said, Chad, you might want to
13 check with the officer that you sent -- that notified
14 me, because the officer already checked into this and he
15 said that the people said that I was okay. That I ain't
16 had to register. So he was like, well, you've got to
17 get his name. He said, you get his name, his first name
18 for me, and this and that.

19 So, he said I'm gonna call SLED. He was looking
20 for a sentencing sheet. And he was like, I don't see
21 nothing on your sentencing sheet, but the sentencing
22 sheet was the wrong sentencing sheet. So he was saying
23 that he was gonna call SLED because my case was a
24 juvenile case.

25 He was like, I'm gonna call SLED and see how do I

1 get your paperwork, because he said that my file was
2 sealed and confidential. Before that, they put the file
3 in the computer. He said it was in a warehouse or
4 something like that. So he -- that was in June 2018.
5 So he registered me in June 2018. And he gave me a
6 re-register date. He told me to come back and
7 re-register.

8 And so I came back and I asked somebody, said --
9 I didn't know the law. I didn't know nothing about -- I
10 was a juvenile. I was released and I didn't understand
11 the law and I didn't study the law when I got out, so I
12 didn't know the law. So all I ---

13 THE COURT: Mr. Williams, let me ask you a couple
14 of questions, okay?

15 MR. WILLIAMS: Yes, sir.

16 THE COURT: Now, you're currently in Florence
17 County Detention Center; is that right?

18 MR. WILLIAMS: Yes, sir.

19 THE COURT: Okay. When you were incarcerated
20 back in 2008 --

21 MR. WILLIAMS: Yes, sir.

22 THE COURT: -- was that as a result of some
23 charges here in Florence County?

24 MR. WILLIAMS: Yes, sir. Yes, sir.

25 THE COURT: Okay. Let's see. And how old -- how

1 old were you back in 2008?

2 MR. WILLIAMS: Fourteen-and-a-half to 15 years
3 old.

4 THE COURT: Okay. Now, I noticed that you're
5 currently incarcerated, okay?

6 MR. WILLIAMS: Yes, sir.

7 THE COURT: Without telling -- I don't want you
8 to say anything about why or any facts as it relates to
9 your incarceration, but why are you in Florence -- what
10 kind of charges are you in on right now?

11 MR. WILLIAMS: Man, I was -- actually there was a
12 string of this. In 2018, when they registered me, man,
13 my family, I was staying with my daddy. And my daddy
14 stayed with his mom. So, when they registered me, Chad
15 Collins went to verify my address.

16 THE COURT: Well, now, my question is what
17 charges are you in on right now?

18 MR. WILLIAMS: I was homeless. I was homeless
19 and I got caught in an abandoned building.

20 THE COURT: Okay. Now, let me ask you this,
21 okay? Tell me, and it may be in the paperwork that I
22 haven't had a chance to look at yet, but give me your
23 full name, Mr. Williams.

24 MR. WILLIAMS: Dominique Maurice Jackson
25 Williams.

1 THE COURT: Okay, hold on a second. I'm gonna
2 write that down, okay?

3 MR. WILLIAMS: Okay.

4 THE COURT: Dominique Maurice Jackson Williams?

5 MR. WILLIAMS: Yes, sir.

6 THE COURT: Okay. And give me your date of
7 birth, Mr. Williams.

8 MR. WILLIAMS: June the 1st, 1993.

9 THE COURT: Okay. All right. I'm gonna tell you
10 what I'm gonna do, Mr. Williams. I'm gonna look into
11 this a little bit more closely on this registration or
12 you having to register as a sex offender. I'm gonna
13 look into it. I have the ability to maybe get some
14 stuff that Mr. Arthur could not get, but I'm gonna look
15 into this a little bit more closely, okay?

16 MR. WILLIAMS: Okay.

17 THE COURT: And, let me ask you this, Mr. Arthur.
18 And I know this probably -- I know court reporters
19 aren't required to keep stuff but so long and
20 transcripts and whatnot. Were you able to get any kind
21 of transcripts for anything from '08 and '12, or did you
22 specify ---

23 MR. WILLIAMS: I was ---

24 THE COURT: I'm sorry, go ahead, Mr. Williams.

25 MR. WILLIAMS: I was trying, I was trying to get

1 the transcript back when Chad Collins told me he was
2 gonna look into the incident. The reason why I filed
3 the lawsuit on the sheriff's department is because, you
4 know, first of all, he told me he was gonna help me get
5 off of the registry. And he sat -- I sat on the
6 registry for 18 months --

7 THE COURT: Okay.

8 MR. WILLIAMS: -- And he didn't do nothing to
9 help me get off.

10 THE COURT: Well, I'm gonna look into it a little
11 bit more, Mr. Williams. Did you hear what I asked Mr.
12 Arthur?

13 MR. WILLIAMS: Well, I was about to ask ---

14 THE COURT: Hold on, Mr. Williams. Hold on.
15 I'll come back to you in a second, okay?

16 Mr. Arthur, did you try to get any kind of
17 transcripts from back in '08 when he was adjudicated or
18 subsequently committed in '08?

19 MR. ARTHUR: No, Your Honor, I have not requested
20 any copies of any transcripts. The commitment order
21 that he's referring to, was attached to his complaint.

22 THE COURT: Okay.

23 MR. ARTHUR: And it's my understanding that he
24 was represented by Guy Ballenger.

25 THE COURT: Okay.

1 MR. ARTHUR: I mean, not Guy. I don't know if it
2 was Guy.

3 THE COURT: Maybe Mike Ballenger.

4 MR. ARTHUR: It might have been that office.
5 Your Honor, I would point out that ---

6 MR. WILLIAMS: I would have ---

7 THE COURT: I'll come back to you, Mr. Williams,
8 okay? Just hold on a second.

9 MR. ARTHUR: Your Honor, Exhibit B to our
10 Memorandum in Support For Motion for Summary Judgment,
11 is an affidavit of Chad Collins, wherein he
12 authenticates a few records maintained by the sheriff's
13 office. And one of those is a copy of the State of
14 South Carolina sex offender registration form that has
15 offender information on it. And it provides some
16 information that I think is interesting and relevant to
17 this proceeding.

18 Mr. Williams claims that he was never placed on
19 the sex offender registry as a result of the paperwork
20 that he filled out in 2012. And it wasn't until he was
21 released in 2018 that he was placed on the sex offender
22 registry. However, if Your Honor will look at the first
23 document attached to the affidavit of Chad Collins, you
24 will see that it notes the initial registration date of
25 December 9th, 2012.

1 So, Your Honor, it's our position that Mr.
2 Williams certainly knew in 2012 that --

3 THE COURT: Okay.

4 MR. ARTHUR: -- he was agreeing to be placed on
5 the sex offender registry. He may -- he may have
6 opposed it at that time, and if he did, I would argue
7 that supports our motion that he knew that the
8 commitment order stated that he wasn't supposed to be on
9 the sex offender registry. He could have easily
10 contacted SLED and opposed it, or he could have reached
11 out to his lawyer or gotten another lawyer.

12 He has acknowledged on the record today, his
13 understanding of what the situation was in 2012. That
14 being, that he was filling out paperwork for the sex
15 offender registry, and that he claims he knew at that
16 time that he wasn't supposed to be on it.

17 THE COURT: Okay.

18 MR. WILLIAMS: I wasn't placed on it until the
19 paperwork that I signed was just notifying me that I had
20 one day to report to the sheriff to register. I was
21 never placed on the registry in 2012. December 9th
22 actually was a Sunday. If you look at that calendar for
23 2012, on December the 9th, it was a Sunday. So I was
24 never placed on the registry on December the 9th.

25 The paperwork that I filled out, it was, it was

1 basically notifying me to report. And that doesn't mean
2 that I was registered. They could -- they could have
3 made a mistake and said, okay, well, Mr. Williams,
4 you've got -- you're required to register.

5 But if they look into the, into the incident and
6 they find that commitment order, which was protocol, and
7 their duty to do so, then they could have said, well,
8 okay, hold on, maybe you don't have to register, and I
9 would have never been placed on the registry.

10 THE COURT: Okay.

11 MR. WILLIAMS: I was never placed on the registry
12 until 2018, by Chad Collins.

13 THE COURT: All right. Well, I'll look into it,
14 as I said, Mr. Williams. As it relates to defendant's
15 motion for Summary Judgment, I'll let you all know on
16 that. And as it relates to Mr. Arthur's motion to defer
17 mediation, I don't need to hear any argument on that.
18 That will be dependent upon what my motion or what my
19 ruling is on the summary judgment matter, okay?

20 MR. WILLIAMS: All right. Can I ---

21 THE COURT: And that will conclude this matter.

22 MR. WILLIAMS: I was about to say something else.

23 THE COURT: All right. One more thing. I've got
24 other lawyers waiting for the next hearing.

25 MR. WILLIAMS: Like I was saying, December 9th,

1 2012, I would request straight, like, proof that I was
2 actually placed on the registry by somebody at the
3 Florence County Detention Center in 2012 before you make
4 your decision. And they won't be able to present any
5 proof that nobody at the Florence County Detention
6 Center here placed me on no type of registry in 2012,
7 2013, '14, '15, '16, or '17. I was never placed -- I
8 was never placed on the registry until 2018. That's the
9 -- that's my argument on the time, as far as that one
10 saying they're arguing about the time.

11 As far as over the defendants, in law code
12 23-3-550 of the central sex offender registry, it
13 basically states that SLED will develop and maintain a
14 protocol manual to be used by the contributing agency.
15 So that's basically saying that SLED, you know, they
16 came up with rules for them to follow. They have duties
17 to follow those rules.

18 And you can, when you look into it, you will see
19 everything that SLED is mandating that they do. Like,
20 in the kidnapping part is two degrees under kidnapping.
21 If the Court make a finding on the register and then
22 says the parent that kidnapped the child, then they
23 don't have to go on the registry. And if their duty, if
24 SLED, if SLED -- it's the sheriff's department and it's
25 SCDC duty to know that.

1 When I was -- inside that paperwork that they
2 submitted, the Miranda [sic], there is a paper that DJJ,
3 when I was transferred in 2010, DJJ sent over a
4 paperwork clearly stating that I was not supposed to be
5 placed on the registry. I was supposed to send that to
6 you.

7 I don't know if you have all my paperwork, but
8 it's clearly stated that DJJ sent with me to prison a
9 paper stating not to put me on the registry. And it was
10 SCDC duty to take -- they can't hold me until my 21st
11 birthday without this commitment or -- so there's no way
12 you could have missed this, this ruling from the judge
13 if, if they come and tell you, well, are you holding him
14 until his 21st birthday? This is the paper that you
15 have to present.

16 And right below the sentence is the position that
17 the court has made which stated I was never supposed to
18 be placed on the registry. So ---

19 THE COURT: All right. Thank you, Mr. Williams.

20 MR. WILLIAMS: And I was ---

21 THE COURT: Mr. Williams, you're kind of saying
22 the same stuff over and over. I understand where you're
23 coming from. As I told you before, I'll take a look at
24 it and I'll let you all know, okay?

25 MR. WILLIAMS: All right.

1 THE COURT: Thank you.

2 MR. ARTHUR: Thank you, Judge.

3 (Hearing concluded.)

4

5 --- THIS ENDS REQUESTED TRANSCRIPT ---

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Signature

I am the Plaintiff and Appellant
of this Appeal and I do hereby
certify that this is my signature
to the foregoing Record on Appeal.
Which is hereby served upon you.

S/Dzi Will

Dominique Williams

1-9-24

Certificate of Service

I am the appellant of Appeal Case # 2022-001750 and I do hereby certify that I have served a foregoing copy of the Record on Appeal by placing same in a United States Postal Service mail box, postage prepaid and addressed to the person indicated below on this 9th day of January year 2024

Aiken Bridges Law Firm
Samuel F Arthur, III
181 East Evans St. Suite 409
Florence SC 29506

SD-W
Dominique Williams

1-9-24

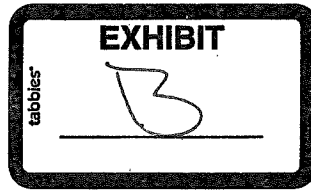
In the State of South Carolina
In the Court of Appeals

Dominique Williams

vs

FCSD and SCDC

Flurence County Sheriff Dept
and
South Carolina Dept of Corrections



1 In the Court
1 of Appeals
1
1 Appeal From
1 Florence County
1 Common Pleas
1 Court

1 Appeal #
1 2022-001750

1 Final Brief

I am the Plaintiff of the
a case against SCDC and
FCSD. I wish to appeal
Judge D. Craig Brann, Circuit Court
Judge decision granting defendants
Motion For Summary Judgment.

STATEMENT OF ISSUES ON Appeal

1) Did the Summary Judgment Judge D. Craig Brown Err by granting Defendant 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 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 limitations to file suit on government agencies has passed and the Plaintiff claim should be barred forever. Ultimately Judge DeCraig Brown granted defendants motion for summary judgment because of this.

➤ Plaintiff Alleges 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 on 12-9-12. Defendants only submitted an affidavit saying Plaintiff registered on 12-9-12. But this affidavit was not supported by evidence. Plaintiff believes 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

*Please see Reference

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.

- 1 - 2012 Calender R. Part 8. Pg. 1
- 2 - Proof of Registry R. Part 7 see highlighted section
- 3 - Proof that I should not have been registered as a sex offender. R. Part 5. line 24. Pg 1
- 4 - The defendants alleged that they registered Plaintiff on 12-9-12. Part 7 Page 2, line 17. see Arrows
- 5 - 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 Calender for the year 2012 Day 9th month December
- 6 - Part 8 Pg. 1 Please see the following evidence. This evidence will show the Courts that Judge D. Craig Brown erred in granting Defendant Summe

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.

Gronds 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 Calender) 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 states 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. 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

3
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 lawsuit on government agencies.

So I ask the appeal court how did I fail to 4
meet the requirements in 15-18-110; 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 court.
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 an
evidence of their allegation. Therefore I ask the
Appeal court to order this.

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?

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 I was not

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

OFFENDER INFORMATION

Name	WILLIAMS, DOMINIQUE MAURICE JACKSON		
SID	SC02081933	SSN	251-91-8799
SR# Number	1651087	DOB	6/1/1993
FBI UCN	884580TD3	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	843-208-1816	Other Ph	
Mobile Ph 2		Other Ph 2	
Initial Registration Date	12/8/2012	Term of Registration	LIFETIME REGISTRATION
Registration End Date		Registration Frequency	BI-ANNUAL
Registration Type	STANDARD	Passport Number	
Immigration ID			
Immigration Status			

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 12/14/18 so dated 12-14-18

Defendants only entered this document as proof of registry 12/2012. 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 it's true?

PROFF
OF
Registry

Evidence
PROFF OF Registry

6

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

December Filed 12 Calendar

How could Plaintiff be registered if 12-9-12 was a Sunday.

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

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F

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CERTIFIED: A TRUE COPY
No. 12-9-12
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

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Plaintiff submit this calendar as proof and Evidence that the Defendant's Affidavit is not true. Defendants Affidavit state is placed on the sex offender Register on 12-9-12 (December 9th 2012). Plaintiff will submit this calendar on 12-9-12 and therefore to prove that the was not registered on 12-9-12 and therefore the Courts should Alter or Amend its judgment in the order the parents defendant's motion for summary judgment because of this Affidavit

that the Plaintiff was on 12-9-12 (December 9th 2012). Plaintiff will submit this calendar on 12-9-12 and therefore to prove that the was not registered on 12-9-12 and therefore the Courts should Alter or Amend its judgment in the order the parents defendant's motion for summary judgment because of this Affidavit

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 understan the paper work 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 SLED 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 — Wizz

Dominique Williams

10-28-22

Certificate of Compliance

I am the applicant of Appeal #
2022-001750 and I do hereby
certify that my Great Grandson
is a full-time student,
1/2 of the household
income is

[Signature]

Dominique Williams

1-07-24

Signature

I am the appellant of
Appeal # 2012-00750
and this is my signature
for the Final Brief

S/D Williams
Dominique Williams

1-27-24

Certificate of Service

I am the appellant of
Appeal # 2022-00150 and
have caused the foregoing on defendant's
Final Brief by placing same in a
United States Postal Service mail box, postage
prepaid, and address to the person indicated
below on this 27th day of January, Year
2024.

Samuel I Arthur III
181 E Evans St Suite 404
Florence South Carolina 29506

1-27-24

S/D-WEB
Dominique Williams

RECEIVED

Feb 15 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS
D. CRAIG BROWN, CIRCUIT COURT JUDGE

CASE NO. 2020-CP-21-01272
APPELLATE CASE NO. 2022-001750

Dominique Williams.....Appellant,

v.

South Carolina Department of Corrections and Florence
County Sheriff's Department.....Respondents,

CERTIFICATE OF SERVICE

I hereby certify that I have served the document listed below in the above
entitled action to the addressees below via U.S. mail on February 15, 2024 and proper
postage was attached thereto.

DOCUMENTS: MOTION TO DISMISS APPEAL

ADDRESSEES: THE HONORABLE JENNY ABBOTT KITCHINGS
SOUTH CAROLINA COURT OF APPEALS
P. O. BOX 11629
COLUMBIA, SC 29211
(ORIGINAL)

DOMINIQUE M.J. WILLIAMS, #13598
FLORENCE COUNTY DETENTION CENTER
6719 FRIENDFIELD ROAD
EFFINGHAM, SC 29541
(COPY)

By:



SAMUEL F. ARTHUR, III
Aiken, Bridges, Elliott, Tyler & Saleeby, P.A.
SC Bar # 13618
PO Drawer 1931
Florence, SC 29503
Telephone: 843.669.8787
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ATTORNEYS FOR RESPONDENTS

Florence, South Carolina

February 15, 2024.