

The State of South Carolina
in the Court of Appeals

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JUL 02 2024
SC Court of Appeals

Appeal From Florence County
Court of Common Pleas

D. Craig Brown, Circuit Court Judge

Case Number 2020-CP-21-01272

Appellate Case No. 2020-001750

Dominique Williams Appellant,

South Carolina Dept of Corrections
and Florence County Sheriff Dept. Respondents,

Final Brief of Appellant.

S/D-Williams
Dominique Williams

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2 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 their affidavit?

2) Did the Summary Judgment Judge D. Craig Brown Err by not checking the calendar 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?

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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 an government agency.

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

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

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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

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

Facts

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

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

7 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 calendar) There is no way the Plaintiff could have been registered as a sex offender on a Sunday. This fact will automatically disqualify defendants from being granted summary judgment because the defendants can't show any evidence of their allegation because Plaintiff was not registered until 2018.

which means that the statute of limitations was met by plaintiff and that defendants never should have been granted summary judgment 9 pg


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 PCSO until 2018 and I will submit evidence of this allegation that should convince the courts that the allegation is true.

The 2 yr statute given to bring suit against a government agency clearly state that a person has 2 years to file suit, starting from the date the injury occurred, or should have been discovered. In this case the plaintiff's rights were violated when he was registered as a sex offender for a crime that the courts said he was not to register as a sex offender. 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

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  meet the requirements in 15-78-110; I was injured ~~in~~ 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~~ allegations. I believe the government entities should have been held accountable to a higher standard than they were by the summary judgment courts. I feel as if I was robbed of my right to a trial and I request the Appeal Court to review this case, please see calendar to verify that the day the defendants claimed to register plaintiff was a Sunday. This will show the courts that defendants should of never been granted summary judgment if they could not present an evidence of their allegation. Therefore I ask the Appeal court to order this

Evidence

(see back) 12

* 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. Im 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...

November 1, 2022

Dominique Williams
Florence County Detention Center
6719 Friendfield Road C120
Effingham, SC 29541

Dear Mr. Williams:

We have received your request for the address for the Court of Appeals. You will have to go to sccourts.org to get the information you need.

Thank you for your cooperation in this matter.

Sincerely,

Florence County Clerk Of Court
Common Pleas Court
Civil Division

EVIDENCE

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

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

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**COMMITMENT ORDER
(DJJ)**

HEARING DATE: 6/12/2008 ATTORNEY FOR SOLICITOR: David A. Richardson, Jr.
JUDGE: Jerry D. Vinson, Jr. ATTORNEY FOR JUVENILE: Guy Ballenger
COURT 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 16-1-60-16-13-30(B)(2) Code of Laws of South Carolina (2003).

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

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

AND IT IS SO ORDERED:

June 12, 2008
Florence, South Carolina

**This was
There the
Whole time!**

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

CERTIFIED: A TRUE COPY
Sara Snipes Ottava
CLERK OF COURT - FAMILY COURT
FLORENCE COUNTY, S.C.

**This Paper is Proof that
PLAINTIFF should OF never
been registered as a sex
OFFENDER**

Cases and Statutes

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

State vs Binnar, State vs Moultrie and State vs Thompson

* These Cases will help the Courts understand the 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

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For the reasons stated the Appeal
Courts should reverse the Judge's
D. Craig Brown Order Granting defendants
motion For Summary Judgment and order
this case to trial

S/D — W

Dominique Williams

10-28-22

Signature

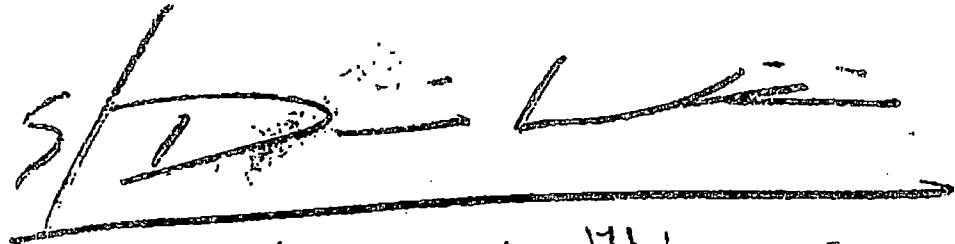
I am the Pro se Plaintiff of

Case number 2020-CP-21-01272

Appellant Number 2022-1750

and I certify that this is my

Signature For the "Initial Brief"

A handwritten signature in black ink, appearing to read "S/D - Williams". The signature is written in a cursive style with a horizontal line underneath.

Dominique Williams

~~10-23-22~~

7-1-2024

Certificate of Compliance

I do hereby certify that the Final
Brief is in compliance with the
South Carolina Appellate Court Rules

7-1-24

S/D-Willi
Dominique Williams

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