

State of South Carolina

Terron Dizzley  
Appellant,

v.

Erin Bailey, et al  
Appellee,

In The South Carolina Court  
of Appeals

Case No. 2024-001176

Motion For Severance

And Stay of Civil Action

**RECEIVED**

AUG 09 2024

SC Court of Appeals

Appellant Terron Dizzley moves before this Honorable with a Motion For Severance And Stay of Civil Action in the aboved matter.

1. Appellant contends that for the entire (10) ten years and counting of his illegal incarceration, the Georgetown County Clerks of Court has been depriving him from accessing the courts in violation of his First And Fourteenth Amendment rights to Due Process and Equal Protection of Laws, which is also "Obstruction of Justice".
2. Because of this, Appellant had an attorney to draw up legal documents in the form of Power of Attorney for his mother to file legal documents, prepared by Appellant.
3. On February 9, 2024 Appellant had his mother file an "Motion For Permanent Injunction" and a "Civil Action," and although Appellant's mother attempted to file them separate, the clerk of court of Georgetown refused to file them separate but told Appellant's mother that the cases would still be separate cases

JIAN JABLI

because it would probably be a few years before Appellant goes to trial for the civil action, but injunction would be scheduled in about a month.

4. Appellant contends that the Clerk of Court had no right to tell Appellant's mother how to file legal documents and that they would not file them if it was not filed their way. See Barnes v. State, 433 S.C. 399 (2021); Miller v. State 377 S.C. 99 (2008).

5. On April 18, 2024, Appellant was brought to court for his "Motion For Permanent Injunction," and when he got to court the judge merged both his injunction and civil action together and deprived Appellant of the opportunity to be heard and present his case on the injunction; and Appellant also objected to the merging of both cases. The record proves that the judge denied both Appellant's injunction and the civil action without ruling on the merits and the fact that the judge was replaced at the last minute from the Judge McFadden who was supposed to preside over the case, therefore, Judge Price had never read Appellant's case.

6. On May 21, 2024 Appellant filed an "Emergency Motion To Alter, Amend, Correct, And Reconsideration" and several other motions for case file and etc.

7. The Georgetown County Clerks of refused to file any of Appellant's appeals stating that the Court would not file anymore filings pursuant to the case. Therefore, again "obstructing justice in violation of Appellant's First and Fourteenth amendment rights to

access the Courts and due process and equal protection of laws.

8. On June 17, 2024 Appellant filed a Notice of Appeal and Proof of Service to the S. C. Supreme Court with an amended copy of the "Emergency Motion To Alter, Amend, Correct, And Reconsideration" notifying to Court he had been assaulted by Correctional Officers and placed on lock-up on May 21, 2024 in retaliation for filing civil actions againsts the warden for false imprisonment.

9. Appellant contends that forcing him to appeal both the civil actions with the injunction would be confusing and a violation of his due process rights

10. Appellant request that the Appellate Court severs his injunction from the civil action with two different case numbers and hold the "Civil Actions" at stay and allow Appellant to litigate them seperately which would enable him to file the proper motions with proof as to why the Civil actions should be remanded for trial.

11. Appellant also request a stay because he is still being unconstitutionally held on lock-up as a result of being assaulted. Appellant has been deprived of his legal documents and any resources needed file these motions. The institutional has also turned off all phone calls and Appellant cannot even contact his family or anyone to get help. Appellant has also been on a hunger strike for 10 of the first days of

being assaulted and placed on lock-up in an attempt to exercise his First Amendment rights in seeking justice.

Date: August 6, 2024

For these reasons Appellant request that this motion is granted.

Respectfully submitted,  
S. Terron Dizzley  
Terron Dizzley # 359480  
~~ACI~~  
~~P.O. Box 1151 HWY 47~~  
~~Fairfax S.C., 29827~~

Kershaw C. I  
4848 Goldmine HWY  
Kershaw S.C. 29067

# Certificate of Service

I Terron Dizzley certifies that on this 6<sup>th</sup> day of August 2024 filed a Motion For Severance And Stay Civil Action pursuant to Terron Dizzley v. Erin Bailey et. al, 2024-001176, by placing in U.S. Mail postage pre-paid sent to address below:

S. C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

Attorney General Office  
Alan Wilson  
P.O. Box 11549  
Columbia, S.C. 29211

Chandler + Dudgeon  
P.O. Box 547  
Charleston S.C. 29402

S. Terron D  
Terron Dizzley #359480  
~~AcI~~

~~P.O. Box 1151, HWY 47  
Fairfax S.C. 29827~~

Kershaw C. I.  
4848 Goldmine HWY  
Kershaw S.C. 29067

**RECEIVED**

AUG 09 2024

SC Court of Appeals

JAN 14 2025

## Notice

S.C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

**RECEIVED**

AUG 09 2024  
SC Court of Appeals

Re: Terron Dizzley v. Erin Bailey et. al  
Appellate Case No. 2024-001170

Dear Clerk:

Enclosed please find original Motion For Severance And Stay Civil Action, stamp file please send a copy to me so that I can serve Attorney General. Appellant is on lock-up for no reason after being assaulted by correctional officers in retaliation for filing lawsuit for false imprisonment, therefore, Appellant cannot get copies made.

Date: August 6, 2024

Sincerely,

S. Terron Dizzley  
Terron Dizzley #359480  
ACI

~~P.O. Box 1151, HWY 47  
Fairfax S.C. 29827~~

Kershaw C. I.  
4848 Goldmine HWY  
Kershaw S.C. 29067

11/06/2024

Terron Dizzay, #359480  
Kershaw C.I.  
4848 Coalmine HWY  
Kershaw S.C. 29067

US POSTAGE  
75 5667 \$002.59<sup>0</sup>  
02 118  
00027041AUS 05 1724

S.C. Court of Appeals  
P.O. Box 11629  
Columbia S.C. 29102

RECEIVED  
AUG 09 2024  
SC Court of Appeals

27

LEGAL MAIL

