

The State of South Carolina
In the Court of Appeals

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SEP 25 2024
SC Court of Appeals

Appeal From Florence
Court of Common Pleas

D. Craig Brown, Circuit Court Judge

Case #: 2020 - CP - 21 - 01272

Appeal # 2022 - 001750

Dominique Williams..... Appellant

vs

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

Motion For Rehearing

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In the Court of Appeals
State of South Carolina

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Dominique Williams SFP 25 2024

SC Court of Appeals

In the Court
of Appeals

Appeal From
Florence County
Common Pleas
Court

VS

SCDC - South Carolina Dept of
Correction and
FCDC - Florence County Sheriff dept.
Respondants

D. Craig Brown
Circuit Court Judge
Case # 2020-1750
Motion For Rehearing

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I am the Appellant of the above
Appeal and I wish to ask the Courts
for an order issueing a new dead-line
to submit amended Final Brief and Record
on Appeal by way of Motion For Rehearing.
on the grounds of Rule 260 of the Appellant
Court rule that upon showin good cause,
the Motion shall be granted.

S/D:W
Dominique Williams

Statement of Case

on June 7, 2024 the Courts ordered Appellant to file Amended Final Brief and Record on Appeal after denying Respondants Motion to dismiss Appeal on the grounds that the original Final Brief and Record on Appeal by Appellant was not done Correct.

on July 2nd, 2024 the Appellant Filed a Motion to Extend the time limit on the order issued on June 7, 2024, on the Grounds that Appellant was a Pro se Appellant and had no knowledge of how a Final Brief and Record on Appeal was suppose to be done. (Please note that this would be the First motion to extend time Filed by Appellant) Appellant thought his Motion to extend time would be granted because normally everybody gets their First Motion for extention of time granted, and because he had shown good Cause For Filing the Motion.

on September 9th, 2024 the Courts
of Appeals issued an order denying the
Appellant's motion for extension of time, and
motion to appoint Counsel. on the grounds
that I failed to file Amended Final Brief
and Amended Record on Appeal within the
30-day-dead-line given in the order issued
by the Courts of Appeals on June 7th 2024

Argument

The Appellant wish to Argue that the reason he did not File the Amended Final Brief and Record on Appeal is because he is pro se and had no knowledge of how to submit the Final Brief and Record on Appeal. So the Appellant Filed a motion for extension of time and motion to Appoint Counsel, in seek of legal help with filing the Amended Final Brief and Record on Appeal. In fear that his Appeal would be dismissed if he Filed the documents wrong again, The Appellant ask the Courts re-hear this case and allow the appellant to re submit the Final Brief and Record on Appeal. This would be his First motion for extension of time.

Appellant also ask the Courts to Base the Judgment of this Motion on Rule 260 of the Appellant Court Rule.

Rule 260 Basicly states that if the Appellant has shown good cause that his Appeal can be reheard and Motion for rehearing can be granted.

The Appellant Feels as if being Pro se with no legal knowledge is good cause to ask for a extention of time when the original Final Brief and Record on Appeal was found to have been Filed wrong. The Motion for extention of time was only a Request for more time to submit the documents not a Failure to comply with any Rules of the Appellant Court.

The Appellant wish to ask the Courts to grant this Motion For re-hearing because the Appellant has shown good Cause as asked in Rule 260 of Appellate Court Rules.

And being that the Appellant was Pro se with no legal knowledge and in the presence of error on the original Final Brief and Record on Appeal, a Motion For extension of time and appointment of Counsel was the natural and right thing to do. The Motion For extension of time and appointment of Counsel was only a Request For more time, not a Failure to Comply with any of the Appellant court Rules.

For Pro se litigants to ask for help.
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The Appellant Feels that it is not fair to dismiss the whole Appeal because he asked for more time to file documents that he already filed incorrectly, being that he is Pro se and has no legal help.

The Appellant Ask the Courts to issue a order giving a new deadline to file the Amended Final Brief and Record on Appeal, so that the Appeal can at least be viewed by the Courts of Appeal.

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9-13-24

S/D: WLL
Dominique Williams

The South Carolina Court of Appeals

Dominique Williams, Appellant,

v.

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

Appellate Case No. 2022-001750

ORDER

On June 7, 2024, this court ordered Appellant to serve and file his amended final brief and the record on appeal within thirty days or this appeal would be dismissed. On July 2, 2024, Appellant filed an amended final brief, but he has still not filed the record on appeal. Accordingly, this appeal is dismissed. The remittitur will be sent as required by Rule 221(b), SCACR.

We decline to act upon Appellant's motion to proceed *in forma pauperis*, because Appellant filed a motion to proceed *in forma pauperis* concurrently with his notice of appeal, and we denied that motion on February 15, 2023. See 221(c), SCACR ("The appellate court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal."). Appellant's motion to appoint counsel is also denied. See Rule 608(g), SCACR (providing that counsel should not be appointed for an indigent unless the indigent has a right to appointed counsel under the state or federal constitution, a statute, a court rule, or the case law of this State); *State v. Policao*, 402 S.C. 547, 558, 741 S.E.2d 774, 779 - 780 (Ct. App. 2013) ("When a civil proceeding involves the deprivation of a liberty interest, a litigant shall be afforded a due process right to counsel." (citations omitted)); *In re Ronnie A.*, 355 S.C. 407, 409, 585 S.E.2d 311, 312 (2003) (holding sex offender registration, regardless of the length of time, is non-punitive and therefore no liberty interest is implicated).

John D. Beathem

FOR THE COURT

Columbia, South Carolina

FILED
Sep 09 2024

cc:

Dominique Williams, 13598

Samuel F. Arthur, III, Esquire

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Signature

I am the Appealant OF
Appeal # 2022-1750 and
I do hereby certify that
this is my signature to the
foregoing motion for rehearing

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SC Court of Appeals

S/D. Williams

Dominique Williams

9-13-24

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Certificate of Service

I am the Appellant of Appeal #
2022-1750 and I do hereby
certify that I have served the
forgoing Motion For Rehearing
by placing same in a United States
Postal Service mailbox, postage
prepaid and addressed to the
person indicated below on this
13th day of September, 2024

Aiken Bridges Law Firm
Samuel Arthur III
181 East Evans Street
Florence South Carolina 29506

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SC Court of Appeals

9-13-24

S/D-Will
Dominique Williams

NAME Dominique Williams
FLORENCE COUNTY
DETENTION CENTER
6719 FRIENDFIELD ROAD
EFFINGHAM, SC 29541

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SEP 25 2024
SC Court of Appeals

Ms. Katelyn
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