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S.C. SUPREME COURT

Jesse Edmond, ..... Appellant,

v.

Jana E. Shealy, Clerk, Administrative Law Court, ..... Respondent.

**MOTION FOR PROTECTIVE ORDER Re: LOWER CLERK OF COURT  
REFUSAL TO FILE NOTICE OF APPEAL**

Appellant, Jesse Edmond, hereby submit the following in Motion For Protective Order, and hereby moves for a protective order against the Richland County Clerk of Court, Jeanette W. McBride, who has neglected to perform all duties and responsibilities as provided by law, in reference to the case of Jesse Edmond v. Jana E. Shealy, Clerk, Administrative Law Court, Lower Court Case No.: 2025-CP-40-03564:

The grounds for this motion shall be, that Richland County Clerk of Court, Jeanette W. McBride has:

- 1. Improperly Rejected, otherwise refusing to file "Notice of Appeal" submitted in the case, where, Rule 203, South Carolina Appellate Court Rules provides that:

Rule 203(d) Filing

(1) Appeals from the Circuit Court, Family Court and Probate Court.

(A) Where To File. Notice of appeal shall be filed with the Clerk of the lower court [and] with the Clerk of the Supreme Court in the following cases:

(ii) Any final judgment involving a challenge on state or federal grounds to the constitutionality of a state law ... where the principal issue is one of the constitutionality of the law...

The appeal in this matter involves a challenge to the Constitutionality of Rule 59, Rules for the Administrative Law Court, therefore, the South Carolina Supreme Court is the appropriate court to which appellate jurisdiction lies. At any rate, it is not for a clerk of court to make or presume the authority to dictate the court to which a party may appeal.

The Clerk of Court, without reference to any court rule or statute gives as her reason for refusing to file the "Notice of Appeal", in a memorandum form letter, that:"

" Other: We will need the court of appeals clock and stamped version of this."

Rule 203, South Carolina Appellate Court Rules, governs when, where and how notice of appeal is to be filed. (Emphasis

provided)

No where in Rule 203, is this reason given by the clerk of court, supported, justified, nor required by any court rule or statute. No mention of a filing stamp or clock is even mentioned in Rule 203, SCACR. The rule merely directs that the notice of appeal shall be filed in both the lower court and the appellate court, without any clarification of which court the filing must be first or second, and no mention of filing stamped or clocked in requirements.

The Complainant, simultaneously filed in the appellate court and the lower court, and has not received the requested extra-copy enclosed with the mailing, so as to comply with the lower court clerk of court's disruptive and illegal demand, and extensive time as already elapsed since the submission to the State Supreme Court of the notice of appeal. This raises serious questions, as to the jurisdictional time limits being manipulated by conspiratorial officers of the court, to shield one another from accountability before courts with oversight and appellate jurisdiction.

In *Barnes v. State*, 433 S.C. 399, 859 S.E.2d 260 (2021) and *Miller v. State*, 377 S.C. 99, 102, 659 S.E.2d 492, 493 (2008) (AGAIN), the South Carolina Supreme Court held:

Clerks of court have a ministerial duty to docket filings irrespective of potential procedural flaws that may exist, and 'have no authority to refuse to perform her duty based upon her opinion that a filing lacks legal merit or is untimely... [a] clerk of court may not ... refuse to accept a notice of appeal...'

Id. (Emphasis provided)

Thus, without legal authority the Richland County Clerk of Court has joined in a chain-conspiracy to violate Appellant's right to judicial review, and contrived to erect clearly illegal barriers with no authority in court rules or statutes.

This Court should rein in the unlawful activities of this State's clerks of court, which bring in to disrepute the legal system of this State. The Clerk of Court for Richland County has joined in solidarity with the Clerk of Administrative Law Court to further violate the law, and the Constitutional protections of the Appellant. Enough is enough.

2. Improperly attempted to dictate the court to which a party may appeal, with no such authority being provided by court rule, statute, nor constitutional provision.
3. Violated her oath of office, to fully and faithfully exercise the duties of her office, in compliance with the duties and responsibilities prescribed by law, and otherwise interfering with the jurisdiction of this Court to adjudicate a proper and timely filed appeal already pending before this Court.

#### Relief:

1. Order the Richland County Clerk of Court to accept for filing the rejected/refused Notice of Appeal; and
2. Deem the attempt to timely file the Notice of Appeal, as required by Rule 203, SCACR, to be "filed", as required by law; and

3. Sanction the Richland County Clerk of Court for wilfully neglecting to perform a ministerial duty prescribed by law.

Date: February 4, 2026  
Fairfax, South Carolina.

Respectfully Submitted,



**Jesse Edmond**

**Appellant, Pro Se**

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