

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 Jesse Edmond, 135322)
)
 Plaintiff,)
)
 v.)
)
 John / Jane Doe, Clerk, Administrative Law)
 Court and South Carolina Department of)
 Corrections,)
)
 Defendants.)
 _____)

IN THE COURT OF COMMON PLEAS

C/A No. 2025CP4003564

ORDER

RECEIVED

FEB 27 2026

SC Court of Appeals

JEANETTE W. McBRIDE
 C.C.P., G.S., & E.C.

2025 DEC -1 AM 10: 04

RICHLAND COUNTY
 FILED

This matter came before this Court pursuant to a Motion to Dismiss the Complaint / Petition for Writ of Mandamus (Complaint) by the Defendant John / Jane Doe, Clerk, Administrative Law Court. Doe brought the motion pursuant to Rules 3(b), 12(b)(1), (5) and (6), SCRCP, asserting that Plaintiff had failed to follow the rules regarding filing *in forma pauperis*, that this Court lacked subject matter jurisdiction, that service was insufficient, and that Plaintiff had failed to state facts sufficient to constitute a cause of action. The Court heard this motion by WebEx on November 3, 2025, and Plaintiff and counsel for the Clerk participated. After carefully considering the filings of the parties and their arguments at this hearing, this Court finds that the Motion must be granted for the reasons set forth below.

Plaintiff has failed to serve the Clerk as shown by the affidavit of the Clerk submitted only in support of the Rule 12(b)(5) motion. Online Court records of his certificates of service do not show service on the Clerk.

Plaintiff has failed to comply with Rule 3(b), SCRCP, in that he has attempted to serve a summons and complaint without authorization to do so and has failed in his service attempt. Rule

one

12(b)(5), *supra*. Plaintiff lacked authority to attempt service because his motion for leave to proceed *in forma pauperis* had not been approved when he attempted service and was ultimately denied by Order of this Court on August 12, 2025. Under Rule 3(b), a plaintiff desiring to proceed *in forma pauperis* may not proceed with a case unless the motion for leave is granted. The August 12 Order provided that the case would be dismissed without further Court if the filing fee and associated costs were not paid by September 15. The records of this Court do not show that the fee was filed, and therefore, the case was subject to dismissal after September 15. It is now hereby dismissed. The Court lacks subject matter jurisdiction to proceed further. *See Ex parte Holley*, 883 So. 2d 266, 267 (Ala. Crim. App. 2003) (“[A]bsent the payment of a filing fee [required by § 12-19-70, Ala.Code 1975,] or the granting of a request to proceed in forma pauperis the trial court fails to obtain subject matter jurisdiction to consider a postconviction petition”).

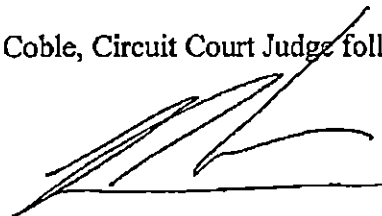
Even if this Court were proceeding, it would find that the Clerk is immune from suit under the Tort Claims Act S.C. Code Ann. §15-78-70 (“In the event that the employee is individually named [in a Tort Claims Act action], the agency or political subdivision for which the employee was acting must be substituted as the party defendant.”). Plaintiff’s Complaint alleges negligence causes of action, references torts and asks for damages. The Clerk is immune and must be dismissed for this additional ground of immunity under Rule 12(b)(6). Although the other grounds for the Motion to Dismiss may be meritorious, this Court need not reach those grounds including failure to exhaust administrative remedies and lack of jurisdiction to mandamus the Clerk to docket Plaintiff’s appeal.

For the foregoing reasons, this Court ORDERS that this case be dismissed.

AND IT IS SO ORDERED

[Electronic signature of Daniel Coble, Circuit Court Judge follows]

DMC



STATE OF SOUTH CAROLINA
 COUNTY OF Richland
 IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2025 CP- 40-03564

Jesse Edmond #135322

South Carolina Administrative Law Court,
 South Carolina Department of Corrections

PLAINTIFF(S)

Jane Doe, & John Doe
 DEFENDANT(S)

Submitted by: Court	Attorney for : <input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant
	or	
	<input type="checkbox"/> Self-Represented Litigant	

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court: Defendant's Motion to Dismiss was heard via WebEx on November 3, 2025. After careful consideration of all arguments presented by counsel, Defendant's motion GRANTED. The prevailing party shall submit a more formal order within 10 days pursuant to Rule 5(b) (3). Plaintiff's Motion to Reconsider denial of *in forma pauperies* is DENIED.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.


Circuit Court Judge

2774
Judge Code

11/10/25
Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

