

1 of 3

State of South Carolina
County of Chester.

In the Court of General Session
For the Sixth Judicial Circuit.
2007-65-12-529-530-531-532.

State of South Carolina)

Vs.)

James B. Curry.
Defendant.)

pursuant to Subject Matter Jurisdiction.

Motion to Dismiss.

"Defendant, James B. Curry Move's For a hearing to be scheduled to allow defendant to present proof that the Court lacked jurisdiction to sentence defendant on the grounds of no probable cause for arrest, thereby making the conviction illegal.

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APR 13 2026

SC Court of Appeals

FILED

2024 JUN 10 PM 2:11

CLERK OF COURT
COUNTY OF S.C.

James B. Curry #186787
Perry C.I. Q3-B-109
430 Oaklawn Rd.
Pelzer, S.C 29669.
6-7-24

cc:
Solicitor's office,
S.C. Court of Appeals.

2 of 3

State of South Carolina
County of Chester.

In the Court of General Sessions
For the Sixth Judicial Circuit.
#2007-65-12-529-530-531-532.

State of South Carolina)

Vs.)

Affidavit.

Appellate # 2024-002075.

James B. Curry #186731)
Defendant.)

#1. Defendant, believes in good Faith the matter raised is 100%
Not Frivolous.

#2. Defendant Submits an S.C.D.C. Financial Account Form to
Cover any Fees.

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SC Court of Appeals

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CLERK OF COURT
CHESTER CO S.C.

Sworn to and Subscribed before me

this 7th day of June, 2024.

Tamara Cunwell

Notary Public For South Carolina

My Commission Expires:

My Commission Expires
October 6, 2033

James B. Curry
Perry Cte Q3-B-109
430 Oaklawn Rd,
Pelzer, S.C 29669
6-7-24.

cc:
S.C. Court of Appeals.

1 Also, Defendant would show proof there was no probable
2 cause for arrest warrants dated 6/5/07 and 6/7/07 which gives
3 the Sixth Judicial Circuit General Sessions jurisdiction
4 concerning this matter pursuant to subject matter
5 jurisdiction, which can be raised at any time. And that's
6 under South Carolina Department of Social Services vs. Ryan.

7 Thus, pursuant to lack of subject matter jurisdiction,
8 Defendant's arrest and conviction is utterly void. And that's
9 under Coon vs. Coon.

10 Also, Defendant raises the Rule 29 of the South Carolina
11 Rules of Criminal Procedure which states all post-trial
12 motions shall be made within ten days after the imposition of
13 the sentence in order for this Court to have jurisdiction.

14 Note: Rule 29 does not apply in this matter pursuant to
15 the lack of subject matter jurisdiction which can be raised at
16 any time in the Court of General Sessions.

17 And note: Defendant's filing in this matter is not
18 frivolous and is a collateral attack against nine convictions
19 filed in the Court of General Sessions and is a collateral
20 attack against my conviction.

21 Also, Your Honor, in no way is this action connected to
22 any civil lawsuit or PCR application where the IFA does not
23 apply to criminal matters filed by inmates challenging their
24 conviction but only to civil cases challenging prison
25 conditions; thus, ordered by our Supreme Court and the General

1 to put it on the record for the Court of Appeals, if you don't
2 mind.

3 THE COURT: Put what on the record?

4 THE DEFENDANT: Just what I'm getting ready to read right
5 now about --

6 THE COURT: If it's related to whether or not I should
7 hold you in contempt ---

8 THE DEFENDANT: All right.

9 THE COURT: --- I'll be glad to hear you. But if it goes
10 beyond that or outside of that --

11 THE DEFENDANT: It won't.

12 THE COURT: Don't talk over me.

13 THE DEFENDANT: All right.

14 THE COURT: But if it goes beyond that or outside whether
15 or not I should hold you in contempt, then I'm not going to
16 hear you. Okay? So, keep that in mind.

17 THE DEFENDANT: Okay. This is my filing in General
18 Sessions Court, Sixth Judicial Circuit, in reference to an
19 order and Rule to Show Cause. Defendant moves for relief
20 sought not contempt pursuant to South Carolina Code 24-27-300,
21 which only applies to civil actions, nor does Rule 29 of South
22 Carolina Rules of Civil Procedure apply in this matter.

23 In reference to order and Rule to Show Cause, Defendant
24 would hereby show cause why he cannot be held in contempt
25 legally pursuant to South Carolina Code 27 -- 24-27-300.

James B. Curfy #186737
Perry Ct. Q3-B-226
430 Oaklawn Rd.
Pelzer, S.C. 29669

* Confidential Legal Mail - *

Attn: Ms. Jasmine D. Smith, Deputy Clerk

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

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