

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

BOBBY JOE BARTON, PRO SE,
#163629

vs.

STATE OF SOUTH CAROLINA
Defendant.

EXHIBIT-A

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

CASE NO.: 2025-CP-23-05538

**MOTION AND ORDER INFORMATION
FORM AND COVERSHEET**

FILED: 2025 OCT 09 10:33
CLERK OF SUPREME COURT

Plaintiff's Attorney: <u>BOBBY JOE BARTON</u> _____, Bar No. <u>PRO SE</u> Address: <u>LIVESAY (B) CAMP</u> <u>P.O. BOX 580, LUNA, SC 29378</u> Phone: _____ Fax _____ E-mail: _____ Other: _____		Defendant's Attorney: <u>CARLY H. DAVIS, ATTORNEY GENERAL</u> _____, Bar No. <u>100112</u> Address: <u>ATTORNEY GENERAL'S OFFICE</u> <u>P.O. BOX 11549, COL. SC 29211</u> Phone: _____ Fax _____ E-mail: _____ Other: <u>(803) 734-3843</u>	
☐ MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) ☒ FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) ☐ PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)			
SECTION I: Hearing Information Nature of Motion: <u>MOTION OF 59(e) AND 52(b) SCRPC</u> Estimated Time Needed: <u>-0-</u> Court Reporter Needed: ☐ YES / ☒ NO			
SECTION II: Motion/Order Type ☒ Written motion attached ☐ Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order. <div style="display: flex; justify-content: space-between;"><div>Signature of Attorney for ☒ Plaintiff / ☐ Defendant <u>Bobby Joe Barton</u></div><div>Date submitted <u>5/27/2026</u></div></div>			
SECTION III: Motion Fee ☐ PAID - AMOUNT: \$ _____ ☒ EXEMPT: (check reason) <div style="display: flex; flex-wrap: wrap;"><div>☐ Rule to Show Cause in Child or Spousal Support</div><div>☐ Domestic Abuse or Abuse and Neglect</div><div>☒ Indigent Status</div><div>☒ State Agency v. Indigent Party</div><div>☐ Sexually Violent Predator Act</div><div>☐ Post-Conviction Relief</div><div>☐ Motion for Stay in Bankruptcy</div><div>☐ Motion for Publication</div><div>☐ Motion for Execution (Rule 69, SCRPC)</div><div>☐ Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions</div></div> <div>Name of Court Reporter: _____ ☒ Other: <u>MOTION OF 59(e) AND 52(b) FACT AND FINDINGS, ERRORS</u></div>			
JUDGE'S SECTION ☐ Motion Fee to be paid upon filing of the attached order. ☐ Other: _____		JUDGE CODE _____ Date: _____	
CLERK'S VERIFICATION Collected by: _____ Date Filed: _____ ☐ MOTION FEE COLLECTED: \$ _____ ☐ CONTESTED - AMOUNT DUE: \$ _____			

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S.C. SUPREME COURT

EXHIBIT-A

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
IN THE 13TH JUDICIAL CIRCUIT

BOBBY JOE BARTON, PROSE
#163629 PLAINTIFF,
V.

C.A. NO.: 2025-CP-23-05538

MOTION OF RULE 59(c) SCRPC
FINDINGS OF FACT, SUPPORTED BY
CONCLUSION OF LAW AS REQUIRED
BY §17-27-80 AND RULE 52(a),
SCRPC

STATE OF SOUTH CAROLINA,
DEPENDENT,

THE PLAINTIFF MOVE ON THE COURT WITH A MOTION TO ALTER AND AMEND REQUESTING TO SET FORTH THE FINDINGS OF FACT SPECIFICALLY SUPPORTED BY CONCLUSION OF LAW AND TO ADEQUATELY ADDRESS THE ISSUE IN WHICH THE COURT HAS FAILED TO MENTIONED IN THE COMPLAINT, EXHIBITS, MEMORANDUM OF LAW, AND THE AFFIDAVIT, ESPECIALLY WHERE PLAINTIFF HAS ALLEGED FRAUD ON THE COURT (EXTRINSIC FRAUD). PLAINTIFF FILED A MOTION TO SET ASIDE JUDGMENT THROUGH AN INDEPENDENT ACTION IN EQUITY DUE TO A GROSS MISCARRIAGE OF JUSTICE IN WHICH THE COMPLAINT AND EXHIBIT CLEARLY SHOWS.

PLAINTIFF RECEIVED THE COURT'S FINAL ORDER DISMISSAL ON MAY 18, 2026. See (EXHIBIT-#1 SCDC LEGAL CORRESPONDENCE VERIFICATION FORM 10-29) ATTACHED TO VERIFY RECEIPT. AFTER RECEIVING THE ORDER AND REVIEWING IT, PLAINTIFF STATE THAT THE ORDER HAS OVERLOOKED THE FACTS IN THIS CASE, MISAPPLIED THE LAW WHERE IT HAS MISCONSTRUED THE CLAIM OF EXTRINSIC FRAUD COMMITTED ON THE COURT AND MISRE-

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CLERK OF COURT
JANICE GREGG, CLERK

PRESENTED THE LAW IN LIGHT OF THE FACTS WHICH WERE PRESENTED IN THE COMPLAINT WHICH SHOWS A REASONABLE INFERENCE THAT KAREN RATIGAN, A.G. REP. AND SUSANNAH ROSS, TRIAL ATTORNEY INTENTIONALLY CONSPIRED TO COMMIT FRAUD THROUGH PERJURY IN WHICH THE COMPLAINT OUT LINES, THE TRANSCRIPT CLEARLY OUTLINES (see; TR. OF RECORD # 2014-CP-23-5047, EXHIBIT # AA, TR. I, II, THRU TR 31, II, 2-25, TR. 66, II, 16-22, PASSING UPON CROSS OF PLAINTIFF. THE COURT HAS FAILED TO ADDRESS THE ADMITTED PERJURY BY TRIAL COUNSEL WHEN SHE TESTIFIED THAT HER TESTIMONY STATING THAT MR. BARTON REFUSED TO BE TRANSPORTED TO THE GREENVILLE COUNTY COURTHOUSE ON MARCH 25, 2010 AND HE REFUSED TO SEE AND TALK TO ME. THEREFORE HE WAS REFUSING TO ACCEPT THE STATE PLEA OFFER. WHEN COUNSEL WAS ASKED WHERE DID SHE GET THIS INFORMATION?

COUNSELOR STATED IN OPEN COURT THAT SHE DID NOT KNOW, ATTORNEY GENERAL MS. KAREN RATIGAN, HEARD THE TESTIMONY HOWEVER REFUSED TO INFORM THE HEARING JUDGE THAT AFTER HEARING THIS TESTIMONY THAT SHE WOULD LIKE TO CORRECT THE TESTIMONY. See; TR. 81, II, 21-THRU-TR. 84, II, -11, TR. 85, II, 1-25, TR. 87, II, 2-23, & TR. 102, II, 7-THRU-TR. 104, II, 1-23.)

THE COURT HEARD THE PLAINTIFF STATE IN OPEN COURT ON JAN. 28, 2026 THAT AN UNREBUTTED PRESUMPTION IS A LEGAL FACT UNLESS THE OPPOSING PARTY PUT UP EVIDENCE TO THE CONTRARY.

THE FRAUDULENT TESTIMONY THAT THE STATE AND ITS WITNESSES

KAREN RATIGAN AND SUSANNAH ROSS WHOM ARE BOARD CERTIFIED ATTORNEYS ACTED WILLFUL AND INTENTLY CONSPIRED AND SCHEMED TO COMMIT FRAUD ON THE COURT. THE COURT HAS FAILED TO ADDRESS THE EXHIBITS - #C, ESPECIALLY EXHIBIT-#D WHICH CLEARLY AND CONCISELY STATES "YOU CAN SEE FROM THAT LETTER, THAT YOU WERE NOT ON THE LIST FOR A TRANSPORT FOR THE DATE OF 3/25/2010!" WHICH ARE CERTIFIED DOCUMENTS! ALSO EXHIBIT- #22 STATES THAT SAME IS TRUE.

THE COURT HAS FAILED TO ADDRESS THIS ADMITTED PERJURY BY TRIAL COUNSEL COMMITTED BY SUSANNAH ROSS AT THE DIRECTION OF ATTORNEY GENERAL REPRESENTATIVE KAREN RATIGAN. THE PERJURY WAS GIVEN AS EVIDENCE TO OPPOSE THE PLAINTIFF'S TESTIMONY WHERE AS THE STATE PASSED UPON CROSS EXAMINING THE PLAINTIFF. See, SULLIVAN V. FREEMAN, "944 F.2d, 334, 337 (7th Cir, 1991).

THE COURT HAS FAILED TO ADDRESS THE PERJURED TESTIMONY THAT WAS GIVEN BY THE STATES WITNESS SUSANNAH ROSS AND WAS LEFT UNCORRECTED IN WHICH THE HEARING JUDGE IN P.C.R. USED AS OR OFFERED IN EVIDENCE TO PROVE THE TRUTH OF THE MATTER ASSERTED, See, NAPUE V. ILLINOIS, "360 U.S, 264, 79 S.Ct, 1173, 3 L.Ed, 2d, 1217 (1959), (THE S.Ct. HELD THAT ASSISTANT STATE ATTORNEY GEN. REPRESENTATIVE DID NOTHING TO CORRECT FALSE (PERJURED) TESTIMONY OF THEIR WITNESS, PETITIONER WAS DENIED DUE PROCESS OF LAW IN VIOLATION OF THE FOURTEENTH AMENDMENT TO THE FEDERAL CONSTITUTION,

PLAINT TESTIFIED AT THE HEARING TO DISMISS THE COMPLAINT

ON 1/28/2026 THAT THE STATE HAD AN OBLIGATION TO CORRECT SUSANNAH ROSS FALSE (PERJURY) TESTIMONY AT THE P.C.R. HEARING, ESPECIALLY WHEN THE WITNESS STATED IN THE END OF HER TESTIMONY THAT "SHE DID NOT KNOW WHERE SHE GOT HER INFORMATION THAT MR. BARTON REFUSED TO BE TRANSPORTED TO THE COURT, THEREFORE HE WAS REFUSING THE PLEA ON MARCH 25, 2010." See, "RIDDLE V. OZMINT," 369 S.C. 39, 631 S.E.2d, 70 (2006).

THE COURT OF COMMON PLEAS HAS FAILED TO REVIEW AND ADDRESS THE PERJURY, CORRECT THE RECORD AND DETERMINE WHETHER THIS PERJURY EQUATES TO FRAUD AND WHETHER THE FRAUD IS "INTRINSIC FRAUD" OR "EXTRINSIC FRAUD"?

THE PLAINTIFF SUPPORTED HIS CLAIM OF FRAUD ON THE COURT WITH AN "AFFIDAVIT" AND "MEMORANDUM-OF-LAW" HOWEVER THE COURT HAS FAILED TO MAKE MENTION OF THEM IN THE COURT ORDER OF DISMISSAL WHEREAS THE PLAINTIFF HAS A RIGHT TO FILE WITH HIS COMPLAINT AND TWENTY TWO (22) EXHIBITS THAT WERE LEGALLY CERTIFIED AND IDENTIFIED AS EXHIBITS.

THE COURT HAS NOT MADE MENTION OF THE "AFFIDAVIT," WHICH WERE MADE AND WRITTEN DECLARATIONS MADE UNDER PENALTY OF PERJURY AND ARE ACCEPTABLE IN LIEU OF NOTARIZED AFFIDAVITS, 28 U.S. § 1746 WHICH SUPPORTS ALONG WITH THE CERTIFIED EXHIBITS. WHEN, WHERE, AND HOW THE FRAUD ON THE COURT BEGAN AND HOW IT AFFECTED THE OUTCOME OF ISSUE NUMBER ONE OF THE APPLICANTS P.C.R. HEARING. THE HEARING COURT SPECIFICALLY STATED ON THE RECORD IN ITS ORDER OF DISMISSAL THAT COUNSEL TESTIMONY IS THE REASON FOR HIS RULING IN FAVOR OF THE STATE TO DENY

APPLICANTS P.C.R. AND COUNSELS TESTIMONY AND HER NOTES IS MORE CREDIBLE THAN THE APPLICANTS. See; THE FORMAL COMPLAINT, PAGE 10, 2 PARAGRAPH-THRU PAGE 18, 1ST & 2ND PARAGRAPH, EXHIBIT-4AA, TRANSCRIPT OF HEARING (2014-CP-23-5047) TR. 103, II. 18-THRU-TR. 104, II. 1-7).

TRIAL COUNSEL ADMITS TO TESTIFYING AGAINST APPLICANT THAT HE REFUSED TRANSPORT TO THE COURTHOUSE ON MARCH 25, 2010 AND HE REFUSED TO SEE HER AND TO TALK WITH HER! "COUNSEL TESTIFIES THAT SHE DON'T KNOW" WHERE SHE GOT THE INFORMATION THAT MR. BARTON REFUSED TRANSPORT. "See; (TR. 103, II. 18-THRU-TR. 104, II. 1-7)

EXHIBIT-#6 (ORDER OF DISMISSAL)

THE P.C.R. ORDER OF DISMISSAL (C.A. NO. 2014-CP-23-5047) PAGE 6, 3rd OF PARAGRAPH LINE 6(b) 7(a), LINE 9 (a) AND 10) WHICH STATES (12(a)-13) THAT COUNSEL TESTIFIED "THE APPLICANT 'NEVER' TOLD HER EITHER THAT HE WANTED TO ACCEPT THIS PLEA OFFER OR THAT HE WANTED TO PLEAD GUILTY!"

FOURTH (4TH) PARAGRAPH, LINE 3(b)-4(a), "O.F.D." WHICH STATES "TRIAL COUNSEL TESTIFIED, HOWEVER, THAT THE APPLICANT REJECTED THE OFFER AND THEN TO REFUSED TO SEE HER FOR SEVERAL MONTHS."

FOURTH (4TH) PARAGRAPH, LINE 4(b) "ORD. OF DISMISSAL" STATES THIS COURT FINDS TRIAL COUNSEL'S TESTIMONY IS MORE CREDIBLE THAN THE APPLICANT ON THIS ISSUE, LINE 4(b)-5(a). ORDER OF DISMISSAL HONORABLE DANIEL D. HALL, PAGE 18 ENDORSED THAT THE APPLICATION FOR POST-CONVICTION RELIEF BE DENIED AND DISMISSED WITH PREJUDICE; ON THE 14TH DAY OF MARCH, 2016.

PLAINTIFF STATE THAT THE COURTS DECISION WAS BASED ON UNREA-

SONABLE DETERMINATION OF THE FACTS IN LIGHT OF THE EVIDENCE PRESENTED IN THE COMPLAINT AND STATE COURT PROCEEDINGS, ESPECIALLY WHERE EXHIBITS-#D, #C, & #22 WHICH WERE DISCOVERED AFTER AN LENGTHY INVESTIGATION THAT COULD NOT HAVE BEEN KNOWN THROUGH DUE DILIGENCE AS THE DATES ARE CLEARLY SHOWN AND ARE CERTIFIED BY A CUSTODIAN OF RECORDS, THESE DOCUMENTS WILL SUPPORT THE CLAIM THAT TRIAL COURSE AND ATTORNEY GENERAL DID WILLFULLY AND MALICIOUS INTENT COMMIT FRAUD UPON THE COURT!

"EXHIBIT-#D," ON SECOND PARAGRAPH, LINE 4-5 STATES "YOU CAN SEE FROM THAT LETTER, THAT YOU WERE NOT ON THE LIST FOR A TRANSPORT, FOR THE DATE OF 3/25/2010." CERTIFIED BY JINNY MORAN, CAPTAIN, COUNTY RECORDS MANAGER.

"EXHIBIT-#C," WHICH GIVES EVERY DATE THE COURT OUTLINES FOR PLEA APPEARANCE THE DATES WERE 2/9/10, 3/9/10, & 4/6/10 HOWEVER THERE IS NO PLEA DATE FOR 3/25/2010. KATIE TUCKER OF THE STATE OF SOUTH CAROLINA, SOLICITOR, 13TH JUDICIAL CIRCUIT RESPONDS BY THIS LETTER AND STATING ON LINE 7, (b) "THERE ARE NO ORDERS TO TRANSPORT ASSOCIATED WITH THE DATE IN QUESTION OF 3/25/10."

"EXHIBIT-#22" ADDRESSED TO JINNY MORAN, CAPTAIN, COUNTY RECORDS MANAGER ANSWERS THE (4) QUESTIONS AND CERTIFIES THE ANSWERS STATING THAT "NO!" THERE WERE NO TRANSPORT FOR ME FROM THE DETENTION CENTER TO COURTHOUSE ON MARCH 25, 2010!"

"THESE THREE (3) EXHIBITS ARE ATTACHED TO THIS MOTION TO BRING TO THE ATTENTION OF THE COURT THAT THE COURT HAS NOT ACCESSED THE WEIGHT OF THE MATTER OF THE MERIT THIS EVIDENCE AND THERE IS A REASONABLE LIKLIHOOD THAT "THE FRAUD COMMITTED UPON THIS COURT," COULD

HAVE AFFECTED THE RULING OF THE COURT, EVEN IF FRAUDULENT TESTIMONY RELATES ONLY TO CREDIBILITY OF GOVERNMENT'S WITNESS AND OTHER EVIDENCE CALLED IN QUESTION'S OF CREDIBILITY OF THAT WITNESS. See; AGURS V. U.S., "427 U.S. 977/03, 96 S. Ct. 2392, 49 L.Ed. 342 (1976) & MOONEY V. HOLLOMAN, "294 U.S. 103, 55 S. Ct. 340, 79 L.Ed. 791 (1935)

PLAINTIFF STATE THE ORDER DOES NOT MENTION THE TRANSCRIPTS OF THE TRIAL CASE NO: 2009- GS-23-10018 (EXHIBIT-#B^{4B}) TR. 6, II. 6-16, & TR. 89, II 4 THRU TR. 104, II, PLUS TR. 276. (TR. 6, II. 1-THRU-TR. 16, II. 4-25) WHERE THERE IS NOTHING FROM THE PROSECUTION OR TRIAL COUNSEL THAT A PLEA OFFER WAS MADE TO THE DEFENDANT AND HE REFUSED THE OFFER ON THE RECORD PRIOR TO TRIAL. NEITHER IS THERE ANY TESTIMONY FROM TRIAL COUNSEL IN P.C.R. THAT SHE PLACED IT ON RECORD PRIOR TO TRIAL TO PROTECT HER SELF POST TRIAL AND DURING P.C.R. AS IN HER OTHER TRIAL SUCH AS "STATE V. RUSSELL" 2021-WL-5356306, AND "STATE V. GERALD AKEEM GADSDEN" CASE NO: 2014-GS-23-03815, APP. NO: 2016-001286. THE RECORDS WILL SHOW THAT PLEA OFFERS MADE KNOWN TO THE COURT PRIOR TO TRIAL BY SUSANNAH ROSS. See; "MISSOURI V. FRYE", 132 S.Ct. ¶1409 (2012)

PLAINTIFF IN THIS RULE 59(e) FOR REASONS THE ORDER CONTAINS AN ERRONEOUS FINDINGS OF FACT AND AN MISAPPLICATION OF THE LAW BASED UPON THE EVIDENCE PRESENTED IN THIS COURT IN WHICH THERE IS NO MENTION OF THE FACTS OR THE FINDINGS SPECIFICALLY ADDRESSING THEM AND SUBSTANTIATE ITS RULING WITH CONCLUSION OF LAW PRESERVING THE ISSUES FOR APPELLATE REVIEW. See; "MARLAR", 653 S.E.2d, ¶267.

THE COURT FAILED TO GIVE THE PLAINTIFF TO OPPORTUNITY OF TIME IN THE PRELEMINARY COURT STAGE BY SETTING ASIDE (15) FIFTEEN MINUTES TO PRESENT HIS ARGUMENT THE MOTION FOR LEAVE FOR DISCOVERY. PLAINTIFF FILED A FORMAL MOTION FOR LEAVE FOR DISCOVERY TO SUBMIT INTERROGATORIES, REQUEST PRODUCTION OF DOCUMENT AND ADMISSIONS. THE MOTION WAS PROPERLY FILED A SPECIFIC "E-MAIL" WAS REQUESTED. THE COURT DENIED THIS MOTION HOWEVER THE STATE DID NOT OBJECT TO IT YET THOUGH THIS COURT DENIED THE MOTION WITHOUT JUSTIFICATION. THE "E-MAIL" IN QUESTION WHICH CAN NOT BE PRODUCED PROVES WITHOUT A DOUBT THAT TRIAL COUNSEL COMMITTED PERJURY THROUGH THE PCR HEARING AND THE STATE OPENINGLY ADMITS THAT THE "E-MAIL" POSSIBLY DOES NOT EXIST. THE COURTS RULING DENYING THIS MOTION FOR LEAVE OF DISCOVERY IS AN ABUSE OF DISCRETION AND VIOLATES THE PLAINTIFF RIGHT TO DUE PROCESS, GAURANTED BY THE FOURTEENTH (14th) AMEND. U.S. CONST. (FED. LAW)

PLAINTIFF REQUESTED A CONTINUANCE DUE TO EXTRA-ORDINARY CIRCUMSTANCES DUE TO FACTOR BEYOND HIS CONTROL WHICH WOULD PREVENT HIM FROM PUTTING UP A PROPER DEFENSE TO THE STATES MOTION FOR SUMMARY JUDGMENT. PLAINTIFF STATED ON THE RECORD AT THE HEARING OF REASONS FOR REQUESTING THE CONTINUANCE;

- 1.) THE PLAINTIFF WAS EXPERIENCING POLYPS IN HIS COLON IN WHICH CAUSING HIM MEDICAL PROBLEMS AND ON 1/16/26 WAS TRANSPORTED TO KIRKLAND C.I. MEDICAL

HOLDING FACILITY AND ON 1/22/2026 A MEDICAL PROCEDURE WAS PERFORMED ON THE PLAINTIFF HOWEVER HE WAS HELD WITHOUT ACCESS TO LEGAL MATERIAL OR ANY INMATE (PRISONER) LEGAL ASSISTANCE, THE HEARING COURT WOULD NOT ALLOW PLAINTIFF TO ENTER AN EXHIBIT #4, TO PRODUCE AND ENTER INTO EVIDENCE TO SUPPORT MY ORAL MOTION FOR A CONTINUANCE DUE TO THE EXTRAORDINARY CIRCUMSTANCE. THE DENIAL PREJUDICED THE PLAINTIFF FOR LACK OF TIME TO STUDY MY CLAIM. THE DEFENDANT DID NOT OBJECT TO THE MOTION BECAUSE IT WOULD NOT HAVE PREJUDICE THEM IN ANYWAY, (EXHIBIT #4, ATTACHED)

IN CONNECTION THIS COURT (HEARING PRELEM) THE COURT DENIED PLAINTIFF OPPORTUNITY TO PRODUCE FAVORABLE WITNESSES AS A PRO SE PRISONER WHEN THIS COURT FAILS TO ADDRESS THIS ISSUE. THE PLAINTIFF SUBMITTED AN REQUEST FOR (3) SUBPOENA APPLICATION, PURSUANT TO RULE 45(c), S.C.R.P. FORMS ON DEC. 22, 2025. A TRUE COPY WAS MAILED TO HON. VERNON F. DUNBAR, J. DATED STAMP BY S.C.D.C. MAIL ROOM, SEE, (EXHIBIT #4) ATTACHED. ON JAN. 7, 2026 PLAINTIFF RESUBMITTED A NOTARIZED REQUEST FOR (3) SUBPOENA APPLICATION FORM, HOWEVER THE (3) SUBPOENAED PROSPECTIVE WITNESS WERE NAMED, AS FOLLOWS #1.) CAPTAIN JENNY MORAN CUSTODIAN COUNTY RECORDS MANAGER FOR CIVILLE LAW ENFORCEMENT CENTER; #2.) DARINA BEARDEN, PRELIMINARY HEARING COORDINATOR, AND #3.) HON. CAROLINE HOLTBEEK, ESQ, PROBATE. ALL THREE (3) WITNESSES ARE GOVERNMENT EMPLOYEES. THE COURT AND HON. VERNON F. DUNBAR, WAS SERVED WITH A TRUE EXACT COPY OF THE SUBPOENAED POTENTIAL WITNESSES. HOWEVER ALL HAD RELEVANT FIRST HAND INFORMATION OF THE CERTIFIED DOCUMENTS AND FIRST HAND KNOWLEDGE OF THE FRAUD ON THE COURT BY KAREN

RATTIGAN AND SUSANNAH ROSS, THE PLAINTIFF RECEIVED THE SUBPOENA APPLICATION FORMS ON JAN 23, 2026, THE HEARING WAS HELD ON JAN, 28, 2026. THE RULE REGARDING SUBPOENING WITNESSES IS MUST BE HELD AND SERVED (10) DAYS PRIOR TO THE HEARING GIVING THE WITNESS(S) PROPER NOTICE. ON THE DAY OF THE HEARING WHEN PLAINTIFF REQUESTED THE CONTINUANCE DUE TO THE CLERK FAILURE TO RETURN THE SUBPOENA FORMS WELL IN ADVANCE FOR PLAINTIFF TO SERVE THESE WITNESSES A HON. KERNON F. DUNBAR BEING PLACED ON NOTICE OF THE EXTRAORDINARY CIRCUMSTANCES ON THE RECORD AND THERE IMPORTANT TESTIMONY TO THE ISSUE, THIS COURT DECIED THE MOTION AND PREJUDICED THE PLAINTIFF. THE PLAINTIFF HAVE BEEN DEQUIED A CONSTITUTIONAL RIGHT TO PRESENT FAVORABLE WITNESS AND THE RULING COURT KNOWS OR KNOW OF THESE WITNESSES BECAUSE THEY ARE CONNECTED TO THE CASE ~~HAVE~~ ARE GOVERNMENT EMPLOYEES WHO'S CREDIBILITY CAN NOT BE IMPAIRED. See (EXHIBIT #2 & #3) ATTACHED. PLEASE ADDRESS THIS ISSUE PER RULE 59(c) & RULE 52(a) SCRP. THE COURT AND THE JUDGE WERE INFORMED OF THE CLERK SHORT SIGHTEDNESS TO COMPLY WITH THE RULES OF COURT (10) DAYS PRIOR TO HEARING AND THE DEFENDANT REPRESENTATIVE DID NOT OBJECT TO THE PLAINTIFF REQUEST FOR A CONTINUANCE AND TO RECEIVE THE NECESSARY TIME TO SERVE SUBPOENA UPON THESE WITNESSES AND HEAR THEIR MERITORIOUS TESTIMONY WHICH WILL SUPPORT THE PLAINTIFFS' CLAIM.

THE COURT HAS FAILED TO RULE ON PLAINTIFFS MOTION TO INVOKING THE JURISDICTION OF EQUITY AND AN INDEPENDANT ACTION IN EQUITY.

"PROPOSED ORDER"

1) PLAINTIFF STATE THAT HE DID SERVE THE DEFENDANT, ALAN M. WILSON, ATTORNEY GENERAL FOR THE STATE WITH A TRUE COPY OF THE SUMMONS, COMPLAINT, PROOF-OF-SERVICE, SWORN AFFIDAVIT, MEMORANDUM-OF-DECISION BY THE 2ND DAY OF OCTOBER 2025, VIA CERTIFIED MAIL RETURN RECEIPT IN WHICH RULE 4, PROCESS SCRPC, RULE 4 CODE OF LAWS OF SC § 1976 ANNO. OF RULE 4(d)(4) PROVIDES (SUMMONS; PERSONAL SERVICES) (d)(4) SC (A) DELIVERING A COPY OF SUMMONS & COMPLAINT TO THE ATTORNEY GENERAL. . . . SENDING A COPY OF THE SUMMONS & COMPLAINT BY REGISTERED OR "CERTIFIED MAIL" TO THE ATTORNEY GENERAL WHICH SATISFIES THE SUMMONS OF SERVICE PROCESS AND PLAINTIFF OBJECT THE COURT'S RULING IN FAVOR OF THE DEFENDANTS' ON THIS ISSUE;

2) PLAINTIFF RETALIEGE THE FRAUD COMMITTED ON THE COURT "BY THE STATE AND ITS REPRESENTATIVE SUBORNING ITS WITNESS SUSANNAH ROSS TO COMMIT PERJURY WHICH EQUATES TO EXTRINSIC FRAUD" AND THE COURT HAS FAILED TO ADDRESS THE FACTS OF THE CASE BUT HAS ONLY STATED LAW WHICH DOES NOT DEAL WITH THE FACTS IN THIS CASE WHERE A REASONABLE JURY COULD RULE IN FAVOR OF THE PLAINTIFF, See FOX V. ELKRUN, "139 F.3d. 131, 135-36 (4th Cir, 2014)

3) RELIEF IS AVAILABLE UNDER RULE 60(b)(3), SCRPC WHERE IT WOULD BE UNCONSCIONABLE TO ALLOW THE JUDGMENT TO STAND "FRAUD ON THE COURT" HAS NO DEAD-LINE. PLAINTIFF ASSERTS FEDERAL R. CIV. P., RULE 60(d)(3) "THE SAVING CLAUSE" PERMITS A COURT TO EXERCISE ITS INHERENT EQUITABLE POWERS TO OBLIVATE A FINAL JUDGMENT AFTER (1) YR. FOR "FRAUD ON THE COURT." THE SUPREME COURT ADDRESSED THIS DOCTRINE IN "HAZEL-ATLAS GLASS CO. V. HART-FORD-EMPIRE", "322 U.S. 238, 64 S. Ct. 997, 88 L. Ed. 1250 (1944) COLLATERAL ESTOPPEL AND Res judicata IS NOT APPLICABLE IN THE CLAIM → ("HILTON HEAD CENTER V. SC. PUBLIC SERV. COMM", "294 SC 9, 362 S. Ed. 2d. 176 (1987)

See "PERCY V. HEIR-OF GADSDEN" 357 S.C. 42 (4 APR 2005) RULE 60(b) ALLOWS AFTER A YEAR OF FRAUD ON THE COURT "PURSUANT TO RULE 60(b)(3), 5 CRCP. See HAGY V. - PRUITT, 339 S.C. 425, 529 S.E2d 714 (2000)

4.) PURSUANT TO RULE 60(b)(3) & Paragraph below Sub. Sec. (5) of §(b) DOES NOT LIMIT THE POWER OF THE COURT TO ENTERTAIN AN INDEPENDANT ACTION,

"THE PLAINTIFF REITERATE THE LANGUAGE HERE WHICH STATES IN SUB. SEC. (5) OF SUB. SEC. (b) "DOES NOT LIMIT THE POWER OF THE COURT TO ENTERTAIN AN INDEPENDANT ACTION / THE PLAINTIFF IS ALLEGING FRAUD ON THE COURT NOT IN-EFFECTIVE ASSISTANCE OF COUNSEL WHICH COULD BE HEARD IN ANY CIVIL COURT THAT THE COURT DETERMINES NOT THE PLAINTIFF TO RELIEVE A PARTY FROM A JUDGMENT ORDER, OR PROCEEDING, OR TO SET ASIDE JUDGMENT FOR FRAUD ON THE COURT

PLAINTIFF STATE THAT FOR THE DEFENDANT TO ORDER THAT THE P.C.R. TO BE THE ONLY AVENUE FOR THE PLAINTIFF TO BRING HIS MOTION FOR AN INDEPENDANT ACTION IN EQUITY WOULD BE FOR THE DEFENDANT TO LIMIT THE POWER OF THE COURT TO ENTERTAIN THIS ACTION, THE PLAINTIFF OBJECTS TO THIS LINE OF DEFENSE DUE TO THE FACT THAT IF PLAINTIFFS CLAIM WAS HEARD IN THE WRONG COURT OR AVENUE, THEN THE COURT RULING DISMISSED WITH PREJUDICE SHOULD NOT APPLY BUT TO BE REHEARD IN THE PROPER VENUE AND HEARD PROPERLY,

5.) PLAINTIFF AGREES AND CITES, "BROWN V. LEVERETTE" 291 S.C. 364, 366 (1987) (STATES A COURT CANNOT GRANT MOTION TO DISMISS A CLAIM IF THE FACTS SET FORTH IN THE COMPLAINT AND THE INFERENCE REASONABLY DRAWN THEREFROM WHICH WOULD ENTITLE THE PLAINTIFF TO ANY RELIEF ON ANY THEORY OF THE CASE IN WHICH THE PLAINTIFF STATES HE HAS PLACED IN HIS COMPLAINT, WITH AN AFFIDAVIT, EXHIBITS, & MEMORANDUM-OF-LAW. IN WHICH HE PLAINTIFF STATES HE HAS DONE SO,

PLAINTIFF STATES THAT HIS COMPLAINT SHOULD NOT BE DISMISSED FOR FAILURE TO STATE A CLAIM MERELY BECAUSE THE COURT DOUBTS THE PLAINTIFF WILL PREVAIL IN THE ACTION; HAM, JR., THE QUESTION IS WHETHER, IN THE LIGHT MOST FAVORABLE TO THE PLAINTIFF AND EVERY DOUBT RESOLVED IN HIS BEHALF, IF THE COMPLAINT STATES ANY VALID CLAIM FOR RELIEF. SEE, TOUSSAINT V. HART, 292 SC 415 (1987)

PLAINTIFF CITES NEITZKE V. WILLIAMS, 490 U.S. 319, 109 S.Ct. 1827 (1989) RULE 12(b)(6) SEE NEITZKE, 490 U.S. 329-30, 109 S.Ct. 1833-34 (THE PLAINTIFF IS ORDINARILY ACCORD NOTICE OF A PENDING MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM AND AN OPPORTUNITY TO AMEND THE COMPLAINT.) THE PROCEDURE UTILIZED BY THE COURT AFFORDS AN UNREPRESENTED PLAINTIFF THE EQUIVALENT OF EACH THESE PROTECTIONS. GIVING PLAINTIFF LEAVE TO FILE AN AMENDED COMPLAINT IN WHICH TO CORRECT THOSE DEFICIENCIES AND CLEARLY WARNING THE PLAINTIFF THAT FAILURE TO CORRECT THESE DEFICIENCIES WITHIN TIME PRESCRIBED BY THE COURT LEAD TO A RECOMMENDATION OF DISMISSAL. A NEW WRITING OPPORTUNITY TO RESPOND IS PROVIDED BY ALLOWING THE PLAINTIFF EITHER TO CORRECT THE NOTED DEFICIENCIES IN AN AMENDED COMPLAINT OR FILE AN OBJECTION TO THE RECOMMENDATION OF DISMISSAL, HOWEVER THIS COURT HAS NOT ALLOWED THE PLAINTIFF THE OPPORTUNITY FOR LEAVE TO FILE AN AMENDED COMPLAINT OR ANY OTHER SUCH OPPORTUNITY. DENIAL HAS BEEN EXTEND TO DISCOVERY, CONTINUANCE, TO SUBPENA WITNESSES, EVEN UNDER THE GUISE OF EXTRAORDINARY CIRCUMSTANCES. THE PLAINTIFF OBJECTS ON THE RECORD TO THE COURT'S ORDER OF DISMISSAL AND ALL MOTIONS THAT BEEN FILED WITHIN YOUR COURTS.

THE PLAINTIFF OBJECTS TO THE COURT'S ORDER OF DISMISSAL AND RE-ALLEDGE ALL PREVIOUS OBJECTIONS PLACED ON THE RECORD AGAINST

ALL MOTIONS THE COURT HAS FAILED TO ADDRESS AND THOSE THAT WERE NOT FAVORABLE IN THE PLAINTIFF BEHALF, PLAINTIFF HAS FILED THIS MOTION RULE 59(e) & 52(b), SCRPC OF SC CODE & 1976 ANN. REQUIRING THE COURT TO MAKE SPECIFIC FACTS OF FINDING AND SPECIALLY SUPPORTED WITH (B) CONCLUSION OF LAW AND PRESERVE THE RECORD FOR APPELLATE REVIEW.

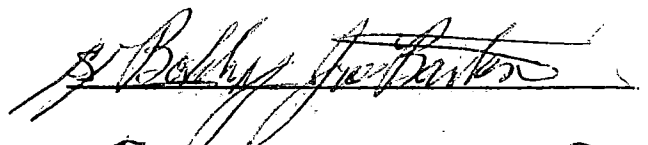
PLAINTIFF BRINGS TO THE ATTENTION TO THE COURT THE LEGISLATIVE REASON FOR RULE 60(b)(3), SCRPC "FRAUD ON THE COURT" WHICH IS TO ENSURE THAT A GROSS MISARRANGE OF JUSTICE CONTINUE TO PREVAIL AND ALLOW IT TO STAND AND GO UNCORRECTED AND IS MANIFESTLY UNCONSCIONABLE AND SHOCKING TO THE CONSCIENCE AS IT IS IN THIS CASE BEFORE THE COURT. IT IS ALSO DENIAL OF DUE PROCESS OF THE FOURTEENTH (14TH) AMENDMENT U.S. CONST. (FED. & STATE) (ART. I § 38-14 THE CONST. OF SC AND THE LAWS OF THE STATE. See, NAPUE V. ILLINOIS, 360 U.S. 264, 795 S. Ct. 1173 (1959) ROZIER V. FORD MOTOR CO., 573 F.2d, 1332 (5TH CIR, 1978)

THIS COURT DECISION TO DISMISS PLAINTIFF APPLICATION HAS BEEN ADJUDICATED AND BASED UPON AND CONTRARY TO, OR INVOLVED ON UNREASONABLE APPLICATION OF CLEARLY ESTABLISHED FEDERAL LAW AND BASED ON AN UNREASONABLE DETERMINATION OF THE FACTS IN LIGHT OF THE EVIDENCE PRESENTED IN THE STATE COURT PROCEEDINGS, See, NAPUE V. ILLINOIS, 360 U.S. 264, 795 S. Ct. 1173, 3 L.2d, 1217 (1959) & CHEWING V. FORD MOTOR CO., 354 SC 72, 579 S.E.2d, 605 (SC, 2008). Id. 501

WHEREFORE IT IS WITH MANY PRAYERS, MUCH HOPE
PLAINTIFF RESPECTFULLY ASK THIS COURT TO GRANT HIS

MOTION FOR A RULE 59(c) TO ALTER OR AMEND JUDGMENT AND SPECIFICALLY ADDRESS EACH ISSUE RAISED IN THE APPLICATION AND SPECIFIC FINDINGS OF FACT, AND STATE EXPRESSLY ITS CONCLUSION OF LAW RELATED TO EACH ISSUE PRESENTED. (SC CODE ANN. § 17-27-80(2003) AND RULE 52(a), SCRCP (PRUITT, MARLAR, & HILL) TO SET ASIDE JUDGMENT, CORRECT THE RECORD, AND TO GRANT THE ONLY RELIEF AVAILABLE, IMMEDIATE RELEASE AND (AN INDEPENDANT ACTION) AT ANY OTHER RELIEF THIS COURT DEEMS JUST AND APPROPRIATE.

RESPECTFULLY SUBMITTED,



BOBBY JOE BARTON, PRO SE

FILING A RULE 59(c) MOTION ALSO TOLLS THE TIME FOR FILING A NOTICE OF INTENT TO APPEAL. S.G.R.CIV.P., RULE 59(f)

CC: CARLY H. DAVIS, ASST. ATTY. GEN.

BOBBY JOE BARTON, PRO SE

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
IN THE 13TH JUDICIAL CIRCUIT

BOBBY JOE BARTON, PROSE
#163629 PLAINTIFF, C.A. NO. 2025-CP-23-05538

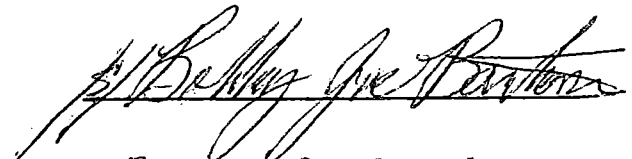
V.

STATE OF SOUTH CAROLINA,
DEPENDENT.

CERTIFICATE OF SERVICE

RULE 59(e) & RULE 52(d), SCRPC

THE HEREBY UNDERSIGNED STATE UNDER THE PENALTY OF PERJURY THAT HE HAS SERVED THE CLERK OF COURT, JAY GRESHAM, 13TH JUDICIAL CIRCUIT WITH A 59(e) & 52(d), RULE MOTION AND A TRUE COPY TO MS. CARLY H. DAVIS, ASSISTANT TO THE ATTORNEY GENERAL'S OFFICE OF S.C. THIS ACTION WAS DONE BY PLACING SAID MOTION INTO THE U.S. POSTAL SERVICE ON THE 27, DAY OF MAY, 2026, FROM LIVESAY (B) CAMP, P.O. BOX 580, UNA, SC 29378-0580.



BOBBY JOE BARTON, PROSE

CC: MS. CARLY H. DAVIS, ASST. ATTY. GEN.
BOBBY JOE BARTON, PROSE
#163629

SCDC

MAY 27 2026

MAIL ROOM

FILED: 26 JUN 24 10:33
Clerk Jay Gresham, CL. SC

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Receipt of Legal Correspondence Verification

This is to verify that legal correspondence from (Name and Address)

Jay Gresham
Greenville County Clerk of Court
305 E. Ninth St.
Greenville, SC 29601

EXHIBIT-#1

Addressed to (Inmate Name, SCDC#, and Address):

Bobby Barton 163629
Livesey Correctional Inst.
P.O. Box 500
Una, SC 29378

was received and logged in on SCDC Form 10-12, "Legal/Privileged/Certified-Mail Delivery Log," at the
Livesey Correctional Mailroom on (Date) 5/18/26

On (Date) 5/18/26, the above referenced correspondence was delivered to
Inmate Barton, Bobby, SCDC # 163629, and his signature
was obtained on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log".

Additional Notes:


Postal Director/Institution

5/18/26
Date

DECEMBER 22, 2025

SCDC

DEC 23 2025

MAIL ROOM

TO: HON. JAY GRESHAM, Esquire.
CLERK OF COURT, 13th JUD. CIR.

EXHIBIT #2

FROM: BOBBY JOE BARTON, #163629 (PLAINTIFF)

C.A. NO; 2025-CP-23-05538

1/28/2026

Re: REQUESTING SUBPOENAS APPLICATION? RULE 45(a) SCRC
SUBPOENA - FORMS

DEAR CLERK,

I HAVE A HEARING HEARING IN YOUR COURT ON
1/28/2026 @ 11:30 AM, THEREFORE I HAVE (2) NON-PRISONER
WITNESSES THAT I WOULD LIKE TO PRODUCE BEFORE THE COURT,
PLEASE SEND (2) EMBOSSED COURT SEAL FORMS THAT I MAY
COMPLETE AND SERVE THEM OF THE DATE AND TIME THAT THEY
ARE TO APPEAR. I RESPECTFULLY ASK YOU TO PLEASE EXPEDITE
MY REQUEST THAT I MAY GET THEM SERVED WITHIN (21) DAYS
PRIOR TO MY HEARING. PLEASE MAKE SURE THAT THE SUBPOENA
FORMS HAVE YOUR COURT SEALS ON THEM SO WHEN I GET THEM
SERVED THE ORIGINAL FORM WILL BE RETURNED TO YOUR COURT
AS PROOF OF SERVICE, I THANK YOU IN ADVANCE FOR YOUR
ASSISTANCE IN THIS MATTER.

COUNTY OF SPARTANBURG
MAILED ON 22 DAY DECEMBER 2025

Respectfully Submitted,

CC: HON. VERNON F. DUNBAR, C.J.

BOBBY JOE BARTON, PLAINTIFF

Bobby Joe Barton
BOBBY JOE BARTON, #163629
PLAINTIFF

"January 6, 2026"

EXHIBIT #3
1/28/2026

ATTN: HON. JAY GRESHAM, Esq.
CLERK OF COURT
305 E. NORTH ST.
GREENVILLE, SC 29601

FROM: BOBBY JOE BARTON, PLAINTIFF, PRO SE
C.A. NO: 2025-CP-23-05538

Re: SUBPOENA ASSISTANCE FOR NAMED INDIVIDUALS

DEAR CLERK,

I AM REQUESTING YOUR ASSISTANCE IN SERVING THE (3) NAMED INDIVIDUALS IN THE REQUEST. MY HEARING DATE IS 1/28/2026 IN YOUR COURT HOUSE. I RESPECTFULLY ASK YOUR ASSISTANCE. AS YOU CAN SEE THAT I'M A PRISONER AND CANNOT ACTUALLY SERVE THEM MYSELF THEREFORE I HAVE GIVEN YOU THE NAMES AND THE LAST KNOWN ADDRESS. THIS MUST BE DONE (10) DAYS PRIOR TO MY HEARING. I'VE MADE IT KNOWN TO ALL PARTIES INVOLVED AND THEIR RELEVENCY WILL BE MADE KNOWN. I'VE ENCLOSED AN X-TRA COPY W/ S.A.S.E. ASKING THAT YOU PLEASE DATE STAMP AND RETURN TO ME SOON AS POSSIBLE THE PROOF OF SERVICE PLACES EVERYONE IN NOTICE OF MY INTENTIONAL WITNESS LIST. I THANK YOU IN ADVANCE FOR YOUR ASSISTANCE REGARDING THIS URGENT MATTER AND I LOOK FORWARD TO YOUR TIMELY RESPONSE.

Respectfully Submitted,
Bobby Joe Barton, Pro Se

"JANUARY 6, 2025"

EXHIBIT-#3
1/28/2026

CHAPTER 34. WITNESSES AND SUBPOENAS
III. SUBPOENAS
§ 34-10 LETTER TO CLERK REQUESTING
SUBPOENA

THE HONORABLE JAY GRESHAM
CLERK OF COURT OF GREENVILLE COUNTY
GREENVILLE COUNTY COURT OF COMMON PLEAS
305 E. NORTH ST.
GREENVILLE, SC 29601

Re: BARTON V. STATE OF SOUTH CAROLINA, C.A. NO. 2025-CP-23-05538
GREENVILLE COUNTY COURT OF COMMON PLEAS

DEAR, HON. JAY GRESHAM,

ON BEHALF OF THE PLAINTIFF (BOBBY JOE BARTON) PRO SE.
PETITIONER PLEASE ISSUE A WITNESS SUBPOENA FOR THE FOLLOWING
INDIVIDUAL FOR THE HEARING OF THE ABOVE CASE,

#1. CAPT. JIMMY MORAN, COUNTY RECORDS MANAGER
LAW ENFORCEMENT CENTER,
4 MCGEE ST., SUITE 119
GREENVILLE, SC 29601
FAX (864) 467-5113; &

#2.) DONNA BEARDEN,
PRELIMINARY HEARING COORDINATOR
GREENVILLE COUNTY COURTHOUSE
305 E. NORTH ST. S-20
GREENVILLE, SC 29601, &

EXHIBIT #3
1/25/2026

#3.) CAROLINE HORLBECK, ESQ.
CURRENT GREENVILLE COUNTY PROBATE COURT
UNIVERSITY RIDGE SQUARE
GREENVILLE, SC 29601

THE ORIGINAL AND TWO COPIES OF THE
SUBPOENA WILL BE ENCLOSED, SOON AS YOU MAIL ME
THE (3) SUBPOENA FORMS PURSUANT TO RULE 45, SC RCP.
PLEASE ISSUE ME (3) FORMS EXPEDITIOUSLY THAT I MAY
COMPLETE THEM AND GET THEM SERVED BEFORE (10)
DAYS OF MY JAN. 28, 2026 11:30 AM HEARING IN
YOUR COURT HOUSE. I'VE ENCLOSED A SELF-ADDRESSED,
POSTAGE PREPAID ENVELOPE TO RETURN TO ME SOON AS
POSSIBLE, I THANK YOU IN ADVANCE AND AWAIT YOUR
RESPONSE TO MY REQUEST FOR THESE SUBPOENA FORMS.
- PER RULE 45, SC RCP.

RESPECTFULLY & COMMITTED
~~Bobby Sol Barton~~ Rose
BOBBY SOL BARTON, PROSE

SWORN AND SCRIBED BEFORE
ME THIS 1st DAY OF JANUARY, 2026
Heather Karm Janner
MY COMMISSION EXPIRES
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES 5.21.34

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
IN THE THIRTEENTH JUDICIAL CIRCUIT

BOBBY JOE BARTON, #163629
PLAINTIFF,

C.A. NO. 2025-CP-23-03538

V.

STATE OF SOUTH CAROLINA,
DEFENDANT.

PROOF OF SERVICE

MOTION REQUESTING ASSISTANCE
OF SUBPOENA ON WITNESSES

FOR PRO SE LITIGANT (PRISONER)

RULE 45, SC RCP, (PRO SE)

FILED: 2025 JAN 07 14:49
CLERK OF COURT
COUNTY OF GREENVILLE, SC

THE HEREBY PLAINTIFF IS A PRO SE PRISONER STATE UNDER
THE PENALTY OF PERJURY THAT HE HAS SERVED HON. JAY GRESHAM,
CLERK OF COURT, THIRTEENTH JUDICIAL CIRCUIT REQUESTING SUB-
POENA ASSISTANCE TO SERVE THE (3) NAMED INDIVIDUALS IN THIS
MOTION IN A TIMELY MANNER. HEARING DATE OF JAN 28, 2026.

2. HON. JAY GRESHAM, ESQUIRE
CLERK OF COURT, CMN PLEAS
305 E. NORTH ST.
GREENVILLE, SC 29601

SCDC

JAN 07 2026

MAIL ROOM

THIS DOCUMENT WAS SERVED/MAILED CERTIFIED RETURN RECEIPT
IPT ON 7TH DAY OF JANUARY, 2026 FROM LIVESAY MAILROOM TO
BE PLACED IN THE U.S. POSTAL SERVICE.

CC: HON. VERNON F. DUNBAR, J.

BOBBY JOE BARTON, PRO SE

ALAN M. WILSON, A.G.

EXHIBIT-#3

1/28/2026

"March 16, 2026"

ATTN: JAY GRESHAM, ESQ.

CLERK OF COURT, CH. CIVIL PLEAS

305 E. NORTH ST.

Greenville, SC 29601

{ EXHIBIT-#1 }

FROM: Bobby Joe Burton, Prose #163629

CA no: 2025-CP-23-05538

Re: MOTION FOR Rule 59(e) SCRPC & OBJECTION ON RECORD.

∴ MR./MADAM CLERK,

ENCLOSED IS MY MOTION REQUESTING A RULE

59(e) FACTS-N-FINDINGS W/ CONCLUSION OF LAW. I HAVE ENCLOSED

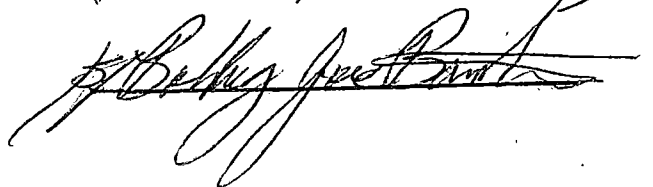
AN X-TRA COPY & S.A.S.E. REQUESTING THAT YOU CLOCK STAMP AND

RETURN TO ME PLEASE. I HAVE SERVED A TRUE COPY TO ALL PARTIES

INVOLVED WHERE THE PROOF-OF-SERVICE WILL SUBSTANTIATE.

I THANK YOU IN ADVANCE FOR YOUR ASSISTANCE.

RESPECTFULLY SUBMITTED,



Bobby Burton, Prose

"March 16, 2026"

ATTN: HON. VERNON F. DUNBAR, J.

SCDC

MAR 16 2026

MAIL ROOM

FROM: Bobby Joe Barton, Pro se

C.A. NO: 2025-CP-23-05538

Re: MOTION Rule 59(e) SCRP & OBJECTION ON THE RECORD.

DEAR SIR,

ENCLOSED IS MY MOTION REQUESTING Rule 59(e) SCRP, WHICH PROVIDES TO COURT TO DO AN ORDER PROPOSED WITH THE FACTS OF FINDING, SPECIFICALLY STATED WITH CONCLUSION OF LAW AND GIVING ME (PLAINTIFF) THE OPPORTUNITY TO REVIEW IT PRIOR TO FILING WITH THE CLERK'S OFFICE, INCLUDING AN "OBJECTION" PLACED ON THE RECORD, THAT I BE GIVEN THE SAME OPPORTUNITY OF DIRECTIONS TO THE DEFENDANT. THANK YOU, SIR!

RESPECTFULLY SUBMITTED,

Bobby J. Barton

Bobby Joe Barton, Pro se.

EXHIBIT #44

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF GREENVILLE)

~~THIRTEENTH~~ JUDICIAL CIRCUIT

CASE NO. 2025-CP-23-05538

BOBBY JOE BARTON, Pro Se, Plaintiff,

MOTION AND ORDER INFORMATION
FORM AND COVERSHEET

#163629 vs.

STATE OF SOUTH CAROLINA Defendant.

Plaintiff's Attorney: BOBBY JOE BARTON, #163629
Pro Se Bar No. _____
Address: LIVESAY (B) CAMP, P.O. BOX 580
UNZ, SC 29378-0580
Phone: _____ Fax _____
E-mail: _____ Other: _____

Defendant's Attorney: ALAN M. WILSON, A.G.
_____, Bar No. _____
Address: P.O. Box 11549
Columbia, SC 29201
Phone: _____ Fax _____
E-mail: _____ Other: _____

- ☐ MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
☒ FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
☐ PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: Rule 59(a) FACTS OF FINDING, CONCLUSION OF LAW, OBJECTION
Estimated Time Needed: _____ Court Reporter Needed: ☐ YES ☒ NO

SECTION II: Motion/Order Type

- ☒ Written motion attached
☒ Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Bobby Joe Barton
Signature of Attorney for ☒ Plaintiff / ☐ Defendant

3/16/2026
Date submitted

SECTION III: Motion Fee

- ☐ PAID - AMOUNT: \$ _____
☒ EXEMPT: (check reason) ☐ Rule to Show Cause in Child or Spousal Support
☐ Domestic Abuse or Abuse and Neglect
☒ Indigent Status ☐ State Agency v. Indigent Party
☐ Sexually Violent Predator Act ☐ Post-Conviction Relief
☐ Motion for Stay in Bankruptcy
☐ Motion for Publication ☐ Motion for Execution (Rule 69, SCRCP)
☐ Proposed order submitted at request of the court; or,
reduced to writing from motion made in open court per judge's instructions
Name of Court Reporter: _____
☐ Other: _____

JUDGE'S SECTION

- ☐ Motion Fee to be paid upon filing of the attached order.
☐ Other: _____

JUDGE CODE _____

Date: _____

CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____

- ☐ MOTION FEE COLLECTED: \$ _____
☐ CONTESTED - AMOUNT DUE: \$ _____

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
IN THE THIRTEENTH JUDICIAL CIRCUIT

BOBBY JOE BARTON, PROSE
#163629 PLAINTIFF

V.

STATE OF SOUTH CAROLINA,
DEFENDANT.

C.A. NO: 2025-CP-23-05538

RULE 59(e) SC RCP, MOTION TO ALTER OR
AMEND OF SC CODE ANN §17-27-80
(2003) SUFFICIENT FOR APPELLATE
REVIEW & OBJECTION PLACED ON
THE RECORD!

THE PLAINTIFF NAMED ABOVE MOVE ON THE COURT WITH A MO-
TION TO ALTER OR AMEND, REQUEST OF THE HEARING COURT TO
MAKE SPECIFIC FINDINGS OF FACT AND CONCLUSION OF LAW SUFF-
ICIENT FOR APPELLATE REVIEW, PURSUANT TO RULE 59(e), SC R
CP, SC CODE ANN §17-27-80.

THE PLAINTIFF REQUEST THE COURT TO STATE ON THE RECORD
SPECIFICALLY AS TO WHY IT DENIED;

- #1.) HIS MOTION FOR A CONTINUANCE DUE TO THE FACTS GIVEN
OF EXTRAORDINARY CIRCUMSTANCES;
- #2.) HIS MOTION TO SET ASIDE JUDGEMENT DUE TO EVIDEN-
CE THAT CLEARLY SHOWS FRAUD UPON THE COURT;

#3) HIS MOTION OF AN INDEPENDENT ACTION IN EQUITY;

#4) RELIEF OF IMMEDIATE RELEASE OR THE REOFFERING OF THE UNCONVEYED PLEA OFFER BEING THE ONLY AND APPROPRIATE RELIEF AVAILABLE TO HIM;

#5.) HIS MOTION FOR DISCOVERY.

PLAINTIFF ASSERT BEFORE THE COURT AND TO REMIND IT THAT THE COURT HAS AN OBLIGATION AND A DUTY TO ADDRESS AND MAKE SPECIFIC FINDINGS OF FACT, AND STATE EXPRESSLY IT'S CONCLUSIONS OF LAW RELATIVE TO EACH ISSUE PRESENTED, S.C. CODE ANN. § 17-27-80 (2003). THE SOUTH CAROLINA SUPREME COURT HAS OVERLOOKED THE FAILURE TO FILE A RULE 59(e) MOTION AND REMANDED FOR SPECIFIC FINDINGS (OR, IN SOME CASES, A NEW HEARING) IN ORDER TO ADDRESS THE PERVASIVE PROBLEM OF INADEQUATE ORDERS, McCULLOUGH V. STATE, 464 S.E. 2d 340, 341 (S.C. 1995)

* OBJECTION PLACED ON THE RECORD *

THE PLAINTIFF ALSO PLACE AN OBJECTION ON THE RECORD

THAT THE COURT HAS DENIED HIS MOTION, HOWEVER GRANTING THE DEFENDANT MOTION TO DISMISS OF HIS MOTION AND IN DOING SO HAS NOT DRAWN HIS OWN ORDER TO DISMISS AS THE SUPREME COURT DIRECTS AND DISFAVOR NOT DOING SO. THE COURT HAS DIRECTED THE DEFENDANT TO PREPARE THE ORDER IN WHICH IT HAS PREMATURELY RULED ON, THIS COURT HAS NOT GIVEN THE PLAINTIFF THE SAME OPPORTUNITY TO PREPARE AN ORDER FOR THE COURT TO REVIEW. THE PROCEDURE VIOLATES THE S.C. APP. CT. R. 501, & CANON 3 B(7)(e), SEE: HALL V. CATRE, 601 S.E.2d 335, 341 (SC 2004).

THIS IS THE PLAINTIFF PLACE AN OBJECTION ON THE RECORD TO THE COURT PREJUDICING THE PLAINTIFF BY DENING HIM THE SAME OPPORTUNITY THAT HE FREELY GIVES TO THE DEFENDANT, . . . , THE COMMENTARY TO SC APP. COURT RULE 501, CANON 3 B(7)(e) PROVIDES THAT [A] JUDGE MAY REQUEST A PARTY TO SUBMIT PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW, SO LONG AS THE OTHER PARTIES ARE APPRISED OF THE REQUEST AND ARE GIVEN AN OPPORTUNITY TO RESPOND TO THE PROPOSED FINDINGS AND CONCLUSIONS. FURTHER, SEE: IN PRUITT V. STATE, 423 S.E.2d 127, 128 (SC., 1992)

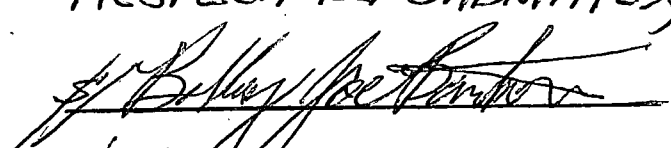
3.

"McCrary v. STATE", 408, S.E.2d, 241, 241 (SC, 1991)

PLAINTIFF STATE FOR THESE REASONS THE COURT SHOULD NOT FILE THE PROPOSED ORDER WITHOUT STATING ON THE RECORD AND MAKE SPECIFIC FINDINGS OF FACT AND STATING EXPRESSLY CONCLUSION OF LAW AND GIVING THE PLAINTIFF THE OPPORTUNITY TO REVIEW IT FOR *ERRONEOUS OF FACT, A MISAPPLICATION OF LAW, OR IF THERE HAS BEEN INTERVENING AUTHORITY TO AN ISSUE IN THE CASE, (*ERRONEOUS OF FINDING OF FACT) BEFORE FILING WITH THE CLERK'S OFFICE.

THEREFORE THE COURT SHOULD GRANT PLAINTIFF'S MOTION FOR A RULE 59(e) FINDING OF FACTS, AND CONCLUSION OF LAW INCLUDING THE OBJECTION PLACED ON RECORD AND ANY OTHER WISE THE COURT DEEM APPROPRIATE AND JUST.

*MAILED ON 16TH DAY OF MARCH, 2026
COUNTY OF SPARTANBURG

RESPECTFULLY SUBMITTED,

Bobby Joe Barton, Prose
#163629

CC: HON. VERNON F. DINGER, J.
ALAN M. WILSON, A.G.
BOBBY JOE BARTON, Prose

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
IN THE THIRTEENTH JUDICIAL CIRCUIT

BOBBY JOE BARTON, PRO SE
#163629 PLAINTIFF

C.A. NO: 2025-CP-23-05538

V,

PROOF-OF-SERVICE

STATE OF SOUTH CAROLINA,
DEFENDANT.

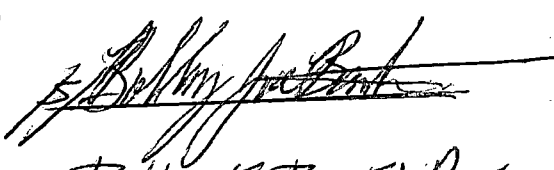
THE HEREBY UNDER SIGNED STATE UNDER ~~THE~~ PENALTY OF
PERJURY THAT ~~HE~~ HAS SERVED A RULE 59(e) SCRPC FOR FACT
OF FINDING AND CONCLUSION OF LAW AND AN OBJECTION ON
THE RECORD WITH "JAY GRESHAM," CLERK OF COURT. & A TRUE
COPY TO "HON. VERNON F. DUNBAR, J." & "ALAN M. WILSON, A.G."
BY THE U.S. POSTAL SERVICE HAND DELIVERED TO "MR. FARMER,
LIVESAY/MAILROOM ON THE 16TH DAY OF MARCH, 2026

SCDC

MAR 16 2026

MAIL ROOM

CC: HON. VERNON F. DUNBAR, J.
ALAN M. WILSON, A.G.
Bobby J. Barton, Pro Se


Bobby Joe Barton, Pro Se
#163629

) IN THE COURT OF COMMON PLEAS
) THIRTEENTH JUDICIAL CIRCUIT

)

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FILED: 25 APR 10 PM 9:22
FBI - GREENHAWK

Copy mailed to
Attorney general + plaintiff
on 3 / 11 / 2026.

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Bobby Joe Barton
Plaintiff

VS.

State of South Carolina
Defendants,

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

EXHIBIT #2

ORDER
2025CP2305538

On March 19, 2026, Bobby Joe Barton, Plaintiff, filed a Motion for Reconsideration and to Alter and Amend; and Objections regarding the Court's issuance of Order Instructions.

After further review of the file, exhibits and arguments, the Court finds Plaintiff's Motions and Objections are Premature. In the absence of a final formal Order of the Court, Plaintiff's Motion is respectfully denied, and Objections are hereby overruled.

Vernon F. Dubar : 4/1/26
Vernon F. Dubar
Circuit Court Judge

EXHIBIT-#3

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Bobby Joe Barton,

Plaintiff,

v.

State of South Carolina,

Defendant,

IN THE COURT OF COMMON PLEAS
FOR THE THIRTEENTH JUDICIAL CIRCUIT

Civil Action Number:
2025-CP-23-05538

ORDER

FILED: 2025 MAR 15 AM 11:10
CLERK OF COURT
GREENVILLE, SC

This matter came before the Court on January 28, 2026, to address the motions filed by the Plaintiff, Bobby Joe Barton, and the Defendant, State of South Carolina. The Honorable Vernon F. Dunbar presided over the in-person hearing. Plaintiff appeared *pro se* and Assistant Attorney General Carly H. Davis appeared on behalf of the State.

Plaintiff filed this action on September 3, 2025. The State filed a Motion to Dismiss on November 21, 2025. Plaintiff then filed a Motion for Objection to Assignment of Specific Judge and a Motion for Leave for Discovery. In addition, during the proceeding on January 28, 2026, plaintiff moved to continue the hearing.

STANDARD OF REVIEW

“Under Rule 12(b)(6), SCRPC, a defendant may move to dismiss a complaint based on a failure to state facts sufficient to constitute a cause of action. In considering such a motion, the trial court must base its ruling solely on allegations set forth in the complaint.” *Bergstrom v. Palmetto Health All.*, 358 S.C. 388, 395, 596 S.E.2d 42, 45 (2004). The trial court should view the facts and any inferences drawn from the facts in the light most favorable to the plaintiff. *Id.* (citing *Baird v. Charleston County*, 333 S.C. 519, 511 S.E.2d 69 (1999)). “A 12(b)(6) motion should not be granted if the facts alleged and the inferences reasonably deducible therefrom would entitle the

plaintiff to any relief on any theory of the case.” *Carolina Care Plan, Inc. v. United HealthCare Servs., Inc.*, 361 S.C. 544, 550, 606 S.E.2d 752, 755 (2004) (citing *Gentry v. Yonce*, 337 S.C. 1, 5, 522 S.E.2d 137, 139 (1999)).

I. Plaintiff's Complaint is dismissed for insufficient service of process pursuant to Rule 12(b)(5) of the South Carolina Rules of Civil Procedure.

Rule 4(d)(4) of the South Carolina Rules of Civil Procedure provides in pertinent part that a plaintiff seeking to commence an action against the State of South Carolina effects service “by delivering a copy of the summons and complaint to the Attorney General, or when another official is designated to be served by the statute permitting such action by delivering a copy of the summons and complaint to that official and sending a copy of the summons and complaint by registered or certified mail to the Attorney General at Columbia.” Rule 4(d)(4), SCRCP.

The Attorney General's Office received the Plaintiff's Summons and Complaint via certified mail on October 21, 2025. Delivery via certified mail is insufficient against the State; therefore, Plaintiff's Complaint is dismissed for insufficiency of service of process pursuant to Rule 12(b)(5) of the South Carolina Rules of Civil Procedure.

II. Plaintiff failed to state a cause of action for Rule 60 fraud on the court against the State.

In order to state a cause of action for fraud on the court under Rule 60(b), plaintiff must plead particularized allegations showing that the State acted with an intent to deceive or defraud the court. *Chewning v. Ford Motor Co.*, 35 F. Supp. 2d 487, 492 (D.S.C. 1998). When there is no intent to deceive, the fact that misrepresentations may have been made to a court is not in and of itself sufficient to set aside a judgment for fraud on the court. *Id.* Extrinsic fraud is required to vacate a judgment. *Id.* Extrinsic fraud is “fraud that induces a person not to present a case or

deprives a person of the opportunity to be heard. “ *Id.* The Court must balance the need for finality versus the need to cure inequitable conduct. *Id.*

Plaintiff set forth various allegations related to his trial counsel, all of which were heard during his two post-conviction relief actions. In addition, Mr. Barton takes issue with his PCR hearing because the Assistant Attorney General did not cross-examine him, allegedly conspired with trial counsel to deceive the court, and knew that trial counsel would commit perjury at the hearing. Plaintiff failed to set forth sufficient evidence to support his claims during his second post-conviction relief action and as a result, it was subsequently dismissed. Plaintiff’s mere conclusory allegations are insufficient to set forth a cause of action for fraud on the court.

Plaintiff has not provided particularized allegations against the State that constitute fraud. Plaintiff has further failed to provide any evidence of extrinsic fraud or any intentional misrepresentations to support a cause of action for fraud on the court against the State. Plaintiff has been provided with the opportunity to fully set forth his allegations during his criminal appeal and his PCR actions; therefore, he has not been deprived of any opportunity to be heard. As a result, Mr. Barton’s claim against the State for fraud on the court is dismissed.

III. Plaintiff’s claims are barred by the doctrines of collateral estoppel and *res judicata*.

Collateral estoppel bars a party from relitigating an issue which was decided in a previous action. *S.C. Prop. & Cas. Ins. Guaranty Ass’n v. Wal-Mart Stores, Inc.*, 304 S.C. 210, 213, 403 S.E.2d 625, 627 (1991) (adopting the general rule set forth in the Restatement (Second) of Judgments § 27 (1982), which “provides that when an issue of fact or law is actually litigated and determined by a valid and final judgment, and the determination is essential to the judgment, the determination is conclusive in a subsequent action between the parties, whether on the same or a different claim”).

Furthermore, *res judicata* “is the branch of the law that defines the effect a valid judgment may have on subsequent litigation between the same parties . . .” *Plum Creek Dev. Co. v. City of Conway*, 334 S.C. 30, 34, 512 S.E.2d 106, 108 (1999) (quoting J. Flañagan, South Carolina Civil Procedure p. 642 (1996)). Under the doctrine of *res judicata*, a final judgment on the merits in a prior action bars subsequent consideration of those issues in a new action. *Foran v. USAA Cas. Ins. Co.*, 311 S.C. 189, 190-91, 427 S.E.2d 918, 919 (Ct. App. 1993); see *Bell v. Bennett*, 307 S.C. 286, 292, 414 S.E.2d 786, 789 (Ct. App. 1992) (noting that *res judicata* prohibits subsequent actions by the same parties on the same issues). *Res judicata* also bars any issues that could have been raised in the former action. *Foxworth v. State*, 275 S.C. 615, 274 S.E.2d 415.

Plaintiff has previously litigated the same issues and subject matter set forth in the Complaint in his Appeal and his Post Conviction Relief actions. See, *Bobby Joe Barton v. State*, Civil Action Number 2014-CP-23-5047, *Bobby Joe Barton v. State*, Civil Action Number 2021-CP-23-03093, *Bobby Joe Barton v. State*, Appellate Case No. 2016-000995, *Bobby Joe Barton v. State*, Appellate Case No. 2024-001190. The allegations set forth in Plaintiff’s Complaint have been or should have been raised previously in his prior actions, therefore, his claims are barred by the doctrines of collateral estoppel and *res judicata*.

IV. The Uniform Post Conviction Procedures Act (S.C. Code Ann. §17-27-10 et seq.) is plaintiff’s exclusive remedy to challenge his conviction and/or sentence.

In South Carolina, the Uniform Post-Conviction Procedure Act takes the place of all other remedies to challenge the validity of a conviction or sentence. S.C. Code Ann. §17-27-20(B) (“Except as otherwise provided in this chapter, it comprehends and takes the place of all other common law, statutory or other remedies heretofore available for challenging the validity of the conviction or sentence. It shall be used exclusively in place of them.”).

Therefore, to the extent plaintiff seeks to challenge his conviction, an action pursuant to the Uniform Post Conviction Procedures Act is plaintiff's exclusive remedy for the requested relief, and this action is dismissed pursuant to Rule 12(b)(6).

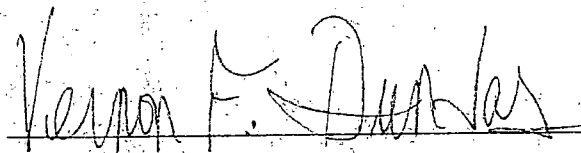
V. Plaintiff has failed to state a cause of action for conspiracy.

To the extent plaintiff asserts a cause of action for conspiracy, his claim fails. In *Paradis v. Charleston Cty. Sch. Dist.*, the South Carolina Supreme Court held that a "plaintiff asserting a civil conspiracy claim must establish (1) the combination or agreement of two or more persons, (2) to commit an unlawful act or a lawful act by unlawful means, (3) together with the commission of an overt act in furtherance of the agreement, and (4) damages proximately resulting to the plaintiff." *Paradis v. Charleston Cnty. Sch. Dist.*, 433 S.C. 562, 574, 861 S.E.2d 774, 780 (2021). Here, plaintiff has failed to allege the elements of conspiracy against the State, and even if he had, the State is not a proper party to such action under S.C. Code Ann. § 15-78-70; therefore, any such claim is dismissed.

CONCLUSION

After consideration of the record, arguments presented at the hearing, and the applicable law, Defendant's Motion to Dismiss is granted with prejudice. Plaintiff's Motion for Objection to Assignment of Specific Judge, Motion for Leave for Discovery, and Motion for Continuance are denied, and Mr. Barton's Complaint is dismissed in its entirety with prejudice.

IT IS SO ORDERED.



Vernon F. Dunbar, Judge
Thirteenth Judicial Circuit

Greenville, South Carolina
This 15th day of May, 2026

EXHIBIT #4

Bobby Joe Barton,
Pro Se or Unrepresentative Plaintiff,

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

V.

ORDER

State of South Carolina,
Defendant

2025CP2305538

FILED: 28401842:31
CLERK OF COURT
CLERK OF COURT

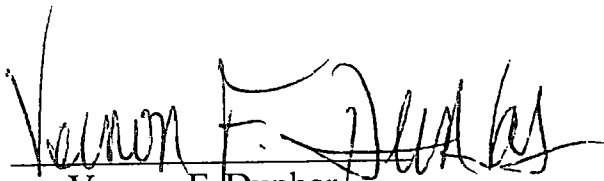
Upon receipt of this Court's final Order dated May 15, 2026, Bobby Joe Barton, Plaintiff, filed a Motion for Reconsideration pursuant to Rule 59(e), SCRCPP. The Court received correspondence from Plaintiff seeking to alter and amend the Court's ruling on its Decision and Order dismissing Plaintiff's claims; denial of Plaintiffs' Motion for Objection to Assignment of a Specific Judge; and denial Motion for Leave for Discovery.

Plaintiff refiled the same Motion on August 13, 2026 and August 14, 2026.

Upon careful review of the Order, Plaintiffs' Motion and Exhibits, Plaintiff's, Motions for Reconsideration are respectfully denied.

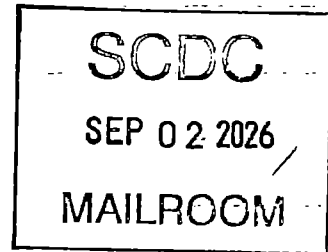
AND IT IS SO ORDERED.

Dated August 18, 2026


Vernon F. Dunbar
Circuit Court Judge

September 1, 2016

ATTN: SOUTH CAROLINA COURT ADMINISTRATION
S.C. SUPREME COURT



FROM: BOBBY JOE BARTON, #163629
Civ. Ac. 2025-CP-23-05538

Re: HEARING TRANSCRIPT REQUEST.

: COURT ADMINISTRATOR

I AM REQUESTING ASSISTANCE OF OBTAINING
A COURT HEARING TRANSCRIPT OF THE DOCKET NUMBER ABOVE,
I HAVE FILLED OUT THE APPLICATION TO THE BEST OF MY ABILITY AND
I AM A PRO SE LITIGANT AND ALSO INDIGENT WITH A SUPPORTING
INDIGENT FINANCIAL DOCUMENT. I AM ENCLOSED AN AFFIDAVIT OF
INDIGENCY TO SUBSTANTIATE MY CLAIM, HOWEVER THIS TRANSCRIPT
IS NEEDED FOR AN EFFECTIVE APPEAL. See "GRIFFIN V. ILLINOIS",
351 U.S. 12, 76 S.Ct. 585, 100 L.Ed 891 (1956), & "ROBERTS V. LA-
VALLE", 389 U.S. 40, 88 S.Ct. 194, 19 L.Ed. 2d 41 (1967) THESE COURTS
HAVE HELD IN CASES OF "CONSTITUTIONAL LAW" SUCH AS MINE, THE
COURTS HAVE HELD A STATE MUST, AS A MATTER OF EQUAL PROTEC-
TION, PROVIDE INDIGENT PRISONERS WITH TOOLS OF ADEQUATE
DEFENSE OR APPEAL, WHILE OR WHEN THOSE TOOLS ARE AVAILABLE
FOR A PRICE TO OTHER PRISONERS, WHILE THE OUTER LIMITS OF
THAT PRINCIPLE ARE NOT CLEAR, THERE CAN BE NO DOUBT THAT
THE STATE MUST PROVIDE AN INDIGENT DEFENDENT WITH A

TRANSCRIPT OF A PRIOR PROCEEDING WHEN THAT TRANSCRIPT IS
NEEDED FOR AN EFFECTIVE DEFENSE OR APPEAL. . . . I AS
A INDIGENT DEFENDENT DOES NEED THIS TRANSCRIPT FOR AN
APPEAL IN MY CASE IN WHICH IS CRIMINAL IN NATURE BUT WAS
HELD IN THE COURT OF COMMON PLEAS ON THE LEVEL AS A.P.C.R.
THE HONORABLE PERRY H. GRAVELY, #2755 ON 9/3/2025 APPROVED
THAT I BE LEGALLY APPROVED AND ACCEPTED TO MOVE IN THE COURT
"IN FORMA PAUPERIS" INDIGENT STATUS FOR WAIVERING THE FEE
UPON CONTINGENCY OF A PERCENTAGE BASE. I RESPECTFULLY ASK
THE SC COURT ADMINISTRATION TO PLEASE ACCEPT AND APPROVE
THIS REQUEST FOR INDIGENT DEFENDENT TRANSCRIPT OF MY
CASE (2025-CP-23-05538) WITH SUPPORTING DOCUMENTS AND CASE
LAW SUPPORTING MY REQUEST, SHOULD THE COURT NOT ACCEPT MY
REQUEST, I THEN ASK YOU TO SEND ME A QUOTE AND ANY INFORMATION
OF HOW TO SECURE THIS TRANSCRIPT. ALSO PLEASE AN ESTIMATE OF
THE PAGE NUMBERS FROM A (15) MINUTE HEARING, I THANK FOR YOUR
ASSISTANCE REGARDING THIS MATTER AND I EAGERLY AWAIT YOUR
RESPONSE.

Respectfully Submitted,

Bobby J. Bartus Pro se

Livesay(B.) CAMP

P.O. Box 580

cc: Bobby J. Bartus, Appellant

Una, SC 29378-0580

TRANSCRIPT REQUEST FORM

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter/Transcriptionist and to South Carolina Court Administration at transcripts@sccourts.org. If WebEx or DCRP were used to capture the record, please indicate below and send the form to transcripts@sccourts.org.

Requestor's Information			
Full Name <i>BOBBY JOE BARTON</i>	Law Firm/Agency <i>N/A</i>	Phone Number <i>1</i>	
Email Address	Mailing Address <i>LIVE OAK (P.O.) COURT, P.O. BOX 580, WY, SC 29375-0580</i>		
Is the requestor a party in the case? ☒ Yes ☐ No			
If no, does the requestor represent a party? ☐ Yes ☐ No If yes, name of party			
Transcript Information			
Docket Number <i>2025-CP-23-05538</i>	Full Case Caption (i.e. State v. John Doe or John Smith v. Jane Smith) <i>BOBBY JOE BARTON V. STATE, 2025-CP-23-05538</i>		<i>4th CHAMBERS</i> Circuit ☐ Family ☐
Date(s) of Proceeding <i>JAN. 28, 2026</i>	County <i>305 E NORTH ST GREENVILLE, SC 29601</i>	Appeal pending ☒ Yes ☐ No	Death Penalty ☐ Yes ☒ No
Presiding Judge <i>HON. VERNON F. DUNBAR, Judge</i>		Special Circumstances Is the hearing to be transcribed one of the following: ☐ Termination of parental rights ☐ Adoption ☐ Any actions involving child custody/visitation. <i>NO!</i>	
Opposing Counsel(s) (name and email address) <i>CARLY H. DAVIS, ATTY GENERAL OFFICE</i>		Delivery Timeframe (check Rule 607 for current page rates) ☐ Quote ☐ Rough Draft ☐ Overnight delivery ☐ Daily delivery ☐ Expedited delivery (7 days) Due on/before: ☒ Regular delivery (60 days)	
Court Reporter(s) <i>THERE NO CT. RPT. RECORDED</i>		☐ WebEx ☐ DCRP	
Portion of proceeding to be transcribed ☒ Entire hearing ☐ Voir dire by juror ☐ Jury selection ☐ Plaintiff's opening statement ☐ Defendant's opening statement ☐ Plaintiff's closing arguments ☐ Defendant's closing arguments ☐ Entire direct examination ☐ Entire cross examination ☐ Entire redirect ☐ Examination of witness (W) by attorney (A) W: _____ A: _____ ☐ Ruling of the court		Delivery Method (additional fees may apply) ☐ PDF / Email <i>REGULAR MAIL PLEASE</i> ☐ Hard Copy/Priority Mail (\$50 + shipping) ☐ PDF & Hard Copy/Priority Mail (\$50 + shipping)	
		Responsible Payor ☒ Private (Self) ☒ ☐ Court Appointed Counsel Appeals Attorney Email ☒ Other	
Next Hearing Date <i>APPEAL COURT OF SC</i>			

Requestor's Signature: *Bobby Joe Barton* Date: *Sept 1, 2026*
(Typed name will serve as signature)

NOTE: Requests will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party, regardless of indigent status. Please promptly submit your payment in the method of payment requested, in order for the transcript to be produced. In some cases, a deposit may be required before the transcript can be placed in the production queue. You may also request a quote before deciding to order. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

PLEASE GIVE ME A QUOTE ON THIS TRANSCRIPT!

If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter or transcriptionist.

STATE OF SOUTH CAROLINA.

BOBBY J. BARTON

Plaintiff/Appellant

vs.

STATE

Respondent.

**MOTION AND AFFIDAVIT TO
PROCEED IN FORMA PAUPERIS**

NO. 2025-CP-23-05538

App. No.

I, BOBBY JOE BARTON being duly sworn, state that I am the Plaintiff/Appellant and that I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Sworn to and Subscribed before me
this 1st day of September, 2026

Heather Kawn Farmer
Notary Public for South Carolina

My Commission expires 5-21-34

Bobby J. Barton
Signature of Plaintiff/Appellant or
Person Filing Complaint on Behalf of
Plaintiff/Appellant

NOTICE TO ~~CL. ADMINISTRATOR~~ The Court may assess costs against either party at hearing.

FINANCIAL DECLARATION

Address	<u>*LIVESAY (B) CAMP</u> <u>BOBBY JOE BARTON, #163629 P.O. BOX 580</u>
Age	<u>LIVESAY (B) CAMP, 69 Yrs</u>
Occupation	<u>DIAM WORKER</u>
Employer	<u>PRISONER OF SC DEPT. OF CORRECTIONS</u>
Employer Address	

Gross Monthly Income

Amount:

- 1) Earnings (attach recent pay stubs)
 - 2) Overtime
 - 3) Social Security, VA Benefits
Workers Comp or Disability (SSI)
 - 4) Unemployment
 - 5) Alimony/Child Support
 - 6) Other (Specify) _____
- (Add lines 1-6) Total Amount:

N/A

N/A

Assets

Amount:

- 1) Cash
 - 2) Money in Bank accounts
(Checking & Savings)
 - 3) IRA/401K/Pensions
 - 4) Other (Specify) _____
- (Add lines 1-4) Total Amount:

N/A

N/A

Monthly Expenses

(have proof of expenses available)

Amount:

- 1) Rent/Mortgage
 - 2) Utilities
 - 3) Cell phone/Phone
 - 4) Food
 - 5) Child Support/Alimony
(outside of this case)
 - 6) Child Care
 - 7) Car Payment
 - 8) Car Operating Expenses
(Insurance, gas, maintenance)
 - 9) Clothing
 - 10) Cable/Satellite TV/Internet
 - 11) Medical/Dental/Vision Expenses (self)
 - 12) Medical/Dental/Vision Expenses (child)
 - 13) Medical/Dental/Vision Insurance (self)
 - 14) Medical/Dental/Vision Insurance (child)
 - 15) Credit Card/Loan Payments
 - 16) Other (Specify) _____
- (Add lines 1-16) Total Amount:

N/A

N/A

How many other biological children in the home? NONE
Name(s) and Date(s) of Birth _____

Sworn to before me this 1st day
of September, 2026

Heather Kaur Cannon
Notary Public for South Carolina
My Commission Expires: 5 21 31

Bobby Joe Barton
Signature

Livesay

INMATE TRUST FUND ACCOUNT REPORT for SOUTH CAROLINA COURT FILING FEES

INSTRUCTIONS TO INMATE: Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with any payment to the Court.

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed.

INMATE NAME (print): Bobby Joe Barton

SCDC # 163629 INMATE SIGNATURE: _____

I plan to file this action in the SC County of Richland.

The section below is for SCDC - Financial Accounting Branch's use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period* \$ 6.02
- (2) Twenty percent (20%) of line 1 \$ 1.20
- (3) Account balance - current date \$ 7.30
- (4) PAYMENT AMOUNT **
(lesser of line 2 or line 3)
Enclosed check # _____ \$ 1.20

**no ck was cut*

****NOTE to COURT:** If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections
Financial Accounting - Room 234
PO Box 21787
Columbia, SC 29221-1787

*Admission date is noted here if inmate incarcerated less than six months ____/____/____.

Cornelia Bollen

8/27/26

Prepared by Financial Accounting Branch - SCDC

Date

cfilactrust5yprepared 7/97



Sept 1, 2026

ATTN: SC COURT ADMINISTRATION
SC SUPREME COURT

FROM: BOBBY JOE BARTON, #163629

CIV. AC, 2025-CP-23-05538 {Form 4, ATTACHED}

Re: Amendment For Hearing Transcript Request.

Court Administrator,

I forwarded to your office a request for hearing transcript from a Jan. 28, 2026 Hearing Presided over by Hon. Vernon P. Dunbar, Judge. I also enclosed an Affidavit of Indigency with the proper documents. I had verily left on the Court document signed by the Hon. Perry H. Gravelly, Judge of the Thirteenth (13th) Judicial Circuit to confirm that I applied to move or proceed in forma pauperis through approval of being indigent. I respectfully ask that you incorporate this Form 4 signed by Judge Gravelly, #2755 on 9/3/2025 as I indicate in my letter on Page 2, Line 6-7 as proof to my claim of indigency. I thank you for assistance regarding this matter.

Respectfully Submitted

Bobby Joe Barton

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

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2025CP2305538

Bobby Joe Barton

South Carolina State Of

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: ☐ Plaintiff ☐ Defendant
☐ 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), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit)
☐ Rule 43(k), SCRCP (Settled); ☐ Other: _____
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j) SCRCP; ☐ 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

ORDER INFORMATION

I HEREBY DIRECT THE CLERK OF COURT TO FILE THE ABOVE CASE AND COLLECT THE FILING FEE IN ACCORDANCE WITH S.C. CODE ANN. STATUTE 24 27 100 ET. SEQ.

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 there is no judgment information, indicate "N/A" in one of the boxes below.

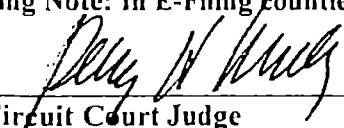
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

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

2755
 Judge Code

9/3/2025
 Date

For Clerk of Court Office Use Only

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

EXHIBIT-#6

BARTON, V. STATE OF SOUTH CAROLINA,
APPLICANT,

RESPONDENT,

IN THE COURT OF COMMON PLEAS

IN THE THIRTEENTH JUDICIAL CIRCUIT

C.A. NO: 2025-CP-23-05538

COMPLAINT CONTENTS & EXHIBITS

THE APPLICANT STATE UNDER THE PENALTY OF PERJURY THAT THE LISTED ITEMIZED EXHIBITS ARE INCLUDED WITH THE REQUEST FOR RELIEF FROM JUDGMENT THROUGH AN INDEPENDENT ACTION CAUSED BY FRAUD UPON THE COURT, PURSUANT TO RULE 60(b)(3), S.C.R.C.P. LISTED AS FOLLOWS:

ITEM # OR EXHIBITS #

1 P.C.R. PLEA OFFER COURT EXHIBIT-#1;

AA - PORTIONS OF "P.C.R. TRANSCRIPT" (C.A. 2014-CP-23-5047);

5 - CH. CMN PLEAS & SC ORDER TRANSCRIPTS PREPARED AS ACCURATE;

6 - "ORDER OF DISMISSAL OF P.C.R." (C.A. 2014-CP-23-5047);

7 - ORDER TO RELIEVE COUNSEL (CAROLINE M. HORLBECK) P.C.R.;

8 - R. MILLS ARIZH, JR. SUBSTITUTE APPOINTED COUNSEL (3 PAGES);

1 - PCR EXHIBIT PLEA OFFER & COVER PAGE.

2 - PCR EXHIBIT AFFIDAVIT

3 - PCR EXHIBIT TRIAL COUNSEL VISITS TO APPLICANT

4 - PCR EXHIBIT DISCOVERY REQUEST & RECEIVING OF MATERIAL DATES

✓ # B-B PORTIONS OF "TRIAL TRANSCRIPT" (CRIM. CA. # 09-65-23-10018);

9 - EXHIBIT-#9 ATTORNEY CAROLINE HORLBECK STATES NO E-MAIL COPIES;

E - AFTER DISCOVERED COMPUTER CERTIFIED PRINTOUT ATTORNEY VISITS TO APPLICANT;

✓ # 10 STATE'S ORIGINAL RETURN TO AUTHORIZE DISCOVERY;

11 LETTER STATING MS. ROSS DOES NOT HAVE E-MAIL COPIES FROM M. MOYER;

12 LETTER FROM S.C. DEPT. OF ARCHIVES HISTORY CUSTODIAN, W. DORSEY.

- (15)
- # 13 REQUEST MADE TO P.C.R. COUNSEL POST HEARING TO SEEK RECORDS *;
 - # 14 2ND REQUEST TO P.C.R. COUNSEL TO SEEK COURT TRANSPORTATION RECORDS;
 - # A EXHIBIT-#A "CERTIFIED COURT TRANSPORTATION RECORDS";
 - # B EXHIBIT-#B "CERTIFIED GDC INMATE MOVEMENT HISTORY (2/2) PAGES";
 - # C EXHIBIT-#C "KATIE TUCKER, CP. ASST. SOLICITOR (13th) JUD. CIR. LETTER;
RESPONDING TO APPLICANT F.O.I.A RECORD OF TRANSPORT FOR Bobby J. BARTON";
 - # D EXHIBIT-#D "CERTIFIED AFTER DISCOVERED DOCUMENT SPECIFICALLY
STATING THAT APPLICANTS NAME WAS NOT ON TRANSPORT LIST ON 3/25/2010";
 - # E EXHIBIT-#E "CERTIFIED AFTER DISCOVERED COMPUTER PRINT-OUT ATTORNEY VISIT APPLICANT";
 - # 15 EXHIBIT-#15 MARK MOYER, ASST. SOLICITOR REFUSAL TO FURNISH DISCOVERY;
See; EXHIBIT-#9, #10, & #11 ALREADY FILED IN SEQUENCE;
 - # 16 EXHIBIT-#16 "E-MAIL BETWEEN MARK MOYER AND SUSANNAH ROSS";
 - # 7 EXHIBIT-#7 "E-MAIL COPY BETWEEN MARK MOYER AND CHRISTOPHER
POSEY CO-DEFENDANTS ATTORNEY" COURT EXHIBIT-#7 P.C.R. #1.
 - # 17 EXHIBIT-#17 "E-MAIL FROM MARK MOYER TO SUSANNAH ROSS";
 - # 18 & EXHIBIT-#19 "MOTION FOR LEAVE TO FILE RELIEF FROM JUDGMENT";
 - # 20 EXHIBIT-#20 ORDER OF DISMISSAL (3 PAGES);
 - # 21 EXHIBIT-#21 REMITTUR (2 PAGES);
 - # 22 CERTIFIED LETTER FROM CAPTAIN JINNY MORAN W/ANSWERS
CONCERNING THERE WAS "NO TRANSPORT ORDER" FOR APPLICANT ON
3/25/2010 TO THE COURTHOUSE!!

THE HEREBY UNDER SIGNED STATES UNDER THE PENALTY OF PER-
JURY THAT ALL EXHIBITS ARE FROM THE AGENCY LISTED ON THE LETTER
HEAD AND ARE TO BE TAKEN AS TRUE AND CORRECT AS TO THEIR SIG-
NATURE INDICATES. THE CONTENTS OF SUCH EXHIBITS ARE LISTED
AND ARE IN THE CONTENTS OF THE RULE 60(b)(3) INDEPENDANT
ACTION REQUEST OF S C R CP. ALLOW S. *B. My. J. B. B.*
2 2012

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
IN THE THIRTEENTH JUDICIAL CIRCUIT

25 OCT 7 PM 12:14
JAY GRESHAM CLK OF CA
SC

BOBBY JOE BARTON, #163629)
APPLICANT,)

C.A. NO. 2025-CP-23-05538

PROOF-OF-SERVICE

Vs.

SUMMONS & COMPLAINT

REQUEST FOR RELIEF FROM JUDGMENT

THROUGH AN INDEPENDENT ACTION CAUSED

STATE OF SOUTH CAROLINA,) BY FRAUD UPON THE COURT, PURSUANT

RESPONDENT) TO RULE 60(b)(3), SC P CP

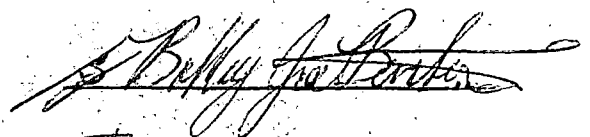
THE HEREBY UNDERSIGNED STATE UNDER THE PENALTY OF PERJURY
THAT HE HAS SERVED A TRUE EXACT COPY OF THE REQUEST FOR
RELIEF FROM JUDGMENT AND TO SET-ASIDE THE COURT'S DECISION
(P.C.R.) UPON THE OFFICE OF THE ATTORNEY GENERAL'S OFFICE ADDRE-
SSED TO:

ATTN: ALAN M. WILSON, A.G.

P.O. BOX 11549

COLUMBIA, SC 29211-1549

THIS WAS MAILED ON THE 17TH DAY OF OCTOBER, 2025 BY THE
U.S. POSTAL SERVICE & BY CERTIFIED RETURN RECEIPT FROM MAN-
NING CORR, INST.



CC: HON. JAY GRESHAM, CLK OF CA
BOBBY JOE BARTON, COMPLAINANT

BOBBY JOE BARTON, #163629
MANNING CORR, INST.
502 BECKMAN DRIVE

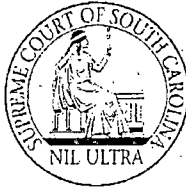


EXHIBIT #7

The Supreme Court of South Carolina

PATRICIA A. HOWARD
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

BLAIRE CANN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211

1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1080

FAX: (803) 734-1499

www.sccourts.org

September 18, 2026

Bobby J. Barton, 163629
Livesay Pre-Release
P O Box 580
Una, SC 29378

Re: Bobby Joe Barton v. State
Appellate Case No. 2026-002032

Dear Mr. Barton:

This Court has received your notice of appeal, which is being construed as a petition for a writ of certiorari under Rule 242 of the South Carolina Appellate Court Rules (SCACR). Your case has been assigned the case number referenced above. Please use this number on all future correspondence relating to this matter.

Upon reviewing your notice of appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- You must file an amended petition for writ of certiorari that complies with the content requirements set forth in Rule 242, SCACR.

All parties to this matter are advised that all filings must comply with the requirements of Rule 242 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg.

EXHIBIT #7

Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=932.

Please note that the responsibility for ensuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Finally, any request for any extension in this case must comply with this Court's Order dated July 16, 2014. This order is available at <https://www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-07-16-01>.

Sincerely,

Patricia A. Howard

CLERK

cc: Carly Harter Davis
The Honorable Jenny A. Kitchings

EXHIBIT #17

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Receipt of Legal Correspondence Verification

This is to verify that legal correspondence from (Name and Address):

The Supreme Court of SC
PO Box 11330
Columbia SC 29211

Addressed to (Inmate Name, SCDC#, and Address):

Bobby Barton #163629
PO Box 580
Una SC 29378

was received and logged in on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log," at the

Livesay Correctional Mailroom on (Date) 9.23.26

On (Date) 9.23.26, the above referenced correspondence was delivered to
Inmate Bobby Barton, SCDC # 163629, and his signature
was obtained on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log".

Additional Notes:

Sgt Farmer
Postal Director Institution

9.23.26
Date