

FORM 3  
NOTICE OF APPEAL FROM COMMON PLEAS REGARDING A  
CONVICTION IN MAGISTRATES OR MUNICIPAL COURT

THE STATE OF SOUTH CAROLINA

7/16/14

In The Court of Appeals  
[In The Supreme Court]

APPEAL FROM DORCHESTER COUNTY Court of Common Pleas

Maite` Murphy, Circuit Court Judge

Case No. 2013-CP-18-2017

 The State,

Respondent,

v.

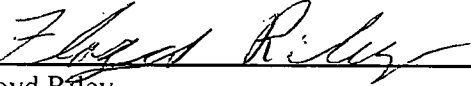
Floyd Riley,

Appellant.

NOTICE OF APPEAL

I, Floyd Riley, appeal the order of the Honorable Maite` Murphy dated March 13, 2014` which affirmed his conviction in magistrates [municipal] court. Appellant received written notice of the order on March 15, 2014.

March 17, 2014

sl.   
Floyd Riley  
341 Hudson Road  
Saint George, South Carolina 29477  
(803) 497-0019 cell /(843) 563-7812 home  
Appellant

Other Counsel of Record:  
Benjamin Andre Lafond  
120 South Magnolia Street  
Summerville, South Carolina 29483  
Attorney for Respondent

RECEIVED  
MAR 19 2014  
SC Court of Appeals

**FORM 7**  
**PROOF OF SERVICE OF A NOTICE OF APPEAL**  
THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas  
Maite' Murphy, Circuit Court Judge

**Case No. 2013-CP-18-2017**

State,

Respondent,

v.

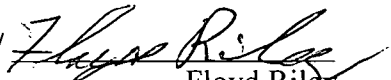
Floyd Riley,

Appellant.

**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal to Mr. Benjamin Andre Lafond by personally delivering a copy of it to, Benjamin Andre Lafond, at his office at 120 South Magnolia Street, Summerville, SC 29483, on March 19, 2014.

March 19, 2014

s/   
Floyd Riley  
341 Hudson Road  
Saint George, South Carolina 29477  
(843) 563-7812 H (803) 497-0019  
Appellant

**RECEIVED**

MAR 19 2014

**SC Court of Appeals**

**FORM 7**  
**PROOF OF SERVICE OF A NOTICE OF APPEAL**  
THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas  
Maite' Murphy, Circuit Court Judge

Case No. 2013-CP-18-2017

State,

Respondent,

v.

Floyd Riley,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on The Town of Summerville Magistrate Court by personally delivering a copy of it to the Clerk of Court March 19, 2014.

March 19, 2014

*s/ Floyd Riley*  
Floyd Riley

341 Hudson Road  
Saint George, South Carolina 29477  
(843) 563-7812 H (803) 497-0019  
Appellant

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MAR 19 2014

**SC Court of Appeals**

**FORM 7**

**PROOF OF SERVICE OF A NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas  
Maite' Murphy, Circuit Court Judge

Case No. 2013-CP-18-2017

State,

Respondent,

v.

Floyd Riley,

Appellant.

**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on Dorchester County Court of Common Pleas  
by personally delivering a copy of it to the Clerk of Court, on March 19, 2014.

March 19, 2014

  
Floyd Riley

341 Hudson Road  
Saint George, South Carolina 29477  
(843) 563-7812 H (803) 497-0019  
Appellant

**RECEIVED**

MAR 19 2014

**SC Court of Appeals**

Argument for Appeal

Dorchester County Court of Common Pleas

CASE No. : **2013-CP-18-2017**

Floyd Riley, Appellant

v.

Town of Summerville, SC, Respondent

March 12, 2014

Maite` Murphy, Circuit Court Judge

**Argument 1:** The Honorable Judge Maite` Murphy, Circuit Court Judge wanted to know the number of the rule that the judge broke. I did not know the number of the rule so the Judge ruled against me. The judge was more interested in knowing the number of the rule that the judge violated than executing justice. If my appeal was denied because I did not know the number of the rule that was violated, then her judgment should also be denied because the format of the case number and the case number are incorrect. Her judgment case number is **2013CP1802017** on Form 4 (judgment in a Civil Case) and my Common Pleas Case Number on the Civil Action Coversheet and Notice of appeal form Magistrate's Court is **2013-CP-18-2017**. There is no room for error in the Judge's case. She signed the judgment with the wrong case number. The mistake shows that she signed before she read it.

1 of 2

I offer a motion that this case be dismissed based on misinformation.

- The judge said that the Officer did not have to answer the question I asked about the meaning of the charge (inattentive operation).
- I do know that I have a right to enter into evidence anything that I thought might help my case.
- I was not allowed to introduce pictures of the area where the officer stated the law was violated. I was not allowed to enter into evidence a copy of the ticket.
- I was not allowed to enter a copy of my driver's license.

- I was not allowed to make my closing statement without objections from the judge. He said that my closing statement had to be about the evidence. The Prosecutor did not object to any of these things.
- The Judge acted as Judge, Jury and Prosecutor and controlled every aspect of the trial.
- I have been denied due process.

Statement of Case No.: **2013-CP-18-2017**

I violated no law, I broke no town ordinance. The officer gave me a ticket charging me with inattentive operation (TC-2847) a very broad charge for someone with a Commercial Driver’s License (CDL) School Bus Driver’s license. The officer stated that I should not bother to come to court because the Judge will not reduce the fine.

However, I went to court. The Judge came in. The courtroom was full of people. The judge said that It is a beautiful day. The sun is shining. I want to go fishing. If you have a ticket for \$160, go ahead and pay it because I am not going to reduce the fine. You have a right to a lawyer. You have a right to a bench trial. You have a right to a trial by jury.

2 of 2

I requested a trial by jury because I was guilty without going before the Judge and without getting up out of my seat. Where is the due process????

s/\_\_\_\_\_

Floyd Riley  
341 Hudson Road  
Saint George, South Carolina  
March 17, 2014  
(843) 563-7812 H (803) 497-0019 C

**RECEIVED**

MAR 19 2014

**SC Court of Appeals**