

9

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY

COURT OF COMMON PLEAS

L. CASEY MANNING, CHIEF JUDGE FOR ADM. PURPOSES

CASE NO. 2014-CP-40-02829 BACCHUS V. HALEY ET AL

JOHN BACCHUS

PETITIONER / APPELLANT,

v.

NIKKI R. HALEY  
BRIAN P. STIRLING ET AL

DEFENDANTS / APPELLES.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Nikki R. Haley et al Appellees by depositing a copy of it in the United States Mail, postage prepaid, on about 1.20.2015 then again on about 2.27.2015, addressed to her/his Appellees Attorney of Record, Alan Wilson, Dennis Bldg, Box 11549 Columbia S.C. 29211, it was mailed from The Broad River Corr. Inst. Mailroom; Also copy to D.C. Pyle and D.J. Crook at SCDC Headquarters

February 27, 2015

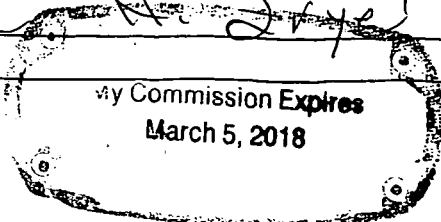
By Mr. John Bacchus

Mr. John Bacchus  
4960 Broad River Road  
B R C I MAR. 255  
Columbia S.C. 29210

HAS SWORN TO AND SUBSCRIBED TO BEFORE ME THIS  
27th DATE OF FEBRUARY 2015

NOTARY  
EXP.

*Susan H. Dyer*



**RECEIVED**  
MAR 02 2015  
SC Court of Appeals



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMTER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

February 18, 2015

John Baccus, #187393  
Broad River Correctional Institution  
4460 Broad River Road  
Columbia SC 29210

Re: John Baccus v. Nikki R. Haley  
Appellate Case No. 2015-000133

**RECEIVED**

MAR 02 2015

**SC Court of Appeals**

Dear Mr. Baccus:

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

- The accompanying proof of service is not in compliance with the SCACR. Your proof of service should be substantially in the format shown by Form 7 in Appendix C to part II of the SCACR, and should show the date that you served the notice of appeal on the other parties. The proof of service should name the attorney representing each party served.
- The order you have provided shows an abbreviated caption. You must provide a copy of an order issued in the lower court showing the complete caption.

Your correspondence received February 9, 2015, is construed as a motion to proceed in forma pauperis, or without the payment of fees.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Daniel Clifton Plyler, Esquire  
Daniel John Crooks, III, Esquire

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

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2014 CP-40-2829

John Baccus, #187393

Nikki R. Haley et al.

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Daniel J. Crooks III, Esquire [Bar No. : 100301]

Attorney for :  Plaintiff  Defendant  
or  
 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 See Statement of Judgment
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- 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:

On November 18, 2014, Daniel J. Crooks III, Esquire, counsel for the Department of Corrections, wrote to the undersigned as Chief Judge for Administrative Purposes regarding a document filed by Plaintiff and titled "Notice of Intent to Sue". This document was sent to the Department, apparently in an attempt to serve it on the above-named Defendants. Mr. Crooks sent a letter in lieu of a motion to dismiss because this document, to the extent it is intended to be an action at law, has not been properly filed or served per the South Carolina Rules of Civil Procedure, and this fact was verified by Ms. Davis of the Richland County Clerk of Court's Office on November 18, 2014. Because neither the State nor any of its employees have been served with a properly filed lawsuit, the Court of Common Pleas lacks personal jurisdiction over the above-named Defendants.

Therefore, I find the following:

- (1) That the above captioned Plaintiff in this action has failed to properly file and serve a lawsuit;
- (2) That because of Plaintiff's failure to properly file and serve a law suit, the Court of Common pleas lacks personal jurisdiction over the Defendants;
- (3) That, accordingly, this case should be dismissed, with prejudice.

Thus, IT IS ORDERED that this case is DISMISSED, with prejudice.

AND IT IS SO ORDERED.

BY: Manning, C. J., at chambers

RECEIVED

MAR 02 2015

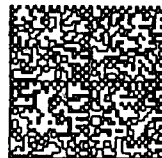
SC Court of Appeals





MR. JOHN BACUS #18-7343  
4460 BROAD RIVER RD  
COLUMBIA SC 29210

COLUMBIA  
SC 290  
27 FEB '15  
PM 4 L



02 1M \$ 00.48<sup>0</sup>  
0008003534 FEB 27 2015  
MAILED FROM ZIP CODE 29210

**RF** - **RECEIVED** MAR. 25 5  
COLUMBIA SC 29210

MAR 02 2015

**SC Court of Appeals**

**RECEIVED**

FEB 27 2015

BRCI  
MAILROOM

2920133743

THE SOUTH CAROLINA COURT OF APPEALS  
CLERKS OFFICE  
1015 SUMNER ST.  
COLUMBIA SC 29201

~~RECEIVED~~

MAR 03 2015

~~SC Court of Appeals~~

**LEGAL MAIL**

