

5

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County
The Honorable W. Jeffrey Young, Circuit Judge

Appellate Case No: 2015-CP-43-346

~~MAILED~~ JOHN WHITE Appellant,

VS.

CHARLES T. BROOKS III Respondent.

RECEIVED

MAR 06 2015

SC Court of Appeals

NOTICE OF APPEAL

Notice is hereby given that John white, #80622, does hereby Appeal the decision of Sumter County denied to in forma pauperis dated or Recorded February 13, 2015 And Received on February 24, 2015. A Copy of which is Attached. A general Statement of the grounds for Appeal ARE; I Am the Applicant in this Action and I believe I am entitled to Redress. (2.). Because of my poverty I am unable to pay the Costs of said Proceeding or give Security therefor.

S/ John white
John white, #80622
Turbeville CI
PO Box 252
Turbeville, SS. 29162

Dated: MARCH 3, 2015

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Sumter County

The Honorable W. Jeffrey Young, Circuit Court Judge

Appellate Case No. 2015-CP-43-346

John White

Appellant,

VS

Charles T. Brooks III

Respondent.

RECEIVED

MAR 06 2015

SC Court of Appeals

PROOF OF SERVICE

I hereby certify that a copy of Notice of Appeal, and proposed Complaint was the below date upon the following individual(s) by placing a copy of the same in the United States mail, postage prepaid, and sent to his/her last known address as follows:

James C Campbell, Sumter, Clerk of Court

215 N. Harvin St. Room 303

Sumter, SC, 29150

s/John White

John White, #80622

Turbeville C.I.

Charles T. Brooks III, Esquire

309 Broad Street

Sumter, S.C. 29150

P.O. Box 252

Turbeville, SC, 29162

Alan Wilson, Attorney General

P.O. Box 11549, Dennis Bldg,

Columbia, SC, 29211

Dated: March 3, 2015

State of South Carolina

In The Court of Common Pleas

County of Sumter

Third Judicial Circuit

John White, #80622
Plaintiff,

Case No.

RECEIVED

MAR 06 2015

VS.

Complaint/Claim

SC Court of Appeals

Charles T. Brooks, III
Defendant.

Tort Claim Act, 15, 78-10 et Seq

Legal Malpractice

Come(s) Now the above Plaintiff John White, do here by Swear under the penalty of perjury that the forgoing are true.

Introduction

Plaintiff is a inmate At Turbeville Correction (SCDC). Plaintiff was Sentence to Sixty-Six (66) years total. In the County of Sumter, in the year of 1976.

Complaint

Plaintiff, contends that he has been Misrepresentation by the Defendant Attorney Charles T. Brooks, III. The Defendant was properly Appointed by this Court on May 3, 2004, by The Honorable B. Hicks Harwell Jr. To Represent the above Plaintiff. To correct the problem with the South Carolina Department of Corrections (SCDC) An to file Action on behalf of Mr. White to Resolve this matter, To determining what time has been Credited With his Service time At SCDC.

But on December 6, 2006, the Defendant filed the Plaintiff "Notice of Appeal" in the incorrect Court. Plaintiff Case was Dismissal, because on July 1, 2008, The Honorable Judge R. Farrell Cothran Jr. find that the present Appeal be dismissed. Based on the determination by this Court. This Court does not have Subject matter Jurisdiction over White's Appeal. Appeal by an inmate from the Administrative Law Court go to the South Carolina Appeals, S.C. Code Section 1-23-610(B).

The Defendant filed the Plaintiff Appeal in Sumter County, CASE NO: 2006-CP-43-02204 John White, #80622 VS. SCDC.

Argument

1. The Defendant had the Plaintiff case in the wrong court for one (1) year and (7) months. This oversight is negligence.
2. The years the Defendant have in law, he should have known of his error. However the Defendant requested to be relieved as his counsel on December 19, 2007. For the following reason, Attorney find no meritorious issue to appeal.
3. The Defendant had the Plaintiff in the wrong court. So how do the Defendant know if there was meritorious issue?
4. The Defendant took the easy way out. The Defendant suppose to help Plaintiff with his case. However the Defendant did more damages to his client case. Now the Plaintiff is going to so much difficult to correct the Defendant negligence.
5. Now Charles T. Brooks, III is being sued by the Plaintiff, for professional misconduct. The following caselaw that will support the Defendant misconduct. The Plaintiff will submit the follows, It is misconduct for a lawyer to violate the Rules of Professional Conduct, Rule 407, 8, 4.
(D) To engage in conduct involving, dishonesty, deceit or misrepresentation.
(E) Conduct that is prejudicial to the administration of justice.

Evidence

- Plaintiff Right were violated by the Defendant. SEE Exhibit A.
- The Defendant were liable for misconduct in Exhibit A.
- The Defendant should be held responsible for damages Plaintiff case.
- The Defendant were reckless with the Plaintiff case.

Relief Sought

1. Award money for mental damages, duress, stress, emotion injury and punitive damages.
2. The Defendant in his individual capacity.
3. A Jury trial.
4. Any additional relief this court deems just, proper and equitable.

Conclusion

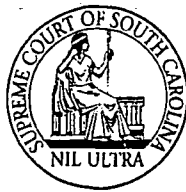
Wherefore, the Plaintiff respectfully pray that this Honorable Court enters judgement
granting the Plaintiff Relief Sought.

Respectfully Submitted,

s/John White

John White, #80622

Dated: January 28, 2015



The Supreme Court of South Carolina

OFFICE OF DISCIPLINARY COUNSEL

Lesley M. Coggiola
Disciplinary Counsel

Sabrina C. Todd
Assistant Disciplinary Counsel

Post Office Box 12159
Columbia, South Carolina 29211

Telephone: (803) 734-2038
Fax: (803) 734-1964

May 1, 2012

PERSONAL AND CONFIDENTIAL

John K. White #80622
Turbeville Correctional Institution
P.O. Box 252
Turbeville, SC 29162

RE: NOTICE OF FINAL DISPOSITION
Lawyer: Charles Thomas Brooks, III, Esquire
Matter Number: 08-DE-L-0994

Dear Mr. White:

You previously filed a complaint with the Commission on Lawyer Conduct concerning Charles Thomas Brooks, III, Esquire. The Commission on Lawyer Conduct concluded this matter on April 20, 2012. Our office received notice of the disposition today. Your complaint was not dismissed, but the disposition is confidential under the provisions of the Rules for Lawyer Disciplinary Enforcement, Rule 413, SCACR.

This constitutes final disposition of the proceedings in this matter. Your cooperation with the Commission and this office is appreciated.

Sincerely,



Sabrina C. Todd

Exhibit A

State of South Carolina

In The Court of Commons Pleas

County of Sumter

Third Judicial Circuit

John White, #80622

CASE NO:

Plaintiff,

Complaint/Claim

VS.

Total Claim Act, 15, 78-10 et Seq

Charles T. Brooks III

Notice and Summons

Defendant.

RECEIVED

MAR 06 2015

SC Court of Appeals

TO the Defendant/Plaintiff Above Named:

You ARE here by Summoned and Required to Answer the Above Complaint in this Action; A copy which is Fort with served upon you; which WAS filed in the office of The Clerk of Court; and Defendant ARE to service A copy of your Answer to the Complaint within (30) days AFTER service here of, exclusive of the day of Such service. IF you fail to Respond to the Complaint; Judgement by default will be Rendered Against you for the Relief demanded in the Complaint.

John White

John White #80622

Dated: January 28, 2015

State of South Carolina

In The Court of Common Pleas

County of Sumter

Third Judicial Circuit

John White, #80622

CASE No:

Plaintiff,

Complaint/Claim

VS.

Tort Claim Act, 15, 78-10 et Seq

Charles T. Brooks, III

Legal Malpractice

Defendant.

Application To proceed without prepayment of Cost and Affidavit in Support thereof.

I John White, #80622, hereby Apply for leave to proceed in this Action without prepayment of fee OR Cost OR Security therefor. In Support of my Application I declare under penalty of perjury that the following facts are true:

1. I Am Applicant in this Action and I believe I am entitled to Redress.
2. Because of my poverty I am unable to pay the Costs of Said proceeding OR give Security therefor.

s/ John White

Dated: January 28, 2015

John White, #80622

Subscribed to and subscribed before me this

14th day of Jan 2015

Paul White (L.S.)

Notary Public for South Carolina

My Commission Expires: 4-27-2016

State of South Carolina

In The Court of Commons Pleas

County of Sumter

Third Judicial Circuit

John White, #80622

Case No:

Plaintiff,

Complaint/Claim

vs.

Tort Claim Act, 15, 28-10et Seq

Charles T. Brooks, III

Legal Malpractice

Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was this date served upon the following individual(s) by placing a copy of the same in the United States Mail, postage prepaid, and sent to his/her last known address as follow:

Charles T. Brooks, III

s/ John White

309 Broad Street

John White, #80622

Sumter, SC. 29150

Turbeville CI

P.O. Box 252

Dated: January 28, 2015

Turbeville, SC. 29162

Turbeville, SC. 29162

RECEIVED

JAN 14 2015

MAILROOM
TURBEVILLE-CI

The Honorable Jenny Kitchings
Clerk, of South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC. 29211

MARCH 3, 2015

RECEIVED

MAR 06 2015

Re: John White v. Charles T Brooks III

SC Court of Appeals

Appellate Case No. 2015-CP-43-346

Dear Ms. Kitching:

Enclosed please find the original Notice of Appeal, and proposed Complaint in the above case. Also enclosed are following; Proof of Service on the Respondent(s), AN Copy of the order which is to be challenged. Please file the original copy. Thank you.

Sincerely,
S/ John White
John White #80622

cc: James C. Campbell, Sumter Clerk
Charles T. Brooks III, Esquire
Alan Wilson, Attorney General

John White, #80622 SA-132
Turbeville CI
P.O. Box 252
Turbeville, S.C. 29162

RECEIVED

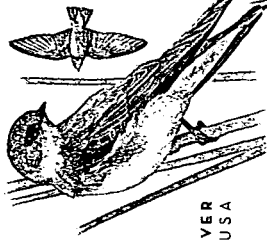
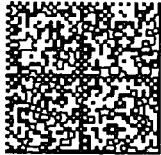
MAR 03 2015

MAILROOM
TURBEVILLE CI

COLUMBIA
PAGE



0002009326 MAR 03 2015
MAILED FROM ZIP CODE 29162



Bank Swallow

FOREVER
USA

South CAROLINA Court of Appeals

Senny Abbott Kitchings, Clerk **RECEIVED**

P.O. Box 11629

MAR 06 2015

Columbia, S.C. 29211

SC Court of Appeals

29211162929

