STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	
	)	2015-CP-26-2371
Raymond Edward Chestnut, F.B.O.P. No. 13465-171	)	
	)	
v.	)	**ORDER RESTRICTING FUTURE FILINGS**
	)	
State of South Carolina	)	
	)	
Defendant.	)	
	)	

This matter comes before the court by way of seven applications for post-conviction relief filed by Raymond Edward Chestnut (Applicant) on March 27, 2015, May 12, 2015, May 15, 2015, July 16, 2015, December 28, 2015, and February 23, 2016, thereafter merged by Order filed June 13, 2016 ("the Application"). Respondent, concurrent with its Return, filed a Motion to Restrict Future Filings, requesting certain relief from Applicant's prolific litigation. The Court **GRANTS** Respondent's motion as follows:

I. PROCEDURAL HISTORY

Respecting Lakes v. State, 33 S.C. 382, 510 S.E.2d 228 (Ct. App. 1998) and Williams v. State, 354 S.C. 630, 583 S.E.2d 52 (2003), the Court finds the following recitation of Applicant's procedural history offered by Respondent to be true, accurate, and adequate to support Respondent's Motion to Restrict Future Filings:

UNDERLYING CONVICTIONS

December 2002 Plea – 2002-GS-26-4656, -4739

On October 29, 2002, the Myrtle Beach Police Department ("MBPD") charged Applicant with Enticing a Child from Attendance in School (H-345201). On November 16, 2002, considering a wholly separate occurrence involving Applicant, the MBPD charged Applicant

with Purse Snatching (H-345227). Orrie E. West, Esq., represented Applicant on the charges. On December 9, 2002, Applicant waived presentment (2002-GS-26-4656, 2002-GS-26-4739; respectively) and entered a plea of guilty as charged. The Honorable John L. Breeden, Jr. sentenced Applicant to two (2) years confinement, suspended on two (2) years of probation on each charge, to occur concurrently.

March 2003 Plea – 2003-GS-26-802

On January 8, 2003, the MBPD charged Applicant with Contributing to the Delinquency of a Minor (H-346040). Michael E. Suggs, Esq. represented Applicant on the charge. On March 28, 2003, Applicant waived presentment (2003-GS-26-802) and entered a plea of guilty as charged. The Honorable John L. Breeden, Jr. sentenced Applicant to a term of three (3) years incarceration suspended upon the service of ninety (90) days confinement, followed by three (3) years probation.

December 2003 Plea – 2003-GS-26-3312

On August 10, 2003, the MBPD charged Applicant with Unlawful Possession of a Pistol (H-346931). G. Scott Bellamy, Esq. represented Applicant on the charge. On December 18, 2003, Applicant waived presentment (2003-GS-26-3312) and entered a plea of guilty as charged. The Honorable Stephen H. John sentenced Applicant to pay a fine of $250.

August 2004 Plea – 2004-GS-26-2651, -2652

On January 22, 2004, the MBPD charged Applicant with Assault with Intent to Kill (G-283761). On January 26, 2004, the MBPD further charged Applicant with Unlawful Conduct Towards a Child (G-283773). The Horry County Grand Jury thereafter indicted Applicant during the June 2004 term for Unlawful Conduct Towards a Child (2004-GS-26-2652) and during the July 2004 term for Assault With Intent to Kill (2004-GS-26-2651). William Thomas

Floyd, Esq., represented Applicant on the charges. On August 3, 2004, Applicant entered a plea of guilty to Unlawful Conduct Towards a Child and Assault of a High and Aggravated Nature. The Honorable Jackson V. Gregory, upon recommendation by the State, sentenced Applicant to three years confinement, suspended to time served and three years of probation for the AHAN, and a suspended sentence of three years for unlawful conduct towards a child.

June 2005 Plea – 2004-GS-26-4448

On August 16, 2004, the MBPD charged Applicant with Possession of Crack Cocaine (H-613567). The Horry County Grand Jury thereafter indicted Applicant during the November 2004 term for the same (2004-GS-26-4448). Michael E. Suggs, Esq. represented Applicant on the charge. On June 6, 2005, Applicant entered a plea of guilty to the charge as indicted. The Honorable John L. Breeden, Jr. revoked Applicant's probation and sentenced Applicant to a concurrent term of eighteen (18) months confinement.

DIRECT APPEAL HISTORY

App. Case No. 2013-001768

Applicant filed a notice of appeal to all but one of his pleas on August 21, 2013 (2013-001768), but did not submit a notice for the December 2003 plea. Nonetheless, Applicant provided the South Carolina Court of Appeals a copy of the December 18, 2003 sentencing sheet along with the rest in a September 23, 2013 filing. The Court of Appeals dismissed the appeal as untimely on November 26, 2013 and specifically referenced the December 2003 plea along with all the others when it did so. Applicant filed a petition for rehearing, which was denied February 26, 2014. The Remittitur issued on April 8, 2014.

App Case No. 2014-000691

This case was filed in the South Carolina Supreme Court and, according to the South Carolina Court of Appeals, is "ended". No further information regarding this matter is within the knowledge of Respondent.

App. Case No. 2015-000042

Applicant filed a second notice of appeal of his plea to Possession of Crack Cocaine 2004-GS-26-4448 on January 7, 2015. The South Carolina Court of Appeals sent Applicant a deficiency letter dated February 26, 2015, requesting sentencing sheets and a statement of when Applicant received written notice of judgment. On March 9, 2015, Applicant filed a copy of the final order of one of his post-conviction relief proceedings (2012-CP-26-1814, six actions merged), declared he received it on February 5, 2015, and requested appointment of counsel. Applicant filed five (5) further notices of appeal from various decisions which at this time do not appear to have been assigned their own appellate case number, but which were classified under 2015-000042. They are as follows:

- June 8, 2015 – Notice of Appeal from underlying conviction, including the May 22, 2015 order by the Honorable Benjamin H. Culbertson denying Applicant's "Motion to Vacate Conviction."
- July 13, 2015 – Notice of Appeal from June 25, 2015 order by Judge Culbertson denying Applicant's "Motion for a New Trial."
- July 27, 2015 – Notice of Appeal from July 13, 2015 order by Judge Culbertson denying Applicant's "Motion to Vacate Conviction" regarding 2003-GS-26-3312.
- August 10, 2015 – Notice of Appeal from a May 16, 2007 order by the Honorable James F. Fraley regarding 2001-JU-26-154, 2001-JU-26-700.
- August 13, 2015 – Notice of Appeal from underlying conviction.

The Court of Appeals provided Applicant with a "Status Update of All Cases" on September 14, 2015, which stated "[Applicant's] request for appointment of counsel is pending before the

Court." Court records do not indicate any further action has been taken with respect to this matter since that time.

App. Case No. 2015-001194

Applicant filed on June 4, 2015 a notice of appeal, referencing by caption 2003-GS-26-802 and 2004-GS-26-4448, from "the letter of the Law Clerk to the Honorable Steven H. John dated April 20, 2015". The South Carolina Supreme Court dismissed the appeal the same day, noting that nothing in the South Carolina Code or in court rules permit an appeal to be taken from a letter signed by a judicial law clerk, and issued the remittitur on June 22, 2015.

App. Case No. 2015-001885

Applicant filed on July 27, 2015 a notice of appeal from the July 13, 2015 order by the Honorable Benjamin H. Culbertson denying Applicant's "Motion for a New Trial" in 2003-GS-26-3312. That same day, Applicant filed a motion for appointment of counsel. The Court of Appeals denied Applicant's motion by Order filed September 10, 2015. Applicant failed to file any brief and the Court of Appeals dismissed this matter by Order dated June 8, 2016. The Remittitur issued on June 24, 2016.

App. Case No. 2015-001888

Applicant filed on August 14, 2015 a notice of appeal from his plea to Possession of Crack Cocaine (2004-GS-26-4448), along with a "Request for a Fast and Speedy Trial". The South Carolina Court of Appeals promptly dismissed this appeal by Order filed September 10, 2015. Applicant filed a motion to reinstate his appeal on September 21, 2015, which the Court denied by Order filed September 30, 2015. The remittitur issued December 10, 2015.

App. Case No. 2015-002233

Applicant filed on October 7, 2015 a notice of appeal from the Order filed September 21, 2015 by the Honorable Benjamin H. Culbertson denying Applicant's "motion to vacate sentence" in 2004-GS-26-4448. Applicant failed to file any brief and the Court of Appeals dismissed this matter by Order dated June 8, 2016. The Remittitur issued on June 24, 2016.

PRIOR POST-CONVICTION RELIEF ACTIONS

2012-CP-26-813

Applicant filed his first application for Post-Conviction Relief on February 2, 2012 (2012-CP-26-0813), seeking relief from his August 2004 plea to Assault of a High and Aggravated Nature. Respondent made its return and motion to dismiss on or about March 8, 2012. The Honorable Steven H. John entered a Conditional Order of Dismissal on March 27, 2012. Applicant filed a *pro se* objection to the conditional order on April 11, 2012. The application was thereafter dismissed, with prejudice, on June 4, 2012.

2012-CP-26-1814 (Six Actions Merged)

Applicant filed a set of three (3) separate applications for Post-Conviction Relief on March 6, 2012 (2012-CP-26-1814, -1815, -1816), seeking relief from his August 2004 (both charges), June 2005, and March 2003 pleas. Regarding 1814, Respondent made its return and motion to dismiss on or about April 24, 2012. Judge John entered a Conditional Order of Dismissal on May 12, 2012. Applicant filed a *pro se* objection to the conditional order on May 30, 2012.

Regarding 1815, Respondent made its return and motion to dismiss on May 29, 2012. Judge John entered a Conditional Order of Dismissal on June 11, 2012. Applicant filed a *pro se* objection to the conditional order on July 5, 2012.

Regarding 1816, Respondent made its return and motion to dismiss on May 25, 2012. Judge John entered a Conditional Order of Dismissal on June 11, 2012. Applicant filed a *pro se* objection to the conditional order on July 6, 2012

Applicant filed a second set of three (3) separate applications for Post-Conviction Relief on April 11, 2012, seeking relief from his December 2002 plea (2012-CP-26-2915, -2916) and his December 2003 plea (2012-CP-2917). Respondent made its returns and motions to dismiss to all three applications on May 25, 2012. Judge John entered Conditional Orders of Dismissal on June 11, 2012. Applicant filed *pro se* objections to the conditional orders on July 6, 2012.

The Honorable Benjamin H. Culbertson appointed counsel, Tristian M. Shaffer, Esq., to represent Applicant on all of the above six applications by Order dated April 9, 2013. Judge Culbertson also issued an Order on April 24, 2013, giving newly-appointed counsel an opportunity to respond to the conditional orders.[1] Counsel filed a timely reply to the conditional orders, asserting Applicant was entitled to a direct appeal from the underlying convictions. Judge Culbertson issued an Order dated October 3, 2013 dismissing all of Applicant's claims with the exception of the allegation he did not knowingly and voluntarily waive his right to a direct appeal.

Respondent made its amended return to each pending application on or about February 5, 2014. By order dated December 22, 2014, and filed January 6, 2015, the Honorable Larry B. Hyman merged all of Applicant's outstanding applications into a single docket number, **2012-CP-26-1814**. Respondent filed a second amended return on or about January 26, 2015.

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[1] Undeterred by the appointment of counsel, Applicant continued to bombard the Court with *pro se* filings throughout the process. The Court informed Applicant's counsel: "I have repeatedly cautioned Mr. Chestnut against direct communications with the Court, but my admonitions have fallen on deaf ears. I would appreciate any assistance you may give the Court in stemming the flood of mail from Mr. Chestnut." Chestnut v. State, Order Dated December 4, 2014. As Applicant was actively seeking to have Mr. Schaffer removed as counsel at the time of that Order, it is self-evident that Mr. Schaffer's capacity to help the Court in this regard was non-existent for reasons beyond his control.

An evidentiary hearing into the remaining issue was convened on February 2, 2015 before the Honorable G. Thomas Cooper, Jr. Applicant appeared at the hearing via his appointed *guardian ad litem*,[2] Cooper C. Lynn, Esq. and was represented by Tristan M. Shaffer, Esq. Joshua L. Thomas, Esq., of the South Carolina Attorney General's Office, represented Respondent. Judge Cooper denied and dismissed, with prejudice, the merged application in an order dated March 17, 2015. Applicant filed a Rule 59(e) motion on May 26, 2015; Judge Cooper denied the motion by order dated March 17, 2015 and filed March 25, 2015.

App. Case No. 2015-000891

Tristian M. Shaffer, Esq., on behalf of Applicant, filed a notice of appeal from 2012-CP-26-1814 on April 22, 2015. By letter dated June 18, 2015, the Clerk of Court informed Mr. Schaffer that his explanations for appeal were inadequate and that he was therefore required to provide the Court with a Dennison response. The Clerk of Court again demanded such a response on July 9, 2015 and Mr. Schaffer assured one was forthcoming.

By Order Dated September 4, 2015, the Supreme Court indicated that it never received the response demanded. By letter dated September 14, 2015, the Clerk of Court indicated to Applicant that the status of his appeal was "ended." However, by Order Dated September 25, 2015, the Supreme Court again denied Applicant's motion to relieve counsel. By Order Dated September 28, 2015, the Supreme Court indicated a deadline of October 19, 2015 for any *pro se* explanations under Rule 203(d)(1)(B)(iv) and 243(c), SCACR. Applicant moved for an extension on October 14, 2015 and was granted, in part, by Order Dated October 21, 2015.

On November 24, 2015, the Supreme Court dismissed the appeal. The Remittitur was returned on December 10, 2015.

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[2] Pursuant to Rule 17(c), SCRCP ("person imprisoned outside this State shall appear by guardian ad litem in an action by or against him[.]")

UNRESOLVED ACTIONS

Applicant has since filed *seven* additional actions seeking post-conviction relief, alleging he is being held unlawfully for the following reasons:

2015-CP-26-2371 – Filed March 27, 2015 (from 2003-GS-26-802)

1. "Trial court lacked jurisdiction to convict plaintiff."
   a. "Section 16-13-150[3] states in sum that a person must be at least 18 years old to be charged and convicted under this section. Plaintiff was 17 years old, which he should not have been prosecuted for the charge of contributing to the delinquency of a minor."
2. "Vacate Conviction"

2015-CP-26-2371 – Amendment filed July 6, 2016

1. "Unlawful contributing to delinquency of a minor conviction in violation of due process"
   a. "Conviction for contributing to delinquency of a minor being used to adversely affect my current federal sentence. When I plead guilty to contributing to delinquency of a minor neither the court or my attorney informed nor were I aware that this conviction could potentially be used to affect/enhance any other sentence."

2015-CP-26-3512 – Filed May 12, 2015 (from 2004-GS-26-4448)

1. "Lack of subject-matter jurisdiction to accept guilty plea."
   a. "The indictment failed to contain the necessary elements of the offense by not stating the schedule of the controlled substance; the indictment is fraudulent and did not concur with at least 12 jurors; convicted for a felony offense when the charge was a misdemeanor."
2. Vacate Conviction

2015-CP-26-3512 – Amendment filed July 6, 2012

1. "Unlawful conviction for possession of crack cocaine in violation of due process."
   a. "Conviction for the possession of crack cocaine being used to adversely affect my current federal sentence."
   b. "When I plead guilty to possession of crack cocaine, I was neither informed by the court or my attorney nor aware that this conviction

[3] Upon reason and context, Respondent believes Applicant intended to refer to S.C. Code Ann. § 16-17-490.

could be used to enhance any other sentence. As a result of my possession of crack cocaine conviction my current federal sentence was enhanced by 10 years."

2015-CP-26-3666 – Filed May 15, 2015 (from 2003-GS-26-3312)

1. "Lack of subject-matter jurisdiction to accept guilty plea."
   a. "The indictment failed to state sufficiently the elements of the offense by not naming what type/kind of pistol. Guilty plea and indictment states different subsections. Guilty plea states 16-23-30(c), but indictment states 16-23-30(e)."[4]
2. "Vacate sentence and conviction, and reimburst fine paid."

2015-CP-26-5375 – Filed July 16, 2015 (from 2004-GS-26-4448)

1. "Lack of jurisdiction in violation of due process of law to accept guilty plea"
   a. "Denied right to a speedy trial after requested and denied a preliminary hearing after timely requested. Applicant did not waive his right to a speedy trial or preliminary hearing."
2. "Vacate conviction and grant any other relief appropriate"

2015-CP-26-5376 – Filed July 16, 2015 (from 2002-GS-26-4656, -4739)

1. "Court lacked jurisdiction to accept guilty plea, in violation of South Carolina Constitution, U.S. Constitution, and due process"
   a. "Indictment was not presented to a grand jury and applicant did not freely or voluntarily waive presentment of the indictment to grand jury"
2. "Vacate conviction and grant any other appropriate relief"

2015-CP-26-5376 – Filed July 16, 2015 (from 2002-GS-26-4656, -4739)

1. "Unlawful conviction for purse snatching and enticing child from attendance in public school in violation of due process"
   a. "Convictions for purse snatching and enticing child from attendance in public school being used to adversely affect my current federal sentence."
   b. "When I plead guilty to purse snatching and enticing child from attendance in public school neither the court nor my attorney

[4] S.C. Code Ann. § 16-23-30 was revised by the legislature in 2004, 2006, and 2008. The violation in pre-2004 § 16-23-30(e), which referred back to pre-2004 § 16-23-30(c) is reflected in the present S.C. Code Ann. § 16-23-30(B), which refers to present § 16-23-30(A)(3). As an unrelated matter, this recitation of Applicant's allegation is merely the best estimate of Respondent, as Applicant's handwriting succumbs to the same "c" & "e" pitfall as the sentencing sheet about which it alleges error.

informed me that these convictions could be used to enhance any other sentence."

2015-CP-26-8910 – Filed December 28, 2015 (from 2004-GS-26-4448)

1. "Ineffective assistance of counsel"
   a. "Attorney failed to file notice of appeal from underlying conviction upon applicant request following sentencing. Applicant did not freely or voluntarily waive direct appeal."
2. "Any relief deemed appropriate"

2016-CP-26-1246 – Filed February 23, 2016 (from 2004-GS-26-2651, -2652)

1. Writ of Error Coram Nobis[5]
   a. "[Excerpted] Petitioner [...] only pleaded guilty without having a full understanding of the consequences of the guilty pleas. Specifically, petitioner was not informed by the court or his attorney, prior to the guilty pleas, that he could receive potential consequences of the guilty plea with respect to future convictions."
2. Issue a writ of error coram nobis vacating Petitioner's convictions in case no. 2004-GS-26-2651 and 2004-GS-26-2652, in addition, to holding a hearing on this matter as deem appropriate by the court.

2016-CP-26-1246 – Amendment filed July 6, 2016

1. "Unlawful conviction for AHAN and unlawful conduct towards a child in violation of due process"
   a. "Convictions for AHAN and unlawful conduct towards a child being used to adversely affect my current federal sentence."
   b. "When I plead guilty to AHAN and unlawful conduct towards a child the court nor my attorney informed me that these convictions could potentially be used to enhance any other sentence."

The above summarized applications for PCR were merged by Order filed June 13, 2016.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court finds that Applicant had a full opportunity to litigate his various allegations in prior court proceedings. The Applicant continues to raise meritless claims by repeated collateral

[5] This filing was not submitted using the standard Form 5 "Application for Post-Conviction Relief"

attacks on his numerous convictions. The public interest in finality of judgments requires that litigation must eventually come to an end.

Due to the repetitive and frivolous nature of Applicant's numerous applications, appeals, motions, petitions, and communications to the Court, and due to Applicant's disregard for Court procedure, the Court directs the Horry County Clerk of Court not to ~~not~~ accept any further PCR applications from the Applicant unless he pays the normal filing fee generally required for the filing of a summons and complaint. The United States Supreme Court has denied litigants who have filed repetitive, frivolous petitions the right to proceed *in forma pauperis*, resulting in the litigants having to pay the required filing fee with that Court. In re Whitaker, 513 U.S. 1 (1994); In re Anderson, 511 U.S. 364 (1994); In re Demos, 500 U.S. 16 (1991); In re Sindram, 498 U.S. 177 (1991); In re McDonald, 489 U.S. 180 (1989).

Additionally, the Court holds that the Applicant shall henceforth be required to provide a properly notarized affidavit certifying that he believes in good faith that matters raised in any future filings are not frivolous. In In re Maxton, 325 S.C. 3, 478 S.E.2d 679 (1996), the South Carolina Supreme Court required Maxton, who had filed numerous meritless petitions with the Court, to pay a filing fee and accompany any future filings with a properly notarized affidavit by Maxton certifying that he, in good faith, believed that the matters he was raising were non-frivolous and proper for the Court to consider. Id. Other courts have required that the abusive litigant file an affidavit certifying that he believes the petition raises an original claim or is non-frivolous before accepting filings from the litigant. In the Matter of Verdone, 73 F.3d 669 (7th Cir. 1995); Abdul-Akbar v. Watson, 901 F.2d 329 (3d Cir. 1990); Green v. Warden, 699 F.2d 364 (7th Cir.), *cert denied*, 461 U.S. 960 (1983).

Furthermore, the Court holds that before filing an application accompanied by a notarized affidavit, the Clerk's office shall submit the application to the Chief Administrative Judge for Common Pleas of this circuit. The Administrative Judge shall then make a finding on whether the issues raised in the application are non-frivolous and proper for the Court to consider. If the Administrative Judge finds the application proper, it may only then be submitted to the Clerk's office for filing. **No application shall be filed without a proper finding from the Chief Administrative Judge.**

Finally, the Court warns Applicant that should he continue to file applications containing matters that are frivolous, he may be held in contempt or the Court may impose sanctions as circumstances of the case and discouragement of like conduct in the future may warrant. The Supreme Court imposed such warning on an Applicant in Maxton.

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III. CONCLUSION

Including all present actions and excluding mergers for the sake of judicial efficiency, Applicant has submitted at least seven (7) direct appeals[6], fourteen (14) actions for post-conviction relief, one (1) direct appeal from his prior PCR actions, and similarly numerous federal actions not heretofore summarized attacking the enhanced Federal convictions which inspire his prolificacy, and an indeterminate number of motions dispensed with by the Court of its own accord. On these indisputable facts at minimum, it is clear that Applicant's filings are abusive to every instrument of State and Federal courts and the Applicant should be sanctioned under Maxton.

There is a strong interest in finality of the criminal process; judicial review must stop at some juncture and finality must be realized. Aice v. State, 305 448, 409 S.E.2d 392 (1991). The Court quoted Justice Harlan when discussing the importance of finality in litigation when they stated the following:

> If law, criminal or otherwise, is worth having and enforcing, it must some time provide a definitive answer to the question litigants present or else it never provides an answer at all. Surely it is an unpleasant task to strip a man of his freedom and subject him to institutional restraints. But this does not mean that in doing so, we should always be halting or tentative. No one, not criminal defendants, not the judicial system, not society as a whole is benefitted by a judgment providing a man shall tentatively go to jail today, but tomorrow and every day thereafter his continued incarceration shall be subject to fresh litigation on issues already resolved. A rule of law that fails to take account of these finality interests would do more than subvert the criminal process itself. It would also seriously distort the very limited resources society has allocated to the criminal process...This drain on society's resources is compounded by the fact that issuance of the habeas writ compels a State that wishes to continue enforcing its laws against the successful petitioner to relitigate facts buried in the remote past through presentation of witnesses whose memories of the relevant events often have dimmed. This very act of trying stale facts may well, ironically, produce a

[6] And an eighth in an effort to regain seized funds. *See* J. Gregory Hembree v. Six Hundred Thirty Dollars, App. Case No. 2015-001121.

second trial no more reliable as a matter of getting at the truth than the first.

Anderson v. Leeke, 271 S.C. 435, 441, 248 S.E.2d 120 (1978).

Based on all the foregoing, this Court finds and concludes that the Applicant has received his full bite at the apple. The Applicant's repetitive and voluminous filings shall be restricted in order to preserve the Court's time and resources and stop any interference with the fair administration of justice. Respondent's Motion to Restrict Future Filings is **GRANTED**.

IT IS THEREFORE ORDERED:

1. The Clerk of Court shall refuse to accept further petitions from the Applicant asking the Court to entertain matters unless he pays a filing fee generally required for filing motions and petitions with this court.

2. The Applicant shall be prohibited from filing any legal actions in any jurisdiction in South Carolina without submitting the requisite filing fees and providing a properly notarized affidavit certifying that the Applicant believes in good faith that the matter raised is not frivolous.

3. Any applications submitted with properly notarized affidavits shall be submitted to the Chief Administrative Judge to make a finding on whether the allegations are non-frivolous and proper for the Court before they are filed;

4. The Clerk of Court shall return all documents that do not comply with this order, and;

5. The Applicant is warned that if he continues to file Applications containing matter that is frivolous or not proper for this Court to consider, he may be held in contempt or sanctioned under Rule 11, SCRCP.

AND IT IS SO ORDERED this 9 **day of** Sept. **, 2016.**

Benjamin H. Culbertson

BENJAMIN H. CULBERTSON
Chief Administrative Judge
Fifteenth Judicial Circuit

Conway, South Carolina