

LEGAL MAIL

IN THE STATE OF SOUTH CAROLINA THE COURT OF APPEALS

Akeem Alim-Nafis Abdullah-Malik
Appellant, Pro-se

Case Nos. 2015-CP-46-3371
2015-002412
2016-002098

v.

Bruce M. Bryant, et.al; Rick Evelsizer
et.al; John Clarke, Officer Conant,
and Shade Tree Towing Services
Defendants

RECEIVED

NOV 01 2016

SC Court of Appeals

Motion To Proceed

In Forma Pauperis

&

Inmate Litigation Act.

[ILA]

Pursuant to S.C. Codes of Law § 24-27-100 to 24-27-150

COMES NOW, Akeem Alim-Nafis Abdullah-Malik, [Hereinafter]
Motions To Proceed in This Civil Appeal Process with a inability
to pay the cost of this process and filing fees. Pursuant to
S.C. Codes of Law § 24-27-100 to 24-27-150, The U.S. and S.C.
Constitutions bringing Civil Property Actions In York County
whom Illegally confiscated Personal and Real Property and refuse
to return and/or compensate the appellant for his personal and

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real property held via laches since twenty thousand and thirteenth year, september month, thirteenth date on or about and approximately. Appellant sought adequate and appropriate relief by and through Rule To Show Cause. Wherefore appellant is /has been denied access to the courts as an incarcerated pauper contrary to statutory laws within south carolina. S.C. Codes 25-27-100 to 24-27-150.

The matter was initiated through Rule To Show Cause and obtain a initial Case No 2015-CP-46-3371, required Appeal Process In The S.C. Court of Appeals obtaining Case No. 2015-002412; as well, on Rehearing Warranted Remand per se S.C. Court of Appeals, again The 16th Judicial Circuit Court of Common Pleas defaulted by eluding the matter and Denying Appellant again Access To The Courts Pursuant to S.C. Codes § 24-27-100 to 24-27-150. The Circuit Court again opted to disregard the Statutory provision of S.C. Codes § 24-27-100 to 24-27-150. Designed to provide Access To The Courts for Indigent Prisoners.

However The Chief Circuit Judge John C. Hayes III overlooked in both the initial Rule To Show Cause the requirement of providing Prisoner Trust Fund Balances to determine if a prisoner qualifies to proceed and have funds deducted from his/her account as funds become available.. The Chief Circuit Judge not once Denied Appellant Rights To Court. Yet several interims in unrelated matter no mentioned here in instance. Yet on record again The Chief Judge unconsiderable of SWORN AFFIDAVITS provided when the prisoner is unable to have such trust fund document available a SWORN AFFIDAVIT under penalty of Perjury as Well

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Notorized Under Penalty of Perjury is substantial & stronger than any means of a document from the prisons. Which under abnormal circumstances. Were the prisoner is being impeded of receiving such document from the appointed administrative agent. The courts being made aware of such occurrences as well notification to the court of institutional security lock downs is at no fault of the prisoner where he/she is unable to collect the trust fund document.

The appellant has notified all Circuit, Appeals, Supreme Courts numerous interims regarding his impediments awhile being detained as a ~~Level I~~ prisoner in a Level II prison. That more than warranted is subjected to institution lockdown, shortage of staff, disruptive schedules, etc. Causing the appellant major obstacles to access the courts. The appellant has provided in more than numerous occasions he is in fact indigent in both State and Federal Courts in the State of South Carolina. The appellant provided a SWORN AFIDAVIT Notorized by the place of his incarceration notory that he is in fact indigent. How much more is meticulous required. See Page 4 of Original Rule To Show Cause Motion that was clearly defaulted extending beyond the statutory provision of 30 days...

The S.C. Court of Appeal Rehearing and Remanding exceeded the term permissible to respond or object to the appellant ability to proceed and access the courts. In this Civil matter In The Court of Common Pleas.

Appellant now in instance before The S.C. Court of Appeals

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again in Case No. 2016-002098 is suffering from The 16th Judicial Circuit laches in a Common Pleas Court. ~~Goose~~ to meeting the viable feasible negotiation and settlement of appellant real and personal property illegal seized and not returned as the statutes requires by/via not ~~bring~~ ~~bring~~ the matter before the court pursuant to S.C. Codes § 24-27-100 to 24-27-150...

Appellant renews Motion To Proceed In Forma Pauperis here in instance to have effect In The S.C. Court of Appeals Processing and his still inability to pay the Filing Fees indicated .To not allow this matter to go before the Courts and not allow the appellant access to the courts clearly denies the appellant due process and equal protections of laws as a prisoner incarcerated in the S.C. Dept' of Corrections. Contrary to what The legislative intent was designed in S.C. Codes§ 24-27-100 to 24-27-150. This to by not permitting the apellant to seek recovery and bring suit in violation of both S.C. and U.S. Constitution. designed to not deny due process nor negate equal protections of laws...

Appellant in conclusion [PRAYS] Judgement be issued again The 16th Judicial Circuit in Default or Remand Again with specific instruction to process the matter pursuant to S.C. Codes § 24-27-100 and /or negotiate settlement of appellant property..

This 27 day october month

July H. Abdullah year

Respectfully submitted,

Akeem Alim-Nafis Abdullah-Malik
Ridgeland Correctional Institution
5 Correctional Road
Ridgeland, South Carolina 29936

CC: Court of Appeals
CC: 16th Judicial Circuit

Court Common Pleas York County
CC: Defendants via Clerk of Court Common Please and S.C. Court Appeals
Page 4 of 5

LEGAL MAIL

IN THE STATE OF SOUTH CAROLINA
THE COURT OF APPEALS

APPEAL FROM YORK COUNTY

Court of Common Pleas

John C. Hayes, Chief Circuit Court Judge

RECEIVED

NOV 01 2016

Case No. 2015-CP-46-3371

SC Court of Appeals

Akeem Alim-Nafis Abdullah-Malik.....Appellant

v.

Bruce M. Bryant, et.al; Rick Evelsizer; et.al, John Clarke,
Officer Conant, & Shade Tree Towing Services....Defendants

MOTION OF CURED

NOTICE OF APPEAL DEFICIENCIES

PURSUANT TO REMITTED CASES OF SAME RELEVANCY

ALL IN ONE OF THE SAME EXACT CASE

&

S.C COURT OF APPEALS LETTER DATED OCTOBER 14th, 2016

RECEIVED OCTOBER 18th, 2016

COMES NOW, Akeem Alim-Nafis Abdullah-Malik, [Hereinafter]
Appellant. Pursuant SCACR 203 (b)(1), 262(b), SCRCP 50, and
SCACR 267, modifying any all deficiencies as outlined in The
S.C. Court of Appeals Memorandum Orders as aforementioned.

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Appellant correcting any all as so directed to included resubmitt
-ing In Forma Pauperis and Motion Inmate Litigation Act [ILA]
Pursuant to S.C. Code § 24-27-100 to 24-27-150...

Appellant resubmitts this matter of corrections with ORDERS
that the ~~time~~lessness is not to be disturbed in tolling the Appeal
Timeliness Process Not to disturb this matter in permitting
tolling to correct the matter as so directed.

FACTUAL BACKGROUND/CASE HISTORY

CURRENT TO DATE

Appellant filed this original Rule To Show Cause In The 16th
Judicial Circuit Court of Common Pleas. Wherefore and Illegal
Forfeiture of Real and Personal Property Contrary to colorable
claims under color of laws S.C. Codes § 44-53-520, 530 and 536 filed
on or about November 13, 2015. Pursuant to Inmate Litigation
[ILA] In Forma Pauperis. On November 12, 2015 Chief Judge John
C. Hayes III Denied by/via Written Signature ORDER. Appellant
APPEALED The Order taking on new Appellant Case No. 2015-002412.
The S.C. Court of Appeals after careful consideration Remanded
the matter. GRANTING appellants REHEARING. The Circuit Court
failing to comply to S.C. Court of Appeals ORDER. Appellant
Motion For Judgement and/or Settlement. This matter was then
Remitted where Appellant via written motion. Motion settlement
and or negotiable agreement. The Circuit Court was and is in
default and refuses to just compensation in a claim of in-
accuracy that appellant 1st did not service the defendants

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attorneys. Wherefore the S.C. Court of Appeals on Rehearing clarified that it was impossible for defendants attorneys to be served . When the appellant original Rule To Show Cause was not required to service defendants attorneys. Due to the case was not out the stages of prematurity. When The Circuit Judge Denied The Inmate Litigation Act [ILA] contrary to statutory provision in S.C. Codes § 2-27-100 to 25-27-150. the case on remand again was not adequately address as so Ordered by S. C. Court of Appeals Remand ORDER outlined to determine did the Appellant meet the standards of S.C. Code § 24-27-100 to 24-27-150. Causing this matter to assume Appellate Case No. 2015-002412. On Appeal Process... Ordered filed May 12th 2016 3 Panel Judge In The S.C. Court of Appeals..

Upon inquiry to settlement and or negotiations. The Circuit Courts Civil Division Claimed there was no pending matters based upon the Rehearing Remand. August 28th, 2016. Followed by ORDER Denied the appellant again Right To Access The Courts pursuant to both The S.C. and U.S. Conctitution and bringing suit over value of \$20.00. In addition contrary to statutory language regarding inmates incarcerated. The Circuit Judge on September 20th, 2016 received September 26th, 2016 again eludes the language (e). That is clear that inmates account is to be debited and deducted as funds become available.

The Chief Circuit Judge claims the inmate trust fund account sheet was not available.. Yet the Chief Judge of experience knows clearly the power vested in the Affidavit. When the Appellant initially filed this Rule To Show Cause he on page 4 of the Initial Rule To show Cause is an Affidavit not as he indicates

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in his ORDER that only a statement was provided again contrary to the actual facts of truth. The appellant is incarcerated at a high level II facility as level I prisoner. Where often more than normal circumstances lock downs more than random occur, preventing prisoner access to law libraries, administration to inquire about various documents the Courts entail or may warrant. The appellant under those/these abnormal circumstances went to next chain of legal action by filing and getting a notarized AFFIDAVIT one of the strongest documents in the court room and law... See Page 4 of Notarized September 15th, 2015 as the appellant was on institution security lockdown. Under Penalty of Perjury Notary Commission not expiring until May 20, 2021. This case is now reflect the Case No. 2016-002098 Denied Again by Chief Judge John C. Hayes September 20th, 2016 Received September 26th, 2016. Appealed October 6th, 2016 Filed in Circuit Court and ~~simultaneously~~ In The S.C Court of Appeals.

In closure the Appellant [PRAYS] this along with cured Proof of Service meet the Demand of S.C. Court of Appeals Appeals Process. The appellant to includes the implementing The [ILA] as to assert the qualification for the required fees in a Civil Case before the Courts where clearly the S.C. Codes §§ 24-27-100 - 25-27-150 is intended for the prisoner to have access to the courts [sic] and the ability to process their respective court documents even to the extent he/she is indigent...

May this serve as Te Amended Notice of Appeal and Identifies all parties . Whom as of date never have had counsel assigned to serve due to the laches applied in not permitting the

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Appellant Access To The Courts and prosecuting this viable claim
or feasible settlement of the illegal processing and/or processing
of appellant real and personal property In Rem \$5,000.

This 27 day October month
Twenty Seven year

Respectfully submitted,

Akeem Alim-Nafis Abdullah-Malik
Ridgeland Correctional Institution
5 Correctional Road
Ridgeland, South Carolina 29936

LEGAL MAIL

IN THE STATE OF SOUTH CAROLINA THE COURT OF COMMON PLEAS

APPEAL FROM YORK COUNTY
Court of Common Pleas
John C. Hayes II, Chief Circuit Court Judge

Case No. 2015-CP-46-3371

Akeem Alim-Nafis Abdullah-Malik Appellant

v.

Bruce M. Bryant, et.al; Rick Evelsizer; et.al, John Clarke
Officer Conant, & Shade Tree Towing Service....Defendants

Proof of Service

I certify that I have deposited the Amended Notice of Appeal
by depositing in the U.S. Mail, postage prepaid postage, on
_____ to The Clerk of Court PO Box
649, York County 29745 and al required parties and defendants
by and via Clerk of Court, Last known addresses of defendants
Bruce M. Bryant 1675-2A York Hwy, York S.C. 29745, Rick Evelsizer
4 Tega Cay Dr., Tega Cay, S.C. 29208, John Clarke same as Bryant
Conant same as EVELSIZER... No attorney's on record...
October 27, 2016

S/ Akeem Alim-Nafis Abdullah-Malik
Ridgeland Correctional Inst
Ridgeland, South Carolina 29936

LEGAL MAIL

IN THE STATE OF SOUTH CAROLINA
THE COURT OF APPEALS

APPEAL FROM YORK COUNTY
Court of Common Pleas
John C. Hayes, III Chief Circuit Court Judge

Case Nos. 2015-CP-46-3371
2015-002412
2016-002098

RECEIVED

NOV 01 2016

SC Court of Appeals

Akeem Alim-Nafis Abdullah-Malik.....Appellant

v.

Bruce M. Bryant, et.al; Rick Evelsizer, et.al John Clarke
Officer Conant, & Shade Tree Towing Service.....Defendants

Proof of Service

I certify that I have deposited the Amended In Forma Pauperis accompanied by Amended Notice of Appeal by depositing in the U.S. Mail postage prepaid, on October 27, 2016 to The Clerk of Court PO Box 649, York County 29745 and all required parties & CC: S.C. Court of Appeals PO Box 11629, Columbia, S.C. 29201, and defendants by/via Clerk at last know address to the appellant...

October 27, 2016

s//

Akeem Alim-Nafis Abdullah-Malik

LEGAL MAIL

EXHIBIT A

ORIGINAL RULE TO SHOW CAUSE

SPECIFIC PAGE 4

(
INDIGENT AFFIDAVIT

LEGAL MAIL

EXHIBIT B

ORIGINAL MOTION DENIAL OF IN FORMA PAUPERIS

&

S.C. CODE 24-27-100 to 24-27-150

OFFICE OF
CLERK OF COURT
DAVID HAMILTON
PO BOX 649
YORK, SOUTH CAROLINA 29745
(803)684-8507

TO:

Akeem Alim-Nafis Abdullak Malik

FROM:

DAVID HAMILTON, YORK COUNTY CLERK OF COURT

RE:

Summons, Rule to Show Cause etc

The above referenced document is being returned for the following reason(s):

1. ☐ Requires address, phone number and work number if filing Pro Se.
2. ☐ Instrument not dated.
3. ☐ Instrument not signed.
4. ☐ Instrument not witnessed.
5. ☐ Instrument not notarized.
6. ☐ Insufficient amount of filing fee.
Correct amount due: _____
7. ☐ Requires original signature.
8. ☐ All initial pleadings require a civil action cover sheet.
Must state nature of action.
Must state whether case is for Jury or Non-Jury.
Must be signed by attorney.
9. ☐ This is not a York County case.
10. ☐ Venue changed to _____
11. ☐ Must have motion slip for all Motions filed.
12. ☐ Check or money order must be made payable to Clerk of Court.
13. ☐ Case Ended: Date: _____
Reason Ended: _____
14. ☐ Check not signed.
15. ☐ This document is a copy – Must file original.
16. ☐ Needs derivation.
17. ☒ Other: Judge Hayes has denied your motion to
proceed in forma pauperis, therefore if
you wish to pursue this you will
need to send \$150.00 filing fee & return the
original documents to our office.

Please make the necessary correction(s) and return for recording. Thank you for your assistance.

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)

IN THE COURT OF COMMON PLEAS OF THE
SIXTEENTH JUDICIAL CIRCUIT

AKEEM ALIM-WAFIS ABDULLAH MALIK,

2015 0046 - 3371

Plaintiff,

MOTION AND AFFIDAVIT TO PROCEED
IN FORMA PAUPERIS

vs.

SHERIFF BRUCE BRYANT ET AL.,

Defendant(s).

FILED-RECEIVED
2015 NOV -3 AM 9:45
DAVID HAMILTON
CLERK OF COURT
YORK COUNTY, SC

I, ~~AK~~ Akeem Alim-Wafis Abdullah ^{Malik} plaintiff, state that I do not have the fund(s) available to pay the cost(s) of filing and service in this present matter. I declare under the penalty of perjury 28 USC 1746 & 28 USC 1915(d) to be true and correct. I hereby request that the action be filed and service made without cost. SEE page 4 FILE TO SHOW CAUSE

This 15 day of September
2015

s/ Al Alim-Wafis Abdullah-Malik

Motion to proceed
in forma pauperis

DENIED

Jahid Hayes
Chief Judge for
Administrative Purposes
11/12/15

FILED-RECEIVED
2015 NOV 13 AM 8:11
DAVID HAMILTON
CLERK OF COURT
YORK COUNTY, SC

STATE OF SOUTH CAROLINA)

COUNTY OF YORK)

AKEEM ALIM-WAFIS ABDULLAH-MALIK))

Plaintiff,)

-versus-)

SHERIFF BRUCE BRYANT; DEPUTY
(John) CLARKE; RICK A. EYE-
ISTZER; OFFICER CONNETT; AND
SHADE TREE TOWING SERVICE(S),

Defendant(s).)

IN THE COURT OF COMMON PLEAS OF THE
SIXTEENTH JUDICIAL CIRCUIT

S U M M O N S

IN REM:)

\$5,000.00 in U.S.)

Currency, Car, Other)

Property, Property)

TO: THE DEFENDANTS ABOVE-NAMED:

~~YOU ARE HEREBY SUMMONED and required to answer the Rule to~~

Show Cause herein, a copy of which is now served upon you, and
to serve a copy of your answer to the Rule to Show Cause upon
the plaintiff, at the address shown below, within thirty (30)
days after service hereof, exclusive of the day of such service
and if you fail to answer the Rule to Show Cause, judgment by
default will be rendered against you for the relief demanded in
the Rule to Show Cause.

This 15th day of September 2015.

/s/ Akeem Alim-Wafis Abdullah-Malik

Akeem Alim-Wafis Abdullah Malik
359150, RCI, GA-25, POB 2039
Milledgeville, S.C. 29936

STATE OF SOUTH CAROLINA)
YORK COUNTY)

IN THE COURT OF COMMON PLEAS FOR THE
16TH JUDICIAL CIRCUIT

Akoom Alim-Wafia Abdullah Malik)
Plaintiff,)

vs.)

SHERIFF BRECE BRYANT; DEPUTY)
(John) CLARKE; RICK A. EYERIS-)
TZER CHIEF; OFFICER CONANT AND)
SHADE TREE TOWING SERVICE(S);)
Defendant(s).)

RULE TO SHOW CAUSE

IN REM)

\$5,000.00 in U. S.)
Currency, Property & Car)
-----)

Now Comes the above named plaintiff, moving this Honorable Court to be heard on his "Rule To Show Cause", pursuant to all colorable law(s) of the State of South Carolina, to include but not limited to S.C. Code of Laws 344-53-520, 530; and 536m for the following reason(s):

1. Plaintiff Akoom Alim-Wafia Abdullah Malik is an illegal resident of South Carolina, residing at Ridgeland Correctional Institution which is within South Carolina Department of Corrections (SCDC);
2. Plaintiff formerly resided at 4314 Branch Bend Lane, #113, Charlotte, NC, on September 14, 2013, at which time the defendant(s)

seized \$5,000.00 from his person;

3. Plaintiff resided at 4314 Branch Bend Lane, #113, Charlotte, NC 28273 on September 14, 2013; plaintiff was arrested on September 14, 2013 at Hwy 160, York County, York South Carolina;

4. Defendant Bruce M. Bryant is the Sheriff of York County Sheriff's Office who supervises all sheriff deputy(ies) of York County and is the direct supervisor of defendant Clarke

5. Defendant Rick A. Weiszer participated in the seizure of \$5,000 car from plaintiff on September 14, 2013;

6. Defendant Sgt. Clarke participated in the seizure of \$5,000.00 car from plaintiff on September 14, 2013;

7. On September 14, 2013 plaintiff was arrested at Hwy 160, York County, York, South Carolina; plaintiff was charged with section(s) 16-13-30; 16-11-313 and 16-17-110 of South Carolina Code Ann. (2012);

8. On September 14, 2013 during plaintiff's arrest \$5,000.00; car was seized from his person by the defendant(s); Conant and Shade Tree Towing Service(s) were engaged in the seizure of tender and property.

LAW IN SUPPORT

Plaintiff invokes his constitutional right(s) of the First, Fourth, Fifth and Fourteenth Constitutional Amendment(s). Plaintiff makes this Motion pursuant to the clearly established law(s) of S.C. Code of Laws §§ 44-53-520, 530 and 586 for the return of his money. The defendants have failed to take the proper step(s) and to follow the established procedure(s) for forfeiture of plaintiff's money.

The defendant(s) failed to initiate a forfeiture proceeding within a reasonable time.

Plaintiff asserts that several S. C. Code of Law(s) apply to this matter that must be followed. Failure to do so constitutes a violation of clearly established laws of this state. See the following §23-15-130.

Each Sheriff shall on the first Tuesday in every month or within ten days afterwards make a ~~reporting~~ to the county auditor or treasurer a full and accurate statement of all monies collected by him on account of ... or forfeitures during the ~~month~~ and in default thereof, upon conviction, shall be liable to a fine of not exceeding one-hundred dollars or imprisonment in the county jail not exceeding two months or both, at the discretion of the court.

§23-17-30 and 40

If any Sheriff shall fail to execute or return final process in any civil suit or to pay over to the person entitled thereto, when demanded, money that has ~~come~~ into his hands as Sheriff shall be unable, on the return of a rule that may be ~~issued~~ against him to show sufficient cause, he shall be liable to be ~~attached~~ for a contempt and committed to custody, until he shall comply with the order of the court.

RELIEF SOUGHT

WHEREFORE, plaintiff prays that this Honorable Court issue(s) an order of granting relief to the plaintiff in the following:

I. U.S. Currency in the amount of \$5,000 plus all inter-

est earned from the interest bearing account S.C. Code of Laws
§44-43-520;

II. That the defendant(s) be ordered to pay any and all court costs for the filing of this action;

III. That a trial by jury be held upon all issues triable by jury;

IV. Such further relief that this Honorable Court may deem just and proper;

V. Compensation of loss of car and replacement of car.

This 15th day of September 2015

Respectfully submitted,

Al Alim-Nafis Abdullah-Malik
Akeem Alim-Nafis Abdullah Malik, 359150
RGI, GA-25, POB 2039
Ridgeland, S. C. 29936

AFFIDAVIT

I am AKEEM ALIM-NAFIS ABDULLAH MALIK, plaintiff herein instance;
I attest for the past six (6) months the account balance attached to my deposit (359150) is zero (0) or debit - negative \$ zero to date. Plaintiff is indigent, unable to pay cost for proceeding and filing etc.

Under penalty of perjury, 28 U.S.C. 1746 and 28 U.S.C. 1915(d) all to be true and correct to the rest of my knowledge.

SWORN TO BEFORE THIS 16th DAY
OF September 2015

Virginia Robinson
NOTARY PUBLIC
MY COMMISSION EXPIRE: May 29 2021

S/

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)

IN THE COURT OF COMMON PLEAS FOR THE
JUDICIAL CIRCUIT

Akeem Alim-Wafis Abdulillah Maliky)

PROOF OF SERVICE

Plaintiff,

vs.

Sheriff Bruce Bryant
et al.,

Defendants.

IN REM:

\$5,000.00 in U.S. Cur-
rency, Property and Car

I, _____, plaintiff hereby serve this 'Rule
to Show Cause' and Proof of Service upon the defendant(s) by de-
positing one (1) _____ copy and one _____ of the same in
the _____ County Clerk of Court office.

Plaintiff has now served the below listed at last known ad-
dress to the plaintiff.

1.

Sheriff Bruce M. Bryant et al

1675-24 YORK HWY

YORK, SOUTH CAROLINA 29788

3.

CHIEF Rick A. Eversizer et al

4 TEGA CAY DRIVE

TEGA CAY, South Carolina 29788

2.

Deputy John Clarke

1675-24 YORK HWY

YORK, SOUTH CAROLINA 29788

4.

OFFICER LONANT

4 TEGA CAY DRIVE

TEGA CAY, South Carolina 29788

5

SHADE Tree Towing Service et al

POWER OF ATTORNEY

I, Akoom Alim-Nafis Abdullah-Mahmud of Ridgeland, South Carolina herewith appoint JESSIE FOWLER as my Attorney In Fact, to act in my place and stead and with the same authority as I would have to conduct any and all business regarding me, including my deposit accounts, loans, safe deposit box or other banking in regard(s) to the civil proceeding(s) between myself and York County Sheriff's Office of York, South Carolina

S/

STATE OF SOUTH CAROLINA

COUNTY OF Jasper

Personally appeared before me and acknowledge the execution of this POWER OF ATTORNEY for the purpose(s) set forth therein

DATED: September 16th, 2015

Virginia Robinson
Notary Public

My Commission Expires: May 26, 2021

LEGAL MAIL

EXHIBIT C

REHEARING GRANTING and REMAND

The South Carolina Court of Appeals

Akeem Alim Nafis Abdullah Malik, Appellant,

v.

Bruce M. Bryant, Respondent.

Appellate Case No. 2015-002412

ORDER

On February 3, 2016, this appeal was dismissed for failure to serve Respondent with the notice of appeal. Appellant has now filed a petition for rehearing, explaining there is no counsel of record for Respondent because his summons and complaint were not accepted and filed by the circuit court.

After careful consideration, we grant Appellant's petition for rehearing and remand the matter to the circuit court.

Appellant is appealing the trial court's denial of his motion to file his action without paying filing fees. Appellant does not argue the circuit court erred in denying his motion; instead, he argues the circuit court should have permitted him to file his action pursuant to section 24-27-100 of the South Carolina Code of Laws (2007). Appellant's filings, however, do not indicate whether Appellant has filed a certified copy of his trust account with the circuit court or whether the circuit court has previously considered this issue. Accordingly, we remand this matter to the circuit court for consideration of whether Appellant should be permitted to file his action and make payments from his inmate trust account as provided in section 24-27-100.

Thomas E. Huff A.C.J.

[Signature] J.

Joseph W. Curran A.J.

FILED

5/12/16

Columbia, South Carolina

cc:

Akeem Alim-Nafis Abdullah Malik

David Hamilton

LEGAL MAIL

EXHIBIT D

HEARING TO HAVE BEEN SCHEDULED COURT COORDINATOR



CLERK OF COURT'S OFFICE

Post Office Box 649, York, South Carolina 29745-0649

September 13, 2016

Akeem Alim-Nafis Abdullah-Malik
Ridgeland Correctional Institution
5 Correctional Road
Ridgeland, SC 29936

Re: Letter Dated August 28, 2016

Dear Mr. Abdullah-Malik,

Our office is in receipt of your letter/correspondence regarding case number 2015CP46-3371. The South Carolina Court of Appeals remanded the matter to our court only to consider whether to allow you to file your lawsuit and make payments from your inmate trust account. I am returning your documents until this matter can be heard and a decision rendered. The Judge denied your request to proceed in forma pauperis and you have not paid the filing fee to institute an action therefore at the current time you do not have a pending lawsuit.

I have forwarded the order from the South Carolina of Appeals to our court coordinator to schedule a hearing and you will be sent notification of the date and time.

Sincerely,

Clerk of Court's Office
Civil Division

Enclosures

15-3371

The South Carolina Court of Appeals

Akeem Alim Nafis Abdullah Malik, Appellant,

v.

Bruce M. Bryant, Respondent.

Appellate Case No. 2015-002412

RECEIVED
2016 MAY 17 AM 8:34
DAVID P. HAMILTON
CLERK OF COURT
SOUTH CAROLINA
COURT OF APPEALS

ORDER

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Thomas E. Huff A.C.J.

J.

James W. Curran A.J.

FILED

5/12/16

not filed with
your affidavit
to proceed in
forma pauperis

Columbia, South Carolina

cc:

Akeem Alim-Nafis Abdullah Malik

David Hamilton

LEGAL MAIL

September 2, 2016

FILED-RECEIVED

2016 SEP 13 PM 3:54

DAVID HAMILTON
C.C.P. & GS
YORK COUNTY, SC

DEAR LERIC OF COURT

I Am unable to duplicate further than the (2) copies enclosed. Please Stamp & Forward to All Defendants & Return to MYSELF please

TO my Knowledge Counsel Nor Counsel OF RECORD OR ASSIGNMENT OF CASE Beyond J.C. Court OF Apprises Remains to Circuit Court IN FAVOR OF Appellant

Appellant IS NEGOTIABLE VIA Tele Conference a \$1,000 Fee to Courts FOR processing a Motion Balance Release to Jesse Fowler Power OF Attorney OF Plaintiff 434 Branch Bend Rd Apt 113, Charlotte, North Carolina 28273 All fees to be deducted from IN Rem \$5,000 Dollar Forfeiture

This ~~30th~~ day of ~~September~~ August
2016 at ~~Charlotte~~ North
Carolina

Sincerely,

Alkeem Alim-Nafis Abdullah-Malik
Ridgeland Correctional Institution
5 Correctional Road
Ridgeland, South Carolina 29936

LL: Leric of Court

EC: Defendants by/via Clerk

LL: Files

Akeem Alim-Nafis Abdullah-Malik
Ridgeland Correctional Institution
5 Correctional Road
Ridgeland, South Carolina 29936

August 28th, 2016

To: Mr. David Hamilton, Clerk of Court
Common Pleas Court
16th Judicial Circuit
P.O. Box 649
York, South Carolina 29745-0649

Re: Akeem Alim-Nafis Abdullah-Malik v. Bruce M. Bryant
Case # 2015-CP-4603771
Appellate Case #. 2015-002412

Dear Sir Clerk of Court:

I'AM writing you in reference to the above listed matter.
I as of date received latest listed status as being remitted
from the South Carolina Appeals Court in Granting The Appellants
Petition For Rehearing and Remand the matter to the Circuit
Court Pursuant to Inmate Litigation Act [ILA] S.C. Code § 24-
27-100. Upon Granting The Appellant Rehearing and Remand the
term Remittitur (1) the process by which the court reduces damage
(s) awarded in a jury verdict. Stemming from remit and defined
as the sending of money sent to a person...Or the (2) the action
of sending a transcript of a case back from an appellate to
atrial court or notice of doing so. (3) The act of remitting
a case to another court.

The Appellant Akeem Alim-Nafis Abdullah-Malik [Hereinafter]
Appellant had initially Summon Sheriff Bruce M. Bryant et.al,
Deputy John Clarke et.al, Polic Chief Rick A. Eveistzer Et.
Al, Officer Conant; Etal, and Shade Tree Towing Services In
REM \$5,000 in U.S. Currency, Car, other Property in Rule To

Show Cause Pursuant to all colorable laws of the State of South Carolina to include but not limited to S.C. Codes § Ann, of 1976 44-53-520, 530, and 536...

Appellant here in instance Motion Settlement and Execution of Judgement in tottal absent Court Cost Feess imposed upon defendants. May this simontaneously be exercised as Writ of Execution and properly accessible and or deliverable via U.S. Postal Service to one Mr. Jessie Fowler 4314 Branc Bend Road Apt # 113, Charlotte, North Carolina 28273 original assigned as The Power Attorney For The Appellant whom is now a resident in Ridgeland, South Carolina 5 Correctional Road, Ridgeland Corectional Institution...

Appellant would ask in respect in the event the defendants are willing to negotiate a reasonable viable In Rem Negotiation that satisfies both and all parties the Appellant is willing to negotiate these matter via telephone on record conference established here via Ridgeland Correctional Institution and Written Notice to the Plaintiff/ Appellant. To save resources court expenses, travel writs and cost to the county and state.

In conclusion these matter are non negotiable The Plaintiff/ Apellant Demands Trial, Writ of Transfer, and Same Day Travel from Ridgeland Correctional Institution, 5 Correctional Road, Ridgeland , South Carolina 29936. Deliverable to 16th Judicial Circuit York County Common Pleas Court all defendants and witness es present. The sequester of real and personal property and detinue repelvin trover of property in total and /or replacement in equitable values...

This 30 day August month 2016 year
[Signature]

Respectfully submitted,

Akeem Alim-Nafis Abdullah-Malik
Plaintiff/ Appellant Pro-Se
Ridgeland Correctional Inst.
5 Correctional Road
Ridgeland, South Carolina 29936

CC: Presiding Judge of Matter
CC: Clerk of Assigned Court
CC: Attorney/ Counsel of Records For Defendants
CC: Files

Notary Public

This 30 day August month 2016 year
My Commission Expires 10-1-25
s/ [Signature]
Signature

CERTIFICATE OF SERVICE

I'AM Akeem Alim-Nafis Abdullah-Malik, I do affirm I have deposited in the U.S. Mail Depository original Writ To Execute and/ or In Rem Negotiation in absence via telephone on record negotiation for real and personal property, prepaid postage and served on all required parties and the Clerk of Court for filing and scheduling and Notice..

This 30 day August month 2016 year
[Signature]

Sincerely,

[Signature]
Akeem Alim-Nafis Abdullah-Malik
Plaintiff/ Appellant

CC: Presiding Judge of Matter
CC: Clerk of Court
CC: Attorney/ Counsel of Records for Defendants

LEGAL MAIL

EXHIBIT E

ORDER DENIAL AGAIN NOW ON APPEAL

&

ENVELOPE DATE RECEIVED

FORM 4

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

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2015CP4603371

Akeem Alim Nafis Abdullah
Malik

Bruce Bryant
Rick A Eyeistzer
Shade Tree Towing Services

John Clarke
Officer Conant

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), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit);
☐ Rule 43(k), SCRPC (Settled); ☐ Other: _____
- ☐ **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 ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk: **ORDER**

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. If 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.

s/ John C. Hayes, III.

2753

9/20/2016

John C. Hayes, III.

Judge Code

Date

Circuit Court Judge

For Clerk of Court Office Use Only

This judgment was entered on September 23, 2016, and a copy mailed first class or placed in the appropriate attorney's box on September 23, 2016, to attorneys of record or to parties (when appearing pro se) as follows:

Akeem Alim Nafis Abdullah Malik Ridgeland Correctional
Institution 5 Correctional Road Ridgeland, SC 29936

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

David Hamilton

Court Reporter

David Hamilton - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)

IN THE COURT OF COMMON PLEAS
SIXTEENTH JUDICIAL CIRCUIT

C.A. No.: 2015-CP-46-3371

Akeem Alim Nafis Abdullah Malik,)

Plaintiff,)

vs.)

Sheriff Bruce M. Bryant, et al.,)

Defendant.)

ORDER

FILED-RECEIVED
2016 SEP 23 AM 8:40
DAVID HAMILTON
C.C. CP & GS
YORK COUNTY, SC

Plaintiff submitted to the Court a Summons and Complaint as above captioned. He also requested that he be allowed proceed in forma pauperis. The undersigned denied his request to proceed in forma pauperis on November 12, 2015. From this denial, Plaintiff appealed.

The Court of Appeals remanded this matter to this Court with directions that the Court consider "whether Appellant [Plaintiff] should be permitted to file this action and make payments from his inmate Trust account as provided in Section 24-27-100."¹

A review of Plaintiff's paperwork reveals that he has not complied with Section 24-27-100, S.C. Code of Laws, 1976, as amended, as he did not submit a certified copy of his trust account at the time the Complaint was filed. The record at this point is silent as to whether he does nor does not have a trust account as Plaintiff submitted nothing at the time of filing addressing the existence or non-existence of a trust account.

It should be noted that Plaintiff did not rely on the provisions of Section 24-27-100, S.C. Code of Laws at the time of the filing of his Complaint. His request to proceed in forma pauperis was predicated solely on his assertion that he did not have the funds available to pay the

¹ Section 24-27-100, S.C. Code of Laws, 1976, as amended.

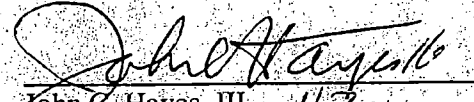
per [signature]

costs of filing and service "in this present matter." The caption of his request is "Motion and Affidavit to Proceed In Forma Pauperis." (Emphasis Added)

Therefore, the Court cannot allow Plaintiff to file this action pursuant to Section 24-27-100, S.C. Code of Laws, 1976, as amended.

Therefore, Plaintiff's request to proceed in forma pauperis is again Denied.

IT IS SO ORDERED.


John C. Hayes, III #2
Resident Judge
Sixteenth Judicial Circuit

September 20th, 2016
York, South Carolina

Ridgeland

**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): Akeem Alon Nafis Abdulh-Malik

SCDC # 389100 Jare- INMATE SIGNATURE: [Signature]

I plan to file this action in the SC County of YORK & 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* \$ 0
- (2) Twenty percent (20%) of line 1 \$ 0
- (3) Account balance - current date \$ 3.64
- (4) PAYMENT AMOUNT **
(lesser of line 2 or line 3)
Enclosed check # _____ \$ 0

****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 1/1/16

Prepared by Financial Accounting Branch - SCDC

Date 10/3/16 cdle/scrust/compared 7/9

SCDC FINANCIAL ACCTG

SCDC FINANCIAL ACCTG

2016 OCT -3 PM 2:24

RIDGELAND CORRECTIONS
INSTITUTION

OCT 13 2016

Mailroom

LEGAL MAIL

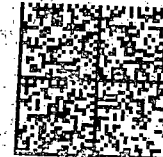
EXHIBIT F

PRISONER TRUST FUND ACCOUNT REPORT IN QUESTIO
SUPPORTIVE DOCUMENTS SUPPORTING ORIGINAL AFFIDAVIT
APPELLANTS INDIGENT STATUS AS STATED IN ORIGINAL
RULE TO SHOW CAUSE

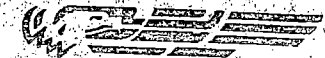


CLERK OF COURT'S OFFICE

Post Office Box 649, York, South Carolina 29745-0649



U.S. POSTAGE PITNEY BOWES



ZIP 29745 \$ 000.46⁵
02 1W
0001403981 SEP. 23 2016

RIDGELAND CORRECTIONAL
INSTITUTION

SEP 26 2016

Mailroom

GA-20

Akeem Alim Nafis Abdullah Malik #359150
Ridgeland Correctional Inst
5 Correctional Road
Ridgeland, SC 29936

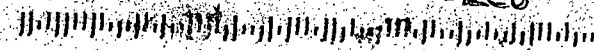
Motion
Notice of Appeal
+ Return

ILA 24-27-16

Due 3 Oct 16

10 Days
to check
SCCU 30 days on

20160925 15:15



Alkem Alim - Nafis Abdullah MA 616

SCDC# [359150] ~~2222~~

Ridgeland Correctional Institute

5 Lockwood Road

Ridgeland, South Carolina 29136

RECEIVED

NOV 01 2016

SC Court of Appeals

RIDGELAND CORRECTIONAL
INSTITUTION

OCT 28 2016

Mailroom

CLERK OF COURT
S.C. COURT OF AP.
PO Box 11629
Columbia, South Carolina