

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Judge L. Casey Manning, Fifth Judicial Circuit

Case No:2016-CP-001239

RECEIVED

JAN 30 2017

SC Court of Appeals

Biafra Monique Curtis,

Appellant

V.

South Carolina Department of Public Safety,
Warren Ganjehsani, Mike Oliver, Leroy Smith,
Kenneth Phelps, Anthony Grice, William Taylor,
Nicklous King, Willie McCauley, Jr., Ada Schmidt,
Aaron Canzater and Cherie Young, individually
and in their official capacities, et al., **Respondent(s)**

**APPELLANTS RESPONSE AND OBJECTION TO RESPONDENT'S
OBJECTION TO THE January 4, 2017 Filing of Appellant**

YOU WILL PLEASE TAKE NOTICE, APPELLANT, hereby files a formal objection to the respondent(s) by and through their attorney's motion, dated January 11, 2017 and filed in the court on January 13, 2017. Should it not be clear to the court by now, that the Respondent's Attorney has no true defense and has turned this case and court into a stage full of actors performing a play to distract the court's attention while all along filing frivolous motions in the effort to "cover their tracks" by attempting to have pertinent information removed from being evaluated in the court's final decision? A dismissal based on technicalities is what they are seeking. Appellant, begs of the court to remand the case over for a jury trial as requested in the Initial Civil Action Cover sheet and again on the final signature page number 44 of the original Complaint. It is a fact that the respondents have still failed to submit their final brief, and still

elect to repeatedly file motions rather than to address the issues before them on a point-by-point basis or any other method that addresses the true elements of this case.

MISSING DOCUMENTS

In addition to the Ultimate Facts that have already been established, there are so many other aspects of the trial court's decision which may have been influenced by the recent discovery of the failure and refusal of the Richland County Clerk of Court to file documents submitted to them. For each and every document sent to the US District Court for filing, I simultaneously sent the same documents to the Richland County Court of Common Pleas with the request that they be filed or at least added to the case jacket because I requested that the US District Court remand the case back to the Richland County Court of Common Pleas (Please see RESPONSE TO MOTION TO DISMISS FOR FAILURE TO STATE CAUSE OF ACTION AND FOR DEFAULT JUDGEMENT IN FAVOR OF PLAINTIFF, filed in the Richland County Court of Common Pleas Index on October 20, 2015, 1st paragraph, "Plaintiff states that she is master of her claim and asserts that South Carolina Department of Public Safety Policy and Procedure, hence, state law, created the initial and subsequent causes of action and therefore her claim is independent of federal jurisdiction by exclusive reliance on state law. Herein, so, the Plaintiff has indicated her desire to frame her initial claim under state, and not federal, law and believes that her right to relief does not necessarily depend on a question of federal law" and I wanted to assure that the documents were added to my case jacket in this court with the request that they be filed into the record and available when the case was remanded back to the Richland County Court. When speaking with Anne Henley of the Richland County Court of Common Pleas, her verbal statement of defense was that the case had been handed over to the District Court, so they had no duty to file or be the custodian of such documents sent to their court for filing, but instead of returning the said filings to the Appellant at the time they were submitted to them, they retained them in their custody, but failed to file them TO THIS DAY.

It was only when the respondent's attorneys repeatedly stated that documents were being provided to the court for the first time, did the Appellant attempt to access the court documents to provide proof that these documents were, indeed, submitted to the trial court that she discovered that there were missing documents. In essence, the Richland County Court of Common Pleas filings should be parallel with the US District Court filings (please see record of US District Court filings in comparison to Richland County Court of Common Pleas filings, enclosed as **(EXHIBIT "1")=RICHLAND COUNTY COURT OF COMMON PLEAS** and **(EXHIBIT "2")=US DISTRICT COURT** filings, all mailed simultaneously to all parties via US Postal Service). When a huge parcel of documents was returned to the Appellant by use of the US Postal Service in an envelope with NO RETURN address, no note, letter or any other correspondence, dated, August 11, 2016 by which time, the case had actually been remanded back to the Richland County Court of Common Pleas on April 1, 2016, the Appellant assumed that these were the returned copies of the filings for that court. NOTE: After reading through

this bundle of documents and researching the Postal Zip Code that they were mailed from (Please see 20530 **EXHIBIT “3”**), it was discovered that these were returned to me by the US Dept. of Justice and only (1) set of documents was EVER returned to me from the Richland County Clerk of Court (see enclosed **EXHIBIT “4”**) With this said, where are ALL of the other documents that I sent to the Richland County Clerk of Court? and more specifically, why weren't they filed or added to the case jacket? There is a gap of time from 10/20/15 – 3/14/16 where there where documents were sent to Richland County Clerk of Court, but not filed, nor returned to me please see:

- 10-20-2015 – Where is the Table of Contents and ALL EXHIBITS referred to PG 30, which were enclosed with the main documents filed in your court index on 10/20/2015 4:46pm **MISSING???**
- 10/27/2015 – Additional Attachments to Main Document- **RESPONSE IN OPPOSITION TO MOTION TO DISMISS WITH EXHIBITS-MISSING??? (SEE MAILING RECEIPT/ PROOF OF DELIVERY)**
- 11/23/2015 – **RESPONSE TO DEFENDANTS REPLY TO RESPONSE TO MOTION TO DISMISS (see Certified Mail Receipt) RETURNED TO BIAFRA CURTIS December 1, 2015**
- 1/20/2016 - **REPLY to Response to Motion- MOTION for Discovery. Response filed by Biafra Monique Curtis and also Request for Extension of Time- by Biafra Monique Curtis MISSING???**
- 3/10/2016 – **OBJECTION to Report and Recommendation by Biafra Monique Curtis-Cover Letter and 5 EXHIBITS MISSING???**

Why would the Richland County Clerk of Court keep the documents that were sent to them in their custody and refuse to file them? If, as they stated verbally, they were not the custodian of these documents, shouldn't they have returned ALL "allegedly" unacceptable documents to the Appellant immediately and with proper notice? So, the question still remains...where are the unfiled documents?

Does anyone, other than the Appellant, see the systematic pattern of neglect in this case? Please advise me if I am wrong, but as I understand the clerk of the courts responsibilities regarding documents presented for filing. I have learned that one of the techniques used by corrupt judges and court clerks is to do nothing with filings in their possession but delay filing them, hide them or even just destroy them. Though you, Anne Henley of the Richland County Court of Common Pleas state that because the case was no longer in your court, you are NOT the custodian of these documents, then, my question is, why would you keep them in your possession? Since you had them at the time that the case was remanded back to your court, why didn't you either file them or return them to me with an explanation of why they were being returned? As a matter of fact, where are the documents that I submitted to your court? Please correct me if I am wrong, but after researching rules and regulations regarding submitting subsequent documents to the clerk of court, this is what I believe is the expected requirements:

Court clerks are duty-bound to know the law and to docket and process the filings that they receive. The key legal issue to know is this: Delivery of documents to the office of the clerk of the court constitutes filing. From what I have found, the office of the clerk has no legal right to block the docketing of anything that is properly delivered to the clerk of the court.

If anyone interferes with the docketing of the documents received by the clerk's office, it is my belief that it is necessary to investigate whether they have committed the crime of obstruction of justice, and I am considering filing to get criminal charges against them with the District Attorney and the Grand Jury.

Each document not properly forwarded is a violation of 18 U.S.C. § 2076, which provides for a fine and up to one year in jail. Each document concealed or destroyed is a violation of 18 U.S.C. § 2071 and provides for a fine and up to three years in prison:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States.

By receipt and maintaining possession of these documents, YOU DID act as a custodian of said documents and had a duty to either file them or return them to the Appellant, especially once the case was remanded back to the Richland County Court of Common Pleas on April 1, 2016.

Federal Case Law

"...it is settled law that delivery of a pleading to a proper official is sufficient to constitute filing thereof." *United States v. Lombardo*, 241 U.S. 73, 36 S. Ct. 508, 60 L. Ed. 897 (1916); *Milton v. United States*, 105 F.2d 253, 255 (5th Cir. 1939). In *Greeson v. Sherman*, 265 F. Supp. 340 (D.C.Va.1967) it was held that a pleading delivered to a deputy clerk at his home at night was thereby "filed." (*Freeman v. Giacomo Costa Fu Adrea*, 282 F. Supp. 525 (E.D.Pa. 04/5/1968).)

FRCP Rule 5(d)(2): **"A paper is filed by delivering it: (A) to the clerk"** FRCP Rule 77 (a) "When Court Is Open. Every district court is considered always open for filing any paper, issuing and returning process, making a motion, or entering an order."

"The duty of the clerk is to make his record correctly represent the proceedings in the case." (*Wetmore v. Karrick*, 27 S. Ct. 434, 205 U.S. 141 (U.S. 03/11/1907).) **Failing to file documents presented and reflect the documents on the docket is a failure to perform the ministerial duties of the Clerk of the Court.**

"...his [Clerk of the Court] job is to file pleadings and other documents, maintain the court's files and inform litigants of the entry of court orders." *Sanders v. Department of Corrections*, 815 F. Supp. 1148, H49(N.D. Ill. 1993). (*Williams v. Pucinski*, 01C5588 (N.D.Ill. 01/13/2004).)

The clerk of a court, like the Recorder is required to accept documents filed. It is not incumbent upon him to judicially determine the legal significance of the tendered documents. *In re Halladjian*, 174 F. 834 (C.C.Mass.1909); *United States, to Use of Kinney v. Bell*, 127 F. 1002 (C.C.E.D.Pa.1904); *State ex rel. Kaufman v. Sutton*, 231 So.2d 874 (Fla.App.1970); *Malinou v. McElroy*, 99 R.I. 277, 207 A.2d 44 (1965); *State ex rel. Wanamaker v. Miller*, 164 Ohio St. 176, 177, 128 N.E.2d 110 (1955.).) (*Daniel K. Mayers Et Al., v. Peter S. Ridley Et Al.* No. 71-1418 (06/30/72, United States Court of Appeals for the DC Circuit.)

The specific allegation in Mr. Snyder's complaint is that Mr. Nolen, acting as the Circuit Court Clerk, refused to file or actually removed already filed papers from the court's docket. Under Illinois law, **the clerk simply has the ministerial duty to file papers** that conform to the technical rules of court. See *In re Estate of Davison*, 430 N.E.2d 222, 223 (Ill. App. Ct. 1981) ("Delivery alone has been held to constitute filing since the person filing has no control over the officer who receives documents. Subsequent ministerial tasks of the clerk evidence the filing of a document but are not essential to its perfection." (internal citation omitted)); *Roesch-Zeller, Inc. v. Hollebeak*, 124 N.E.2d 662, 664 (Ill. App. Ct. 1955) ("**The duty of the clerk to file the document on the date it was presented to him was a ministerial act,** the performance of

which could be compelled by writ of mandamus."). (*Snyder v. Nolen*, 380 F.3d 279 (7th Circuit, 08/13/2004).)

The word "filed" the Act uses, is, as applied to court proceedings, a word of art, having a long established and well understood meaning, deriving from the practice of filing papers on a string or wire. It **requires of one filing a suit, merely the depositing of the instrument with the custodian for the purpose of being filed.** Except where some specific statute otherwise provides, and none such is present here, it charges him with no further duty, subjects him to no untoward consequences as a result of the failure of the custodian to do his duty, by placing the instrument on the file, or as in modern practice placing his file mark on the instrument. Collected in vol. 3 *Words and Phrases*, First Series, pp. 2764-2770, inclusive; vol. 2 *Words and Phrases*, Second Series, pp. 531, 534, may be found cases from many jurisdictions, all to the same effect, that **the filing of a paper is the delivery of it to the officer at his office**, to be kept by him as a paper on file, and that the file mark of the officer is evidence of the filing, but it is not the essential element of the act. A paper may be filed without being marked or endorsed by the clerk, *In re Conant's Estate*, 43 Or. 530, 73 P. 1018; *Holman v. Chevaillier*, 14 Tex. 337; *Eureka Stone Co. v. Knight*, 82 Ark. 164, 100 S.W. 878; *Darnell v. Flynn*, 69 W.Va. 146, 71 S.E. 16. Perhaps the best statement of the meaning and consequences of filing is to be found in the *Chevaillier* case, supra. "Though the ancient mode of filing papers has gone into disuse, the phraseology of the ancient practice is retained, in the common expressions 'to file,' 'to put on file,' 'to take off the file,' &c., from 'filum' the thread, string, or wire used in ancient practice, for connecting the papers together. The term 'file' is also used to denote the paper placed with the Clerk, and assigned by the law to his official keeping. A file is a record of the Court.(1 Litt., 112; Burr. L.D. tit. File.) It is the duty of the Clerk, when a paper is thus placed in his custody or 'filed' with him, to endorse upon it the date of its reception, and retain it in his office, subject to inspection by whomsoever it may concern; and that is what is meant by his 'filing' the paper. **But where the law requires or authorizes a party to file it, it simply means that he shall place it in the official custody of the Clerk.** That is all that is required of him; and if the officer omits the duty of endorsing upon it the date of the filing, that should not prejudice the rights of the party. And hence it is the common practice, where that has been omitted, for the officer, with the sanction of the Court, to make the endorsement now for then; the doing of the act now, that is, at the time when it is actually done, being allowed to operate as a substitute and equivalent for doing it then, or when it should have been done. And acts thus allowed to be done by the Clerk of the Court, with the sanction of the Court, have the same effect as if they had been done at the proper time. (1 Stra. 639; 2 Tidd's Pr. 932.) It was the filing of the affidavit and certificate by the party, under the statute, and not the endorsement of the date of their reception, or the filing by the Clerk, which was a condition precedent to the issuing of the execution in this case. The object of the motion to obtain the authority of the Court for the filing of the clerk now for then was that the Court might receive evidence of the time of the actual filing by the party, in order that the filing by the Clerk might relate back, and take effect from that period, as though it had been done then, when it should have been done. (*Milton v. United States.*, 105 F.2d 253 (5th Cir. 07/06/1939).) *Johansson v. Towson*, 177 F. Supp. 729 (M.D.Ga. 02/17/1959).

The Federal Rules of Civil Procedure provide that **'The district courts shall be deemed always open for the purpose of filing any pleading * * *'** Rule 77(a); that 'The clerk's office with the clerk or a deputy clerk in attendance shall be open during business hours on all days except Sundays and legal holidays * * *', Rule 77(c); that 'A civil action is commenced by filing a

complaint with the court', Rule 3 and that 'The filing of pleadings and other papers with the court as required by these rules shall be made by filing them with the clerk of the court, except that the judge may permit the papers to be filed with him, in which event he shall note thereon the filing date and forthwith transmit them to the office of the clerk.' Rule 5(e), 28 U.S.C.A.

The tracing of our word 'file' to the Latin word 'filum' and its reference to the ancient practice of placing papers on a thread or wire for safekeeping and later reference is done in many cases, notably in *United States v. Lombardo*, 1916, 241 U.S. 73, 36 S. Ct. 508, 60 L. Ed. 897 and more recently in *Milton v. United States*, 5 Cir., 1939, 105 F.2d 253, 255. The latter case points out that **all that is required on the part of a person filing a paper with an official is 'merely the depositing of the instrument with the custodian for the purpose of being filed'**. (See *Palcar Real Estate Co. v. Commissioner of Internal Revenue*, 8 Cir., 1942, 131 F.2d 210; *Schultz v. United States*, Ct.Cl.1955, 132 F.Supp. 953, 955; *McCord v. Commissioner of Internal Revenue*, 1941, 74 App.D.C. 369, 123 F.2d 164, 165; *Central Paper Co. v. Commissioner of Internal Revenue*, 6 Cir., 1952, 199 F.2d 902, 904. (*Johansson v. Towson*, 177 F. Supp. 729 (M.D.Ga. 02/17/1959).)

The filing of a paper takes place upon the delivery of it to the officer at his office. *Milton v. United States*, 5th Cir. 1939, 105 F.2d 253; *Poynor v. Commissioner*, 5th Cir. 1936, 81 F.2d 521. When the mails are utilized for the purpose of filing an instrument, the filing takes place upon delivery at the office of the official required to receive it. *Wampler v. Snyder*, 1933, 62 App. D.C. 215, 66 F.2d 195. (*Phinney v. Bank of Southwest National Association*, 335 F.2d 266 (5th Cir. 08/05/1964).) (See also *United States v. Missco Homestead Ass'n Inc.*, 185 F.2d 283 (8th Cir. 11/01/1950).) (*Dienstag v. St. Paul Fire & Marine Ins. Co.*, 164 F. Supp. 603 (S.D.N.Y. 11/18/1957); *Thorndal v. Smith, Wild, Beebe & Cades*, 339 F.2d 676 (8th Cir. 01/04/1965); *Lone Star Producing Co. v. Gulf Oil Corp.*, 208 F. Supp. 85 (E.D.Tex. 07/17/1962).)

Although *Lombardo* was decided before the Federal Rules of Civil Procedure were promulgated, courts have relied on it and *Federal Rules of Civil Procedure* 3, 5(e), and 77 for the same proposition. See, e.g., *Milton v. United States*, 105 F.2d 253, 255 (5th Cir. 1939) ("**The word 'filed' . . . requires of one filing a suit, merely the depositing of the instrument with the custodian for the purpose of being filed. Except where specific statute otherwise provides, and none such is present here, it charges him with no further duty, [and] subjects him to no untoward consequences.**"); *Greeson v. Sherman*, 265 F.Supp. 340, 342 (W.D. Va. 1967) ("[I]f rule 3 is read in conjunction with Rule 5(e) . . . [a complaint is filed when] the complaint is delivered to an officer of the court who is authorized to receive it."); *Freeman v. Giacomo Costa Fu Andrea*, 282 F.Supp. 525, 527 (E.D.Pa. 1968) ("[I]t is settled law that delivery of a pleading to a proper official is sufficient to constitute filing thereof.") In *Cintron v. Union Pacific R. Co.*, 813 F.2d 917, 920 (9th Cir. 1987), the court said: The consensus is that "[p]apers and pleadings including the original complaint are considered filed when they are placed in the possession of the clerk of the court." C. Wright & A. Miller, *Federal Practice and Procedure* Â§ 1153 (1969). See *United States v. Dae Rim Fishery Co.*, 794 F.2d 1392, 1395 (9th Cir. 1986). The court then discussed earlier cases, including *Loya v. Desert Sands Unified School Dist.*, 721 F.2d 279 (9th Cir. 1983)â€¦. (*Stone Street Capital, Inc. v. McDonald's Corp.*, 300 F.Supp.2d 345 (D.Md. 11/06/2003).)

Filing is complete once the document is delivered to and received by the proper official. *United States v. Lombardo*, 241 U.S. 73, 76, 36 S.Ct. 508, 60 L.Ed. 897 (1916).

Although *Lombardo* was decided before the Federal Rules of Civil Procedure were promulgated, courts have relied on it and Federal Rules of Civil Procedure 3, 5(e), and 77 for the same proposition. See, e.g., *Milton v. United States*, 105 F.2d 253, 255 (5th Cir. 1939); *Greeson v. Sherman*, 265 F. Supp. 340, 342 (W.D.Va. 1967) ("If Rule 3 is read in conjunction with Rule 5 (e) . . . [a complaint is filed when] the complaint is delivered to an officer of the court who is authorized to receive it."); *Freeman v. Giacomo Costa Fu Andrea*, 282 F. Supp. 525, 527 (E.D.Pa. 1968) ("[I]t is settled law that delivery of a pleading to a proper official is sufficient to constitute filing thereof."). (*Central States, SE & SW Pension v. Paramount Liquor*, 34 F.Supp.2d 1092 (N.D.Ill. 02/09/1999).)

The docketing of filed documents is a ministerial act that the Office of the Clerk is obligated to perform. (See *Ray v. United States*, 57 S. Ct. 700, 301 U.S. 158 (U.S. 04/26/1937).)

I also researched the:

SC Clerk of Court Manual

CHAPTER 6

Case Processing Procedures in the Court of Common Pleas (Civil Matters)

6.0 Introduction and Brief Overview

Cases heard in the Court of Common Pleas involve civil disputes between two or more parties. The party initiating the action is the plaintiff, the party against whom the action is brought is the defendant. Both parties in civil suits are usually private citizens, businesses, or organizations; although state or local government may appear as either plaintiff or defendant.

Although civil cases may involve different areas of the law (tort, contract, etc.), for the purposes of processing cases through the court, the major factor influencing the way in which the clerk tracks a particular case is whether the case is a jury or non-jury matter. A request for arbitration in automobile damage liability claims also will result in different processing procedures.

Civil cases commence when the plaintiff files initiating document(s), usually a summons and complaint with the Clerk of Court and pays a filing fee. In specific or limited circumstances, the filing fee may not be required such as for statutory exemptions and when an order granting a "Motion for Leave to Proceed in Forma Pauperis" accompanies the summons and complaint (Rule 3, SCRCP). Based on the initiating documents, **the clerk creates a case**

jacket, and enters the case information on the computer. As subsequent papers are filed, (an answer, a counterclaim, motions, etc.) they are recorded in the computer and filed in the case jacket. If necessary, motions will be scheduled on the Motion Calendar. Unless a case is withdrawn by the parties, or dismissed by the court, it will be placed on the trial roster, unless a continuance has been granted by a judge. Upon completion of the trial, the clerk will enter the judgment and close the case.

6.2.9 Federal Court Transfers

A case may be transferred from the U.S. District Court to the Circuit Court to be disposed. A U.S. District Court judge will sign an order to transfer or remand the case to the trial court level. When the Federal Court remands a case to the Circuit Court, the county clerk of court will receive, as an attachment to an e-mail, a copy of the remand order and the Notice of Electronic Filing (NEF). **Attorneys of record are responsible for supplementing the state record with all documents filed in Federal Court.**

******I am NOT an attorney, but as a self-represented litigant, I provided each and every document that I filed in the Federal Court to the Richland County Court of Common Pleas and these documents were, at all times herein mentioned, in the possession of the Richland County Clerk of Courts from the dates they were submitted for filing. Only one set of documents were returned to me from the Richland County Court of Common Pleas, by US Postal Mail, dated December 1, 2015 addressed to: Biafra Monique Curtis at PO Box 21294, Hilton Head Island, SC 29925. These documents were dated November 20, 2015:***

- ***Plaintiff's Response to Defendants Reply to Response to Motion to Dismiss***
- ***Plaintiff's Motion for Production of Documents and Interrogatories***

This document indicates that it was filed in Richland County on 2015Dec-1 AM11:43 JEANNETTE McBRIDE C.C.P & G.S ***and contains a mark through it with the initials "VD"***. This prompts questions

1. Where are ALL of my other documents which were sent to this court and NOT filed or returned to me?
2. When and where does it state in any rules or procedure that the clerk of court can pick and choose what documents to file and what document to destroy? (Please see the Richland County 5th Judicial Circuit Public Index where on 9/24/2015, it documents that "Notice of Filing Removal", which is when the case was sent to the US District Court, but after that date, there were subsequent filings recorded in this index on 10/20/2015, but yet, there were NO more filings in this court ledger until 3/14/2016. Again, I ask where are the missing documents ?

Tasks:

Print and file stamp transfer order received from the Federal Court.

Assign CP Case number.

Collect \$150 filing fee unless case was previously filed in the Circuit Court. The fee may be assessed at the time the attorney of record provides the hard copy of the file from the Federal Court.

6.3.3 Case Jackets

As each case is opened, a separate jacket should be prepared to hold all original papers associated with that case. The case number should be typed or written on the file tab, and the jackets filed in numerical order by sequential case number. The case name may also be written on the jacket.

As additional papers are filed, they should be added to the case jacket.

6.3.4 Procedures for Restoring Common Pleas Cases

The following scenarios may require case restoration:

CP Case Ended by:	Procedure:
Ended in Error (Use Restore Date Field)	Original Case # Original Filing Date
Granted New Trial Before Appealed (Use Restore Date Field)	Original Case # Original Filing Date
Remanded from Federal Court (Use Restore Date Field)	Original Case # Original Filing Date

In all of the above-referenced situations, the **Restore Date Field** should be used to reinstate the case to the active docket. If you are unable to use the **Restore Date Field**, you must call the Data Entry Supervisor at SCJD (803-734-1800) so that the case can be manually restored. If you are simultaneously restoring and disposing of a previously disposed case, please keep in mind that the **Restore Date Field** must reflect a date that is on or before the **new Disposition Date**, otherwise an error will occur. In all instances of using the **Restore Date Field**, you must use an "M" (for "modified") action code to successfully retransmit the modified record.

The examples of restored cases listed below are functionally new records, even though they are related to prior cases. These types of records should be transmitted using an "A" (for "added") action code.

CP Case Ended by:	Procedure:
Remanded from Higher SC Court (New Record) Original Filing Date	Original Case # Suffix 'A'
Bankruptcy [not 40(j)] (New Record) Original Filing Date	Original Case # Suffix 'B'
Rule 40(j) (New Record) New Filing Date	New Case # Suffix 'R'
Ended due to Incomplete Service (New Record)	New Case # New Filing Date
Dismissed without Prejudice (New Record)	New Case # New Filing Date
Dismissed with Prejudice	May not be restored

Please note that CMS automatically adds the above-referenced suffixes during the restore process if one of the reasons is selected. The suffix will be included with the case number for CMS to review. The suffix **will not** be included in the case number available to the clerk in CMS. In other words, the suffix will not be included with the case number when the clerk is looking at the record in his or her CMS program.

When a case is restored after it has been in Bankruptcy status, the case will be restored using its original case number and to designate bankruptcy and will retain the original filing date.

When a case is restored after an appeal has been granted, the case will be restored using the original case number to designate appeal and will retain the original filing date.

INCOMPLETE AND SHAM DOCUMENTS ACCEPTED BY COURT

In addition, please review both version's of FORM 4 (see **EXHIBIT "5"**). In addition to the discrepancies regarding the 1st document with the handwritten changes to the date, the form is basically incomplete.

- The box that says "Submitted by:" is left blank
- The box that says "Attorney for:" is left blank
- The section that says "Disposition Type" is not checked

- The “ORDER INFORMATION” is left blank
- The “INFORMATION FOR THE JUDGEMENT INDEX” is left blank
- The “Court Reporter” field is left blank
- The section “For Clerk of Court Office Use Only” is left blank and does NOT state the day, month or year that the judgement was entered

PLEASE NOTE: This document indicates that it was filed in Richland County on 2016May 20 AM 9:18 JEANNETTE McBRIDE C.C.P & G.S.

Please, also review FORM 4 (see **EXHIBIT “6”**). In addition to the discrepancies regarding this being a 2nd document with a revision to the handwritten date, the form is basically incomplete as well.

- The box that says “Submitted by:” is left blank
- The box that says “Attorney for:” is left blank
- The section that says “Disposition Type” is not checked
- The “ORDER INFORMATION” is left blank
- The “INFORMATION FOR THE JUDGEMENT INDEX” is left blank
- The “Court Reporter” field is left blank
- The section “For Clerk of Court Office Use Only” is left blank and does NOT state the day, month or year that the judgement was entered

PLEASE NOTE: This document indicates that it was filed in Richland County on 2016May 20 AM 9:18 JEANNETTE McBRIDE C.C.P & G.S., which is the EXACT SAME DATE AND TIME as the original document, however, under the section for “ORDER INFORMATION”, it contains a checked box indicating that “This order “does not end the case” *and handwritten notes which state “Motion to Strike is moot. Motion for Dismissal has been granted.” but yet, the FINAL ORDER was signed and dated May 16, 2016 which was two (2) days prior to my hearing.*

SCRIVENER’S ERROR BY JUDGE L. CASEY MANNING

The Attorney’s for the Respondent’s allege that the FINAL ORDER signed by Judge L. Casey Manning on May 16, 2016, when the actual hearing was not held until May 18, 2016 was simply a scrivener’s error. The exact language that they used was “It appears that Judge Manning may have committed a scrivener’s error in entering the date of May 16, 2016 on page 5 of the Order, and entering the correct date of May 18, 2016 on Form 4. *See May 16, 2016 Order.* It goes on to say “This scrivener’s error and is of no consequence in this matter”.

EXHIBIT “7” TABLE OF CONTENTS

- Please see NOTICE OF HEARING for Motion to Strike
- Please see NOTICE OF HEARING for Motion to Dismiss
- Please see Letter from Ness & Jett, dated May 5th, 2016 mailed to the Court, with the Proposed Order(*which was signed on May 16, 2016*)

- Please see Original Judgement Coversheet with handwritten date changes
- Please see Revised Judgement Coversheet without handwritten date changes, but additional notes added
- Please see the FINAL ORDER, signed and dated May 16, 2016
- Please see the SC Court of Common Pleas Public Index, specifically, the 5/16/2016 at 9:16 **Order** that plaintiff's causes of actions are hereby dismissed-PLEASE NOTE: This order was entered into the COURT INDEX two (2) days prior to the hearing on May 18, 2016.

QUESTION: Was this OFFICIAL ENTRY INTO THE COURT INDEX CONTAINING A SIGNED ORDER ON MAY 16, 2016 A SCRIVERNER'S ERROR AS WELL???

ULTIMATE FACT: Judge L. Casey Manning signed and dated the Proposed Order on May 16, 2016 and it was entered into the Public Index on May 16, 2016.

RESULT: The case was decided prior to the hearing and the FINAL ORDER was signed on May 16, 2016 and entered into the Official Court Index as "Plaintiff's Causes of Action are Hereby Dismissed" on May 16, 2016 as well. REMINDER: This was ALL done two days prior to the hearing.

SC COURT OF APPEALS NOTICE OF CAPTION FOR APPEAL

As suggested by Clerk Jenny Abbot Kitchings by letter dated September 20, 2016, and I quote from the second page "According to our records, the correct caption for this appeal should read as follows on the record on appeal and all final briefs:

South Carolina Department of Public Safety,
Warren Ganjehsani, Mike Oliver, Leroy Smith,
Kenneth Phelps, Anthony Grice, William Taylor,
Nicklous King, Willie McCauley, Jr., Ada Schmidt,
Aaron Canzater and Cherie Young, individually
and in their official capacities, et al., Respondent(s)

V.

Biafra Monique Curtis, Appellant

(Please see enclosed letter **EXHIBIT "8"**). Does this indicate that the SC Department of Public Safety is versus/suing the Appellant? Please correct me if I am wrong, but my interpretation of this letter is confusing to me and I hereby ask for clarity.

MEDICAL CONDITIONS AND DAMAGES OF PAIN AND SUFFERING

My entire life has been turned upside down and torn to shreds as a result of all of these "occurrences". I wake up in pain, I exist in pain throughout the day in pain and I go to sleep in pain each night. My pain is chronic physical pain-neck, shoulders, back, arm, leg, foot. Constant, stabbing, aching, shooting, muscle spasms and includes numbness and tingling in extremities. I have had a C-5/6 discectomy and fusion on January 8, 2013 and after a complete and thorough evaluation, it was determined that my medical condition would be life lasting and that I would be disabled by letter dated February 4, 2013 (see **EXHIBIT "8"**). I've been through occupational therapy, physical therapy, speech therapy, psychiatrically institutionalized, receive monthly psychiatric care and weekly mental therapy and will more likely than not, need additional surgeries and various forms of therapy for the rest of my life. On December 29, 2015 had a second discectomy and fusion C-6/7 followed by another agonizing year of occupational therapy, physical therapy, speech therapy and psychiatric therapy which is ALL intensified and by this ongoing legal process which should have been remedied long ago. If I look back over it all, I am grateful to be alive, but the emotional pain and suffering is worsened with EACH and EVERY corresponding document that I receive with the guilty parties denying their acts, attorney's who are constantly defending their guilt and a clerk of court system that cherry picked what documents to file or destroy and ultimately a judge who made and entered an order dismissing my case before ever hearing it. Out of all of these things, the one thing that mattered more than losing my health, the continuous infliction of emotional distress on my mind, losing my car, my credit being destroyed, losing my career and my job and losing the right to live in my home an having hundreds of thousands of dollars in medical bills with the need for continued future care. Out of all of these things, perhaps the worst thing is the loss of the ability, of this single mother, to have an active, engaging relationship with my son the last few months that he was at home before he went on to serve his country in the United States Military. That lost time is something that can never be recovered and is priceless. Here is a summary of just some of what I have endured and am continuing to undergo:

SUMMARY OF MEDICAL TREATMENT

9/27/12- Transported to Orangeburg Regional Medical Center after accident
10/17/12 - Coastal Carolina Hospital
10/23/12 - Dr. Nivens-out of work
10/25/12 - Dr. Batson-Spine Specially
10/26/12 - MRI completed at Belfair
10/30/12 -Dr. Batson-Cervical injection
10/30/12 - Affordable Healthcare/ Received injection for pain, no work for 8-16weeks pending examination by orthopedic surgeon advised follow up with counselor/therapist
10/30/12 - Contacted Therapist/ Barnwell Counseling-scheduled session for 11/01/12
11/01/12 - Session with therapist for PTSD, Anxiety, Depression
11/02/12 - Dr. Batson received cervical injection
11/05/12 - Therapy session-Barnwell Counseling
11/07/12 - Therapy session- Barnwell Counseling
11/08/12- Affordable Health referral to orthopedic surgeon
11/09/12 - Therapy session- Barnwell Counseling
11/12/12 - Therapy session- Barnwell Counseling
11/14/12 - Therapy session- Barnwell Counseling

11/16/12 – Therapy session- Barnwell Counseling
11/16/12 - Dr. Batson–re-examined, Pain, swelling and inflammation continues to date
11/19/12 – Therapy session- Barnwell Counseling
11/23/12 –DR. Batson received cervical injection
12/12/12- Southeastern Spine Institute /examined by Dr. Poletti
12/28/12 Scheduled surgery with Dr. Poletti for January 8, 2013
1/02/13 Affordable Health for pre-surgery Bloodwork
1/08/13-1/13/13 East Cooper Hospital Spine Surgery C 5/6 Discectomy and Fusion
1/17/13-Southeastern Spine Institute
1/25/13-Southeastern Spine Institute
2/21/13-Southeastern Spine Institute
4/10/13-Southeastern Spine Institute
6/05/13-Southeastern Spine Institute
9/7/13- Therapy session- Barnwell Counseling
9/30/13-Southeastern Spine Institute
1/15/14-Southeastern Spine Institute
3/26/14-Southeastern Spine Institute
5/20/14-Southeastern Spine Institute
7/01/14-Southeastern Spine Institute

8/2/14-Memorial Hospital

Behavioral Systems

7/10/14- Dr. Cashton B. Spivey, Psychiatrist

Primary Care and Pain Management

Affordable Health/Bazzle/Morad-8/29/13
Affordable Health/Bazzle/Morad-11/1/13
Affordable Health/Bazzle/Morad-11/5/13
Affordable Health/Bazzle/Morad-11/12/13
Affordable Health/Bazzle/Morad-11/25/13
Affordable Health/Bazzle/Morad-12/10/13
Affordable Health/Bazzle/Morad-12/12/13
Affordable Health/Bazzle/-1/29/13
Affordable Health/Bazzle-2/04/13
Affordable Health/Bazzle-2/12/13
Affordable Health/Bazzle/Morad- 3/13/14
Affordable Health/Bazzle/Morad-8/22/14
Affordable Health/Bazzle/Morad-9/18/14
Affordable Health/Bazzle/Morad-9/23/14
Affordable Health/Bazzle/Morad -9/30/14
Affordable Health/Bazzle/Morad -10/10/14
Affordable Health/Bazzle/Morad-10/15/14
Affordable Health/Bazzle/Morad-10/28/14
Affordable Health/Bazzle/Morad-11/24/14
Affordable Health/Bazzle/Morad-12/30/14

Affordable Health/Bazzle/Morad-10/14/15
Affordable Health/Bazzle/Morad-2/03/15
Affordable Health/Bazzle/Morad-2/16/15
Affordable Health/Bazzle/Morad-2/17/15
Affordable Health/Bazzle/Morad-3/09/15
Affordable Health/Bazzle/Morad-5/05/15
Affordable Health/Bazzle/Morad-5/19/15
Affordable Health/Bazzle/Morad-5/20/15
Affordable Health/Bazzle/Morad-6/15/15
Affordable Health/Bazzle/Morad-7/15/15
Affordable Health/Bazzle/Morad-8/18/15
Affordable Health/Bazzle/Morad-9/17/15
Affordable Health/Bazzle/Morad-11/12/15
Affordable Health/Bazzle/Morad-12/9/15
Affordable Health/Bazzle/Morad-1/21/16
Affordable Health/Bazzle/Morad-3/14/16
Affordable Health/Bazzle/Morad-4/18/16
Affordable Health/Bazzle/Morad-5/25/16
Affordable Health/Bazzle/Morad-6/29/16
Affordable Health/Bazzle/Morad-7/1/16
Affordable Health/Bazzle/Morad-8/11/16
Affordable Health/Bazzle/Morad-9/19/16
Affordable Health/Bazzle/Morad-10/3/16
Affordable Health/Bazzle/Morad-11/28/16
Affordable Health/Bazzle/Morad-12/5/16

Drayer Physical Therapy

2/25/13-Drayer-Physical Therapy
2/28/13-Drayer-Physical Therapy
3/5/13-Drayer-Physical Therapy
3/7/13-Drayer-Physical Therapy
3/12/13-Drayer-Physical Therapy
3/14/13-Drayer-Physical Therapy
3/19/13-Drayer-Physical Therapy
3/21/19-Drayer-Physical Therapy
3/26/13-Drayer-Physical Therapy
3/28/13-Drayer-Physical Therapy
4/2/13-Drayer-Physical Therapy
4/13/13-Coastal Carolina Hospital
4/13/13-Beaufort Memorial Hospital
4/26/13-Drayer-Physical Therapy
5/22/13-Drayer-Physical Therapy
5/30/13-Drayer-Physical Therapy
6/3/13-Drayer-Physical Therapy
9/16/13-Dr. Brosman- Pain management
9/20/13- Dr. Brosman

9/25/13-Dr. Brosman
9/30/13-Southeastern Spine Institute
10/02/13-Dr. Brosman
10/08/13-Dr. Brosman
10/15/13-Dr. Brosman
10/22/13-10/25/13-Coastal Harbor Mental Health
10/30/13-Hilton Head Hospital
11/1/13-Affordable Healthcare (Primary)
11/5/13-Hilton Head Hospital
11/5/13-Affordable Healthcare (Primary)
11/12/13-Affordable Healthcare (Primary)
11/25/13-Affordable Healthcare (Primary)
12/6/13-Hilton Head Hospital-Cervical MRI
1/15/13-Southeastern Spine Institute- 1 year Evaluation
1/3/14-Coastal Harbour Mental Health-Outpatient Aftercare
1/10/14-Coastal Harbour Mental Health-Outpatient Aftercare
1/17/14-Coastal Harbour Mental Health-Outpatient Aftercare
1/24/14-Head Head Neurology
2/14/14-Beaufort Memorial Hospital
2/21/14-Coastal Harbour Mental Health-Outpatient Aftercare
2/27/14-Coastal Harbour Mental Health-Outpatient Aftercare
3/26/14-Southeastern Spine Institute
3/13/14-Affordable Healthcare (Primary)
4/30/14-Coastal Harbour Mental Health-Outpatient Aftercare-Verbal Suicide Agreement
with Irene Wood, Senior Therapist-Intensive Outpatient Program
7/1/2014- Southeastern Spine Institute

Chatham Orthopedics/ D'Mitri Sofianios- Orthopedic Surgeon- 10/08/15

Dr. Rawlings-ENT (Throat Evaluation Pre-Op)-10/22/15
Pre Op at Candler Hospital for C 6/7 Disectomy and Fusion 12/23/15
Chatham Orthopedics/ D'Mitri Sofianios- Orthopedic Surgeon- 12/29/15- C 6/7 Surgery
Chatham Orthopedics/ D'Mitri Sofianios- Orthopedic Surgeon- 1/14/16
Chatham Orthopedics/ D'Mitri Sofianios- Orthopedic Surgeon- 2/11/16
Chatham Orthopedics/ D'Mitri Sofianios- Orthopedic Surgeon-- 4/13/16
Chatham Orthopedics/ D'Mitri Sofianios- Orthopedic Surgeon—12/1/16
Chatham Orthopedics/ D'Mitri Sofianios- Orthopedic Surgeon—12/28/16
Chatham Orthopedics/ D'Mitri Sofianios- Orthopedic Surgeon—1/4/17

Physical Therapy (Post Surgery)-St. Josephs Candler Hospital

1/25/16
1/29/16
2/02/16
2/04/16
2/08/16
2/11/16
2/12/16

2/16/16
2/18/16
2/25/16
3/1/16
3/3/16
3/8/16
3/10/16
3/17/16
3/23/16
4/1/16
4/1/16
4/15/16
4/22/16

Occupational Therapy (Post Surgery)-St. Josephs Candler Hospital

4/26/16 OT Evaluation
4/28/16
5/2/16
5/6/16
5/9/16
5/16/16
5/19/16

Costrini Sleep Center-Sleep Apnea

Sleep Study 11/30/2015
Follow up 12/22/2015
Sleep Study 1/27/16-1/28/16
Sleep Study 5/17/2016
Follow up Visit 11/15/16
Follow up Visit 11/30/16

Georgia Out Reach/ Coastal Psychiatry

Counseling & Mental Health 10/6/15
Counseling & Mental Health 10/13/15
Counseling & Mental Health 10/20/15
Counseling & Mental Health 10/27/15
Counseling & Mental Health 11/3/15
Counseling & Mental Health 11/10/15
Counseling & Mental Health 11/17/15
Counseling & Mental Health 12/1/15
Counseling & Mental Health 12/15/15
Counseling & Mental Health 12/22/15
Counseling & Mental Health 1/20/16
Counseling & Mental Health 1/27/16
Counseling & Mental Health 2/3/16
Counseling & Mental Health 2/17/16

Counseling & Mental Health 3/2/16
Counseling & Mental Health 3/16/16
Counseling & Mental Health 3/30/16
Counseling & Mental Health 3/2/16
Counseling & Mental Health 3/16/16
Counseling & Mental Health 3/30/16
Counseling & Mental Health 3/2/16
Counseling & Mental Health 4/13/16
Counseling & Mental Health 3/20/16
Counseling & Mental Health 5/3/16
Counseling & Mental Health 5/10/16
Counseling & Mental Health 5/17/16
Counseling & Mental Health 6/2/16
Counseling & Mental Health 6/8/16
Counseling & Mental Health 6/28/16
Counseling & Mental Health 7/5/16
Counseling & Mental Health 7/12/16
Counseling & Mental Health 7/21/16
Counseling & Mental Health 7/28/16
Counseling & Mental Health 8/2/16
Counseling & Mental Health 8/9/16
Counseling & Mental Health 8/17/16
Counseling & Mental Health 8/24/16
Counseling & Mental Health 8/31/16
Counseling & Mental Health 9/7/16
Counseling & Mental Health 9/13/16
Counseling & Mental Health 9/20/16
Counseling & Mental Health 9/28/16
Counseling & Mental Health 10/5/16
Counseling & Mental Health 10/13/16
Counseling & Mental Health 10/19/16
Counseling & Mental Health 10/26/16
Counseling & Mental Health 11/1/16
Counseling & Mental Health 11/8/16
Counseling & Mental Health 11/29/16
Counseling & Mental Health 12/6/16
Counseling & Mental Health 12/14/16
Counseling & Mental Health 12/21/16
Counseling & Mental Health 12/28/16
Counseling & Mental Health 1/4/17
Counseling & Mental Health 1/10/17
Counseling & Mental Health 1/17/17

Dr. John McGraw-Psychiatrist/ Sea Island Psychiatry

Counseling & Mental Health Session-11/2/15
Counseling & Mental Health Session-12/7/15

Counseling & Mental Health Session-1/6/16
Counseling & Mental Health Session-1/21/16
Counseling & Mental Health Session-2/29/16
Counseling & Mental Health Session-3/28/16
Counseling & Mental Health Session-4/21/16
Counseling & Mental Health Session-5/25/16

James Benn-Sea Island Psychiatry

Counseling & Mental Health Session-6/19/16
Counseling & Mental Health Session-6/22/16
Counseling & Mental Health Session-7/20/16
Counseling & Mental Health Session-8/10/16
Counseling & Mental Health Session-8/22/16
Counseling & Mental Health Session-9/21/16
Counseling & Mental Health Session-11/1/16
Counseling & Mental Health Session-11/21/16
Counseling & Mental Health Session-11/28/16

COASTAL HARBOUR MENTAL HEALTH

Diagnosed: Major Depression, Severe Anxiety and PTSD
Inpatient -October 21, 2013-October 26, 2013
10/28/13-12/21/13-Coastal Harbor Intense Outpatient Treatment

Intense Outpatient Program (M-F from 9am-12pm) 3Days per week
October 28, 2013-December 31, 2013

Aftercare Program (M-F from 9am-12pm)
1/3/2014, 1/10/2014, 1/17/2014, 2/21/2014, 2/27/2014

Barnwell Counseling-February 2013-Once Monthly until October 2015

COASTAL HARBOUR MENTAL HEALTH

Coastal Harbor Intense Outpatient Treatment
Intense Outpatient Program (M-F from 9am-12pm) 3Days per week
March 18, 2016-May 9, 2016
Aftercare Program (M-F from 9am-12pm)
May 5/16/16
May 5/24/16
June 6/17/16
June 6/24/16
August 8/26/16

HORIZON MENTAL HEALTH

Counseling & Mental Health Session-12/12/16
Counseling & Mental Health Session-1/9/17
Counseling & Mental Health Session-2/6/17 (scheduled)

OPTIM PAIN MANAGEMENT DR. PANDYA

12/14/16 Evaluation

1/22/16 Ex-Rays

1/10/17 Nerve Study

1/12/17 Dr. Pandya

1/24/17 Spinal Injection- Optim Pain Management Center

2/7/17 Spinal Injection- Optim Pain Management Center **(scheduled)**

4/13/17 Pandya **(scheduled)**

I still have two annular tears in my lower back as well as bulging discs which potentially will require surgery to repair. In addition, I have been diagnosed with Major Depression, Severe Anxiety and PTSD. My daily life consists of struggling to maintain to be restored health wise to a level of functional ability, physical recovery, emotional stability and decompression of the stress of this case and the total loss of EVERYTHING that I have worked my entire life to earn. I don't mind stooping to build them up with worn out tools, but there are tools that are a necessity before I can attempt to rebuild. That includes rectifying wrongs, acknowledging them for what they are and stopping the further infliction of emotional distress and attempts to conceal the acts and omissions OF FACTS which WILL NEVER, CHANGE or GO AWAY.

I, Biafra Monique Curtis, the Appellant in this case, again, DEMAND A JURY TRIAL.

JURY TRIAL DEMAND

Plaintiff hereby demands a jury trial on all issues so triable.

I certify that this response to motion contains no matter that is not relevant to this appeal.

January 26, 2017


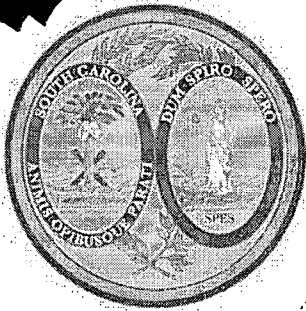
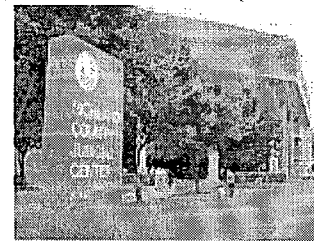

Biafra Monique Curtis, Pro Se
PO BOX 21294
Hilton Head Island, SC 29925

EXHIBIT "1"



Richland County 5th Judicial Circuit Public Index



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 [S.C. Judicial Department](#) |
 [Summary Ct Dockets](#)

Switch View

Biafra Monique Curtis vs South Carolina Department Of Public Safety , defendant, et al

Case Number:	2015CP4005172	Court Agency:	Richland County Common Pleas	Filed Date:	08/24/2015
Case Type:	Common Pleas	Case Sub Type:	Other/Malpract 299	File Type:	Jury
Status:	Appeal	Assigned Judge:	Clerk Of Court C P, G S, And Family Court		
Disposition:	Dismissed per Rule 12(b)	Disposition Date:	05/18/2016	Disposition Judge:	Manning, L. Casey
Original Source Doc:		Original Case #:		Restore Reason:	Reopened Case
Judgment Number:		Court Roster:			

[Case Parties](#) |
 [Judgments](#) |
 [Tax Map Information](#) |
 [Associated Cases](#) |
 [Actions](#) |
 [Financials](#)

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Curtis, Biafra Monique	Response and Objection	Filing		01/11/2017-13:16		
Curtis, Biafra Monique	Final Reply Brief	Filing		01/03/2017-12:43		
Curtis, Biafra Monique	Notice of Complaint	Filing		12/08/2016-16:42		
Curtis, Biafra Monique	Service/Certificate Of Service	Filing		12/02/2016-15:45		
Curtis, Biafra Monique	Response to Motion to Exclude Matter from Record	Filing		12/02/2016-15:45		
Curtis, Biafra Monique	Service/Proof Of Service	Filing		11/28/2016-15:54		
Curtis, Biafra Monique	Other/Disgnation of Matter to be Included in Record	Filing		11/28/2016-15:53		
Curtis, Biafra Monique	Service/Proof Of Service	Filing		11/28/2016-15:51		
Curtis, Biafra Monique	Record on Appeal	Filing		11/28/2016-15:51		
Curtis, Biafra Monique	Designatioin of Matter to be Included in the Record on Appea	Filing		08/24/2016-15:04		
Curtis, Biafra Monique	SC Court of Appeals Designation of	Filing		08/16/2016-09:06		

Curtis, Biafra Monique	Memorandum-in Response to Defendants Memorandum and Motion F	Filing		10/20/2015- 16:46	05/18/2016- 16:46	
Curtis, Biafra Monique	Response to Motion to Dismiss For Failure to Satte Cause of	Filing		10/20/2015- 16:45	05/18/2016- 16:45	
Curtis, Biafra Monique	Response to Motion to Dismiss Notice of Removal and Dismissa	Filing		10/20/2015- 16:41	05/18/2016- 16:41	
Curtis, Biafra Monique	Notice of Filing Removal	Filing		09/24/2015- 09:49	05/18/2016- 09:49	
Curtis, Biafra Monique	Verification/Verified	Filing		08/27/2015- 10:51	09/24/2015- 10:51	
Curtis, Biafra Monique	Certificate of Service	Filing		08/24/2015- 13:18	09/24/2015- 13:18	
Curtis, Biafra Monique	Verification	Filing		08/24/2015- 13:18	09/24/2015- 13:18	
Curtis, Biafra Monique	Summons & Complaint	Filing		08/24/2015- 11:24	09/24/2015- 11:24	

EXHIBIT "2"

Curtis v. South Carolina Department of Public Safety et al

South Carolina District Court

Judge: Mary Geiger Lewis
Referred: Paige J Gossett
Case #: 3:15-cv-03753
Nature of Suit: 440 Civil Rights - Other Civil Rights
Cause: 42:1983 Civil Rights Act
Case Filed: Sep 18, 2015
Terminated: Mar 31, 2016

Docket

Parties (13)

Last checked: Wednesday Mar 16, 2016 9:06 AM EDT

Defendant

Aaron Canzater

Represented By

Norma A Turner Jett
 Ness And Jett
[contact info](#)

Allison Dennis Hood
 Ness And Jett
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Defendant

Warren Ganjehsani

Represented By

Norma A Turner Jett
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Defendant

Anthony Grice

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Allison Dennis Hood
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Defendant
Nicklous King

Represented By
Norma A Turner Jett
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Allison Dennis Hood
Ness And Jett
[contact info](#)

Defendant
Willie McCauley, Jr

Represented By
Norma A Turner Jett
Ness And Jett
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Allison Dennis Hood
Ness And Jett
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Defendant
Mike Oliver

Represented By
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Allison Dennis Hood
Ness And Jett
[contact info](#)

Defendant
Kenneth Phelps

Represented By
Norma A Turner Jett
Ness And Jett
[contact info](#)

Allison Dennis Hood
Ness And Jett
[contact info](#)

Defendant
Ada Schmidt

Represented By

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Ness And Jett
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*Allison Dennis Hood
Ness And Jett
[contact info](#)*

Defendant

Leroy Smith

Represented By

*Norma A Turner Jett
Ness And Jett
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*Allison Dennis Hood
Ness And Jett
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Defendant

South Carolina Department of Public Safety

Represented By

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Ness And Jett
[contact info](#)*

*Allison Dennis Hood
Ness And Jett
[contact info](#)*

Defendant

William Taylor

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*Norma A Turner Jett
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*Allison Dennis Hood
Ness And Jett
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Defendant

Cherie Young

Represented By

*Norma A Turner Jett
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*Allison Dennis Hood
Ness And Jett
[contact info](#)*

Plaintiff



Biafra Monique Curtis
 P.O. Box 21294
 Hilton Head Island, SC 29925

Docket last updated: 7 hours ago






Friday, April 01, 2016

- 44  **misc** **Document E-Mailed** **Fri 11:35 AM**
 ***DOCUMENT E-MAILED41 Order Ruling on Report and Recommendation and NEF of Order to Jeanette W McBride. (bgoo)
- 43 **misc** **Document Mailed** **Fri 11:10 AM**
 ***DOCUMENT MAILED42 Judgment,41 Order Ruling on Report and Recommendation, placed in U.S. Mail to Biafra Monique Curtis. (bgoo)

Thursday, March 31, 2016


- 42  **misc** **Judgment** **Fri 10:48 AM**
 JUDGMENT dismissing Plaintiff's federal claims with prejudice as to all defendants. (bgoo)
- 41  **order** **Order Ruling on Report and Recommendation** **Thu 4:18 PM**
 ORDER adopting 36 REPORT AND RECOMMENDATION, granting the Defendants' 5 Motion to Dismiss with regard to Plaintiff's Federal Claims, denying Plaintiff's 12 Motion for Default Judgment, and declining to exercise supplemental jurisdiction over Plaintiff's state law claims. IT IS FURTHER ORDERED that Plaintiff's state law claims are remanded to the Richland County Court of Common Pleas. Signed by Honorable Mary Geiger Lewis on 3/31/2016. (bgoo)

Thursday, March 10, 2016

- 39  **respoth** **Objection to Report and Recommendation** **Fri 9:46 AM**
 OBJECTION to36 Report and Recommendation by Biafra Monique Curtis. Reply to Objections due by 3/28/2016 (bgoo)
- Att: 1  Letters from South Carolina Department of Public Safety,
 Att: 2  South Carolina Department of Public Safety Highway Patrol Communications TCC Records Released/Reviewed,
 Att: 3  Exhibit C South Carolina Traffic Collision Report Form,
 Att: 4  Exhibit E South Carolina Traffic Collision Report Form (TR-310) and Supplement


Truck and Bus Report Form Instruction Manual (Rev. 8/2012),

Att: 5  Exhibit F Witness Statements,

Att: 6  Cover Letter,

Att: 7  Envelope


Friday, February 26, 2016

- 37 misc Document Mailed Fri 3:09 PM
 ***DOCUMENT MAILED 33 Order on Motion to Quash, 34 Order on Motion for Discovery, 35 Order on Motion for Extension of Time, 36 Report and Recommendation placed in U.S. Mail to Biafra Monique Curtis. (bgoo)
- 36  motion Report and Recommendation ~Util - Terminate Motions Fri 3:06 PM
 REPORT AND RECOMMENDATION recommending that the defendants' motion to dismiss 5 be granted with regard to Plaintiff's federal claims and that the court decline to exercise supplemental jurisdiction over Plaintiff's state law claims and remand them to the Richland County Court of Common Pleas. IT IS FURTHER RECOMMENDED that Plaintiff's motion for default judgment 12 be denied. Signed by Magistrate Judge Paige J Gossett on 2/26/2016. (bgoo)
- 35 order Order on Motion for Extension of Time Fri 2:34 PM
 DOCKET TEXT ORDER. All parties having requested an extension of certain deadlines, the court hereby suspends all deadlines in the 22 Scheduling Order. An Amended Scheduling Order will issue, if necessary, following ruling by the assigned United States District Judge on the 5 Defendants' Motion to Dismiss. Entered at the direction of Magistrate Judge Paige J. Gossett on 2/26/2016. (kkus,)
- 34 order Order on Motion for Discovery Fri 2:32 PM
 DOCKET TEXT ORDER denying 20 Motion for Discovery. In her motion, Plaintiff appears to request the defendants to respond to interrogatories, produce documents, and request certain admissions. Absent a dispute, the court generally does not enter the discovery process, which is detailed in the Federal Rules of Civil Procedure. See generally Fed. R. Civ. P. 26 through 37; see also Fed. R. Civ. P. 45. Plaintiff is advised that she does not need specific authorization from the court to obtain discovery from the defendants. Rather, she should direct her discovery requests to the counsel of record for the defendants. The defendants filed a response indicating that they responded to the Plaintiff's filing with responses and objections. If Plaintiff is dissatisfied with the responses she received from the defendants, she may file a motion to compel in accordance with the applicable rules of procedure. See, e.g., Local Civil Rule 37.01 (D.S.C.). Thus, Plaintiff's motion is premature and is therefore denied. Entered at the direction of Magistrate Judge Paige J. Gossett on 2/26/2016. (kkus,)
- 33 order Order on Motion to Quash Fri 2:30 PM
 DOCKET TEXT ORDER granting 16 Defendants' Motion to Quash. To the extent 14 Plaintiff's Response to 5 Defendants' Motion to Dismiss contains requests for admission or other discovery requests, such requests are quashed. Entered at the direction of Magistrate Judge Paige J. Gossett on 2/26/2016. (kkus,)

Friday, January 29, 201630  **motion** **Extension of Time** **Fri 3:07 PM**

First MOTION for Extension of Time Under Scheduling Order by Aaron Canzater, Warren Ganjehsani, Anthony Grice, Nicklous King, Willie McCauley, Jr, Mike Oliver, Kenneth Phelps, Ada Schmidt, Leroy Smith, South Carolina Department of Public Safety, William Taylor, Cherie Young. Response to Motion due by 2/16/2016.No proposed order.Motions referred to Paige J Gossett.(Hood, Allison)

Att: 1  Certificate of Service

29  **respm** **Response in Support of Motion** **Fri 3:02 PM**

RESPONSE in Support re26 MOTION for Extension of Time Response filed by Aaron Canzater, Warren Ganjehsani, Anthony Grice, Nicklous King, Willie McCauley, Jr, Mike Oliver, Kenneth Phelps, Ada Schmidt, Leroy Smith, South Carolina Department of Public Safety, William Taylor, Cherie Young. (Hood, Allison)

Att: 1  Certificate of Service

Wednesday, January 20, 201627  **respm** **Reply to Response to Motion** **Fri 11:19 AM**

REPLY to Response to Motion re20 MOTION for Discovery. Response filed by Biafra Monique Curtis. (mwal)

Att: 1  Supporting Documents,


Att: 2  Envelope

26  **motion** **Extension of Time** **Fri 11:18 AM**

MOTION for Extension of Time by Biafra Monique Curtis. Response to Motion due by 2/8/2016. Motions referred to Paige J Gossett.(mwal)

Att: 1  Letter,

Att: 2  Envelope

Monday, December 21, 201524  **respm** **Response in Opposition to Motion** **Mon 5:23 PM**

RESPONSE in Opposition re20 MOTION for Discovery Response filed by Aaron Canzater, Warren Ganjehsani, Anthony Grice, Nicklous King, Willie McCauley, Jr, Mike Oliver, Kenneth Phelps, Ada Schmidt, Leroy Smith, South Carolina Department of Public Safety, William Taylor, Cherie Young.Reply to Response to Motion due by 1/4/2016(Jett, Norma A)

Att: 1  Certificate of Service on pro se plaintiff

23 **misc** **Document Mailed** **Mon 4:52 PM**

***DOCUMENT MAILED22 Scheduling Order, was placed in U.S. Mail to Biafra Monique Curtis. (gmil)

22



order

Scheduling Order

Mon 4:51 PM

SCHEDULING ORDER Motions to Amend Pleadings due by 1/20/2016, Plaintiffs ID of Expert Witness due by 2/19/2016, Defendants ID of Expert Witnesses Due by 3/21/2016, Records Custodian Affidavit due by 3/21/2016, Discovery due by 4/19/2016, Motions due by 5/19/2016, ADR Statement due by 5/20/2016, Mediation Due by 6/20/2016. Signed by Magistrate Judge Paige J Gossett on 12/21/2015. (gmil)

Tuesday, October 27, 2015

17



misc

Additional Attachments to Main Document

Tue 2:48 PM

Additional Attachments to Main Document 12 Motion for Default Judgment as to Defendants, Response in Opposition to 5 Motion to Dismiss for Failure to State a Claim. First attachment description: Cover Letter. (gmil) (gmil)

Att: 1 Exhibit G - Damages that the Plaintiff has suffered,

Att: 2 Prayer for Relief,

Att: 3 Certificate of Service

Att: 4 (10/27/2015) Envelope

Friday, October 23, 2015

16



motion

Quash

Fri 4:54 PM

MOTION to Quash by Aaron Canzater, Warren Ganjehsani, Anthony Grice, Nicklous King, Willie McCauley, Jr, Mike Oliver, Kenneth Phelps, Ada Schmidt, Leroy Smith, South Carolina Department of Public Safety, William Taylor, Cherie Young. Response to Motion due by 11/9/2015. No proposed order. Motions referred to Paige J Gossett. (Jett, Norma A)

Att: 1 Certificate of Service on pro se plaintiff

15



respm

Reply to Response to Motion

Fri 4:52 PM

REPLY to Response to Motion re 5 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by all defendants Response filed by Aaron Canzater, Warren Ganjehsani, Anthony Grice, Nicklous King, Willie McCauley, Jr, Mike Oliver, Kenneth Phelps, Ada Schmidt, Leroy Smith, South Carolina Department of Public Safety, William Taylor, Cherie Young. (Jett, Norma A)

Att: 1 Certificate of Service on pro se plaintiff

14



respm

Response in Opposition to Motion

Fri 4:50 PM

RESPONSE in Opposition re 12 MOTION for Default Judgment as to Defendants All Defendants Response filed by Aaron Canzater, Warren Ganjehsani, Anthony Grice, Nicklous King, Willie McCauley, Jr, Mike Oliver, Kenneth Phelps, Ada Schmidt, Leroy Smith, South Carolina Department of Public Safety, William Taylor, Cherie Young. Reply to Response to Motion due by 11/2/2015 (Jett, Norma A)

Att: 1 Certificate of Service on pro se plaintiff

Friday, October 16, 2015

13  **discov** **Local Rule 26.01 Answers to Interrogatories** **Mon 12:00 PM**


Local Rule 26.01 Answers to Interrogatories by Biafra Monique Curtis. (gmil)

Att: 1  Envelope


12  **motion** **Default Judgment** **Mon 11:58 AM**

MOTION for Default Judgment as to Defendants, RESPONSE in Opposition to5 Motion to Dismiss for Failure to State a Claim by Biafra Monique Curtis. Response to Motion due by 11/2/2015, Reply to Response due 10/26/2015. Motions referred to Paige J Gossett. (gmil)


Att: 1  Cover Letter,

Att: 2  Table of Contents,


Att: 3  Writ of Precipae,


Att: 4  Exhibit A - Timeline of Events,

Att: 5  Exhibit B - Allegations,

Att: 6  Exhibit C - Accident Reports,

Att: 7  Exhibit D - CAD Logs,

Att: 8  Exhibit E - SC Traffic Collision Manual,

Att: 9  Exhibit F - Witness Statements,

Att: 10  Exhibit G - Damages: Property, Hospital Bills, Loss of Income, Future Medical,

Att: 11  Exhibit H - Policy and Procedure Violations,

Att: 12  Exhibit J - Diagram,

Att: 13  Exhibit K - Prayer for Relief,

Att: 14  State Court Documents - Summons and Complaint,

Att: 15  Envelope

Monday, September 28, 2015

11 **misc** **Document Mailed** **Mon 5:24 PM**

***DOCUMENT MAILED10 Order, (1) Pro Se Answers to 26.01 Interrogatories were placed in U.S. Mail to Biafra Monique Curtis. (gmil)

10  **order** **Order** **Mon 5:23 PM**

ORDER - Plaintiff is ordered to always keep the Clerk of Court advised in writing of any address changes for any reason, and to submit fully completed and signed answers to the court's interrogatories pursuant to Local Civil Rule 26.01. Signed by Magistrate Judge Paige J Gossett on 9/28/2015. (gmil)

Tuesday, September 22, 2015

7 **misc** **Document Mailed** **Tue 9:02 AM**

***DOCUMENT MAILED6 Roseboro Order, was placed in U.S. Mail to Biafra Monique Curtis. (gmil)

6



order

Roseboro Order

Tue 9:02 AM

ROSEBORO ORDER directing clerk to forward summary judgment explanation to the opposing party and directing that party to respond in 34 days. Response due to 5 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by all defendants by 10/26/2015. Signed by Magistrate Judge Paige J Gossett on 9/22/2015. (gmil)

Monday, September 21, 2015

5



motion

Dismiss for Failure to State a Claim

Mon 5:54 PM

MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by all defendants by Aaron Canzater, Warren Ganjehsani, Anthony Grice, Nicklous King, Willie McCauley, Jr, Mike Oliver, Kenneth Phelps, Ada Schmidt, Leroy Smith, South Carolina Department of Public Safety, William Taylor, Cherie Young. Response to Motion due by 10/8/2015.No proposed order.Motions referred to Paige J Gossett.(Jett, Norma A)

Att: 1 Memo in Support,

Att: 2 Certificate of Service on pro se plaintiff

Friday, September 18, 2015

3



discov

Local Rule 26.01 Answers to Interrogatories

Mon 9:55 AM

Local Rule 26.01 Answers to Interrogatories by Aaron Canzater, Warren Ganjehsani, Anthony Grice, Nicklous King, Willie McCauley, Jr, Mike Oliver, Kenneth Phelps, Ada Schmidt, Leroy Smith, South Carolina Department of Public Safety, William Taylor, Cherie Young. (gmil)

Att: 1 Certificate of Service

1



cmp

Notice of Removal

Mon 9:53 AM

NOTICE OF REMOVAL from Court of Common Pleas, case number 2015-CP 40-5172 (Filing fee \$400 receipt number 0420-6168064), filed by Cherie Young, Leroy Smith, Aaron Canzater, Willie McCauley, Jr, South Carolina Department of Public Safety, Anthony Grice, William Taylor, Kenneth Phelps, Mike Oliver, Nicklous King, Ada Schmidt, Warren Ganjehsani. (gmil)

Att: 1 State Court Documents,

Att: 2 Notice of Filing Removal,

Att: 3 Certificate of Service

[Continue to Create Account](#)

[Privacy](#) • [Terms](#) • [About](#)
PacerMonitor, LLC © 2016. Made in NYC

EXHIBIT "3"

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Office of the Assistant Attorney General
Washington, D.C. 20530

EXHIBIT "4"

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF SOUTH CAROLINA
COLUMBIA DIVISION

Biafra Monique Curtis, Pro Se

Plaintiff,

-versus-

Case No: 3:15-CV-03753-MGL-PJG
State Case No. 2015-CP-4005172

RESPONSE TO DEFENDANTS
REPLY TO RESPONSE TO
MOTION TO DISMISS

South Carolina Department of Public Safety,
Warren Ganjehsani, Mike Oliver, Leroy Smith,
Kenneth Phelps, Anthony Grice, William Taylor,
Nicklous King, Willie McCauley, Jr., Ada Schmidt,
Aaron Canzater and Cherie Young, individually
and in their official capacities

Defendant(s)

~~RECEIVED
2015 DEC 1 AM 11:43
U.S. DISTRICT COURT
COLUMBIA, S.C.~~

ALL DEFENDANTS PLEASE TAKE NOTICE:
NOTICE OF NON-DENIAL FOR LACK OF FORM

In preparing "foundational documents", it has come to my attention that quite often "The Court" will refuse to act, or dismiss a case, under the ruse of "DENIED FOR WANT OF FORM".

The First Congress in 1789, clearly outlines the intent of what a court is to be and that **the court is the one who is "deemed to know the law"** and must assist sovereign people in **our** courts to plead **our** cases, before a jury of **our** peers as we see fit to plead **our** cases, with counsel of **our** choice.

The court works for US, and has no discretion to refuse to hear cases of deprivation of rights and criminal injury, nor do they have the right to refuse a "trial by Jury".

Therefore:

Any document, which is "an act of court", shall **not** be dismissed for lack of form or failure of process. All the pleadings must be as any reasonable man/woman would understand, clearly written, affidavits of facts and law.

And be it further enacted, that no summons, writ, declaration, return, process, judgment, or other proceedings, in civil cases, in any of the courts of the United States, shall be abated, arrested, quashed or reversed, for any defect or want of form, but the said courts respectively shall proceed and give judgment according as the right of the cause and matter in law shall appear into them, without regarding any imperfections, defects or want of form in such writ

EXHIBIT "5"

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2015CP4005172

Biafra Monique Curtis

RECEIVED

South Carolina Department Of Public Safety

PLAINTIFF(S)

AUG 10 2016

Warren Ganjehsani

DEFENDANT(S)

Submitted by:

SC Court of Appeals

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.
- 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;
- 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

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk:

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
		\$
		\$
		\$

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.

Circuit Court Judge [Signature] Judge Code 206 Date 5-18-16

For Clerk of Court Office Use Only

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

Biafra Monique Curtis

Alison Dennis Hood

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court [Signature]

EXHIBIT 6

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

FORM 4
RECEIVED

JUDGMENT IN A CIVIL CASE

AUG 10 2016

CASE NUMBER: 2015CP4005172

Biafra Monique Curtis

South Carolina Department Of Public Safety

SC Court of Appeals Sanjehsani

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

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.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (1. No suit); 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 _____

RICHLAND COUNTY
FILED
2016 MAY 20 AM 1:10
JENNETTE W. BRIDE
C. C. & B.

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:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

Motion to Strike is moot. Motion for Dismissal has been granted.

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
		\$
		\$
		\$

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.

Circuit Court Judge [Signature] Judge Code 206/ Date 5-18-16

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 23 day of May, 2016 to attorneys of record or to parties (when appearing pro se) as follows:

Biafra Monique Curtis

Alison Dennis Hood

Biafra Monique Curtis

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court [Signature]

EXHIBIT "7"

TABLE OF CONTENTS

- Please see NOTICE OF HEARING for Motion to Strike
- Please see NOTICE OF HEARING for Motion to Dismiss
- Please see Letter from Ness & Jett, dated May 5th, 2016 addressed to the Court, containing the Proposed Order
- Please see Original Judgement Coversheet with handwritten date changes
- Please see Revised Judgement Coversheet without handwritten date changes, but additional notes added
- Please see the FINAL ORDER, signed and dated May 16, 2016
- Please see the SC Court of Common Pleas Public Index, specifically, the 5/16/2016 at 9:16 **Order** that plaintiff's causes of actions are hereby dismissed-PLEASE NOTE: This order was entered into the COURT INDEX two (2) days prior to the hearing on May 18, 2016.

QUESTION: Was this OFFICIAL ENTRY INTO THE COURT INDEX CONTAINING A SIGNED ORDER ON MAY 16, 2016 A SCRIVERNER'S ERROR AS WELL???

ULTIMATE FACT: Judge L. Casey Manning signed and dated the Proposed Order on May 16, 2016 and it was entered into the Public Index on May 16, 2016.

RESULT: The case was decided prior to the hearing and the FINAL ORDER was signed on May 16, 2016 and entered into the Official Court Index as "Plaintiff's Causes of Action are Hereby Dismissed" on May 16, 2016 as well. REMINDER: This was ALL done two days prior to the hearing.

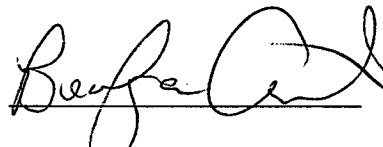
I, Biafra Monique Curtis, the Appellant in this case, again, DEMAND A JURY TRIAL.

JURY TRIAL DEMAND

Plaintiff hereby demands a jury trial on all issues so triable.

DATED: 1/26/17

I certify that this response to motion contains no matter that is not relevant to this appeal.



Biafra Monique Curtis, Pro Se
PO BOX 21294
Hilton Head Island, SC 29925

January 26, 2017

2

NOTICE OF MOTION SCHEDULING

STATE OF
SOUTH CAROLINA

April 29, 2016



**Motion "MSTRIK - Motion to Strike" for Case: 2015CP4005172 -
Biafra Monique Curtis vs South Carolina Department Of Public Safety
, defendant, et al has been added to the following Motions Roster:**

958 - MOTION ROSTER MAY 18, 2016 COURTROOM

This hearing of this motion has been scheduled for 5/18/2016 at 9:30 AM.

RESCHEDULED The above referenced case is scheduled for a Motion Hearing before Judge L. Casey Manning in Courtroom 2-E. The Plaintiff's Attorney is to notify the Defendant in writing of the time and date of all Default and Damages Hearings. All requests for continuances must be in writing with a \$25.00 filing fee and received by the Chief Administrative Judge prior to the hearing. A request for a continuance does not guarantee that a case will be continued. Please notify the Court in writing if the Motions are resolved prior to the hearing. Please file any briefs or memorandum the Wednesday before the week of the hearing. **ALL ATTORNEYS MUST SEND A PROPOSED ORDER OR MEMORANDUM OF LAW BY Wednesday, May 11, 2016 FOR THE MOTION HEARING THAT IS BEING HEARD ON HARD COPY AND DISK.**to <mailto:cmanninglc@sccourts.org>

Mail Notice To:
<p>Biafra Monique Curtis P O Box 21294 Hilton Head, SC 29925</p>

Court Info:
<p>Richland County Common Pleas Richland County Judicial Center 1701 Main Street Columbia, SC 29201-9201</p>

Judge Alison R. Lee
Chief Administrative Judge
Fifth Judicial Circuit

RECEIVED
AUG 10 2016
SC Court of Appeals

NOTICE OF MOTION SCHEDULING

April 29, 2016

3



Motion "MDISMS - Motion for Dismissal for failure to state a cause of action" for Case: 2015CP4005172 - Biafra Monique Curtis vs South Carolina Department Of Public Safety , defendant, et al has been added to the following Motions Roster:

958 - MOTION ROSTER MAY 18, 2016 COURTROOM

This hearing of this motion has been scheduled for 5/18/2016 at 9:30 AM.

RESCHEDULED The above referenced case is scheduled for a Motion Hearing before Judge L. Casey Manning in Courtroom 2-E. The Plaintiff's Attorney is to notify the Defendant in writing of the time and date of all Default and Damages Hearings. All requests for continuances must be in writing with a \$25.00 filing fee and received by the Chief Administrative Judge prior to the hearing. A request for a continuance does not guarantee that a case will be continued. Please notify the Court in writing if the Motions are resolved prior to the hearing. Please file any briefs or memorandum the Wednesday before the week of the hearing. ALL ATTORNEYS MUST SEND A PROPOSED ORDER OR MEMORANDUM OF LAW BY Wednesday, May 11, 2016 FOR THE MOTION HEARING THAT IS BEING HEARD ON HARD COPY AND DISK:to <mailto:cmanninglc@sccourts.org>

Mail Notice To:

Biafra Monique Curtis
P O Box 21294
Hilton Head, SC 29925

Court Info:

Richland County Common Pleas
Richland County Judicial Center
1701 Main Street
Columbia, SC 29201-9201

Judge Alison R. Lee
Chief Administrative Judge
Fifth Judicial Circuit

NESS & JETT, LLC
ATTORNEYS AT LAW
P.O. BOX 309
DAMBERG, SOUTH CAROLINA 29003

2415 MAIN HIGHWAY
Telephone 803/245-5172
Telex 803/245-5384

WILLIAM E. NESS
ANNA A. JETT

SCENTIFIED CIRCUIT COURT MEDIATOR
MEMBER AS BOARD OF TRIAL ADVOCATES

JULIUS B. NESS
1916-1991

ALISON DENNIS HOOD
ADAM G. NESS
R. AARON NESS

May 5, 2016

Biafra Monique Curtis
PO Box 21294
Hilton Head Island, SC 29925

RE: Curtis v. South Carolina DPS, et al.
Case No.: 2015-CP-40-05172

Dear Ms. Curtis:

Please find enclosed and served upon you a Notice of Hearing and Certificate of Service. Please be advised the hearing has been set for Wednesday, May 18, 2016 at 9:30am in Courtroom 2-E, 1701 Main Street, Columbia, South Carolina. Please also find enclosed Defendants' Memorandum in Support of its Motion to Dismiss, as well as a Proposed Order.

Sincerely,



Alison Dennis Hood

ADH/eas
Enclosures

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

FORM 4

JUDGMENT IN A CIVIL CASE

4

Biafra Monique Curtis

RECEIVED

CASE NUMBER: 2015CP4005172

South Carolina Department Of Public Safety

PLAINTIFF(S)

AUG 10 2016

Warren Ganjehsani

DEFENDANT(S)

Submitted by:

SC Court of Appeals

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.
- 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 _____

RICHLAND COUNTY
 FILED
 2016 MAY 20 AM 9:18
 JEANETTE W. ABRIDE
 CLERK OF COURT

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

ORDER INFORMATION

This order ends does not end the case.

Additional information for the Clerk :

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
		\$
		\$
		\$

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.

Circuit Court Judge [Signature] Judge Code 2061 Date 5-18-16

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 33 day of May, 2016 to attorneys of record or to parties (when appearing pro se) as follows:

Biafra Monique Curtis

Alison Dennis Hood

Biafra Monique Curtis

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court [Signature]

5

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

FORM 4
RECEIVED

JUDGMENT IN A CIVIL CASE

AUG 10 2016

CASE NUMBER: 2015CP4005172

Biafra Monique Curtis

South Carolina Department Of Public Safety

SC Court of Appeals Sanjehsani
PLAINTIFF(S) DEFENDANT(S)

Submitted by: _____	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> 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.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. No. suit); 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 _____

RICHLAND COUNTY
FILED
2016 MAY 20 AM 11:16
JEANETTE W. BRIDE
CLERK OF COURT

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:

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk :

Motion to Strike is moot. Motion for Dismissal has been granted.

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
		\$
		\$
		\$

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.

Circuit Court Judge [Signature] Judge Code 2061 Date 5-18-16

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 23 day of May, 2016 to attorneys of record or to parties (when appearing pro se) as follows:

Biafra Monique Curtis

Alison Dennis Hood

Biafra Monique Curtis

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

[Signature: Jeanette W. Bride]

Court Reporter _____

Clerk of Court _____

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 Biafra Monique Curtis, Pro Se,)
)
 v.)
)
 South Carolina Department of Public)
 Safety, Warren Ganjehsani, Mike)
 Oliver, Leroy Smith, Kenneth)
 Phelps, Anthony Grice, William)
 Taylor, Nicklous King, Willie)
 McCauley, Jr., Ada Schmidt, Aaron)
 Canzater and Cherie Young,)
 Individually and in their official)
 Capacities,)

IN THE COURT OF COMMON PLEAS
 FIFTH JUDICIAL CIRCUIT

Case Number: 2015-CP-40-05172

RECEIVED
 ORDER
 AUG 10 2016
 SC Court of Appeals

2016 MAY 20 AM 9:18
 JEANETTE W. McBRIDE
 C.C.P. & C.S.
 RICHLAND COUNTY
 FILED

Plaintiff filed this action in Richland County on August 24, 2015. Defendants filed their notice of removal to federal court on September 18, 2015. The initial Complaint stated several causes of action under 42 USC §1983, as well as various state law causes of action. The March 31, 2016 Order of Judge Mary Geiger Lewis dismissed all federal causes of action, including portions of the First cause of action (to the extent it relied on 42 USC §14141), and the Third cause of action (civil rights violations) and the Fourth cause of action (federal conspiracy) in their entirety. The case was then remanded to the Richland County Court of Common Pleas. The named defendants were heard on the balance of the motion to dismiss, pursuant to Rule 12(b)(6), on May 18, 2016 in Richland County Courtroom 2-E at 9:30 a.m. All Defendants moved for dismissal of the remaining state court causes of action on the following grounds:

1. The action is barred, as to all state law causes of action, by the applicable statute of limitations, set forth in S. C. Code §15-78-100;

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consider all well-pled allegations as true." *Fabian v. Lindsay*, 410 S.C. 475, 481, 765 S.E.2d 132, 136 (2014).

CONCLUSIONS OF LAW:

These Defendants are entitled to dismissal of plaintiff's state law causes of action, including the First Cause of Action (which includes Negligent Infliction of Emotional Distress, Negligent Supervision, and Negligence Per Se), Fifth cause of action (Dereliction of Duty), Sixth Cause of action (Crimes of Moral Turpitude), Seventh Cause of action (Violation of Policy), and Eighth Cause of action (Systemic Neglect of Duty) pursuant to S. C. Code of Laws, §15-78-100, as no verified claim was made within one year of the September 27, 2012, incident date alleged in the Complaint, pursuant to S.C. Code §15-78-80, and this action was not filed until August 24, 2015, more than two years after the date of the September 27, 2012, accident upon which Plaintiff's case is based. For this reason, even if the allegations are otherwise actionable, blanket dismissal of all state law causes of action is appropriate.

The individual Defendants are further entitled to dismissal from the First, Fifth, Seventh and Eighth Causes of Action, as they were all acting within the course and scope of their employment at all times alleged by Plaintiff. The South Carolina Tort Claims Act, S.C. Code §15-78-10, et seq., "is the exclusive and sole remedy for any tort committed by an employee of a governmental entity while acting within the scope of the employee's official duty." S.C. Code §15-78-200. Pursuant to S.C. Code §15-78-70, the individual government employees cannot be sued for causes of action related to conduct in the scope of their duty. The allegations described in the

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First Cause of Action regard activity exclusively within the scope of employment of all individual defendants, and for this reason dismissal of the individual defendants from these state law causes of action is appropriate.

These Defendants are further entitled to dismissal of the plaintiff's Second (Violation of Oath of Office), Fifth Cause of Action (Dereliction of Duty of Elected Official), Sixth Cause of Action (Crimes of Moral Turpitude), Seventh causes of action (Violation of Department Handbook), and the Eighth Cause of action (Systematic Neglect of Duties), as these causes of action provide no private right of action upon which Plaintiff is entitled to seek relief. See also *Trask v Beaufort County*, 392 S.C. 560, 709 S.E.2d 536 (Ct. App. 2011); See also §23-6-30, §23-6-40, and §23-6-140, S.C. Code of Laws.

"The Public Duty Rule insulates public officials, employees, and governmental entities from liability for the negligent performance of their official duties by negating the existence of a duty toward the plaintiff." *Arthurs v. Aiken County*, 346 S.C. 97, 104, 551 S.E.2d 579 (2001). "The Public Duty Rule holds that public officials are generally not liable to individuals for their negligence in discharging public duties because the duty is owed to the public at large rather than to anyone individually." *Wells v. City of Lynchburg*, 331 S.C. 296, 306, 501 S.E.2d 746 (Ct. App. 1998). "Statutes which create or define the duties of a public office create no duty of care towards individual members of the general public." *Arthurs v. Aiken County*, 346 S.C. at 105-6 (2001). "Thus, where the duty is owed to the public in general, the official is not liable to an individual who may have been "incidentally injured" by the failure to perform the duty." *Wells v. City of Lynchburg*, 331 S.C. 296,

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2. The individual defendants, as state employees, cannot be sued for the state law causes of action, pursuant to S. C. Code §15-78-70; and

3. Any duties of the defendants are public duties, and the plaintiff has no private right of action against defendants for Violation of Oath of Office, Dereliction of Duty of Elected Official, Crimes of Moral Turpitude, Violation of Department Handbook, or Systematic Neglect of Duties.

FINDINGS OF FACT:

This action arises from an automobile accident that occurred on September 27, 2012. Plaintiff alleges she was the victim of an accident on Interstate 26 in South Carolina, having been forced off the road by an unknown driver in a vehicle collision. Plaintiff alleges the failure of the South Carolina Highway Patrol, a division of the South Carolina Department of Public Safety, to properly investigate the wreck deprived her of her opportunity to sue the alleged at fault driver for her injuries. Plaintiff named each individual involved in processing the accident, maintaining records related to the accident, and all officers who responded to her requests for information as defendants in this matter. Defendants deny all allegations of wrongdoing, but assert that no private right of action arises even if the allegations were true. Defendants further assert the statute of limitations and the South Carolina Tort Claims Act bars the state law causes of action.

APPLICABLE STANDARD OF REVIEW:

"A ruling on a motion to dismiss pursuant to Rule 12(b)(6) must be based solely on the factual allegations set forth in the complaint, and the court must

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307, 501 S.E.2d 746 (Ct. App. 1998), quoting *Parker v. Brown*, 195 S.C. 35, 10 S.E.2d 625 (1940); See also *Steinke v. S.C. Dep't of Labor, Licensing, & Regulation*, 336 S.C. 373, 520 S.E.2d 142 (1999).

In this case, the essential purpose of the cited oaths, regulations, statutes, handbooks, and guidelines is not to preserve civil actions on behalf of the public. See *Rayfield v. South Carolina Department of Corrections*, 297 S.C. 95, 374 S.E.2d 910 (Ct.App.1988), cert. denied, 298 S.C. 204, 379 S.E.2d 133 (1989). Therefore, these Defendants owed no particular duty to Plaintiff, and any alleged violation is not actionable.

WHEREFORE, Plaintiff's cause of action is untimely, improperly alleged against individual governmental employees acting well within the course and scope of their employment, and premised on concepts that do not give rise to individual causes of action. These defendants are entitled to dismissal of this action, in its entirety, under §15-78-100 and §15-78-80, S.C. Code of Laws, and pursuant to the Public Duty Rule.

THEREFORE, IT IS ORDERED, Plaintiff's causes of action are hereby dismissed in their entirety, under SCRCP 12(b)(6), as the Complaint fails to state a claim upon which relief can be granted. This action is hereby dismissed, with prejudice.

AND IT IS SO ORDERED!

Chamberlain, S.C.
May 16, 2016

[Signature]
The Honorable I. Casey Manning
Fifth Judicial Circuit

SCANNED



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
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September 20, 2016

Biafra Monique Curtis
PO Box 21294
Hilton Head Island SC 29925

Ms. Norma Anne Turner Jett, Esquire
PO Box 909
Bamberg SC 29003

Ms. Alison Dennis Hood, Esquire
PO Box 909
Bamberg SC 29003

Re: SCDPS v. Biafra Monique Curtis
Appellate Case No. 2016-001239

Dear Counsel and Ms. Curtis:

All parties are advised that the originals of all records on appeal and final briefs filed with the appellate courts are scanned. Therefore, in accordance with the May 1, 2008 Amendments to the South Carolina Appellate Court Rules, DO NOT staple, spiral bind, velobind, or otherwise permanently bind the ORIGINALS of these documents. The original brief(s) and record on appeal should still have front and back covers in compliance with Rule 267(e) of the South Carolina Appellate Court Rules, but should not be bound. You may secure the originals with paper clips, binder clips, rubber bands, by placing them in large envelopes, or by any other similar means that will keep the pages together without binding or hole-punching. All COPIES of the record on appeal and final briefs should be bound as

specified in the South Carolina Appellate Court Rules.

We suggest that large parcels such as copies of final briefs and the record on appeal be sent directly to the Court via the street address: 1220 Senate Street, Columbia, S.C. 29201. Thank you for your attention to this.

According to our records, the correct caption for this appeal should read as follows on the record on appeal and all final briefs:

South Carolina Department of Public Safety, Warren Ganjehsani, Mike Oliver, Leroy Smith, Kenneth Phelps, Anthony Grice, William Taylor, Nicklous King, Willie McCauley, Jr., Ada Schmidt, Aaron Canzater and Cherie Young, individually and in their official capacities, et al., Respondents,

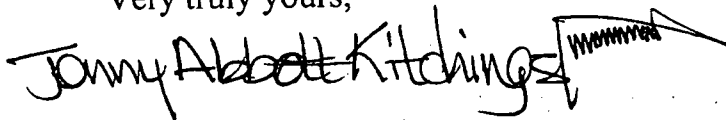
v.

Biafra Monique Curtis, Appellant.

Furthermore, the Court anticipates that the attorney information for all attorneys receiving a copy of this letter will appear on the cover of the record on appeal. The attorney information for the party submitting the brief should appear on the final briefs.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Handwritten signature of Jonny Abbott Kildings in black ink, with a stylized flourish at the end.

CLERK