

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY

Circuit Court

Judge Kristi Lea Harrington, Judge

Appellate Case No. 2014-002776

STATE OF SOUTH CAROLINA

Respondent,

Vs.

LouShonda Myers,

In Propria Persona, Sui Juris.

RECEIVED

FEB 07 2017

SC Court of Appeals

RESPONSE TO MOTION TO COMPEL/RETURN

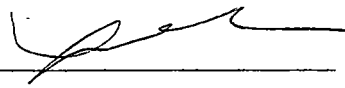
On January 12, 2017, the Court ordered a supplemental record on appeal to include (1) the Notice of Appeal filed September 9, 2014 at 12:30 p.m.; (2) the State's Memorandum in Support of Rule to Show Cause; and (3) the Affidavit of Service for the Rule to Show Cause. (Order attached.) I have complied with the Judge's order to the best of my abilities and capabilities, as explained in the motion to correct/amend.

I did in fact call the Clerk's office in Georgetown, South Carolina to locate the document in question, and was told that it was not in the file. I spoke with Ms. Sue, who also enlisted the assistance of Ms. Filmore. All documents related to this matter was ordered by Judge Kristi Lea Harrington to be placed under Case 2014-GS-22-870- which is the case number that I gave when

I inquired at the Clerk of Court's Office. A copy of this order is attached; it is on page one (1) of the original record on Appeal; and it is the order that is being appealed. However, I was not made aware of this fact until after I filed my notice of appeal in this Court. As you can see on page five (5) no notice was sent and/or given to me until I went to file the notice of appeal and inquired into the record.

The State has sent a copy of the affidavit of Service along with their Return, and I have no issue filing a second supplement that includes the affidavit of service.

This 6<sup>th</sup> day of February, 2017.

  
\_\_\_\_\_  
LouShonda Myers  
In Propria Persona, Sui Juris Petitioner  
27 Wateree Trail  
Georgetown, South Carolina 29440  
loushondamyers@yahoo.com  
(843) 527-2100

# The South Carolina Court of Appeals

The State, Respondent,

v.

Loushonda Myers, Appellant.

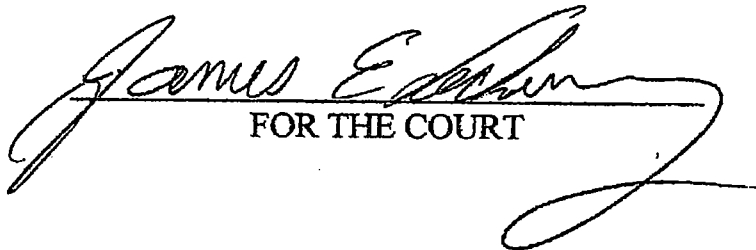
Appellate Case No. 2014-002776

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## ORDER

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Respondent's motion to compel the service of a complete record on appeal is granted to the extent that, within twenty days of the date of this order, Appellant shall serve a supplemental record on appeal that includes the omitted matters designated by Respondent. The supplemental record on appeal shall include the Notice of Appeal Filed September 9, 2014 at 12:30 P.M., the State's Memorandum in Support of Rule to Show Cause, and the Affidavit of Service of Rule to Show Cause. Appellant's motion to stay appellate deadlines is denied. Failure of Appellant to comply may result in the dismissal of this appeal.

  
FOR THE COURT

Columbia, South Carolina

cc:  
Loushonda Myers  
Alan McCrory Wilson, Esquire  
Vann Henry Gunter, Jr., Esquire

**FILED**  
January 12, 2017

STATE OF SOUTH CAROLINA )  
COUNTY OF GEORGETOWN )

IN THE COURT OF GENERAL SESSIONS  
FOR THE FIFTEENTH JUDICIAL CIRCUIT  
CASE No.: 2014-GS-22-870

STATE OF SOUTH CAROLINA, )  
 )  
 )  
 )  
vs. )  
 )  
LOUSHONDA MYERS, )  
 )  
 )  
Defendant. )  
\_\_\_\_\_ )

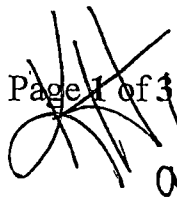
**ORDER**

FILED  
GEORGETOWN COUNTY, S.C.  
2014 SEP 26 PM 1:33  
ALMA Y. WHITE  
CLERK OF COURT

The above matter came before the Court on September 26, 2014, for a contempt hearing on the Rule to Show Cause Order, filed by the Attorney General's Office. Ms. Myers was ordered to cease filings in Dameon Myers vs. State of South Carolina, Case No. 2012-CP-22-1132. The Court instructed the Clerk of Court to transfer all filings related to Ms. Myers to this case number so that the matter remains distinct from the original PCR matter.

Present at the hearing were Attorney General W. Allen Myrick on behalf of the State, and Defendant Loushonda Myers appeared *pro se*. Attorney Ronald Hazzard of the Fifteenth Circuit Public Defender's Office was appointed by this Court to represent the Defendant Loushonda Myers.

In determining whether the violation constitutes direct contempt or indirect contempt, this Court should consider the nature and location of the contemptuous behavior. Contemptuous conduct occurring in the presence of the court constitutes direct contempt. South Carolina courts have taken a liberal and expansive view of the "presence" and "court" requirements. This State's

Page 1 of 3  
  
9/26/14

courts have previously held the "presence of the court" extends beyond the mere physical presence of the judge or the courtroom to encompass all elements of the system. In contrast, indirect contempt is contempt that occurs "outside the presence of the court."

In determining whether a contempt order is civil or criminal, this Court considers the purpose for which the power is exercised, including the nature of the relief and the reason behind imposing sentence. The primary purposes of criminal contempt are to preserve the Court's authority and to punish for disobedience of its orders. In contrast, the purpose of civil contempt is "to coerce the defendant to do the thing required by the order for the benefit of the complainant." The State carries the burden of proving criminal contempt beyond a reasonable doubt.

This Court finds that Ms. Myers is in direct contempt of this Court by her continued filing of legal documents on behalf of other individuals without a license to practice law in the State of South Carolina, in violation of this Court's Order from the bench on August 28, 2014.

**IT IS THE ORDER** of this Court that Ms. Myers be sentenced to six (6) months in the South Carolina Department of Corrections. This sentence shall be suspended and shall not be imposed unless Ms. Myers further violates this Court's Order and finding of direct criminal contempt.

**IT IS FURTHER ORDERED** that Ms. Myers shall not file any documents on the behalf of other individuals in any jurisdiction of this State without sufficient legal authority.

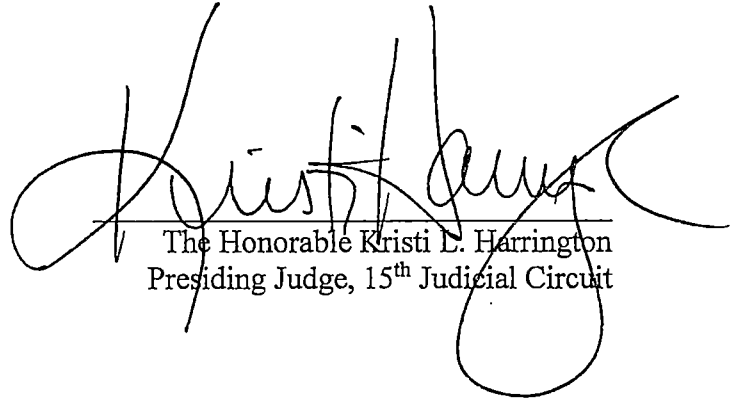
**IT IS FURTHER ORDERED** that the Clerk of Court in Georgetown County, South Carolina shall not accept any filings by Ms. Myers that violate this Court's Order. This Order does not preclude filings made by Ms. Myers on her own behalf.

*[Handwritten signature]*  
9/26/14

**IT IS FURTHER ORDERED** that should Ms. Myers violate this Order, upon verification of the filings, that Ms. Myers be held by the Georgetown County Sheriff's Office until such time as this Court can impose sentence.

**IT IS SO ORDERED!**

Georgetown, South Carolina  
September 26, 2014



The Honorable Kristi L. Harrington  
Presiding Judge, 15<sup>th</sup> Judicial Circuit

CERTIFICATE OF SERVICE

I, LouShonda Myers, certify that a copy of the foregoing Response has been served in the following manner:

John Benjamin Aplin


Vann Henry Gunter, Jr.

Attorney for Respondent

P.O. Box 11549

Columbia, South Carolina 29211

This 6<sup>th</sup> day of February, 2017.



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LouShonda Myers

In Propria Persona, Sui Juris Petitioner

27 Wateree Trail

Georgetown, South Carolina 29440

[loushondamyers@yahoo.com](mailto:loushondamyers@yahoo.com)

(843) 527-2100

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*27 Watercrest Trail*  
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*PO Box 11629*  
*Columbia, SC 29211*  
FEB 07 2017  
SC Court of Appeals

Label 228, July 2013

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