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In the SUPREME COURT

LEGAL MAIL

State of South Carolina
 County of Darchester
 Kenneth Lewis
 Pro Se Plaintiff

In the Court of Common
 Pleas
 Civil Action No
2016-CP-18-2008

V.S.

David M. Pascoe Jr.
 Jasmine D. Wyman
 William H Davidson II.
 Alan Wilson
 Defendants.

Declaratory Judgment
 "Act" Relief
 Motion for Default
 Judgment

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APR 03 2017

SC Court of Appeals

Motion to Amend the Judgment
 Under Federal Rules of Civil Procedure
 Rule 59 (E) memorandum of Law Rule (12)

(b)(5) Insufficient service of process;
 Rule (56) (h) Affidavit submitted
 in bad faith. Because Counsel had
30 days to submitted her Return
 to the submitting party. That is why
 I made a specific objections At the
 hearing on february 22. 17. Because
 Counsel for the Respondents was
 already in Default

LEGAL MAIL The court decides a motion to dismiss on the basis of the applicable law and pleadings meaning the petition respondents answer if any the exhibits attached to the petition documents that the petition incorporates by reference (provided they are both undisputed and pertinent to the pleaded claims) and materials of which the court may take judicial notice. In some cases the parties present materials outside of the pleadings as affidavits or declarations in support of or in opposition to the motion to granted relief. If the court in its discretion considers materials outside of the pleadings the motion to dismiss is converted to a motion for summary judgment under Fed. R. Civ. P. 56. See Fed. Civ. P. 56(h).

Explanation of motion for summary judgment filed by petitioner pursuant to Fed. R. Civ. P. (56)(h) and return in support of such motion, argue that respondents claims are not supported by the specific facts of the case.

(1) of 4

Because motion for summary judgment concern both questions of law and questions of fact. If the court finds that there IS not any genuine dispute as to any material fact on a claim the court will determine which party IS Entitled to Judgment' Under the law, the court decides a motion for summary judgment under the law basis of the applicable law, the Pleading's affidavits declarations and any other properly submitted evidence, your filing in opposition to the petitioner motion and or Return should be captioned either as petition to motion to Relief of petitioner to Summary Judgment and Return as applicable and should include the following (1) an EXplanation of your version of the facts if different from petitioner and (2) your legal argument from regarding why the court should grant the motion and end your case, Rule (56) (c) requires that you support your version of all disputed facts with material such as ~~depositions~~ depositions documents stored information, affidavits or declarations, stipulations, including.

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those made for purposes of the motion only,
The plaintiff further states that his motion
for Declaratory judgment "Act" Relief should
be granted because he have shown this Hon
Court how his Due Process Rights under
Equal protection of the Laws were
violated, on APRIL 14, 2005 see ARTICLE
1 § 3 and 15 of S.C. Constitution, and
also this was a violation of the Plainti-
ff 8th and 14th Amendment Rights, to the
U.S. Constitution, opposing counsel
Case Laws, and contitution would
Apply to you If you commit mis-
conduct, Ad fraud on the COURT,
By giving a false Statement to the
court on the Record. And Also misleading
the Honorable Court,

Kenneth Lewis
#215632
date 3,31,17

LEGAL MAIL CERTIFICATE of SERVICE

I MR. Kenneth Lewis the plaintiff would here by certify that a true and a correct copy of his motion for Declaratory Judgment 'Act' Relief is being served on all parties that this matter concerns, and a certificate of service has been forwarded vice, postage Prepaid and addressed as follows.

This 30 day of MARCH 2017.

MS. CHERYL GRAHAM
Clerk of Court ✓
DORCHESTER COUNTY
5200, East Jim Bilton
Blvd, St, George S.C.
29477,

Jasmine D. Wyman
William H. Davidson, II
Davidson N. Lindeman P.A.
Attorneys and Counselors
at Law P.O. Box 8568,
Columbia, S.C.
29202-8568,
29202

Solicitor
MR. David M. Pascoe JR.
DORCHESTER COUNTY
Solicitor office
140 N. main Street
Suite 102,
Summerville S.C.
29483,

MR. ALAN WILSON
Attorney General ✓
P.O. Box 11549
Columbia S.C. 29211-
1549,

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SC Court of Appeals

The State of South Carolina
In the Supreme Court

date 3/31/17

Appeal from Dorchester County
Court of Common Pleas

The Honorable Maite D. Murphy
Circuit Court Judge

Case No 2016-CP-18-2008

PROOF OF SERVICE

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APR 03 2017

SC Court of Appeals

I Kenneth Lewis - certify that I have served
the within Return to Respondent, for motion for
Declaratory Judgment "Act" Relief on Respondent,
By depositing ~~two~~ two copies of the same in the United
States mail. Postage Prepaid, addressed to

MS CHERYL GRAHM
CLERK OF COURT
DORCHESTER COUNTY
5200, East Jim Bilton
BLVD, ST. GEORGE S.C.
29477.

Solicitor

MR DAVID M. PASCOE JR.
DORCHESTER COUNTY
SOLICITOR OFFICE
140, N. MAIN STREET
SUITE 102,
SUMMERVILLE S.C.
29483.

Jasmine D. Wyman
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Davidson M. Lindemann P.A.
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MR. ALAN WILSON
Attorney General
PO Box 11549
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Kenneth Lewis B-A40
Po Box 2039
Ridgeland S.C.
29936.

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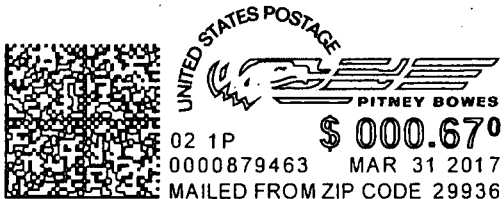
APR 03 2017

**RIDGELAND CORRECTIONAL
INSTITUTION**

MAR 31 2017

Mailroom

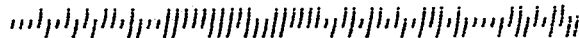
SC Court of Appeals South Carolina Cour of
Appeals
Jenny Abbott Kitchings
CLERK Po Box 11629
Columbia S.C. 29211



#215632

Legal mail

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THE DEPARTMENT OF CORRECTIONS HAS NOT
CENSORED THIS ITEM; THEREFORE, THE DEPARTMENT
OF CORRECTIONS DOES NOT ASSUME RESPONSIBILITY
OF ITS CONTENTS.

LEVERN COHEN, WARDEN
RIDGELAND CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS