

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
COURT OF COMMON PLEAS

BENJAMIN H. CULBERTSON, CIRCUIT COURT JUDGE
APPELLATE CASE NO. 2017-001381

RICHARD B. LAMB

APPELLANT RECEIVED

DEC 13 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA

D.M.V. OFFICE OF GENERAL COUNSEL

RESPONDENT

MOTION TO COMPEL INDICTMENT AND PROSECUTION
OF RESPONDENTS THE STATE OF SOUTH CAROLINA
D.M.V. OFFICE OF GENERAL COUNSEL AND ITS PAST
AND PRESENT DIRECTORS MARCI ADAMS, KEVIN
SHWEDO, FINANCIAL DIRECTOR EMPLOYEE WILLIAM C.
WANNA MAKER TO THE RICHLAND COUNTY, SOUTH
CAROLINA SOLICITORS OFFICE.

APPELLANT COMES TO THIS HONORABLE COURT
AND REQUEST THIS MOTION BE GRANTED DUE TO
APPELLANTS INABILITY TO GET THE SOUTH
CAROLINA LAW ENFORCEMENT DIVISION (SLED)
TO TAKE A CRIMINAL INCIDENT REPORT, NOR
CAN APPELLANT GET HORRY COUNT POLICE
DEPT. OR HORRY COUNTY SHERIFFS DEPT. TO
TAKE A CRIMINAL INCIDENT REPORT EITHER.

APPELLANT HAS TRIED MULTIPLE TIMES IN RECENT PAST YEARS TO REPORT A CRIMINAL VIOLATION OF LAW IN THE FORM OF A POLICE REPORT/CRIMINAL INCIDENT REPORT AND HAD BEEN TURNED AWAY DENIED WITH THE REASON BEING FROM ALL 3 DEPARTMENTS THAT IT'S ONE OF THE OTHER DEPARTMENTS JURISDICTIONS. Horry County Police says it's SLED's JURISDICTION, SLED SAID IT'S Horry County Police AND Horry County Sheriffs Dept SAID THEY DON'T TAKE ANY INCIDENT REPORTS IT ONE OF THE OTHER 2 DEPARTMENTS. THIS MOTION IS BEING FILED PER § 17-19-60 (INDICTMENTS FOR PERJURY) "IN ANY INDICTMENT FOR PERJURY IT SHALL NOT BE NECESSARY TO SET FORTH MORE THAN THE SUBSTANCE OF THE OATH AND THE FACT CONCERNING WHICH THE PERJURY IS ALLEGED TO HAVE BEEN COMMITTED". APPELLANT ALLEGES RESPONDENTS, THE STATE OF SOUTH CAROLINA D.M.V. OFFICE OF GENERAL COUNSEL, IT'S APPOINTED DIRECTORS MARCI ADAMS, KEVIN SHWEDO, FINANCIAL DIRECTOR EMPLOYEE WILLIAM C. WANWAMAKER HAVE VIOLATED THE FOLLOWING CRIMINAL STATUTES.

§ 16-19-10 (PERJURY AND SUBORNATION OF PERJURY) (A)(1), (2) (B)(1), (2), (C).

§ 16-17-735 (PERSONS IMPERSONATING OFFICIALS OR LAW ENFORCEMENT OFFICERS; PERSONS FALSELY ASSERTING AUTHORITY OF LAW; OFFENCES; PUNISHMENT.). (A), (1), (2), (B), (C), (E), (2), (3), (a), (b), (c) (4)

§ 56-10-650 (SUSPENSION OF OWNERS DRIVING PRIVILEGES AND LICENSE PLATES OF UNINSURED MOTOR VEHICLE; NOTIFICATION OF OWNER; PROOF OF INSURANCE).

(A) "IF THE DATABASE INDICATES THAT A MOTOR VEHICLE IS NOT INSURED OR IF THE DEPARTMENT OF MOTOR VEHICLES RECEIVES NOTIFICATION AS PRESCRIBED BY REGULATION THAT A VEHICLE MAY NOT BE INSURED, THE DEPARTMENT SHALL NOTIFY THE OWNER OF THE MOTOR VEHICLE THAT HE HAS TWENTY WORKING DAYS TO PROVIDE THE DEPARTMENT WITH ONE OF THE FOLLOWING, OR THE OWNERS DRIVING PRIVILEGES AND THE VEHICLE LICENSE PLATES WILL BE SUSPENDED." CONTINUED...

(1) PROOF OF COMPLYING COVERAGE IN ACCORDANCE WITH § 56-10-10 OR § 56-10-220, OR OF SELF-INSURANCE IN ACCORDANCE WITH § 56-9-60. § 56-10-10 IS THE STATUTORY MANDATE, THAT MAKES § 56-10-650 SUBJECT TO THE STATES PERJURY STATUTES. THE EXHIBITS ATTACHED TO THIS MOTION PLAINLY SHOW THE VIOLATION OF STATED SOUTH CAROLINA CODE LAW.

1. FRY NOTICE FROM RESPONDENTS TO APPELLANT.

2. WILLIAM C, WANNAMAKER, RESPONDENTS SWORN AFFIDAVIT GIVEN ON 23RD DAY OF MARCH, 2017 WITH THE ADMITTANCE OF GUILT IN LINES 5, 6, 7 FILED IN THE LOWER COURT IN THIS CASE.

3. APPELLANT CONTENDS THAT RESPONDENTS PERJURY, CRIMINALLY VICTIMIZED APPELLANT AND MAKES ANY ACTION OR INACTION ILLEGAL AND FALSELY ASSERTED / APPLIED.

APPELLANT RESPECTFULLY ASKS THAT THIS MOTION BE GRANTED.



11/25/2008

LAMB, RICHARD B
 9541 MAISON CT
 MYRTLE BEACH, SC 29572-5177

FR4 Reference No:006153511
 Date of Cancellation:10/31/2008
 Date of Suspension:12/17/2008
 Customer No. 30262319
 Driver License No: 101451988

South Carolina Department Of Motor Vehicles
 FR4 Notice Of Cancellation

PLEASE DO NOT IGNORE THIS NOTICE

Failure to respond to this notice BEFORE the suspension date listed above will result in the SUSPENSION OF YOUR REGISTRATION AND DRIVER LICENSE privileges in this state.

The South Carolina Department of Motor Vehicles (SCDMV) has received notification from PROGRESSIVE DIRECT INSURANCE C that the following vehicle may be uninsured:

YR/MAKE: 2003 DODG PK VIN NO: 1D7HA16D63J599166 TAG NO: 2897DB

If you currently have liability insurance or must obtain liability insurance on the vehicle listed above, YOU MUST TAKE THIS LETTER TO YOUR INSURANCE COMPANY EVEN IF YOU BELIEVE YOU HAVE RECEIVED THIS NOTICE IN ERROR. Your insurer or agent must electronically transmit the insurance information to DMV using the SC ALIR system (available at www.sc-alir.com.)
 OR

Commercial carriers and out-of-state agents that do not have access to the SC ALIR system can complete the insurance information located on the reverse side of this notice and submit to the DMV. It will be your responsibility to ensure that DMV receives the insurance information in order to clear the suspension.

If you have sold or traded the vehicle above you must complete the vehicle Sold/Traded section of the FR4a form located on the back of this notice.

If you do not wish to obtain liability insurance, South Carolina law requires that you surrender your vehicle tag and registration card to your nearest DMV branch office. If you do not surrender your vehicle tag, it will be confiscated by law enforcement and additional penalties and fines may also apply.

If there has been a lapse in your insurance coverage, you will be charged a penalty of \$5.00 per day for each uninsured day from 10/31/2008, up to a maximum of \$200.00.

Failure to comply with this notice before the suspension date listed above will result in the suspension of your vehicle registration and/or drivers license. If suspended, you could be charged an additional \$200.00 to reinstate your registration and/or driving privilege.

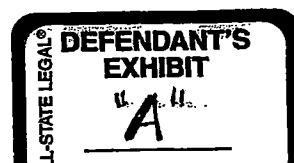
File No: 9112121
 SC Law Code:56-10-240, 56-10-245

FORM FR4
 Revised 10/06

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY)	C/A No. 2017-CP-26-0489
 Richard B. Lamb,)	
)	
Plaintiff,)	
)	
vs.)	AFFIDAVIT OF WILLIAM C.
)	WANNAMAKER
State of South Carolina DMV,)	
Office of General Counsel,)	
)	
Defendants.)	

PERSONALLY APPEARED BEFORE ME William C. Wannamaker who, after being duly sworn, deposes and states as follows:

1. I am above the age of eighteen (18) and have personal knowledge of the facts stated herein.
2. I am currently the Financial Responsibility Manager for the State of South Carolina DMV ("SCDMV") and have been the Financial Responsibility Manager for fifteen (15) years.
3. In my capacity as the Financial Responsibility Manager, I have knowledge of the issuance of South Carolina driver's licenses and vehicle license plate tags.
4. In 2008, the Plaintiff was the record owner of a 2003 Dodge vehicle, tag number 2897DB and the SCDMV received notification from Progressive Direct Insurance that the vehicle might be uninsured.
5. On or about November 25, 2008, the SCDMV sent the Plaintiff a letter that his vehicle may be uninsured and informed the Plaintiff that he was required to respond to the notice by providing proof of insurance for the vehicle, providing proof that the vehicle had been sold/traded, or turn in the vehicle tag.
6. Due to a computer glitch, the letter misstated that the Plaintiff must respond before the suspension date of December 17, 2008, which was less than twenty (20) working days.
7. Allowing for twenty (20) working days from November 25, 2008, the Plaintiff had until December 30, 2008 to respond to the notice; however, the Plaintiff did not turn in his vehicle license plate tag (Tag No. 2897DB) into the SCDMV until January 14, 2009.



8. As of January 14, 2009, the Plaintiff was eligible to apply to have his driver's license reinstated upon submitting an application and paying a fee.
9. Since January 14, 2009, the SCDMV has no record of the Plaintiff submitting an application and fee to reinstate his driver's license.
10. The SCDMV has no record of the re-issuance of vehicle license plate tags for the 2003 Dodge in the Plaintiff's name.

FURTHER THE AFFIANT SAYETH NOT.

William C Wannamaker
William C. Wannamaker

SWORN TO and subscribed before me
this 30th day of March 2017.

Brandy A. Duncan
Notary Public for South Carolina

My commission expires May 9, 2023



RICHARD B. LAMB
9541 MAISON CT.
MYRTLE BEACH, SC 29572
843-516-0468
PRO SE

DECEMBER 7, 2017

Richard B Lamb

DOUGLAS C. BAXTER
P.O. BOX 3646
MYRTLE BEACH, SC 29578
843-448-1008
ATTORNEY FOR RESPONDENT

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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BENJAMIN H. CULBERTSON, CIRCUIT COURT JUDGE
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RICHARD B. LAMB

APPELLANT

STATE OF SOUTH CAROLINA
DMV. OFFICE OF GENERAL COUNSEL

V

RESPONDENT

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED A COPY OF THE MOTION TO COMPEL DATED DECEMBER 7, 2017 ON RESPONDENTS STATE OF SOUTH CAROLINA D.M.V. OFFICE OF GENERAL COUNSEL BY PERSONALLY DEPOSITING IT IN THE UNITED STATES MAIL PROPER POSTAGE ATTACHED RETURN RECEIPT TO RESPONDENTS COUNSEL DOUGLAS C. BAXTER AT P.O. BOX 3646, MYRTLE BEACH, SC, 29578 THIS DAY DECEMBER 7, 2017.

RICHARD B. LAMB
9541 MAISON CT.
MYRTLE BEACH, SC 29572
843-516-0468
PRO SE

DECEMBER 7, 2017

Richard B Lamb

DOUGLAS C. BAXTER
P.O. BOX 3646
MYRTLE BEACH, SC 29578
843-448-1008
ATTORNEY FOR RESPONDENT

12-12-17

SHELBY,

ENCLOSED ARE THE 6 COPIES OF
THE MOTION TO COMPEL DATED
DEC. 7, 2017 RECEIVED IN YOUR OFFICE
MON. DEC. 11, 2017. SORRY I MISSED
GETTING THE COPIES IN AT SAMETIME.

Best Regards,
Richard B Lamb
12-12-17

RECEIVED
DEC 13 2017
SC Court of Appeals

RICHARD B. LAMB
9541 MAISON CT
MYRTLE BEACH, SC 29572




U.S. POSTAGE
PAID
MYRTLE BEACH, SC
29572
DEC 12 17
AMOUNT
\$3.08
R2304N117042-13

1000 29211

SOUTH CAROLINA COURT OF APPEALS
JENNY ABBOTT KITCHINGS, CLERK
P. O. BOX 11629
COLUMBIA, SC 29211

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SC Court of Appeals

ATT: SHELBY

