

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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APPEAL FROM HORRY COUNTY  
COURT OF COMMON PLEAS  
THE HONORABLE BENJAMIN H. CULBERTSON  
CIRCUIT COURT JUDGE

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APPELLATE CASE NO. 2017-001381  
CIVIL ACTION NO. 2017-CP-26-0489

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**RECEIVED**  
DEC 19 2017  
SC Court of Appeals

Richard B. Lamb,

**APPELLANT,**

versus

State of South Carolina DMV,  
Office of General Counsel,

**RESPONDENT.**

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**RESPONDENT'S RETURN TO APPELLANT'S MOTION TO COMPEL  
INDICTMENT AND PROSECUTION**

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Appellant Richard B. Lamb has filed a motion with this Court titled "Motion to Compel Indictment and Prosecution" of Respondent State of South Carolina DMV, Office of General Counsel and its past and present directors Marcia Adams and Kevin Shwedo, and Financial Director Employee William C. Wannamaker. Respondent State of South Carolina DMV, Office of General Counsel objects to this motion because this Court lacks jurisdiction to undertake any such action.

Under S.C. CODE ANN. § 14-8-200(a), this Court “has jurisdiction over any case in which an appeal is taken from an order, judgment, or decree of the circuit court, family court, a final decision of an agency, a final decision of an administrative law judge, or the final decision of the Workers' Compensation Commission.” This jurisdiction, however, “is appellate only.” Id. This Court has no jurisdiction to compel a solicitor’s office to indict and prosecute state agencies and their employees. There is furthermore no procedure provided for Appellant’s outlandish request under the South Carolina Appellate Court Rules.

For the reasons set forth herein, Respondent State of South Carolina DMV, Office of General Counsel respectfully requests that this Court deny Appellant’s Motion to Compel Indictment and Prosecution.

Respectfully submitted,



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Douglas C. Baxter  
RICHARDSON, PLOWDEN & ROBINSON, PA  
Post Office Drawer 3646  
Myrtle Beach, South Carolina 29578  
(843) 448-1008

Carmen V. Ganjehsani  
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Post Office Drawer 7788  
Columbia, South Carolina 29202  
(803) 771-4400  
**ATTORNEYS FOR RESPONDENT  
STATE OF SOUTH CAROLINA DMV,  
OFFICE OF GENERAL COUNSEL**

December 18, 2017.

**CERTIFICATE OF SERVICE**

I, the undersigned, attorney for Respondent State of South Carolina DMV, Office of General Counsel, do hereby certify that I have this date served the foregoing Return to Motion to Compel Indictment and Prosecution, dated December 18, 2017, by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, addressed to counsel of record as indicated below:

Richard B. Lamb  
9541 Maison Court  
Myrtle Beach, SC 29572  
**Appellant *Pro Se***

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DEC 19 2017

SC Court of Appeals



Carmen V. Ganjehsani  
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**ATTORNEYS FOR RESPONDENT  
STATE OF SOUTH CAROLINA DMV,  
OFFICE OF GENERAL COUNSEL**

Dated: December 18, 2017.

Reply to: **Carmen V. Ganjehsani**  
Direct Dial: 803-253-8692  
cganjehsani@richardsonplowden.com

December 18, 2017

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**Re: *Richard B. Lamb v. State of South Carolina DMV, Office of General Counsel***  
**Appellate Case No. 2017-001381**  
**RPR File No.: 181-891**

Dear Ms. Kitchings:

I am enclosing for filing the original and six copies of the Return to Appellant's Motion to Compel Indictment and Prosecution in the above referenced matter, along with our Certificate of Service.

By copy of this letter, I am serving a copy of this Return on Appellant *pro se*.

Sincerely,



Carmen V. Ganjehsani

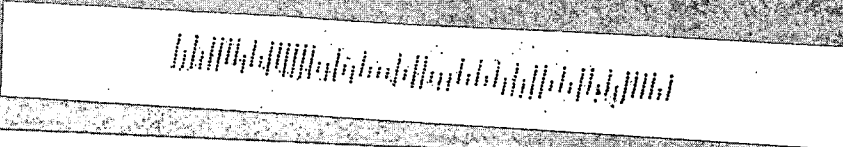
CVG/lmi

Enc.

cc: Richard B. Lamb (enc.)  
Douglas C. Baxter (FYI)

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181-891

**RICHARDSON**  
RICHARDSON PLOWDEN ROBINSON, P.A.  
**PLOWDEN**  
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