

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM SUMTER COUNTY  
COURT OF COMMON PLEAS  
James C. Campbell, Clerk of Court

RECEIVED

MAY 17 2018

SC COURT OF APPEALS

CASE NO. 2018-000097

John White, #80622 ..... Appellant,

v.

State of South Carolina ..... Respondent.

DESIGNATION OF MATTER

TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Exhibit (A) Release Date Screen;
2. Exhibit (B) Inmate Grievance Form;
3. Exhibit (C) Inmate Trust Fund Account Report;
4. Complaint;

I certify that this designation contains no matter which is irrelevant to this appeal.

MAY 10, 2018

s/ John White

John White, #80622

Turbeville CI/SA-132

1578 Clarence Coke Hwy

Turbeville, SC 29162

State of South Carolina

In The Court of Commons Pleas

County of Sumter

Third Judicial Circuit

John White, # 80622

CASE NO.

Plaintiff,

vs.

Petition To Sex offender Register

State of South Carolina

Defendant.

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JAN 16 2010  
SC Court of Appeals

The matter comes before the Court Requesting the Honorable Court to set a date for a hearing on the above matter. This matter concern the Plaintiff being put on the Sexual Registry by South Carolina Department of Corrections (S.C.D.C.).

Plaintiff submits this motion pursuant to the mandates that set forth in (Sex offender Register) History; Added by State Register Volume 20, Issue NO 7, eff. July 26, 1996.

#### STATEMENT OF CASE

Plaintiff is confined in the South Carolina Department of Corrections. On March 4, 1976, Plaintiff pled guilty in Sumter County and was sentenced by the Honorable Dan F. Laney, Jr. to consecutive term of (40) years for Rape, (5) years for Assault and battery and (15) years for Housebreaking and Larceny.

#### ARGUMENT

The Plaintiff is stating he should not be on the Sex offender Register because of the follows reasons:

1. Plaintiff Comitted his crime in the year of 1976. That Law sex offender Register (did not) exist At that time.

2. It was not in effect when Plaintiff committed his crime.

3. This law came in effect (20) years AFTER Plaintiff committed his offense.

4. When Plaintiff was on parole he was not on (NO) Sex Register.

5. This violated Plaintiff Constitution Right by Apply this Version of Section Sex offender Register when it was not in effect At the time he committed his offense.

6. This is Double Jeopardy

#### QUESTION

So how this law be applicable on a person after he/she did there crime (20) years before this law came in effect?

#### RELIEF SOUGHT

1. Plaintiff do not be on the Sexual Registry.
2. Order for SCDC to Remove it from the Plaintiff Management System Release date Screen.

#### CONCLUSION

FOR the Reason stated, Plaintiff ASK the Honorable Court to grant the Relief Sought.

Respectfully Submitted,

S/ John White

John White #080622

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM

Exhibit(B)

STEP 1

6-29-15

INMATE NAME: <u>John White</u>	<b>OFFICE USE ONLY</b>
SCDC NUMBER: <u>080622</u>	Grievance No. <u>TCL-0208-15</u>
INSTITUTION: <u>Turbeville</u>	Code: General _____
HOUSING UNIT: <u>SA-132</u>	Policy _____
WORK ASSIGNMENT: <u>Dorm</u>	Disc. Hear. _____
	Class. <u>CL</u>
	PREA _____
	Date Received <u>6-29-15</u>
	IGC Initials <u>PC</u>

**STATEMENT OF GRIEVANCE** (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.) Author: (018013) Kiosk

On my SCDC offender management system release date screen, said Sexual Registry---Y and sexual Predator, pending. The reason why I am asking this question, because this do not apply to me by Law, (Sex offender Register) History; Added by state Register volume 20, Issue No. 7, eff. July 26, 1996. I committed my crime in 1976. And that Law "sex offender Register (did not) exist at that time. It was not in effect at the time I committed my crime. So tell me why sex Register---Y is on my Record? Also when I was on parole I did not ~~have~~ on (NO) sex Register. So how can SCDC Applicable A LAW ON A PERSON AFTER he/she have committed there crime and that Law did not exist? What Law said AFTER A person have committed there crime (20) years before this Law came out, that it also applicable to him/her? Classification Response dated 6/25/2015 1:29 pm, Author (018013), Pending sex pred. Review and yes for sexual Registry. Did not answer my question, I know that Sexual Registry---Y is on my Record. "That the problem"

Respectfully Submitted,

John White 6/28/15  
Grievant Signature Date

**ACTION REQUESTED:** make the necessary corrections, saying the above matter have been change from my Record.

**ACTION TAKEN BY IGC:**  PROCESSED  UNPROCESSED  OTHER

Your grievance is being returned unprocessed. Per GA-01.12, "Inmate Grievance System", 8.4 Any issue outside the control of the Department, 8.4.2 State and federal law and regulations is a non-grievable issue. I suggest you contact your attorney or the court that issued your sentence for further questions or concerns.

Coker 7/13/15  
IGC Signature Date

(CONTINUE ON REVERSE SIDE)

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OCT 05 2017

**INMATE TRUST FUND ACCOUNT REPORT  
for SOUTH CAROLINA COURT FILING FEES**

**INSTRUCTIONS TO INMATE:** Complete top portion then give to your mailroom. When returned from Accounting, you must mail this form with ~~all papers~~ <sup>all papers</sup> to the Court.

By signing my name below, I am asking the Financial Accounting Office of the South Carolina Department of Corrections to complete this report. In accordance with SC Code of Laws §24-27-100 and 150, I authorize payment of the full filing fee. If I have insufficient funds in my account at this time to pay the court's full filing fee, I authorize SCDC to deduct the initial and subsequent payments until payment is completed. \$ 150.00

INMATE NAME (print): John white SA-132

SCDC# 080622 INMATE SIGNATURE: John white

I plan to file this action in the SC County of Richland And Sumter

The section below is for SCDC - Financial Accounting Branch's use ONLY.

- (1) Total deposits to inmate's account for preceding six months' period\* ..... \$ 0.06
- (2) Twenty percent (20%) of line 1 ..... \$ 0
- (3) Account balance - current date ..... \$ 15.05 (\*Previous hold on 15.00)
- (4) PAYMENT AMOUNT \*\*  
(lesser of line 2 or line 3)  
Enclosed check # ..... \$ 0

**\*\*NOTE to COURT:** If payment is for partial fee, Court must notify SCDC once case is accepted and filed. Send notice with case # and balance owed to address below. SCDC will NOT process any additional payments until notification is received from Court.

South Carolina Department of Corrections  
Financial Accounting - Room 234  
PO Box 21787  
Columbia, SC 29221-1787

\*Admission date is noted here if inmate incarcerated less than six months    /   /   

Peggy Cawthon  
Prepared by Financial Accounting Branch - SCDC

10/9/17  
Date ©filectrust® prepared 7.97

Exhibit (C)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Exhibit(B)

INMATE GRIEVANCE FORM

STEP 1

6-29-15

INMATE NAME: <u>John White</u>	OFFICE USE ONLY
SCDC NUMBER: <u>080622</u>	Grievance No. <u>TC1-0208-15</u>
INSTITUTION: <u>Turbeville</u>	Code: General _____
HOUSING UNIT: <u>SA-132</u>	Policy _____
WORK ASSIGNMENT: <u>DORM</u>	Disc. Hear. _____
	Class. <u>CL</u>
	PREA _____
	Date Received <u>6-29-15</u>
	IGC Initials <u>RC</u>

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.) Author: (018013) Kiosk

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John White 6/29/15  
 Grievant Signature Date

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Coker 7/13/15  
 IGC Signature Date

(CONTINUE ON REVERSE SIDE)

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In The Court of Appeals

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APPEAL FROM SUMNER COUNTY

MAY 17 2018

Court of Common Pleas

SC Court of Appeals

James C. Campbell, Clerk of Court

CASE NO. 2018-000097

John White, #80622

Appellant,

v.

State of South Carolina

Respondent.

PROOF OF SERVICE

I certify that I have served Appellant's initial brief and designation of matter in accordance with Rules 208 and 209 on Alan McGahey Wilson, Esquire by depositing a copy of it in the United States Mail, postage prepaid, on May 10, 2018, addressed to Alan McGahey Wilson, Dennis Bldg, P.O. Box 11549, Columbia, SC 29211.

May 10, 2018

S/ John White

John White, #80622

Turbeville CJ / SA-132-B

1578 Clarence Coker Hwy.

Turbeville, SC 29162

South CAROLINA Court of Appeals

The Honorable Jenny Abbott Kitchings, Clerk

P.O. Box 11629

Columbia, SC. 29211

MAY 10, 2018

RE: John White v. The State

Appellate Case No. 2018-000097

Dear Honorable Kitching:

Enclosed for filling is Appellant's initial brief and designation of matter in accordance with Rules 208 and 209 of the South Carolina Appellate Court Rules. Also enclosed are the following: 1. Proof of Service, 2. Exhibit (A) (B) and (C).

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MAY 17 2018

SC Court of Appeals

Sincerely,

*s/ John White*

John White, #80622

TURBEVILLE CI./SA-132-B

1598 CLARENCE COKER HWY.

Turbeville, SC. 29162

CC: Alamo McCrory Wilson, Esquire

Dennis Bldg, P.O. Box 11549

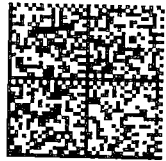
Columbia, SC. 29211

John White, # 080622

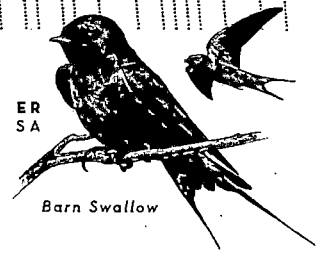
TURBEVILLE C.I./SA-132-B

1578 CLARENCE COKER HWY

TURBEVILLE, SC 29162



UNITED STATES POSTAGE  
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SA

Barn Swallow

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MAY 17 2018

SC Court of Appeals

SCDC  
Christmas  
Packet

The Honorable Jenny Abbott Kitchings, Clerk

South CAROLINA COURT OF APPEALS

P.O. BOX 11629

COLUMBIA, S.C. 29211