

Dear Clerk please clock, stamp and  
file this and have heard on  
the Docket please by the  
Courts to address issues  
Have a blessed day!!!!  
(psalms 133)

please do notify me this has been filed  
Thank

**RECEIVED**

JUN 01 2018

**S.C. SUPREME COURT**

# Notice

## Why Lower Courts rulings wrong

The Enclosed Arguments are  
The reason the lower courts determination  
was improper and its proven why in this  
Argument presented to this courts to be  
Considered.

Notice why case shouldn't be  
Dismissed under Hudson v. Hudson, 290 S.C. 215, 349  
S. E. 2d 341 (1986)!

① The reason why this case  
shouldn't be dismissed according to Hudson v. Hudson

is because Hudson v. Hudson wouldn't apply to me due to  
the fact I have never been indicted for Armed Robbery so  
the Courts have no Jurisdiction to apply Hudson v. Hudson to me  
because if law was followed and my Constitutional rights of 5th and  
14th Amendment Due Process and Right Not to be held to answer for a Capital  
crime unless on presentment of a Grand Jury Indictment (no grand jury ever indicted me) Jurisdiction stops all  
proceedings until solved (See Indictment 07-GS-17-0364 Armed  
Robbery Indictment, see sentencing sheet for James  
Cabbagestalk) and the rule 59(e) was filed in  
PCR Courts not S.C. Courts of Appeals this is also why  
this case shouldn't be dismissed do to the clerks misinter-  
pretation of which Courts it was filed in but never addressed  
by Judge Jim Michael Bailey And this case holds a person never been legally  
indicted falsely imprisoned BY Shakeen Cabbagestalk 5/25/18

Shahen Cabbagestake  
(without prejudice UCL-2021)

v.

State,

Appellate Case no.  
2018-000885  
lower court case no.  
2016 CP 1700013

Motion to  
VACATE  
Sentence  
and Grant  
Relief  
Askeed

I respectfully Cometh to this Court  
to Grant Relief According to Reasons following:

- ① I never been Indicted for Armed Robber 16-11-33000  
Indictment # 07-GS-17-0364 Indictment is  
Inclosed I ask a thorough Investigation of this Court  
with prove I've never been Indicted (if) this Courts can  
find I have been Indicted for Armed Robbery  
I'll accept sentence (if) Indictment by my NAME, (if) not  
I ask sentence Be immediately VAcated as well  
see sentencing sheet not for me I'm not James Cabbagestake
- ② It would be a (mis carriage of Justice) for this Courts to  
see Indictments and know (Shahen Cabbagestake) never been Indicted  
for Armed Robbery and to turn a blind eye to a clear Constitution  
violation (No person shall be held to answer for a Capital or  
Otherwise Infamous Crime (unless) on presentment of a grand  
Jury Indictment) ③ SCDC has a policy of-21.09 Inmate Records plan  
policy states # 2.6, 2.8, 2.5. SCDC can't accept one for bedding if  
sentencing sheet don't reflect proper Name (SCDC got no jurisdiction to  
horse me per their policy this defines kid napping and prescribes me.
- ④ I ask this Courts to give a clear ruling on the Armed Robbery Indictment and  
sentencing sheet who NAME on it, who its for and Grant relief
- ⑤ Grant relief from illegal sentence I'm not James Cabbagestake. But Shahen Cabbagestake.

State of South Carolina  
IN THE SUPREME COURT

---

Shabean Cabbagestalk  
Appellate

v.  
State of  
South Carolina, Respondent

---

Appellate Case No. 2018-000885

---

Shabean Cabbagestalk  
cc: ~~Alan~~ Mc Croy Wilson, Esquire

# Document In Support of Argument

- ① preliminary hearing request
- ② Indictments § 16-11-330(a) (07-GS-17-0364), 07-GS-17-0363 A/B/W/P/K
- ③ 2 pg. Documents march 7<sup>th</sup> 2008, March 28<sup>th</sup> 2008 from prosecution Division Jennifer D. Evans (Case not a Grand Jury Case)
- ④ pg. 45 and pg. 46 of PCR transcript May 15<sup>th</sup> 2012 before Judge J. Michael Baxley (Cover sheet to May 15<sup>th</sup> 2012 PCR case for witnesses (James Cabbagestalk and Shaheen Cabbagestalk))
- ⑤ PCR Case Cover sheet to transcript May 15<sup>th</sup> 2012 Exhibit plea Agreement 2 pg. # 17 (encl) Included
- ⑥ July 29<sup>th</sup> 2013 letter by Susan B. Hancock
- ⑦ July 26<sup>th</sup> 2007 pg. 6 of transcript
- ⑧ Sept. 12<sup>th</sup> 2012 letter from Clerk on Rule 59(e)
- ⑨ DNA Application
- ⑩ PCR Subpoenas refused in case 2016-cp-17013 unless pay (prose)
- ⑪ Complaint paper work Against (Judge J. Michael Baxley)
- ⑫ Notice of Intent to Appeal Case: 2016-cp-17-00013, objection to order of Dismissal order to Grant Relief Asked in PCR, objection to Return and final Dismissal order, Request for Hearing, Rule 59(e), Rule 60(B) and demand for hearing, Amend of Rule 60(B) motion on record

# ARGUMENT

① It is well established I am Not (James Cabbagestalk) and the Judge Amended an dropped Indictment (A/B/W/I/K) and left the Armed Robbery Indictment for (James Cabbagestalk) Perm

Shehen Cabbagestalk (April 27th 2009) Bathwith Hudgins said in a letter the sentence being sheet reflects the wrong NAME (James Cabbagestalk) The court will decide if Judge properly Amended indictment having Smith please session AFTER I proved I'm not James Cabbagestalk the amendment only appears on Dropped A/B/W/I/K

② The Indictments are Inclosed and the s.c. supreme court is asked to vacate this sentence of 18 yrs do to negotiated (10 yrs. Inclosed plea Agreement that solicitor didn't give to my attorney and admits by record (July 2007 Transcript Lines 16-18), I also was told the s.c. supreme court has to vacate this plea In order to receive a different sentence see letter from attorney Susan B. Hackett dated (July 29th 2013) (So I ask this courts vacate (18 yr) sentence and time credit for time in prison I'll accept 10 yrs. (IF) that I've never been indicted until this very days and told if anytime it won't be more than 10 yrs. I'm not to be in courts told by attorney Manning.

③ I filed for a preliminary hearing didn't get it do to assumption I was (James Cabbagestalk) which is clear I'm not him therefore if preliminary hearing was had I'd be free of charges and free home with family, I see this courts vacate sentence (time served 10 yrs sentence plea to Armed Robbery) or vacate sentence do to it being the fruit of poisonous tree from warrants for James Cabbagestalk.

④ per Missouri vs Freye and Waller v Cooper cases this 18 yr plea should be vacated sentence to and with prejudice either released @ or time serve for 10 yrs sentence plea to Armed Robbery (but) how can this courts accept plea for me (IF) I never been charged for breaking the law for A § 16-11-330(A)? I ask vacate & release pleas.

⑤ This entire situation of me being held since (2007) never being indicted until this very day for Armed Robbery which I'm falsely imprisoned for and need be immediately by this courts released out these custody there no proof (STATE) got an indictment # 07-CR-17-0364 for me say shehen Cabbagestalk.

⑥ The indictments are No Good (true Bill 03-1-07) by one person (Astley Hill) grand jury foreman the Grand Jury convened (3-5-07) (4) Days later which is illegal practice and ABUSE of Grand Jury Imprachment Proc

⑦ During all periods All Appeals I never had an full B,7e  
of the Appre which per. Cherry v. State I'm guaranteed all  
PCR Issues weren't addressed in (2010-cp-17091) (Nor) (2016-cp-17-00  
-13) Applications and ask this Courts to Consider Granting  
Relief do to (mis identification of me) since 2007, being the Courts ignore issues.

⑧ It's the solicitor Mr. Edward E. Redmond fault that the plea offer  
wasn't received by J. David Watson who represented me, Glenn B. Mannin  
told me I wouldn't get no more than 10 yrs. If that I'm not suppose to be in  
the Court room they have no subject matter Jurisdiction I haven't been Indicted.  
I ask this Courts according to (Missouri v. Frye) and (Lafler v. Cooper) I be granted  
Relief from 18 yrs. to 10 yr Plea that's negotiated And (I) am advising the  
Courts I'll take Now with time credited to ward it Now I'll accept it.  
(See App. 245 line 18-23) (App. 268, line 5-9 App 268 line 20-22 Mr. Mannin said  
he believed it was an offer of eight years he allege there was no discussion about  
a plea or any time frame (But) then on cross examination he testified he recalled  
8 yrs. (App. 276 lines 7-15) (See bottom footnotes pg. 7 Johnson petition  
writ of certiorari By Susan B. Hackett.

⑨ Warrants were for (James Cabbage stalk) which the Indictments  
Reflect same name and was found out it wasn't me At  
trial, PCR Courts, and still until this very day I have not been  
indicted for Armed Robbery (see 07-GS-17-0364).

⑩ The sentencing sheet is for (James Cabbage stalk) (No A.K.A.'S)  
And the Judge never sentenced (Shabean Cabbage stalk to no time in  
SCDC this Courts have Jurisdiction to vacate this case with prejudice  
the wrong man is incarcerated and been SWA (2007).

⑪ You can't true Bill an Indictment before the Grand Jury convenes on  
it (see 16-11-1330 A Armed robbery Indictment) True Billed 3-1-07  
By Ashley Hill Grand Jury foreman the grand Jury Allegedly  
convened 3-9-07 (4) DAYS later the indictments clearly prescribe  
me (not) for me and this Courts should vacate sentence with prejudice.

⑫ the Armed Robbery statute 16-11-330(A) is in conflict with (Ex post facto violation)! 7 yr.  
Entitled to parole per section (A) which yet to be repealed (or) language taken out  
and goes from lesser punishment to Greater as Tennessee v. State. 500100

→ continued |

This is a clear definition of a (Ex post facto) violation. An Ex post facto violation occurs when a change in the law retroactively alters the definition of a crime (or) Increases the punishment for a crime, U.S.C.A. Const. Art. 1, § 10, Cl. 1; Const. Art. 1, § 4, If a statute effectively increases the quantum of punishment, then the retroactive application is Unconstitutional). Jernigan v State cites 531 S.E.2d 507 (Ex post facto violation) and (Unconstitutional sentence). I ask this courts vacate sentence (See § 24-13-150 and 16-11-330(A)) statute are to be read in its plain language

13) The Alleged Guilty plea is (VOID): You can't accept a plea for something I never been indicted for, In effective counsel for failure to communicate the plea to me for my best interest, the §16-11-330(A) is an unconstitutional statute to be sentenced under it violates (Ex post facto) Jernigan v State U.S.C.A. Const. Art. 1, § 10, Cl. 1; Const. Art. 1, § 4 see State v. Grimm cites 533 S.E.2d 329 (S.C. 2000), (see S.C. Code Ann. §17-19-10 (1985), State v. Munn, Hopkins v. State, 317 S.E.2d 389 (1994) The courts lack subject matter jurisdiction to try me for the Armed Robbery charge, (see Beachum v. State 320 S.C. 366, 465 S.E.2d 358 (1995); State v. Munn 292 S.C. 497, 357 S.E.2d 461 (1987); State v. Beachum, 288 S.C. 325, 342 S.E.2d 597 (1986), Wong Sun v. United States 371 U.S. 471 (1963) fruit of the poisonous tree Doctrine, State v. Bultron 318 S.C. 323 457 S.E.2d. 616 (Ct. App. 1995). Do to these violations I deserve relief.

This courts have Jurisdiction to Here this as I was told by Susan B. Hackett

Conclusion: VACATE sentence with prejudice and free Shakeem Cabbage immediately, vacate plea and allow negotiated 10 yr plea be allowed which I thought I'd receive and time served toward it. I ask this I was told by Attorney Susan B. Hackett this courts have to be the courts to overturn this see July 29th 2013 letter enclosed. BY: Shakeem Cabbage 11/21/18

RECEIVED  
MAR 06 2007

### NOTICE OF RIGHT TO PRELIMINARY HEARING

STATE OF SOUTH CAROLINA )

UNIFORM WARRANT NUMBERS:

COUNTY OF \_\_\_\_\_ )

1. K-129670 3. K-129668 5. \_\_\_\_\_  
2. K-129669 4. \_\_\_\_\_ 6. \_\_\_\_\_

Mr./Ms. Shahen Cabbagestalk, you are charged with \_\_\_\_\_

and you may be entitled to a Preliminary Hearing. You must request a Preliminary Hearing within ten (10) days of this notice or lose your right to such hearing. You may request such hearing by completing the lower left section of this notice and returning it to the Court either in person or by mail to the following address:

**Central Court  
P.O. Box 1016  
Dillon, South Carolina 29536**

I request a Preliminary Hearing.

Defendant: Shahen Cabbagestalk

Address: 1027 Old Latta Hwy.  
Dillon S.C. 29536

My Attorney is: \_\_\_\_\_

SCCA/512 (1/91)

NOTICE GIVEN BY:

\_\_\_\_\_  
(Judge)

\_\_\_\_\_  
(Date)

FOR COURT USE ONLY:

Date Request Received: \_\_\_\_\_

By: \_\_\_\_\_

1/28/07

To,

Whom it may concern in Central courts  
I am requesting for my preliminary hearing  
to be held A.S.A.P. I've also already

filled out my Notice of Right to a  
Preliminary Hearing Rights Form. I have

copies of all my paperwork from the

warrant's which are Bogus. Down to

my supposeabley Bond papers which

are Bogus and forgeed and with signed

or initialed by me or any court

DATE PERIOD. It was forged by a Dillon

County Jailor and still my name is not

correct on there. Also there was no Bond

set for me it was set for James Gernard

and who is that? I have no idea. This

is why a preliminary hearing needs to

be held A.S.A.P. I am going to (see)

the Judges, the police officers and Dillon

County for making me suffer. I have

lost my job and under a lot of stress

and a lot of weight, been harassed by

RECEIVED  
MAR 06 2007

10505

2) \* W. JACKSON

The federal guy, and Investigator Campbell and Douglas Powell, Judge Aren't Bylaw to be used for (Rubber stamps)

to sign warrants knowing there Bogus to attempt to convict or harass or jail anyone. There's 3 Different Names

Involved in my Paper work which is All Bogus and not me and this info is fact's of my case. The statutes for any other Bogus, fake things these officers can come up with is out Dated Bylaw. Also Before Anyone in Dillon County is

Arrested they are suppose to be read there rights which also make this arrest on law full, Careless, and unproper and rights paper work is suppose to be signed.

Also you are suppose to be present at your Bond Hearing to be able to sign. Date, an initial, your Bond paper work. An Court

Date is also suppose to be set by the Judge. No Careless and unproper Bond paper work is to be done. An Hold a person in Dillon County Jail. Its not Law for a police office

to lock up a man with some warrants say some one else name but the Police get you.

③ I am being force in Dillon County Jail facility under All bogus paper work by police, And Judges. After this preliminary Hearing I will be serving Dillon County the Judges and all officers involved. I ask that this preliminary hearing be held soon as possible and I can show the facts of my case to whom need be. But until then I will be prepared to contact District Courts in Georgia for all law suit paperwork and what ever else is need. Do know that there's copies made of this letter to numerous Bogusness can be tolerated by Dillon County officials and conductress. And even this letter will be dated and do know this is my request again for my preliminary hearing. This is why copies are being made and the District Courts should be notified of this conductress. And ~~False Arrest and Judgment~~ Dillon County doing to people.

THE STATE OF SOUTH CAROLINA )  
COUNTY OF DILLON )  
SHAHEEN CABBAGESTALK )  
APPLICANT, )  
VERSUS )  
THE STATE OF SOUTH CAROLINA )  
RESPONDENT. )

IN THE COURT OF COMMON PLEAS  
FOURTH JUDICIAL CIRCUIT

May 15, 2012

2011-CP-17-0091

↑ not proper  
Case to be  
Ruled on for me!!

PCR transcript  
Rulings

BEFORE  
THE HONORABLE J. MICHAEL BAXLEY

APPEARANCES

J. Andrew Johnson, Sr., Esquire  
Attorney for The Applicant

Heather M. Cannon, Esquire  
Attorneys for the Respondent

Pamela Ozment-Cartee  
Circuit Court Reporter

Welcome by the Court

Page 03

Procedural History  
given by the Attorney General

Page 06

Allegations by Applicant at PCR

Page 06

WITNESSES

NAME

DIRECT

CROSS.

REDIRECT

Shaheen Cabbagestalk

08

28

James Cabbagestalk

44

None

Glenn Manning

47

58

2 totally  
Different people  
Proof I'm  
not  
James Cabbagestalk

Ruling of the Court

Page 63

Certificate of Reporter

Page 67

EXHIBITS

Applicant's 1 Plea Agreement

Page 17

Court's 1 Packet of material

Page 47

Proof there  
was a Plea  
Agreement

Indictment for him  
Sensencing sheet for him

JAMES CABBAGESTALK - DIRECT EXAMINATION

James Cabbagestalk Testifying

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clients. That would be the extent of his testimony. I ask if we could stipulate to that, but I think we can't.

THE COURT: All right. Please call your next witness.

~~MS. CANNON:~~ It will be very briefly. I call James Cabbagestalk to the stalk.

THE COURT: Please come forward and take the oath of a witness. ~~VERY IMPORTANT~~

WHEREUPON, JAMES CABBAGESTALK

AFTER BEING DULY SWORN TESTIFIES AS FOLLOWS

MR. CABBAGESTALK: Yes.

MS. CANNON: Thank you, Your Honor.

my uncle testify his name

DIRECT EXAMINATION BY MS. CANNON

Q. Mr. Cabbagestalk, would you please state your full name for the record, and spell it for the Court?

A. James Cabbagestalk, Jr. (J-A-M-E-S C-A-B-B-A-G-E-S-T-A-L-K, JR.)

Q. Do you have a middle name?

A. No, ma'am.

~~Q.~~ Can you tell the Court what your relationship is with Mr. Shaheen Cabbagestalk?

~~A.~~ Ah, that's my nephew. His mother's name is Joyce, and she is my sister.

~~Q.~~ Do you know if Mr. Shaheen Cabbagestalk was James Cabbagestalk?

~~A.~~ No, his name is not James, (that is for sure.)

1 Q. Are you familiar with the warrants that were issued in  
 2 the underlying case that had Mr. Cabbagestalk --- that  
 3 name --- that affected you; is that accurate?

4 A. Yes ma'am. My boss wife heard it. She called him up and  
 5 asked him was I locked up. He called me. I'm in Chicago  
 6 and I told him you got the wrong one, that's not me.

7 Q. No one ever tried to arrest you over those indictments or  
 8 anything like that?

X 9 A. No.

10 Q. They got his name wrong as far as you are concerned; is  
 11 that correct?

X 12 A. Yes, ma'am.

13 MS. CANNON: I don't have any further questions for  
 14 you. Please answer any questions that the Attorney General  
 15 has or the Court may have.

16 THE COURT: Cross examination?

17 MR. JOHNSON: I don't think I have any questions.

18 THE COURT: Very good. Then we will let you step down,  
 19 and you are released from subpoena, you are free to go if you  
 20 wish, Mr. Cabbagestalk.

21 MR. CABBAGESTALK: All right. Thank you.

22 THE COURT: You have a good day.

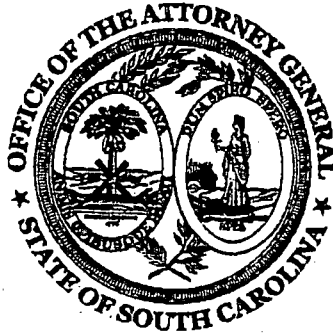
23 MR. CABBAGESTALK: You too.

24 (Whereupon, counsel for the applicant has a  
 25 discussion with her client off the record.)

EXhibit

②

Asked About  
Country indictments



HENRY McMASTER  
ATTORNEY GENERAL

See Date  
March 26, 2008

Requested  
Documents

Mr. Shaheen Cabbagestalk #295567  
Lieber Correctional Institution - B-133  
Post Office Box 205  
Ridgeville, South Carolina 29472

Dear Mr. Cabbagestalk:

I am in receipt of your letter to our office regarding your request for documents.  
However, this was not a grand jury case therefore our office does not have any documents  
regarding your case. Additionally, our office can not give legal advice you should speak to an  
attorney.

Sorry I could not be of further assistance with this matter.

Sincerely,

*Jennifer D. Evans*

Jennifer D. Evans  
Chief, Prosecution Division

JDE/mlj

EXHIBIT

1



HENRY McMASTER  
ATTORNEY GENERAL

See Dates requested  
Documents  
March 7, 2008

Mr. Shaheen Cabbagestalk #295567  
Lieber Correctional Institution - B-133  
Post Office Box 205  
Ridgeville, South Carolina 29472

Dear Mr. Cabbagestalk:

I am in receipt of your letter to our office regarding your request for documents.  
However, this was not a grand jury case therefore our office does not have any documents  
regarding your case. Additionally, our office can not give legal advice you should speak to an  
attorney.

Sorry I could not be of further assistance with this matter.

Sincerely,

*Jennifer D. Evans*

Jennifer D. Evans  
Chief, Prosecution Division

JDE/mly

EXHIBIT

Sent on this date

clerk of courts FAX #

STATE OF SOUTH CAROLINA

County of Dillon

INDICTMENT #07GS17-0364

Date indicted

At a Court of General Sessions, convened on March 05, 2007 the Grand Jurors of Dillon County present upon their oath:

COUNT:

ARMED ROBBERY  
16-11-330 (A)

offense

for him not well

That James Cabbagestalk in the County of Dillon on or about January 01, 2007, violate Section 16-11-330 of the Code of Laws of South Carolina (1976), as amended, while armed with a deadly weapon, to wit: a handgun, did feloniously take from the person in the presence of Wayne Dillard, by means of force or intimidation goods or monies of the said Wayne Dillard, such goods or monies being described:        in cash and a        valued at       

Against the peace and dignity of the State, and contrary to the statute in such cases made and provided.

SOLICITOR:

↑  
Head Solicitor  
Signature

# EXHIBIT #25

WITNESSES

John Willie Brown  
Dcso

---

ARREST WARRANT #:  
K129668  
Arrested on January 12, 2007

---

ACTION OF GRAND JURY  
**TRUE BILL**

---

Foreman: *Dobley #10*  
Grand Jury  
3-1-07

---

VERDICT

---

Foreman: Petit Jury

Date: \_\_\_\_\_

DOCKET #: 07GS17-0364

THE STATE OF SOUTH CAROLINA  
County of Dillon

---

COURT OF GENERAL SESSIONS  
Term: March, 2007

---

THE STATE  
vs.  
James Cabbagestalk

---

INDICTMENT FOR  
0139  
ARMED ROBBERY  
16-11-330 (A)

The date she sent this to my Direct Appeal Attorney

in Dillon SC  
Gwen T. Hyatt  
FAX machine #  
ms. kathrineltudgins

STATE OF SOUTH CAROLINA )  
County of Dillon )

INDICTMENT #07GS17-0363

At a Court of General Sessions, convened on March 05, 2007 the Grand Jurors of Dillon County present upon their oath:

COUNT: ASSAULT AND BATTERY WITH INTENT TO KILL (16-3-620)

That James Cabbagestalk, aka ~~Stabson Rannal Lobbozstalk~~, in the County of Dillon on or about January 01,

2007, violate Section 16-3-620 of the Code of Laws of South Carolina (1976), as amended, in that he with malice aforethought, committed an assault and battery upon one Wayne Dillard by hitting the victim in the face with a gun, with intent to kill the said Wayne Dillard.

Against the peace and dignity of the State, and contrary to the statute in such cases made and provided.

SOLICITOR:

*[Signature]*

The only Amended Indictment Reason why Amended

Amended on the record after the Guilty Plea entered because Defendant contended that was his real name although NCIC and other records, including Social Security Number, showed otherwise.

*[Signature]*  
Presiding Judge,  
May 28, 2007

WITNESSES

John Willie Brown

Dcso

ARREST WARRANT #:

K129669

Arrested on January 12, 2007

ACTION OF GRAND JURY

TRUE BILL

Foreman:

*Ashley Hico*  
Grand Jury

3-1-07

VERDICT

Foreman:

Petit Jury

Date:

DOCKET #: 07GS17-0263

THE STATE OF SOUTH CAROLINA

County of Dillon

COURT OF GENERAL SESSIONS

Term: March, 2007

THE STATE

vs.

James Cabbag stalk

FILED  
GWEIN T. RYATT  
2007 AUG 28 PM 3:46  
CLERK OF COURT  
DILLON COUNTY

INDICTM

ASSAULT AND BATTERY WITH INTENT TO KILL

(16-3-620)

*N/P pled to  
other.  
L J R O  
8-27-07*

EXHIBIT

The very 1st indictment

STATE OF SOUTH CAROLINA )  
County of Dillon )

INDICTMENT #07GS17-0364

got in my  
Rule 5  
NOTICE  
Bill stamp  
of Solicitor  
Signature  
or grand j  
Prosecution

At a Court of General Sessions, convened on March 05, 2007  
the Grand Jurors of Dillon County present upon their oath:

COUNT: ARMED ROBBERY  
\* [redacted] 16-11-330 (A) →

not for me  
I'm Shaheen R. Cabbagestalk

That James Cabbagestalk in the County of Dillon on or about January 01,  
2007, violate Section 16-11-330 of the Code of Laws of South Carolina (1976), as  
amended, while armed with a deadly weapon, to wit: a handgun, did feloniously  
take from (the person) <sup>who?</sup> in the presence of Wayne Dillard, by means of force or  
intimidation goods or monies of the said Wayne Dillard, such goods or monies  
being described: cash in cash and a [redacted] valued at \$100.00.

Against the peace and dignity of the State, and contrary to the statute  
in such cases made and provided.

SOLICITOR: \_\_\_\_\_

3 Different stories

~~\_\_\_\_\_~~

\* from <sup>incident report</sup> 145 pds to 200 pds in 11 days impossible.

\* Incident Report contradicts this

\* NO Grand Jury Foreman  
Signature

\* NO True Bill  
stamp

original

EXHIBIT

State of South Carolina  
Office of the Solicitor  
Fourth Judicial Circuit

Defendant:

James Shabren Cabbreestalk

A/K/A "Woody"

### Guilty Plea Offer

Solicitor:

JH MTJ-L JRJ KH EM KR SB WR NS TL PM

Attorney:

Watson

Don't say my name

never seen until after

Charge	Indictment Number	Possible Sentence
Armed Robbery		10-30 yrs
ARWIK		< 20 yrs
Petty Larceny		< 30 days

Mr. J.D. Watson with the attorney had been Attorney Glen Mann

Offer Date: 2-26-07

Offer By Solicitor: Plea to AR, all other charges concurrent (10 yrs)

← Negotiate time. Right HERE

Recommended:

Negotiated:

Accepted:

Rejected:

ser what this say

Date: \_\_\_\_\_

Defendant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Attorney's Signature: \_\_\_\_\_

Date: 2-26-07

Solicitor's Signature: [Signature]

Accepted by the Court on the 26th day of February 2007



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

... it is to show  
he did receive plea offer  
But held until after trial  
Sent in files to me

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

July 29, 2013

Mr. Shaheen Cabbagestalk, #295567  
Lee Correctional Institution  
990 Wisacky Hwy  
Bishopville, SC 29899

Re: Your case  
Our file no.: 12-431

Dear Mr. Cabbagestalk:

Thank you for your recent letter. Your letter again addresses your contention that Mr. Manning failed to convey a plea offer to you. However, your letter acknowledges that the plea offer that you allege Mr. Manning failed to convey is the same offer that Mr. Manning never got. How could he convey an offer to you if he never received it? Your letter asks me to obtain the complete file of J. David Watson. At this time, I do not need Mr. Watson's file to represent you in the PCR appeal. If I determine at a later date that I need the entire file, I will request it. Your letter states "you know your record of all the writ of certioraris you've won how can you not keep up?" I do not maintain a list of successful and unsuccessful cases. Your letter instructs me to get Solicitor Kernard Redmond's address and phone number so that you and I can contact him. If I need to contact Mr. Redmond, I will do so. You want Mr. Redmond to contact the courts regarding the plea offer that was not transmitted to your Mr. Manning. As I've explained, we cannot present evidence that was not presented below. We can only use the transcript and exhibits from the PCR hearing and your guilty plea. You have entered a guilty plea and received a sentence. There is nothing Mr. Redmond could do in your case at this point. (You will need the Supreme Court to vacate your plea in order for you to receive a different sentence.)

*Notice this*

Please find enclosed a copy of your letter and all the enclosures you provided with it. This is per your request in the letter.

Sincerely,

*Susan B. Hackett*

Susan B. Hackett  
Appellate Defender

Enclosures: Recent correspondence & enclosures

1 THIS CASE AND HE ADVISED ME THAT AT THE TIME THEY ARRESTED  
2 HIM ON THE 12TH HE ACTUALLY ATTEMPTED TO RUN AWAY AND THEY  
3 HAD TO ACTUALLY CATCH HIM. AS A MATTER OF FACT, WHEN THEY  
4 ENCOUNTERED HIM HE TRIED TO RUN BUT THEY WERE ABLE TO CATCH  
5 HIM.

6 THE COURT: TELL ME WHAT YOUR, WHAT YOUR COURT  
7 SCHEDULE IS? HOW OFTEN DO YOU HAVE COURT, MR. REDMOND?

8 MR. REDMOND: WE HAVE COURT ON AVERAGE ONCE A  
9 MONTH. NOW THIS TERM WE WENT TWO MONTHS IN BETWEEN BUT  
10 NORMALLY IT AVERAGES TO ABOUT ONCE A MONTH, ONCE EVERY  
11 MONTH AND A HALF. WE'VE GOT THREE TERMS LEFT AFTER THIS  
12 TERM, THE 27TH OF AUGUST, THE 15TH OF OCTOBER, AND THE 26TH  
13 OF NOVEMBER.

14 THE COURT: LET ME SEE THAT, MADAM CLERK?

15 MR. REDMOND: AND, JUDGE, I DIDN'T MENTION BUT  
16 IT APPEARS IN REVIEWING THE FILE I ACTUALLY MADE AN OFFER  
17 BACK IN FEBRUARY WHILE MR. WATSON WAS STILL REPRESENTING  
18 HIM AND WE HAD COMPLIED WITH RULE 5 THAT WE HAD AT THAT  
19 TIME AND I DON'T SEE WHERE IT HAS BEEN SUPPLEMENTED OR  
20 NEEDS TO BE SUPPLEMENTED AT THIS PARTICULAR TIME. WE'VE  
21 COMPLIED WITH RULE 5.

22 THE COURT: OKAY, ALL RIGHT. BASED UPON WHAT  
23 I'VE HEARD AND THE BASIC FACTS OF THIS CASE I CANNOT SAY  
24 THAT THE BOND IS UNREASONABLE AT \$36,000. I'M GOING TO  
25 DENY THE MOTION TO REDUCE THE BOND.

*Handwritten note:* What happened to the offer? Accepted/Rejected

*Handwritten notes:* J. Davis, Watson, NEVER, Submitted, Motion

*Handwritten signature/initials and a stamp.*

Rule 59(e)  
PCR Case  
2010-CP-17091

Gwen T. Hyatt  
Clerk of Court  
Dillon County  
PO Box 1220  
Dillon SC 29536

Telephone#: 843-774-1425 Facsimile#: 843-841-3706

Ineffective  
Counsel  
Denied Rule 59(e)  
filings for me:  
followed her  
July 3rd 2012  
letter to me

September 12, 2012

Mr. Shaheen Cabbagestalk  
386 Redemption Way F-3163  
McCormick, SC 29899

Re: Shaheen Cabbagestalk #295567 v. State of SC  
Case Number: 2010-CP-17-0091

Dear Mr. Cabbagestalk:

Pursuant to the Orders of Judge Michael Baxley, I am returning to you the September 4, 2012 Notice of Rule 59(e) Motion in your above listed PCR case, for the following reasons:

- (A) You are represented by Attorney Cannon, and SC law does not allow you to file motions directly with the Clerk, only your attorney;
- (B) This Court no longer has jurisdiction of your case as it was appealed to the SC Court of Appeals on 7/26/12; and
- (C) Due to your multiple and continuous filings, Judge Baxley has directed that any filings made on your behalf must be made by your attorney.

Sincerely,



Gwen Hyatt  
Dillon County Clerk of Court

cc: Heather M. Cannon, Esquire

T. Andrew Johnson, Esq

Important \*

STATE OF SOUTH CAROLINA

COUNTY OF Dillon S.C.

Shaheen Cabbage stalk  
(without previous use 1-203, 1-308) 298667  
Name of applicant and Inmate number (if applicable)

OR

IN THE INTEREST OF

Juvenile

v.

State of South Carolina

) IN THE COURT OF (Select one)  
)  GENERAL SESSIONS  
)  FAMILY COURT  
) JUDICIAL CIRCUIT

) APPLICATION FOR  
) FORENSIC DNA TESTING

) ORIGINAL INDICTMENT NO.

) 07-GS-17-0364, 07-GS-17-036

) OR

) ORIGINAL PETITION NO.

) -JU-

INSTRUCTIONS – READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may continue an answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken *in forma pauperis*, it shall include an affidavit (attached at the end of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted or adjudicated.

I understand that DNA testing is only available if I have been convicted or adjudicated of an offense listed in S.C. Code Ann. § 17-28-30, that I am currently incarcerated for that offense, and that I am asserting that I am innocent of the offense. Further, if the conviction or adjudication was the result of a plea of guilty or nolo contendere, the application must be filed within seven years of the date of sentencing.

1. Identify the proceedings in which the applicant was convicted or adjudicated:

General Sessions Court In Dillon S.C

2. Give the date of the entry of the judgment and sentence: 8/28/07 (James Cabbagestalk) given 18 yrs. Got Shaheen Cabbagestalk doing time and current place of incarceration: LIEBER E.I.

3. Identify all previous or ongoing proceedings, together with the grounds therein asserted, taken by the applicant to secure relief from his conviction or adjudication:

- (a) PCR Courts DR. Wallace Alleged Surgeon on Russel Dillard
- (b) S.C. appeals Court
- (c) S.C. Supreme Court, writ of Mandamus, Federal habeas corpus, writ of Certiorari to S.C. Supreme Court and US Supreme Court

4. Make a reasonable attempt to identify the physical evidence or biological material that should be tested: (A) Alleged Crime Scene Nichols S.C. CAR Chevy celebrity of Randall Brown for finger prints, DR. WALLACE Records of Surgeon on 11/07 for amount of pellets on Russel Dillard, Wayne Dillard Truck for gun shots or finger prints, a lie detectors test for Wayne Dillard to see did this ever occur in Nichols S.C. Russel Dillard statement or identify the specific type of DNA testing being sought: Crimes Scene, Lie Detector test testimony / test Russel Dillard for gun shot wounds of Russel Dillard, Wayne Dillard, DR. Wallace, All police involved in case did false paperwork, fingerprint Expert for vehicles involved, DR. WALLACE surgeon report 11/07 of Saint Eugene Medical Center, police cameras on police cars Day of Robbery

5. Explain why the identity of the applicant was or should have been a significant issue during the original court proceedings, notwithstanding the fact that the applicant may have pled guilty or nolo contendere or made or is alleged to have made an incriminating statement or admission as to identity: Because this entire crime is made up and they all are working together, No one can identify me and still until this very day I have never been indicted for 07-05-17-036 of Armed Robbery OR given any prison time (James Cabbagestalk) was the person they agreed and found out at trial I am not. Identity is important because I'm innocent and deserve to be free and Burk Lovett writes statement saying nothing wrong with Russel,

6. Explain why the physical evidence or biological material sought to be tested was not previously subjected to DNA testing, or if the physical evidence or biological material sought to be tested was previously subjected to DNA testing, provide the results of the testing and explain how the requested DNA test would provide a substantially more probative result: This was never done to the arrested police involved in this case especially John Willie Brown and they, All I requested to be tested and done will prove the crime never occurred were the police had said it occurred at, prove police are crooked, the judges, Even Clerk of Courts of Dillon, And I am innocent this never occurred for Nichols S.C. Wayne Dillard and police lied and judges (Riverdale and Nichols S.C. (2) totally different places And police cameras on the front of there cars need be tested and video tapes taken of 11/07 day it

The testing of all requested will show it's a Big lie the solicitor lied, the police + judges lied to get warrants and me in the court room all this is made up that's why I wasn't put in No photo lineup, I wasn't allowed to have a preliminary hearing by Judge James F. Rozes The fake charges would've been thrown out that's why.

7. Explain why if the DNA testing produces exculpatory results, the testing will constitute new evidence that will probably change the result of the applicant's conviction or adjudication if a new trial is granted and is not merely cumulative or impeaching: Because it will be discovered Judges lied, Police lied, the Entire Crime and Crime Scene is made up in Nichols SC, and I wouldn't have 18 yrs. and should be free with my family Nothing By Evidence points to me and this entire Crime and Crime scene is made up and can be proved, it will show Dr. Wallace did no surgery on Russell Dillard and it's all made up by Crooked Criminal Police John Willie Brown, Rep. Grimley, and Michael Berk.

8. I assert that I am actually innocent of the listed offense, that this offense is listed in S.C. Code Ann. § 17-28-30 and that I am currently incarcerated for the listed offense. I attest that this application is made to demonstrate innocence and not solely to delay the execution of a sentence or the administration of justice. - Lol

9. If DNA testing is conducted and results are determined to be inculpatory by the Court, I understand that:
- (a) The Court may hold me in contempt of court if it determines that my assertion of actual innocence was intentionally false;
  - (b) The Court may assess the cost of any DNA testing against me;
  - (c) The South Carolina Department of Corrections may use this determination to deny good conduct credit; and,
  - (d) The Department of Probation, Parole, and Pardon Services can use this determination to deny parole.

Shaheen Cabbage stalk  
 without prejudice ucc1-308  
 Print Applicant Name

Shaheen Cabbage stalk  
 without prejudice ucc1-308  
 Signature of Applicant

STATE OF SOUTH CAROLINA

County of Dillon S.C

VERIFICATION

I Shakeen Cabbagestalk  
(without prejudice 1-308) being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; and that the matters and allegations set forth are true.

Shakeen Cabbagestalk  
(without prejudice 1-308)

Signature of Applicant

SWORN to and subscribed before me this 14<sup>th</sup>  
day of July, 2016.

Lechean Bryant (L.S.)  
Notary Public

My Commission Expires: May 26, 2020

**APPLICATION TO PROCEED WITHOUT PAYMENT  
OF COSTS AND AFFIDAVIT  
IN SUPPORT THEREOF**

I, Shahen Cabbagefall  
~~(without prejudice cc. 1-308)~~ hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Shahen Cabbagefall  
~~(without prejudice cc. 1-308)~~  
Signature of Applicant.

SWORN to and subscribed before me this 14<sup>th</sup>  
day of July, 2016.

Ludrean Bryant (L.S.)  
Notary Public

My Commission Expires: May 26, 2020

STATE OF SOUTH CAROLINA

ISSUED BY THE \_\_\_\_\_ COURT IN THE COUNTY OF Dillon

Shaheen Cabbagestalk, Plaintiff

v.

State, Defendant

SUBPOENA IN A CIVIL CASE

Case Number: 2016-cp-17013

Pending in Dillon County

TO: Dillon ShagBark Drive Dillon S.C. 29535  
~~Dillon County Sheriff's Department~~ on John Willie Brown

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY _____	COURTROOM _____
_____	DATE AND TIME _____, _____

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION _____	DATE AND TIME _____, _____
---------------------------	----------------------------

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects:

Probable Cause Affidavit for warrants on (Sovereign) and He had Jurisdiction  
-diction to enforce sanctions on me to arrest me outside of the District of Columbia (10) square miles.

PLACE _____	DATE AND TIME _____, _____
-------------	----------------------------

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES _____	DATE AND TIME _____, _____
----------------	----------------------------

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF. SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Attorney/Issuing Officer's Signature _____	Date _____	Print Name _____
Indicate if Attorney for Plaintiff or Defendant _____		
Attorney's Address and Telephone Number : _____		

Clerk of Court/Issuing Officer's Signature _____	Date _____	Print Name _____
Pro Se Litigant's Name, Address and Telephone Number : _____		

**PROOF OF SERVICE**

SERVED	DATE	FEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL <input type="checkbox"/> YES <input type="checkbox"/> NO   AMOUNT \$
	PLACE	
SERVED ON		MANNER OF SERVICE
SERVED BY		TITLE

**DECLARATION OF SERVER**

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

STATE OF SOUTH CAROLINA

ISSUED BY THE \_\_\_\_\_ COURT IN THE COUNTY OF Dillon

Shahreen CabbagesTalk, Plaintiff

v.  
State, Defendant

SUBPOENA IN A CIVIL CASE

Case Number: 2016-cv-17013

Pending in Dillon County

TO: Burke H. Lovett

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY \_\_\_\_\_

COURTROOM \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents of objects:

PLACE \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Attorney/Issuing Officer's Signature  
Indicate if Attorney for Plaintiff or Defendant  
Attorney's Address and Telephone Number :

Date

Print Name

Clerk of Court/Issuing Officer's Signature  
Pro Se Litigant's Name, Address and Telephone Number :

Date

Print Name

## PROOF OF SERVICE

SERVED	DATE	FEEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL
	PLACE	
SERVED ON		MANNER OF SERVICE
SERVED BY		TITLE

## DECLARATION OF SERVER

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

### (c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions

**(d) Duties in Responding to Subpoena.**

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved

STATE OF SOUTH CAROLINA

ISSUED BY THE \_\_\_\_\_ COURT IN THE COUNTY OF Dillon

Shaneen Cabbogestalk  
without prejudice (1-3-88)  
(C), Plaintiff

State, Defendant

SUBPOENA IN A CIVIL CASE

Case Number: 2016-cv-17-013

Pending in \_\_\_\_\_ County

TO: Judge John Davis

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY _____	COURTROOM _____
_____	DATE AND TIME _____, _____

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION _____	DATE AND TIME _____, _____
---------------------------	----------------------------

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents of objects: I consented to this to  
clearly the (1099 O.I.D. TAX form) for the Commercial transactions Bond  
1-15-07 issued by you for \$35,000, and \$1,000 produce both TAX forms for this its reported to the I.R.S.

PLACE _____	DATE AND TIME _____, _____
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YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES _____	DATE AND TIME _____, _____
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ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Attorney/Issuing Officer's Signature \_\_\_\_\_ Date \_\_\_\_\_ Print Name \_\_\_\_\_  
 Indicate if Attorney for Plaintiff or Defendant \_\_\_\_\_  
 Attorney's Address and Telephone Number : \_\_\_\_\_

Clerk of Court/Issuing Officer's Signature \_\_\_\_\_ Date \_\_\_\_\_ Print Name \_\_\_\_\_  
 Pro Se Litigant's Name, Address and Telephone Number : \_\_\_\_\_

**PROOF OF SERVICE**

SERVED	DATE	FEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL <input type="checkbox"/> YES <input type="checkbox"/> NO   AMOUNT \$
	PLACE	
SERVED ON		MANNER OF SERVICE
SERVED BY		TITLE

**DECLARATION OF SERVER**

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

**(1)(A)** A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

**(B)** If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C)** A person responding to a subpoena need not produce the same electronically stored information in more than one form.

**(D)** A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

**(2)(A)** When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

**(B)** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

STATE OF SOUTH CAROLINA

ISSUED BY THE \_\_\_\_\_ COURT IN THE COUNTY OF Dillon  
Shaheen Cabbagestalk, Plaintiff

v.  
State, Defendant

SUBPOENA IN A CIVIL CASE

Case Number: 2016-cp-17013

Pending in Dillon County

TO: "DR. WALLACE" Phone # 843-774-2478 of Saint Eugene Medical Center

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY \_\_\_\_\_

COURTROOM \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects:

Surgery reports done on 1-1-07 of (Russel Dillard), pellet allegedly to know out and entire reports as well X-rays if any what occurred medically as well as environmental Criminal actions.

PLACE \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Attorney/Issuing Officer's Signature  
Indicate if Attorney for Plaintiff or Defendant  
Attorney's Address and Telephone Number :

Date

Print Name

Clerk of Court/Issuing Officer's Signature  
Pro Se Litigant's Name, Address and Telephone Number :

Date

Print Name

**PROOF OF SERVICE**

SERVED	DATE	FEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL <input type="checkbox"/> YES <input type="checkbox"/> NO   AMOUNT \$
	PLACE	
SERVED ON		MANNER OF SERVICE
SERVED BY		TITLE

**DECLARATION OF SERVER**

I certify that the foregoing information contained in the Proof of Service is true and correct

Executed on \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d)

**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance, or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

STATE OF SOUTH CAROLINA

ISSUED BY THE \_\_\_\_\_ COURT IN THE COUNTY OF Dillon

Shaneen Cabbagesstalk, Plaintiff

v.  
State, Defendant

SUBPOENA IN A CIVIL CASE

Case Number 2016-q-17013

Pending in Dillon County

TO: Judge James F. Rogers

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY \_\_\_\_\_

COURTROOM \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents of objects: Turned over to

Issue warrant to arrest me / Produce forth the 1999 I.D. TAX form for Mrs Commercial Truck and were I've done bussiness with the courts and you issued warrants show its reported to the T.R.S.

PLACE \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below

PREMISES \_\_\_\_\_

DATE AND TIME \_\_\_\_\_, \_\_\_\_\_

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES

Attorney/Issuing Officer's Signature \_\_\_\_\_ Date \_\_\_\_\_ Print Name \_\_\_\_\_  
Indicate if Attorney for Plaintiff or Defendant  
Attorney's Address and Telephone Number \_\_\_\_\_

Clerk of Court/Issuing Officer's Signature \_\_\_\_\_ Date \_\_\_\_\_ Print Name \_\_\_\_\_  
Pro Se Litigant's Name, Address and Telephone Number \_\_\_\_\_

**PROOF OF SERVICE**

SERVED	DATE	FEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL <input type="checkbox"/> YES <input type="checkbox"/> NO   AMOUNT \$
	PLACE	
SERVED ON		MANNER OF SERVICE
SERVED BY		TITLE

**DECLARATION OF SERVER**

I certify that the foregoing information contained in the Proof of Service is true and correct

Executed on \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d)

**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance, or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved

STATE OF SOUTH CAROLINA

ISSUED BY THE \_\_\_\_\_ COURT IN THE COUNTY OF Dillon  
Shaheen Cabbag-estalk, Plaintiff

v.  
State, Defendant

SUBPOENA IN A CIVIL CASE

Case Number: 2016-CP-17013

Pending in Dillon County

TO: Russel Dillard

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY _____	COURTROOM _____
_____	DATE AND TIME _____, _____

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case

PLACE OF DEPOSITION _____	DATE AND TIME _____, _____
---------------------------	----------------------------

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects: The hospital Surgery of 1-1-07 and All Reports and documents deals with shot wound surgery what occurred and wound of shots and why didn't you appear in court 2007 for trial who's suspended to his Access.)

PLACE _____	DATE AND TIME _____, _____
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YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES <u>Alleged Crime scene you were Injured At</u>	DATE AND TIME _____, _____
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ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES

Attorney/Issuing Officer's Signature _____	Date _____	Print Name _____
Indicate if Attorney for Plaintiff or Defendant		
Attorney's Address and Telephone Number _____		

Clerk of Court/Issuing Officer's Signature _____	Date _____	Print Name _____
Pro Se Litigant's Name, Address and Telephone Number _____		

**PROOF OF SERVICE**

SERVED	DATE	FEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL <input type="checkbox"/> YES <input type="checkbox"/> NO   AMOUNT \$
	PLACE	
SERVED ON		MANNER OF SERVICE
SERVED BY		TITLE

**DECLARATION OF SERVER**

I certify that the foregoing information contained in the Proof of Service is true and correct

Executed on \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d)

**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

- (i) fails to allow reasonable time for compliance, or
- (ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or
- (iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) If a subpoena**

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand

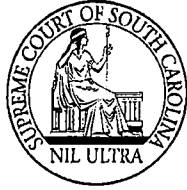
(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved



**South Carolina Court Administration**  
South Carolina Supreme Court  
Columbia, South Carolina

1015 SUMTER STREET, SUITE 200  
COLUMBIA, SOUTH CAROLINA 29201

June 19, 2012

Shaheen Cabbagestalk #295567  
McCormick Correctional Institution  
F-2171A  
386 Redemption Way  
McCormick, SC 29899

Dear Mr. Cabbagestalk:

This letter is in response to your letter dated May 30, 2012 to this office.

If you feel that a judge has acted unethically, you can contact:

Commission on Judicial Conduct  
PO Box 11330  
Columbia, SC 29211

Sincerely,  
Court Services Section

Judge  
J. Michael Baxley  
Not suppose to heard  
my case PCR 2010-CP-1709  
Recuse himself  
and Bogus  
ORDER Donto  
Conflict of  
Interest in  
my lawsuit  
Case 3:11-CV-0051  
-8 -TMC

Shebeen Cabbagestalk  
(without prejudice 1-2017)

v.

State

Case No: 2016-cp-17-00013

Notice of

Appeal

I intend

Now Cometh the (Sovereign) to the courts  
in regards of the following: ① I do intend to  
Appeal this case to the next level ② A rule 59(e) was filed in this case as well  
a Rule 60(B) and has yet to be heard. ③ Under Austin v State, S.C. 409 S.E.2d  
395 (1991): I'm Entitled Review ④ I have yet to Received full Brief  
of the Appeal As Cherry v State Allows, therefore I bring to the  
Courts the: 2016-cp-17-00013 Application. ⑤ I represent myself and Christy  
An Attorney or officer of this courts. ⑥ Issues with this Application  
I am appealing shows up in the Rule 59(e) and Rule 60(B)  
which a request for a hearing is enclosed

By: Shebeen Cabbagestalk  
(without prejudice 1-2017)

(4/16/18)

S. C. Attorney General  
Christy  
Clerk of Dillon  
Courts

CLERK OF COURT  
DILLON COUNTY

2018 APR 24 9AM 10:48

FILED  
GWENT TIVATI

ACERTIFIED  
TRUE COPY

*[Signature]*

CLERK OF COURT  
DILLON COUNTY

Shahen Cabbagestalk

UNITED STATES OF AMERICA

vs  
State

C/A No: 2016-cv-170013

Attached Ex: 37 in District Court (#10P3)  
and others

Objection to Order of Dismissal  
Order to Grant Relief Asked in PCR / objection  
to Return an Order of Dismissal

Now come the (Severin) representing self in this case and the issues and the issues and reason why this order need be granted and Relief: (1) per Cherry v. State I'm Entitled (one full Bite of the Apple) I have yet receive that do to the 4th Circuit Courts, Clerks, and Judges not addressing all issues litigated in my 1st PCR and now second PCR and other motions filed and combined with this (2) All has been proven and can be proved if An Hearing is held on the merits and Issues in the Application. (3) In Case v. State, 277 S.C. 474, 289 S.E.2d at 394. In a situation where the Applicant meets the burden, a hearing must be afforded despite the successiveness of the Application, Case had no Attorney in his first Application that was highly doubtful whether in point of fact that he could have raised the appropriate Argument. Ace, supra Id 409 S.E.2d at 394. In a situation where a post conviction Applicant <sup>ACERTIFIED</sup> ~~is not~~ assisted by his post conviction attorney in properly amending his first Application to include all grounds underlying a claim of Ineffective Assistance of trial counsel and does not know of such grounds or does not know how to raise them and is barred from presenting those pleadings in the first application and Sanders, supra and Foster v. State, supra he or she must be seen to be "without counsel" and in the same position as that of Applicant in Case v. State, supra. The Court under such circumstances should find the 2nd application to be heard despite its successiveness because first application lacked specificity unless it can find that the Applicant is heard in for the first. (4) If South Carolina litigants are entitled to appeal from denials of post conviction relief under Anstov v. State S.C. 409 S.E.2d 395 (1991) The Courts have established that they did not meaning I waived my right to appeal then they should be allowed to file a subsequent one Alleging grounds supporting a claim of Ineffective Assistance of trial counsel were not presented in the 1st application due to Ineffective Assistance of PCR Counsel who in reality is not PCR Counsel on such claim but instead is an Appellate Attorney in the first Appeal as of right or that particular claim and others. This why the order of Dismissal final order is objected to. This is why the order to Dismiss is clearly without merit the state presented all issues in there can be proven by an Hearing which I demand. The claims for relief is satisfactory to the Courts and evidence on the Record supports this PCR Application. This also why Default Judgement should be Entered as filed by me in this case.

cc: S.C. Attorney General Assistant  
Johnny G. James Jr.

By: Shahen Cabbagestalk  
(without prejudice) (UCC1-201)

4/6/18

Shahen Cabbagestalk  
(without prejudice ucc1-207)

v.  
State of South Carolina

Case No: 2016-CP-17-00013

Request  
for Hearing

Now Cometh the (Sovereign) to the courts

In regards of this request: ① I am requesting

A hearing to be held at the next available  
Court term. ② for the motions of Default to be held  
and heard and case to be put on the docket to be  
heard.

③ The motions for Default is clearly right  
and deserve attention to be heard, There for

It so be ordered that a hearing  
be held next available term

By: Shahen Cabbagestalk  
(without prejudice ucc1-207)  
3/15/18

TO: Office of the Attorney General  
Johnny E. James Jr., Esquire  
PCR Division - 4th Circuit  
P.O. Box 11549  
Columbia, S.C. 29211

DILLON COUNTY  
CLERK OF COURT

2018 APR 24 AM 10:49

FILED  
GWEN T. HYATT

CERTIFIED  
TRUE COPY

CLERK OF COURT  
DILLON COUNTY

Dear,

Clerk please file

this notice of Appeal Intent

to this case return to me a filed  
copy and

Assure the

is heard and

Rule 60(B) is heard

Return a file copy back of all

this which is one Big motion

notice of appeal, and Rule 59(e) Rule 60(B) go together  
with supportive documents

FILED  
GWEATHYK  
2018 APR 24 AM 10:48  
CLERK OF COURT  
DILLON COUNTY

*Ann T. Hays*

CLERK OF COURT  
DILLON COUNTY

Shaheen Cabbagestalk

v.

State of South Carolina

Case No. 2016-cp-17013

Objection to order of dismissal and why,

Rule 59(e)

Now Cometh the (Sovereign) to this Courts in the following regards: ① Every Issue that was within Case 2016-cp-17013 was not addressed there for it is right that the Courts grant a hearing on this matter.

② (The State has defaulted) in this case Violated Chief Justice J. Woodrow Lewis order to do away with all Courts of Common Pleas within (365) days from the date of the filing of the initial Complaint in each Case, this order was effective: October 1, 1983 and has been filed (Feb. 21, 2018 3:44 pm) And is the 2nd time the default been mailed to Court Clerk of Court.

③ Being the Default was Entered and on record (It is impossible for the State to be allowed to file an Conditional order of Dismissal when Not Even all the issues was addressed; All Motions weren't addressed, All Applications weren't addressed, Motion for Reconsideration, State has Been Corpus Debt Collection, Writ of mandamus, Arranging Spouse application all given Case #: 2016-cp-17013, being All issues weren't addressed this Rule 59(e) is right for the Courts Addressings and Relief Asked in the Applications should be granted. And the Apple was never Granted by this Court on 1st per Application as well The second one I represented myself.

Conclusions:

Relief asked to the state Defaulting All Applications and Motions be granted

TRUE COPY

By: Shaheen Cabbagestalk

(2/27/18)

Shaheen Cabbages talk

v.

State of South Carolina

4th in the Courts of Common Pleas

Case: 2016cp-17013

Rule 60

(B) Relief from

VOID Judgement

And demand for hearing

Now comes the (Sovereign) to this Courts in  
 regards of this Rule 60(B) Motion: ① The courts clearly see  
 the 1st PCR Application was not addressed fully by the Judge J. Michael  
 Baxley in the ORDER to Dismiss (or) RETURN. ② All issues in  
~~Shaheen Cabbages talk~~ v. State: (2010-cp-17091) were not addressed by the courts  
 leaving me denied a full bite of the Apple as (Cherry v. state) speaks of  
 also s 17-19-10: a defendant in a Criminal case may not be tried for an  
 offense for which he has not been indicted, Rollison v. state, 346 S.C. 506, 55  
 S.E.2d. 290 (2001): A defendant may as part of a plea bargain agree to plead guilty to a  
 crime (for which he has been indicted for) but of which he's not guilty. ③ The 2nd  
 PCR Case: 2016-cp-17013 wasn't addressed nor was any of the issues  
 and Being (they violated Supreme Courts chief Justice order) of J. Woodrow  
Lewis that filed on as Effective October 1st 1983 but filed in  
 Dillon County with the clerk (Feb 21st 2018 3:49pm) for the 2nd time  
 there for this case is way over (365 days) in the Courts of Common Pleas  
it (2018) 2 yrs. from (2016) and (NO Special ORDER) has been granted  
 by no judge for the state this order is clearly violated and  
 Relief from this Judgement is asked as all Applications state and are  
 rightfully stated. ④ All Judgements in this entire case both above PCR cases and  
 numbers aren't addressed by the court and since day (1) when Douglas Perrell  
 the chief put in (James Cabbages talk) in the Query CCH Summary (ECHS) it was  
wrong and (the word) name tells you there's no match, All Appeals were for  
(James Cabbages talk) and based on (A/B/W/F/K) 07-GS-17-0363 (not) 07-GS-17-03  
 which 07-GS-17-0363 is the only indictment Amended and the time was given to  
~~James Cabbages talk~~ ⑤ All Appeals was for (James Cabbages talk) Enclosed and The Judge  
 Judgement on 2/28/07 is void and for (James Cabbages talk), a preliminary  
 hearing was filed and received by the courts and denied because the courts assumed  
 I (Shaheen Cabbages talk) was indicted and given time see sentencing sheet enclosed as proof the states  
 order of dismissal is void and from the beginning I shouldn't be in prison. But the courts call...

In the Courts of Common Pleas

Shakeen Cabbagestalk  
(with no previous record - 207, 1-308)

v.  
State

Case No: 2016-cp-17013

Amending of  
Rule 60(B)  
Motion on  
Record

Now Cometh the (Sovereign) to this courts  
In regards of the following Amendments to the  
Rule 60(B) Motion: ① on (April 27, 2009) Correspondence which

Shows proof that (the only Amended Indictment is a dropped  
one for Assault and Battery with Intent to Kill) which the courts can clearly  
see that All Appeals or Any litigation in this case done by Katherine th  
Hudgins, Heather M. Cannon, Glenn B. Manning, or Susan B. Hackett were all  
Based on a Dropped Indictment as the (April 27th 2009) Correspondence states (find)  
the 8/28/09 Judgment of Howard P. King was to and asked to be overturned.

② All Issues in 2010-cp-17091 (weren't) addressed by the Judge J. Michael Baxter (here's)  
The State (OR) its (order of Dismissal) by the Judge J. Michael Baxter (here's)  
a copy of all issues addressed to PCR Application that were addressed in  
Federal habeas Corpus By me. This is used to show forth 2010-cp-17091 order  
of Dismissal is (Bogus) and (VOID) and deserves Relief as well 2016-cp-17013 do to  
its (Default) and violation of Chief Justice J. Woodrow Lewis order filed in my  
motion for default let the Exhibits serve as proof of all issues I  
Raised supportive of it.

Proof of my Relief which on Record need be  
Granted as the Application states because (I'm not James Cabbagestalk  
I'm Shakeen Cabbagestalk) and Not Ever been Indicted for ARMED Robbery 16-01-330(A)  
See 07-GS-17-0364 (James Cabbagestalk) there for in Wong Sun v. State

The fruit of the Poisonous tree Doctrine all after this is (No Good) fruit of the  
(poisonous tree) and since warrants say (James Cabbagestalk) all is fruitous and fruits  
of the Poisonous tree Doctrine

Therefore I deserve Relief (See Exhibits  
Application 2016-cp-17013 It's not successive I never got a full bite of the apple in 1st  
PCR Application 2010-cp-17091 and all issues and all issues relate from 1st PCR to 2nd PCR  
which is all actuality is only ① PCR do to Not full  
Bite of the Apple I never missed a year on Appeal  
All is true and correct. (James Cabbagestalk)  
By: Shakeen Cabbagestalk  
(2111) & (207, 1-308)

Shaheen Cabbagestalk #295567

V.

WARDEN McCall JR.  
of Perry Corrections

PER ACTION!  
2010-CP-17091

Courts District of South Carolina  
Habeas Corpus

Motion for Immediate  
Release, Case vacated,  
ORDER to PCR Courts  
Grant Relief to PCR  
Application 2010-CP-17091  
Immediately freed to  
Family Case vacated  
out SCDC custody

I hereby ask the federal Courts pay close attention to Case and  
In Harris v. Chapman I requested you to inject self into this PCR Application,  
ORDER the PCR Courts, Warden McCall JR. of Perry Corrections to release  
me to (VOID) Court Judgements and wrong Men wrong fully

In Case severed and Constitutional Violations etc... I hereby

Pray the Courts Grant this motion and I be Released out SCDC Custody see  
op-21.09 Inmate Records Plan Policy S.C. DC. was not suppose to have accepted me in there Custody #25,26,27

valid Commitment  
ORDER

BY: Shaheen Cabbagestalk  
without prejud. ce UCC 1-207

9/18/11

Judge's signature: \_\_\_\_\_

Judge Code: \_\_\_\_\_

Date:   /  /

① I am in need for the federal courts to inject themselves into this PCR Courts Case: 2010-cp-17091 per. Harris v. Champion Citeas 938 F.2d

1062 (10th Cir. 1991) you all can step in, do to the fact this case has violated the Supreme Court Justice J. Woodrow Lewis (ORDER) that's been in effect since October 15<sup>th</sup> 1953, Pursuant to section 4, Article V South Carolina Constitution (All Common Pleas Cases in the state of South Carolina shall be disposed within "365 days" this case been in courts "1 year and 6 months" also there was no return done to my PCR Application AS S.C. Rules of Court State Rules of Civ. Proc. 12: The state has to answer an PCR ACTION IN 60 days if it came out of a plea. I had an IN voluntary plea do to the fact I can't plea to something I never been indicted for see S.C. Code Ann. § 17-19-10: a defendant in a criminal case may not be tried for an offense for which he has not been indicted. Rollison v. state, 346 S.C. 506, 552 S.E.2d 290: A defendant may as part of a plea bargain agree to plead guilty to a crime for which he has been indicted but of which he is not guilty. (I've never been indicted and Not Guilty or Charged the plea was Invalid) Hopkins v. state, 317 S.C. 7, 451 S.E.2d 389 (1994); State v. Munn 292 S.C. 497, 357 S.E.2d 461 (1987) See Browning v. state, 320 S.C. 366, 465 S.E.2d 358 (1995); State v. Beachum, 288 S.C. 325, 342 S.E.2d 597 (1986), Rule 3(c) S.C. Rules of Court Crim. Proc., see J. Lamar Kolle v. S.C. No. 26771. 2010 WL 522799 S.E.2d, 2010 WL 522799. Criminal Law Key 1618 (3) 110K 1618 (3) most cited cases, Wong Sun v. United States 371 U.S. 471 (1963) this case is the fruit of a poisonous tree (see 16-11-330 warrior see 16-11-330A) 07-GS-17-0364 indictment Both for James Cabbagestalk, State v. Rector [158 S.C. 212] Entire Grand Jury and indictment process pg. 238: In fact one is not a defendant ~~IN~~ the Court of General Sessions, according to our practice and custom un'til he has been charged by the grand jury in an indictment with the violation of law, Tyrone G. Ayther v. U.S. of America, Appelle. Charles Tatum, Appellant, v. U.S. of America, Appelle. Nos. 21780, 22148, 21864. 413 F.2d 1061, 134 U.S. App. D.C. 154) [6] Grand Jury Key 33 193K 33: Content <sup>of</sup> felony charge, as well as decision to charge at all, is entirely up to grand jury and grand jury's decision not to indict at all, or not charge facts alleged by prosecutorial officials, is not subject to review by any other body. U.S.C.A. Const. Amend. 5. (Judge Howard P. King Illegally amended 07-GS-17-0363 Assault and Battery with Intent to Kill never re-submitted it back to the grand jury but the A/B/W/I/K Also was a dropped charge when it was amended, see [11] Indictment and information key 10.1(6) 210K 10.1(6) Fed. Rules Crim. Proc. rule 6, 18 U.S.C.A. "Indictment not founded by 12 jurors required see 07-GS-17-0364, 07-GS-17-0364 is for James Cabbagestalk [12] indictment and information key 10.1(6) 210K 10.1(6) Grand Jury as a body must pass an actual terms of indictment (15) Indictment and information key 159 (1) 210K 159 (1): Amendment of indictment is bad because it deprives defendant of his right to be tried upon charge in indictment found by grand jury and subjected to its scrutiny Fed. Rules Crim. Proc. rule 6, 18 U.S.C.A., S.C. D.C. has an policy op-21.09 Inmate Records plan # 2.4, 2.5, 2.6, 2.7: speaks of SC DC Court accept you in to there custody with an Invalid Commitment order (see sentencing sheet and April 27<sup>th</sup> 2009 Correspondence from Ms. Katharine H. Hudgins of Sec. I.D. Attorney) this is proof S.C.D.C. was not even suppose to have accepted me at Kirkland RJE Center, Also I've had the U.S. Attorney Advise warden Michael McCall Sr. of Perry Corrections he needed to Investigate this I want James Cabbagestalk warden McCall Did Nothing over Perry Corrections said file your court papers work good luck, see paper from Senator Ralph Anderson dated (April 9<sup>th</sup> 2009) telling S.C.D.C. Director Jon Ozmint who he was in seat he needs to consider letting me go. This entire action and court proceedings violate § 16-17-735. Persons impersonating officials or law enforcement officers; persons falsely asserting authority of law

114

- offenses; punishment; Also see Rule 60(B) filed, this entire proceedings is a sham legal process and violator My notice of Rights: Without prejudice UCC 1-207 which is under my name I've reserved my rights not to be compelled to perform under any Contractor Commercial agreement that I did not enter knowingly, voluntarily and intentionally and I furthermore don't accept the liability of the compelled benefit of any unrevealed Contract or Commercial agreement, (see Notice of Rights and ABatement), see Murray v. Carrier, 477 U.S. 478, 496 (1986); To demonstrate a fundamental miscarriage of justice "a habeas petitioner must demonstrate that a constitutional violation has probably resulted in the conviction of one who is actually innocent, 4<sup>th</sup>, 5<sup>th</sup>, 4<sup>th</sup>, 8<sup>th</sup> Const. Amend. Violated the judge gave James Gbbagestalk 18 years not me Shaheen Gbbagestalk and there's No A.K.A.'s on sentence in valid Commitment ORDER. (See sentencing sheet), A conviction without a presentment of a Grand Jury will be VOID on Appeal State v. Beachum 223 S.C. 325, 342 S.E. 2d 597 (1986) U.S. v. DYNAVAC Inc., 6 F.3d 1407, State v. Hann 12 S.E. 2d 720 (6) Indictment and Information (key 1), see Evans Supra "In order for a Court to establish a conviction Notice is needed of a crime that has been committed see S.C. Const. Art. 1 § 11.

I ask the Courts to please ORDER my Release from SCDC Custody and ORDER per Courts to Have SCDC Release me out there Custody they got the wrong person and

- ① I've never been indicted.
- ② I've never been sentenced to no time
- ③ SCDC policy OP-21.09 Inmate Record's plan # 2.5, 2.6, 2.7 State Kirkland R3E Center was not to accept me within invalid Commitment ORDER inside SCDC Custody
- ④ It pass (365) days as Chief Justice of Supreme Court ORDER states to Dispose of all common pleas cases in chronological order from initial date of filing, I've never been indicted, sentencing invalid, State violated Rule 12 S.C. Civ. Proc. Never responded to my PCR application period or within 60 days of invalid plea, No return done by the state to dispute any allegation in my PCR application. I ask Above on these things federal

Courts ORDER per Court Over turn this case 2010-Cp. 17091 Immediately Also do to In EXSCUSABLE Inordinate delay I ask this be vacated we

Set free discharged from this entire sham legal process all Court proceedings are void

Do to the 5th Amend. of the Constitution and 14th Amend. subjected to 8th fatality.

By: Shaheen Gbbagestalk  
Without prejudice UCC 1-207

9/18/11

# Certificate of service

This is to certify the following mail was sent out 5-23-12 <sup>Ⓢ</sup> U.S. District Courts Habeas Corpus. Notice of Recusal of J. Michael Baxley <sup>Ⓢ</sup> U.S. Courts of Appeals Virginia 4th Circuit law suite J. Michael Baxley Recusal of PCR overturn illegal order Temporary order, <sup>Ⓢ</sup> letter to Ms. Heather - Mr. Cannon file rule 59(e), motions to be ruled on and all issues raised make sure law is applied and all are addressed by Judge Baxley, <sup>Ⓢ</sup> Motion for to J. Michael Baxley to Recuse himself off PCR and overturn his illegal temporary order 5-15-12.

By: Shahreen Cabbagesstalk  
without prejudice ucel-207

Notary: J. Frankler

My Commission Exp: 12-16-2012

Date: 05/23/12

all is in regards to PCR Action 2010-cp-17091  
that was illegally heard by J. Michael Baxley 5-15-12

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
REQUEST TO STAFF MEMBER**

RECEIVED  
MAY 21 2018  
WARDEN'S OFFICE  
LIEBER C.I.

TO: NAME: <u>WARDEN R. Williams</u>	TITLE: <u>law library Emergency situation Complaint</u>	DATE: <u>5/20/18</u>
INMATE'S NAME: <u>Shaheen Cabbagestalk without prejudice 1-207</u>	SCDC #: <u>295567</u>	
INSTITUTION: <u>LIEBER C.I.</u>	LIVING QUARTERS: <u>Rt# #608A</u>	

Hi! I am advising you do to your officers laziness and carelessness It has (Interfered) with my legal cases and caused my Admin law case to be Dismissed because the law librarian held my legal copies (2) weeks for No Reason because she's lazy and don't want to work

The Court Case # is: Case no: 18C0097 grievance LC 648-17  
Judge FUNDERBURK ( Law library suppose to come to Rth (Mon. - wed. - Fri.) Y'all gotta tighten up seriously (Because of Liebers personal Administration Malfunctions) that got no Business interfering with my Court cases I want you (Or) you make Ofc. T. Messett- Wright ~~write~~ <sup>write</sup> By Incident report why haven't she Returned my legal copies for (2) whole weeks which caused my case to be Dismissed I will be advising the Judge of this non-sense violating my rights legally I will advise the Judge ~~of this~~ <sup>of this</sup>

DISPOSITION BY STAFF MEMBER:

Duplicate request sent to legal. See then respond 18-0916294-9 do 5/15/18

DATE: <u>5/21/18</u>	SIGNATURE: <u>[Signature]</u>
----------------------	-------------------------------

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS**

**INMATE GRIEVANCE FORM**

**STEP 1**

**INMATE COPY**

<b>INMATE NAME:</b> <u>Shaheen Cabbagestalk</u> <small>(with heart prejudice vic 1-20)</small>	<b>OFFICE USE ONLY</b> Grievance No. <u>LCI-0376-18</u> Code: General <u>MAI 15</u> Policy _____ Disc. Hear. _____ Class. _____ PREA _____ Date Received <u>5/18/18</u> IGC Initials <u>BF</u>
<b>SCDC NUMBER:</b> <u>895567</u>	
<b>INSTITUTION:</b> <u>Leiber CJ</u>	
<b>HOUSING UNIT:</b> <u>(Room # 108 A)</u>	
<b>WORK ASSIGNMENT:</b> <u>none</u> <u>MAY 16 2018</u> <u>Emergency</u> <u>no</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.)

and night shift keeps on continuously, not having the mail General/legal mail, this has caused (2) of my cases to be dismissed by (Judge Jocelyn Newman) I've talked to Lt Grant about this, Lt Travis Gress, of Vasquez night shift, Sgt. Atkins night shift, Sgt. Steedly they all still don't do what policy say and its causing hard ship on me subjecting me to be under these life threatening conditions having to stay in SCDC custody and the mail room ladies contribute to this to and this was my well being in danger because if the judge can't hear my cases then I'm stuck to be harmed in ShaheenCabbagestalk (with heart prejudice vic 1-20) 5/15/18

Grievant Signature \_\_\_\_\_ Date \_\_\_\_\_

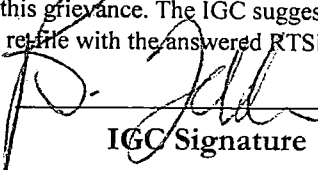
SCDC All shifts Day and night need be punished for playing with the mail which for me its (life or) death thing.

**ACTION REQUESTED:** TO ORDER the mail room ladies bring mail to RTHU and pass it out before dinner by lunch time, have mail room ladies everyday mon - fri come pass out all mail do to the fact their card read security isn't and ~~don't need to touch mail~~

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

Inmate Shaheen Cabbagestalk #295567 LCI-0376-18

You have failed to attach the answered Request to Staff Form/Automated Request to Staff regarding your informal resolution attempt on this issue through the appropriate staff prior to filing this grievance. The IGC suggests you contact **Ms. Bryant (Mailroom)** by RTSM/ARTSM regarding this issue. You may refile with the answered RTSM/ARTSM through the appropriate staff within 8 days of receiving a response.

 5/18/18  
 IGC Signature \_\_\_\_\_ Date \_\_\_\_\_

(CONTINUE ON REVERSE SIDE)

**WARDEN'S DECISION AND REASON:**

DEC 21 11 AM

Ma  
Warden Signature Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.

Ma  
Grievant Signature Date

Ma  
IGC Signature Date

**INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM**

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS**

**INMATE GRIEVANCE FORM**

**STEP 1**

<b>INMATE NAME:</b> <u>Shahen Cabbageshall</u> <small>(with contempt prohibited under USC 1-207)</small>	<b>OFFICE USE ONLY</b> <b>Grievance No.</b> <u>PCI-0181-18</u> <b>Code:</b> General <u>LELS</u> <b>Policy</b> _____ <b>Disc. Hear.</b> _____ <b>Class.</b> _____ <b>PREA</b> _____ <b>Date Received</b> <u>3-5-18</u> <b>IGC Initials</b> <u>JA</u>
<b>SCDC NUMBER:</b> <u>295567</u>	
<b>INSTITUTION:</b> <u>Perry C.I.</u>	
<b>HOUSING UNIT:</b> <u>Rtn B-x<sup>3</sup></u>	
<b>WORK ASSIGNMENT:</b> <u>None</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.) It is not fine that my legal supply orders are being altered because this is a form of extortion causing me to lose out on time when I shouldn't be forced to (wait and miss a court deadline) just to order legal supplies again spend more \$ and miss my court deadline because an uneducated staff member fails to be security instead of purposely getting in the way of me receiving the adequately constitutional rightfully needed amount of legal supplies to address the courts, the defendants, and may have to serve the sheriff civil process division to serve whom ever. I have a constitutional right to receive adequately needed legal supplies to properly address the courts with my grievances. I need the amount I put on the debit form

Shahen Cabbageshall  
(with contempt prohibited under USC 1-207)


3/1/18

**Grievant Signature** **Date**

**ACTION REQUESTED:** for Sgt WARRON to be made to provide me with the amount of adequately needed legal supplies I put on the debit form (so I can adequately address the courts and serve defendants in all my cases (and) stop altering my legal supply orders to continue to do so is extortion. TO Remove him and Imani BYAS from positions to deal with legal supplies and give me the amount I ordered.

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

**See reverse for  
Wardens Response**

  
**IGC Signature** **Date**

(CONTINUE ON REVERSE SIDE)



**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS**

**INMATE GRIEVANCE FORM**

**STEP 1**

**INMATE COPY:**

<b>INMATE NAME:</b> <u>Shaheen Cabbagestalk (with no picture used 11/2017)</u>	<b>OFFICE USE ONLY</b>
<b>SCDC NUMBER:</b> <u>295567</u>	Grievance No. <u>LCI-0320-18</u>
<b>INSTITUTION:</b> <u>Lieber C.I.</u>	Code: General <u>MATTU</u>
<b>HOUSING UNIT:</b> <u>Rttn #108A</u>	Policy _____
<b>WORK ASSIGNMENT:</b> <u>none</u> <u>MAY 02 2018</u> ms	Disc. Hear. _____
	Class. _____
	PREA _____
	Date Received <u>5/11/18</u>
	IGC Initials <u>BF</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.)

I'm filing this because its my rights to defend myself the 4th Amendment The right of the people to be secured in their persons, houses, papers, and effects, The mug shot are followed by false propaganda and Damaging my character and I have the right to be secured in person as well papers I never consented to this practice and SCDC is a part of Corrections Corp. of America which deals thru other various Agencies of trade and merchandise as well information which I've clearly notified SCDC 12-16-16 9:45 AM to Not use my name its a \$500,000 fine to do so Police notified SCDC Sheriff T. White #1260 of Richland County which Inter twines with the (Mug shot Bill) do to name attachment to it as SCDC Conducts itself as an private company high violence, understaffed, under pay This all actions of private ly run company SCDC is and All of this is Reason why for Extortion and violation of people rights to Dirty my character to so crety, other companies, the courts etc now Shaheen Cabbagestalk 5/2/18 In order to get all this done I'd have to spend (with no picture used 11/2017) \$ to have legal Attorney do certain stuff to make all these companies take my mug shot off false propaganda which will include my name I never too pictures to be on SCDC website (as I've consent to this to be placed there at all so this is not to be issued

**ACTION REQUESTED:** TO take my picture off there web site to No one Got my permission to put it up its used the same Reasons to Extort, Degrade, and Slander my Character SCDC to pay for Every thing to have my mugshot taken off web site and others and that \$500,000 fine be paid for each agency uses mugshot along with entire and SCDC damages

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

Inmate Shaheen Cabbagestalk #295567 LCI-0320-18

Your grievance is being processed and returned because you are grieving the fact that outside companies are using your mugshot and attaching false propaganda to it. According to SCDC 01.12 Inmate Grievance System, inmates cannot file a grievance on any matters outside the control of the SCDC.

IGC Signature [Signature] Date 5/11/18

(CONTINUE ON REVERSE SIDE)

**WARDEN'S DECISION AND REASON:**

8105 S O YAM

\_\_\_\_\_  
Warden Signature

\_\_\_\_\_  
Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.

\_\_\_\_\_  
Grievant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
IGC Signature

\_\_\_\_\_  
Date

**INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM**

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5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

INMATE COPY

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
REQUEST TO STAFF MEMBER

RECEIVED  
APR 11 2018  
GENERAL COUNSEL

Send to  
Addressee  
only

TO: NAME: Amy Jolley P.O. Box 21787 Broad River Rd. Columbia SC 29221-1787 General Counsel of SCDC	TITLE: Mug Shot Extortion Bill Removes 11 mug shots from ASAP!	DATE: 4/6/18
INMATE'S NAME: Shaheen Cabbage stalk with front teeth with front teeth	SCDC #: 295567	
INSTITUTION: Lieber CI	LIVING QUARTERS: R11A #108-A	

Hi! I am contacting you all in regards to letting you all know I want all my mug shots immediately removed from all SCDC web sites Do to the (Mug Shot Extortion Bill) supported by Paul Thurmond son of Senator Strom Thurmond

This information is used for profit from people and organizations across the world take all off Internet and SCDC web site immediately.

Thanks

DISPOSITION BY STAFF MEMBER:

The bill applies to private companies using mug shots to extort money. It does not apply to government entities such as SCDC

A Jolley  
4/21/18

DATE:	SIGNATURE:
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South Carolina  
Department of  
Corrections

Office of General Counsel  
P.O. Box 21787/4444 Broad River Road  
Columbia, South Carolina 29221-1787

Exhibit

DATE  
Proof of complaint received from General Counsel of SCDC ✓

RECEIVED

MAY 25 2018

MAIL ROOM  
LIEBER C.I.

Shaheen Cabbagestalk, #295567  
Dorm-Room-Bunk: MA-0108-Z  
Lieber Correctional Institution

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
REQUEST TO STAFF MEMBER**

**RECEIVED**

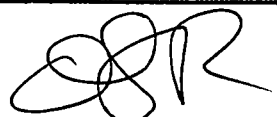
*General Counsel*

TO: NAME: <i>Amy Diller</i> <i>P.O. Box 21289 / 4444</i> <i>Brookline rd colton SC 29221-1289</i>	TITLE: <i>Complaint</i> <i>on Access to Courts</i> <i>Being Denied</i>	DATE: <i>5/15/18</i> <sup>MAY 18 2018</sup>
INMATE'S NAME:	SCDC #:	<i>24586?</i>
INSTITUTION: <i>Lieber CI</i>	LIVING QUARTERS:	<i>Unit # 108A</i>

*Why is it Lieber staff keep trying to use the state wide lock down as an excuse (to) Not Give me Access to the law library (or) to receive legal copies from the law library (or) to receive legal mail as well General mail All these are (Federal Rights) I have being visited by staff here at Lieber I feel you all need to contact warden R. Williams and make him aware Regardless of what its a federal right all legal issues are allowed to be addressed send out mail receive mail, law library, law computer room and to receive legal supplies! Please make these lazy people on lockup at Lieber do right I got to many cases in courts to go thru this non-sense they all gang*

DISPOSITION BY STAFF MEMBER:

*RET # 18-0091679A*

DATE: <i>May 22, 2018</i>	SIGNATURE: 
---------------------------	--

*and they the fems spot help the guy lazy and*

SCDC FORM 19-11 (REV.FEB 2001) *don't do nothing they need to put fems up here to help! This case involve situation interfere with MW Access to Courts*

# Affidavit

I Shaheen Cabbagestark

Do swear that this

Argument has merit and the

Supportive documents are facts

true and correct and I do

Deserve Relief, s.c. Attorney

General office been served

This case to the Best of my Ability

While (CDC) System is locked down and

I'm not allowed to connect call to use law Computer

to fully apply all needed to address my case (do

to the murder of nearly 18 prisoners at Le C.I.F.

Has the entire prison system locked down (see my

complaint to General Counsel on not being able to handle my

legal issues do to this

By: Shaheen Cabbagestark  
without prejudice ues-201  
5/25/18



### Inmate Request

Today's Date: 5/22/18 11:46

**Name:** CABBAGESTALK, SHAHEEN  
**Booking #:** 295567  
**Permanent #:** 295567

**Reference #:** 18-00916794  
**Date Requested:** 05/15/18 12:08  
**Request Type:** Legal  
**Requested By:** Paper Form

**Request Details:** Feels the state wide lock down is an excuses to not let him go to the Law Library, receive legal mail, and general mail. Wants the Warden to be contacted and feels the staff is lazy.

**Disposition:** Complete  
**Officer:** Annie Rumler  
**Disposition Date:** 05/22/18 12:43

**Request Responses**

Date	Author	Note
05/22/18 12:46	c058106	Mr. Cabbagestalk, SCDC staff are working hard to ensure continued access to the law library consistent with security needs during this lockdown period. You will need to contact the law library at your institution to see what procedures to follow to request access. As to your request that we assign female staff to your unit because you assert they help when male staff do not: SCDC will not reassign staff based on gender. SCDC officers are all capable of carrying out their job duties regardless of gender.

Shahoon Cabbages # 295867

Lieber C. (Rt # 108A)

P.O. Box 205

Ridgeville S.C. 29472



S.C. Supreme Court

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P.O. Box 11330

Columbia S.C. 29211