

IN The South Carolina
COURT OF APPEALS

April 24, 2019

Trey Williams, # 341036
petitioner

vs.

STATE OF SOUTH CAROLINA

RECEIVED

APR 26 2019

SC Court of Appeals

Case No.:

2016-001553,

2019-000113,

[6:19-CV-01065-
DCC-KFM]

Motion pursuant to
Rule 5.2 of the Federal Rules of
Civil Procedure protected
By Rule 5.2 a...

It is three case numbers mentioned
above that are pending in three diverse
courts, however the Federal habeas petition
is A ACTUAL INNOCENCE, miscarriage of justice,
TRANSFER OF lower court pending cases
Request etc etc petition.

Enclosed is An order From Federal court
that informed me of the personal infor-
mation rule and it reminded me of A
protected order to keep the minor involved
in this case From public record and it is
many documents on this court and Supreme
Court Record that has the name, date of
Birth etc on public file

Pg. 1 of 3

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MAIL ROOM

and I Request to Block All Personal Information to this rule from public records. I need specific records prevented.

Copies of court documents may be provided to an indigent litigant at government expense upon a showing by the litigant of a particularized need for the documents. See - United States v.

Gallo, No. 88-7534, 1988 WL 60934, at *1 *n. (4th Cir. May 31, 1988) (unpublished) (per curiam).

I must meet the Rules of Federal Court and

I need the Full Court of Appeals Clerk

records of my filings for the last few years

so I can adequately ensure specific

records are blocked from public access

and that I place those records on Federal Record for my pending Federal Habeas Corpus

petition to support issues and colorable claims.

without such documents my case will

Be handicapped. I also intend on
Filing A motion to Federal court that
request to Abeyance or pause this
Court's process of Deciding case in
the Court of Appeals.

I have motioned this Court many times
informing them of my PCR Transcripts
Being Incomplete with complete
Issues and testimony missing along with
Showing due diligence in notifying Agencies,
Attorneys etc of the matter. Attorneys
of record refused to help me and I was
forced to go pro se, I need counsel and
A new fair PCR hearing and time serve
on my case to a plea.

The Court of Appeal Records I
am requesting to honor Federal procedure.

W. M. Williams

the IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Trey Alexander Williams,)	C/A No. 6:19-cv-01065-DCC-KFM
)	
Petitioner,)	<u>ORDER</u>
)	
vs.)	
)	
Charles Williams,)	
)	
Respondent.)	

This is an action seeking habeas corpus relief under 28 U.S.C. § 2254 (doc. 1). The petitioner is a state prisoner. Therefore, in the event that a limitations issue arises, the petitioner shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

TO THE PETITIONER:

This case is not in proper form at this time. **If the petitioner does not bring this case into proper form within the time permitted under this Order, this case may be dismissed for failure to prosecute and comply with an order of this Court under Rule 41 of the Federal Rules of Civil Procedure.**

Under General Order, *In Re: Procedures in Civil Actions Filed by Prisoner Pro Se Litigants*, No. 3:07-mc-5014-JFA (D.S.C. Sept. 18, 2007), the undersigned is giving the petitioner **twenty-one (21) days** from the date this Order is entered (plus three days for mail time) to:

- (1) The Court is in receipt of your request to be considered indigent, along with a copy of your financial certificate (doc. 2). **Complete, sign, and return the enclosed Application to Proceed Without Prepayment of Fees and Affidavit (Form AO 240).**

The petitioner must place the civil action number listed above (6:19-cv-01065-DCC-KFM) on any document the petitioner submits to this Court pursuant to this Order. In the meantime, service shall not be authorized until the items specified above have been reviewed by the assigned Magistrate Judge.

Any future filings in this case must be sent to the address below (300 East Washington Street, Room 239, Greenville, South Carolina 29601). All documents requiring the petitioner's signature shall be signed with the petitioner's full legal name written in the petitioner's own handwriting. Pro se litigants shall *not* use the "s/typed name" format used in the Electronic Case Filing System. In all future filings with this Court, the petitioner is directed to use letter-sized (8½ inches by 11 inches) paper only, to write or type text on one side of a sheet of paper only and not to write or type on both sides of any sheet of

paper. The petitioner is further instructed not to write to the edge of the paper, but to maintain one inch margins on the top, bottom, and sides of each paper submitted.

The petitioner is a *pro se* litigant. The petitioner's attention is directed to the following important notice:

You are ordered to always keep the Clerk of Court advised **in writing (300 East Washington Street, Room 239, Greenville, South Carolina 29601)** if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this Order, you fail to meet a deadline set by this Court, **your case may be dismissed for violating this Order.** Therefore, if you have a change of address before this case is ended, you must comply with this order by immediately advising the Clerk of Court in writing of such change of address and providing the Court with the docket number of all pending cases you have filed with this Court. Your failure to do so will not be excused by the Court.

TO THE CLERK OF COURT:

The Clerk of Court shall mail a copy of this Order and the Proper Form document to the petitioner. If the petitioner fails to provide any item listed above to the Clerk of Court within the period prescribed in this Order, the Clerk of Court shall forward the file to the assigned United States District Judge to determine if this case should be dismissed. *See In Re: Procedures in Civil Actions Filed by Prisoner Pro Se Litigants*, 3:07-mc-5014-JFA (D.S.C. Sept. 18, 2007). If, however, the petitioner provides this Court with the items listed above, the Clerk of Court should forward the file to the assigned Magistrate Judge to determine if service should be authorized.

The Clerk of Court shall not enter any change of address submitted by Petitioner that directs mail be sent to a person other than the petitioner unless that person is an attorney admitted to practice before this Court who has entered a formal appearance.

IT IS SO ORDERED.

s/ Kevin F. McDonald
United States Magistrate Judge

April 16, 2019
Greenville, South Carolina

The petitioner's attention is directed to the important WARNING on the following page.

**IMPORTANT INFORMATION . . . PLEASE READ CAREFULLY
WARNING TO PRO SE PARTY OR NONPARTY FILERS**

ALL DOCUMENTS THAT YOU FILE WITH THE COURT WILL BE AVAILABLE TO THE PUBLIC ON THE INTERNET THROUGH PACER (PUBLIC ACCESS TO COURT ELECTRONIC RECORDS) AND THE COURT'S ELECTRONIC CASE FILING SYSTEM. **CERTAIN PERSONAL IDENTIFYING INFORMATION SHOULD NOT BE INCLUDED IN, OR SHOULD BE REMOVED FROM, ALL DOCUMENTS BEFORE YOU SUBMIT THE DOCUMENTS TO THE COURT FOR FILING.**

Rule 5.2 of the Federal Rules of Civil Procedure provides for privacy protection of electronic or paper filings made with the court. Rule 5.2 applies to **ALL** documents submitted for filing, including pleadings, exhibits to pleadings, discovery responses, and any other document submitted by any party or nonparty for filing. Unless otherwise ordered by the court, a party or nonparty filer should not put certain types of an individual's personal identifying information in documents submitted for filing to any United States District Court. If it is necessary to file a document that already contains personal identifying information, the personal identifying information should be "**blacked out**" or **redacted** prior to submitting the document to the Clerk of Court for filing. A person filing any document containing their own personal identifying information **waives** the protection of Rule 5.2(a) by filing the information without redaction and not under seal.

1. Personal information protected by Rule 5.2(a):

(a) Social Security and Taxpayer identification numbers. If an individual's social security number or a taxpayer identification number must be included in a document, the filer may include only the last four digits of that number.

(b) Names of Minor Children. If the involvement of a minor child must be mentioned, the filer may include only the initials of that child.

(c) Dates of Birth. If an individual's date of birth must be included in a document, the filer may include only the year of birth.

(d) Financial Account Numbers. If financial account numbers are relevant, the filer may include only the last four digits of these numbers.

2. Protection of other sensitive personal information – such as driver's license numbers and alien registration numbers – may be sought under Rule 5.2(d) (filings made under seal) and (e) (protective orders).

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APR 26 2019
SC COURT OF APPEALS

CERTIORARI TO YORK COUNTY
HONORABLE ALISON R. LEE CIRCUIT JUDGE
APPELLATE CASE NO. 2016-001553
DISTRICT OF SOUTH CAROLINA CANO.
6:19-CV-01065-DCC-KFM
HONORABLE KEVIN F. McDONALD

UNITED STATES MAGISTRATE JUDGE

TREY WILLIAMS,

RESPONDENT

v.
STATE OF SOUTH CAROLINA

PETITIONER

CERTIFICATE OF SERVICE

I CERTIFY THAT I HAVE DELIVERED A COPY
OF THIS MOTION TO THE SCDC MAIL ROOM
STAFF SIGNED BELOW AS NOTARY PUBLIC
A COPY ADDRESSED TO ATTORNEY GENERAL
OFFICE TO JOHN BENJAMIN APPLIN (copy missing)

SWORN TO AND SUBSCRIBED ON 24, April

2019, NOTARY PUBLIC: [Signature]

MY COMMISSION EXPIRES: 9-30-26

~~[Signature]~~

In the South Carolina

Court of Appeals

Certiorari to York County

Honorable Alison R. Lee, Circuit Judge

Trey Williams, Respondent

v.
State of S.C., petitioner

RECEIVED
APR 28 2019
SC Court of Appeals

I certify that I have delivered
a copy of this motion to the
SCLC staff to mail to the S.C.
Attorney General Office

Trey Williams

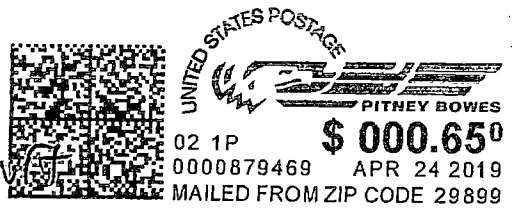
Sworn to and subscribed on 24

April, 2019 Notary of Public [Signature]

My commission expires: 9-30-20

LEGAL MAIL
MAIL ROOM

Trey Williams, # 241036
M.C. To RH # 69
386 Redemption Way
McCormick SC 29899



The South Carolina Court
OF APPEALS
1220 Senate Street
Columbia SC 29201

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SC Court of Appeals

MCS
MAIL ROOM

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