

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
ANTWAN ROBINSON, # 200075

PLAINTIFF,

V.

SOUTH CAROLINA DEPARTMENT of
CORRECTIONS, ET AL.,

IN THE COURT OF COMMON PLEAS
C/A NO.: 2016-CP-40-01508

MOTION TO ALTER
THE JUDGMENT
MADE BY JUDGE
L. CASEY MANNING
MAY 16, 2019

RECEIVED

JUN 13 2019

SC Court of Appeals

RICHLAND COUNTY
FILED
2019 JUN -4 AM 10:25
JEANNETTE W. MORRIS
C.C.P. & G.S.

THE MATTER CAME BEFORE THE COURT ON MARCH 25, 2019 FOR A OLD HEARING ON DEFENDANTS MOTION TO DISMISS, FILED MAY 3, 2016 IN WHICH THIS SAME MOTION TO DISMISS WAS DENIED PREVIOUSLY PRIOR TO THIS KANGAROO HEARING.

AFTER REVIEWING THE ORDER MADE BY JUDGE MANNING IN A UNFAIR AND UNJUST MANNER, THE PLAINTIFF DISCOVERED THAT HE DID NOT FULLY INVESTIGATE THE PLAINTIFFS ORAL ARGUMENTS BEFORE MAKING HIS POOR JUDGEMENT.

THE PLAINTIFF DID PROPERLY SERVE THE DEFENDANTS THROUGH POSTAL MAIL SERVICES AS REQUIRED BY THE SOUTH CAROLINA CIVIL PROCEDURES. ALL THE JUDGE HAD TO DO WAS CONTACT THE OFFICE OF THE ATTORNEY GENERAL AND HE WOULD HAVE DISCOVERED THAT THE PLAINTIFF DID SERVE THE COMPLAINT AS REQUIRED WAY BEFORE THE MARCH 25, 2019 HEARING AND THE DEFENDANTS LAWYER PETER M. BALTHAZOR KNEW THAT AND FAILED TO ALERT THE COURT IN A PROFESSIONAL MATTER.

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IT'S ON RECORD THAT THE PLAINTIFF DID SERVE THE OFFICE OF THE ATTORNEY GENERAL AS REQUIRED BY RULE 4(D)(5), S CRCP. IT'S ON THE OFFICE OF ATTORNEY GENERAL'S RECORD LOG, SO THEREFORE THE PLAINTIFFS ACTION/CASE SHALL BE OVER-TURNED RESPECTFULLY.

THE AFFIDAVIT SUBMITTED BY HARLEY L. KIRKLAND WAS NOT UP-DATED. SHE ONLY LOOKED AT THE MAIL LOG FROM JAN 01, 2016 THROUGH DEC 31, 2017. THE PLAINTIFF ADMITTED THAT HE DID FIRST ATTEMPTED TO SERVE THE DEFENDANTS BY WAY OF INTERDEPARTMENTAL MAIL BUT DID RE-SERVE THE DEFENDANTS BY WAY OF POSTAL SERVICE MAIL AFTER DEC 31, 2017. THE PLAINTIFF HAD FILED A MOTION TO ADMEND COMPLAINT IN ORDER TO HAVE ENOUGH TIME TO PROPERLY SERVE THE DEFENDANTS.

THE PLAINTIFF PRAYS THAT THE COURT GRANT THIS MOTION AND REVIEW THE OFFICE OF THE ATTORNEY GENERAL'S MAIL LOG TO CONFIRM THAT THEY WAS PROPERLY SERVED PRIOR THE MARCH 25, 2019 HEARING.

THEREFORE, THE PLAINTIFF'S MOTION TO ALTER THE JUDGEMENT SHALL BE GRANTED AND THE ACTION/CASE SHALL BE OVER-TURNED / RE-INSTATED.

• KERSHAW, SOUTH CAROLINA
MAY 26, 2019

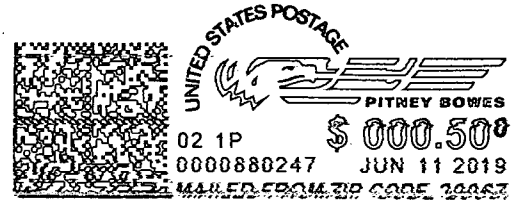
5 / ~~Antonia Blaz~~ PROSE.
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SC Court of Appeals

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