

RECEIVED

JUL 22 2019

SC Court of Appeals

IN THE
SOUTH CAROLINA COURT OF APPEALS

Tyrone Lamar Robertson, # 191327 Plaintiff-Appellant,

vs.

South Carolina Attorney General, Alan Wilson, private party Defendants of penny Connectional Institution, Warden Larry Cartledge, Associate Warden Stephen Clayton, private party Defendants of McConnack Connections Institution, Warden Leroy Cartledge, Associate Warden James Parker, Jr., Lieutenant Stanley Terry, Nurse Tancia L. James, third-party Defendants South Carolina Department of Corrections, State Budget and Control Board Committee, Commissioner of the Palmetto Unified School District No. # 1 Board of Trustee Director, Bryan Stillings, Respondents.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Plaintiff-Appellant now asks leave to file petition Motion pursuant to SCR Civ. Procedures Rule 60(b)(3) petition for writ of prohibition without prepayment of costs and to proceed in forma pauperis.

Plaintiff-Appellant has previously been granted leave to proceed in forma pauperis in the following court: PAUL B. WICKENS-MER GREENVILLE COUNTY CLERK OF COURT 305 EAST NORTH STREET

PAGE 1

LEGAL MAIL ONLY

GREENVILLE, SOUTH CAROLINA 29601.

I Plaintiff-Appellant declare under penalty of perjury
that the foregoing is true and correct.

Signed this 20th DAY OF JUNE 2019.

RESPECTFULLY SUBMITTED

TYNOR LAMAR ROBERSON

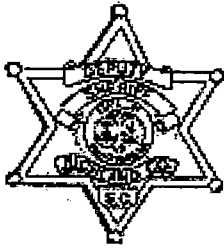
TYNOR LAMAR ROBERSON #191327
Lee Correctional Institution F-7 North 59A
990 WISACKY Highway
Bishopville, South Carolina 29010
Counsel of Record Plaintiff.

cc.

Stephanie H. BURTON, Esquire
GIBBS BURTON, LLC Attorney And Counselor
308 East Saint John Street
Spartanburg, South Carolina 29302
Counsel of Record for Defendants.

PAGE 2 OF 2

LEGAL MAIL ONLY



Richland County Sheriff's Department

LEON L. LOTT, JR.
Sheriff

Tyrone L. Roberson, #191327
F-7 North 59A
Lee Correctional Inst.
990 Wisacky Highway
Bishopville, SC 29010

July 8, 2019

Re: SCDC Director, Mr. Sterling

Dear Sir/Madam:

On 6/24/2019, this department received a civil paper from your office. Please find the enclosed Affidavit of Service/Non Service for the above reference case.

I am pleased to be of service and if my Department can assist you in the future, please call upon my Civil Process Division at (803) 576-3151.

Sincerely,

A handwritten signature in black ink, appearing to read "Leon Lott".

Leon Lott
Richland County Sheriff



Richland County Sheriff's Department

JUN 25 2019

AFFIDAVIT OF SERVICE or NON-SERVICE

Date Entered: 06/24/2019
File Number: C201904250
DSS Number: 0
Foreign Case #: 2017CP2303406

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

Date _____

Plaintiff Tyrone L. Roberson, #191327 F-7 North 59A Lee Correctional Inst. 990 Wisacky Highway Bishopville, SC 29010

Defendant(s) SCDC Director, Mr. Sterling 4444 Broad River Rd Columbia, SC 29210
Phone: Work:

PERSONALLY APPEARED Before Me T. White, duty sworn says that he/she served, or attempt to serve, the following civil paper(s):

Summons & Complaint 1

on the defendant, SCDC Director, Mr. Sterling, as follows:

() By personally handing the process to the defendant at _____, SC on _____ (Date/Time)

() By handing the process to _____ at _____, SC on _____, a person of suitable age and discretion then residing in the defendant's usual place of abode.

(x) By handing the process to Amy Jolley/Admin Coor/SCDC, the registered corporate agent or officer of the company at 4444 Broad River Rd., Columbia, SC on 7-5-19/9:20AM and leaving him/her a copy.

() WAS UNABLE to locate and serve the above process on the defendant, after diligent efforts by checking the City/Telephone Directory, and going to the address given for the defendant, and by questioning persons in the vicinity of the address. THE PROCESS IS RETURNED UNEXECUTED.

() COMMENTS: _____

Deponent knows the person served to be the defendant and Deponent is not a party to the action. SWORN TO Before me this

5 day of July, 2019

T. White 1260 Deputy Sheriff, Richland County

Jadis A Walker NOTARY PUBLIC FOR SOUTH CAROLINA MY COMMISSION EXPIRES 3/23/28 P.O. Box 143 Columbia, SC 29202

Tyrone Lamar Robertson #191327
Lee Correctional Institution F-7 North 59A
990 Wibacky Highway
Bishopville, South Carolina 29010

MR. Leon Lott, Richland County Sheriff
Richland County Sheriff's Department
Post office Box 143
Columbia, South Carolina 29202

DATE: June 20, 2019

RE: CIVIL PROCESS DIVISION

Dear MR. Lott

I have enclosed with this letter an original copy summons, State Tort Claim Verified Complaint with attachments, along with a copy of petition pursuant to SCRUL. CIV. PROCEDURES Rule 60(b)(3) with certificate of service by Mail, that I am presently in need of the Richland County Sheriff Civil Process Division to execute service of process of all enclosed documents to be served upon SCDC Director, Bryan P. Stirling Office General Counsel 4444 Broad River Road Columbia, South Carolina 29221... And please notify me at the above listed address once service is executed. Thank you.

RESPECTFULLY SUBMITTED
Tyrone S. Robertson

LEGAL MAIL ONLY

X

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Division of Inmate Services

AGREEMENT TO DEBIT E.H. COOPER ACCOUNT

Inmate's Name:	SCDC #:	Housing Unit:	Date:
<i>Tyrone Robertson</i>	<i>191327</i>	<i>F-7NORTH59A</i>	<i>6-20-19</i>

GENERAL MATERIAL

** Inmate must have the funds in his/her account to pay for the materials.

To be completed by
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage		
Tape		
Box		
Electronic Repair		
Other		
Sub-Total:		

LEGAL MATERIAL

** Inmate is not required to have the funds in his/her account to pay for the materials; however, his/her account must be debited for all materials s/he elects to receive.

To: Stephanie H. Burton, Esquire;
To: The South Carolina Court of Appeals;

To be completed by
SCDC staff:

Item	Amount	Cost
Envelope		
Pen		
Paper		
Postage	<i>3</i>	
Other		
Sub-Total:		

1 at 2.65
1 at 2.20
1 at 2.05

4.90

To: Leon Lott, Richland County Sheriff
Civil Process Division.

PHOTOCOPIES

** Inmate may be required to have funds in his/her account. See SCDC Procedure GA-01.03(OP), "Inmate Access to the Courts," to determine if inmate may receive copies with/without funds.

To be completed by
SCDC staff:

Item	Amount
Photocopies	

Cost
6.90

Supra Robinson

Inmate's Signature

D. MC

Mailroom/Canteen Signature (Request filled by)

6/21/19

Date

TOTAL

White - Inmate
Canary - Mailroom/Canteen Employee

SCDC Form 10-14 (November 1998)



Office of the Clerk of Court

Paul B. Wickensimer
Clerk of Court for Greenville County
Greenville, South Carolina

www.greenvillecounty.org

June 1, 2018

TO: **Tyrone Lamar Roberson**
Stephanie Burton

RE: **JURY TRIAL NOTICE**
2017-CP-23-3406
Roberson v. Wilson

The above captioned case has been moved to the **August 20, 2018** term of court in order for the defendant's motion to dismiss to be heard on July 18, 2018 at 9:30 a.m.

Your case is subject to being called to trial sometime during the August 20, 2018 term of court.

Mr. Roberson, the Clerk of Court Case Management System has you representing yourself at the trial. When your case is called for trial, you will be transported and you must be prepared to try your case, with all witnesses present or available during the scheduled term of court.

There will be a roster meeting on the Monday of this term of court at 9:15 a.m. with the Presiding Judge for Common Pleas.

Thank you,

Lyndall Coker
Jury Trial Coordinator
Cc: File

[Faint, illegible text, possibly a stamp or bleed-through]

Stephanie Burton
sburton@gibbesburton.com



May 29, 2018

Mr. Tyrone L. Roberson, #191327
Lieber Correctional Institution
P.O. Box 205
Ridgeville, SC 29472

Re: Tyrone Lamar Roberson #191327 v. South Carolina Attorney General, Alan Wilson, et al
C. A. No.: 2017-CP-23-03406

Dear Mr. Roberson:

We are writing to inform you that a hearing on the Defendants' Motion to Dismiss has been set for Wednesday, July 18, 2018 at 9:30 a.m. at the Greenville County Courthouse.

With kind regards,

Very truly yours,

GIBBES BURTON, LLC

A handwritten signature in black ink, appearing to read "Stephanie H. Burton", is written over the typed name.

Stephanie H. Burton

SHB/bre



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 11, 2019

Tyrone Lamar Roberson, 191327
Lee Correctional Inst.
990 Wisacky Highway
Bishopville SC 29010

Re: Tyrone Lamar Roberson #191327 v. SCAG
Appellate Case No. 2019-001122

Dear Mr. Roberson:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or this appeal will be dismissed:

- The accompanying proof of service is not in compliance with the SCACR. Specifically, your proof of service does not give the date that you served a copy of your notice of appeal on the respondents' counsel. Your proof of service should be substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- A proof of service showing that a copy has been served on the Greenville County Clerk of Court's Office has not been provided as required by Rule 203, SCACR.
- The required filing fee has not been submitted. The correct filing fee is \$250.00.
- The argument that you have presented in your filing cannot be considered as part of your notice of appeal. You must serve and file a notice of appeal in

accordance with Rule 203 of the SCACR and that is substantially in the format shown by Form 1 in Appendix C to part II of the SCACR.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Stephanie Holmes Burton, Esquire

IN THE
SOUTH CAROLINA COURT OF APPEALS

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JUL 22 2019

SC Court of Appeals

Tyrone Lamar Robertson, # 191327 Plaintiff-Appellant,

V.

South Carolina Attorney General, Alan Wilson; "private party Defendants of Peppy Correctional Institution," Warden Larry Cartledge; Associate Warden Stephen Clayton; "private party Defendants of McCormick Corrections Institution," Warden Leroy Cartledge; Associate Warden James Parker, Jr.; Lieutenant Stanley Terry; Nurse Tarcia L. James; "third-party Defendants South Carolina Department of Corrections," State Budget and Control Board Committee, Commissioner of the Palmetto Unified School District No. #1 Board of Trustee Director, Bryan Stirling; Respondents.

CERTIFICATE OF SERVICE BY MAIL

Plaintiff hereby declare and certify that a true copy of petition pursuant to SCR Civ. Procedures Rule 60(b)(3) has been served upon Defendants - Respondents by placing a copy of original inside The United States postal Mail carrier with pre-paid postage addressed to be

PAGE 1 OF 2

LEGAL MAIL ONLY

delivered upon the following: Stephanie H. Burton,
Esquire of GIBBS BURTON, LLC ATTORNEY AND COUNSELORS
308 East Saint John Street Spartanburg, South
Carolina 29302.

Signed This 20th DAY OF JUNE 2019.

RESPECTFULLY SUBMITTED

TYBONE L. ROBERSON

Tybone Lamar Roberson # 191327
Lee Correctional Institution F-7 North 59A
990 WISACKY Highway
Bishopville, South Carolina 29010
Counsel of Record plaintiff.

cc.

PAUL B. WICKENSMEYER
GREENVILLE COUNTY CLERK OF COURT
305 EAST NORTH STREET
GREENVILLE, SOUTH CAROLINA 29601

PAGE 2 OF 2

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Tynone Lamar Roberson #191327
Lee Connectional Institution F-7 North 59A
990 Wibacky Highway
Bishopville, South Carolina 29010

Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RECEIVED
JUL 22 2019
SC Court of Appeals

DATE: JULY 18, 2019

RE: Tynone Lamar Roberson #191327 v. SCAG
Appellate Case No. 2019-001122

Dear Clerk

Enclosed with this letter is a copy of proof with certificate of service by Mail, with BEDC Debit Form for outgoing Mail showing the date that I served a copy of petition for writ of prohibition on the courts and Respondents Counsel... to reflect a proof of service showing that a copy has been served on the Greenville County Clerk of Courts office. And I have enclosed letter from Richland County Sheriff Department Civil Division, along with Motion to proceed in forma pauperis that I need for you to file in My behalf. Thank You!

cc.

RESPECTFULLY SUBMITTED
Tynone L. Roberson

PAGE 1 OF 1

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ROM: MR. TYRONE ROBERSON #191327
Lee Correctional Institution F-7 North 59A
990 Wilsack Highway
Bishopville, South Carolina 29010


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JUL 22 2019

SC Court of Appeals

To: The South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
1220 Senate Street
Columbia, South Carolina 29201



UNITED STATES POSTAGE

PITNEY BOWES
02 1P \$ 000.80⁰⁰
0000880020 JUL 19 2019
MAILED FROM ZIP CODE 29010

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