

South Carolina Court of Appeals

P.O. Box 11629

Columbia, S.C. 29211

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JUL 29 2019


SC Court of Appeals

CA No.: 2019-001077

Dear Clerk,

Enclose please find two copies of Motion to Re-instate,
Re-hearing, Jury Trial Demand, Motion for Cost stamp filing
Sending stamped filed copy to me.

Date: July 27, 2019


Terron Dizzley #359480
4460 Broad River Rd.
Columbia, S.C. 29210

State of South Carolina

County of McCook

Terron Dizzley, #359480

Plaintiff JUL 29 2019

v.

South Carolina Department of

Correction Defendants

The South Carolina Court
of Appeals

CIA No.: 2019-001077

Motion To Re-instate,
Re-hearing, Jury Trial
Demanded, Motion for Cost

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SC Court of Appeals

Plaintiff moves before this Honorable Court requesting that this Complaint is re-instated and remanded for a re-hearing pursuant to SCACR 221, 240 on the grounds that:

1. The Courts and Defendants failed to notify Plaintiff that this action was dismissed thus failing to comply with SCR-CP Rule 58.
2. Plaintiff Sent a Motion To (Renew) Receive Outside Dental Care to the Courts and defendant on 4-23-19
3. The Courts responded on May 8, 2019 that the case in its entirety was dismissed on Dec. 10, 2018.
4. The Courts provided Plaintiff with a judgment order which only based its conclusion on the Defendants Summary Judgment and at no where in the order indicates that it considered Plaintiff response to Defendants Summary Judgment. Thus, the Courts conclusions were not of facts specially and stated separately as the conclusions of law as to a fair evaluation of the entire case with Plaintiff's response consider in it's judgment thus does not comply with SCRPC Rule 52.
5. The courts and defendants actions failing to notify Plaintiff of the dismissal prevented him from complying with Rule 52(b)(c) requesting the courts to amend it's findings,

Object to such findings or timely appeal.

6. Plaintiff contends that due to the courts failure to comply with the rules of court incorporate paragraphs 1-5 he should not be required to pay the cost of this appeal under these extraordinary circumstances See: SCRCR Rule 222 (d) and Rule 240 (d)

7. Foregoing reasons Plaintiff request that this Motion is granted and this action is remand, re-instated and Plaintiff is allowed to file such motions directing a ruling that is based on the facts of his case, his response to the Defendants Summary Judgments, his evidence, and affidavits, and case laws which supports his response and claim specially and stated seperately as to the conclusions of law, and that he should not be charged because of the courts ~~actions or inaction~~ and defendants. This request will also enable the Court of Appeals to make a fair judgment as to a complete ruling from the lower court as to the facts of the case in its entirety as to the law.

Date: 7/27/2019

With kind regards,
James D. [Signature]

Certificate of Service

I Terron Dizzley certifies that on this 27th day of July, 2019 sent the Courts and Defendants a Motion to Re-instate, Re-hearing, Jury Trial Demanded, Motion for Cost by placing in BCCI mailing system sent to the address below: pursuant to CA No.: 2019-001077

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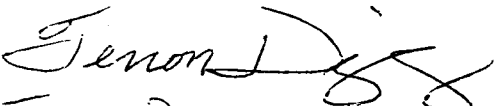
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SC Court of Appeals

McCormick Co. Clerk of Court
133 S. Main St. Room 102
McCormick, S.C. 29835

McDonald Patrick Paston Hemphill + Roper, LLC
P.O. Box 1547
Greenwood, S.C. 29648-1547


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