

IN The South CAROLINA COURT OF  
APPEALS

9-12-2019

Trey Williams v. State  
Case No.: 2016-001553

**RECEIVED**  
SEP 18 2019  
SC Court of Appeals

PETITION FOR  
APPEAL BOND HEARING

I have family members of the victim,  
community members etc ready to  
testify on my innocence and request  
that I come home. (my only plea was to Abham  
time serve prior to trial)  
I am waiting on a production of  
documents to show me almost beating  
to death, stabbed, placed on mental  
health, sprayed by officers in SC  
all since the order of my PCR  
and while the frivolous appeals for  
purpose of delay by the state was  
pending, please grant a bond hearing.  
I have employment waiting, I have a  
stable home, income, I have no criminal  
record, I am innocent of all crimes, I  
have taken college courses, it is safer  
and I am not a flight risk or  
criminal. In the interest of justice it  
will be safer for me to be released.

(Case No. of me being stabbed

6:19-cv-01006-DCC-KFM vmy

LEGAL MAIL  
MAIL ROOM

Williams

IN THE SOUTH CAROLINA COURT  
OF APPEALS

September 17, 2019

RECEIVED

SEP 18 2019

Trey Williams vs. State of South Carolina  
Appellate Case No. 2016-001553  
SC Court of Appeals

PETITION FOR APPEAL BOND HEARING/  
NOTICE TO THE COURTS IN THE  
INTERESTS OF JUSTICE TO APPOINT COUNSEL.

The letter to this court about the misunderstanding of the order when the courts affirmed the above case number was misconstrued.

The clerk or clerks that misapplied the letter to be a motion for rehearing did not seek to gain clarity on the letter as what usually happens.

I was asking for clarity of the affirmed order and I don't want a rehearing. I need a attorney to be appointed on this case that is professional and competent to effectively represent me on this case, the states appeal and appeal bond.

P. 1 of 3

LEGAL MAIL  
MAIL ROOM

The Indigent office WAS determined to be A  
conflict of Interest involving my case  
So I need An effective Pro Bono Attorney.  
This week or next week from the united  
states district court I should be able to  
summons SCDC to obtain more documents on  
the murder attempt I suffered while waiting  
on the states Fittoldus Appeal for purposes  
of delay in this case.

I recently sent in documents ~~from~~ <sup>to</sup> this court  
proving I WAS stabbed up.

I need An Appeal Bond hearing so that I  
can present All the evidence needed to get  
me ~~on~~ Appeal Bond so I ~~won't~~ be killed  
in prison. The court record already shows  
I Am innocent, was granted and affirmed  
per relief of new trial, my only plea  
was time serve to a lesser charge, I have  
no criminal record, I am more likely to  
succeed on Appeal.

If I need to send in District court records  
please let me know and I have witnesses of  
the community to testify on my behalf.

## CONCLUSIONS

IN the RECORD I CAN DEMONSTRATE  
FAULS TESTIMONY FROM THE SOLICITOR  
IN MY TRIAL TO PROVE I WAS FRAUDULANTLY  
CHARGED WITH THE CHARGE AND MUCH  
MORE.

I ALSO WAS NOT INDICTED AT THE  
OF TRIAL, I WAS INDICTED ~~ADDS~~  
AFTER MY TRIAL IN MAY 2010.

ALL OF THIS IS IN CASE No.: 2016-001553  
AND 2019-000113.

ALL NEED TO HAVE ALL THE COURT  
RECORDS AVAILABLE TO ME FOR THE BOND  
HEARING.

AN ATTORNEY WILL ALSO HELP BE OBTAIN  
THESE RECORDS. *directly receiving*

Per 3073

LEGAL MAIL  
MAIL ROOM

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

Trey Alexander Williams,

Plaintiff,

vs.

Captain McNut, Lt. Clark, Broad  
River Correctional, Lieber Correctional,  
Ms. Berch, Ms. Ford, SLED,  
McCormick Correctional,

Defendants.

C/A No. 6:19-1006-DCC-KFM

ORDER

This is a § 1983 action filed by a state prisoner. Therefore, in the event that a limitations issue arises, the plaintiff 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.

MOTION FOR EXTENSION OF TIME:

On May 31, 2019, the plaintiff filed a motion for extension of time to bring his case into proper form (doc. 15). As noted below, the plaintiff's motion is **granted**, and he has **thirty (30) days** to bring his case into proper form. This is the third opportunity for the plaintiff to bring his case into proper form. As such, **the plaintiff is warned that he will have to show good cause in order to receive any further extensions of time to bring his case into proper form.**

TO THE PLAINTIFF:

The plaintiff, in response to the undersigned's order dated May 10, 2019, indicates that he needs additional time to obtain the information needed to complete the service documents (doc. 15). The plaintiff also filed a proposed summons; however, it was not completed correctly. As such, this case is not in proper form for service at this time. **If the plaintiff does not bring this case into proper form within the time permitted by this Order, this case may be dismissed for failure to prosecute and failure to 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), and in light of the plaintiff's request for additional time to provide the necessary documents to bring this case into proper form for judicial screening, the undersigned is giving the plaintiff **thirty (30) days**—as detailed above—from the date this order is entered (plus three days for mail time) to:

1) Complete one summons form which lists every defendant named in this matter. The plaintiff is instructed that **ALL** defendants must be named on the summons, not representative parties. In the space following "TO: (The defendant's name and address)," the plaintiff is required to provide a complete name and a full address where the defendant can be served pursuant to Rule 4 of the Federal Rules of Civil Procedure. **The plaintiff's complete name and full address must be provided in the blank section following "plaintiff or plaintiff's attorney, whose name and address are."**

Handwritten information must be printed and legible. **Nothing else should be written by the plaintiff on either the front or back of the summons or in the margins.** If it is necessary to list additional defendants whose names and street addresses do not fit in the space on the summons form preceded by "TO: (Name and address of the defendant)," *the plaintiff must attach an additional page of letter-sized (8½ inches by 11 inches) paper listing additional defendants and service addresses.* **Blank forms are attached for the plaintiff's use.**

2) Complete, sign, and return a Form USM-285 for each defendant listed in this case. **Only one defendant's name and street address should appear on each form.** The defendant's name and **street** address should be placed in the spaces preceded by the words, "SERVE AT." The plaintiff's name and address should be placed in the space designated, "SEND NOTICE OF SERVICE COPY TO . . .," and the plaintiff should sign where the form requests, "Signature of Attorney or other Originator . . . ." The plaintiff must provide the defendant's complete **street** address on the form (not a post office box address). The plaintiff must provide, and is responsible for, information sufficient to identify the defendant(s) on the Form(s) USM-285. The United States Marshal cannot serve an inadequately identified defendant, and unserved defendants may be dismissed as parties to this case. **Blank forms are attached for the plaintiff's use.**

No process shall issue until the items specified above have been reviewed by the assigned Magistrate Judge.

The plaintiff must place the civil action number listed above C/A No. 6:19-01006-DCC-KFM) on any document provided to the Court pursuant to this Order. **Any future filings in this case must be sent to the address below: (300 East Washington Street, Room 239, Greenville, South Carolina 29601).** Any future filings in this case must be sent to the Clerk's Office in Greenville (300 East Washington Street, Room 239, Greenville, South Carolina 29601). All documents requiring the plaintiff's signature shall be signed with the plaintiff's full legal name written in the plaintiff'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 plaintiff 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 plaintiff 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 plaintiff is a *pro se* litigant. The plaintiff'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 documents to the plaintiff. If the plaintiff fails to provide the items specified 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 whether to enter an order of dismissal. *See In Re: Procedures in Civil Actions Filed by Prisoner Pro Se Litigants*, No. 3:07-mc-5014-JFA. If, however, the plaintiff provides this Court with the items specified above, the Clerk of Court should forward the file to the assigned Magistrate Judge to determine if service of process should be authorized.

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

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

IT IS SO ORDERED.

s/ Kevin F. McDonald  
United States Magistrate Judge

June 3, 2019  
Greenville, South Carolina

**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).

U.S. District Court

District of South Carolina  
Notice of Electronic Filing

The following transaction was entered on 6/3/2019 at 10:52 AM EDT and filed on 6/3/2019  
Case Name: Williams v. McNut et al  
Case Number: 6:19-cv-01006-DCC-KFM  
Filer:  
Document Number: 17

Docket Text:

THIRD PROPER FORM ORDER On May 31, 2019, the plaintiff filed a [15] motion for extension of time to bring his case into proper form. The plaintiff's motion is granted, and he has thirty (30) days to bring his case into proper form. This is the third opportunity for the plaintiff to bring his case into proper form. As such, the plaintiff is warned that he will have to show good cause in order to receive any further such extensions of time. Case to be brought into proper form by 7/3/19. IT IS SO ORDERED. Signed by Magistrate Judge Kevin McDonald on 6/3/19. (ctuc, )

6:19-cv-01006-DCC-KFM Notice has been electronically mailed to:

6:19-cv-01006-DCC-KFM Notice will not be electronically mailed to:

Trey Alexander Williams 341036  
McCormick Correctional Institution  
386 Redemption Way  
McCormick, SC 29899.

The following document(s) are associated with this transaction:

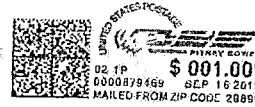
Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp\_ID=1091130295 [Date=6/3/2019] [FileNumber=9085001-0]  
[12078d37463548665786bd18cc2bdc8b9c23e16d2f5beaaa0965b2dd398a4674ba19  
4165a0d10b37865a30f5634cb51e7b2faaf36c5387d2561cd7586d2a1561]]

Trey Williams # 341036  
M.C. F. RTH # 69  
386 Redemption Way  
McCormick SC 29899



The South Carolina Court  
of Appeals  
1220 Senate Street  
Columbia SC 29201

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