

THE SOUTH CAROLINA COURT OF APPEALS

IN THE S.C. COURT OF APPEALS

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE  
LAW COURT

THE HONORABLE MILLIE G. KEMPSON, JUDGE

Initial Brief Case No. 2019-001279

MOTION FOR LEAVE TO FILE Amended Case Law

State v. Hernandez

James Anthony Primus 252315

v.

South Carolina Department of Corrections Respondent

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NOV 15 2019  
SC Court of Appeals  
APPELLATE

Appellate James Anthony Primus 252315 Pursuant to  
Rule 15(a) and 19(c) S.C.R. Chapter 2 Request leave to

file an amendment Case from State v. Hernandez -  
10-23-2019 WL 5417194

The Appellant in his original Initial Brief stated  
that South Carolina Department of Corrections lack subject  
matter jurisdiction to incarcerate Appellate ABHAW  
conviction by the statute ABHAW is not and  
lessor inclusion address of 16-3-LS1 CSC 1st Degree,  
Citing State v. Hernandez 10-23-2019 WL 5417194



## Conclusion

Appellant has met his burden to demonstrate assault and battery of an high and aggravated nature cannot be interpreted by the statute and without a written indictment ABHAN would not support kidnapping Appellate would ask and request this court to vacate the ABHAN conviction and remand the kidnapping conviction for resentencing

November 12 2019

Respectfully Submitted

James Anthony Primus Pro Se  
James Anthony Primus 252315  
MacDougall Correctional Inst.  
Bench Unit 2 C 13 B  
1516 Old Gilliard Road  
Ridgeville S.C. 29472



THE SOUTH CAROLINA COURT OF APPEALS  
IN THE COURT OF APPEALS

James Anthony Primus 252315  
Appellate

Case No. 2019-CC 1277

V

Certificate of Service

SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS

RESPONDENT

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SC Court of Appeals

I hereby certify that a copy of the  
foregoing document was this date served upon  
the following individuals by placing a copy of  
the same via mail to his/her last known address  
as follows: November 12 2019

S. C. Dept of Corrections  
Office of General Counsel  
4444 Broad River Road  
P. O. Box 21787  
Columbia S.C. 29221-1787

S. C. Court of Appeals  
Clerk Office  
P. O. Box 11629  
Columbia S.C. 29207

S. C. Admin Law Court  
1205 Pendleton St. Suite 224  
Columbia S.C. 29202

By  
James Anthony Primus Primus  
James Anthony Primus 252315  
1514 Old Gilliard Road  
Bridgeville S.C. 29672



James Anthony Primus 252315  
Max Dougall Correctional Institution  
Birch unit 2 C 13 B  
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November 12 2019

S. C. Court of Appeals  
Clerk Office  
P.O. Box 11629  
Columbia S.C. 29211

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SC Court of Appeals

RE case no. 2019-001277

Dear Honorable Clerk

Please find enclosed Appellant Motion for leave  
to Amend in the above mention case  
I would like to Thank you in advanced

Sincerely

James Anthony Primus Rose



James Anthony Reynolds  
29213-16229  
MACBOUGALL CORR. INST.  
1001 W. LARD RD.  
COLUMBIA, SC 29213

James Anthony Reynolds 29213-16229

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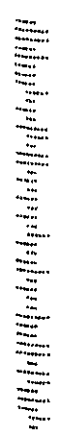
CO. Clerk of the Court, South Carolina Court of Appeals

Clerk's Office

P.O. Box 11629

Columbia S.C. 29211

29213-16229



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