

ROBERT WILLIAM WAZNEY  
990 Wisacky Highway  
Bishopville, S.C. 29010  
803-428-2800

RECEIVED

FEB 08 2021

SC Court of Appeals

February 3, 2021

V. Clarie Allen  
c/o S.C. Court of Appeals  
PO Box 11629  
Columbia, SC 29211

RE: Your paper dated 1/21/21 regarding Case 2020-000910

Dear V. Clarie Allen:

January 9, 2021 I filed with S.C. Court of Appeals my Motion entitled BRIEF OF APPELLANT AFFIDAVIT OR DECLARATION IN SUPPORT OF APPELLANT'S VIOLATION OF CIVIL RIGHTS COMMITTED BY STATE OFFICIALS BY DEVICE OF POLICE MISCONDUCT AND ABUSE OF DISCRETION, DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL, AND PROOF OF SERVICE, and in reply to that Motion, you replied and where I am in receipt of your two-page paper dated 1/21/21 which I received on 2/2/21. Thank you. Your 1/21/21 paper reads that upon reviewing my brief, you found deficiencies under South Carolina Appellate Court Rules (SCACR) which must be corrected within ten (10) days of the date of your paper or my appeal will be dismissed. And, those deficiencies state the 'caption' does not comply with Rule 267(a), SCACR, and the 'title' is incorrect, and the format of my statement, argument, and conclusion is incorrect, that it should not be 'numbered lists'.

First, in regards to the caption not complying with Rule 267(a), SCACR; I have reviewed Rule 267(a), SCACR, and nowhere does it read that I cannot call my motion BRIEF OF APPELLANT AFFIDAVIT OR DECLARATION IN SUPPORT OF APPELLANT'S VIOLATION OF CIVIL RIGHTS COMMITTED BY STATE OFFICIALS BY DEVICE OF POLICE MISCONDUCT AND ABUSE OF DISCRETION, DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL, AND PROOF OF SERVICE. And, Rule 267(a) gives only examples of what motions may be called, such as, Motion To Dismiss, Petition For Writ of Certiorari, etc. Rule 267(a), SCACR, does not read I have limits to my options of title. If one was to follow the Rule as you have construed its meaning as you have, there would only be five motion titles available for all appellate documents entering the court of appeals for everyone to use in the state of South Carolina. I cannot find any common law regarding the requirement of a United States Citizen, or Citizen of the state of South Carolina, having to rename his motion papers for any reason. Rule 267(a), SCACR, reads "the title of the document" followed with an "e.g."--in parenthesis--and which means 'for example', and thereby provides examples. I have suffered threatened and actual abused from an employee of South Carolina Department of Corrections and my Motion I filed with this court reflects such police misconduct, et al., in its title. Hence the title of the document as set out in Rule 267(a), SCACR. My title is also substantially in the form shown by the Rules of Court example under Rule 267, SCACR.

V. Claire Allen, c/o S.C. Court of Appeals  
Page 2-of-2  
February 3, 2021

~~Second, the 'title of case' reads the Respondent first, my appologies, the Rule reads that I should come first.~~

~~Third, my Motion is in paragraph form, but I have numbered the paragraphs to prevent the readers confusion because many of the paragraphs begin with a date.~~

~~Fourth, I have received your 1/21/21 paper two days after its expiration, and likely due to circumstances of Covid-19. Your envelope reads postage on 1/21/21, the Lee Mail Room received it on 1/26/21, I received OTR and reported to mailroom on 2/2/21 as instructed by Lee Correctional Institution. And which has deemed your 1/21/21 paper late on arrival, and late service, due to no fault of my own. (See attached 3 pages).~~

~~As pro se prisoner I will gladly fix the errors in which you have claimed are not to the standards of South Carolina Court Rules, however you need to send me the paper back so I may correct those errors. The prison law library has white out, and I am sure I can white out the numberes in front of the paragraphs, and I can remove any errors in the title of the case as well, just so I can meet the requirements of a licenced attorney which you are asking me to hold to. However, I believe the substantial-performance doctrine should cover those inconsistencies as I am sure all the information required for your understanding of the document is present.~~

~~PREMISES CONSIDERED, I request extension of time to provide this court with deficiency corrections it has required, I request an extra 30 days after I receive those papers back from V. Claire Allen, S.C. Court of Appeals, and any other relief as this Court deems fit and appropriate.~~

~~I declare under penalty of perjury the foregoing is true and correct.~~

~~I certify that true and correct copies of this request for extension of time has been served on all parties to this appeal by placing the same in the U.S. Mail postage prepaid to their last known address(es) on this day.~~

February 3, 2021

/s/

ROBERT WILLIAM WAZNEY  
Pro se (forced), Appellant

Encls. 3 pages  
cc: Imani Diane Byas  
S.C. Court Administration:

~~Imani Diane Byas  
S.C. Court Administration  
Encls. 3 pages~~



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF 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](http://www.sccourts.org)

January 21, 2021

Robert William Wazney, 00363679  
Lee Correctional Inst.  
990 Wisacky Highway  
Bishopville SC 29010

Re: Robert Wazney, #363679 v. SCDC  
Appellate Case No. 2020-000910

Dear Mr. Wazney:

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

- The caption and title does not comply with Rule 267(a), SCACR. Specifically, the caption should only read "Initial Brief of Appellant" and not include a sub-caption. The title should read as follows:  
**Robert William Wazney, #363679, Appellant,**

v.

**South Carolina Department of Corrections, Respondent.**

- The format of your statement of the case, argument, and conclusion is incorrect. The format of your brief shall be in paragraph form and not numbered lists.

2/3/21

Very truly yours,

*V. Claire Allen*

CLERK

cc: Imani Diane Byas, Esquire

*11/3/11*



**South Carolina Court of Appeals**

JENNY ABBOTT KITCHINGS, CLERK  
POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211

Hasler

01/21/2021

**US POSTAGE**

FIRST-CLASS MAIL

**\$00.50<sup>0</sup>**



ZIP 29201  
011D12602824

*AB 2014*

**RECEIVED**

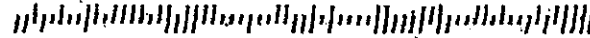
JAN 26 2021

LEE CI MAIL ROOM

ROBERT WILLIAM WAZNEY, 00363679  
LEE CORRECTIONAL INST.  
990 WISACKY HIGHWAY  
BISHOPVILLE SC 29010

*Sigurd  
Resd 2-21*

2901081775 0002



*1/3/21*

ROBERT WILLIAM WAZNEY  
c/o Lee Correctional Institution  
F32214 363679  
990 Wisacky Highway  
Bishopville, South Carolina 29010

RECEIVED

FEB 08 9094

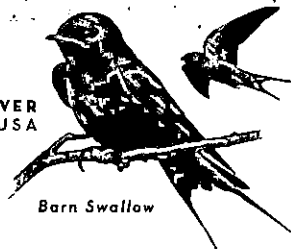
SC Court of Appeals

S. C. COURT OF APPEALS

PO BOX 11629

COLUMBIA, SC 29211

FOREVER  
USA



Barn Swallow