

THE SOUTH CAROLINA COURT OF APPEALS
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
ADMINISTRATIVE LAW JUDGE S. PHILIP LENSKI

ALC Case no. 2020 - ALJ-04-0470

RECEIVED

Appellate Case no. 2021 - 000479

SEP 03 2021

SC Court of Appeals

James Anthony Primus 252315

Appellant

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS Respondent

RECORD ON APPEAL

James Anthony Primus 252315

Appellate pro se

MACDougal Correctional Institution

1516 Old Gilliard Rd

Ridgeville S.C. 29472

IMANI Diane Byas

STAFF ATTORNEY

South Carolina Department
of Correction

4444 Broadriver Road

P.O. Box 21787

Columbia South Carolina

29221-1787

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Appellant RECORD

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Sentence sheet misspelled name wrong social security number

Fraudulent plea solicitor signed as Appellant Attorney Wrong Clerk

Stamp no jail time given credit for ev kidnap sentence sheet Judge

did not stipulate sex offense 20 of 20

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Clerk of Court SCDC attorney reasoning 22 of 22

Due 9/21/20

OCT 14 2020

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM
STEP 2

Office Use Only

VISION OF CLASSIFICATION
& INMATE RECORDS

INMATE NAME: James Anthony Primus
SCDC NUMBER: 252315
INSTITUTION: MAC Douglas
HOUSING UNIT: _____
WORK ASSIGNMENT: Chapel

Grievance No. MacD 005020
Code: General _____
Policy _____
Disc. Hear. _____
Class PRA
Date Received: 9-17-20
IGC Initials: RN
Date Received: 9/23/2020
IGA Initials: [Signature]

RECEIVED

SEP 23 2020

INMATE GRIEVANCE

INMATE'S REASON FOR APPEAL (state specific dissatisfaction):

The printout from my Annual Review has kidnapping check with a sex offense where the offense for kidnapping is only violent without any nexus there is none

Grievant Signature James Anthony Primus Date 9-15-20

RESPONSIBLE OFFICIAL'S DECISION AND REASON:

Primus, James 252315

MacD-0050-20

I have reviewed your concern. In your grievance you stated that on 4/27/2020 your inmate record is being changed by Mr. Stobbe without judicial authority. You did not make a statement in the Action Requested Section of SCDC Form 10-5. However, it appears that you would like your inmate records to be corrected. Your allegations that SCDC Staff has been discriminatory toward you as it relates to your SCDC Inmate Records is not supported by evidence. The Warden responded to your concern on SCDC Step 1 Inmate Grievance Form 10-5 dated 7/20/20. You have been advised to speak to a Classification Caseworker if you have concerns related to your classification and/or inmate records. You were also advised to submit a Request To Staff Member to Classification so that you make speak with staff. You may find that your concerns can be best addressed by speaking with a Classification Caseworker. You are finally advised to follow SCDC rules, policies and procedure. You have not shown that SCDC Staff have performed their job duties improperly.

Therefore, your grievance is resolved.

If you disagree with this Warden's Decision (Decision), you may file an appeal by completing SCDC Step 2 Inmate Grievance Form 10-5A, provided to you while serving you this Decision, and placing it in the Grievance Box at your local correctional institution within five (5) days of your receipt of this Decision.

Responsible Official Signature [Signature] Date 10/6/20

The decision rendered by the responsible official exhausts the appeal process of the Inmate Grievance Procedure. I hereby acknowledge receipt of the official's response and understand this is the Agency's final response to this matter.

Grievant Signature _____ Date _____

IGC Signature _____ Date _____

5/18/20
FW

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM

MacDougall CF
0050-20

STEP 1

INMATE NAME: <u>James Anthony Primus</u>	OFFICE USE ONLY
SCDC NUMBER: <u>252315</u>	Grievance No. <u>Mac10050-20</u>
INSTITUTION: <u>Mac Dougall</u>	Code: General
HOUSING UNIT: <u>Birch Unit 2</u>	Policy
WORK ASSIGNMENT: <u>Chapel</u>	Disc. Hear. <input checked="" type="checkbox"/>
	Class. <input checked="" type="checkbox"/>
	PREA
	Date Received <u>5/20/20</u>
	IGC Initials <u>FW</u>

STATEMENT OF GRIEVANCE (Indicate the date of incident, and if the grievance is a challenge to SCDC Policy, specify which policy. Include supporting documentation and attach answered RTSM or Kiosk reference number.) 4-27-20

20-01587048 Discriminatory Classification
 Michael Stobbe Branch Chief of Release and Records Management for the S.C. Dept. of Corrections Administratively my Inmate Record is being change systematically and routinely to reflect and specific character by Michael Stobbe without Judicial Authority " such as below "

19-01174383

James Anthony Primus
 Grievant Signature Date
 May 18 2020

ACTION REQUESTED:

ACTION TAKEN BY IGC: PROCESSED UNPROCESSED OTHER

See warden's response

M. W. [Signature] 6/15/20
 IGC Signature Date

(CONTINUE ON REVERSE SIDE)

WARDEN'S DECISION AND REASON:

Primus, James 252315

MacD-0050-20

I have reviewed your concern. In your grievance you stated that on 4/27/2020 your inmate record is being changed by Mr. Stobbe without judicial authority. You did not make a statement in the Action Requested Section of SCDC Form 10-5. However, it appears that you would like your inmate records to be corrected. Your allegations that SCDC Staff has been discriminatory toward you as it relates to your SCDC Inmate Records is not supported by evidence. If you have questions about your classification and/or inmates records, you are advised to submit a Request To Staff to Classification so that you make speak with staff. You are further advised to follow SCDC rules, policies and procedure. You have not shown that SCDC Staff have performed their job duties improperly.

Therefore, your grievance is denied.

If you disagree with this Warden's Decision (Decision), you may file an appeal by completing SCDC Step 2 Inmate Grievance Form 10-5A, provided to you while serving you this Decision, and placing it in the Grievance Box at your local correctional institution within five (5) days of your receipt of this Decision.

Earl T. Tipton 7-20-20
Warden Signature Date

- I accept the Warden's decision and consider the matter closed.
- I do not accept the Warden's decision and wish to appeal.

James Anthony Primus 9-3-2020
Grievant Signature Date

M. White 7/29/2020
IGC Signature Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
OFFICE OF GENERAL COUNSEL—INMATE GRIEVANCE BRANCH
INMATE CORRESPONDENCE

INMATE:

James Primus (252315)

INSTITUTION:

Lee Correctional Institution | F5-178

FROM:

Ms. R. Wilson, Inmate Grievance Coordinator
Lee Correctional Institution

COPY:

Ms. J. Prince, Inmate Grievance Coordinator
Lee Correctional Institution

SUBJECT:

Atty. Sherman L. Anderson, Chief
Inmate Grievance Branch | Office of General Counsel

Alternative Service of Process During Lockdown and Pandemic
Grievance Number: MACD-0050-20

Return Step 1 By August 13, 2020

DATE:

August 6, 2020

Inmate Primus,

Your grievance would normally be served in person. However, during this extended lockdown period at Lee Correctional Institution, the process for serving grievances has been modified in some instances.

Instructions:

You will need to sign the copy of your Step 1 Grievance that is enclosed. Once you sign, date and check the appropriate box, send it back to me in the mail. I have enclosed a pre-addressed envelope. Once I receive the Step 1 Grievance back as instructed, I will send you the original Step 1 Grievance and you will do the same. I will also include a pre-addressed envelope. Once I receive the original Step 1 Grievance back as instructed, I will send you your copy of the Step 1 Grievance and a Step 2 Grievance form in the event you wish to appeal. This procedure is being used in view of extended lockdown conditions at some correctional institutions.

Your Quick Response Required:

If you do not return the Step 1 Grievance as instructed by **AUGUST 13, 2020**, your grievance will be closed. Your cooperation is appreciated during these extraordinary times. We will continue to process your grievances as quickly as possible.

Thank you.

R. Wilson

CMTI100D
OMCOMITA

SCDC OFFENDER MANAGEMENT SYSTEM
COMMITMENT APPLICATION
CONVICTION SUMMARY

01/14/21
C052640

SCDC# > 252315
PRIMUS, JAMES A

CURR LOC: MACDOUGA
SCDC CLASSIFICATION...: VIOLENT

OFFENDER TYPE: ADULT-STRAIGHT SENTENCE

NUM	CONVICTION OFFENSE	INCARC	SENT	SENT	SENT	CONV	VIO			
		YRS	MO	DYS	DATE	START	PROJ	COMP	STAT	IND
-	S00001 KIDNAPPING	030	00	000	09/01/98	07/15/97	01/07/2023	ACT	V	V
-	* S00002 ASSLT&BATTERY-HIGH&AG	010	00	000	09/01/98	07/15/97	01/01/2028	ACT	N	N

PAGE: 0001

MAKE A SELECTION AND PRESS <ENTER>...

PF3-ADD PF4-MODIFY/RVK PF5-ADD DUPL PF6-DISP CONSEC PF9-DETAIN PF12-SUMRPT

CMTI200D SCDC OFFENDER MANAGEMENT SYSTEM 01/14/21
 OMCOMITA COMMITMENT APPLICATION C052640
 SCDC #: 252315 INQUIRY CURR LOC: MACDOUGA
 PRIMUS, JAMES A NONCONFORM SENT: N RTRN TO COURT: N
 OFFENDER TYPE: ADULT-STRAIGHT SENTENCE
 CONVICTION NUM: S00001 INDICT NUM: 97-GS-181046 WARRANT NUM: E091999
 DATE SENTENCED...: 09/01/1998 JUDGE LAST...: BROWN FI: L
 STATUTE: CDR CODE.: 0095 GPS IND: N
 OFFENSE: 1000 KIDNAPPING OFFENSE DATE: 07/13/1997
 CHARACT: F FACILITATION OF COUNTS: 01 OFFENSE CNTY: 18 DORCHESTER
 PLEA...: N NOT GUILTY TYPE OF COURT...: 01 GENERAL SESSIO
 TYPE SENTENCE... : S ADULT-STRAIGHT SCDC JURIS DATE...: 07/15/1997
 TOTAL SENTENCE...: 030 00 000 MAND SERV REQMT...: 025 06 000
 INCARC SENTENCE...: 030 00 000 PAROLE FACTOR...: 2 1/3 SENT. REQ.
 PROBATION SENT...: 000 00 000 PAROLE SERV REQMT: 999 99 999
 HIP SENT...: 000 00 000 HAYES CRED: 00000
 RESTITUTION REQMT: N AMT: .00 JAIL CRED: 00000 EXTRA CRED: 00000
 CONVICTION STATUS: AC ACTIVE SENT START DATE: 07/15/1997 DOM.IND: Y
 CONSECUTIVE IND...: N SPOUSE ABUSE: STATUTE CLASS: VIOLENT
 DNA OFFENSE IND...: Y EEC ELIG: Y DEATH UTERO: SCDC CLASS...: VIOLENT
 SEX REG: Y PRED OFF: N LAST UPDATE: A CARSON DATE: 11/30/20
 NO PAROLE: NO PAROLE CREATED BY.: R SPAIN DATE: 09/03/98

PF8-NEXT CONVICTION

PF9-DETAIN

PF4-RESTITUTION PAID(FA ONLY)

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

IN THE COURT OF GENERAL SESSIONS

STATE VS.

CERTIFIED COPY

INDICTMENT/CASE #:

2000 MAR 13 PM 5:00

97-GS-18-1046

252315

James H. Prem...
Race: [redacted] Sex: [redacted]
DOB: [redacted] Age: [redacted]
SSN: [redacted]
DL#: [redacted]
SID#: [redacted]

CLERK OF COURT
DORCHESTER COUNTY

A/W#: E091999
Date of Offense: 7-13-97
S.C. CODE §: 16-3-910
CDR Code #: [redacted] 95

#1

SENTENCE

PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS TO: kidnapping

in violation of § _____ of the S.C. Code of Laws, bearing CDR Code # [redacted] 95
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation Negotiated Sentence
 Recommendation by the State

ATTEST:
Margaret H. [redacted]
Solicitor

Defendant

William Runyon
Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, or Under Youthful Offender Act for a term of 30 days/months/years and/or to pay a fine of \$ _____; provided the sentence be suspended upon the service of _____ days/months/years and/or payment of \$ _____ plus costs and assessments as applicable*; the balance suspended with probation for _____ months/years.

CONCURRENT or CONSECUTIVE to sentence on: _____

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered
Total: \$ _____
Pay Terms: _____
Recipient: _____

- PTUP
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____
- Other: debit for jail time
- Other: fine paid 15, 1998

*Fine.....	\$	_____
§14-1-206 - Assessments 100%.....	\$	_____
§14-1-211 - Surcharge.....	\$	100.00
(Exceptions: See §14-1-211)		
§56-5-2995 (DUI).....	\$	_____
TOTAL.....	\$	100.00

PRESIDING JUDGE
Sentence Date: 09-1-98
Judge Code: 090

Deal [redacted]
Clerk of Court/Deputy Clerk
Court Reporter: Reel

CMTI200D SCDC OFFENDER MANAGEMENT SYSTEM 01/14/21
 OMCOMITA COMMITMENT APPLICATION C052640
 SCDC #: 252315 INQUIRY CURR LOC: MACDOUGA
 PRIMUS, JAMES A NONCONFORM SENT: N RTRN TO COURT: N
 OFFENDER TYPE: ADULT-STRAIGHT SENTENCE
 CONVICTION NUM: S00002 INDICT NUM: 97-18-1045 WARRANT NUM: E091998
 DATE SENTENCED...: 09/01/1998 JUDGE LAST...: BROWN FI: L
 STATUTE: CDR CODE.: 0013 GPS IND: N
 OFFENSE: 1317 ASSLT&BATTERY-HIGH&AGG NAT OFFENSE DATE: 07/13/1997
 CHARACT: F FACILITATION OF COUNTS: 01 OFFENSE CNTY: 18 DORCHESTER
 PLEA...: N NOT GUILTY TYPE OF COURT...: 01 GENERAL SESSIO
 TYPE SENTENCE...: S ADULT-STRAIGHT SCDC JURIS DATE...: 07/15/1997
 TOTAL SENTENCE...: 010 00 000 MAND SERV REQMT...: 000 00 000
 INCARC SENTENCE...: 010 00 000 PAROLE FACTOR...: 1 1/4 SENT. REQ.
 PROBATION SENT...: 000 00 000 PAROLE SERV REQMT: 000 00 000
 HIP SENT...: 000 00 000 HAYES CRED: 00000
 RESTITUTION REQMT: N AMT: .00 JAIL CRED: 00000 EXTRA CRED: 00000
 CONVICTION STATUS: AC ACTIVE SENT START DATE: 07/15/1997 DOM.IND:
 CONSECUTIVE IND...: Y SPOUSE ABUSE: STATUTE CLASS: NON-VIOLENT
 DNA OFFENSE IND...: Y EEC ELIG: Y DEATH UTERO: SCDC CLASS...: NON-VIOLENT
 SEX REG: N PRED OFF: N LAST UPDATE: M STOBBE DATE: 10/03/17
 NO PAROLE: NOT APPLIC CREATED BY.: R SPAIN DATE: 09/03/98

PF8-NEXT CONVICTION PF9-DETAIN PF4-RESTITUTION PAID(FA ONLY)

#252315
Stoore

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE #:

CERTIFIED COPY 97-GS-18-1045

STATE VS. 2014 JUN 11 AM 11:37

James A. Reeves
AKA _____
Race: _____ Sex: _____
DOB: _____ Age: _____
SSN: _____
DL#: _____
SID#: _____

A/W#: E 091778
Date of Offense: 7-13-97
S.C. CODE §: 16-3-652
CDR Code #: 113

CLERK OF COURT
DORCHESTER COUNTY

SENTENCE

TRIAL 6-11-14

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Simple Assault Battery of a High and Aggravated Nature

in violation of § _____ of the S.C. Code of Laws, bearing CDR Code # 113

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury

The plea is: Without Negotiations or Recommendation Negotiated Sentence

Recommendation by the State

ATTEST:

M. Moore + M. Moore
Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
or Under Youthful Offender Act for a term of 10 days/months/years and/or to pay a fine of \$ _____;
provided the sentence be suspended upon the service of _____ days/months/years and/or payment of
\$ _____ plus costs and assessments as applicable*; the balance suspended with probation for _____
months/years.

CONCURRENT or CONSECUTIVE to sentence on: 97-GS-18-1046

SPECIAL CONDITIONS:

- RESTITUTION Heard, Waived, Ordered
- PTIP
- _____ days/hours Public Service Employment
- Obtain GED
- Attend Voc Rehab. or Job Corps
- May serve W/E beginning _____
- Substance Abuse Counseling
- Random Drug/Alcohol Testing
- Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____
- Other: Credit for jail time
- Other: Since July 15, 1997

*Fine	\$ _____
§14-1-206 - Assessments 100%	\$ _____
§14-1-211 - Surcharge	\$ <u>100.00</u>
(Exceptions: See §14-1-211)	
§56-5-2995 (DUI)	\$ _____
TOTAL	\$ <u>100.00</u>

Deal E. ...
Clerk of Court/Deputy Clerk
Court Reporter: R. Keil

PRESIDING JUDGE
Sentence Date: 9-1-98
Judge Code: 090 SCCA/217 (12/97)

CMTI700M SCDC OFFENDER MANAGEMENT SYSTEM 01/14/21
CMTI700D COMMITMENT APPLICATION C052640
SCDC# > 252315 COMPLETED SCDC PRIORS

PRIMUS, JAMES A CURR LOC: MACDOUGA
OFFENDER TYPE: ADULT-STRAIGHT SENTENCE SCDC CLASSIFICATION...: VIOLENT

NUM	T X	CONV OFFENSE	INCARC YRS	SENT MO	SENT DYS	SENT DATE	SENT START	PROJ COMP	STAT	IND
-----	-----	--------------	------------	---------	----------	-----------	------------	-----------	------	-----

00142691

S00001	2	N UNAUTHORIZED	001	00	000	08/21/87	08/21/87	/ /	COM	N N
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00184810

S00002	2	N VEHICLE THEFT	000	03	000	01/28/92	09/21/91	11/21/1991	COM	N N
S00001	2	N FAIL TO STOP	008	00	000	01/28/92	09/21/91	10/03/1995	PAR	N N

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MAKE A SELECTION AND PRESS <ENTER>...
PF4-MODCONV PF6-NON-SCDC PRIORS

CMTI200D SCDC OFFENDER MANAGEMENT SYSTEM 01/14/21
 OMCOMITA COMMITMENT APPLICATION C052640
 SCDC #: 252315 INQUIRY CURR LOC: MACDOUGA
 PRIMUS, JAMES A NONCONFORM SENT: N RTRN TO COURT:
 OFFENDER TYPE: ADULT-STRAIGHT SENTENCE
 CONVICTION NUM: S00001 INDICT NUM: 00-00-1 WARRANT NUM: 00001
 DATE SENTENCED...: 08/21/1987 JUDGE LAST...: TRAXLER FI: W
 STATUTE: CDR CODE.: GPS IND: N
 OFFENSE: 2411 UNAUTHORIZED USE-VEHICLE OFFENSE DATE: / /
 CHARACT: F FACILITATION OF COUNTS: 01 OFFENSE CNTY: 18 DORCHESTER
 PLEA...: G GUILTY TYPE OF COURT...:
 TYPE SENTENCE... : S ADULT-STRAIGHT SCDC JURIS DATE...: 08/21/1987
 TOTAL SENTENCE...: 001 00 000 MAND SERV REQMT...: 000 00 000
 INCARC SENTENCE...: 001 00 000 PAROLE FACTOR...: 1 1/4 SENT. REQ.
 PROBATION SENT...: 000 00 000 PAROLE SERV REQMT: 000 00 000
 HIP SENT.....: 000 00 000 HAYES CRED: 00000
 RESTITUTION REQMT: N AMT: .00 JAIL CRED: 00000 EXTRA CRED: 00000
 CONVICTION STATUS: CO COMPLETE SENT START DATE: 08/21/1987 DOM.IND: N
 CONSECUTIVE IND...: N SPOUSE ABUSE: STATUTE CLASS: NON-VIOLENT
 DNA OFFENSE IND...: EEC ELIG: Y DEATH UTERO: SCDC CLASS...: NON-VIOLENT
 SEX REG: N PRED OFF: N LAST UPDATE: KMINIT DATE: 02/22/12
 NO PAROLE: NOT APPLIC CREATED BY.: DATE: 01/12/91

PF8-NEXT CONVICTION PF9-DETAIN PF4-RESTITUTION PAID(FA ONLY)

CMTI200D

SCDC OFFENDER MANAGEMENT SYSTEM

01/14/21

OMCOMITA

COMMITMENT APPLICATION

C052640

SCDC #: 252315

INQUIRY

CURR LOC: MACDOUGA

PRIMUS, JAMES A

NONCONFORM SENT: N RTRN TO COURT:

OFFENDER TYPE: ADULT-STRAIGHT SENTENCE

CONVICTION NUM: S00002 INDICT NUM: 91-GS-381751 WARRANT NUM: C947675

DATE SENTENCED...: 01/28/1992 JUDGE LAST...: WHETSTONE, JR. FI:

STATUTE: CDR CODE.: GPS IND: N

OFFENSE: 2404 VEHICLE THEFT OFFENSE DATE: 09/21/1991

CHARACT: F FACILITATION OF COUNTS: 01 OFFENSE CNTY: 38 ORANGEBURG

PLEA...: G GUILTY TYPE OF COURT.....

TYPE SENTENCE... : S ADULT-STRAIGHT SCDC JURIS DATE...: 01/28/1992

TOTAL SENTENCE...: 000 03 000 MAND SERV REQMT...: 000 00 000

INCARC SENTENCE...: 000 03 000 PAROLE FACTOR....: 1 1/4 SENT. REQ.

PROBATION SENT...: 000 00 000 PAROLE SERV REQMT: 000 00 000

HIP SENT.....: 000 00 000 HAYES CRED: 00000

RESTITUTION REQMT: N AMT: .00 JAIL CRED: 00127 EXTRA CRED: 00000

CONVICTION STATUS: CO COMPLETE SENT START DATE: 09/21/1991 DOM.IND: N

CONSECUTIVE IND...: N SPOUSE ABUSE: STATUTE CLASS: NON-VIOLENT

DNA OFFENSE IND...: N EEC ELIG: Y DEATH UTERO: SCDC CLASS...: NON-VIOLENT

SEX REG: N PRED OFF: N LAST UPDATE: KMINIT DATE: 02/22/12

NO PAROLE: NOT APPLIC CREATED BY.: K RUDY DATE: 02/11/92

PF8-NEXT CONVICTION

PF9-DETAIN

PF4-RESTITUTION PAID(FA ONLY)

CMTI200D

SCDC OFFENDER MANAGEMENT SYSTEM

01/14/21

OMCOMITA

COMMITMENT APPLICATION

C052640

SCDC #: 252315

INQUIRY

CURR LOC: MACDOUGA

PRIMUS, JAMES A

NONCONFORM SENT: N RTRN TO COURT:

OFFENDER TYPE: ADULT-STRAIGHT SENTENCE

CONVICTION NUM: S00001 INDICT NUM: 91-GS-381752 WARRANT NUM: 06218RA

DATE SENTENCED...: 01/28/1992 JUDGE LAST...: WHETSTONE, JR. FI: C

STATUTE: CDR CODE.: GPS IND: N

OFFENSE: 5408 FAIL TO STOP FOR OFFICER OFFENSE DATE: 09/21/1991

CHARACT: F FACILITATION OF COUNTS: 01 OFFENSE CNTY: 38 ORANGEBURG

PLEA...: G GUILTY TYPE OF COURT....:

TYPE SENTENCE... : S ADULT-STRAIGHT SCDC JURIS DATE...: 01/28/1992

TOTAL SENTENCE...: 008 00 000 MAND SERV REQMT...: 000 00 000

INCARC SENTENCE...: 008 00 000 PAROLE FACTOR...: 1 1/4 SENT. REQ.

PROBATION SENT...: 000 00 000 PAROLE SERV REQMT: 000 00 000

HIP SENT.....: 000 00 000 HAYES CRED: 00000

RESTITUTION REQMT: N AMT: .00 JAIL CRED: 00127 EXTRA CRED: 00000

CONVICTION STATUS: PA PAROLE SENT START DATE: 09/21/1991 DOM.IND: N

CONSECUTIVE IND...: N SPOUSE ABUSE: STATUTE CLASS: NON-VIOLENT

DNA OFFENSE IND...: N EEC ELIG: Y DEATH UTERO: SCDC CLASS...: NON-VIOLENT

SEX REG: N PRED OFF: N LAST UPDATE: KMINIT DATE: 02/22/12

NO PAROLE: NOT APPLIC CREATED BY.: K RUDY DATE: 02/11/92

PF8-NEXT CONVICTION

PF9-DETAIN

PF4-RESTITUTION PAID(FA ONLY)

DISI100D

SCDC OFFENDER MANAGEMENT SYSTEM
DISCIPLINARY SYSTEM

01/14/21
C052640

SCDC ID: 252315

DISPLAY INMATE OFFENSE HISTORY

PRIMUS, JAMES A

CURR LOC: MACDOUGALL

OFFENDER TYPE: ADULT-STRAIGHT

PURCHASED TV
SERIOUS MENTAL ILLNESS: N

CASE#	OFFENSE DESCRIPTION	TYPE ACTION	OFFENSE DATE	HEARING DATE	NET GT LOST	DHO DECISION	OFF LVL
00007	DISRESPECT	ADMINIST	04/08/13	04/16/13	00000	CONVICTED	3
00005	INTERFERING WITH COUN	ADMINIST	06/01/06	/ /	00000	CONVICTED	3
00004	OUT OF PLACE	OTHER AC	12/27/02	/ /	00000	CLOSED	3
00003	REFUSING TO WORK	OTHER AC	10/08/01	/ /	00000	CLOSED	3
00002	REFUSING OR FAILING O	MINOR DI	09/21/01	09/28/01	00000	CONVICTED	3
00001	FIGHTING WITHOUT A WE	MAJOR DI	04/21/01	04/30/01	00000	CONVICTED	3

END OF LIST

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SELECT A RECORD AND PRESS <ENTER> TO DISPLAY OR <PF04> TO MODIFY
PF4-MODIFY PF6-DISMISSED/NOT GUILTY PF11-QUIT PF10-MAIN MENU

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
48 Hour Notice

The following inmates are scheduled to appear before a Classification Committee as indicated below. By signing this form, the inmate indicates that he/she has been notified 48 hours in advance of the committee hearing. The inmate is expected to be present for the hearing unless he/she signs a waiver.

Date: 11-16-2020 Time: 10:00 a.m.
Location: MacDaugall C.I.

SCDC#	Name of Inmate	* Reason for Appearance	Signature of Inmate	Disposition
252315	Primus, James	R	<i>James Primus</i>	Remain ME, Offense <i>M.P.</i>
Date (48 hours before meeting): <u>11-13-2020</u>		Signature of Committee Chairperson: <i>Margie Prolean</i>		

* Reason for appearance (I) Initial Classification; (R) Reclassification; (J) Job Assignment

DISTRIBUTION:
White: Institutional File
Canary: Division of Classification

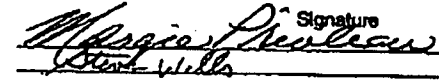
South Carolina Department of Corrections
 Division of Classification and Inmate Records
COMMITTEE DOCKET

DATE: 11-16-2020
 TIME BEGAN: _____
 TIME ENDED: _____

Institution: MACDOUGALL CORRECTIONAL INSTITUTION

Chairperson

- Members (Name/Title)
1. MARGIE PRIOLEAU, CASEWORKER
 2. Steve Wells, QMHP
 3. _____
 4. _____
 5. _____

Signature


1. SCDC # / INMATE LAST NAME	COMMITTEE PURPOSE	DECISION	CURRENT CLASS / CUSTODY	RESULTING CLASS / CUSTODY	LINE 1 - OVERRIDE REASON	VOTE (Use corresponding # to indicate vote)
					LINE 2 - COMMENTS	
2. INMATE SIGNATURE						



COMMITTEE PURPOSE:

- | | | | | | | |
|------------------------|-------------------------|---------------------------|--------------------|---------------------|-------------|---------------------------|
| (1) Initial | (2) Review | (3) Job Change | (4) Custody Change | (5) Security Change | (6) Housing | (7) Inter - Unit Transfer |
| (8) Protective Custody | (9) Disciplinary Report | (10) Major Program Change | (11) Other | | | |

1. SCDC # / INMATE LAST NAME	COMMITTEE PURPOSE	DECISION	CURRENT CLASS / CUSTODY	RESULTING CLASS / CUSTODY	LINE 1 - OVERRIDE REASON	VOTE (Use corresponding # to indicate vote)	
2. INMATE SIGNATURE					LINE 2 - COMMENTS	YES	NO
B1-252315-PRIMUS, JAMES	2	AGREE	ME	ME	REMAIN ME DUE TO OFFENSE	1	0
WAIVED							

B1

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Classification Waiver

SCDC #: 252315	Inmate Name: Primus, James	Date: 11-17-2020
<input type="checkbox"/> I wish to waive the required 48-hour waiting period between my notification and my appearance at the Classification Committee. Reasons:		
<input checked="" type="checkbox"/> I do not wish to appear before the Classification Committee. I understand that by not appearing I waive any grievance rights that I may have regarding any decisions made by the Institutional Classification Committee. Reasons:		
Signature of Inmate: <i>James Primus</i>		Signature of Committee Chairperson: <i>Margie Prioleau</i>

Remain ME M.P.
~~Completed sex offense~~
Offense

Distribution: Institutional Record
SCDC 18-39 (Revised February 2008)

1 THE COURT: All right. Appears to be in
2 order. You may publish it.

3 THE CLERK: Indictment number
4 97-GS-18-1045, the State of South Carolina versus
5 James Anthony Primus indicted for criminal sexual
6 conduct first degree. Verdict: Guilty of assault
7 and battery of a high and aggravated nature.

8 Indictment number 97-GS-18-1046, the State of
9 South Carolina versus James Anthony Primus, indicted
10 for kidnapping. Verdict: Guilty.

11 Indictment number 97-GS-18-1043, the State of
12 South Carolina versus James Anthony Primus indicted
13 ~~for burglary in the second degree.~~ Verdict: Not

14 guilty of burglary. Signed by Samuel Joyner, Jr.

15 If this is your verdict, would you please all
16 raise your right hand?

17 (All jurors raise their right hand.)

18 THE COURT: Appears to be in order.
19 Anything further from the State?

20 MS. MCDONALD: Nothing from the State,
21 your Honor.

22 THE COURT: Defense?

23 MR. RUNYON: Waive polling, Judge.

24 THE COURT: You waive it?

25 MR. RUNYON: We waive polling, yes, sir.

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MR. RUNYON: Thank you very much, your honor.

THE COURT: Get credit for the jail time.

MR. RUNYON: Thank you very much.

- - - o0o - - -

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

IN THE COURT OF GENERAL SESSIONS

CERTIFIED COPY

INDICTMENT/CASE #

STATE VS. James A. Pennick 2001 JAN 30 PM 3:58

97 GS 18 1045

AKA
Race: B Sex: M
DOB: 6-10-59 Age: 41
SSN: 248-12-6872
DL#:
SID#:

CLERK OF COURT
DORCHESTER COUNTY

A/W# E 091778
Date of Offense: 7-13-97
S.C. CODE § 16-3-652
CDR Code # 13

SENTENCE
 PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO Armed & Dangerous of a High and Aggravated Nature
in violation of § 16-3-652 of the S.C. Code of Laws, bearing CDR Code # 13

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury

The plea is: Without Negotiations or Recommendation Negotiated Sentence

Recommendation by the State

ATTEST

Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
or Under Youthful Offender Act for a term of 10 days/months/years and/or to pay a fine of \$ _____;
provided the sentence be suspended upon the service of _____ days/months/years and/or payment of
\$ _____ plus costs and assessments as applicable*; the balance suspended with probation for _____
months/years.

CONCURRENT or CONSECUTIVE to sentence on: 97-65-18-1046

SPECIAL CONDITIONS:

RESTITUTION Heard, Waived, Ordered

PTUP

Total: \$ _____

_____ days/hours Public Service Employment

Pay Terms: _____

Obtain GED

Recipient: _____

Attend Voc Rehab. or Job Corps

May serve W/E beginning _____

Substance Abuse Counseling

Random Drug/Alcohol Testing

Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____

Other: Credit for jail time

Other: since July 15, 1997

*Fine..... \$ _____
§14-1-206 - Assessments 100%..... \$ _____
§14-1-211 - Surcharge..... \$ 100.00
(Exceptions: See §14-1-211)
§56-5-2995 (DUI)..... \$ _____
TOTAL..... \$ 100.00

PRESIDING JUDGE

Sentence Date: 9-1-98

Judge Code: 090

SCCA/217 (12/97)

Deal E. Stoye
Clerk of Court/Deputy Clerk

Court Reporter: R Keil

COUNTY OF DORCHESTER

IN THE COURT OF GENERAL SESSIONS

STATE VS.

CERTIFIED COPY

97 INDICTMENT/CASE # 18 - 1046

2000 MAR 13 PM 5:00

252315

James R. Purnell

AKA: Clerk of Court, DORCHESTER COUNTY
Race: B Sex: M
DOB: 6-10-59 Age:
SSN: 248-12-6872
DL#:
SID#:

A/W#: E091999
Date of Offense: 7-13-97
S.C. CODE §: 16-3-910
CDR Code #: 95

SENTENCE

PLEA TRIAL
CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was TO: Kidnapping

in violation of § of the S.C. Code of Laws, bearing CDR Code # 95
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State

ATTEST: Margaret H. Deal, Solicitor

Defendant

William Runyon, Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, or Under Youthful Offender Act for a term of 30 days/months/years and/or to pay a fine of \$ plus costs and assessments as applicable*; the balance suspended with probation for months/years.

CONCURRENT or CONSECUTIVE to sentence on:

RESTITUTION Heard, Waived, Ordered

Total: \$
Pay Terms:
Recipient:

- SPECIAL CONDITIONS:
PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc Rehab. or Job Corps
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol Testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
Other:
Other:

ic... \$
1-206 - Assessments 100%... \$
1-211 - Surcharge... \$ 100.00
Options: See §14-1-211
5-2995 (DUI)... \$
AL... \$ 100.00

Deal E. Thoreau, Court/Deputy Clerk
Reporter: Keel

PRESIDING JUDGE
Sentence Date: 09-1-98
Judge Code: 090

DORCHESTER COUNTY CLERK OF COURT

Cheryl Graham, Clerk of Court

5200 East Jim Bilton Blvd.

St. George, SC 29477



To: *James Primus*

From: **Dorchester County Clerk of Court**

Date: *1/14/15*

RE:

Please find the enclosed copy or copies of requested indicated information concerning your case.

() Sentencing Sheet(s)

() Warrant(s)

() Ticket(s)

() Indictment(s)

() Contact the Magistrates Court or Arresting Agency Concerning your Request

() Jail Time Served in Dorchester County - Contact: Dorchester County Sheriff Department, 100 Sears Street, St. George, SC 29477. Any other location where jail time was served Contact: The South Carolina Department of Corrections where you were located.

() Transcript(s): Contact the Court Reporter by mail.

() PCR Form

() Hold/Detainer contact caseworker, attorney or arresting agency. Contact the Family Court where your Divorce Case was heard or where you plan to have it heard.

() Contact Probation, Parole & Pardon Office

() Information not available in the Clerk of Court's Office

() Other:

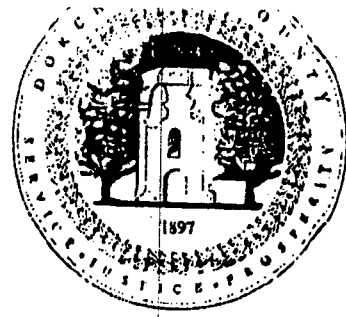
I spoke with Mr. Crooks who is the sentencing atty. for SCDC office of General Counsel, and explained the change from pled guilty to trial. He understood and is now handling this for you.

DORCHESTER COUNTY CLERK OF COURT

Cheryl Graham, Clerk of Court

5200 East Jim Bilton Blvd.

St. George, SC 29477



To: James Primus

From: Dorchester County Clerk of Court

Date: 2/5/15

RE:

Please find the enclosed copy or copies of requested indicated information concerning your case.

Your grievance form states that it has been "verified" that SCDC has changed your sentence sheet from pled guilty to Jury Trial, so your grievance has been resolved.

- Sentencing Sheet(s)
- Warrant(s)
- Ticket(s)
- Indictment(s)
- Contact the Magistrates Court or Arresting Agency Concerning your Request
- Jail Time Served in Dorchester County – Contact: Dorchester County Sheriff Department, 100 Sears Street, St. George, SC 29477. Any other location where jail time was served Contact: The South Carolina Department of Corrections where you were located.
- Transcript(s): Contact the Court Reporter by mail.
- PCR Form
- Hold/Detainer contact caseworker, attorney or arresting agency. Contact the Family Court where your Divorce Case was heard or where you plan to have it heard.
- Contact Probation, Parole & Pardon Office
- Information not available in the Clerk of Court's Office
- Other:

St. George: 563-0160 or 832-0160 (outside St. George area)

Fax: 563-0178 or 832-0178

25

8

8

CERTIFICATE OF COUNSEL

Appellant Pro Se Certifies that this Record on Appeal
Contains all material proposed to be included by any
of the Parties and not any other Material

Date

August 31 2021

RECEIVED

SEP 03 2021

SC Court of Appeals

James Anthony Primus 252315

James Anthony Primus Pro Se

MacDougall Correctional Institution

1516 Old Gilliard Road

Ridgeville S.C. 29472