

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	SIXTH JUDICIAL CIRCUIT
COUNTY OF CHESTER)	
)	2012CP1200184
)	
State of South Carolina,)	2007-GS-12-529
)	2007-GS-12-530
Vs.)	2007-GS-12-531
)	2007-GS-12-532
James B. Curry,)	
)	
Defendant.)	ORDER

This matter is before the Court on *pro se* Defendant's current motion for a new trial based on after-discovered evidence pursuant to Rule 29(b), SCRCrimP. Defendant also believes that granting this motion for a new trial will serve the "interest of justice." After hearing the oral arguments, reviewing the documents submitted, and considering the applicable law, the Court hereby denies the Defendant's motion for a new trial.

Prior to this motion coming before the court, The Honorable Brian Gibbons signed an Order on December 4, 2014 describing the long and convoluted procedural history of this Defendant's collateral attack on his convictions and numerous lawsuits he has filed since his conviction. Because of the excesses, voluminous, and meritless filings, the December 4, 2014 Order directed the Chester County Clerk of Court to submit any future motions, correspondence, or filings from the Defendant to the Chief Administrative Judge for General Session for review prior to being accepted for filing. The order further provided that the Defendant pay the normal filing fee and that he attach a properly notarized affidavit certifying that the Defendant believes in good faith that the new matter raised is not frivolous.

In accordance with the December 4, 2014 order, the Clerk's office submitted Defendant's motion to the Chief Administrative Judge for General Sessions. This Court received the

documents submitted and heard oral arguments from the Defendant on November 3, 2021. After review and consideration, this Court finds the documents submitted by the Defendant are not proper and failed to comply with Judge Gibbons' Order. ~~The court did not find an~~

~~accompanying affidavit in the Clerk of Court's file.~~

In spite of the fact that the Defendant failed to comply with the conditions provided in the December 4, 2014 order; this Court allowed Defendant to present his motion. The Court is of the belief that this motion is the Defendant's fifth request for a new trial on after-discovered evidence pursuant to Rule 29(b) of the SC Rules of Criminal Procedure. In this motion the Defendant alleges that, during Voir Dire, a juror failed to disclose that she was employed within the Chester County Courthouse. There is no merit to these allegations of juror misconduct or misrepresentation of her employment. Defendant failed to provide any corroborative evidence that the juror was employed within the Chester County Courthouse. The Clerk of Court represented to the Court that she has been the clerk for more than thirty (30) years and that she is confident that the Juror was never employed within the Chester County Courthouse. It has become evident that Defendant continues to flood the Court system with claims of new evidence or after-discovered evidence, regardless of the merits of the claim, in hopes of receiving a new trial. As such, even if this motion was properly filed this Court denies Defendant's motion for a new trial.


THEREFORE, this Court refuses to consider these frivolous filings and again instructs the Clerk of Court to not accept any future motions, correspondence, or filings from Defendant until they are submitted to the Chief Administrative Judge for General Sessions with a notarized affidavit and the filing fee for a preliminary determination of whether the submission is or is not frivolous. The Clerk of Court shall henceforth examine any future documents, filings, or motions

that are submitted and return them unless they comply with the conditions contained in the

December 4, 2014 Order.

IT IS SO ORDERED.

November 5, 2021
Chester County, South Carolina



Eugene C. Griffith, Jr.

“Note. Yes, i will admit that i've been trying to get out of prison very hard, but some guy's are not trying to get out of prison.”

“First and last time!”
“Thank you, all at the SC
Court of Appeals”
