

# The S.C. Court of Appeals.

Appeal # 2021-001412.

The, State, Respondent,  
Vs.

James B. Curry #186737.  
Appellant.

**RECEIVED**

FEB 23 2022

SC Court of Appeals

## Notice of Appeal.

I, James B. Curry, appellant in this matter, certify and state that, I have served the following by placing it in the U.S. mail to.

#1. Alan McCreary Wilson, Esq. at: S.C. Attorney General's Office  
P.O. Box #11549, Columbia, S.C. 29211.

#2. William M. Blitch Jr., Esq. at: Chester, Co, Solicitor's Office  
#130 Wylie Street, Chester, S.C. 29706.

cc:

Alan McCreary Wilson Esq.  
William M. Blitch Jr. Esq.

James B. Curry #186737  
Perry C.I. Q2-A-Rm #114  
#430, Oaklawn Rd.

Pelzer, S.C. 29669

2-18-22.

20F3. The S,C Court of Appeals.

In: RE: to Notice of Appeal, Submitted Appeal # 2021-001412.

The State, Respondent. )  
Vs. )  
James B. Curry, #186737, )  
Appellant. )

In Formal brief &  
Statement of when  
appellant received written  
notice of entry of the order  
or judgment from which appeal  
is taken. In RE: to filed Notice  
of appeal # 2021-001412.

#1.  
This appeal is taken from the order dated. 12-10-21. on the grounds that the Chester, Co, Clerk of Court Sue K. Carpenter held the order 30 day's before placing the order in the U.S. mail - in an envelope without putting her return address in the upper left hand corner, to conceal the date appellant received the order, in hope's the S,C,D,C Mail room staff would not deem the correspondence as legal, and thus, no proof of when it was received. Note. but once the envelope was opened, and noticed a court order was inside, the envelope was marked received 1-11-22. 2nd Note. appellant has submitted a second envelope dated. 12-10-21. which has the Clerk of Court's stamp in the upper left hand, as proof that Sue K. Carpenter, intentionally did not put her stamp on the envelope appellant received on 1-11-22. which contained the order dated. 12-10-21, which prove's prejudice, and a violation of appellant's due process, because of abuse of position and authority, on behalf of Clerk ~~of~~ Carpenter. because "She violated appellant's 30 day appeal process by withholding a court order 30 day's before placing it in the U.S. mail after it was signed by the Judge on 12-10-21. and clocked ~~by~~ stamped by her on 12-10-21." See evidence submitted (prior.)

cc:

20F3. See Order.

Appeal # 2021-001412.

Also, the order dated 12-10-21 and received on 1-11-22. Contained perjury, Note the judge stated that appellant failed to comply with an order dated 12-4-14. but failed to state the conditions in the order dated 12-10-21. Note which was that appellant must submit an affidavit in support of any filing, stating in good faith that the filing is not frivolous. Note the judge has abused his discretion, please see appellant's Notarized affidavit dated 11-15-21. as proof of abuse of discretion. Note Unless Crook Carpenter, never submitted appellant's notarized affidavit dated 11-15-21. - then again, appellant has been prejudiced. (please check into it for appellant.)

#2.

Also, appellant appeals the order dated 11-5-21. which a hearing was held on 11-3-21. without appellant's accused Juror #38. Patricia B. Giather being present as requested by appellant which caused appellant not to provide corroborative evidence by way of Juror #38's testimony under oath, which 100% prejudiced appellant's hearing on 11-3-21. Note which is why appellant filed for a rehearing supported by the affidavit dated 11-15-21. requesting that the accused Juror #38. to be present because appellant was prejudiced on 11-3-21. at the hearing without the accused being present, as requested by appellant. Note which is why the order dated 12-10-21. is in error, because no rehearing on the matter was held to include the accused, when appellant has a constitutional right to confront the accused, thereby making the judge again, in abuse of discretion, which 100% prejudice appellant.

\* Appellant, move's the S.C Court of appeals to grant the relief sought, a new trial. or order a rehearing to be scheduled to include Juror #38. Ms. Patricia B. Giather. within 30 days. On the grounds of prejudice and abuse of discretion and a violation of appellant's constitutional rights.

cc: Alan McCrory Wilson, Esq.  
William M. Blich Jr. Esq.

date 2-18-22.

James B. Curry #186737.  
Perry C. I. Q2-A. Rm #114  
#430 Oaklawn Rd.  
Pelzer, S.C 29669

1 of 1.

The S.C. Court of Appeals.

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The State, Respondent.

Vs.

James B. Curry #186737.  
Appellant.

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FEB 28 2022

SC Court of Appeals

PROOF OF SERVICE.

" I, James B. Curry appellant in this matter hereby certify and state that I have served the following with my notice of appeal in this matter at the following addresses by placing it in the U.S. mail.

#1. Alan McCrory Wilson, Esq. at: S.C. Attorney General's Office  
P.O. Box #11549 Columbia, SC 29211.

#2. William M. Blitch Jr, Esq. at: Chester, Co, Solicitor's Office  
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2-18-22.

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Note

IF, the enclosed is not correct, my i please be appointed a lawyer.

Thank you.

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P.S.

"Also, please do not forget my request in RE: to the misconduct of Clerk Carpenter be turned over to the S.C. Court Administration for action in RE: to her holding the order dated and filed on 12-10-21. For 30 days before sending it to — appellant.

Thank you again.

cc:

James B. Curry.

2-18-22.

\* James B. Curry #186737.  
Perry C. Q2-A #114  
#430 Oaklawn Rd.  
Pelzer, S.C. 29669.

I. H. Mail

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Attn: Catherine Fleming, deputy

Appeal # 2021-001412.

The S.C. Court of Appeals.  
#1220 Senate Street, P.O. Box #11629  
Columbia, S.C. 29201

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