

The S,C Court of Appeals.

Appeal # 2021-001412.

The State, Respondent,
Vs.

James B. Curry #186737
Appellant.

RECEIVED
FEB 24 2022

Argument, in support of -
informal brief & Statement
of when appellant received -
written notice of entry of the
order or judgment from which
the appeal is taken, and proof
of service dated 2-18-22 in
compliance with Rule # 267. of the
S,C Appellate Court Rules.

#1. SC Court of Appeals

In RE: to hearing held on 11-3-21. without the accused.

"Appellant, argues that had he been given prior notice of the hearing -
held on 11-3-21. appellant would have served his requested subpoena
on Juror #38. Ms. Patricia B. Giather, to answer allegations of her comm
itting a Viol-Dire violation in Feb, 2008. in RE: to her concealment of her
Occupation at the time of appellants trial, in which the Clerk of Court
Sue K. Carpenter, who scheduled the hearing, and did not subpoena -
Juror #38 which violated appellants Constitutional right to question the -
accused. and once corroborative evidence, being her statement under
oath, that she worked in gov, or State, at the time of appellants trial stated,
appellant, would have stated to the court, that he would have struck
Juror #38. From sitting on the jury" which the results could have been
different. Note, denied order dated. 11-5-21. Therefore, appellant petit
ioned for a rehearing supported by a notarized affidavit in compliance
with the December, 4th, 2014. order, because the order from the 11-3-21.
hearing denied, 11-5-21. stated that appellant failed to submit the court
ordered affidavit. appellant, also argues that in the supporting affidavit
dated. 11-15-21. appellant requested a rehearing to include Juror #38 based
on the fact that the accused was not present at the hearing on
11-3-21. as requested prior to the hearing by appellant.

→ over.

2 of 3. In RE: to "Petition For rehearing
#2 Argument.

Appeal #2021-001412.

"Also, appellant argues that the fact of Clerk of Court Sue, - K. Carpenter holding the Court order denying appellant's petition for a rehearing dated and clocked by her, and the Judge on 12-10-21. For 30 days before sending it to appellant in an envelope without her return information is an act of misconduct, and needs to be addressed by the S.C. Court Administration, which has been requested by appellant, that the S.C. Court of appeals forward the envelope marked received on 1-11-22. and the order dated 12-10-21. For action against Clerk Carpenter, for abuse of authority and position. Note the envelope dated 12-3-21. With Clerk Carpenter's INFO in the upper left hand corner is to also be sent to the S.C. Court Administration also, as proof of the misconduct by Clerk Carpenter because appellant can not send mail to himself at the South Carolina department of corrections. Note the reason Clerk Carpenter held the order dated 12-10-21. For 30 days before sending it to appellant is because she noticed the Judge had abused his discretion, and erred by stating in the order dated 12-10-21. that appellant failed to comply when the truth is appellant 100% complied by submitting the notarized affidavit certifying that appellant believes in good faith that the matter raised is not frivolous, thus, she didn't like the fact that the S.C. Court of appeals could grant appellant's relief sought based on that error, so, she intentionally held appellant's order dated 12-10-21 30 days so appellant would be barred by the S.C. Court of appeals as untimely but what she did not know is that appellant had already 100% been assigned appellate #2021-001412. So appellant moved the

Nov...

3 of 3.

#2. In RE: to petition For rehearing.
Argument.

Appeal # 2021-001412.

S,C Court of appeals to hold Clerk Carpenter in contempt, and still appealed the order dated 12-10-21. "Which stated appellant failed to comply with the 2014. order." which is 100% error, and abuse of discretion" because the 2014. order stated appellant must submit a notarized affidavit along with his filings. Note. - appellant's affidavit submitted along with the petition for rehearing is dated 11-15-21. "Therefore, the S,C Court of appeals has all the rights to grant appellant's relief sought being a new trial, or at the least a rehearing to include Juror #38. Ms. Patricia B. Giather - within 30 days, But appellant prays for the new trial.

"Grant Thank Yall.

Note. based on prejudice and abuse of discretion and abuse of authority and position in RE: to Clerk Carpenter's misconduct. "See all submitted evidence as proof."

cc:
Alan McCrory Wilson, ESQ
William M. Bitch Jr. ESQ

James B. Curry #186737
Perry C. To Q2-Rim #114.
#430. Oaklawn Rd.
Pelzer, S,C 29669

2-18-22.

Exhibit.
Argument.

Note, the S.C. Court Administration had to Compel Clerk Carpenter to file and send me copies that's when she scheduled the hearing on 11-3-21. without Juror #38, intentionally. Grant the appeal because of prejudice.



South Carolina Court Administration
South Carolina Supreme Court
Columbia, South Carolina

due process violation

1220 SENATE STREET, SUITE 200
COLUMBIA, SOUTH CAROLINA 29201

October 8, 2021

RECEIVED

FEB 24 2022

The Honorable Sue K. Carpenter
PO Box 580
Chester, SC 29706

SC Court of Appeals

Re: James B. Curry #186737

Dear Clerk Carpenter,

Enclosed is a copy of a letter this office received from the above-referenced person. The letter states, "I've sent 2 different time[s] the enclosed motion to the Chester Co, Clerk Mrs. Sue K. Carpenter asking her to please file it, and send me a filed copy. . . ." We would appreciate your reviewing this matter and providing any appropriate assistance.

By copy of this letter, this office is advising the above-referenced person that, when requesting documents from the Clerk of Court, the Clerk can require a deposit in advance for the copying and research fees involved with document requests, as provided by S.C. Code Ann. §30-4-30(b). Also, when requesting copies of documents, he will need to include a self-addressed, stamped envelope.

Sincerely,

Note it was not appropriate assistance for Clerk Carpenter to schedule the hearing on 11-3-21. without Juror #38.

Circuit Court Law Clerk/mw
South Carolina Court Administration

cc: Mr. James B. Curry #186737
~~Lee Corr. Inst., F1-1125~~
~~990 Wisacky Highway~~
~~Bishopville, SC 29010~~

Perry C. L. as of 12-17-21.

Alan McCrory Wilson, ESQ
William M. Bitch, Jr, ESQ

T.H. Mail

Appeal # 2021-001412

Att: Catherine Manning, deputy
CLERK

RECEIVED
FEB 24 2022
SC Court of Appeals

RECEIVED
FEB 22 2022
PCI MAILROOM

The S.C. Court of Appeals.
#1290 Senate Street, P.O. Box #11629
Columbia, S.C. 29201

Legal Mail