

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION**

Lumumba Kenyatta Incumaa, #155651,)	
)	Civil Action No. 9:12-3493-CMC-BM
Plaintiff,)	
)	
v.)	
)	NOTICE OF MOTION AND
Honorable William R. Byars, Jr.,)	MOTION FOR SUMMARY JUDGMENT
as Director of the SCDC,)	
)	
Defendant.)	
_____)	

TO: LUMUMBA KENYATTA INCUMAA, #155651, *PRO SE* PLAINTIFF

YOU WILL PLEASE TAKE NOTICE that the undersigned attorney for the Defendant William R. Byars, Jr. will move before the United States District Court for the District of South Carolina, Beaufort Division, pursuant to Rule 56, FRCP, for an Order granting summary judgment to the Defendant and dismissing the Plaintiff's Complaint with prejudice on the merits.

The Defendant's motion is based on the grounds set forth in the supporting memorandum filed herewith.

The Defendant's motion is based upon the pleadings filed in this case; the supporting memorandum filed herewith; the Affidavit of Elbert Pearson; the Affidavit of Michael J. Stobbe; the Affidavit of Sandra Bowie; the rules of court; and any other matters as may be required by the Court.

DAVIDSON & LINDEMANN, P.A.

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Columbia, South Carolina

July 16, 2013