

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

ADRIAN CHARLES BANKS
Plaintiff

v.

THE STATE OF SOUTH CAROLINA
Defendant

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)
)
) Civil Action No. 8:10CV3031-JMC-JDA
)
) MOTION FOR EMERGENCY HEARING
) AND TEMPORARY INJUNCTION
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Comes now the plaintiff, before the Court, to request that the Court grant him a Temporary Injunction so that he may contract his labor and work without fear of having fines imposed upon him and being thrown in jail until such time the Court can rule on the legal questions before it in the case at bar.

Yesterday, at approximately 2:30pm, the city labor police officer of Anderson stopped at a job I was working on at 601 West Fredericks Street. I was painting two doors on my sawhorses in the front yard. He sat in his City Of Anderson car for a few minutes and then got out and asked me who the owners of the property were. He then asked if I had a city business license. I told him "no." He wrote me a "Uniform Ordinance Summons" for "working without a business license," a copy of which is attached to this Motion. I signed the summons "Under Protest." The arresting city labor police officer, Doug Ramsey, asked why I signed the summons under protest. I simply said "slavery." He said I could argue the case before the judge but it "probably wouldn't do me any good." He advised that he would not turn the summons into the court until noon the day before the court date, which is only one week away, on the 13th of April. He said if I get my city


business license before then it will not be turned in at all. This legal process is insidious. The bond amount on the summons is \$1,092.50. I only have one week to prepare a defense and I face up to a \$500 fine, 30 days in jail, or both. My right to work and earn a living by honest labor has been criminalized without due process of law.

Without a Temporary Injunction, plaintiff will suffer irreparable damage concerning his right to labor until the Court can rule on the issues of law that have been brought before it in this case. This action by the City of Anderson is barred by the Civil Rights Act of 1866.

Plaintiff has been prompt and timely in all his filings and responses to the Court. It is his hope that justice prevails.

“War, slavery, injustice, and oppression, and the idea that might makes right, have been uppermost in all such governments; and the weak, for whose protection governments are ostensibly created, have had practically no rights which the strong have felt bound to respect.” (The Life and Times of Frederick Douglass, Park Publishing, Hartford, 1882, pg. 525)

Respectfully submitted this 7th day of April, 2011.



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