

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Certiorari to Cherokee County
The Honorable Robin B. Stilwell, Circuit Court Judge
Case No. 2016-CP-11-00293

SC Court of Appeals

Alonzo C. Jeter, III, - - - - - PETITIONER,

v

State of South Carolina, - - - - - RESPONDENT.

APPELLATE CASE NO. 2017-001777
REPLY TO THE RETURN OF PETITIONER'S
MOTION FOR JUDICIAL NOTICE AND
LEAVE TO FILE RULE 60(B) MOTION
AND NEWLY DISCOVERED EVIDENCE

Petitioner, Alonzo C. Jeter, III, submits as follows in Reply to the return to petitioner's motion for judicial notice and leave to file a Rule 60(B) motion and newly discovered evidence:

Petitioner received a copy of the Respondent's Return by and through the Manning Correctional Legal Mail System on July 6, 2022. Respondent basis its contention that leave is inappropriate in this instance because, "[t]hese reports could have been discovered through exercising due diligence prior to the plea if it was not actually received before the plea." (See Respondent's Return page 6 (un-numbered)).

This Court should remain mindful of the following facts and circumstances which existed prior to Respondent's plea:

1. Petitioner remained in the Cherokee County Detention Center without Bond.
2. Petitioner's stay at the Cherokee County Detention was quite troubling as Petitioner was experiencing a mental breakdown and also abuse due to the Detention Center's lack of adequate training with regard to mentally ill persons. (See Appendix pg. 100, line 22 - Appendix pg. 100, line 11; see Appendix pg. 87, lines 11-13; See Appendix pg. 88, lines 8-15; See Appendix pg. 100, lines 11-20; *See Appendix pg. 100, lines 18-20.)
3. Something unquestionably and undoubtedly happened to Petitioner prior to his plea and Plea Counsel's unambiguous testimony clearly concedes this. The Cherokee County Detention Center has thus far succeeded in covering up what was done to Petitioner. The Cherokee County Detention Center and Southern Health Partners, its health provider, has coincidentally "lost" Petitioner's medical and mental health records which were relative to Petitioner's confinement at the detention center up until his plea.

Petitioner also filed a PCR based on Ineffective Assistance of Plea Counsel - Failure to Investigate. Petitioner did attempt to acquire the Sled Drug Analysis results to support his PCR claims. Respondent does concede to this, as well as PCR Counsel's oral and

written request for the analysis which was made on March 10, 2017 (Motion) and March 20, 2017 (hearing). (Note: The Motion For Discovery which was filed on March 10, 2017, seems to not be present in the Appendix; Petitioner has grown weary of the many records which he has ~~continually~~ continually had to seek out amongst all of the irregularities which clearly exist in this case).

Simply put, the record does reveal that Petitioner has exercised utter diligence in this case to include his attempts to obtain the SLED Drug Analysis. See also Petitioner's ongoing FOIA dispute regarding the same, Alonzo C. Jeter, III v SLED, CIA No. 2021-CP-40-04301, currently pending in the Richland County Court of Common Pleas.

Lastly, Petitioner has not submitted for the record and in support of the date the FOIA was received, Petitioner's Agent's name as Agent seeks to remain anonymous and protected as Agent questions if it was legal to obtain the FOIA material and then expose this truth supportive evidence to me.

Petitioner would ask that this Court would allow Petitioner opportunity to ensure Agent that no law has been broken in this regard and obtain this proof of date FOIA was granted should this Court require such

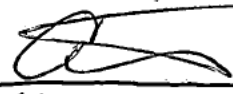
Respondent seemingly confuses the fact that it wasn't until after Petitioner entered the plea of guilty that Petitioner found that SLED results should have been made available to him.

The simple fact that Plea Counsel did not obtain the SLED results violates the bare essentials of an investigation and effectiveness of counsel.

The fact that Petitioner found out about the existence of the SLED Analysis shortly after the plea doesn't equate with the fact that Petitioner has not been afforded the opportunity to obtain the SLED results once found out about. The record in this case clearly reflects this hardship and obstacles Petitioner has had to endure.

It is for these reasons and in the interest of fairness that Petitioner's Motion for Judicial Notice and Leave should be granted.

Respectfully submitted,



Alonzo C. Jeter, III
PETITIONER / pro se

Manning Correctional Institution
502 Beckman Drive
Columbia, South Carolina 29203

This 11th day of July, 2022.

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Case No. 2016-CP-HC-00293

Alonzo C. Jeter, III, ----- PETITIONER,

State of South Carolina, v ----- RESPONDENT.

APPELLATE CASE No. 2017-001772
CERTIFICATE OF SERVICE

Petitioner, Alonzo C. Jeter, III, hereby certify that I have served the Reply To The Return of Petitioner's Motion For Judicial Notice And Leave To File Rule 60(B) Motion And Newly Discovered Evidence; on Respondent by placing a copy of the same inside of a postage prepaid envelope and by placing said envelope in the hands of Manning Correctional Institution mail room personnel on the 11th day of July, 2022, for mailing via the United States Mail, addressed as follows: Chelsey F. Mardo, AAG, Office of the Attorney General, P O Box 11549, Columbia, SC 29211; The Honorable Jenny A. Kitchings, Clerk, SC Court of Appeals, P O Box 11629, Columbia, South Carolina 29211.

s/ 
Alonzo C. Jeter, III

July 11, 2022

Alonzo C. Jeter, III, #282902
Manning Correctional Institution
W-5/53B
502 Beckman Drive
Columbia, South Carolina 29203

The Honorable Jenny A. Ritchings
Clerk, SC Court of Appeals
P O Box 11629
Columbia, South Carolina 29211

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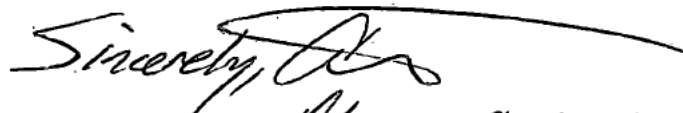
RE: Alonzo C. Jeter, III v State of South Carolina
Appellate Case No. 2017-001777

Dear Honorable Clerk:

Enclosed, please find for filing the Reply To The Return of Petitioner's Motion For Judicial Notice And Leave To File Rule 60 (B) Motion And Newly Discovered Evidence, and a Certificate of Service for the same. Enclosed please also find an additional copy of the same along with a self-addressed stamped envelope.

Please return to me a file-stamped copy of these documents by way of the provided SASE.

Thank you for your assistance in this matter.

Sincerely,

Alonzo C. Jeter, III

Alonzo C. Jeter, III, #282902
Manning Correctional Institution
W-5/53B
502 Beckman Drive
Columbia, South Carolina 29203

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MAIL ROOM

LEGAL

The Honorable Jerry A. Kitchens
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29203

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