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S.C. SUPREME COURT

EXHIBIT

(A)

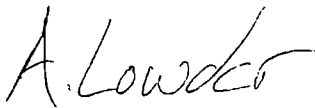
To who it may concern,

I, A. Lowder, LMSW, have been asked by inmate Gary Grant, South Carolina Department of Corrections (SCDC) ID number 280988, to write a statement confirming his mental health diagnosis and mental health classification within SCDC's mental health classification system. This letter should in no way be construed as a judgement on inmate Grant's competency to stand trial or culpability for his actions. I am not qualified to make those determinations of competency and culpability and I am not qualified to diagnose inmate Grant with any diagnosis of mental illness. The diagnoses and classifications within this letter were made by a qualified psychiatrist. I am disseminating this information per inmate Grant's request, as his selected representative.

As of the date of writing, 7/22/2020, per inmate Grant's most recent encounter with his SCDC psychiatrist, inmate Grant has a mental health diagnosis of Unspecified Mood Disorder, ICD-10 code F39. Per inmate Grant's electronic health records, his most recent encounter with the psychiatrist was 7/16/2020. Per electronic health records, inmate Grant has been prescribed Geodon, Tegretol and Remeron for paranoia, mood stabilization and anxiety, respectively. Per electronic health records, inmate Grant takes his medication as prescribed. Inmate Grant has a SCDC classification of Mental Health (MH) – 3. MH-3 is on a 5 point scale, with MH-1 requiring the greatest amount of care/services and MH-5 requiring the least amount of care/services. Inmates not requiring mental health services are no classified on the scale.

As stated before, this letter is not, and should not be regarded as, a judgement of inmate Grant's competency to stand trial or his culpability for his actions. As stated before, this information has been provided by the request of inmate Grant.

Sincerely,



A. Lowder, LMSW
Qualified Mental Health Professional
South Carolina Department of Corrections
Broad River Correctional Institution

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AUG 12 2022

S.C. SUPREME COURT

EXHIBIT
(B)

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE COURT OF COMMON PLEAS
C/A No: 2019-CP-08-00806

GARY L. GRANT # 280988
APPLICANT,

MEMORANDUM IN SUPPORT OF
MOTION FOR JUDGEMENT

v.

STATE OF SOUTH CAROLINA
RESPONDANT,

SM

CLERK OF COURT
BERKELEY COUNTY, SC

19 MAY 31 PM 4:06

FILED

NOW COMES APPLICANT, GARY L. GRANT # 280988 ACTING PRO SE,
HEREBY MOVES BEFORE THIS HONORABLE COURT OF COMMON PLEAS
FOR THE TENTH (10) JUDICIAL CIRCUIT FOR BERKELEY COUNTY BY
MEMORANDUM IN SUPPORT OF MOTION FOR JUDGEMENT PURSUANT TO
SOUTH CAROLINA STATUTE 17-27-70, REQUESTING FOR JUDGEMENT
IN CASE ACTION NUMBER: 2019-CP-08-00806, GRANT V. STATE ...

APPLICANT MEMORANDUM IN SUPPORT OF MOTION FOR JUDGEMENT
NOW FOLLOWS:

NEWLY DISCOVERED EVIDENCE

APPLICANT ASSERTS THAT PURSUANT TO S.C.R.C.P. RULE 17-27-45
(C) WHICH STATES, IF THE APPLICANT CONTENDS THAT THERE
IS EVIDENCE OF MATERIAL FACTS NOT PREVIOUSLY PRESENTED
AND HEARS THAT REQUIRES VACATION OF THE CONVICTION OR
SENTENCE, THE APPLICATION MUST BE FILED UNDER THIS
CHAPTER WITHIN ONE YEAR AFTER THE DATE OF ACTUAL
DISCOVERY OF THE FACTS BY THE APPLICANT OR AFTER
THE DATE WHEN THE FACTS COULD HAVE BEEN ASCERTAINED

BY THE EXERCISE OF REASON DILIGENCE,

APPLICANT ASSERTS THAT THE NEWLY DISCOVERED EVIDENCE WAS DISCOVERED ON APRIL 1ST, 2019 THAT SHOWS THAT APPLICANT NEVER WAS INDICTED BY A GRAND JURY IN A COURT OF GENERAL SESSIONS ON FEBRUARY 7TH, 2007. THE NEWLY DISCOVERED EVIDENCE WAS DISCOVERED BY APPLICANT FAMILY DUE TO RESEARCH, AND THIS NEWLY DISCOVERED EVIDENCE WHICH IS FROM S.C. JUDICIAL BRANCH, TERMS OF CIRCUIT AND FAMILY COURT CALENDAR FOR BERKELEY COUNTY FOR THE MONTH OF FEBRUARY 2007, MARK HERE NOW AS EXHIBIT (A) ...

APPLICANT ASSERTS THAT DUE TO THE NEWLY DISCOVERED EVIDENCE HIS PCR BEATS THE STATUTE OF LIMITATION AT THIS TIME.

STATEMENT OF FACTS

APPLICANT ASSERTS THAT HE'S ENTITLED TO A EVIDENTIARY HEARING ON THE MERITS OF APPLICANT TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO IMPOSE CONVICTIONS AND SENTENCE(S) UPON THE CRIMINAL OFFENSES OF MURDER, ARM ROBBERY, KIDNAPPING X3 AND BURGLARY 1ST DEGREE X2.

APPLICANT ASSERTS THAT HE NEVER WAS INDICTED BY A GRAND JURY ON THE DAY OF FEB. 7TH, 2007 NEWLY DISCOVERED EVIDENCE WHICH WAS DISCOVERED ON APRIL 1ST, 2019 WHICH DISCOVERED THAT APPLICANT WASN'T INDICTED ON FEB. 7TH, 2007 BY A GRAND JURY READ.

ING A VERDICT UNDER OATH TO INDICT APPLICANT IN A BERKELEY COUNTY GENERAL SESSION COURT. SEE EXHIBIT (A) TERMS OF CIRCUIT COURT FOR BERKELEY COUNTY FOR FEBRUARY 2007...

APPLICANT ASSERTS THAT SUBJECT MATTER JURISDICTION CAN BE RAISED AT ANYTIME. BROWN V. STATE, 343 S.C. 345, 540 S.E. 2D 846 (2001) FURTHERMORE, SUBJECT MATTER JURISDICTION CAN NOT BE WAIVED, NOT EVEN BY CONSENT OF EITHER PARTY. ANDERSON V. ANDERSON, 382 S.E. 2D 897 (1989).

APPLICANT ASSERTS THAT THE STATE OF SOUTH CAROLINA BERKELEY COUNTY VIOLATED APPLICANT 5TH AND 14TH UNITED STATES CONSTITUTIONAL AMENDMENT RIGHTS AND PURSUANT TO SOUTH CAROLINA CONSTITUTION ART. 1 § 11 AND SOUTH CAROLINA CODE OF LAW 17-25-10 AND 17-19-10, WHEN SUCH VIOLATIONS OF STATUTES HAPPEN IT IS VOID, THE JUDGEMENT RENDERED THIS MATTER AND THE CONVICTION(S) AND SENTENCE(S) IMPOSED ...

APPLICANT ASSERTS THAT HE NEVER WAS INDICTED BY A GRAND JURY OF BERKELEY COUNTY IN THE COURT OF GENERAL SESSIONS. SUBJECT MATTER JURISDICTION CAN BE RAISED AT ANYTIME SEE: U.S. V. COTTON, 122 S.Ct. 1781 (2002).

APPLICANT ASSERTS THAT "[T]HE ACT OF A COURT WITH RESPECT TO A MATTER AS TO WHICH HAS NO JURISDICTION ARE VOID". FUNDERBURK, 191 S.E. 2D AT 522; BROWN V. STATE, 540 S.E. 2D 846 (2001). A JUDGEMENT BY A COURT CAN NOT BE AFFIRMED WHERE THE COURT HAD NO RIGHT TO ACT, THE ACTIONS AND JUDGEMENT OF THE COURT IN THE ABSENCE OF SUBJECT MATTER JURISDICTION ARE VOID.

ID, SEE ALSO, STATE V. SMALLS, 519 S.E. 2D 193 (CT. APP. 1999)
(GENERAL RULE THAT LACK OF SUBJECT MATTER JURISDICTION
MAYBE RAISED AT ANYTIME SUPERSEDES S.C. CODE ANN §
17-19-90.) HERE THE LACK OF SUBJECT MATTER JURISDICTION IS
A JURISDICTION DEFECT NOT COVER BY THE STATUTE. Hooks v.
STATE, 353 S.C. 48, 57 S.E. 2D 211 (S.C. 2003).

APPLICANT ASSERTS THAT HE NEVER GOT INDICTED BY A
GRAND JURY OF BERKELEY COUNTY RENDERING A VERDICT UNDER
OATH TO INDICT APPLICANT, THE STATE VIOLATED STATUTES AND
LAWS OF SOUTH CAROLINA, WHICH MAKE APPLICANT CONVICTIONS
AND SENTENCE(S) VOID, ILLEGAL, UNLAWFUL AND UNCONSTITU-
TIONAL...

APPLICANT ASSERTS THAT THEY WAS NEVER A GRAND JURY
BEING PROCESS IN BERKELEY COUNTY GENERAL SESSIONS COURT
HOUSE ON THE DAY OF FEBRUARY 7TH, 2007.

APPLICANT ASSERTS THAT THEY WASN'T A GENERAL SESSION
COURT PROCESSING GRAND JURY ON THE DAY OF FEB. 7TH, 2007
RENDERING A VERDICT UNDER OATH TO INDICT APPLICANT,
WHICH MAKE'S THE TRIAL COURT LACK SUBJECT MATTER JURIS-
DICTION OVER THE CRIMINAL CHARGES OF MURDER, ARM
ROBBERY, BURGLARY 1ST DEGREE x 2 AND KIDNAPPING x 3.

APPLICANT ASSERTS THAT HE NEVER WAS INDICTED ON THE
DAY OF FEB. 7TH, 2007 BECAUSE THEY WAS NEVER A GRAND
JURY CONVENING IN BERKELEY COUNTY GENERAL SESSIONS
COURTS.

APPLICANT ASSERTS THAT PURSUANT TO S.C. JUDICIAL DEPART-
MENT, TERMS OF CIRCUIT COURT CALENDER FOR FEBRUARY 2007
THEY WASN'T A GENERAL SESSIONS CONVENING IN BERKELEY
COUNTY GENERAL SESSION COURT HOUSE ON THE DAY OF

FEB. 7TH, 2007, WHICH IS MARK HERE NOW AS EXHIBIT (A)
NEWLY DISCOVERED EVIDENCE...

APPLICANT CONVICTION(S) AND SENTENCE(S) IS VOID...

APPLICANT ASSERTS THAT HE NEVER WAS INDICTED BY A
GRAND JURY, THIS IS A VIOLATION OF APPLICANT 5TH AND 14TH
CONSTITUTIONAL AMENDMENT RIGHTS AND PURSUANT TO S.C.
CONSTITUTION ART 1811 AND UNDER S.C. CODE OF LAWS 17-25-10
AND 17-19-10.

APPLICANT ASSERTS THAT BECAUSE THEY WASN'T A GRAND JURY
THAT INDICTED HIM ON THE DAY OF FEB. 7TH, 2007 RENDERING
A VERDICT UNDER OATH TO INDICT APPLICANT MAKES HIS
CONVICTION(S) AND SENTENCE(S) OR VOID...

APPLICANT ASSERTS THAT DUE TO THE ILLEGAL, UNLAWFUL AND
UNCONSTITUTIONAL ACTS THAT WAS DONE BY THE STATE, APPLICANT
INDICTMENT(S) WHICH HOLDS HIM IN CUSTODY OF THE ~~STATE~~
~~STATE~~ IS VOID BECAUSE THERE WAS NEVER A GRAND JURY
CONVENING ON THE DAY OF FEB. 7TH, 2007 IN THE BERKE-
LEY COUNTY GENERAL SESSION COURT HOUSE, SEE EXHIBIT
(A)...

FURTHERMORE ALL INDICTMENT IS VOID BECAUSE THEY NEV-
ER WERE IN FRONT OF A GRAND JURY AND WASN'T CONVENED
ON AND THE TITLE OF EACH INDICTMENT(S) ~~STATE~~
STATES, (AT A COURT OF GENERAL SESSIONS CONVENED
ON FEBRUARY 7TH, 2007, GRAND JURORS OF BERKELEY COUNTY
PRESENT UPON THEIR OATH) THIS IS VOID THE TRIAL
JUDGE DID NOT HAVE JURISDICTION TO CONVICT OR
SENTENCE APPLICANT ON THE VOID INDICTMENT(S).
SEE: ATTACH TO AND INCORPORATED NOW IS, EXHIBIT
CEC(1)(E)(F)(G)+(H), ALL SEVEN (7) OF APPLICANT CRIMINAL

INDICTMENT(S)... FURTHERMORE, THE MURDER INDICTMENT(S) ITSELF WILL PROVE A 'SHAM AND VOID PROCESS', THE GRAND JURY COULD NOT HAVE HAD NOTHING TO DO WITH SUCH DEFECTIVE MURDER INDICTMENT, AS THE INDICTMENT FOR MURDER IS WRITTEN, THE TRIAL COURT LACKED JURISDICTION TO CONVICT OR SENTENCE APPLICANT. THE INDICTMENT FAIL TO STATE THE TIME AND PLACE OF THE VICTIM'S DEATH. THE CRIME OF MURDER IS A COMPOSITE ONE AND THE STATE MUST PROVE NOT ONLY THE ASSAULT AND DEATH OCCURRING FROM IT, BUT THE TIME OF THE ASSAULT AND THE ~~TIME~~ OF DEATH, AS WELL AS THE PLACE OF THE ASSAULT AND THE PLACE OF DEATH THESE NECESSARY ELEMENTS OF THE CRIME OF MURDER MUST NOT ONLY BE PROVED BEFORE THE ACCUSED MAYBE CONVICTED, BUT THEY MUST BE ALLEGED IN THE INDICTMENT RETURN AGAINST ACCUSED BY THE GRAND JURY." STATE V. RECTOR, 155 S.E. 385 (1930). THE PROVISIONS OF THIS SECTION MURDER SHALL COMPLY WITH CONSTITUTIONAL REQUIREMENT FOR IN THIS SECTION [CODE 1962 § 17-403] IT IS STATED THAT AN INDICTMENT FOR SUCH CRIME SHALL SET FORTH THE TIME AND PLACE OF THE MURDER ALLEGED TO HAVE BEEN COMMITTED. STATE V. RECTOR SUPRA "THE VOID GRAND JURY PROCESS GAVE THE COURT POWER TO CONVICT AND SENTENCE APPLICANT ON THE VOID INDICTMENT(S) WHICH CAME FROM A VOID GRAND JURY THAT NEVER CONVENED ON FEB. 7TH, 2007 IN BERKELEY COUNTY GENERAL SESSION COURT." SEE ATTACH TO, EXHIBIT (B) APPLICANT MURDER INDICTMENT. THIS IS A VIOLATION OF APPLICANT 5TH AND 14TH UNITED STATES CONSTITUTIONAL AMENDMENT RIGHTS. AND PURSUANT TO SOUTH CAROLINA

CONSTITUTION ART 1311 AND UNDER S.C. CODE OF LAW § 17-25-10 AND 17-19-10.

APPLICANT ASSERTS HE NEVER WAS INDICTED BY A GRAND JURY ON THE DAY OF FEB. 7TH, 2007 IN BERKELEY COUNTY GENERAL SESSIONS COURT HOUSE, SEE EXHIBIT (A) BERKELEY COUNTY GENERAL SESSIONS COURT CALENDER FOR FEB. 2007, WHICH IS NEWLY DISCOVER EVIDENCE THAT WAS DISCOVER ON APRIL 17TH, 2019.

SUBJECT MATTER JURISDICTION CAN BE RAISE AT ANY TIME. BROWN V. STATE, 343 S.C. 342, 540 S.E. 2D 846 (2001). FURTHERMORE, LACK OF SUBJECT MATTER JURISDICTION CAN NOT BE WAIVE, NOT EVEN BY CONSENT OF EITHER PARTY. ANDERSON V. ANDERSON, 382 S.E. 2D 897 (1989).

THE TRIAL JUDGE LACKED JURISDICTION TO CONVICT OR SENTENCE APPLICANT WHICH MAKES HIS CONVICTION(S) AND SENTENCE(S) VOID, ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL, APPLICANT IS ENTITLED TO A EVIDENTIARY HEARING THE COURT MUST/SHALL HOLD A HEARING ON APPLICANT CLAIM OF SUBJECT MATTER JURISDICTION.

IN BROWN V. STATE, 343 S.C. 342, 540 S.E. 2D 846 (2001)

IN THE COURT DISCUSSION #8 AND #9 THE CIRCUIT COURT

DOES NOT HAVE SUBJECT MATTER JURISDICTION TO HEAR A GUILTY PLEA UNLESS: (1) THERE HAS BEEN AN INDICTMENT WHICH SUFFICIENTLY STATES THE OFFENSE,

(2) THERE HAS BEEN A WAIVER OF INDICTMENT, OR (3) THE CHARGES IS A LESSER INCLUDED CHARGE OF THE CRIME CHARGED IN THE INDICTMENT, CARTER V. STATE

SUPRA "THE TRUE TEST OF THE SUFFICIENCY OF AN

INDICTMENT IS NOT WHETHER IT COULD BE MADE MORE DEFINITE AND CERTAIN, BUT WHETHER IT CONTAINS THE NECESSARY ELEMENTS OF THE OFFENSE INTENDED TO BE CHARGED AND SUFFICIENTLY APPRISES THE DEFENDANT OF WHAT HE MUST BE PREPARED TO MEET. BLOOM V. STATE, 320 S.C. 366, 368, 465 S.E. 2A 358, 359 (1995) (EMPHASIS ADDED). WELL IN APPLICANT CASE. NONE OF THIS HAPPENED, APPLICANT NEVER WAIVE HIS RIGHTS TO INDICTMENT, NONE OF THE INDICTMENT(S) STATES THE RIGHT OFFENSE BECAUSE THEY WAS NEVER A GRAND JURY RENDERING A VERDICT UNDER OATH TO INDICT APPLICANT AND NONE OF THE INDICTMENT(S) ~~WAS~~ ^{GAVE} ~~THE~~ ^{APPLICANT} ~~NOTICE~~ ~~OF~~ ~~WHAT~~ ~~HE~~ ~~WAS~~ ~~TO~~ ~~BE~~ ~~PREPARED~~ TO MEET, BECAUSE THE INDICTMENTS OR VOID AND FRAUDULENT, THEY NEVER WAS A GRAND JURY CONVENING IN BERKELEY COUNTY GENERAL SESSION COURT ON FEB. 7TH, 2007 PROCESSING GRAND JURY INDICTMENT. SEE EXHIBIT A) BERKELEY COUNTY GENERAL SESSION COURT CALENDAR FOR FEB. 2007. THIS IS A VIOLATION OF APPLICANT 5TH AND 14TH UNITED STATES CONSTITUTIONAL AMENDMENT RIGHT AND PURSUANT TO S.C. CONSTITUTION ART 1811 AND UNDER S.C. CODE OF LAWS § 17-25-10 AND 17-19-10. THE TRIAL JUDGE DID NOT HAVE POWER TO CONVICT OR SENTENCE APPLICANT ON THE CRIMINAL OFFENSE(S) THAT WAS FILED AGAINST HIM. FURTHERMORE, APPLICANT WANTS TO SHOW FURTHER INTO HOW THE STATE OF SOUTH CAROLINA DID SUCH GROSS AND VOID ACTS TO DEPRIVE APPLICANT OF THIS DUE PROCESS AND EQUAL PROTECTION CLAUSE.

PURSUANT TO STATUTE 14-5-740 TERMS OF COURT IN THE NINTH (9) CIRCUIT, IT STATES AS FOLLOWS: FOR BERKELEY COUNTY ONLY. THE COURTS OF THE NINTH JUDICIAL CIRCUIT SHALL BE HELD AS HEREINAFTER PROVIDED. (1) BERKELEY COUNTY - THE COURT OF GENERAL SESSION FOR BERKELEY COUNTY SHALL BE HELD AT MONCK'S CORNER ON THE SECOND MONDAY IN MAY AND ON THE SECOND MONDAY IN OCTOBER, IN EACH CASE FOR ONE WEEK. THE COURT OF COMMON PLEAS FOR THE COUNTY SHALL BE HELD AT MONCK'S CORNER ON THE THIRD MONDAY IN MARCH FOR ONE WEEK, THE SECOND MONDAY IN JUNE FOR TWO WEEKS AND ON THE FIFTH MONDAY IN SEPTEMBER FOR TWO WEEKS. SEE ATTACHED TO EXHIBIT (I) SOUTH CAROLINA STATUTE 14-5-740. CLEARLY BERKELEY COUNTY NEVER DID HOLD A GRAND JURY PROCESS ON APPLICANT INDICTMENT(S) BECAUSE THEY WERE NOT A GRAND JURY CONVENING IN BERKELEY COUNTY GENERAL SESSION COURT HOUSE ON FEB. 7TH 2007, WHICH MAKES TRIAL COURT LACK JURISDICTION TO IMPOSE CONVICTION(S) AND SENTENCE(S) IN THE CRIMINAL CASE FILED AGAINST APPLICANT WHICH MAKES THE CONVICTION(S) AND SENTENCE(S) ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL. SUBJECT MATTER JURISDICTION CAN BE RAISED AT ANYTIME. BROWN V. STATE, 343 S.C. 342, 540 S.E. 2D 846 (2001).

APPLICANT ASSERTS THAT IT IS ABSOLUTELY ESSENTIAL IN AN INDICTMENT FOR MURDER THAT THE DEATH OF THE PARTY KILLED SHOULD BE THEREIN AND IN THE ABSENCE OF SUCH ALLEGATION INDICTMENT IS FATALLY DEFECTIVE AND SHOULD BE QUASHED ON MOTION MADE. FURTHERMORE,

SUCH A DEFECTIVE INDICTMENT IS BEYOND THE REACH OF AMENDMENT AS TO SUCH ESSENTIAL ALLEGATION.

STATE V. BLAKENEY, 11 S.E. 657 (1890) IF AN INDICTMENT FOR MURDER IS DEFECTIVE IN FAILING TO STATE THE PLACE OF DEATH OF THE PARTY KILLED, ON APPEAL THE JUDGEMENT OF CONVICTION AND SENTENCE BELOW WOULD DEMAND REVERSAL. STATE V. BLAKENEY, SUPRA. ISSUES RELATED TO SUBJECT MATTER JURISDICTION MAY BE RAISED AT ANYTIME.

STATE V. SMITH, 519 S.E. 2D 793 (CT. APP. 1999) THE ALLEGATIONS OF AN INDICTMENT AS TO THE PLACE OF AN ASSAULT AND THE PLACE OF DEATH ARE GENERALLY REGARDED AS ESSENTIAL ALLEGATIONS IN AN INDICTMENT FOR MURDER.

STATE V. BOSTICK, 131 S.E. 2D 811 (1963); STATE V. PLATT, 157 S.E. 206 (1930). SUCH ALLEGATIONS AFFECT THE JURISDICTION OR THE ESSENTIAL ELEMENTS OF THE CRIME. IF THIS ISSUE HAS BEEN DETERMINED TO BE JURISDICTIONAL IN NATURE AND THIS WAS TIMELY RAISED BY THE APPLICANT.

INDICTMENT FOR MURDER READS AS FOLLOWS:

AT A COURT OF GENERAL SESSION, CONVENED ON FEBRUARY 7TH, 2007, GRAND JURORS OF BERKELEY COUNTY PRESENT UPON THEIR OATH. THAT GARY CORNIT DID IN BERKELEY COUNTY ON OR ABOUT THE 2ND DAY OF AUGUST 2006, WHILE ACTING IN CONCERT WITH CO-DEFENDANT(S), FELONIOUSLY, WITH FULLY AND WITH MALICE AFORETHOUGHT, KILL AND MURDER ONE DEXTER PERRY, BY MEANS OF BLUNT FORCE TRAUMA TO THE HEAD AND/OR GUNSHOT WOUNDS AND DEXTER PERRY DID DIE IN BERKELEY COUNTY

AS APPROXIMATE RESULT THEREOF ON OR ABOUT AUGUST 2ND, 2006 THIS ACTION BEING IN VIOLATION OF § 16-3-10 OF THE SOUTH CAROLINA CODE OF LAWS (1976) AS ~~AMENDED~~ AMENDED. SEE EXHIBIT (B).

FURTHERMORE, THE MURDER INDICTMENT WAS INSUFFICIENT AS WRITTEN, DUE TO THE FACTS, THAT THESE ALLEGATIONS WAS NOT ALLEGED, FACTS NOT FOUND, OR PRESENTED TO, OR RETURNED BY A GRAND JURY THAT INDICTED APPLICANT BUT WAS REFERRED TO DURING TRIAL AFTER THE JURY WAS SWORN BY SOLICITOR AND DOCUMENTATION, WHICH DID NOT GIVE THE APPLICANT ADEQUATELY NOTICE OF THE CHARGES, WHICH IS A LACK OF SUBJECT MATTER JURISDICTION, LACK OF SUBJECT MATTER JURISDICTION CAN BE RAISE AT ANYTIME. BROWN V. STATE, 343 S.C. 342, 540 S.E. 2D 846 (2001). FURTHERMORE, LACK OF SUBJECT MATTER JURISDICTION CAN NOT BE WAIVED, NOT EVEN BY CONSENT OF EITHER PARTY. ANDERSON V. ANDERSON, 382 S.E. 2D 897 (1989).

APPLICANT ASSERTS THAT A CORRECT INDICTMENT FOR MURDER WOULD OF BEEN, THE PLACE OF ASSAULT / SHOOTING WOULD BE 634 DUTCH FORK DR. SILVER FOX TRAILER PARK, WHICH IS IN LADSON S.C. LOCATED IN BERKELEY COUNTY, THE TIME OF ASSAULT WOULD OF HAVE TO HAD BEEN ON AUGUST 2ND, 2006 AT 1:25 A.M., APPLICANT ASSERTS THAT HIS MURDER INDICTMENT DO NOT STATE NONE OF THIS INFORMATION, FURTHERMORE, THE PLACE OF THE VICTIM DEATH WOULD HAVE TO HAD BEEN

AT MEDICAL UNIVERSITY OF SOUTH CAROLINA WHICH IS
THE HOSPITAL THE VICTIM WENT TO, WHICH IS LOCATED
IN CHARLESTON COUNTY, AND THE TIME OF THE VICTIM
DEATH WOULD OF BEEN 4:10 A.M. IN THE OPERATING
ROOM IN M.U.S.C HOSPITAL. SEE EXHIBIT (J) THE FOR-
ENSIC AUTOPSY FINAL REPORT THAT WAS DONE BY PATH-
OLOGIST: KIM A COLLINS, MD. PAGE 1+2...

APPLICANT ASSERTS THAT ALL THESE GROSS ACTS WAS DONE
BY THE STATE BECAUSE APPLICANT WAS NEVER INDICTED
ON FEB. 1ST, 2007 IN A BERKELEY COUNTY GENERAL SESSION
COURT HOUSE, THEY WASNT A GRAND JURY CONVENING ON
FEB. 1ST, 2007 RENDERING A VERDICT UNDER OATH TO
INDICT APPLICANT, WHICH MAKES APPLICANT CONVICTION(S)
AND SENTENCE(S) VOID AND DUE TO THE STATE ERRORS
APPLICANT CONVICTION(S) AND SENTENCE(S) MUST BE
VACATED.

S.C. CODE OF LAW § 17-19-30, ALLEGATIONS SUFFICIENT
FOR INDICTMENTS FOR MURDER, STATES AS FOLLOWS, EVERY
INDICTMENT FOR MURDER SHALL BE DEEMED AND AD-
JUDGED SUFFICIENT AND GOOD IN LAW WHICH IN ADD-
ITION TO SETTING FORTH THE TIME AND PLACE, TOGETHER
WITH A PLAIN STATEMENT, DIVESTED OF ALL USELESS PHRAS-
ELOGY, OF THE MANNER IN WHICH THE DEATH OF THE
DECEASED WAS CAUSED CHARGES THAT THE DEFENDANT
DID FELONIOUSLY, WILLFULLY AND OF HIS MALICE AFORE-
THOUGHT KILL AND MURDER THE DECEASED. BERKELEY
COUNTY VIOLATED S.C. CODE OF LAW § 17-19-30, JUST AS
THEY VIOLATED APPLICANT 5TH AND 14TH UNITED STATES

CONSTITUTIONAL RIGHTS AND PURSUANT TO SOUTH CAROLINA
CONSTITUTION ART 1811 AND UNDER S.C. CODE OF LAWS
§ 17-25-10 AND 17-19-10.

ALL THIS CAME FROM THE STATE KNOWINGLY CREATED
A VOID PROCESS THAT WAS NOT GOVERN BY THE LAWS OR
STATUTES OF THIS STATE TO GET A CONVICTION AND SENT-
ENCE UPON APPLICANT ON ALL SEVEN (7) CRIMINAL INDICT-
MENT(S), WHICH MAKE THE TRIAL COURT LACK SUBJECT MATT-
ER JURISDICTION TO IMPOSE SENTENCE AND CONVICTION
UPON APPLICANT. THEY WAS NEVER A GRAND JURY THAT
INDICTED APPLICANT ON FEB. 7TH, 2007 IN BERKELEY
COUNTY GENERAL SESSION COURT HOUSE. SEE ATTACHED
TO EXHIBIT A) NEWLY DISCOVERED EVIDENCE BERKELEY
COUNTY GENERAL SESSION COURT CALENDER FOR FEB. 2007.
THEY WAS NOT A GENERAL SESSION COURT CONVENING...

CLEARLY APPLICANT HAVE SHOWN A CLAIM OF SUBJECT
MATTER JURISDICTION AND PURSUANT TO BROWN V. STATE
343 S.C. 342, 540 S.E. 2D 846 (2001). APPLICANT IS ENTITLED
TO A HEARING ON THE MERITS OF HIS CLAIM OF TRIAL
COURT LACKED SUBJECT MATTER JURISDICTION. THE STATE
CAN NOT DISPUTE THE FACTS IN APPLICANT MEMORANDUM
IN SUPPORT OF APPLICANT MOTION FOR JUDGEMENT.

APPLICANT ASSERTS THAT HE'S BEING HELD ILLEGALLY, UN-
LAWFULLY AND UNCONSTITUTIONALLY BY THE STATE DUE
TO THE VOID GRAND JURY WHICH WAS DONE BY THE STATE
EACH OF APPLICANT INDICTMENTS STATES THAT (AT A
COURT OF GENERAL SESSION CONVENED ON FEB. 7TH, 2007,
GRAND JURORS OF BERKELEY COUNTY PRESENT UPON THEIR
OATH).

THIS IS FRAUD NO GENERAL SESSION COURT WAS CONVENING ON FEB. 7TH 2007 IN BERKELEY COUNTY PROCESSING GRAND JURY. SEE EXHIBIT (A) BERKELEY COUNTY GENERAL SESSION COURT CALENDAR FOR FEB. 2007...

APPLICANT ASSERTS THAT, IF AN INDICTMENT FOR MURDER IS DEFECTIVE IN FAILING TO STATE THE PLACE OF DEATH OF THE PARTY KILLED, ON APPEAL THE JUDGEMENT OF CONVICTION BELOW WOULD DEMAND REVERSAL. STATE V. BLAKENEY, 637 S.E. 11, 111 S.C. 33 S.C. (1890).

APPLICANT ASSERTS THAT HE NEVER WAS INDICTED BY A GRAND JURY WHICH MAKES HIS CONVICTION(S) AND SENTENCE(S) VOID, AND BY THE STATE DOING SUCH CROSS AND VOID ACTS, THEY PRINTED ANYTHING IN THE VOID INDICTMENT WHICH WAS NEVER REVIEWED BY A GRAND JURY RENDERING A VERDICT UNDER OATH TO BIND OVER THE INDICTMENT TO THE TRIAL COURT WHICH MAKE TRIAL COURT LACK SUBJECT MATTER JURISDICTION OVER APPLICANT CRIMINAL CASE THAT WAS ~~FILED~~^{FILE} AGAINST HIM.

APPLICANT ASSERTS THAT HE NEVER WAS INDICTED BY BERKELEY COUNTY GRAND JURY ON FEB. 7TH 2007 BECAUSE THEY HADN'T NO GRAND JURY CONVENING ON FEB. 7TH 2007 IN BERKELEY COUNTY GENERAL SESSION COURT HOUSE. SEE NEWLY DISCOVERED EVIDENCE, EXHIBIT (A).

FURTHERMORE, S.C. STATUTE 14-5-740 WILL SHOW THIS COURT THAT THE BERKELEY COUNTY GENERAL SESSION COURT WASN'T CONVENING AND DIDN'T HAVE THE RIGHT BY THE STATUTE OF THIS STATE TO CONVENED ON FEB. 7TH, 2007. SEE EXHIBIT (I) S.C. STATUTE 14-5-740 APPLICANT ASSERTS THAT HE HAVE SHOWN THE COURTS ALL OF THE MAJOR VIOLATION THAT WAS DONE IN THIS CRIMINAL CASE AT HAND AND THE STATE IS OBLIGATED TO HOLD A EVIDENTIARY HEARING ON APPLICANT TRIAL COURT LACKED SUBJECT MATTER JURISDICTION CLAIM. PURSUANT TO BROWN V. STATE, 343 S.C. 342, 546 S.E. 2D 206 (2001).

THE SUPREME COURT FURTHER STATED THAT BAIN'S ELASTIC CONCEPT OF JURISDICTION IS NOT WHAT THE TERM JURISDICTION MEANS TODAY, I.E. THE COURTS STATUTORY OR CONSTITUTIONAL POWER TO ADJUDICATE THE CASE, ID, "THIS LATTER CONCEPT OF SUBJECT MATTER JURISDICTION, BECHUSE IT INVOLVES A COURT (POWER TO HEAR) A CASE, CAN NEVER BE FORFEITED OR WAIVED. CONSEQUENTLY, DEFECTS IN SUBJECT MATTER JURISDICTION REQUIRER CORRECTION REGARDLESS OF WHETHER THE ERROR WAS RAISE [BELOW] ID. U.S. V. COTTON, 122 S.C.T. 1781 (2002); STATE V. GENTRY, 610 S.E. 2D 494.

BERKELEY COUNTY TRIAL COURT DID NOT HAVE THE POWER TO CONVICT OR SENTENCE APPLICANT ON THE CRIMINAL OFFENSES THERE FERE MAKING APPLICANT CONVICTION(S) AND SENTENCE(S) VOID

APPLICANT WAS NEVER INDICTED ON FEB. 7TH, 2007 BY A GRAND JURY IN BERKELEY COUNTY GENERAL SESSION COURT HOUSE.

APPLICANT ASSERTS THAT THE STATE KNOWINGLY VIOLATED APPLICANT 5TH AND 14TH UNITED STATE CONSTITUTIONAL RIGHT, PURSUANT TO S.C. CONSTITUTION ART 1§11 AND S.C. CODE OF LAWS § 17-25-10 AND 17-19-10 AND DUE TO THESE VIOLATION AND THE EVIDENCES THAT APPLICANT PRESENTED TO THIS COURT, CLEARLY SHOWS A LACK OF SUBJECT MATTER JURISDICTION IN THIS MATTER AND PURSUANT TO BROWN V. STATE, 343 S.C. 342, 540 S.E. 2D 816 (2001), SUBJECT MATTER JURISDICTION CAN BE RAISE AT ANYTIME, FURTHERMORE, SUBJECT MATTER JURISDICTION CAN NOT BE WAIVE NOT EVEN BY CONSENT OF EITHER PARTY ANDERSON V. ANDERSON, 382 S.E. 2D 897 (1989)

APPLICANT ASSERTS THAT THE TRIAL COURT LACKED SUBJECT MATTER JURISDICTION, COURT WAS WITH OUT POWER TO IMPOSE CONVICTION(S) AND SENTENCE(S) WHICH ARE VOID, ILLEGAL, UNLAWFUL, AND UNCONSTITUTIONAL AND DUE TO THE STATE ERRORS APPLICANT CONVICTION(S) AND SENTENCE(S) MUST/SHALL BE VACATED.

APPLICANT ASSERTS THAT SUBJECT MATTER JURISDICTION CAN BE RAISED AT ANYTIME. BROWN V. STATE, 343 S.C. 342, 540 S.E. 2D 816 (2001). FURTHERMORE,

lack of SUBJECT MATTER JURISDICTION CAN NOT BE WAIVED NOT EVEN BY CONSENT OF EITHER PARTY. ANDERSON V. ANDERSON, 382 S.E. 2D 897 (1989). APPLICANT ASSERTS THAT THIS COURT CAN NOT WAIVE APPLICANT CLAIM OF SUBJECT MATTER JURISDICTION, IT CAN NOT BE WAIVED. ANDERSON V. ANDERSON, 382 S.E. 2D 897 (1989).

APPLICANT WOULD SHOW THIS COURT, THAT AS A RESULT OF THE CRIMINAL VIOLATIONS COMMITTED BY THE STATE IN THIS CASE, THE LOWER TRIAL COURT WAS DIVESTED OF THE REQUISITE AUTHORITY TO IMPOSE CONVICTION(S) AND SENTENCE(S).

SECTION 17-25-10 PROVIDES THAT: "NO PERSON SHALL BE PUNISHED FOR AN OFFENSE UNLESS DULY AND LEGALLY CONVICTED THEREOF, IN A COURT HAVING COMPETENT JURISDICTION OF THE CAUSE AND OF THE PERSON".

SOUTH CAROLINA LAW HELDS THAT WORDS OF A STATUTE MUST BE GIVEN THEIR PLAIN AND ORDINARY MEANING WITHOUT RESORT TO SUBTLE OR FORCED CONSTRUCTION. SEE: STATE V. MULDERO, 559 S.E. 2D 817 (2003). AND STATUTORY PRESCRIPTIONS COINED IN LANGUAGE SUCH AS (SHALL) AND (MUST) ARE MANDATORY IN APPLICATION AND EFFECT. SEE E.G. SOUTH CAROLINA POLICE OFFICERS RET. SYS. V. CITY OF SPARTANBURG, 391 S.E. 2D 239, 241 (1990); STARVES V. SOUTH CAROLINA DEPT. OF PUBLIC SAFETY, 535 S.E. 2D 655, 667 (CT. APP. 2000).

A PLAIN READING OF SECTION 17-25-10 REQUIRES THAT A CRIMINAL DEFENDANT CANNOT BE PUNISHED [SENTENCE] FOR AN OFFENSE UNTIL AFTER THE STATE HAS DULY AND LEGALLY CONVICTED THE INDIVIDUAL. THAT DID NOT HAPPEN IN THIS CASE.

AS ESTABLISHED ABOVE, STATE KNOWINGLY VIOLATED THE PROVISIONS OF S.C. CODE ANN § 14-9-210 BY, (1) UNLAWFULLY IMPANELING IT'S

GRAND JURY OUTSIDE THE JURISDICTION OF THE COURT OF GENERAL SESSIONS, (2) UTILIZING AN UNLAWFUL, ILLEGAL AND UNCONSTITUTIONAL VOID PROCESS FOR THE RETURN OF TRUE BILL AND (3) CAUSING FALSE INFORMATION TO BE PRINTED AND PUBLISHED IN APPLICANT INDICTMENTS. CONSEQUENTLY, THE GRAND JURY WAS VOID IT NEVER CONVENED AND ALL INDICTMENT(S) NULL.

AS ESTABLISHED ABOVE, THE ASSISTANT SOLICITOR KNOWINGLY COMMITTED AN OFFENSE OF PERJURY IN VIOLATION OF S.C. CODE ANN § 16-9-10, BY WILLFULLY PRINTING FALSE AND MISLEADING INFORMATION IN APPLICANT STATE INDICTMENTS WHICH OR VOID BECAUSE THEY WAS NEVER A GRAND JURY THAT CONVENED ON THE DAY OF FEB. 7TH, 2007 RENDERING A VERDICT UNDER OATH TO INDICT APPLICANT, IN A COURT OF GENERAL SESSIONS. ADDITIONALLY, SEVERAL JUDICIAL PERSONNEL JOINED INTO A CRIMINAL CONSPIRACY, IN VIOLATION OF S.C. CODE ANN § 16-17-410, FOR PURPOSES OF COMPLETING, RETURN, AND PUBLICATIONS OF STATE VOID INDICTMENT(S). FOR THE REASONS ESTABLISHED ABOVE APPLICANT CONVICTIONS AND SENTENCE(S) MUST BE VACATED.

APPLICANT PRAY AND ALSO ASK THIS HONORABLE JUDGE TO READ AND CORRECT THIS CASE... THANK YOU AND GOD BLESS...

ALL APPLICANT INDICTMENT(S) STATES AS FOLLOWS:
(AT A COURT OF GENERAL SESSIONS, CONVENED ON FEBRUARY 7TH, 2007 GRAND JURORS OF BERKELEY COUNTY PRESENT UPON THEIR OATH:) THIS IS VOID, ILLEGAL UNLAWFUL AND UNCONSTITUTIONAL... THIS PREJUDICE ME YOUR HONOR... I GOT LIFE FOR MURDER AND 30 YEARS FOR EACH OTHER MURDER...

CONCLUSION

FOR THE FOREGOING FACTS STATED IN THIS MEMORANDUM IN SUPPORT OF APPLICANT MOTION FOR JUDGEMENT APPLICANT IS ENTITLED BY RIGHTS OF THE U.S. CONST. S.C. CONST. AND CODES AND STATUTES OF THIS STATE TO HAVE ALL CONVICTIONS AND SENTENCES VACATED...

DATE: MAY 28TH, 2019

RESPECTFULLY SUBMITTED

[Handwritten Signature]

PRO SE

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE COURT OF COMMON PLEAS
C/A No: 2019-CP-08-00806

GARY L. GRANT #280988
APPLICANT

CERTIFICATE OF SERVICE

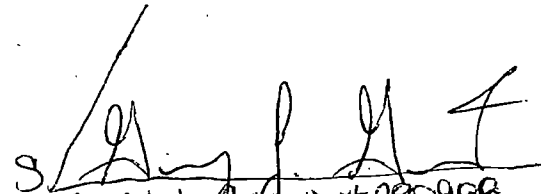
v.

STATE OF SOUTH CAROLINA
RESPONDENT,

CERTIFICATE OF SERVICE

I GARY L. GRANT #280988, CERTIFY THAT A COPIE OF THIS MEMORANDUM IN SUPPORT OF APPLICANT MOTION FOR JUDGEMENT WAS SERVED ON LEAH G. DUPREE, CLERK OF BERKELEY COUNTY, BY DEPOSITING SAME IN THE U.S. MAIL WITH SUFFICIENT POSTAGE AFFIXED THERETO AT KERSHAW CORR. INST. MAIL ROOM ON MAY 28TH, 2019 TO THE ADDRESS BELOW:

LEAH G. DUPREE
CLERK OF COURT
BERKELEY COUNTY
P.O. BOX 219
MONCK'S CORNER, S.C. 29461


GARY L. GRANT #280988
KERSHAW CORR. INST.
1848 GOLDMINE HWY.
KERSHAW, S.C. 29067

SWORN TO BEFORE ME THIS 28TH DAY
OF May

PRO SE
MAY 28TH, 2019

Catherine A. Amadio
NOTARY PUBLIC FOR SOUTH CAROLINA
22. 2019

EXHIBITS

EXHIBIT (A) NEWLY DISCOVERED EVIDENCE S.C. JUDICIAL DEPARTMENT TERMS OF CIRCUIT COURT CALENDAR FOR THE COURT OF GENERAL SESSIONS FOR BERKELEY COUNTY, FOR FEBRUARY 2007...

EXHIBIT (B) MURDER INDICTMENT (2007-68-08-0319)

EXHIBIT (C) KIDNAPPING INDICTMENT (2007-68-08-0315)

EXHIBIT (D) KIDNAPPING INDICTMENT (2007-68-08-0316)

EXHIBIT (E) KIDNAPPING INDICTMENT (2007-68-08-0317)

EXHIBIT (F) BURGLARY 1ST DEGREE (2007-68-08-0347)

EXHIBIT (G) BURGLARY 1ST DEGREE (2007-68-08-0343)

EXHIBIT (H) ARMED ROBBERY INDICTMENT (2007-68-08-0314)

EXHIBIT (I) SOUTH CAROLINA STATUTE 14-5-740

EXHIBIT (J) FORENSIC AUTOPSY FINAL REPORT PAGE 1 + 2

February ▼ 2007 ▼

Search

EXHIBIT
(A)

Terms of Circuit and Family Court
February 2007

Holiday:
Mon Feb 19, President's Day

Circuit Number	2/5/2007	2/12/2007	2/19/2007	2/26/2007
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<p>9</p>	<p>General Sessions Charleston Dennis, R.</p> <p>GARRISON</p> <p>Common Pleas Charleston Cole, J.</p> <p>BURNS</p> <p>General Sessions Charleston Hughston, Thomas</p> <p>CROSS 5, 6 TAYLOR 7 CROSS 8, 9</p> <p>Common Pleas Non-Jury Jefferson, Deadra</p> <p>PERRON 5, 6 NO CR NEEDED 7 PERRON 8, 9</p> <p>Common Pleas Charleston Buckner, Perry</p> <p>COOLEY</p> <p>Common Pleas Non-Jury Young, Roger</p> <p>KEIL</p>	<p>Common Pleas Berkeley Pieper, Daniel</p> <p>BURNS</p> <p>Common Pleas Charleston Hughston, Thomas</p> <p>CROSS 12, 13 SULLIVAN 14 NO CR NEEDED 15 CROSS 16</p> <p>Common Pleas Charleston Buckner, Perry</p> <p>PERRON 12, 13, 14, 15 am NO CR NEEDED 15 pm NO CR NEEDED 16</p> <p>Common Pleas Non-Jury Lockemy, James</p> <p>COOLEY</p> <p>General Sessions Berkeley Dennis, R.</p> <p>GARRISON</p> <p>Common Pleas Charleston Young, Roger</p> <p>HARRIS</p>	<p>General Sessions 20 Charleston Dennis, R.</p> <p>GARRISON 20</p> <p>Common Pleas Non-Jury 23 Young, Roger</p> <p>COOLEY 23</p>	<p>General Sessions Charleston Childs, J.</p> <p>PERRON</p> <p>Common Pleas Charleston Dennis, R.</p> <p>GARRISON</p> <p>Common Pleas Charleston Buckner, Perry</p> <p>BURNS</p> <p>General Sessions Charleston Hughston, Thomas</p> <p>COOLEY 26, 27 NO CR NEEDED 28, 1, 2</p> <p>Common Pleas Non-Jury 26, 27, 28, 1 Charleston Scarborough, Mikell</p> <p>ROLAND 26, 27, 28, 1</p> <p>General Sessions 26 Berkeley Watson, Robert</p> <p>MCDANIEL 26</p> <p>Common Pleas Non-Jury 2 Young, Roger</p> <p>WALKER 2</p> <p>General Sessions 2 Charleston Newman, Clifton</p> <p>COOLEY 2</p>
	<p>Family Court Berkeley McMahon, Judy L.</p> <p>DUPREE</p> <p>Family Court Charleston</p>	<p>Family Court 12, 13 Berkeley Creech, Wayne M.</p> <p>DUPREE 12, 13</p> <p>Family Court</p>	<p>Family Court Berkeley Creech, Wayne M.</p> <p>DUPREE</p> <p>Family Court Charleston</p>	<p>Family Court Charleston McMahon, Judy L.</p> <p>CROSS</p> <p>Family Court Berkeley</p>

EXHIBIT
(e)

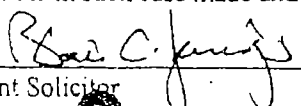
STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

INDICTMENT FOR
KIDNAPPING

At a Court of General Sessions, convened on February 7, 2007, the Grand Jurors of Berkeley County present upon their oath:

That Gary Grant did in Berkeley County on or about the 2nd day of August, 2006, while acting in concert with co-defendants, seize, abduct, confine or carry away, Birdie Cobbs, by any means whatsoever without the authority of law and against the will and consent of Birdie Cobbs. This in violation of Section 16-3-910 of the South Carolina Code of Laws (1976) as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


Assistant Solicitor

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

INDICTMENT FOR
KIDNAPPING

EXHIBIT
(D)

At a Court of General Sessions, convened on the February 7, 2007, Grand Jurors of Berkeley County present upon their oath:

That Gary Grant did in Berkeley County on or about the 2nd day of August, 2006, while acting in concert with co-defendants, seize, abduct, confine or carry away, Odoner Cobbs, Jr., by any means whatsoever without the authority of law and against the will and consent of Odoner Cobbs, Jr. This action being in violation of Section 16-3-910, South Carolina Code of Laws (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Brian C. Jennings
Assistant Solicitor

(126) 

EXHIBIT
(E)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

INDICTMENT FOR
KIDNAPPING

At a Court of General Sessions, convened on February 7, 2007, the Grand Jurors of Berkeley County present upon their oath:

That Gary Grant did in Berkeley County on or about the 2nd day of August, 2006, while acting in concert with co-defendants, seize, abduct, confine or carry away, Joe Husser, by any means whatsoever without the authority of law and against the will and consent of Joe Husser. This in violation of Section 16-3-910 of the South Carolina Code of Laws (1976) as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

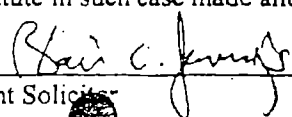
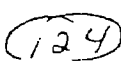


Assistant Solicitor
 

EXHIBIT
(4)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

INDICTMENT FOR
BURGLARY FIRST DEGREE

At a Court of General Sessions, convened on February 7, 2007 the Grand Jurors of Berkeley County present upon their oath:

That Gary Grant did in Berkeley County on or about the 2nd day of August, 2006, while acting in concert with co-defendants, willfully, unlawfully and feloniously enter the dwelling located at 1106 Snow Goose Circle, Goose Creek, South Carolina, without consent and with the intent to commit a crime therein, to wit: kidnapping and armed robbery. These acts occurring with the following circumstances of aggravation, to wit: the entering or remaining occurred during the hours of darkness and/or when in effecting entry or while in the dwelling or in immediate flight, he or another participant in the crime was armed with a deadly weapon, to wit: a handgun, and/or did cause physical injury to a person who is not a participant in the crime and/or used or threatened the use of a dangerous instrument and/or displayed what is or appeared to be a pistol or other firearm. This action in violation of Section 16-11-311, South Carolina Code of Laws (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

R. [Signature]
Assistant Solicitor

(127) 

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

INDICTMENT FOR
BURGLARY FIRST DEGREE

EX-100-
(G)

At a Court of General Sessions, convened on February 7, 2007 the Grand Jurors of Berkeley County present upon their oath:

That Gary Grant did in Berkeley County on or about the 2nd day of August, 2006, while acting in concert with co-defendants, willfully, unlawfully and feloniously enter the dwelling located at 634 Dutch Fork Road, Ladson, South Carolina, without consent and with the intent to commit a crime therein, to wit: kidnapping and armed robbery. These acts occurring with the following circumstances of aggravation, to wit: the entering or remaining occurred during the hours of darkness and/or when in effecting entry or while in the dwelling or in immediate flight, he or another participant in the crime was armed with a deadly weapon, to wit: a handgun, and/or did cause physical injury to a person who is not a participant in the crime and/or used or threatened the use of a dangerous instrument and/or displayed what is or appeared to be a pistol or other firearm. This action in violation of Section 16-11-311, South Carolina Code of Laws (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Barry C. [Signature]
Assistant Solicitor



128



EXHIBIT
(H)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

INDICTMENT FOR
ARMED ROBBERY

At a Court of General Sessions, convened on February 7, 2007, the Grand Jurors of Berkeley County present upon their oath:

That GARY GRANT did in Berkeley County on or about the 2nd day of August, 2006, while acting in concert with co-defendants, take from the person or presence of Dexter Perry, the goods or monies of Dexter Perry, such goods or monies being described as an amount of U.S. currency and/or jewelry, while armed with a deadly weapon, to wit: a handgun. This action being in violation of Section 16-11-330, South Carolina Code of Laws (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Ryan C. Jones
Assistant Solicitor


(122) 

EXHIBIT
(A)

SECTION 14-5-740. Terms of court in ninth circuit.

The courts of the ninth judicial circuit shall be held as hereinafter provided.

* (1) Berkeley County. - The court of general sessions for Berkeley County shall be held at Moncks Corner on the second Monday in May and on the second Monday in October, in each case for one week. The court of common pleas for the county shall be held at Moncks Corner on the third Monday in March for one week, the second Monday in June for two weeks and on the fourth Monday in September for two weeks.

(2) Charleston County. - The court of general sessions for Charleston County shall be held at Charleston on the first Monday in January for one week, on the first Monday in March for two weeks, on the fourth Monday in May for two weeks, on the second Monday in September for two weeks, and on the first Monday in December for two weeks. The court of common pleas for the county shall be held at Charleston on the second Monday in January for one week for the disposal of motions, equity matters, and any other matters not requiring the attendance of a jury, on the first Monday in February for four weeks for the disposal of jury matters, on the fourth Monday in March for five weeks for jury matters, on the second Monday in July for three weeks for jury matters and on the third Monday in October for six weeks, the first of which shall be for the disposal of motions, equity matters, and any other matters not requiring the attendance of a jury, and the remaining five weeks for the disposal of jury matters.

HISTORY: 1962 Code Section 15-278; 1952 Code Section 15-278; 1942 Code Section 59; 1932 Code Section 59; Civ. P. '22 Section 57; Civ. P. '12 Section 26; Civ. P. '02 Section 18; 1884 (18) 686; 1887 (19) 987; 1894 (21) 717; 1898 (22) 683; 1899 (23) 258; 1900 (23) 309; 1909 (26) 163; 1913 (28) 19, 31; 1915 (29) 179; 1917 (30) 138; 1920 (31) 725; 1921 (32) 203; 1923 (33) 128; 1925 (34) 280; 1926 (34) 1047, 1048; 1930 (36) 1135; 1931 (37) 245; 1941 (42) 118; 1947 (45) 525; 1953 (48) 64; 1954 (48) 1446; 1959 (51) 96; 1967 (55) 313; 1972 (57) 2179.

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NOTE: THE BERKELEY COUNTY PROSECUTION OFFICE CREATED A VOID GRAND JURY OUT SIDE OF THE STATUTE OF LAWS OF SOUTH CAROLINA...

THIS WAS DISCOVERED THE SAME DAY APRIL 17TH 2019

VOID PROCESS

EXHIBIT
①

Patient: PERRY JR, DEXTER
Med Rec: PERRYDEXTER
DOB: 6/8/1986 Age: 20 years
Sex: Male Race: Black
ACCESSION: FA-06-00468
Date Received: 8/2/2006
Date Collected: 8/2/2006

Page: 1 of 11

**F o r e n s i c A u t o p s y F i n a l
R e p o r t**

Autopsy Information

Date of Death: 8/2/06 Time: 4:10 am
Date of Autopsy: 8/2/06 Time: 9:45 am
County: Berkeley
Coroner: Sam Tanner, Deputy
Attending Pathologist: Kim A. Collins, MD
Autopsy Technician: Brent Grimball
Prosecutor(s): Yearwood/Collins

Reason for Autopsy: Gunshot Wounds
(If Injury) How occurred: Shot by someone
Date of Injury: 8/2/06 Time: 1:25 am
Place of Injury: House (yard) At Work: No

Cause of Death

Inferior vena cava and left axillary vessel perforations due to
Two, penetrating/perforating, close/indeterminant range gunshot wounds to the trunk
Contributory: Blunt force head trauma, multiple gunshot wounds
Interval = Hours

Manner of Death

Homicide

CASE HISTORY

According to the coroner, the decedent was a 20-year-old black male who was abducted from 106 Snow Goose Court, Goose Creek, and brought to the Silver Fox Trailer Park at 634 Dutch Fork Drive, Ladson, on August 2, 2006 at approximately 1:26 a.m. The decedent's roommate saw the decedent's car outside the Silver Fox location and heard commotion inside. He proceeded to look through the window, and saw two or three individuals holding the decedent.

RECEIVED

AUG 12 2022

S.C. SUPREME COURT

Department of Pathology and Laboratory Medicine
Forensic Pathology

Chair: Janice M. Lage, M.D. Director: Kimberly A. Collins, M.D.

Forensic Pathology Phone: 843-792-3500

Forensic Pathology Fax: 843-792-3537

→
FACE
AND
FACE
OF
SCALP
ADJUSTMENT
DON'T STATE
THIS AT
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Twent
06
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EXHIBIT
(J)

Patient: PERRY JR, DEXTER
Med Rec: PERRYDEXTER
DOB: 6/8/1986 Age: 20 years
Sex: Male Race: Black
ACCESSION: FA-06-00468
Date Received: 8/2/2006
Date Collected: 8/2/2006

Page: 2 of 11

Forensic Autopsy Final Report

PLACE OF DEATH →
TIME OF DEATH →
CHARLESTON County
NOT
BERKELEY County
AS FALSE
JUDGMENT STATES!!!

at gunpoint. The roommate fired a shot through the window without hitting anyone. At this point, the decedent ran and was shot three times in the back while attempting to escape. The decedent was transported to the Medical University of South Carolina where he underwent left thoracotomy and exploratory laparotomy for multiple gunshot wounds to the back, left shoulder, left axilla and both hands. He received multiple units of packed red blood cells and fresh frozen plasma for massive blood loss. Operative findings included profuse bleeding from left kidney and left axillary vessels. Left nephrectomy was performed. No bullets were found or removed. He died in the operating room at 4:10 a.m.

A complete autopsy is requested by Mr. Sam Tanner, Berkeley County Deputy Coroner, and is performed at the Medical University of South Carolina on August 2, 2006.

Please note that the description of the above events is that which was available at the time of this autopsy and is preliminary and subject to change pending receipt of additional data.

GROSS DESCRIPTION

EXTERNAL EXAMINATION

The body is that of a well-developed, well-nourished, adult black male, who weighs approximately 176 pounds, is 87.5 inches in length, and appears compatible with the stated age of 20 years. The body is identified by the coroner. An identification tag is around the right great toe. Identification bands are around each wrist. The body is cool to the touch. Rigor mortis is partially fixed in all extremities (2-3/4) and jaw (3/4). Livor is indiscernible. The scalp hair is brown and in locks, measuring up to approximately 6 inches in length over the crown. The irides are brown; the pupils are bilaterally equal. The corneae are transparent. The sclerae are anicteric. The conjunctivae are unremarkable. The nasal bridge is straight; the alae are broad. The nares are patent; the nasal septum is intact. The ears are not unusual. The left earlobe is pierced once. The lips are atraumatic. The upper and lower front teeth and incisors are yellow-metal; the other teeth are in good condition. The deceased has mustache and beard stubble. The neck is without masses, and the larynx is in the midline. The thorax is symmetrical with an anteroposterior/lateral ratio of about 1:2. The chest and abdomen are hair-bearing. The abdomen is flat. The penis is circumcised; the testes are bilaterally descended within the scrotum. The anus and back are unremarkable. The upper and lower extremities are well-developed and symmetrical, without absence of digits. Identifying marks and scars consist of the

Department of Pathology and Laboratory Medicine
Forensic Pathology

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