

In The Supreme Court of South Carolina

RECEIVED

Michael Alonzo Rubis

OCT 21 2022

v

Case No. S.C. SUPREME COURT

State of South Carolina

Sumter County Court  
of Common Pleas Case no.: 2018-CP-43-0002

Notice of Appeal

Appellant, Michael Alonzo Rubis, an individual and non other "person" as defined SC Code § 2-7-30 hereby files his Notice of Appeal of the 21 September, 2022 order of The Court of Common Pleas for The Third Judicial Circuit in Sumter County, Case no.: 2018-CP-43-0002, issued by Judge Kristi F. Curtis.

Appellant received a copy of the aforementioned order on 27 September, 2022.

Appellant's address for receipt of correspondence in this matter, being a pro se litigant, is Michael Alonzo Rubis [99284-071] Federal Correctional Institution P.O. Box 100 Petersburg, VA 23804.

Respondent's purported attorney in this matter is Megan Haegean Jameson, Senior Assistant Deputy Attorney General, Rembert C. Dennis Building P.O. Box 11549 Columbia, SC 29211-1549.

Appellant prosecutes this matter without access to legal research materials for South Carolina and to the best of his ability and "good faith."

18 Oct, 2022

  
Michael Alonzo Rubis - Appellant

RECORDED

STATE OF SOUTH CAROLINA  
COUNTY OF SUMTER

2022 SEP 21 ) PM 2:57

IN THE COURT OF COMMON PLEAS  
FOR THE THIRD JUDICIAL CIRCUIT

Michael Alonza Rufus,  
Applicant,

JAMES C. CAMPBELL  
CLERK OF COURT  
SUMTER COUNTY, S.C

Case No.: 2018-CP-43-0002

CERTIFIED TRUE COPY  
OF ORIGINAL FILED

*Sherry H. Hunt*  
DEPUTY CLERK OF COURT  
SUMTER COUNTY  
SOUTH CAROLINA

v.

FINAL ORDER OF DISMISSAL

State of South Carolina,  
Respondent.

This matter is before this Court based on an untimely application for post-conviction relief filed by Applicant Michael Alonza Rufus more than two decades after his guilty plea in 1995. In response, Respondent the State of South Carolina made its return and moved to summarily dismiss the action as procedurally barred pursuant to the Uniform Post-Conviction Procedures Act, S.C. Code Ann. § 17-27-10 et seq. (2014).

After a review of the record and pleadings, this Court agreed this application should be summarily dismissed as untimely and provisionally dismissed the action by way of a Conditional Order of Dismissal filed on March 23, 2020, giving the Applicant twenty days from the date of service of said Order in which to show why the dismissal should not become final. Attached to this Final Order and incorporated herein by reference is a Certificate of Service dated April 8, 2020, serving the above-mentioned Conditional Order of Dismissal on Applicant.

Applicant responded to the Conditional Order of Dismissal with multiple documents. First, Applicant served and filed a “notice of Denial of Equal Protection & Due Process in Access to this Court with Limited Objection to Respondent’s proposed ‘Return and Motion to Dismiss’” filed March 23, 2020. In this document, Applicant asserts that this Sumter County case should be “stayed or prosecuted with his presently pending PCR in Lee County.” He also asserts that he should be transported to South Carolina so that he can properly pursue his PCR actions, as he is

presently detained in another jurisdiction and cannot properly pursue this action while incarcerated out-of-state. Applicant also asserts that Respondent and this Court are fraudulently acting without jurisdiction in its handling of this matter, citing numerous federal codes and statutes related to corporate law. However, Applicant failed to present sufficient reasons why this application, filed more than two decades following his guilty plea, should be considered timely.

Applicant next responded by way of a document filed on April 8, 2020, wherein he again makes the same arguments regarding the lack of authority or jurisdiction of this Court to rule on his case based on federal law and a purported conflict of interest as a member of the South Carolina Bar. Again, Applicant has failed to present sufficient reasons why this application, filed more than two decades following his guilty plea, should be considered timely.

Applicant next submitted a document captioned "Objection to Conditional Order of Dismissal" filed on April 17, 2020, wherein Applicant makes the same arguments previously presented. He again failed to provide a sufficient reason why he should be able to proceed with this untimely application.

In conclusion, Applicant has failed to provide sufficient reasons to overcome the procedural bars as set forth in the Conditional Order of Dismissal.

**IT IS THEREFORE ORDERED** that for the reasons set forth in the Court's Conditional Order of Dismissal, this application for post-conviction relief is hereby **DENIED AND DISMISSED WITH PREJUDICE**.

This Court hereby advises Applicant he must file and serve a notice of appeal within thirty days of the service of this Order to secure appellate review. See Rule 203, SCACR. Applicant's

attention is directed to Rule 243, SCACR, for the procedures following the filing and service of the notice of appeal.

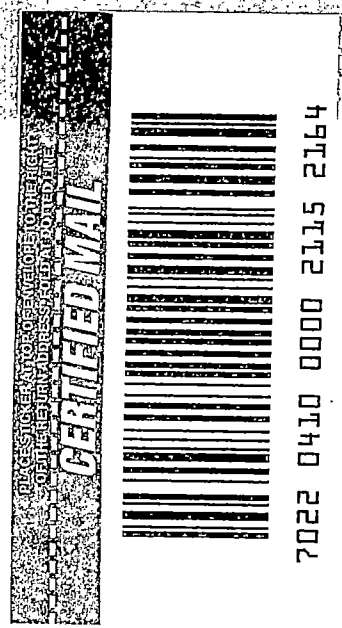
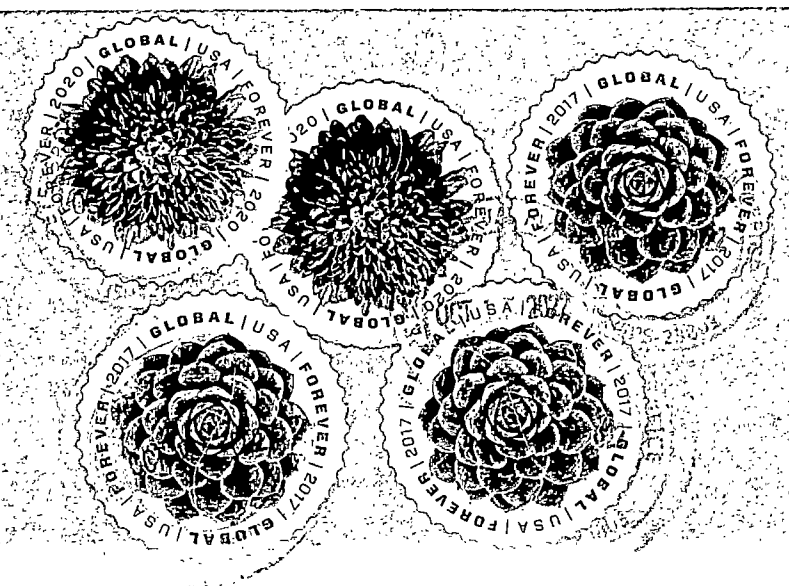
AND IT IS SO ORDERED this 21st day of September, 2022.

Sumter, South Carolina

Kristi Curtis  
KRISTI F. CURTIS  
Presiding Judge  
Third Judicial Circuit



Walter H. Keltus 99287-0711  
Federal Correctional Complex  
Box 1000  
Spring, VA 23804



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U.S. SUPREME COURT

Special Outgoing Mail

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Attn: Clerk of Court  
1231 Germain Street  
Columbia, SC 29201