

STATE OF SOUTH CAROLINA

In The Court of Appeals

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FEB 15 2023

SC Court of Appeals

APPELLATE CASE NO. 2022-000641

APPEAL FROM GREENVILLE COUNTY

Court of General Sessions

The Honorable Frank R. Addy, Jr., Circuit Judge

Trial Court Case No. 2002-GS-23-09233, 2002-GS-23-09234,

2002-GS-23-09235, 2002-GS-23-09239

STATE OF SOUTH CAROLINA ..... RESPONDENT,

V.

PATRICK LEE BOOKER ..... APPELLANT.

MOTION TO CERTIFY/ TRANSFER CASE

THE PRO SE APPELLANT, pursuant to Rule 204 of the South Carolina Appellate Court Rules, hereby move to certify/transfer this case to the South Carolina Supreme Court immediately and before completion of briefing because, as noted in footnote 8 of the Initial Brief of Appellant, this appeal is largely based

upon the opinion of the supreme court decision in Jackson v. State, 562 S.E.2d 475 (S.C. 2002) which this Court is bound by, and which the Appellant is arguing against.

Whereas this Court is unable to disregard, or to rule against, the precedent set by the Supreme Court in Jackson, and whereas the initial brief shows that this appeal involves a direct challenge to the precedent set by the Supreme Court in Jackson, it would be in the interest of judicial expediency to certify or transfer this case for review by the state Supreme Court.

This appeal involves matters implicating the justice members of the state Supreme Court, including constitutional challenges, that this Court ought to defer to the judgment of the Supreme Court and thus certify the case for review by that court<sup>1</sup>.

**CERTIFICATE OF SERVICE**

I, Patrick L. Booker, hereby certify that I served a copy of the foregoing upon the State of South by depositing a copy the same in the U.S. Mail, postage prepaid, addressed to: Alan C. Wilson, SC Attorney General, P.O. Box 11549, Columbia, S.C., 29211

February 12, 2023

Patrick L. Booker

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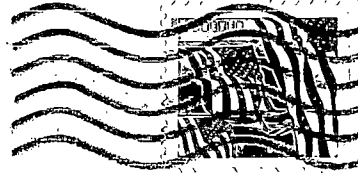
SC Court of Appeals

<sup>1</sup> If at any point the appeal is certified or transferred for reviewed by, or even appealed to, the Supreme Court of South Carolina, the Appellant will move that Court to disqualify Justice Few from participating in the review and resolution of the same as he is the one who initially denied the Appellant's first attempt to obtain relief on this issue.

Patrick L. Booker  
103 Rock Knoll Drive  
Greenwood, SC 29649

GREENVILLE SC 296

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SC Court of Appeals

S.C. Court of Appeals

Clerk of Court

P.O. Box 11629

Columbia, S.C. 29211

29211-162929

