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2-14-2023 S.C. SUPREME COURT LARRY JAMES TYLER  
2349 ROGERS RD.  
DARLINGTON SC 29532

S.C. SUPREME COURT  
J. KONDUROS A.J. LOCKEMY  
BOX 11330  
COLUMBIA, S.C. 29211

IN RE: CIA NO. 2016-002364

TO: JUDGE J. KONDUROS AND A.J.  
LOCKEMY

ENCLOSED IS A MOTION I HAVE SUBMITTED  
IN COUNTY COURT TO DISMISS RETRIAL  
DUE TO PAST TIME LIMIT.

IF YOU HAVE AUTHORITY TO SUPPORT  
MY MOTION I MAKE REQUEST FOR YOU  
TO DO SO PLEASE.

SINCERELY,

Mr. Larry J. Tyler

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STATE OF SOUTH CAROLINA )  
SUPREME COURT )  
COURT OF COMMON PLEAS )  
FOURTH JUDICIAL CIRCUIT )  
HARRY J. TYLER, )  
PETITIONER ) CJA NO. 2016-CP-002364 )  
V. )  
PETITIONER'S MOTION )  
STATE OF SOUTH, ) TO DISMISS RETRIAL )  
CAROLINA, )  
RESPONDENT. )

COMES NOW, PETITIONER, STATE OF SOUTH CAROLINA, AND FOR ITS CAUSE OF ACTION HEREIN ALLEGES AND STATES AS FOLLOWS:

1. ON JUNE 22, 2022 THE SOUTH CAROLINA SUPREME COURT REVERSED AND REMANDED PLAINTIFF'S CONVICTIONS, § 16-17-490, 16-15-342 AND 16-15-385(a).

2. SOUTH CAROLINA LAW FOR TIME LIMIT TO BE RETRIED IS 90 DAYS.

3. S.C.R.P. ADMIN. LAW COURT 23 ADVERSE DISPOSITION OF CONTESTED CASES (2022) EDITION FOR FAILURE TO COMPLY WITH

THE RULES. UPON MOTION OF ANY PARTY, OR ON ITS OWN MOTION, THE COURT MAY DISMISS A CONTESTED CASE OR RESOLVE THE CONTESTED CASE ADVERSELY TO THE OFFENDING PARTY FOR FAILURE TO COMPLY WITH ANY OF THE RULES OF PROCEDURE FOR CONTESTED CASES, INCLUDING THE FAILURE TO COMPLY WITH ANY OF THE TIME LIMITS PROVIDED.

4. U.S. CONSTITUTION, AMENDMENT VI;  
SOUTH CAROLINA CONSTITUTION ARTICLE 1  
§ 14 GUARRANTEED RIGHT TO A SPEEDY TRIAL.

5. CHAPTER 20B § 3161 TIME LIMITS AND EXCLUSIONS SERVED SUMMONS WITHIN 30 DAYS. INDICTMENT WITHIN 60 DAYS. PLAINTIFF HAS NOT BEEN SERVED INDICTMENTS TO THIS DATE.

WHEREFORE, PETITIONER REQUEST THAT BASED ON THE ABOVE INFORMATION THE COURT GRANT PETITIONER'S MOTION TO DISMISS THE RETRIAL OF HIS CHARGES FOR THE STATE'S FAILURE TO COMPLY TO THE STATES TIME LIMIT FOR RETRIAL.

30F3

RESPECTFULLY SUBMITTED,

Larry J. Tyler

LARRY J. TYLER  
2349 ROGERS RD  
DARLINGTON S.C. 29532

FEBRUARY 12, 2023  
DARLINGTON, S.C.

CC: S.C. SUPREME COURT, COLUMBIA, S.C.

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CERTIFICATE OF SERVICE S.C. SUPREME COURT

I HAVE SERVED COUNSEL A COPY OF  
"PLAINTIFF'S MOTION TO DISMISS RETRIAL"  
BY U.S. MAIL TO THE ADDRESSES BELOW  
ON 2-12-2023

ALAN WILSON  
ATTORNEY GENERAL  
BOX 11549  
COLUMBIA, S.C. 29211

Larry J. Tyler

LARRY J. TYLER  
2349 ROGERS RD  
DARLINGTON SC 29532

DATE 2-12-2023  
DARLINGTON, S.C. 29532