

Jay Walter Tate, Jr. #131879
Perry Correctional Institution, Q2B
430 Oaklawn Road
Pelzer, South Carolina 29669

February 21, 2023

RECEIVED

FEB 23 2023

S.C. SUPREME COURT

Jessica Saxon, Attorney
Post Office Box 11589
Columbia, South Carolina 29211

RE: Follow up letter.

Dear Ms. Saxon:

This is what I am trying to say, there was not a legal grand jury to get the indictments against me. The Clerk of Court for Cherokee County said that there is no official record of the grand jury proceeding in my case. (I am sending you a copy of that letter.) There has never been any documents or evidence to verify the date when they made their report to the General Sessions Court or when I was indicted.

The Clerk of the South Carolina Supreme Court has told me to ask you these legal questions:

1. When did the grand jury make their report to the Court of General Sessions?
2. How many grand jurors voted on the alleged true billed indictments?
3. Do I have a right to know when I was indicted?

I have been looking for answers to these questions for over twenty (20) years. I believe this issue can be raised on appeal in this situation, because the Respondent is violating the Brady and Rule 5 by hiding discoverable materials.

I know that Article 1 section 10 of the South Carolina Constitution gives me a higher level of privacy protection than the Fourth Amendment, but has to be argued together.

Jessica Saxon, Attorney

Page 2.

February 21, 2023

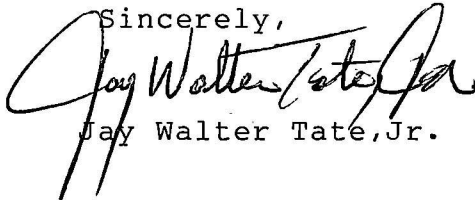
The State took the position of Hot Pursuit. The police never saw me and there could not have been a chase. Michael Wilkins testified that he saw me headed toward the interstate, during the trial. Deputy Darrell Duncan testified after Mr. Wilkins' testimony.

Look at the Motion for Relief from Judgment #95-CP-11-382 Hearing Requested. Mr. Warder tried to cover up the trial with this Ander's Brief without my consent. I told my Attorney Mr. Keith Kelly I didn't want no Ander's Brief. That's why I filed the motion, because I was being denied Due Process.

Don't forget to make the Pro Se written explanation that was filed in the Supreme Court in 2008. This is the Case Number 2008-CP-11-0681, and that is on file in the Supreme Court. Also, the Petition for Rehearing that was filed in 2001. **Please make this part of the record.** I have sent you copies of what I am talking about.

Ms. Saxon, Please answer the questions that I have asked, and Please make the documents which I have requested part of the record. This is a very serious situation.

Sincerely,



Jay Walter Tate, Jr.

cc:Jay Walter Tate, Jr.

Ms. Patricia A. Howard,
Clerk, S.C. Supreme Court



Cherokee County Clerk of Court Office

BRANDY W. MCBEE
CLERK OF COURT

POST OFFICE DRAWER 2289
125 E. FLOYD BAKER BLVD
GAFFNEY, SC 29342
PHONE: (864) 487-2571
FAX: (864) 487-2754

June 21, 2022

Jay Walter Tate, Jr. #131879 F-2-B
Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, SC 29010

Re: Letter dated June 6, 2022

Dear Mr. Tate:

This letter is in follow up to your letter dated June 6, 2022. There are always eighteen jurors empaneled. It only takes twelve of the eighteen to get a true bill. There is no official record and those proceedings are secret, meaning no one is in the room but the grand jurors when the foreperson calls for a vote. The foreperson would make sure twelve of the eighteen raised their hands and if so, the foreperson would sign the back of the indictment. Once the grand jurors are done, the indictments are returned to the Clerk of Court. There is no other document I am aware of from 1994 that was used by the Grand Jury that you are requesting.

In researching the Jury Book the 1994 Grand Jury was empaneled on January 27, 1994. Ashley L. Wilburn was appointed the forelady. The Grand Jury met on March 24, 1994, June 16, 1994, August 4, 1994, September 15, 1994, October 27, 1994. The 1995 Grand Jury was empaneled on January 12, 1995, April 13, 1995, June 22, 1995, September 14, 1995, October 26, 1995. If you want copies of the pages in the Jury Book to show who reported, you will need to remit another request along with a check for \$34.00. This total includes the research fee, copy charge, postage and envelope to return copies. This will be the same documents you paid for that was sent back in 2007.

Sincerely,

A handwritten signature in black ink that reads "Brandy W. McBee".

Brandy W. McBee
Clerk of Court

Jay Walter Tate, Jr. #131879 F2A
Lee Correctional Institution
990 Wisacky Highway
Bishopville, S.C. 29010

June 6, 2022

Honorable Brandy W. McBee
Clerk of Court
Post Office Drawer 2289
Gaffney, South Carolina 29342

Dear Ms. McBee,

This is a follow up letter from the date of April 14, 2022.

I was arrested on June 4, 1994 and went to trial on January 17, 1995. Below is the information I am requesting from the grand jury:

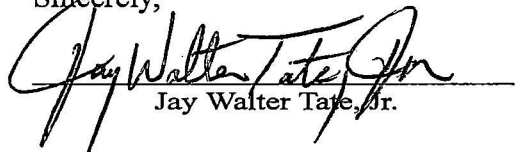
1. How many grand jurors were impaneled
2. Supporting materials
3. Impaneling Judge's order
4. The record of the grand jurors' vote
5. The date of the grand jury's finding and when they made their report to the general sessions.

This is the information I am requesting and I hope that you can understand what I am asking for. If you don't have any of the above information, please say so.

Thank you in advance for your assistance in this very important matter, and I hope to hear from you soon.

cc: JWT
South Carolina Supreme Court

Sincerely,


Jay Walter Tate, Jr.

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JUN 08 2022

S.C. SUPREME COURT