

1 STATE OF SOUTH CAROLINA) **TRANSCRIPT OF RECORD**
 2 COUNTY OF GEORGETOWN) CASE NO.:2009-GS-22-0078
 3 **MOTION**

4 -----
 5 November 17, 2022
 6 **BEFORE:** The Honorable Benjamin Culbertson
 7 -----

8 STATE OF SOUTH CAROLINA,
 9 Plaintiff,
 10 vs.
 11 TERRON DIZZLEY,
 12 Defendant.

RECEIVED
 MAY 30 2023
 S.C. SUPREME COURT

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15 **APPEARANCES:**

17 Alicia Richardson, Esq.
 18 Appearing for the Plaintiff/State.

19 William G. Yarborough, Esq.
 20 Appearing for the Defendant.

21 Official Court Reporter
 22 Natalie Dahl, RPR

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9 THE COURT: This is State versus Terron Dizzley
10 before the Court regarding Case No. 2009-GS-22-0078.
11 The Court received a pro se emergency motion for
12 alterations, modification, amend, reconsideration and
13 rescission of order in support of proposed of ex parte
14 motions for emergency petition for immediate release
15 of Terron Dizzley persuant to double jeopardy, lack of
16 trial court's jurisdiction to impose sentence.

17 You are Mr. Barr?

18 MR. YARBOROUGH: Mr. Yarborough.

19 THE COURT: I apologize. You represent
20 Mr. Dizzley?

21 MR. YARBOROUGH: I do, Your Honor.

22 THE COURT: I apologize; your first name?

23 MR. YARBOROUGH: William, Bill, either way,
24 Yarborough.

25 THE COURT: We are here today -- what is this?

MR. YARBOROUGH: Your Honor, the South Carolina
Court of Appeals sent this back down to develop a
record and discuss -- the petition would say a

1 judgment, a judgment of acquittal. I think it is an
2 argument under a double jeopardy standard, and so that
3 motion was raised post-trial, but before the appeal
4 was perfected. Then, when the appeal was sent to the
5 supreme court for the first time, the supreme court --
6 Mr. Dizzley filed a motion saying, whoa, wait a
7 second, I filed a motion for an acquittal, and they
8 sent it back for a record.

9 Judge, I think you signed an order, which goes
10 into that, saying this was already ruled on and the
11 Court has to have the record more developed.

12 THE COURT: Oh, all right. So what is before me
13 now? What are you asking me to do?

14 MR. YARBOROUGH: What we're asking you to do is
15 to -- Mr. Dizzley would explain it as an emergency
16 petition to have him released from prison because he's
17 being held under a double jeopardy standard.

18 THE COURT: All right. What is the crime that he
19 says he's already been sentenced and served his time
20 under or has already been acquitted for?

21 MR. YARBOROUGH: He believes he was already
22 acquitted of a 2009 murder.

23 THE COURT: Okay. As I understand the transcript
24 from that trial -- is this the one where there was a
25 mistrial?

1 MR. YARBOROUGH: That is correct, Your Honor.

2 THE COURT: So it is not an acquittal; it was a
3 mistrial.

4 MR. YARBOROUGH: Well, that is where -- when
5 Mr. Dizzley filed his motion, he cited to the record
6 where -- during the hearing, before there was a
7 mistrial that was granted, Judge Baxley goes into a
8 relatively long statement that at that point -- and it
9 is on Page 314 of the transcript -- but at that point
10 Judge Baxley says that State's -- there is a strong
11 message that the State has not met their burden of
12 proof.

13 THE COURT: Exactly.

14 MR. YARBOROUGH: After I first looked at this,
15 Your Honor, I thought that probably is not correct;
16 but as I reviewed the transcript, that was a pretty
17 direct statement on the strength of the State's case.

18 THE COURT: Yeah, but he goes on to say the way
19 this process actually works is up to the Solicitor as
20 to whether they will dismiss the charge, or whether
21 they will retry this case, or perhaps redevelop the
22 charge in some way.

23 MR. YARBOROUGH: Your Honor, I think once he says
24 that the State has not met their burden, it's over.
25 The case is over. Anything after that, double

1 jeopardy attaches. That is what Mr. Dizzley has been
2 filing motions about for years, and I think at this
3 point the supreme court has asked this Court to make a
4 record to determine if that ruling was correct or not.
5 So I think that there is a couple of standards here:
6 One, did Judge Baxley make that ruling? Did he say
7 that?

8 THE COURT: Let me ask you, and I apologize for
9 interrupting and I'll let you fully argue your motion,
10 but was this a jury trial?

11 MR. YARBOROUGH: It was.

12 THE COURT: And it resulted in a hung jury?

13 MR. YARBOROUGH: Mr. Dizzley, for years, since --
14 since he was retried has filed motions over and over
15 saying, look, you all did not have the authority to
16 try me that second time.

17 THE COURT: I understand that argument, but I'm
18 talking about the first trial. Because the law is
19 clear: If you have a hung jury, the judge declares a
20 mistrial, and then they can try him a second time if
21 it is a hung jury where the jury could not reach a
22 unanimous decision. Now, after a second hung trial,
23 they can't try him a third time.

24 Now, if this was a bench trial and the judge said
25 they have not carried their burden of proof, then I

1 agree with you, double jeopardy. So I'm trying to
2 figure out what happened in that first trial to
3 determine whether or not jeopardy attached. Was the
4 mistrial granted from the finding by the Court, or
5 because the jury could not reach a unanimous verdict
6 of guilt or innocence?

7 MR. YARBOROUGH: Exactly, Your Honor. And that
8 is where the second part of Mr. Dizzley's argument --
9 it somewhat bounces around a little bit, but you came
10 to the exact place that I came to: Was there a
11 manifest necessity at that point to declare a
12 mistrial? At that point, there is nothing in the
13 record. I've gone through it and there is nothing on
14 the record that shows that Judge Baxley polled the
15 jury, talked to the jury, anything. What happened is
16 they came in -- the jury was out a couple of hours.
17 They give the Allen charge. He brings them back the
18 next morning, they are here for a little while, and
19 all the sudden, on the record, Judge Baxley declared a
20 mistrial.

21 THE COURT: So the jury never came back out the
22 second time as a hung jury after the Allen charge?

23 MR. YARBOROUGH: I don't want to mislead the
24 Court --

25 THE COURT: That is an important issue.

1 MR. YARBOROUGH: Yes. Okay. I think what your
2 statement is, is correct. But I would have to go
3 back. It is on Page 319. If you will give me a
4 second, because I don't want to misstate something to
5 the Court.

6 THE COURT: Typically, the jury comes out, they
7 say we cannot reach a unanimous decision, the judge
8 gives them an Allen charge, send them back out. If
9 they come back out a second time saying they can't
10 reach a unanimous decision, then the judge is
11 compelled by law to issue a mistrial, and then the
12 State can retry the case, if the State chooses to; is
13 my understanding.

14 MR. YARBOROUGH: Your Honor, I think that your
15 interpretation of what you just said is correct, but I
16 think there is more -- and the supreme court has been
17 looking at Allen charges over and over and the
18 procedure, so I think that is partially what we have
19 going on here. First, we're not arguing that the
20 Allen charge was not a good Allen charge; so we're not
21 there. What we're arguing is that when the Allen
22 charge was made, and then the -- Judge Baxley
23 dismissed the jury, was there a manifest necessity at
24 that point to dismiss the jury? I think -- there is
25 nothing in the record. I'm looking. It is a Page

1 313, 314 of the transcript. He brings them back out,
2 but there is nothing -- if you look, there is nothing
3 on the record at that point. He just -- he says they
4 received a message.

5 (A brief pause in the proceedings.)

6 MR. YARBOROUGH: Yes, Your Honor, South Carolina
7 Code Section 14-7-1330 gives a suggestion and an
8 outline where Allen charges have been made and what
9 they are, is to ask the jury whether they believe
10 further deliberations would allow them to come to an
11 unanimous verdict. I think the judge has to do more
12 than what is in that section. I mean, I know you just
13 read it, but I think there is more to it. I think the
14 judge -- maybe the question is: Do they poll the
15 jury? Whatever it is, I don't think there was enough,
16 and I think the record is clear there wasn't enough.

17 I think it is interesting, and I want to go back
18 to the original argument where I think Mr. Dizzley is
19 correct when he says if the judge made a ruling on the
20 record that the State had not met their burden --
21 which I think that is what he said -- and there had
22 been previous directed verdict motions made -- there
23 had been -- I think at that point there is a strong
24 indication that he's not guilty.

25 Second, we're still in this Allen charge argument

1 mode, and at that point he needs to do more than just
2 come in and do an Allen charge and say, okay, I've
3 given you an Allen charge, go back and deliberate.
4 Bring them back in, because this is Mr. Dizzley's
5 first chance at having a chance to have his case
6 presented. First one is usually the best bite at the
7 apple. That's the case. That's where everyone comes
8 in. So, at that point, I think that the case was over
9 and double jeopardy attached.

10 THE COURT: So what should Judge Baxley have done
11 that he didn't do?

12 MR. YARBOROUGH: I believe he should have polled
13 the jury.

14 THE COURT: About what? They said they didn't
15 have an unanimous decision. You can't poll them and
16 say who votes guilty and who votes not guilty.

17 MR. YARBOROUGH: No. You can say, look, is there
18 anything else I can do? That is -- the first thing
19 you would do on an Allen charge -- clearly, they come
20 back in and say they are hopefully deadlock. You give
21 them the Allen charge, then he comes in and says, Is
22 there anything I can do for you today that would help
23 you reach a verdict? That is the question. You make
24 a record at that point. Then you send them back in
25 one more time, and you give them another shot.

1 I just don't think -- and you also have to look
2 at, Your Honor, really, in deliberation time, you are
3 talking about two-and-a-half, three hours, maybe
4 three-hours-and-15-minutes; it is hard to tell because
5 there is breaks and stuff. You have the transcript
6 from the afternoon saying it was three hours, but a
7 lot of that is questions going back and forth. Then,
8 the next morning, I don't think that they are long at
9 all. I think that Mr. Dizzley's case needed more
10 determination than that at that point.

11 THE COURT: All right.

12 State's position?

13 MR. YARBOROUGH: Can I say one more thing?

14 Mr. Dizzley asked me to argue that the State does not
15 have the right to address the Court in this matter, so
16 I'm putting that on the record. He thinks that double
17 jeopardy is attached, and that he's being held
18 illegally; so I made my motion.

19 THE COURT: What supports that argument? Give me
20 the law or the case law or what says that the State
21 cannot participate in this motion.

22 MR. YARBOROUGH: I think that there is a number
23 of cases out there -- can I have one moment with him,
24 Your Honor?

25 THE COURT: All right.

1 (A brief pause in the proceedings.)

2 MR. YARBOROUGH: Mr. Dizzley had thought about
3 that argument before and he has given me several cases
4 that he wanted to argue: *Farm Food versus United*
5 *States, 369 U.S. 141.*

6 THE COURT: What does that case say?

7 MR. YARBOROUGH: A verdict of acquittal was a
8 final and could not be reviewed or error otherwise
9 without putting the defendant twice in jeopardy. It's
10 just a number of double jeopardy cases.

11 THE COURT: Do any of them say that the State
12 cannot participate in a motion hearing?

13 MR. YARBOROUGH: Your Honor, I think
14 Mr. Dizzley's position is that at that point jeopardy
15 had attached.

16 THE COURT: I understand. Forgive me for
17 interrupting. The problem is I think he thinks he
18 knows the law and he's getting you to argue his
19 position when it is contrary to what the law says. I
20 think he thinks that he's been subjected to double
21 jeopardy and, therefore, the State cannot participate
22 in any post-trial motions, that they cannot offer any
23 counter arguments, and that I'm just to release him
24 from jail because he thinks he's been put in double
25 jeopardy. I think he misunderstands what the law is

1 and he's getting you to put that misunderstanding in
2 the record, which, quite frankly, as an attorney, you
3 cannot mislead the Court and argue points of law that
4 are legitimate arguments.

5 MR. YARBOROUGH: Your Honor, none of the
6 arguments I made previously were not legitimate
7 arguments. As I stated, my argument about her being
8 able to argue this motion, I said that was
9 Mr. Dizzley's position.

10 THE COURT: Exactly.

11 MR. YARBOROUGH: I don't mean to offend the
12 Court. That is what I was trying to explain the Court
13 and leading the Court to know why I was making that
14 argument.

15 THE COURT: But you acknowledge that the State
16 can participate in this motion here?

17 MR. YARBOROUGH: Your Honor, I have been
18 practicing law for 35 years, I know the answer to that
19 question, but Mr. Dizzley wants me to say no.

20 THE COURT: I know he wants you to say that,
21 because he doesn't know the law. Someone needs to
22 explain to your client that you are no different than
23 a lawyer (sic) that performs surgery. You know how to
24 perform the surgery, and you can't do something that
25 you know is going to kill the patient even if the

1 patient is saying this is how you are supposed to do
2 it. As a surgeon, you are to do it the proper way.
3 As a lawyer, you follow the law and do what is proper,
4 and if your client is mistaken, because he's not
5 educated in the law and doesn't know the law, that
6 doesn't mean that he still gets to argue contrary to
7 the law.

8 MR. YARBOROUGH: Yes, sir, Your Honor.

9 THE COURT: All right.

10 Anything else?

11 MR. YARBOROUGH: He was asking me, Your Honor, if
12 he could argue his case.

13 MS. RICHARDSON: We're talking about hybrid
14 representation here. We do have a letter of
15 representation.

16 THE COURT: Mr. Yarbrough, how did you get on the
17 case? Appointed?

18 MR. YARBOROUGH: No, sir; it is family.

19 THE COURT: No; that is hybrid representation.

20 MR. DIZZLEY: Excuse me, Your Honor. The United
21 States Supreme Court --

22 THE COURT: No, sir. No, sir.

23 MR. DIZZLEY: -- versus Johnson says that I'm
24 allowed any time I make an allegation or a motion that
25 I'm illegally incarcerated and I have a right to argue

1 my case; that is a United States Supreme Court case
2 called --

3 THE COURT: And South Carolina Supreme Court says
4 you are not entitled to hybrid representation. You
5 can represent yourself or you can have an attorney.
6 An attorney was hired to represent you. You can't do
7 hybrid representation. So only Mr. Yarborough can
8 argue your case.

9 MR. YARBOROUGH: Thank you, Your Honor.

10 THE COURT: All right.

11 State's position?

12 MS. RICHARDSON: Your Honor, first of all, there
13 is another issue of representation. We have what
14 appears to be non-lawyers who are also signing as
15 petitioners on this case: Gwendolyn Frazier
16 (phonetic) and Laquetia Felder (phonetic) have signed
17 some of the legal pleadings and motions in this case,
18 and I would ask the Court to inquire whether --

19 THE COURT: Are any of them licensed to practice
20 law in the State of South Carolina, Mr. Yarborough?

21 MR. YARBOROUGH: When I became involved in the
22 case no one filed anything, that I'm aware of, Your
23 Honor. I don't know anything about any of the other
24 stuff.

25 THE COURT: Is Gwendolyn Frazier here?

1 MS. FRAZIER: Yes, sir.

2 THE COURT: You are Ms. Frazier?

3 MS. FRAZIER: I am.

4 THE COURT: Are you licensed to practice law in
5 the State of South Carolina?

6 MS. FRAZIER: No, but we --

7 THE COURT: That is all I need to know.

8 MS. FRAZIER: No, sir.

9 THE COURT: Is Laquetia Felder here?

10 Ms. Felder -- you are Laquetia Felder?

11 MS. FELDER: Yes, sir.

12 THE COURT: Are you licensed to practice law in
13 the State of South Carolina?

14 MS. FELDER: No, sir.

15 THE COURT: Thank you very much.

16 Ms. Richardson, go ahead.

17 MS. RICHARDSON: We ask that the clerk not accept
18 filings that are made. Now, Mr. Dizzley did sign some
19 of these, but there are things that are filed with
20 just their signatures.

21 THE COURT: All right. Anything further
22 regarding this double jeopardy motion?

23 MS. RICHARDSON: Your Honor, I'm assuming this is
24 probably why the State was not served on a lot of
25 these pro se motions, that they feel that the State

1 didn't have a right to be involved, but, Your Honor --
2 what happened, Your Honor is correct. The case was
3 tried, there was a hung jury with an Allen charge, the
4 jury came back and said they were deadlocked, and a
5 mistrial was declared. What we have attached from the
6 defendant in his pro se motion are portions of the
7 record. It is not a complete record of what happened.
8 They are actually -- you will have pages -- in that
9 portion, there are a couple of pages that are missing.
10 But, Your Honor, what it appears to me is they are
11 taking what happened out of context and just using one
12 statement by the Court in saying it is a ruling, when
13 clearly that was not a ruling by Judge Baxley if you
14 look at the record as a whole.

15 There were discussions. The jury was out on one
16 day. They came back the next day and deliberated, it
17 appears, until after lunch when they came back and
18 said they were deadlocked. The judge denied the
19 motion for directed verdict.

20 What it appears the judge did was sort of just a
21 conciliatory statement to the jury; like, don't feel
22 bad about what happened. He did make that statement
23 saying, "That's a strong message to the prosecution
24 that they are unable to meet their burden of proof to
25 the extent that they can bring back a unanimous

1 verdict," which is not the same standard as a directed
2 verdict or saying there is no evidence that the jury
3 could find. This is more of a
4 taken-out-of-context-conciliatory speech to the jury,
5 pretty much like you did your job. It is not a
6 finding that there was insufficient evidence for it to
7 go to the jury. It was not a finding that a directed
8 verdict should be reached or even if they come back
9 with a guilty verdict that there should be some sort
10 of post-trial verdict that there was not sufficient
11 evidence. So it's just taking that statement out of
12 context when the judge clearly ruled that it was not a
13 situation of directed verdict, and that the State
14 would have the ability to retry.

15 What we don't have is the second trial transcript
16 to see if this issue was raised then. I'm learning
17 today there were multiple post-trial motions. I don't
18 know if this was raised in PCR or ruled on previously
19 by the Court as well; but, clearly, this is just a
20 statement, one statement, taken out of context.

21 The reason we're here today is he filed this ex
22 parte motion. Your Honor ruled on it and issued an
23 order. He filed a motion to reconsider your denial of
24 his motion. Then he filed an appeal, which was not
25 timely, but Your Honor denied -- basically said I

1 don't have jurisdiction to hear your motion to
2 consider because you filed an appeal. The Court has
3 sent it back saying you would have jurisdiction to
4 hear his motion to reconsider your denial of his
5 post-trial double jeopardy motion. So what we're here
6 for today is a motion to reconsider your denial of his
7 previous motion.

8 THE COURT: Mr. Yarbrough, anything in reply?

9 MR. YARBOROUGH: Your Honor, I get back and say
10 that reading the record, if the acquittal appears to
11 be -- and I would make an argument it is double
12 jeopardy -- that at that point everything stops and it
13 is insufficient to convict the defendant. So this is
14 before the Court arguing that -- and we're asking for
15 a factual finding that a necessity is established that
16 there was no criminal culpability based on the record
17 that we see.

18 Judge, there are a number of cases all through
19 South Carolina and the United States Supreme Court
20 that talk about double jeopardy; so that is the first
21 part of the argument. We disagree with the State's
22 position. The second part is that there was no
23 manifest necessity to declare a mistrial at that
24 point. Your Honor, I think those are pretty strong
25 arguments, and I think what the -- I'm confident the

1 court of appeals is asking this Court to make a record
2 and determine whether or not those issues were
3 developed properly for trial.

4 THE COURT: I'm going to deny the motion. I find
5 that the defendant's first trial ended in a mistrial;
6 therefore, double jeopardy did not attach. Further,
7 the current motion is filed by individuals not
8 licensed to practice law in the State of South
9 Carolina. On both of those grounds, I'm denying the
10 motion.

11 MR. DIZZLEY: Your Honor, can I -- can I ask --

12 THE COURT: No, sir.

13 MR. DIZZLEY: I have a right to argue my case,
14 Your Honor.

15 THE COURT: No, sir. We're done.

16 MR. DIZZLEY: So if I was to relieve my lawyer
17 right now, can I argue my case?

18 THE COURT: Not right now. It was heard and
19 ruled on; you can't go back. See, I think that is
20 where you misunderstand, Mr. Dizzley. You think that
21 because the outcome isn't what you want, then you can
22 keep litigating like this, and you can't do that.
23 Your argument --

24 MR. DIZZLEY: This is mischaracter (sic) of
25 justice has gone on.

1 THE COURT: We are done for --

2 MR. DIZZLEY: United States versus Martin Supply
3 that labels do not control the analysis of whether a
4 judge's verdict is a judgment of acquittal or not.
5 The record clearly shows you are looking at this label
6 that you declared a mistrial. The law specifically
7 states that -- here, we know the trial court acquitted
8 evidence, not because it came with the word "acquit",
9 but because it acted on the view that the prosecution
10 failed to prove its case. The law specifically states
11 that a judgment of acquittal encompasses any ruling
12 when prosecution failed to prove its case. At that
13 point, the jury terminates upon my case. U.S. versus
14 Scott, which specifically states that a judgment of
15 acquittal, whether based on a jury verdict of not
16 guilty or on a ruling that the evidence is
17 insufficient to convict, or that the State failed to
18 meet the burden of proof, terminates the prosecution
19 and the jurisdiction of my case. The landlock
20 precedent case on double jeopardy is ex parte which
21 explains that once the judge made a ruling that the
22 State failed to meet their burden of proof, that the
23 jurisdiction terminated upon my case and that any
24 second trial was without jurisdiction, and any
25 sentence imposed to me pursuant to the second trial

1 was void for power and holds no legal authority to
2 hold me in prison.

3 You are simply looking at the label. And Lee
4 versus United States also states that whether the
5 judge labels this ruling a mistrial, a declaration of
6 a mistrial, a hung jury, a continuance, it does not
7 matter. What matters is when you evaluate whether a
8 judgment of acquittal is the substance of a ruling.
9 It specifically says that labels do not control the
10 analysis of whether the decision of dismissing a
11 criminal case bars retrial under double jeopardy
12 clause; rather, the surface of the decision does.
13 United States Supreme Court, which is the highest
14 court in this land, determined that -- held that a
15 mistrial directed verdict based on a trial court's
16 requirements an extra element of defense, most
17 relevant here, an acquittal encompasses any ruling
18 that the prosecution's proof is insufficient to
19 establish criminal liability.

20 This is a South Carolina Supreme Court case:
21 State versus Gregory. The judge ruled that on the
22 merits of this issue it is civil. He said it's civil.
23 The circuit court found the State failed at trial to
24 meet its burden of proof and ordered a new trial.
25 Petitioner contends correctly that under these

1 circumstances, a second trial in magistrate would
2 violate a double jeopardy clause. This is the same
3 issue I'm raising. In Gregory, he says it is simple:
4 The review of Court determined that the State failed
5 to meet their burden of proof; therefore, a second
6 trial will violate my double jeopardy rights.

7 State versus Clifford, United States Supreme
8 Court case, reversal conviction based on legal
9 insufficiency of evidence. This matter is remanded to
10 the Court for instruction to enter a verdict of
11 acquittal, citing the United States Supreme Court case
12 Burks versus United States.

13 In that case, the Court ruled that double
14 jeopardy clause for a second trial for the purpose of
15 affording the prosecution another opportunity to
16 supply evidence, which it failed to in the first
17 proceeding, overruling the prior decisions. The Court
18 held that the double jeopardy clause precludes a
19 second trial once the reviewing Court found evidence
20 was legally insufficient, and the only just remedy
21 available is for the Court to direct an order of
22 acquittal -- the only just remedy.

23 When Judge Baxley made a ruling and stopped my
24 trial and said that -- he did not stop my trial. He
25 said it three times. He said I'm not stopping your

1 trial because it is your fault of the jury that you
2 can't reach a unanimous verdict. He said he's
3 stopping the trial because this is a strong message to
4 the prosecution that they are unable to meet their
5 burden of proof to the extent they can bring back an
6 unanimous verdict of guilty. That is a judgment of
7 acquittal.

8 MR. YARBOROUGH: We have it all on the record.
9 We've argued it.

10 MR. DIZZLEY: Your Honor --

11 MS. RICHARDSON: Your Honor, at this point, I
12 would object. You've already made your ruling and
13 given him sufficient time.

14 THE COURT: I've made my ruling. I mean, he's
15 just rambling on, but I'm --

16 MR. DIZZLEY: I'm just rambling on? The law
17 specifically states that any time a judge makes a
18 ruling that the State failed to meet their burden of
19 proof, that the jury determines upon my case, that's a
20 judgment of acquittal, sir. You are not giving me an
21 opportunity to argue the rest of my issues.

22 The law states that I have a right -- United
23 States Supreme Court, Private (phonetic) versus
24 Johnson says I have a right to argue my case.

25 MR. YARBOROUGH: We've argued the motion that was

1 here today. We've argued that.

2 THE COURT: All right.

3 MS. RICHARDSON: Do we need to prepare an order?

4 THE COURT: I did a Form 4.

5 MR. DIZZLEY: This Court is holding me. The
6 South Carolina Department of Corrections has no legal
7 authority to hold me in prison, sir, which is
8 kidnapping and false imprisonment -- kidnapping and
9 false imprisonment. The law is clear that the
10 jurisdiction terminated upon my case, United States
11 versus Scott, U.S. versus Martin Linda Supply --

12 DEPUTY: Sir, get your things.

13 (Whereupon, the hearing concluded.)
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CERTIFICATE OF REPORTER

State of South Carolina)

County of Georgetown)

I, Natalie Dahl, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the hearing of the captioned case, relative to appeal, in the Court of General Sessions for Georgetown County, South Carolina, on the 17th day of November, 2022.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

December 18, 2022

Natalie Dahl, RPR

Court Reporter