

FORM 18

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JUN 28 2023  
S.C. SUPREME COURT

PETITION FOR A WRIT OF CERTIORARI TO THE  
COURT OF APPEALS

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

Robert E. Hood, Circuit Court Judge

Appellate Case No 2023-000090 ORDER dated 6/21/23

The State

Respondent

v.

Diana Biernaski Jordan

Petitioner

PETITION FOR A WRIT OF CERTIORARI

Diana B. Jordan

104 Woodglen Lane

Chapin, SC 29036

Pro Se Petitioner

Counsel of Record

William M. Blich

SC Attorney General's Office

P.O. Box 11549

Columbia, SC 29211

Attorney for Respondent

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CERTIFICATE OF PETITIONER

Petitioner certifies that the Motion to Overturn Conviction and Remand to Municipal Court for Preliminary Hearing Based on Newly Discovered Evidence and Petition for Hearing En Banc was made and finally ruled on by the Court of Appeals on 6/21/23.

#### QUESTIONS PRESENTED

1. Did the Court of Appeals err by not referring the Motion to the JC Supreme Court due to lack of subject matter jurisdiction (attorney misconduct)?
2. Did the Court of Appeals err by failing to provide an en banc ruling as petitioned?

#### STATEMENT OF THE CASE

On 4/11/23 Appellant Diana Jordan filed a Motion to Overturn Conviction and Remand to Municipal Court for Preliminary Hearing Based on Newly Discovered Evidence and Petition for Hearing En Banc with the JC Court of Appeals (copy of submission attached).

The Court of Appeals denied Appellant's Motion submitted 4/11/23 on 6/21/23. Petitioner seeks a writ of certiorari to review that decision.

#### ARGUMENT

1. THE COURT OF APPEALS SHOULD HAVE REFERRED THE MOTION TO THE SC SUPREME COURT FOR RULING DUE TO LACK OF JURISDICTION OVER ATTORNEY/ ATTORNEY GENERAL MISCONDUCT.

2. THE COURT OF APPEALS FAILED TO PROVIDE AN EN BANC RULING AS PETITIONED.

3. PETITIONER HAS TIMELY FILED THIS PETITION FOR A WRIT OF CERTIORARI TO THE SC SUPREME COURT.

#### CONCLUSION

For the reasons stated, petitioner asks the Court to grant the petition for a writ of certiorari.

Respectfully submitted,

June 26, 2023

Diana B. Jordan

Diana B. Jordan

104 Woodglen Lane

Chapin, SC 29036

Email dhjordan2000@yahoo.com

Pro Se Petitioner