

THE STATE OF SOUTH CAROLINA  
IN SUPREME COURT

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SEP 11 2023

APPEAL FROM COURT OF APPEALS

S.C. SUPREME COURT

2022-000972/1490-91.

ROBERT EARL DILLARD.....APPELLANT,

V.

THE STATE.....RESPONDENT,

Explanation of Appeal pursuant to Rule 243(C)

Pursuant to rule 243(C) scacr Robert Earl Dillard files this explanation of his appeal of the court deny of his absence of any legal rebuttal by the state. motion for summary judgment, inthis case the honorable court of appeals. deny

THE appellant, argued below that he was previougly prevail pursuant to rule 18.5 filing fee S.C.A.C.R. files this Explanation of his order appeal of the deny filing of pleadings of his motion to filed to proceed in forma pauperis in pre-payment of cost without cost, of being indigent petitioner in this case.the honorable perry h. gravelyd denying the motion the petitioner in the above case entitled respectfully petition this court honorable court to alter/ amend his judgment that was singed on june 7, 202 and served on the petitioner on june 14, 2022.

THE petitioner would show this court that he filed a motion on june 9, 2022. the clerk of court office raising the following by way of a motion hearing to his claim of false imprisonment/ false arrest and false indictment and failed to instruct the jury on reasonable doubt apond their request, request his pleading motion tobe construed liberally and held to less strivgent standard manner forward pleading a drafted by lawyers , that did not state with certainty the reason for the denying other that.

THEpetitioners, would show this court that the motion was denying, on june 7, 2022. before the motion was filed in the clerk of court office, see order attached.

Motion to Alter/ amend judgment pursuant to rule 59 (e) was file on june 20, 2022. in perry c.i. mailroom and was return back to me july 6, 2022. stating of the previous order, the court receive this motion on june 28, 2022. and send back unfile by the clerk of court.

THE appellant, argused below that he is right in his motion to filed to proceed in forma pauperis, action(case no.2022-cp-39-006 and that pursuant to this court decision in LAKE V. state,333 S.C 382, inmate petitioning for writ of habeas corpus, moved for order to proceed in forma pauperis the circuit court orangeburg county, charles w. whetstone, jr J, denie motion and inmate appealed. the COURT OF APPEALS Held that inmate was Entitled to proceed in form pauperis,reversed and remanded on appeal.

WAS the petitioners due process rights violated by the south carolina court of appeals issuing a post-card order by denying his summary judgment motion.AND was (2) the south carolina court of appeals decision an unreasonable determination of the facts in light of the evidence submitted and presented?

Whether he petitioner's was denied due process of law,by the court of appeals by denied petition summary judgment.

Here, the petitioner, did the same as in LAKE V. STATE. motion to proceed in forma pauperis under rule 13.5.

THIS motion and/or pleading that was filed was a motion to adjudicate his claim of whether he (petitioner) was denied due process of law.

THE petitioner request his pleading/ motion be construed liberalby and held to less stringent standard fact formal pleadings drafted by attorney.

Finally, as the pcr court has rendered a decisign in conflict with this court decision LAKE V. STATE, the appellant. pray this honorable court reversed the pcr court decidson, and remand the case for an evidence hearing on the merits of his claims to served the interest of justice.

CONCLUSION

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FOR the forgoing reason, this honorable court should alter/amend its prior judgment to reflect the forgoing and provide an evidentary hearing and or vacate petitioner conviction and sentence on the pleadings/motion filed,

date 9-5- 2023.



Robert Earl Dillard#220045  
perry correctional inst,  
430 oaklawn road q4b/209  
pelzer, s.c. 29669