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SEP 14 2023

S.C. SUPREME COURT

Rishaw Reeder #316370
McCormick C.I.
386 Redemption Way
McCormick, SC 29899

September 11, 2023

The Supreme Court of South Carolina
P.O. Box 12159
Columbia, SC 29211

Dear Honorable Judges,

I am writing in regards to inform my government officials that I am a citizen who is innocent and suffering from foul play and miscarriage of justice. I am making it known for the record that I am challenging the violation of the separation of powers principle embodied in Article 1 section 8 of the South Carolina Constitution by opposing party/ executive official attorney general preparing inadequate PCR Order/ Decision. This unconstitutional practice also violates State v. Langford, 735 S.E.2d 471. "Vesting a member of the executive branch with the exclusive branch with the exclusive authority to perform an inherently judicial function unquestionably is a violation of separation of powers." In the words of this Honorable Court "This is not a grey area where some encroachment can be tolerated, but rather a complete invasion into the court's domain."

By opposing party/ attorney general preparing PCR Order this violates also South Carolina Code of Law §17-27-80 and SC Rules of Civil Procedure Rule 52; FINDINGS BY THE COURT. Both statutes clearly states "THE COURT SHALL MAKE SPECIFIC FINDINGS OF FACT, AND STATE EXPRESSLY ITS CONCLUSIONS OF LAW, RELATING TO EACH ISSUE PRESENTED." NOT THE OPPOSING PARTY OR EXECUTIVE OFFICIAL. ATTORNEY GENERAL INVASION OF THE COURT'S DOMAIN. This causes prejudice in me being denied a fair proceeding, due process of law, and equal protection of the laws guaranteed by the 14th Amendment of the United States Constitution and South Carolina Constitution Article 1 section 3.

The bias and unjust findings by the opposing party does not give the impartial hearing and decision that the federal and this State Constitutions guarantee to us citizens. Even this Honorable Court ruled in *Fishburne v. State*, 832 S.E.2d 584, "The PCR court's general denial of all claims not specifically addressed in the PCR court's order does not constitute a sufficient ruling on any issues since it does not set forth specific findings of fact and conclusions of law."

This Honorable Court has raised concerns over PCR orders being inadequate several times for not complying with SC Code of Law §17-27-80. I represented myself Pro Se at the PCR hearing, and once I received a copy of the inadequate PCR Order I filed a timely 59(e) motion as *Fishburne v. State* emphasized.

I filed a Motion to Amend Original PCR Application on September 27, 2022, raising the following claims:

- 1) Denial Due Process of Law
- 2) Denial Due Process of Law

1) Lori Williams knowingly and intentionally committed perjury by providing false information to the Courts to obtain arrest warrants

2) Trial counsel failed to present my photo identification that Lori Williams personally presented to victim/eyewitness Dwight Geter to identify the unknown black male he saw shoot at them

The inadequate PCR Order that was prepared by the opposing failed to include in the Procedural History section that I filed Motion to Amend Original PCR Application on September 27, 2022. Also the inadequate PCR Order failed to make specific findings of fact and state expressly its conclusions of law, relating to the two above issues of Denial of Due Process of Law regarding the two claims filed in my Motion to Amend Original PCR Application on September 27, 2022 and presented at the PCR hearing on February 16, 2023.

The inadequate PCR Order prepared by the opposing party, violates SC Code of Law §16-9-10 Perjury and subornation of

Perjury, section (A)(2) and section (C). It is unlawful for a person to wilfully give false, misleading, or incomplete information of a document, record, report, or form required by the laws of this State. A person may be convicted under this section if he induces, procures, or persuades another person to commit perjury or if he commits perjury by his own act, consent, or agreement.

The perjury done by the inadequate PCR Order prepared by the opposing party and signed by the Judge prejudice me in being denied a fair proceeding, due process of law, and equal protection of the laws guaranteed by the 14th Amendment of the United States Constitution and South Carolina Constitution Article 1 section 3. The perjury done by the inadequate PCR Order prepared by the opposing party and signed by the Judge is misconduct and a miscarriage of justice that violates SC Rules of Professional Conduct Rule 8.4 section (d) and (e). This misconduct and miscarriage of justice needs to be sanctioned as they are causing me a citizen to suffer from this social injustice.

Lori Williams was fired from Spartaburg County Sheriff's Office for providing false information to get warrants. The government officials were assigned to review all 20 years of cases that corrupt exgovernment official Lori Williams was involved in. I took the initiative to have an independent hearing to address Lori Williams providing false information to obtain the arrest warrants on me for this shooting crime I am currently serving a wrongful conviction of 999 years. The opposing party preparing the inadequate PCR order, is government officials ignoring and hiding the misconduct and miscarriage of justice done to me by Lori Williams providing false information knowingly and intentionally committing perjury in the warrant affidavit after he personally learned from victim/eyewitness Dwight Geter when Lori Williams presented my photo identification lineup to Dwight Geter to identify the unknown black male he saw shoot at them, exonerating me from being the shooter by not picking me out as the shooter he saw.

The false information Lori Williams presented to the

Magistrate Judge was only a mere conclusory statement, that the Honorable Court has ruled is not sufficient to establish probable cause. Lori Williams omitted the exculpatory evidence that victim/eyewitness Dwight Geter cleared me from being the shooter he saw shoot at them from the affidavit misleading the issuing judge. The arrest warrants to charge me for the shooting should of never been issued.

I presented the documents to prove all that I allege in the record at the PCR Hearing of February 16, 2023. At the hearing of October 18, 2022 the Judge ruled I won on a legal argument that I was denied Due Process of Law by Lori Williams knowingly and intentionally committed perjury by providing false information to the Courts to obtain arrest warrants. The opposing party again did misconduct in that prepared Order denying State's Motion to Dismiss and Setting Date Certain for Evidentiary Hearing by misleading information on the document by stating "This Court finds that Applicant has established a prima facie case of newly discovered evidence in this allegation" and "Applicant claims that the information about Lori's William's firing properly constitutes newly discovered evidence". My stance at the hearing of October 18, 2022 was not about newly discovered evidence it was about being Denied Due Process of Law by Lori Williams knowingly and intentionally committed perjury by providing false information to the Courts to obtain arrest warrants, because I stated Lori Williams misconduct violates *Frank v. Delaware* as well. The Courts can get the transcript of the October 18, 2022, to prove what went on during the hearing.

Challenging the inadequate PCR Order prepared by the opposing party is an action that I insists upon taking and if my appellate lawyer disagrees in addressing or raising it I want and request for them to be terminated as my representing attorney because they are to abide by my decisions as I hold sovereign or autonomy being the defendant or applicant not counsel who duty is to assist client. This has been outlined by the Honorable Court in *McCoy v. Louisiana*, 138 S.Ct. 1500.

The Honorable Judge Brian M. Gibbons denied my timely filed 59(e) motion, yet He is ignoring the inadequate PCR Order prepared by the opposing party that violates SC Code of Law §17-27-80 and SC Rules of Civil Procedure Rule 52(a), as well as is a fraud upon the court and perjury violating SC Code of Law §16-9-10 and SC Rules of Professional Conduct Rule 8.4 (d) and (e). It is unethical for a Judge to ignore misconduct and a miscarriage of justice. By Judge Brian M. Gibbons ignoring the misconduct and miscarriage of justice done by the inadequate PCR Order prepared by the opposing party, I am suffering prejudice being denied a fair proceeding, due process of law, and equal protection of the laws guaranteed by the Federal and this State Constitution.

As a citizen I expect to be treated fairly and justly yet it seems because of the color of my skin my life don't matter to certain authorities. I am an innocent Black man who was framed by the crooked excop Lori Williams. The two security surveillance videos of Spartanburg Regional hospital and Southeaster Converters security video along with victim/eyewitness Dwight Geter exonerated me from photo lineup identification proving I am not the shooter and was never at the crime scene as I can't be at two places at the same time. This is scientific exculpatory evidence and eyewitness exculpatory evidence proving my actual innocence. Why do authorities refuse to honor the exculpatory evidence that shows and prove my actual innocence? Why do authorities refuse to hold accountable the foul play, misconduct, miscarriage of justice and fraud upon court done to me an innocent person? Do Black Lives Matter In The Courts In South Carolina?

Respectfully submitted,
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SCDC
SEP 13 2023
MAIL ROOM

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