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S.C. SUPREME COURT

In The Supreme Court
of South Carolina

York, County, Eugene C. Griffith, Judge

Subpoena Duces tecum

Appellate Case No: 2023-001478

Ben Robert Stewart, 223006

Petitioner

v.

Zachary Jones, Attorney General office

Kevin S. Brackett, Solicitor

Ola A. Johnson, Attorney

Sarah E. Ship, Attorney

Ben Robert Stewart
990 Wisacky Highway
Bishopville S.C. 29010

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The Petitioner Ben Robert Stewart, filing Prose; to this Honorable Court a request pursuant to the calling of a subpoena duces tecum; pursuant to Rule 45 SCRPC, and this Honorable Court indeed has jurisdiction in this instant case pursuant to Rule 243, SCRPC,

In the interest of Justice;

The Petitioner respectfully request that, the representative of the Attorney General's office, Zachary Jones, the Attorney at law, Ola A. Johnson and the Solicitor, Kevin S. Brackett, and Appellate Defender, Sarah E. Shipe conform to this request for the documents the Petitioner seeks because the personal attempts are futile with no effect.

The Petitioner requested a Motion For Discovery

pursuant to 17-27-150 s.c. code ann in 2013 in which Petitioner provided two Disc containing Discovery to Attorney Ola A. Johnson for representation, when I received a Order of Dismissal Mr. Johnson stated he forwarded my file to Attorneys at the Indigent Defense, see Exhibit B-13, 9/24/23, letter confirming Mr. Johnson sent file to that office.

Petitioner request for Attorney Shipe to provide him with the Attorney General file and Ms. Shipe refused Petitioner's request.

Petitioner request the Attorney General file from the office addressed to Zachary Jones in over three attempts with no respond.

Petitioner request the Solicitor Kevin S. Brackett

to Sanction, Walter "Willy" Thompson who works at his office or did in the past for misconduct for unlawfully directly indicting Petitioner, Petitioner has not received a response from his office.

Moreover in specifics; the Petitioner request that the minimum request be based to the following documents without a request for all documents;

1. Petitioner's (two) C. D. Disc containing the entire Discovery.
2. Disciplinary information regarding (trial attorney) Kenneth D. Snow, Esquire,.
3. The Direct Appeal Pro se brief and Petition for Rehearing.
4. The Attorney General file.
5. The Attorney General scheduling for PCR hearings from the year of (2016 - ~~2023~~, April 17, 2023)

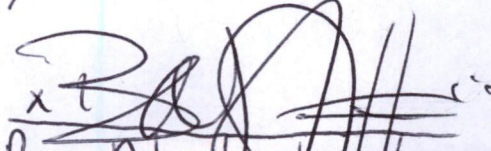
The Petitioner in this instant case recently request for leave to file a Motion 60(b) in the lower Court due to a miscarriage of Justice. see; Affidavit Motion To Relieve Counsel And Vacate or Remand for Default at 6. where Petitioner request this Honorable Court to relieve Sarah E. Shipe, Esquire " and order Attorney to forward Petitioner the Attorney General file and (two) disc that Ola A. Johnson," forwarded to her office.

Also; At pg 25, in the Affidavit Motion To Relieve Counsel And Vacate or Remand for Default, where the Petitione confers that violations of Sections 1, 2, 3, 4 and 5 exist in this instant case that rendered a reversal a vacate and discharged from custody fairwith unconditionally.

THEREFORE, The Petitioner prays the seeked documents

Are returned to him, and the requested documents cited and reasons outlined demonstrates acts that are applied to, see Seaboard Air Line Ry v. Earle, 86 S.C. 91, 67 S.E. 1069 (1910); also these request are not subpoenas; were, not unreasonable and oppressive; see, In Re Grand Jury Subpoena, 829 F.2d 1291 (4th Cir 1987); and this request could be required to produce evidentiary material even though such material had been obtained by the Government see, Bowman Dairy Co. v. United State, 341 U.S. 214, 71 S.Ct. 675, 95 L.Ed. 879 (1951), and the Request to this Honorable Court is seeked, to order the productions of documents

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