

RECEIVED

AUG 26 2024

S.C. SUPREME COURT

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Receipt of Legal Correspondence Verification

This is to verify that legal correspondence from (Name and Address):

Supreme Court of SC
PO Box 11330
Columbia SC 29211

Addressed to (Inmate Name, SCDC#, and Address):

Bobby Barton # 163629
PO Box 580
UNA SC 29318

was received and logged in on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log," at the

Livesay Correctional Mailroom on (Date) 8.12.24

On (Date) 8.12.24, the above referenced correspondence was delivered to Inmate Bobby Barton, SCDC # 163629, and his signature was obtained on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log".

Additional Notes:

[Blank lines for additional notes]

H. Garner
Postal Director/Institution

8.12.24
Date

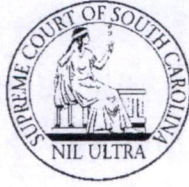


EXHIBIT #A

The Supreme Court of South Carolina

PATRICIA A. HOWARD
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

August 7, 2024

Bobby J. Barton, 163629
Livesay Correctional Institution
P. O. Box 580
Una, SC 29378

Re: Bobby Joe Barton v. State
Appellate Case No. 2024-001190

Dear Mr. Barton,

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at

www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02.

EXHIBIT #4



THE CONSTITUTION OF THE STATE OF CALIFORNIA

ARTICLE I
SECTION 1
All legislative powers herein granted shall be vested in a Senate and Assembly...

SECTION 2
The Senate shall be composed of members chosen in the following manner...

SECTION 3
The Assembly shall be composed of members chosen in the following manner...

SECTION 4
The members of the Senate and Assembly shall be elected by the people...

SECTION 5
The members of the Senate and Assembly shall hold their offices for the term...

SECTION 6
The members of the Senate and Assembly shall be ineligible for re-election...

SECTION 7
The members of the Senate and Assembly shall be ineligible to hold any other...

EXHIBIT #A3

Please note that the responsibility for ensuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

For this matter to proceed, you will need to provide this Court with the following within twenty (20) days of the date of this letter:

(1) Since the order of the circuit court determined that this action is barred as being successive and/or as being untimely under the statute of limitations, Rule 243(c), SCACR, requires you to provide a written explanation as to why this determination was improper. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the lower court was improper. The failure to make a sufficient showing may result in the dismissal of this matter. If you would like this Court to consider your notice of appeal as your explanation, you may simply advise this Court of that fact.

Very truly yours,

Patricia A. Howard

CLERK

cc: Melody Jane Brown

EXHIBIT AB

The Supreme Court of South Carolina

Bobby Joe Barton, Appellant,

v.

State of South Carolina, Respondent.

Appellate Case No. 2024-001190

ORDER

Pursuant to Rule 204(a) of the South Carolina Appellate Court Rules, this matter is hereby transferred to the South Carolina Court of Appeals.

FOR THE COURT

BY Patricia A. Howard
CLERK

Columbia, South Carolina
July 23, 2024

cc: Bobby J. Barton, 163629
Melody Jane Brown
The Honorable Jenny A. Kitchings

EXHIBIT ~~400~~ 6 B
I

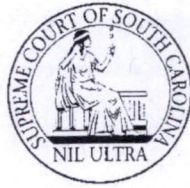


EXHIBIT #C

The Supreme Court of South Carolina

Patricia A. Howard
CLERK OF COURT

Brenda F. Shealy
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499

August 1, 2024

Mr. Bobby Barton, #163629
Livesay Correctional Inst.
PO Box 580
Una, SC 29378-0580

Dear Mr. Barton:

This responds to your letter received on August 1, 2024. Your case has been transferred to the Court of Appeals. In view of that, we are forwarding your documents received in this office today to the Court of Appeals. Any further filings should be sent to the Court of Appeals.

Sincerely,

Chief Deputy Clerk

cc: The Honorable Jenny Abbott Kitchings (with enclosure)



EXHIBIT # 63 C

The Supreme Court of South Carolina

Office of the Clerk
1500 Bay Street
Columbia, South Carolina 29201
Phone: (803) 732-2200
Fax: (803) 732-2201

Barbara A. Hovell
Clerk of Court
1500 Bay Street
Columbia, South Carolina 29201
Phone: (803) 732-2200
Fax: (803) 732-2201

August 1, 2004

Mr. John G. Bannister, Jr.
1500 Bay Street
Columbia, South Carolina 29201

I hereby certify that the within enclosed copy of the Court's opinion in the case of *State v. Bannister, Jr.*, No. 2003-01001, is a true and correct copy of the original as filed with the Clerk of Court.

Very truly yours,

John G. Bannister, Jr.

Attorney General

cc: Mr. Bannister, Jr. via e-mail

AUGUST 6, 2024

EXHIBIT #D

ATTN: HON. JENNY ABBOTT KITCHINGS, CLERK
1220 SENATE STREET
SOUTH CAROLINA COURT OF APPEALS
COLUMBIA, SC 29201

SCDC
AUG 06 2024
MAIL ROOM

FROM: Bobby Joe BERTON, #163629
APP. Ct. no: 2024-001190

Re: MOTION REQUESTING APPOINTMENT OF COUNSEL?

: MADAM CLERK,

I AM reFILING A MOTION FOR APPOINTMENT OF COUNSEL. ON JULY 18th 2024 I DID FILE AN AFFIDAVIT AND APPLICATION TO PROCEED IN FORMA PAUPERIS TO THE SUPREME COURT, CLERK OF COURTS OFFICE W/ FINANCIAL STATEMENT WITH A TRUE EXACT COPY TO THE SOUTH CAROLINA COMM. ON INDIGENT DEFENSE. I ALSO HAVE MADE A FORMAL REQUEST ON JULY 30, 2024 TO MR. ROBERT M. DUDEK, CHIEF APPELLATE DEFENDER FOR APPOINTMENT OF COUNSEL, HOWEVER SINCE MY CASE HAS BEEN TRANSFERRED TO THE COURT OF APPEALS, IT IS MY BELIEF THAT I MUST NOTIFY YOUR COURT OF MY PREVIOUS ACTIONS PRIOR TO THE TRANSFER. I'VE ENCLOSED A COPY OF MY APPLICATION THAT WAS FILED FOR TO PROCEED IN FORMA PAUPERIS AND HOPEFULLY IT WILL SATISFY THE NEED FOR APPOINTMENT OF COUNSEL REQUIREMENT. I'VE ALSO FORWARDED A COPY OF THIS MOTION TO THE S.C. COMM. ON INDIGENT DEFENSE, APPELLATE DIVISION. I THANK YOU IN ADVANCE.

RESPECTFULLY SUBMITTED
Bobby Joe Berton

THE SOUTH CAROLINA COURT OF APPEALS.

Bobby Joe Barton, #163629
APPELLANT,

V.

STATE OF SOUTH CAROLINA,
RESPONDENT.

APPELLATE CASE #2024-001190

MOTION FOR APPOINTMENT
OF COUNSEL

PURSUANT TO RULE 608 SCA CR

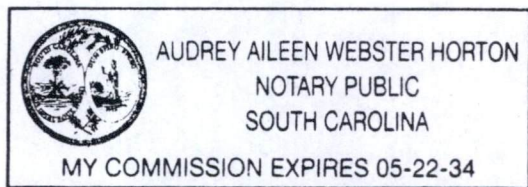
THE APPELLANT MOVED ON THE COURT OF APPEALS OF SOUTH CAROLINA WITH A MOTION REQUESTING APPOINTMENT OF COUNSEL PURSUANT TO RULE 608(b)(4) BECAUSE OF BEING INDIGENT WHEREAS APPELLANT DID FILE THE PROPER FINANCIAL FORMS (DECLARATION) MOTION TO PROCEED IN FORMA PAUPERIS WITH AN AFFIDAVIT AND A CERTIFIED INMATE FINANCIAL STATEMENT FROM S.C. DEPT. CORRECTIONS ON JULY 18, 2024.

APPELLANT RESPECTFULLY ASK THIS COURT TO PLEASE APPOINTMENT OF COUNSEL ARE NECESSARY, IN THE CRIMINAL CONTEXT, THAT RIGHT STEMS FROM THE SIXTH AMENDMENT. THE SUPREME COURT HAS MADE CLEAR THAT THE ASSISTANCE OF COUNSEL IS AN ESSENTIAL REQUIREMENT OF DUE PROCESS WHERE A DEFENDANT'S LIBERTY IS AT STAKE, SEE, EG, "GIDEON V. WAINWRIGHT," 372 U.S. 335 (1963); "COOK V. UNITED STATES," 267 U.S. 519, 537 (1925) AND THAT THE RIGHT IS NOT LIMITED TO "CRIMINAL PROSECUTION" WITHIN THE MEANING OF THE SIXTH AMENDMENT.

THE APPELLANT BELIEVES THAT HE HAS SHOWN THE COURT GOOD CAUSE WHY THIS COURT SHOULD GRANT HIS MOTION TO APPOINT COUNSEL IN THIS CASE.

WHEREFORE APPELLANT RESPECTFULLY ASK THE COURT TO GRANT THIS MOTION FOR "APPOINTMENT OF COUNSEL" AND ANY OTHERWISE THIS COURT DEEM JUST AND APPROPRIATE.

RESPECTFULLY SUBMITTED,



Audrey Aileen Webster Horton

08-06-2024

MAILED ON THE 6TH DAY OF AUGUST,
2024, COUNTY OF SPARTANBURG

Bobby Joe Barton

BOBBY JOE BARTON, #163629
LIVESAY C.I. (B) CAMP
331 SIBLEY ST.

Una, SC 29378

LIVESAY (B) CAMP
P.O. BOX 580

UNA, SC 29378-0580

CC: SC COMMISSION OF INDIGENT DEFENSE
DIVISION OF APPELLATE DEFENSE &
BOBBY JOE BARTON, APPELLANT

THE SOUTH CAROLINA COURT OF APPEALS

Bobby Joe Barton, #163629
APPELLANT,

APPELLATE CASE No. 2024-001190

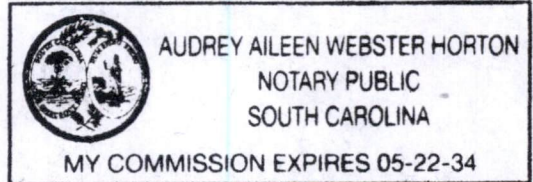
PROOF-OF-SERVICE

v.

MOTION FOR APPOINTMENT
OF COUNSEL

STATE OF SOUTH CAROLINA,
RESPONDENT.

I HEREBY APPELLANT NAMED ABOVE STATE UNDER THE PENALTY OF PERJURY THAT I SERVED HON. JENNY ABBOTT KITCHINGS, CLERK OF SC COURT OF APPEALS WITH A MOTION FOR APPOINTMENT OF COUNSEL BY A TRUE EXACT COPY TO HON. ROBERT M. DUDEK, CHIEF APPELLATE DEFENDER, SC COMM. ON INDIGENT DEFENSE, DIVISION OF APPELLATE DEFENSE, 1330 Lady St., Suite 401, Columbia, SC 29201-3332. THIS WAS ACCOMPLISHED BY HAND DELIVERING THIS DOCUMENT TO MS. FARMER, MAILROOM PERSONNEL AT LIVESAY FOR MAILING ON THE 6TH DAY OF AUGUST, 2024



Audrey Aileen Webster Horton
08-06-2024

Bobby Joe Barton
Bobby Joe Barton

cc: Hon. Robert M. Dudek, Chf. Appel. Def.
SC Commission on Indigent Defense. By
Bobby Joe Barton, Appellant

SCDC
AUG 06 2024
MAIL ROOM

EXHIBIT # D

FRIDGE-DE-SERVICE

A NOTAR FOR AFFIRMATION
BY C. MEL

MY COMMISSION EXPIRES 02-22-34
SOUTH CAROLINA
NOTARY PUBLIC
AUDREY ALLEN WEBSTER HORTON



WED JULY 16, 2024

24 JUL 22 PM 2:22
Brice Garrett COC GUL SC

ATTN: HON. BRICE GARRETT, ESQ.
CLERK OF COURT
305 E. NORTH ST.
GREENVILLE, SC 29601

EXHIBIT - E

FROM: Bobby Joe BARTON, #163629
CA no: 2021-CP-23-03093

Re: OBJECTION PLACED ON THE RECORD.

MR./MADAM CLERK,

I AM FILING AN OBJECTION TO THE COURT'S DENIAL OF MY SC CODE ANN. 1976 § MOTION TO 59(c) & 52(c) SCRPC. AND I'VE ENCLOSED AN XTRA COPY WITH EXHIBIT - #A, PLEASE TO RETURN ME A STAMPED COPY. I'VE ALSO ADDRESS AND MAILED THE SAME TO THE HON. G.D. MORGAN, JR., Chief Adm. Jdcl. PLEASE PLACE THIS ON THE RECORD THAT THERE MAY BE APPELLATE REVIEW. I THANK YOU FOR ALL YOUR ASSISTANCE IN THIS MATTER.

Respectfully Submitted,

Bobby Joe Barton

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
IN THE THIRTEENTH JUDICIAL CIRCUIT

24 JUL 22 PM 2:22
Brice Garrett CP 13JUL SC

BOBBY JOE BARTON #163629
PETITIONER

PETITIONER CONTEMPORANEOUSLY
OBJECTS TO THE COURT'S DENIAL
OF HIS 59(e) & 52(a) MOTION FILED
IN A TIMELY MANNER (S.C.R. CP)

-Vs.-

STATE OF SOUTH CAROLINA,
RESPONDENT.

THE PETITIONER ACTING PRO SE IN HIS DEFENSE MOVE ON THE COURT WITH THIS "MOTION CONTEMPORANEOUSLY OBJECTING" TO THE COURT DENIAL OF HIS MOTION 59(e) & 52(a), S.C.R. CP. THAT WAS FILED IN A TIMELY MANNER AND PURSUANT TO SC CODE ANN, 1976 § 17-27-80 WHICH PROVIDES THAT A RECORD OF THE PROCEEDINGS SHALL BE MADE AND PRESERVED. ALL RULES AND STATUTES APPLICABLE IN CIVIL PROCEEDINGS ARE AVAILABLE TO THE PARTIES,

IN THE CASE OF "McCLARY v. STATE", (SC, 1991) 305 SC 329, 408 S.E. 2d 241. WHICH REQUIRES THAT THE P.C.R. COURT MAKE SPECIFIC FINDINGS OF FACT AND CONCLUSIONS OF LAW, THIS COURT HAS FAILED TO DO SO AS THE LAW REQUIRES EVEN AFTER THE PETITIONER FILED A 59(e) AND 52(a), S.C.R. CP WITHIN (10) DAYS OF THE COURT'S DECISION; HOWEVER PETITIONER DID RECEIVE JUDGMENT BY THE COURT ON 7/15/2024 AS EXHIBIT #A ATTACHED WILL SUBSTANTIATE THIS AND THE COURT ACKNOWLEDGMENT OF RECEIVING THE MOTION FOR 59(e) AFTER BY AMEND SPECIFIC FACTS AND FINDING AND SUPPORTED BY CONCLUSION OF LAW PURSUANT TO SC CODE ANN, 1976 § 17-27-80 AND THE RULE 52(a) MOTION OF S.C.R. CP

TO CORRECT THE ERRORS IN THE ORDER WHERE THERE ARE MANY BUT THE COURT REFUSED TO GIVE THE PETITIONER OPPORTUNITY TO BRING FORTH TO THE COURT'S ATTENTION.

THE COURT'S ORDER DENIES THE PETITIONER THE RIGHT OF PRESERVING THE RECORD FOR APPELLATE REVIEW AS THE LAWS AND STATUTE OF SOUTH CAROLINA STATES AND PROVIDES WHERE IN MARLAB V. STATE, 653 S.E.2D @ 267, (653 S.E.2D 266, 267 (SC 2007)); PRUITT V. STATE, 423 S.E.2D 127, 128 (SC 1992) (VACATING AND REMANDING THE P.C.R. COURT'S ORDER, DESPITE LACK OF RULE 59(e) MOTION; TO ADDRESS THE FAILURE OF MANY P.C.R. ORDERS TO ADDRESS ALL THE ISSUES RAISED.)

THE PETITIONER OBJECTS TO THE RESPONDENT USE OF INCORRECT DATES IN WHICH HE FILED FOR EXTENSIONS OF TIME AND THE DATES WHICH WOULD END THE EXTENSIONS TIME,

#1.) THE FIRST EXTENSION WAS FILED ON 4/23/2024 AND THE ENDING DATE WOULD BE 5/17/2024;

#2.) THE SECOND AND LAST REQUEST FOR (10) DAY EXTENSION OF TIME WAS FILED ON 5/10/2024 AND THE ENDING DATE WOULD BE 5/27/2024.

PETITIONER BRINGS TO THE ATTENTION OF THE COURT IN HOWSTON V. LACK 489 U.S. 266, 108 S.Ct. 2379 (1988) (THE SUPREME COURT HAS HELD THAT COURTS HAS DETERMINED THAT PROSE LITIGANTS LEGAL MAIL DEEMED FILED ON THE DATE GIVEN TO MAIL ROOM PRISON OFFICIALS AND THE DATE STAMP NOT THE CLERK OF COURT STAMP. THE PROOF OF SERVICE IS PROOF IN ITSELF.

PETITIONER STATE THE REPLY WAS TIMELY FILED.

PETITIONER STATE THAT THE APPLICATION IS NOT IMPROPERLY SUCCESSIVE DUE TO "AFTER DISCOVERED EVIDENCE" WHICH COULD NOT HAVE BEEN KNOWN THROUGH DUE DILIGENCE BUT ONLY THROUGH AN EXTENSIVE INVESTIGATION WHICH TOOK MONTHS AND YEARS TO GET A COMPLETE PICTURE THAT TRIAL COUNSEL TESTIFIED FALSELY, COMMITTING PERJURY, EVEN FRAUD ON THE COURT.

PETITIONER HAVE SHOWN IN HIS REPLY BRIEF THAT Res judicata WOULD NOT QUALIFY IN THE CASE, NEITHER WOULD COLLATERAL ESTOPPEL DUE TO THE FACT THAT: #1.) THE ISSUE DID NOT EXIST AT THE TIME OF APPLYING FOR THE P.C.R. NEITHER DID IT EXIST AT OR PRIOR TO THE ACTUAL HEARING AND FOR THE PETITIONER TO ALLEGE THIS CLAIM WITHOUT PROOF, IT WOULD ONLY HAVE BEEN SPECULATION OR CONJECTURE; #2.) THE ISSUE HAVE NEVER BEEN LITIGATED OR DECIDED. ONLY A THOROUGH INVESTIGATION COULD HAVE BROUGHT THIS ISSUE WELL AFTER THE HEARING. EXPLANATION ABOVE RULES OUT ANY CRITERIA FOR Res judicata OR COLLATERAL ESTOPPEL, PETITIONERS REPLY GOES INTO DETAILS AS TO WHY Res judicata OR COLLATERAL ESTOPPEL CAN NOT MEET THE NECESSARY ELEMENTS TO QUALIFY AS A BARR.

PETITIONER STATES THAT THAT ONLY APPROXIMATELY 150-160 ^{DAYS} PAST FROM FILING OF WRIT-OF-CERTIORARI TO FILING A FEDERAL HABEAS CORPUS WAS FILED AND THE REMAINING 200 DAYS WERE NEVER EXHAUSTED TO COMPLETE A 365 DAY CYCLE (1 YR). "HOLLAND V. FULLER" 560 U.S. 631, 130 S. CT 2549 (2010) 28 U.S.C. § 2244(d). THE CT. CONCLUDES THAT THIS TIME LIMIT IS ALSO SUBJECT TO EQUITABLE TOLLING, EVEN FOR ATTORNEY ERRORS THAT ARE ORDINARILY ATTRIBUTE TO THE CLIENT, AND IT REJECTS THE CT. OF APPS. CONCLUSION THAT "ALBERT HOLLAND" IS NOT ENTITLED TO

TOLLING, WITHOUT EXPLAINING WHY THE TEST THAT THE COURT APPLIED WAS WRONG OR WHAT RULE IT SHOULD HAVE APPLIED INSTEAD, See: Young v. UNITED STATES, 535 U.S. 43, 49, 122 S.Ct. 1036 (2002). See: id., ¶ 50, 122 S.Ct. 1036., Pruitt v. STATE, 423 S.E.2d, 127, 128 (SC, 1992)

PETITIONER "OBJECTS" TO THE COURT REFUSAL TO ADDRESS THE FACTS IN THIS CASE AND THE DEFENSES ASSERT WHICH ARE SUPPORTED BY CASE LAW. PETITIONER "OBJECTS" ON THE RECORD ONCE AGAIN FOR NOT ALLOWING THE PETITIONER TO DRAFT THE ORDER DUE TO THE FACT THE COURT ALLOWED THE RESPONDENT TO DO SO, THE SUPREME COURT DISFAVORS THIS HOWEVER IT MAY ONLY DO SO IF, THE OTHER PARTIES ARE APPRISED OF THE REQUEST AND ARE GIVEN THE OPPORTUNITY TO RESPOND TO THE PROPOSED FINDINGS AND CONCLUSIONS OF LAW. See: HALL v. CATOE, 601 S.E.2d, 335, 341 (SC, 2004) id., ¶ 341 (QUOTING S.C. APP. CT. R., 501, CANON 3 B(7)(e).

PETITIONER STATE THAT THE COURT ERRORED BY DENYING THE PETITIONER THE RIGHT OF ADDRESSING THE CLAIM THAT THE OF THE DEFENSES THAT FROM THE TIME OF THIS "AFTER DISCOVERED EVIDENCE" WAS FILED WITHIN THE (1) YR. STATUTE OF LIMITATION, AND THERE BEING AN EXCEPTION TO THAT STATUTE, IF THE TIME DID EXPIRE OR THE PROHIBITION AGAINST SUCCESSIVE PCR APPLICATION AND THOSE FACTS ARE NOT CONCLUSIVELY REFUTED BY THE RECORD BEFORE THE P.C.R. COURT. "A QUESTION OF FACT IS RAISED WHICH CAN ONLY BE RESOLVED BY A HEARING!" See: ROBERTSON v. STATE, (2016, SC) 418 SC 505, 795 S.E.2d 29, "PETITIONER WAS DENIED A HEARING IN THIS CASE,

PETITIONER MAY HAVE USED THE INCORRECT VEHICLE TO BRING THIS GRAVE INJUSTICE BEFORE THE COURT HOWEVER THE VIOLATION

COMMITTED BY AN OFFICER OF THE COURT (ATTORNEY SUSANNAH ROSS) THE COURT HAD A DUTY TO ENTER IT UNDER THE PROPER APPLICATION WHETHER IT BE P.C.R. 29(b) OR 60(b) CONCERNING "A GRAVE MISCARRIAGE OF JUSTICE". WHEREFORE TO ALLOW THIS JUDGMENT TO STAND IS MANIFESTLY UNCONSCIONABLE WHEN A BAR CERTIFIED ATTORNEY ENTER FALSE EVIDENCE IN A HEARING, WHICH IS PERJURY AT IT'S WORST, AND EQUATES TO FRAUD ON THE COURT. THE EVIDENCE PRESENTED BEFORE THE COURT OF COMMON PLEAS, 1ST JUD. CIR. BEFORE THE HONORABLE G.D. MORGAN, JR., CHIEF ADM. JUDGE, HOWEVER TO REFUSING TO ACCEPT THE CERTIFIED DOCUMENTATION THAT CLEARLY AND CONCISELY SHOW AND PROVES BEYOND A SHADOW OF DOUBT THAT COUNSEL DID COMMIT PERJURY AND FRAUD UPON THE COURT.

THE HEARING COURT IS DENYING THE PETITIONER THE RIGHT TO PRESERVE THE RECORD THAT THE APPELLATE COURT MAY REVIEW AND TO DETERMINE WHETHER THIS COURT RULING ON THE FACTS OF FINDINGS AND SPECIFICALLY ADDRESS IT CONCLUSIONS OF LAW TO SUPPORT HIS DECISION,

THE PETITIONER HAS BROUGHT BEFORE THE COURT PURSUANT TO P.C.R. 29(b) & 60(d)(3) OR 60(b) WHERE THERE IS NO STATUTE OF LIMITATIONS, THE CERTIFIED DOCUMENTS CAN NOT BE DISPUTED AND ALL DISPROVES TRIAL COUNSEL TESTIMONY AND PROVES COUNSEL DID COMMIT THIS THE GREATEST CRIME OF CRIMES WHICH REFLECTS ON THE INTEGRITY OF THE COURT AND THE COURT TURN ITS HEAD AND ALLOWS THE GROSS MISCARRIAGE OF JUSTICE TO ALLOW JUDGMENT TO STAND AND NOT TO ADHERE TO S.C. CODE ANN. 1976 § Rule 59(e)!

SCRPC OF §17-27-80 AND RULE 52(a).

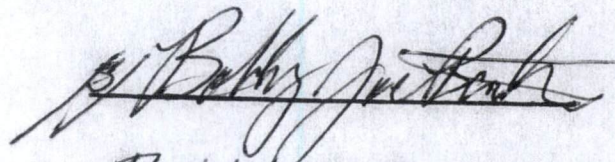
"WHERE THE PETITIONER "OBJECT" ON THE RECORD AND SEEKS TO PRESERVE FOR APPELLATE REVIEW THAT THIS COURT HAS ABUSED ITS DISCRETION OR ERRORED IN ITS DECISION ~~NOT~~ TO RULE ON THE FACTS OF FINDING AND SUPPORTED BY CONCLUSION OF LAW.

PETITIONER ASK THAT THE COURT OF APPEALS TO REMAND TO THE LOWER COURT AND ORDER THIS COURT TO COMPLY WITH SC CODE ANN. §17-27-80, & RULE 59(c) & 52(a) SCRPC.

PETITIONER ASK THE COURT TO GRANT THIS "OBJECTION" AND ANY OTHERWISE IT DEEMS PROPER AND JUST.

MAILED ON THE 16TH DAY, JULY, 2024
COUNTY OF SPARTANBURG

RESPECTFULLY SUBMITTED,



Bobby JOE BARTON, #163629

PRO SE REPRESENTATION

SCDC

JUL 16 2024

MAIL ROOM

CC: Melody J. BROWN, ASIST. A.G.
HON. G.D. MORGAN, JR. CH. ADM. JUD.
BOBBY JOE BARTON, PETITIONER

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

Receipt of Legal Correspondence Verification

This is to verify that legal correspondence from (Name and Address):

Greenville County
Clerk of Court
305 East North St
Greenville SC 29601

EXHIBIT-#A

Addressed to (Inmate Name, SCDC#, and Address):

Bobby Joe Barton # 163629
PO Box 580
Una SC 29378

was received and logged in on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log," at the
Livesay Correctional Mailroom on (Date) 7-15-24.

On (Date) 7.15.24, the above referenced correspondence was delivered to
Inmate Bobby Joe Barton, SCDC # 163629, and his signature
was obtained on SCDC Form 10-12, "Legal/Privileged/Certified Mail Delivery Log".

Additional Notes:

Farmer
Postal Director/Institution

7.15.24
Date

24 JUL 22 PM 2:23
Brice Garrett CDC GUL SC

THE STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
IN THE THIRTEENTH JUDICIAL CIRCUIT

BOBBY JOE BARTON, #163629
PETITIONER,

"PROOF-OF-SERVICE"

-Vs-

STATE OF SOUTH CAROLINA,
RESPONDENT

CONTEMPORANEOUS OBJECTION
PLACED ON THE RECORD TO THE
COURTS DENIAL OF 59(e) MOTION
FACTS & FINDINGS & 52(a) MOTION
OF ERRORS FILED IN A TIMELY MAN-
NER (SCRCP)

THE PETITIONER NAMED ABOVE DO HEREBY STATE THAT HE HAS SERVED
ALL PARTIES INVOLVED WITH AN "OBJECTION" TO THE COURTS DENIAL TO
COMPLY WITH SC CODE ANN, 1976 § 17-27-80, RULE 59(e), SCRCP AND
RULE 52(a). FILED IN A TIMELY MANNER, EXHIBIT #A ATTACHED

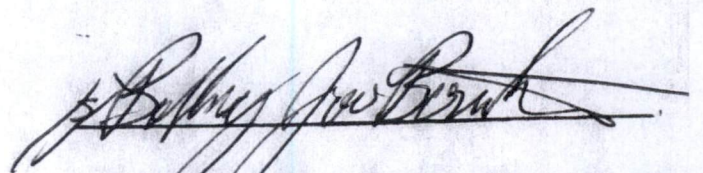
ATTN: Melody J. Brown, AG
ASSISTANT ATTORNEY GENERAL
P.O. BOX 11549
COL, SC 29211

ATTN: BRICE GARRETT,
CLERK OF COURT
305 E. NORTH ST.
GREENVILLE, SC 29601

ATTN: Hon. G.D. MORGAN,
JR, CH. ADM. JUDGE
305 E. NORTH ST
GREENVILLE, SC 29601

THIS WAS ACCOMPLISHED BY PLACING IT IN THE U.S. POSTAL SERVICE
ON THE 16th JULY, 2024

SCDC
JUL 16 2024
MAIL ROOM


BOBBY JOE BARTON, #163629

CC: Melody J. Brown, AG.
ASSIST ATTORNEY GENERAL
Hon. G.D. MORGAN, JR. CH. ADM. JUDGE

Pro Se Representation
CC: Bobby Joe Barton, Petitioner