

STATE OF SOUTH CAROLINA
County of Greenville
Tyrese Robinson

IN THE SOUTH CAROLINA COURT OF APPEALS
FOR THE STATE OF SOUTH CAROLINA
CASE NO: 2020A233020A510, 2020A233020A512

VS.

Motion To Amend Complaint ON Appeal
Due To Newly Discovered Evidence &
Judgment being void. Void Pursuant
TO SCRPC Rule 60(b) (4) 14th Amend
Due Process Violation

STATE OF SOUTH CAROLINA

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NOV 20 2024

STATEMENT OF FACTS

SC Court of Appeals

Now comes the petitioner/Appellate in this action before the courts pro se
I certify that all statements stated herein are true and correct so help
me God. Appellate discovered on Nov 9, 2024 while studying in the
Law Library on inmate tablet that judgment in which was imposed
upon him was imposed upon due process violation/ineffective counsel

STATEMENT OF FACTS

Petitioner states that he requested a fast and speedy trial as
the Constitution states counsel was ineffective and violated my
Speedy Trial Rights by failing to make sure I was afforded
with a Speedy Trial failure to provide speedy trial is due
process violation rendering judgment void and unconstitutional
further ineffective of counsel to allow this and not more to
have charges dismissed due to these stated facts, Judgment
void as in accordance with *Ware V. Ware*, *Garney V. Garney*,

2.

STATEMENT OF FACTS

and *Sanders v. Smith* as well as SCRPC Rule 60(b)(4) void judgment in which can be raised at anytime. A void judgment is any judgment entered without due process of law, lack of subject matter jurisdiction, and personal jurisdiction. A void judgment is as if no judgment was entered at all. Such void judgments once void remains void for all time. A void judgment cannot be cured, upheld, affirmed nor enforced. It is mandatory once judgment is made aware before courts to be void it is not discretionary but mandatory that such sentence and judgment must be vacated without delay, and new trial granted.

STATEMENT OF FACTS

Petitioner further states that he request a preliminary hearing as required by law and was never afforded with such hearing thus due process violation, lack of subject matter jurisdiction, as well as ineffective assistance of counsel render judgment void there case in which must be vacated to do otherwise would be a denial of law justice fairness and due process. The petitioner/Appellate has a Constitutional right to a preliminary hearing any conviction without such rendered judgment entered void and unconstitutional.

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STATEMENT OF FACTS

the petitioner/Appellate states that the witnesses that were called upon during trial gave hearsay testimony in which was not reliable nor creditable Counsel was ineffective for failing to object to these statements and move to have all these statements strike from the record failure to do so was ineffective assistance of Counsel as well as a due process violation, in which resulted in conviction being void and unconstitutional. The Constitution states that no person shall be denied the right to life, liberty, or property without due process of Law.

STATEMENT OF FACTS

Petitioner/Appellate states that his probable cause were violated due to arrest and conviction without due process of Law further lack of probable cause for arrest 4th Amend. Const, violation rendering judgment void and unconstitutional.

4, Conclusion

Based upon these stated facts the petitioner/
Appellate moves to have sentence and
judgment vacated without delay and as a
matter of law and justice. Petitioner/Appellate
further move for new trial to be granted to
ensure justice as well as fairness,

Conclusion

Petitioner further states that he is entitled to have
his conviction vacated as a matter of law
and justice therefore moving before this Honorable
Court to ensure justice in this matter as
well as due process of law.

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SC Court of Appeals

STATE OF SOUTH CAROLINA
County of Greenville

Tyrlese Robinson

VS

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

FOR THE STATE OF SOUTH CAROLINA

CASE NO: 2020A2330200510, 2020A2336200512

AFFIDAVIT OF SERVICE BY MAIL

AFFIDAVIT OF SERVICE BY MAIL

(1) I am the above entitled Appellate in this action before the courts presenting prose

(2) I certify that I have served a copy to all parties listed below on this NOV day of 10th 2024 BY placing in the hands of Correctional officer to be mailed to all addresses listed below due to my 24 hour a day lock down I cannot mail myself personally and must depend on staff to mail for me.

Respectfully Submitted BY/ST

Prose: Tyrlese Robinson

The South Carolina Court of Appeals
Clerk of Court

Post office Box 11629

Columbia SC 29211

South Carolina Attorney Gen. office

Post office Box 11629

Columbia SC 29211

South Carolina Court of Appeals Date: 11-10-24

Clerk of Court

Post office Box 11629
Columbia SC 29211

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SC Court of Appeals

Dear Clerk of Court

Enclosed is petition to amend complaint on Appeal due to newly discovered evidence further as in accordance with court rules. I move court to stamp, clock, and file on my behalf and provide me with a copy as evidence of filing. Thank you for your time and may you have a blessed and peaceful day.

Very


Truly

W/ Tyriese Robinson

Tynes e Robinson #315566
Broad River Corr Inst
Columbia Sc, 29211

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