

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Honorable Brian M. Gibbons, Circuit Court Judge

RISHAWN LAMAR REEDER,

V.

STATE OF SOUTH CAROLINA,

APPELLATE CASE NO. 2023-001459

MOTION TO RELIEVE COUNSEL

RISHAWN LAMAR REEDER
PETITIONER

Rishawn Lamar Reeder #316370
Ridgeland C.I.
5 Correctional Road
Ridgeland, SC 29936

RECEIVED

JAN 16 2025

S.C. SUPREME COURT

PETITIONER

RESPONDENT

Now comes petitioner, Rishawn Lamar Reeder, pro se before this Honorable Court by way of motion to relieve counsel. This motion is pursuant to Rule 1.16(b)(4) of South Carolina Rules of Professional Conduct. Counsel refuses to comply with Rule 1.2(a) of South Carolina Rules of Professional Conduct. Counsel also violates case law McCoy v. Louisiana, 138 S.Ct. 1500.

Failure To Raise Due Process of Law Claims

_____ The first issue I would like to address between me and counsel, is failure to abide by my(client) decision to raise two denial of due process of law claims, when the inadequate PCR order contains no findings of fact and conclusions of law for the two primary PCR claims I raised at the PCR hearing. Neither of the due process of law claims were addressed in the perjured order of dismissal prepared by the opposing party and not PCR JUDGE. Both due process of law claims were listed in my motion to Amend original PCR application that was filed in the clerk of court on September 27, 2022. These two due process of law claims I had expressed to the PCR Judge that these are the claims I am addressing for the hearing because it was seeming like there was miscommunication going on that I was raising newly discovered evidence claim when that was not what I was doing I still express as of that moment I am raising two due process of law claims.(SEE Transcript of Record pg.7 line14-pg.8 line17) The PCR Judge was mixing up motions I think thats were the confusion came from, but thats why I stated the Amend to original PCR application filed September 27, 2022 with the clerk of court. The two claims in that motion to Amend contains only:

Grounds:(1)Denial of Due Process of Law

(2)Denial of Due Process of Law

Supporting Facts:(1)Lorin Williams knowingly and intentionally committed perjury by providing false information to the Courts to obtain arrest warrants

Supporting Facts:(2)Trial counsel failed to present my photo identification lineup that Lorin Williams personally presented to victim/eyewitness Dwight Geter to identify the unknown black

male he saw shoot at them

AS Rule 1.2(a) of SCRPC and McCoy v. Louisiana states, "counsel is to abide by client's decision". A client does not surrender control entirely to counsel. That counsel remains still an assistant to the client.(SEE McCoy v. Louisiana) It is my decision to raise the two due process of law claims in Writ of Certiorari. Counsel Saxon has a fundamental disagreement in assisting me in carrying out a decision I insists upon taking in my litigation for my freedom and justice. By this State law of South Carolina Rules of Professional Conduct Rule 1.16(b)(4), a lawyer needs to be terminated from representing a client.

Failure To Report Professional Misconduct

Counsel Saxon fails to abide by my decision to raise to the violation of Separation of powers by opposing party counsel who is a member of the executive branch invading into the Court's domain performing a judicial function in preparing PCR Order. By opposing party counsel a member of the executive branch preparing PCR Orders this violates SC Constitution Article I§8, SC Code of Law §17-27-80, SC Rules of Civil Procedure Rule 52(a), State v. Langford, 735 S.E.2d 471. This also denies me a fair impartial hearing and due process of law guaranteed by the 14th amendment of the United States Constitution and SC Constitution Article 1 section 3. This prejudice suffered from opposing party counsel an executive member violating the separation of powers by preparing an inadequate PCR Order caused primary PCR claims I properly raised at the PCR hearing to be left out the PCR Order. In Fishburne v. State,832 S.E.2d 584, this Honorable Court recognized that this is a common issue in South Carolina with these inadequate PCR Orders failing to address claims that applicants properly raise at PCR hearings.

I encourage this Honorable Court to end this misconduct and invasion of the Court's domain violating separation of powers by executive branch members of the opposing party preparing PCR Orders which is the Judicial branch job not the executive branch. It denies many applicants a fair litigation of their case because opposing party counsel does not want to admit they

lost. Even in boxing after two parties have fought, at the end of the proceeding impartial neutral Judges determine who won the proceeding. Not either party of the fighters help prepare the decision by giving data of how many punches they threw and obstructing the other party data of punches thrown during the proceeding.

By the opposing party counsel leaving out properly raised grounds by me is equivalent to obstructing from the Judges the number of punches thrown and landed if this was a boxing match. Its unfair its unconstitutional it fraud the court and is a miscarriage of justice. It is also perjury violating SC code of law §16-9-10(A)(2).

This is dishonesty, fraud, deceit, and prejudicial to the administration of justice violating SC Rules of Professional Rule 8.4(b),(d),and (e). Under Rule 8.3(c) of SC Rules of Professional Conduct, my counsel had an obligation once becoming aware of the misconduct to report it to the Court and any other proper authority.

I am the only one who introduced evidence into the record at the PCR hearing. For anyone stating that there was no evidence presented by me that prove Lorin Williams knowingly and intentionally committed perjury providing false information to obtain fraud arrest warrants on me is also committing perjury and fraud upon the court by closing a blind eye to the preponderance of the evidence.

I presented proof Lorin Williams talked personally to a victim and eyewitness Dwight Geter who saw the shooter, a person with personal knowledge and was involved in the incident that occurred, I also presented this same victim/eyewitness Dwight Geter cleared me from being that unknown black male he saw shoot at them personally to Lorin Williams by way of photo identification lineup making this exculpatory evidence, I also presented an affidavit of photograph identification that victim and eyewitness Dwight Geter positively identified as the shooter he saw shoot at them that is signed by Dwight Geter and notarized by Lorin Williams, I also presented the fraud arrest warrants the next day that Lorin Williams gave false information saying

I was the shooter when he knew from talking to victim/eyewitness Dwight Geter less than 24 hrs a person with personal knowledge of the shooting incident that I had been exonerated and was not the shooter. Lorin Williams did not even provide a witness or victim name in the warrant affidavit to who told him I was the shooter because it was false information and perjury. Lorin Williams misconduct violated Frank v. Delaware, 98 S.Ct. 2674, State v. Philpot, 454 S.E.2d 905, SC Code of Law §16-9-10, SC Code of Law §16-9-30, 4th Amendment of US Constitution, 14th Amendment of the US Constitution, SC Constitution Article 1 section 3, SC Constitution Article 1 section 10.

As this State Honorable Court stated in State v. Philpot, "The affidavit must contain sufficient underlying facts and information upon which the magistrate may make a determination of probable cause. Mere conclusory statements which give the magistrate no basis to make a judgment regarding probable cause are insufficient." Lorin Williams gives no basis of his made up knowledge and withheld the fact from the magistrate judge that victim/eyewitness Dwight Geter exonerated me from being the shooter.

Also Lorin Williams had in his possession the Southeastern Converters security footage that he personally went and got during this investigation and Spartanburg Regional security footage which he sent one of his officers to go to the hospital and pick up, which shows and prove by technology exculpatory evidence that I was never at the crime scene and that I can not be two places at the same time. This is scientific evidence that can not be disputed and has been constantly ignored by sum government officials involved in this case showing a disgrace of miscarriage of justice foul play to falsely imprison me an innocent man.

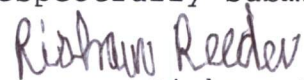
I also want to bring forth to the Courts attention that opposing party counsel Joshua Edwards missed the deadline in filing a response to Petition for Writ of Certiorari despite the numerous continuances that this Court has granted opposing party. I pray this Honorable Court hold opposing party to the same rules of court giving a default judgment automatically

granting my petition and issue a judgment in favor of me the petitioning party, essentially deciding the case against the non-responding opposing party by default due to their lack of participation, in compliance with the laws of the land.

I also want to make it clear why I raise due process of law claims and not newly discovered evidence claim. Lorin William was fired for misconduct from the Spartanburg County Sheriff's Office on or about January 24, 2019, after accusations of providing false information to obtain search warrants.(SEE Conor Hughes Sheriff's investigator fired;Cases stretching back two decades under review, GoUpstate.com, Fed. 1, 2019,accessed June 24, 2019, <https://www.goupstate.com/news/20190201/sheriffs-investigator-fired-cases-stretching-back-two-decades-under-review>) The public statement announcement let it be known all cases dating back 20 years that Lorin Williams was involved in were deserving of review because this is a miscarriage of justice fraud warrants denying people due process of law. Has nothing to do with whether the evidence is new or old if it happened we deserve justice from the misconduct from the corrupt actions of Lorin Williams.

I hope this clears up alot of confusion as it seems that some are trying to obstruct justice. I deserve my freedom I am an innocent man who has been unlawfully arrested and imprison over 14 years because of foul play, perjury, corruption, and miscarriage of justice. I pray this Honorable Court grant me my freedom and justice that I so rightfully deserve.

Respectfully submitted,



Rishawn Reeder

Dated January 13, 2025

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RIDGELAND CORRECTIONAL
INSTITUTION

JAN 13 2025

Mailroom

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S.C. SUPREME COURT

Supreme Court of South Carolina
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