RULES 267

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Pickens County
Court of Common Pleas

PERRY H, **Gravely, Administrative Law Judge**

Case No.2022-CP_39-00680

The State of South Carolina **Respondent,**

v,

Robert Earl DILLARD, Appellant,

BRIEF OF APPELLANT

Robert Earl Dillard,220045
Perry Correctional Inst,
430 Oaklawn Road Q4B/209
Pelzer, S.C. 29669

Medoley J, Brown, Esquire
Attorney General Office
Post Office Box 11549
Columbia, S.C. 29211

date 3-4- 2025.

INDEX

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY

THE HONORABLE PERRY H, GRAVELY

ROBERT EARL DILLARD, APPELLANT,

V,

THE STATE, RESPONDENT,

Appellate case no. 2022-000972

Appellant, Robert Earl Dillard, wasconvicted by the pickens County Jury in 1995 on two counts of murder. He is Currently serving two Consecutive life terms as imposed on march 2, 1995. by the Honorable Frank P, McGowan, Jr.

As a result, on May 25, 1999, applicant filed a second PCR (99-CP-39-0406) pursuant to Austin v. State, 409 S.E.2d 385 (1991). On August 28, 2000, an evidentiary hearing was held before the Honorable John W. Kittredge. Applicant was represented by John D. Jorge, Esq. By order dated August 29, 2000, Judge Kittredge granted applicant a belated appeal from the denial of his first PCR application (97-CP-39-0826).

On March 21, 2002, the SC Supreme Court entered an order granting the petition for writ of certiorari from Judge Kittredge's order, and upon review of Judge Patterson's order denied writ of certiorari. Dillard v. State of SC, order (SC S.Ct. March 21, 2002).

On August 6, 2002, applicant filed a third (technically his second) PCR (02-CP-39-1217). The applicant raised the following grounds:

(1) After-discovered evidence of solicitor's knowing use of perjured testimony.
(2) Denial of due process by trial judge's definition of "reasonable doubt".
(3) Applicant's murder indictment(s) was not lawfully presented by a grand jury for trial of his case(s).

On July 28, 2003, a motion hearing was held before the Honorable John C. Few. The applicant was represented by Cheree Gillespie, Esq. On August 19, 2003, Judge Few issued an order denying the PCR application as untimely and successive. A timely appeal was filed on applicant's behalf.

On September 24, 2006, the Court of Appeals issued an order denying the Johnson petition; Dillard v. State, (SC App. September 27, 2006). A timely petition was filed on January 29, 2007, the Court of Appeals denied the rehearing. On April 24, 2007, petitioner filed a writ of certiorari to the SC Supreme Court. The Supreme Court denied the writ.

STATEMENT

Petitioner Robert Earl Dillard was convicted of two counts of murder during the March 1995 term of the Pickens County General Sessions Court before the Honorable Frank P. McGowan, Judge and jury. He was represented by Richard H. Warder, Esq. Following petitioner's conviction, Judge McGowan sentenced him to tow consecutive life sentences. Petitioner appealed, but his convictions and sentences were affirmed. See State v. Dillard, Op.No.97-MO-012(S.C.Supp.Ct. filed February 11, 1997). App.pp. 1-691.

On October 30, 1997, petitioner filed an application for Post-Conviction Relief (PCR). On September 21, 1998, an evidentiary hearing before the Honorable Larry R. Patterson, at which petitioner was represented by Scott D. Robinson, Esq. By order datedFebruary 17, 1998, Judge Patterson denied the application. PCR, and PCR counsel did not appeal. App.p. 726.

On May 25, 1999, petitioner filed an Austin petition. On August 28, 2000, an evidentiary hearing was held before the Honorable John W. Kittredge, at which petitioner was represented by John D. Jorge, Esq. By order dated August 29, 2000, Judge Kittredge granted petitioner a review pursuant to Austin v. State. App.p. 720.

On August 6, 2002, petitioner filed a second PCR application. A motion hearing was held on July 28, 2003, before the Honorable John C. Few, at which petitioner was represented by Cheree Gillespie, Esq. App.pp. 724-731.

On August 19, 2003, Judge Few issue an order denying petitioner's application on the ground that it was untimely filed. App.pp. 735-739.

Petitioner appealed. This motion and petition follows.

STANDARD OF REVIEW

In Aice v. State, 409 S.E.2d 392 (SC 1991), a case addressing an exception to procedurally barred claims, the SC Supreme Court held that "finality must be realized at some point in order to achieve a simblance of effectiveness in dispensing justice... at some point judicial review must stop, with only the very rarest of exception. When the (judicial) system has failed a defendant and where to continue his imprisonment without a review would amount to a miscarriage of justice." In addition, the Court has held that "a defendant's filing of four PCR actions, one of which was successful, was not repetitive, numerous, or totally frivolous, and thus defendant was not subject to strict restriction on future filings. Williams v. State, 583 S.E.2d 52 (SC 2003).

As shown above, the applicant has previously prevailed in a PCR action (99-CP-39-0406) pursuant to Williams, infra. He will now present the following arguments for entitlement to review under the miscarriage of justice standard under the holding in Aice, infra.

ARGUMENT

I. THE APPLICANT SUFFERED A MISCARRIAGE OF JUSTICE WHEN HE WAS CONVICTED UPON A STANDARD OF GUILT BELOW THAT REQUIRED BY THE FOURTEENTH DUE PROCESS CLAUSE (Alternatively, applicant raised this ground under ineffective assistance of counsel).

The applicant submits that the record of his trial shows that after the jury found him guilty, he discovered that during its deliberation the jury had sent the judge a note requesting a layman's definition of "reasonable doubt". He further discovered that the judge had conferred with both applicant's counsel and the solicitor regarding the jury's request before writing on the jury's note that "he could not comply with the jury's request." Also, without publishing the jury's request in open court, the

judge sent the note back to the jury with a response that "he could not comply with their request." **Tr.p. 681-82**

In addressing such an error, the SC Supreme Court has recognized that a "reasonable doubt" charge could be erroneous if it could cause a jury to interpret the charge to allow a finding of guilt based on a degree of proof below that required by the Fourteenth Amendment, Due Process Clause. As a result, the SC Supreme Court has offered a definition which would be acceptable for use by the bench, as follows:

> "a reasonable doubt is the kind of doubt that would cause a reasonable person to hesitate to act...."

State v. Manning, 409 S.E.2d 372 (1971). The Court has further guided that the courts are not restricted to the exact definition in Manning, but that the charge must legally equate to that offered in Manning. See, State v. Clute.

Nevertheless, to warrant reversal, a trial judge's refusal to give a requested jury instruction must be both erroneous and prejudicial. State v. Hughey, 529 S.E.2d 721 (SC 2000). Where a general instruction to jury is insufficient to enable jury to understand fully law of case, the refusal to give requested charge is reversible error. Brown v. Smalls, 481 S.E.2d 444 (SC App. 1977). Moreover, the U.S. Supreme Court has held that the Due Process Clause of the Fourteenth Amendment protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime for which he is charged. To this end, the "reasonable doubt" standard is indispensable (to a fair trial). In re Winship. 397 U.S. 358 (1970).

Here, as evidenced by the jury's "note" requesting a layman's definition of "reasonable doubt", it is logical to assume that the jury had, at this point, entertained a degree of doubt as to applicant's guilt and had focused critical attention on the definition of "reasonable doubt" to reach its verdict. Therefore, the layman's definition of reasonable doubt which the

judge should have conveyed to the jury would be given special consideration in reaching a verdict since it was in response to its own inquiry. Under this circumstance, the judge's failure to comply with the jury's request was an error of law that prejudiced applicant's fundamental right to a fair trial. See e.g., State v. Blassingame, 244 S.E.2d 528 (SC 1978); See also, Winship (holding that a conviction below the reasonable doubt standard would amount to a miscarriage of justice).

Finally, applicant contends that the failure of the judge, solicitor, and his counsel to provide a confused jury a layman's definition of "reasonable doubt" in his case should amount to a failure of the judicial system and a corresponding miscarriage of justice to entitle him to review of the merits of his claim. An applicant's right to a fair trial is basic requirement of the Due Process Clause, and includes a fair judge. Liljeberg v. Health Serv. Corp., 486 U.S. 847 (1988); a right to be prosecuted by a prosecutor whose duty is to see that justice is done. Berger v. U.S., 295 U.S. 78 (1936); and the right to effective assistance of trial counsel, Strickland v. Washington, 466 U.S. 668 (1984).

II. THE APPLICANT DISCOVERED AFTER HIS TRIAL AND FIRST PCR ACTION THAT THE SOLICITOR KNOWINGLY USED PERJURED TESTIMONY TO OBTAIN HIS CONVICTION (Alternatively, applicant raised this ground under ineffective assistance of counsel).

The SC Supreme Court has recognized prosecutorial misconduct as a ground for PCR action in the absence even of a claim of ineffective assistance of counsel. Gibson v. State, 514 S.E.2d 320, 323-27 (SC 1999) (Setting aside applicant's guilty plea, and granting a new trial because of prosecutor's Brady violation.) [fn.1]

With regard to his claim, the applicant submits that pursuant to his discovery and Brady Motion the solicitor disclosed the

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[1] Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194 (1963)

detention records of its chief witness, James Simpson. However, the solicitor failed to disclose any records of Simpson's detention in the Greenville Detention Center (GDC) for the months of November 25, 1992 through April 30, 1993, which covered the time period Simpson testified that applicant admitted to him (Simpson) that he (applicant) had committed the murders while they were at the "Haynie Street Men's Club" in downtown Greenville. As the State's evidence against applicant was entirely circumstantial, Simpson's testimony regarding applicants murder confession to Simpson in "February 1993" at the Haynie Street Men's Club was the only evidence the State had that directly connects applicant to the murders.

Following his trial and before filing his first PCR action in 1997, applicant contacted the GDC requesting requesting Simpson's detention records but was not provided any of Simpson's records covering the time period between November 1992 through April 1993. Finally, on January 17, 2001, pursuant to the SC Freedom of Information Act (FOIA), the GDC Record Manager, Jinny Morgan, provided applicant the records of Simpson's detention. These records showed that Simpson was, in fact, detained in the GDC from 11-25-92 until 4-30-93. Thus, Simpson's GDC records showed that he obviously could not have been at the "Haynie Street Men's Club" in downtown Greenville in February 1993 when he was detained in the GDC the entire month of Febraury 1993. The records clearly showed that Simpson testified falsely.

As the GDC records shows that Simpson testified, the inquiry should now focus on whether the solicitor knowingly introduced Simpson's false testimony to convict applicant. A review of the solicitor's closing argument did not only show that he knowingly introduced Simpson's perjured testimony, but also showed that the solicitor actually provided Simpson with key evidence from the murder scene to convince the jury of Simpson's credibility, in relevant part, as follows:

> Solicitor: Mr. Warner (applicant's counsel) might argue that Simpson was the one who killed them. I don't

know, he might argue that, but I just simply ask you to remember "that Simpson was in jail at the time (of the murders)". Tr.p. 632.

Solicitor: What did he (Simpson) tell us? He told us some things in the statement that nobody else knew, that the general public did not know, that had not been released to the public, to the media.

Of particular note, the murders took place on December 17, 1992. The GDC records showed that Simpson was detained in the GDC from 11-25-92 until 4-30-93. Consequently, the solicitor's closing argument shows that he knew from his own records that Simpson had been detained in the GDC from 11-25-92 until 4-30-93, which also included the time of the murders as the solicitor argued. Therefore, as Simpson could not have been at the "Haynie Street Men's Club" in downtown Greenville to witness any confession by applicant, or yet any details of the murder scene from applicant, it logically follows that he was provided the details of the murder scene from the solicitor's files. [fn.2]

To obtain relief on the basis of subornation and perjury, an applicant must demonstrate (1) that the witness made a false statement, (2) that the false statement was material to case, (3) that the false statement was knowingly and intentionally employed by the State. See Beasley v. Holland, 649 F.Supp. 561 (S.D.W.Va. 1985). Furthermore, a conviction must be set aside if their is a reasonable probability that false testimony (or evidence) could have affected the outcome of the trial. See e.g., United States v. Bagley, 105 S.Ct. 3375, 473 U.S. 667 (1985); Giglio v. United States, 405 U.S. 150, 92 S.Ct. 763 (1972); Miller v. Pate, 87 S.Ct. 785 (1967); Brady, supra.

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[2] See print-out of 13th Circuit Solicitor Office practice of using false testimony by incarcerated witnesses to obtain conviction, attached herewith as Exhibit A-1A-2A-3.

(3) see ALSO U.S. V. FREEMAN, 650 F3d 673, 680 (7th cir 2011)

III. THE SOLICITOR PROSECUTED AND CONVICTED APPLICANT UPON UNINDICTED MURDER OFFENSES.

The applicant contends that the solicitor did not obtain his murder indictment by way of a lawfully convened Pickens County Grand Jury to empower the general sessions (circuit) court to adjudicate his murder cases. In reviewing such a claim as alleged by applicant, the SC Supreme Court has held that it will presume the regularity and legality of the proceedings before the grand jury was complied with absent any evidence to the contrary. State v. James, 472 S.E.2d 38. To prove that the solicitor did not comply with the regular and legal proceedings before the grand jury for presentment of his murder indictment, the applicant will show that he received a "general sessions court calendar" from the SC Court Administration and its implication. Government records and official conduct should be accorded a presumption of legitimacy. U.S. Dept. of State v. Ray, 112 S.Ct. 541, 502 U.S. 164 (1991).

Accordingly, the applicant's indictment shows that the grand jury presented it during a November 17, 1994, term of Pickens County general sessions court. Conversely, the SC Court Administration's calendar shows there was no term of general sessions court held in Pickens County on November 17, 1994. See SC Court Administration calendar attached hereto as Exhibit B-1 & B-2. As a result, the applicant directs the Court's inquiry to whether the "absence of a term of general sessions court for attendance of a grand jury could deprive the court of its 'power' (jurisdiction) to adjudicate cases." To resolve this question, it will be necessary to interpret the U.S. Supreme Court's holding in United States v. Cotton, 122 S.Ct. 1781 (2002), which guided the SC Supreme Court's ruling in State v. Gentry, 610 S.E.2d 494 (2005). In both Cotton and Gentry, the Court's held that the term "Subject Matter Jurisdiction" means the "Court's statutory and constitutional power to adjudicate the case."

Likewise, in South Carolina, the general sessions court's power (jurisdiction) to adjudicate a criminal case is determined by statutory law as follows: (1) the grand jury... shall meet with general sessions court at each of its terms -- SC Code, Ann., § 14-9-170; (2) the solicitor shall prepare and, through the presiding judge of general sessions court, submit to grand jury, while in attendance upon general sessions court, bills of indictment (for grand jury presentment) -- SC Code, Ann., § 14-9-210. No indictment may be true billed by grand jury when circuit court (general sessions) lacks jurisdiction (or is not in term), since the grand jury's jurisdiction is co-extensive with the criminal jurisdiction of the general sessions court in which it is convened and for which it is to make inquiry (on bills indictment). State v. McClure, 289 S.E.2d 158 (1982); State v. Wheeler, 193 S.E.2d 515 (1972).

In addition, the SC Constitution mandates that "no person may be held to answer for any crime... unless on a presentment of indictment by a grand jury of the county where the crime has been committed." SC Const., Art. I, § 11; and "the grand jury of each county... shall consist of eighteen (18) members, twelve (12) of whom must agree on a matter (true bill) before a case can be presented for trial (of case) by general sessions court." SC Const., Art. V, § 22. The presentment of indictment for general sessions court's jurisdiction to try criminal cases is (according to Cotton and Gentry) determined by the above statutory and constitutional laws, and is fundamental. Anderson v. Anderson, 382 S.E.2d 897 (1989).

As a threshold matter, the SC Constitution gives the general sessions court jurisdiction to try all criminal cases. SC Const., Art. V, § 11. However, the jurisdictional claim raised by applicant is not a challenge to the Pickens County general sessions court's jurisdiction to try criminal cases. Instead, the applicant is contending that the solicitor failed to comply with statutory and constitutional laws, set forth above, which are jurisdictional in nature, specifying the manner and means for presentment of his murder indictment by lawfully convened grand

[Cont]-

A Notice of Appeal was Filed and Perected at the South Carolina Supreme Court, M. Anne Pearce, Esquire of the South Carolina Office of Appellate Defense Perfected the Appeal. The Supreme Court "Affirmed" -Petitioner's Conviction and Sentence in State V. Dillard, OP.no. 97-mo-012 [S.C. Sup.Ct., Filed February 11, 1997].

In essence, Applicant is alleging that there was no legal -- obtained indictment charging him with murder because there was no-term of General Sessions Court with a Grand-Jury in -- "Attendance to present his indictment" for trial of his case under General Sessions Court's Criminal Jurisdiction. THUS, The absence of a presentment of indictment of indictment was a "defect in subject-matter jurisdiction" that deprived the Court of it's "Power to Act". Smith V. United States, 360 U.S. 1, 10, 79 S.Ct. 991, 3 L.Ed.2d 1041 [1959].

Finally, Both the United States and South Carolina Supreme Courts have held "defect/s in subject-matter jurisdiction require - correction whenever rasied. COTTON, GENTRY, SUPRA. And, the Court's "lack of subject-matter jurisdiction" may be raised at any time, including FOR THE FIRST TIME ON APPEAL, OR COLLATERAL CHALLENGE. Hope V. State, 492 S.E.2d 76 [SC 1997]. See The United States Supreme Court has HELD that Goverment Records' and OFFICIAL Conduct must be Accorded a Presumption of - Legitimacy, in Dept. of U.S. V. Ray, 112 S.Ct. 541 [1991].

Jury for trial of his case under general sessions Court's criminal Jurisdiction.
In Essence, the applicant is alleging that there was no legall obtained indictment charging him with murder because was no term of General Sessions Court with a grand Jury in attendance to present his indictment for trial of his case under general sessions Court's criminal Jurisdiction.THUS, the absence of a Presentment of indictment' was a defect in ' Subject-matter Jurisdiction' that deprived the Court of its 'power to adjudicate applicant's case. The absence of an indictment is a Jurisdictional defect which deprives the Court of its Power to act. SMITH V, UNITED STATES, 360 U.S. 1, 10, 79 S Ct. 991 3 L.Ed. 2d 1041 (1959).

Finally, both the U.S. and S.C. Supreme Courts have Held that 'defects,
In Subject-Matter Jurisdiction require Correction Whenever raised COTTON, GENTRY, SUPra and the Court's lack of Subject-Matter Jurisdiction may be raised at any time, including foe the first time on Appeal, or Collateral Challenge. HOPE V, STATE,492 S.E.2d 76 (S C 1997). see the U.S..Supreme Court has Held that Government Record's and Official conduct must be accorded a Presumption of legitimacy, see Deepartment of U.S. V, RAY, 112 Ct,541 (1991).

CONCLUSION

WHEREFORE, for the forgoing reason, the Honorable Court Should hold an evidentiary hearing to reverse and vacate applicant's conviction ans sentence, with a New Trial.

date 3-4 2025.

Robert Earl Dillard#220045
perry correctional Inst,
430 oaklawn Road Q4B-209
pelzer. S.C. 29669

The South Carolina Court of Appeals

Robert Earl Dillard, Appellant,

v.

The State, Respondent.

Appellate Case No. 2022-000972

ORDER

Appellant filed a motion to execute judgment as a matter of law, a motion for an entry of default, and a motion to appoint counsel. After careful consideration, we deny the motions. *See* Rule 608(g), SCACR (providing that counsel should not be appointed for an indigent unless the indigent has a right to appointed counsel under the state or federal constitution, a statute, a court rule, or the case law of this State); *Ex parte Dibble*, 279 S.C. 592, 310 S.E.2d 440 (Ct. App. 1983) (holding there is no constitutional right to counsel in civil cases). This case will no longer be held in abeyance. Respondent's brief is due thirty days from the date of this order.

Stephanie P. McDonald

FOR THE COURT

Columbia, South Carolina

cc:
Robert Earl Dillard, 00220045
Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire

FILED
Sep 11 2023

Posted Tuesday, January 15, 2002 - 11:28 pm

e-mail this story to a friend

Solicitor drops two murder cases after witness lies on stand

By John Boyanoski
STAFF WRITER
jboyan@greenvillenews.com

After the prosecution's only witness to a 1998 murder was found to have lied on the witness stand, the 13th Circuit Solicitor's Office dropped the case against two men Tuesday accused of the crime.

The murder trial of Calvin Rico Rosemond, formerly of 300 Furman Hall Road, was charged in the death of James J. Chattman, 25, of 113 Norwood St., who died from a gunshot blast to the head on the morning of Nov. 12, 1998.

A witness said Monday that he saw Rosemond at the murder scene, but under cross-examination, defense attorney Symmes Culbertson showed evidence that the witness was in jail at the time.

"I had been down to talk to him and off-hand said he had been in jail," Culbertson said. "We looked into it and we brought that out."

On Tuesday, Rosemond's charges were dropped as were the charges against Asim Clement, who was arrested along with Rosemond in April 2000. Both cases were based on the witnesses' statements.

Solicitor Bob Ariail said the man was the sole eyewitness in the case, and gave a very detailed description of the shooting. After working through the night to verify the man's jail records, the prosecution asked for a direct verdict Tuesday morning which ended the case.

"We felt that his credibility, our credibility and the credibility of the case before the jury was damaged and the right thing to do was dismiss the charges," Ariail said. "If we had known this ahead of time, this would not haven gotten this far."

Ariail said it is not common practice for his office to verify an eyewitnesses' whereabouts, unless contested. He said investigators did know the man had a criminal record, but initial research did not show he was in jail at the time.

Ariail couldn't say why the witness lied to authorities, but added his office is investigating bringing charges against him for lying on the witness stand.

John Boyanoski covers crime and courts. He can be reached at 298-4065.

13961

(B) 14

County of Greenville

"...At Your Service"

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DEPARTMENT OF COMMUNITY SERVICES
James M. Dorriety, Assistant County Administrator

Detention, Emergency Medical Services,
Forensics and Records Management Services
Office (864) 467-5092

January 17, 2001

Robert Earl Dillard #220045
Perry Correction Institute
430 Oaklawn RoadQ-3-B-121
Pelzer, SC 29669

2013-CP-39-128

2013 FEB -5 P 4:44

CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

RE: FOIA Request (Received 12/27/00)

Dear Mr. Dillard:

We have received your letter requesting arrest and detention records under the South Carolina Freedom of Information Act (FOIA) on James Fletcher Simpson. Described below are the records you requested and I will address each individual item separately.

1. Arrest and detention release records.

These records can be released under FOIA.

2. Date of a Bond Hearing by a Judge.

We do not maintain this information, as it is not part of the booking and arrest records. The Clerk of Courts office or the Judge's office may have the information.

The South Carolina Freedom of Information Act, Section 30-4-30 (b) states in part, "the public body may establish and collect fees...and it also states that documents may be furnished when appropriate without charge or a reduced charge." Greenville County Council chose to and approved a county ordinance (Number 3011) establishing fees for the research and copying of arrest, booking, medical, and other law enforcement records. Our fees will not be waived or reduced. The fee for each record is $6.00. You are requesting for one booking/arrest record and the fee is $6.00. I have enclosed a copy of the computer screen that reflects the booking date and the release date. Please forward a money order ($6.00) made payable to Greenville County and we will mail you the record.

Please be advised we are providing you with notification of your request within the fifteen-day (workdays, excluding holidays) requirement period. Upon receipt of payment, the records will be mailed to you.

Sincerely,

Jinny Moran
Records Manager

[B

(R) 17

Mate 102853 SIMPSON, JAMES FLETCHER NOT SENT INACTIVE
Sex M Race B DOB 10/25/1956 Booked 11/25/1992 Cell NxtScr
Addr [redacted] C GREENVILLE S SC Z 29611 713

HgtIn 507 WgtIn 168 Booked Date 11/25/1992 Time 05:45
Out 507 Out 168 Released Date 04/19/1993 Time 20:42
Estimated Date
Release Judge EPPES/BARTLETT
Release Off-> P AK C CPL J HUBI S
Released Where? O

Release Reason: REL.AGENCY: STRT REL.REC.DT:
REL.REC.TM: ADJ.REL.DT: OPID: D07
TIME SERVED/DISMISED/PROBATION

Canteen Bal 0.00 Cash Amt Pd 0.00 Check Amt Pd 0.00
96=RP 97=RC 98=RS

Command ===>
F1=Help F2=Short Help F3=Exit F5=Refresh F7=Backwards F9=Find F12=Popup

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South Carolina Court Administration

South Carolina Supreme Court

Columbia, South Carolina

ROSALYN FRIERSON
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E-MAIL: mtalley@scjd.state.sc.us

January 12, 2006

Mr. Robert Earl Dillard #220045
Perry Correctional Institution, Q-3-13-121
430 Oaklawn Rd.
Pelzer, SC 29669

Dear Mr. Dillard:

I have received your letter asking for the terms of court for the months of November and December 1994 for Greenville and Pickens Counties.

Please find enclosed the information you requested.

Sincerely,

Stephanie O'Neal

SO
Enclosure

EXHIBIT

B_4

TERMS OF CIRCUIT COURT

NOVEMBER 1994

	7	14	21	28	
10TH CIRCUIT	Anderson CP 2 Anderson CP	Oconee GS 1.2 Anderson CPNS 17,18	Oconee CPNJ 22	Anderson GS	
11TH CIRCUIT	Lexington CP 3 Lexington GS	11th Cir. CPNJ 1 ~~Lexington CP~~ Edgefield GS 1		Saluda CP 1 Lexington GS	
12TH CIRCUIT	Florence GS 3.8 Florence GS	12th Cir. CPNJ 1 ~~Marion CP~~	Florence CP 21 Florence CPNS 21,22,23	Florence CP Marion GS 1	
13TH CIRCUIT	Greenville CP 1 Greenville GS Greenville GS ~~Greenville GS~~ Pickens CPNS - 3	~~13th Cir. CPNJ~~ Pickens CP Greenville GS Greenville GS Greenville CP		13th Cir. CPNJ 1.4 Greenville CP Pickens GS 13th Cir. CPNS 27,28	
				Colleton CP	

EXHIBIT

(B)-58

TERMS OF CIRCUIT COURT

DECEMBER 1994

	5	12	19	26	
10TH CIRCUIT 4✓	✓Oconee CP 1 ✓Anderson GS 2	✓10th Cir. CPNJ-PC 1 ✓Anderson CP	~~Anderson CPNJ (PC)~~		
11TH CIRCUIT 3.8✓	~~Lexington CP~~ ✓Lexington GS 3.6	✓Lexington CP ✓Lexington GS	✓Lexington CPNJ 19,20,21	✓Edgefield CPNJ 28 .2	
12TH CIRCUIT 3✓	✓Florence CP 1 ✓Marion GS 1	✓12th Cir. CPNJ 1			
13TH CIRCUIT 8.7✓	5.2 ✓Greenville CPNJ 5,6,7 ✓Greenville GS ✓Greenville GS ~~Greenville GS PC~~ ✓13th Cir. CPNJ-PC 2	✓13th Cir. CPNJ ✓Pickens CP 1 ✓Greenville GS ✓Greenville GS	✓Greenville CPNJ 19 ✓Greenville AW 19,20		
14TH CIRCUIT	✓Beaufort GS 1.6	✓Hampton CP 1	✓[illegible] 19,21		

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APPENDICES TO PART II

FORM 16. CERTIFICATE OF COUNSEL IN 210 (c) MOTION

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

PERRY H, GRAVELY,Administrative Law Judge

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case no.2022-CP-39-680
Appellate no.2022-000972

Robert Earl Dillard, Appellant,

v,

The State of South Carolina Respondent

CERTIFICATE OF COUNSEL

The undersigned certified that this motion Complies with Rule 210 (c) SCACR.

date 3-4- 2025.

Robert Earl Dillard#220045
perry Correctional Inst,
430 oaklawn Road Q4B-209
Pelzer,S.C. 29669
Pro-se