

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Richland County Court of Common Pleas
The Honorable Kristi F. Curtis, Circuit Court Judge
The Honorable Daniel Coble, Circuit Court Judge
Circuit Case No. 2024-CP-40-01737

RECEIVED
AUG 13 2025
SC Court of Appeals

APPELLATE CASE NO. 2025-000762

Alonzo C. Jeter, III,APPELLANT,

V

State of South Carolina; Alan McCrory Wilson;
Chelsey F. Marto; Joseph Derham Cole; Mark J.
Hayes, II; Ralph Keith Kelly; Brandy W. McBee;
Tonnya K. Kohn; Jean Hoefer Toal; Donald W.
Beatty,RESPONDENTS.

**RETURN TO STATE AND ATTORNEY GENERAL'S MOTION TO STRIKE
APPELLANT'S INITIAL BRIEF AND DESIGNATION**

Appellant, Alonzo C. Jeter, III, comes respectfully hereby and makes a Return to the State and Attorney General's Motion to Strike. Appellant received notice and copy of the motion on August 6, 2025, by and through Lee Correctional Institution's Legal Mail System.

Attorney General Wilson and the State asserts that Appellant's Initial Brief and Designation violate the Appellate Court rules by including matter which they contend is outside the record of this case and that the Appellant has failed to cite to the record when setting forth his factual arguments. They have requested Appellant's Initial Brief and Designation be Struck in entirely on these basis.

MATTER INCLUDED IN DESIGNATION

Appellant has obtained the case docket printout which reflects all submissions Appellant made to the lower court (circuit court). As such, Appellant intends to provide a corrected Designation which lists and designates only those submissions listed.

Attorney General Wilson and the State also contend that only the transcript of the June 13, 2024, proceeding, the 2008 Administrative Order, Appellant's exhibits A through R, the Form 4 Order

in 2019-CP-11-00457, and the S.C. Supreme Court's order regarding the 2019-CP-11-00457 appellate case were submitted to the lower court. However, Appellant would contend that this contention is incorrect.

Appellant filed a Motion to Amend Complaint on January 27, 2025. Also, on May 12, 2025, Appellant did file and serve a Motion for Judicial Notice of Transcript and Memorandum In Support and did attach a copy of the Transcript of proceeding which was held in case 2019-CP-11-00457. On April 17, 2025, Appellant mailed a proposed Amended Complaint to the Richland County Clerk of Court's Office for filing. Upon not receiving a file-stamped copy of this pleading nor any other response from the Richland County Court, Appellant submitted a letter along with the proposed Amended Complaint to the Richland County Court on June 5, 2025.

The lower case docket sheet and filings does reflect that Appellant did in-fact submit these pleadings to the lower court. (See attached copy of the docket sheet along with proof of mailing). The fact that the lower court simply chose to ignore many or most of any of Appellant's filings is of no matter nor of the fact that Appellant did in-fact submit the filings. Pye v Estate v Fox, 369 S.C. 555, 633 SE2d 505 (2006) (explaining that a party must file a Rule 59(e), SCRCP motion when an issue or argument has been raised but not ruled on in order to preserve it for appellate review; and further emphasizing that at exception to this rule exists where an issue is raised but not ruled upon at a Rule 59(e) hearing.) (overruled on other grounds); State v McDaniel, 320 S.C. 33, 37, 462 SE2d 882, 884 (1995) ("So long as the judge had an opportunity to rule on an issue, [], it was not incumbent upon ... counsel to harass the judge by parading the issue before him again.")

REFERENCES TO THE RECORD

Attorney General Wilson and the State points out Appellant's mistake of inadvertently failing to reference to the record when making some of his factual statements. Appellant will make these corrections.

Attorney General Wilson and the State contend that Appellant cites items which were not submitted to the lower court. Appellant would concede that this is only partially correct. As such Appellant intends to correct this error by ensuring that he cites as being in the Record and part of the Record only material which he knows was filed in the lower court and is listed on the lower court's docket sheet.

However, for the other material which was not filed in the lower court, Appellant will not cite to/point to this material as being in the Record and part of the Record. Notwithstanding, Appellant does intend to still mention the material so as to place the Court and Respondent on notice that the material does exist. Appellant would ask that the Court take judicial notice to the material as it is public record and is genuine material as it does provide clarity to any notion of res judicata and to any notion that Appellant did or should have raised his claims within any other proceeding or by way of any other forum.

This Court may take judicial notice of Appellant's cases/pleadings as they are public record. See Rule 201(c), SCRE ("A court may take judicial notice, whether requested or not."); Rule 201(f), SCRE ("Judicial notice may be taken at any stage of the proceeding."); *Cobin v Hearst-Argyle Television, Inc.*, 561 F. Supp.2d 546 (D.S.C. 2008) ("The Court may take judicial notice of matters of public record.") (citing *Secretary of State For Defence v Trimble Navigation Ltd.*, 484 F3d 700, 705 (4th Cir. 2007))

Specifically, Appellant would seek that the Court would take notice of:

- (1) The Transcript of the March 31, 2022 Proceeding in Case 2019-CP-11-00457
- (2) The Motion To Alter Or Amend filed in Jeter v State, Case No. 2019-CP-11-00457 on September. 24, 2021.
- (3) The Supplemental/Amended Petitioner's Rule 243(c), SCRCF Explanation filed in Jeter v State, App. Case No. 2022-000750 on July 28, 2022.
- (4) The Petition for Mandamus & Declaratory Relief which was filed in the Original Jurisdiction of the South Carolina Supreme Court in Jeter v Cole, et al (App. Case No. 2022-000120)
- (5) S.C. Supreme Court – The Pre-filing Injunction (Maxton Order) which the South Carolina Supreme Court placed upon Appellant in (Appellate Case Nos.2022-000120 & 2023-000446) on October 13, 2023.
- (6) The Common Law Petition/Petition For Habeas Relief Appellate filed in the Original Jurisdiction of the South Carolina Supreme Court under Jeter v State, App. Case No. 2023-001607

Appellant would inform the Court that he did file a "Motion TO Alter or Amend Judgment & Motion for Reconsideration" in the lower court on September 30, 2024, wherein Appellant did bring to the lower court's attention the "Supplemental/Amended Petitioner's Explanation" and "Supplemental/Amended Petitioner's Explanation Part II" which were filed in Jeter v State, App. Case No. 2022-000750 on July 28, 2022, and September 13, 2022, respectively.

Appellant would also inform the Court that Appellant did file a "Motion for a Hearing on the Rule 59(e), SCRCF Motion" in the lower court on September 30, 2024.

Also, on November 12, 2024, Appellant filed a "Motion for Judicial Notice & For Addendum To Rule 59(e) Motion To Alter or Amend Judgment" in the lower court whereby Appellant did bring to the lower court's attention Appellant's previous attempts to have cases heard in the original jurisdiction of the South Carolina Supreme Court (Jeter v Cole, App. Case No. 2022-000120 & Jeter v State, App. Case No. 2023-001607)

Lastly, after the lower court denied Appellant's post-trial motions; Appellant, on April 7, 2025, file a "Motion To Alter or Amend Judgment and Motion for Additional Facts and Findings and Motion For Clarification" whereby he sought in the interest of certainty that the lower court did acknowledge all of his motions and that the court's ruling did encompass all of his post-trial motions. Further, when Appellant filed his Notice of Appeal to this Court, he did also enjoin a "Motion for Judicial Notice" on April 17, 2025, along with his filing – whereby he sought to be certain.

Hudson v Hudson, 290 S.C. 215, 349 SE2d 341 (1986) (explaining that the serving and filing of a Notice of Appeal does not deprive the lower court of jurisdiction to consider post-trial motions.) (See also Footnote No. 1 in Hudson); Pye v Estate v Fox, 369 S.C. 555, 633 SE2d 505 (2006) ("L[itigants] cannot force a trial judge to address a disputed issue.") (citing James F. Flanagan South Carolina Civil Procedure 475 (2ed. 1996); ("[A] properly requested ruling under Rule 59 is sufficient without a specific judicial decision on the matter."))

CONCLUSION

For the aforementioned reasons Appellant respectfully requests:

- (a) that the State and Attorney General's motion be granted in part,
- (b) that Appellant be allowed to submit all documents which he did submit to the lower court (as they are in-fact part of the lower court record),
- (c) that the material which Appellant points to as public record be allowed to be mentioned (albeit they would not be included in the record unless they are already included in the lower court record's docket sheet); and
- (d) that Appellant's Amended Initial Brief and Designation be accepted as proper

Respectfully submitted,



Alonzo C. Jeter, III
APPELLANT / *pro se*

Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, South Carolina 29010

This 11th day of August, 2025
Bishopville, South Carolina



POST OFFICE BOX 11549
COLUMBIA, SOUTH CAROLINA 29211-1549



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Flu-2251

Mr. Alonzo C. Jeter, III, #282902
Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, South Carolina 29010

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2901031775 0002 [Barcode]



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Richland County Fifth Judicial Circuit Public Index



Richland County Home Page [Online Payments](#) [Public Index](#) [City of Columbia Municipal Ct S.C. Judicial Department Summary Ct Dockets](#)

Switch View					
Alonzo C Jeter III, #282902 vs State Of South Carolina					
Case Number:	2024CP4001737	Court Agency:	Richland County Common Pleas	Filed Date:	03/18/2024
Case Type:	Common Pleas	Case Sub Type:	Inmate Pet/Other 599	File Type:	Jury
Status:	Dismissed	Assigned Judge:	Clerk Of Court C P, G S, And Family Court		
Disposition:	Dismissed by Court - not Rule 40J	Disposition Date:	09/13/2024	Disposition Judge:	Curtis, Kristi F.
Original Source Doc:		Original Case #:			
Judgment Number:		Court Roster:			

Case Parties	Judgments	Tax Map Information	Associated Cases	Actions	Financials	
Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Jeter III, #282902, Alonzo C	Letter/Letter from Alonzo C Jeter & Exhibits	Filing		06/05/2025-16:17		
Jeter III, #282902, Alonzo C	Filing/Transcript	Filing		05/12/2025-12:34		
Jeter III, #282902, Alonzo C	Filing/CC'd Court of Appeals Filings	Filing		04/17/2025-14:42		
Jeter III, #282902, Alonzo C	Motion to Alter or Amend Judgment	Motion		04/14/2025-12:28		
Jeter III, #282902, Alonzo C	Letter/Letter from Alonzo C Jeter III	Filing		04/07/2025-12:24		
Jeter III, #282902, Alonzo C	Service/Certificate Of Mailing and Service	Filing		04/07/2025-12:24		
Jeter III, #282902, Alonzo C	Motion/Motion for Additional Facts and Findings	Motion		04/07/2025-12:24		
Jeter III, #282902, Alonzo C	Order/Form 4/The Motion to Reconsider is DENIED	Order		03/18/2025-11:11		
Jeter III, #282902, Alonzo C	Letter/Letter from Alonzo C Jeter	Filing		03/07/2025-09:36		
Jeter III, #282902, Alonzo C	Certificate/Certificate of Mailing and Service	Filing		03/07/2025-09:36		
Jeter III, #282902, Alonzo C	Motion/Motion for Relief from Judgment Order & Proceeding	Motion		03/07/2025-09:36		
Jeter III, #282902, Alonzo C	Letter/Letter from Alonzo C Jeter	Filing		02/21/2025-13:13		

Jeter III, #282902, Alonzo C	Letter/Letter from Alonzo C Jeter	Filing		01/31/2025-15:54		
Jeter III, #282902, Alonzo C	Service/Certificate Of Mailing & Service	Filing		01/31/2025-15:54		
Jeter III, #282902, Alonzo C	Motion/Plaintiff's Supplemental Motion to Alter or Amend	Motion		01/31/2025-15:54		
Jeter III, #282902, Alonzo C	Letter/Letter from Alonzo C Jeter III	Filing		01/27/2025-14:21		
Jeter III, #282902, Alonzo C	Service/Certificate Of Service and Mailing	Filing		01/27/2025-14:21		
Jeter III, #282902, Alonzo C	Motion/Plaintiff's Motion to Amend Complaint	Motion		01/27/2025-14:21		
Jeter III, #282902, Alonzo C	Motion/Plaintiff's Renewed Motion for a Hearing on his Rule	Motion		01/27/2025-14:21		
Jeter III, #282902, Alonzo C	Letter/Letter	Filing		01/14/2025-10:34		
Jeter III, #282902, Alonzo C	Motion for Judicial Notice & For Addendum to Rule 59(e) Moti	Motion		11/13/2024-11:11		
Jeter III, #282902, Alonzo C	Certificate of Mailing and Service	Filing		11/12/2024-11:12		
Jeter III, #282902, Alonzo C	Letter/Letter	Filing		11/12/2024-11:08		
Jeter III, #282902, Alonzo C	Certificate/Certificate of Mailing and Service	Filing		09/30/2024-15:07		
Jeter III, #282902, Alonzo C	Motion/Motion for a Hearing on the Rule 59e SCRPC Motion	Motion		09/30/2024-15:07		
Jeter III, #282902, Alonzo C	Motion/Motion to Alter or Amend Judgment	Motion		09/30/2024-15:07		
Jeter III, #282902, Alonzo C	Letter/Letter from Alonzo C Jeter	Filing		09/30/2024-15:06		
Jeter III, #282902, Alonzo C	Order/Dismissal	Order		09/13/2024-08:46	09/13/2024-08:46	
State Of South Carolina	Order of Ruling	Order		07/30/2024-15:39	09/13/2024-15:39	
Jeter III, #282902, Alonzo C	Letter/Letter in re Correspondence filing	Filing		07/08/2024-16:38	09/13/2024-16:44	
Jeter III, #282902, Alonzo C	Certificate Of Mailing and Service as to Correspondence	Filing		07/08/2024-16:38	09/13/2024-16:45	
Jeter III, #282902, Alonzo C	Letter/Letter in re Plaintiffs Objection Filing	Filing		07/08/2024-16:38	09/13/2024-16:45	
Jeter III, #282902, Alonzo C	Service/Certificate Of Service as to Objection filing	Filing		07/08/2024-16:38	09/13/2024-16:47	
Jeter III, #282902, Alonzo C	Filing/Exhibits to Objection/Plaintiff's Exhibits A thru R	Filing		07/08/2024-16:38	09/13/2024-16:48	
Jeter III, #282902, Alonzo C	Plaintiff's Objection to Defendants' Requet to Dismiss and U	Filing		07/08/2024-16:38	09/13/2024-16:50	

Marto, Chelsey F	Memorandum in Support of Motion to Dismiss	Filing		06/12/2024-12:00	09/13/2024-14:36	📄
Marto, Chelsey F	Certificate Of Service	Filing		06/12/2024-12:00	09/13/2024-14:39	📄
State Of South Carolina	Certificate Of Service(Corrected)	Filing		06/12/2024-11:59	09/13/2024-14:43	📄
State Of South Carolina	Memorandum in Support of Motion to Dismiss of State and Wils	Filing		06/11/2024-14:33	09/13/2024-16:40	📄📄📄
Jeter III, #282902, Alonzo C	Certificate Of Service	Filing		06/06/2024-15:08	09/13/2024-15:08	📄📄
Smith, J. Emory Jr.	6/17/2024_MOTION_Roster/Notice of Motions Roster Publication	Action		05/31/2024-10:45	09/13/2024-10:45	
Smith, J. Emory Jr.	6/17/2024_MOTION_Roster/Notice of Motions Roster Publication	Action		05/31/2024-10:45	09/13/2024-10:45	
Jeter III, #282902, Alonzo C	6/17/2024_MOTION_Roster/Notice of Motions Roster Publication	Action		05/31/2024-10:45	09/13/2024-10:45	
Jeter III, #282902, Alonzo C	6/17/2024_MOTION_Roster/Notice of Motions Roster Publication	Action		05/31/2024-10:45	09/13/2024-10:45	
Jeter III, #282902, Alonzo C	Proof Of Service	Filing		05/28/2024-16:39	09/13/2024-16:44	📄
Jeter III, #282902, Alonzo C	Affidavit Of Service on Jean Toal	Filing		05/28/2024-16:38	09/13/2024-16:37	📄📄📄
Jeter III, #282902, Alonzo C	Affidavit Of Service on Cacie Pool	Filing		05/28/2024-16:38	09/13/2024-16:39	📄
Jeter III, #282902, Alonzo C	Affidavit Of Service on Sharyn Walker	Filing		05/28/2024-16:38	09/13/2024-16:41	📄
State Of South Carolina	Order of Protection	Order		05/22/2024-11:56	09/13/2024-11:56	📄
Jeter III, #282902, Alonzo C	Plaintiff's Return to the Motion to Dismiss by Defendants	Filing		05/21/2024-10:26	09/13/2024-10:27	📄📄
Jeter III, #282902, Alonzo C	Plaintiff's Return to the Defendants	Filing		05/21/2024-10:26	09/13/2024-10:29	📄
Jeter III, #282902, Alonzo C	Certificate Of Mailing and Service	Filing		05/21/2024-10:26	09/13/2024-10:49	📄
Jeter III, #282902, Alonzo C	Certificate Of Service	Filing		05/17/2024-14:20	09/13/2024-10:49	📄
State Of South Carolina	Motion/Dismiss of State And Wilson	Motion		05/08/2024-10:14	09/13/2024-10:12	📄
State Of South Carolina	Certificate Of Service	Filing		05/08/2024-10:14	09/13/2024-15:08	📄
Jeter III, #282902, Alonzo C	Affidavit Of Service on Ralph Keith Kelly	Filing		05/07/2024-08:59	09/13/2024-09:06	📄
Jeter III, #282902, Alonzo C	Affidavit Of Service on Brandy W Mcbee	Filing		05/07/2024-08:59	09/13/2024-09:07	📄
Jeter III, #282902, Alonzo C	Proof Of Service of Summons and Complaint	Filing		05/07/2024-08:59	09/13/2024-09:09	📄
Jeter III, #282902, Alonzo C	Certificate Of Mailing	Filing		05/07/2024-08:59	09/13/2024-09:14	📄

State Of South Carolina	Certificate Of Service	Filing		05/06/2024-14:23	09/13/2024-16:13	
Marto, Chelsey F	Motion/Dismiss	Motion		05/06/2024-14:22	09/13/2024-14:20	
Jeter III, #282902, Alonzo C	Affidavit Of Service on Alan Wilson	Filing		05/02/2024-09:40	09/13/2024-11:34	
Jeter III, #282902, Alonzo C	Affidavit Of Service on Chelsey Faith Marto	Filing		05/02/2024-09:40	09/13/2024-11:50	
Jeter III, #282902, Alonzo C	Affidavit Of Service on Donald W Beatty	Filing		05/02/2024-09:39	09/13/2024-10:07	
Jeter III, #282902, Alonzo C	Affidavit Of Service on Tonnya K Kohn	Filing		05/02/2024-09:39	09/13/2024-10:09	
Jeter III, #282902, Alonzo C	Proof Of Service	Filing		05/02/2024-09:38	09/13/2024-11:53	
Jeter III, #282902, Alonzo C	Certificate Of Mailing	Filing		05/02/2024-09:38	09/13/2024-11:54	
Jeter III, #282902, Alonzo C	Order Granting in forma pauperis	Order		03/22/2024-11:28	09/13/2024-11:28	
Jeter III, #282902, Alonzo C	Summons and Complaint	Filing		03/18/2024-11:08	09/13/2024-11:04	
Jeter III, #282902, Alonzo C	Affidavit/In Forma Pauperis	Filing		03/18/2024-11:08	09/13/2024-11:10	
Jeter III, #282902, Alonzo C	Verification	Filing		03/18/2024-11:08	09/13/2024-11:10	
Jeter III, #282902, Alonzo C	Certificate of Exemption	Filing		03/18/2024-11:08	09/13/2024-11:11	

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

) IN THE COURT OF COMMON PLEAS
) IN THE FIFTH JUDICIAL CIRCUIT
) CASE NO. 2024-CP-40-01737

Alonzo C. Jeter, III,

Plaintiff,

vs

State of South Carolina, Alan McCrory
Wilson, Chelsey Marto, J. Derham Cole
J. Mark Hayes, II, Ralph Keith Kelly,
Brandy W. McBee, Tonnya K. Kohn, Jean
Hoefler Toal, Donald Beatty,

Defendants.

) **MOTION FOR JUDICIAL NOTICE**
) **&**
) **FOR ADDENDUM TO RULE 59(E)**
) **MOTION TO ALTER OR AMEND JUDGMENT**

Plaintiff, Alonzo C. Jeter, III, hereby comes respectfully and moves this Court to take Judicial notice of filings which have been concealed by the South Carolina Supreme Court. Plaintiff also moves that such notice and the below filings and others which are material be acknowledged, reviewed, and thoroughly considered when adjudicating the matters of the case at bar. Plaintiff has filed a Rule 59(e) Motion To Alter or Amend Judgment & Motion For Reconsideration in the case at bar and asks that notice of these case filings be incorporated as if fully set forth therein.

Petition for Declaratory Judgment and

Plaintiff filed a Petition for Mandamus in the original jurisdiction of the South Carolina Supreme Court under Alonzo C. Jeter, III v Cole, et al, Appellate Case No. 2022-000120.

Plaintiff also filed a Common Law Petition / Petition for Habeas Relief in the original jurisdiction of the South Carolina Supreme Court under Alonzo C. Jeter, III v State of South Carolina, Appellate Case No. 2023-001607.

Plaintiff did cite to these cases within his complaint and objections, however, Petitioner has just become informed that those pleadings are listed as available on the Supreme Court's C-Track management system. *not*

As these filings are certainly material to this case at bar and the matters and issues raised within, Plaintiff asks this Court that it would take Judicial notice that these filings do exist are actual cases he pursued within the South Carolina Supreme Court, and would confirm its review of these filings within this Court's order. *see also Alonzo C. Jeter, III v State, App Case No. 2022-000750 Appx pgs. 247, 266, 320, 450 and 555 as relates to any notion that the issues must be raised during a pending PCR action, and PCR Act encompasses such issues (see Rule 243(c) Explanations).*
Respectfully submitted,

[Signature]
s/

Alonzo C. Jeter, III
PLAINTIFF / pro se
LEE Correctional Institution
Evans Correctional Institution
610 Hwy 9 West, 990 Wisacky Hwy
Bennettsville, South Carolina 29512
Bishopville 29010

This ~~27th~~ ^{4th} day of ~~October~~ ^{November}, 2024
Bennettsville, South Carolina
Bishopville

2024 NOV 12 PM 1:10
FILED
RICHLAND COUNTY

April 30th, 2025

Alonzo C. Jeter, III, #282902
Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, South Carolina

The Honorable Jeanette W. McBride, Clerk
Richland County Judicial Center
1701 Main Street
Post Office Box 2766
Columbia, South Carolina 29201-9201

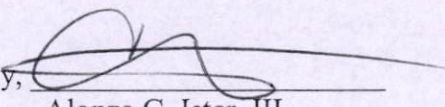
RE: **Alonzo C. Jeter, III v State of South Carolina et al**
Case No. 2024-CP-40-01737

Dear Ms. McBride:

Enclosed for filing, please find the (1) Transcript of 2019 PCR Proceeding (2019-CP-11-0457) (2) Motion For Judicial Notice of Transcript of Prior Proceeding and Memorandum In Support; and (3) Certificate of Mailing and Service regarding the same.

Please find also enclosed additional copy of the same along with a self-addressed stamped envelope ("SASE"). Please return to me, by way of this SASE, filed-stamped copies of these said documents.

Thank you for your assistance in this matter.

Sincerely, 
Alonzo C. Jeter, III

CC:

FILE

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
IN THE FIFTH JUDICIAL CIRCUIT
CASE NO. 2024-CP-40-01737

Alonzo C. Jeter, III,)
Plaintiff,)

**CERTIFICATE OF MAILING
AND SERVICE**

v)

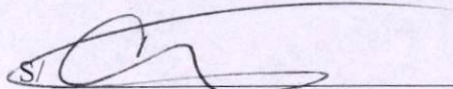
(*Brown v Powell*, 187 F3d 628 (4th Cir. 1999);
) (*Johnson v Fogan*, No. 23-6771 (4th Cir. 2023);
) (*Mose v State*, 420 SC 500, 803 SE2d 718 (2017);
) 28 U.S.C. §1746)

State of South Carolina; Alan McCrory)
Wilson; Chelsey F. Marto; Joseph)
Derham Cole; Mark J. Hayes, II; Ralph)
Keith Kelly; Brandy W. McBee; Tonnya)
K. Kohn; Jean Hoefer Toal; Donald D.)
Beatty,)
Defendants.)

I, Alonzo C. Jeter, III, an inmate confined in an institution, hereby certify under penalty of perjury under the laws of the United States of America that I have mailed the (1) Transcript of 2019 PCR Proceeding (2019-CP-11-0457) (2) Motion For Judicial Notice of Transcript of Prior Proceeding and Memorandum In Support; to the Richland County Courthouse and that I have also served a copy of the same on the Defendants; by placing an original and a copy inside of envelopes and by placing the said envelopes in possession of Lee Correctional Institution's mailroom personnel by depositing into the institution's internal mailing system on this 30th day of April, 2025, for mailing via the United States Postal Service, (first-class postage was prepaid either by me or by the institution on my behalf), addressed as follows:

Office of the Clerk, Richland County Courthouse, Post Office Box 2766, Columbia South Carolina 29202; James Emory Smith, Jr., Deputy Solicitor General, Office of the Attorney General, Post Office Box 11549, Columbia South Carolina 29211; Leon David Leggett, Assistant Attorney General, Office of the Attorney General, Post Office Box 11549, Columbia South Carolina 29211.

I declare under penalty of perjury that the foregoing is true and correct.



Alonzo C. Jeter, III

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS
IN THE FIFTH JUDICIAL CIRCUIT
CASE NO. 2024-CP-40-01737

Alonzo C. Jeter, III,)
Plaintiff,)

**MOTION FOR JUDICIAL NOTICE OF
TRANSCRIPT OF PRIOR PROCEEDING**

v)

and

State of South Carolina; Alan McCrory)
Wilson; Chelsey F. Marto; Joseph)
Derham Cole; Mark J. Hayes, II; Ralph)
Keith Kelly; Brandy W. McBee; Tonnya)
K. Kohn; Jean Hoefer Toal; Donald D.)
Beatty,)
Defendants.)

MEMORANDUM IN SUPPORT
(Addendum to Rule 59(e) Motion)

MOTION FOR JUDICIAL NOTICE

Plaintiff, Alonzo C. Jeter, III, comes hereby respectfully, and moves this Court that it would take judicial notice of the Transcript of the proceeding which was convened in his 2019-CP-11-0457 PCR Action. *(See attached)*

Plaintiff would inform the Court also that he has been without funds to acquire the transcript of this proceeding; and has not until recently had the benefit of financial assistance of a family member to assist in acquiring the transcript of the proceeding.

MEMORANDUM IN SUPPORT OF JUDICIAL NOTICE OF TRANSCRIPT

Plaintiff brings to the attention of the Court that the transcript which he proffers does provide both proof and clarity that the issues which he brings before the Court in the case at bar – was actually brought before the Court in his 2019 PCR action.

Notwithstanding, this case at bar should not be deemed as res judicata due to the fact that Plaintiff never received any ruling from the 2019 court on the merits of these claims. Secondly, and probably most importantly, this Court as Plaintiff did not, necessarily expect any different. This is because the Plaintiff knew that the 2019 court was and would be actually serve as both judge, clerk, and also the defendant in their own case brought against them.

This Court should be able to clearly realize the conflict of interest in that such regard.

The South Carolina Legislature, when constructing the Declaratory Judgment Act, seems to have foresaw such possible conflicts if not such situation s where although there may have been other avenues to take – the Declaratory Judgment Act finds itself as the most logical avenue.

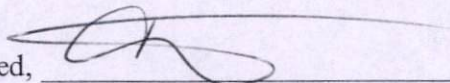
The Plaintiff provides proof that silences the Defendants' notions that the Uniform Post-Conviction Relief Act comprehends and takes the place of all such matters as Declaratory Judgment.

The Uniform Post-Conviction Relief Act comprehends and takes the place of all such matters whereby a PCR applicant is seeking to **challenge his conviction or sentence**. Plaintiff, in the action at bar has made clear that he has *not* brought this action seeking to challenge his conviction or sentence, but rather has brought the action seeking to **challenge the propriety of the procedures, and customs of the post-conviction relief process itself**.

The transcript also bolsters Plaintiff's contention that these matters and issues are in the public interest, are of public importance, and that there is a need for future guidance.

Interestingly, the procedural stance of this case, along with the procedural hurdles, brings also a need for future guidance as to the procedural ping-pong experience by Plaintiff in his attempts to have his grievances with regard to the matters brought before this Court heard. Clearly, and logically, there must be an exception and this case certainly would be a case which does meet the bar for the exception.

Respectfully submitted,



Alonzo C. Jeter, III
PLAINTIFF / pro se

Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, South Carolina 29010

This 30th day of April, 2025
Bishopville, South Carolina

1 STATE OF SOUTH CAROLINA)
 2) IN THE COURT OF
 3 COUNTY OF CHEROKEE) COMMON PLEAS
 4
 5 ALONZO C. JETER,)
 6 Plaintiff,)
 7 Vs.) CASE NO. 2019-CP-11-00457
 8 THE STATE OF SC,)
 9 Defendants.)

10
 11 MARCH 31, 2022
 12 SPARTANBURG, SOUTH CAROLINA
 13

14 HONORABLE J. DERHAM COLE, JUDGE
 15

16 A P P E A R A N C E S:

17 BY: CHELSEY F. MARTO, ESQUIRE
 18 Attorney for the Applicant
 19
 20
 21
 22
 23

24 APRIL P. HERRON
 25 OFFICIAL COURT REPORTER

May 21, 2025

Alonzo C. Jeter, III, #282902
Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, South Carolina

The Honorable Jeanette W. McBride, Clerk
Richland County Judicial Center
1701 Main Street
Post Office Box 2766
Columbia, South Carolina 29201-9201

2025 JUN -5 PM 4:13
JEANETTE W. MCBRIDE
C.C.P., G.S., & F.C.
RICHLAND COUNTY
FILED

RE: Alonzo C. Jeter, III v State of South Carolina et al
Case No. 2024_CP-40-01737

Dear Ms. McBride:

An "Amended Complaint – Petition For Declaratory Judgment And Prospective Injunctive Relief" was mailed to your office for filing on or about April 17, 2025. I did also provide a self-addressed stamped envelope seeking that I be provided a file-stamped copy return of the same.

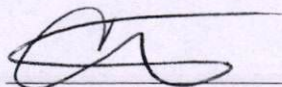
It has been quite some time now and I have yet to receive a file-stamped copy of my Amended Complaint from your office. Please do be so kind to provide this. I am providing another copy of this Amended Complaint, along with another self-addressed stamped envelope for this purpose.

As such, please find enclosed (1) Amended Complaint (2) Certificate of Mailing and Service which reflects my previous mailing of the same, (3) An SCDC Form 10-14 'Agreement To Debit E.H. Cooper Account', dated April 18, 2025, in support of the same, and (4) Certificate of Mailing which reflects today's mailing of all of the above.

In addition, and along with your response, please do also inform me of the status of the post-trial motions I filed in this case.

* Note: These post-trial motions were filed *after* the *first* Form 4 Order was issued - denying my previous motion for reconsideration. Also, I albeit I have submitted a Notice of Appeal, seeking to appeal the *first* decision in this case – this is no bar to my receiving an adjudication upon my pending *second* post-trial motions. Holmes v East Cooper Community Hospital, Inc., 408 S.C. 138, 758 SE2d 483 (2014) (“[T]he filing of a notice of appeal does not deprive the circuit court of jurisdiction to consider a timely post-trial motion.”)

Please return to me fled-stamped copies of all documents I provide today. Thank you for your assistance in this matter.

Sincerely, 
Alonzo C. Jeter, III

CC:
FILE

April 16, 2025

Alonzo C Jeter, III, #282902
Lee Correctional Institution
990 Wiracky Hwy.
Bishopville, South Carolina 29010

Office of the Clerk
Richland County Courthouse
Post Office Box 2766
Columbia, South Carolina 29202

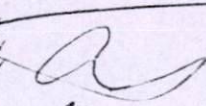
RE: Alonzo C. Jeter, III v State of South Carolina et al
Case No. 2024-CP-40-01737

Dear Honorable Clerk:

Please find enclosed for filing the "Amended Complaint" along with a Certificate of Mailing and Service with regard to the same.

Please find enclosed also an additional copy of these documents along with a self-addressed stamped envelope. Please return to me, file-stamped copies of these documents by way of the provided SASE.

Thank you for your assistance in this matter.

Sincerely, 
Alonzo C. Jeter, III

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Alonzo C. Jeter, III,
Plaintiff,

v

State of South Carolina; Alan
McCrory Wilson; Chelsey F.
Marto; Joseph Durham Cole;
Mark J. Hayes, II; Ralph
Keith Kelly; Brandy W. McBee;
Tonnya K. Kohn; Jean Hoefler
Toal; Donald W. Beatty,
Defendants.

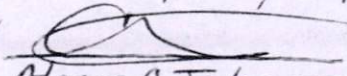
IN THE COURT OF COMMON PLEAS
IN THE FIFTH JUDICIAL CIRCUIT
Case No. 2024-CP-40-01737

CERTIFICATE OF MAILING
AND SERVICE

(Brown v Powell, 187 F3d 628 (4th Cir. 1999);
Johnson v Fogar, No. 23-6771 (4th Cir. 2023);
Mose v State, 420 SC 500, 803 SE2d 718
(2017); 28 U.S.C. §1746; 18 USC §1621)

I, Alonzo C. Jeter, III, hereby certify under penalty of perjury under the laws of the United States of America that I have mailed the "Amended Complaint" to the Richland County Clerk of Court, and that I have also served a copy of the same on the Defendants, and have also provided a copy of the same to The Honorable Judge Coble; by placing copies of the same inside of postage prepaid envelopes and by placing said envelopes in possession of Lee Correctional Institution's mailing system on this 16th day of April, 2025, for mailing via the United States Postal Service, addressed as follows: Office of the Clerk, Richland County Judicial Center, 1701 Main St., Room 205, Post Office Box 2766, Columbia SC 29202; The Honorable Daniel Coble, Post Office Box 192, 1701 Main St., Columbia SC 29202-0192; J. Emory Smith, Jr., Deputy Solicitor General, Office of the Attorney General, Post Office Box 11549, Columbia, SC 29211; L. David Leggett, Assistant Attorney General, Office of the Attorney General, Post Office Box 11549, Columbia SC 29211.

I declare under penalty of perjury that the foregoing is true and correct.

s/ 
Alonzo C. Jeter, III

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Richland County Court of Common Pleas
The Honorable Kristi F. Curtis, Circuit Court Judge
The Honorable Daniel Coble, Circuit Court Judge
Circuit Case No. 2024-CP-40-01737

RECEIVED

AUG 13 2025

SC Court of Appeals

Case No. 2025-000762

Alonzo C. Jeter, III,APPELLANT,

V

State of South Carolina; Alan McCrory Wilson;
Chelsey F. Marto; Joseph Derham Cole; J. Mark
Hayes, II; Ralph Keith Kelly; Brandy W. McBee;
Tonnya K. Kohn; Jean Hoefer Toal; Donald D.

Beatty,RESPONDENTS.

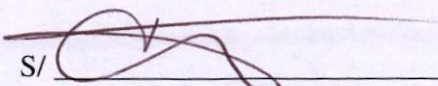
CERTIFICATE OF MAILING AND SERVICE

I, Alonzo C. Jeter, III, an inmate confined in an institution, hereby certify under penalty of perjury under the laws of the United States of America that I have mailed the (1) *Proposed Amended Initial Brief of Appellant* (2) *Return To Motion To Strike (along with attachments)* (3) *and Designation* - to the South Carolina Court of Appeals; and that I have also served a copy of the same on the Defendants; by placing an original and a copy inside of envelopes and by placing the said envelopes in possession of Lee Correctional Institution's mailroom personnel by depositing into the institution's internal mailing system on this 11th day of August, 2025, for mailing via the United States Postal Service, (first-class postage was prepaid either by me or by the institution on my behalf), addressed as follows:

Office of the Court, South Carolina Court of Appeals, Post Office Box 11629, Columbia South Carolina 29211; J. Emory Smith, Jr., General Counsel, Office of the Attorney General, Post Office Box 11549, Columbia South Carolina 29211; L. David Leggett, Assistant Attorney General, Office of the Attorney General, Post Office Box 11549, Columbia South Carolina 29211.

I declare under penalty of perjury that the foregoing is true and correct.
28 U.S.C. §1746; 18 U.S.C. §1621

Brown v Powell, 187 F3d 628 (4th Cir. 1999); *Johnson v Fogan*, No. 23-6771 (4th Cir. 2023); *Mose v State*, 420 SC 500, 803 SE2d 718 (2017)

S/ 
Alonzo C. Jeter, III

August 11th, 2025

Alonzo C. Jeter, III, #282902
Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, South Carolina

The Honorable Jenny A Kitchings, Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: **Alonzo C. Jeter, III v State of South Carolina et al - Appellate Case No: 2025-000762**

Dear Honorable Clerk:

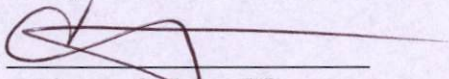
Enclosed for filing, please find the (1) Proposed Amended Initial Brief of Appellant (2) Return To Motion To Strike (along with attachments) (3) Designation (4) and a Certificate of Mailing and Service regarding the same.

Enclosed also, please find an additional copy of these documents along with a self-addressed stamped envelope (SASE).

Please return to me file-stamped copies of these documents by way of the provided SASE.

Thank you for your assistance in this matter.

Sincerely,



Alonzo C. Jeter, III

CC: J. Emory Smith
L. David Leggett
FILE

RECEIVED
AUG 13 2025
SC Court of Appeals

Alonzo C. Jeter, III, #282902
Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, South Carolina 29010

LEE CI INMATE



US POSTAGE PAID BY PITNEY BOWES

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AUG 13 2025

SC Court of Appeals

The Honorable Jerry A. Kitzinger, Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211