

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Jenny A, Kitchings
Clerk of Court
Post Office Box 11629
Columbia, SC 29211

RE: : TO Robert Earl Dillard v. State of South Carolina
Pickens Connty 2022-000972 /2022-CP-39-00680

Dear;Clerk

Enclosed please find my original Objection Reply to the State initial Brief and Designation of matter Response Motion on a Appeals to the Court of Appeals, and my Proof of Service to be filed in your office. Record of Appeal.

**Rule 211. FINAL BRIEF (b) Content & Rule 267 Appellate Court
Rule & Supplemental Record & References to the Record**

CC:Alan Wilson, Esquire
Medoley Jane Brown, Esquire

date 4-24-2025.


Robert Earl Dillard

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APPENDICES TO PART II
FORM 16. CERTIFICATE OF COUNSEL IN FINAL BRIEF

THE STATE OF SOUTH CAROLINA
In Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

PERRY H, GRAVELY, Administrative Law Judge

case no. 2022-000972/2022-CP-39-00680

Robert Earl Dillard,

Appellant,

v,

The State of South Carolina,

Respondent

CERTIFICATE OF COUNSEL Pro-se

The undersigned certified that this Final Brief Complies with
Rule 211 (b). SCACR

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PCI MAILROOM

date 4-24- 2025.

Robert Earl Dillard

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

2.

pro-se

IN THE STATE OF SOUTH CAROLINA
The Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

PERRY H, GRAVELY, Administrative Law Judge
case no.2022-000972/2022-CP-39-00680

Robert Earl Dillard,

Appellant,

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SC Court of Appeals

v,

The State of South Carolina

Respondent,

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellant Propose the Following be included in on the appeal;

1. Order of June 7, 2022.
2. Order of October 17, 2022.
3. Greenville News Letter Dated Jan, 15, 2002.
4. Letter from Jinny Morgan, G.D.C. Jan. 17, 2001. Arrest & Detention Release Records.
5. James Fletcher Simpson Records.
6. All Exhibits
7. Reasonable Doubt Standard.
8. Calendar for November 17, 1994. Term of General Sessions Court. Letter dated Jan 12, 2006.
9. no Indictment.
10. Transcript of Proceedings pp.632 including entire page 681-682.

I hereby Certify that this Designation of matter Contains nothing

Which is irrelevant to the appeal.

Robert Earl Dillard

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

Perry Gravely, Chief Administrative
Law Judge & General Sessions

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

Robert Earl Dillard,.....Appellant,

v,

The State of South Carolina.....Respondent,

RULE 211. FINAL BRIEF (b) Content.

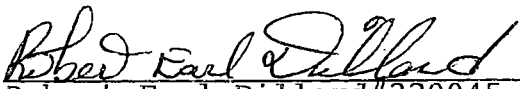
Record on Appeal.

References to the Record

Jenny A, Kichings
Clerk of Court
post office Box 11629
Columbia, S.C. 29211

Medoley Jane Brown, Esq
Asst, Attorney General
post office box 11549
Columbia, S.C. 29211-1549

date 4-24- 2025.


Robert Earl Dillard#220045
perry correctional Inst
430 Oaklawn Road g4b-209
Pelzer, S.C. 29669

RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

Operry h, gravely, Administrative Law Judge
case no. 2022-000972/ 2022-CP-39-00680

Robert Earl Dillard,

Appellant,

v,

The State of South Carolina,

Respondent,

MOTION TO FILED FINAL BRIEF
RULE 211 RECORD ON APPEAL UNBOUND

MEOLDY JANE BROWN, ESQ.
Attorney General office
post office box 11549
Columbia, S.C. 29211

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SC Court of Appeals

date 4-24- 2025.


Robert Earl Dillard #220045
pro-se

MY COPY

IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

APPEAL FROM PICKENS COUNTY
COURT OF COMMON PLEAS

PERRY H, GRAVELY, Administrative Law
Judge-General Sessions

case no. 2022-000972/2022-CP-39-00680

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SC Court of Appeals

Robert Earl Dillard,

Appellate,

v.

Medoley Jane Brown, ESq

Respondent,

Rule 267

APPELLATE COURT RULES

RECORD ON APPEAL

RECORD ON APPEAL: BRIEF OF APPELLANT: MOTION TO DISMISS:

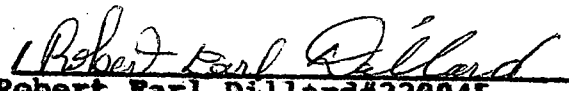
CC:

MEDOLEY JANE BROWN, ESq
Attorney General office
post office 11549
Columbia, S.C. 29211

ROBERT EARL DILLARD
perry correctional Inst
430 oaklawn Road q4b/209
Pelzer, S.C. 29669

6.

date 4/24 2025.


Robert Earl Dillard #220045
pre-se

COVER SHEET

FINAL BRIEF RULE 211

OBJECTION REPLY TO THE STATE INITIAL BRIEF
AND DESIGNATION OF MATTER RESPONSE TO
RECORD ON APPEALS

My copy

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
THE HONORABLE PERRY H, GRAVELY,
Administrative Law Judge

case no. 2022-000972

ROBERT EARL DILLARD,

APPELLANT,

v,

THE STATE,

RESPONDENT,

RULE 211. FINAL BRIEF (b)

Appellant, Robert Earl Dillard, was Convicted 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.

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SC Court of Appeals

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QUESTION PRESENTED

RECORD ON APPEALS

WHETHER Appellant was Granted to proceed in forma pauperis
by the court of Appeals on his merits.

STANDARD OF REVIEW

This Court of Appeals has found that an order denying a request for informia Papuperis Status to allow filling without payment of cost was Granted on September 2, 2022.

Appellant, Robert EARL Dillard#220045 file a 59 (e) Motion to Appeals the order of the Honorable Perry G, Gravely, date June 7, 2022. Appellant received written notice of order denying of an Pleading order dated on June 14, 2022. see Exhibits of Court of Appeals order Granted to Proceed informia Papuperis to the Appellant's dated on September 2, 2022. and Court of Appeals order dated October 17, 2022. to file Appellant's Initial Brief and Designation of matter is Granted, and filed on January 18, 2023.

see Exhibits order, and page (10) of the Respondent Brief. 80. Criminal Proceeding vi due process of Law.

The Court has also held that when an appeals is Granted, to an accused in a criminal a due process right to that Appeals is created. see order Granted in Form Pauperis Exhibits [1] our standard of Review in PCR cases depend on the specific issue before (US). [WE defer to a PCR Court findings of fact and will uphold them if there is Evidence in the Record to support them, Small v, State, 422 S.C. 174 180, 810 S.E.2d 836, 839 (2018). Appeals Court will reverse the lower Court's decision if it is controlled by an error of law! Milledge v, State, 422 S.C. 366, 374 811 S.E.2d 796, 800 (2018). WE review questions of trial Court's Small, 422 S.C. at 180-81 810 S.E.2d at 839 (footnote omitted).

ARGUMENT

[WE] an indigent files motion to proceed in forma pauperis pursuant to Rule 18.5 The Court of Appeals has found that an order for the request for to proceed in forma pauperis status to allow Appellant to filing without payment of cost. in CConjunction, the South Carolina Supreme Court has held that anytime criminal procedures Discriminate against a petitioner by reason of their indigent status, such procedures violate the Guarantee of equal protection where the indigent petitioner is subjected to a process which is notrequired of a non-indigent petitioner, then the process become invidiously discriminatory an andviolative of equal protection expart Lexington County, V, State 442,S.E.2d 589,594 (1994). 17-27-60 code (1995).

In Support of his Motion, U.S. Supreme Court has held that Fundamental fairness entitles petitioner to adverte opportunity to present their claims fairly within the adversary system AKA V, Oaklohma, 470 U.S. 68 (1985).

Here, The State, is Miss Leading the Court with False Pretention apound the Court.

Motion to Alter/amend Judgment Pursuant to Rule 59 (e) WAS FILE ON June 20, 2022. In the Perry C.I. Mailroom and was return back to me July 6, 2022. stating of the Previous order, The Court Received this motion on June 28, 2022. and send back unfile by the Clerk of Court.

The Appellant, Argused below that he is right in his motion tto filed to proceed in Forma Pauperis, Action (case no.2022-CCP-39-00680. and that Pursuant to this Court Decision in Lake v, State,333 S.C.382 inmate petitioning for Writ of Habeas Corpus moved, for order to proceed in forma Pauperis the Circuit Court orangeburg County, Charles W, Whetstone,Jr, Motion Denied and inmate Appeals, The Court of Appeals Held that inmate was Entitled to Proceed in form Pauperis, Reversed and Remaned on Appeal.

The Petitioner Request his pleading/Reply motion be construed Liberalby and held less stringent standard fact formal pleading Drafted by Attorney.

Finelly as the PCR. Court has Rendered a Decision in Conflict with this Court decision Lake v, State,the Appellant, pray this Honorable Court Reversed the PCR Court decision, and remand tthe case for an Evidence Hearing on the merits of his claims to served the Interest of Justice.

Contary to the State Never put up any Evidence to Refusted value Argument, In the Appellant Argument set fore in Appellant Brief.

CONCLUSION

For the forgoing reason, this Honorable Court to dismiss of the Respondent, respone brief and designation of matter by fraud apond the Court in it brief, and Reversed petitioner conviction and vacate his sentence.

date 4-24- 2025.


Robert Earl Dillard#220045

EXHIBIT [2]

RECORD ON APPEAL

The South Carolina Court of Appeals

Robert Earl Dillard, Appellant,

v.

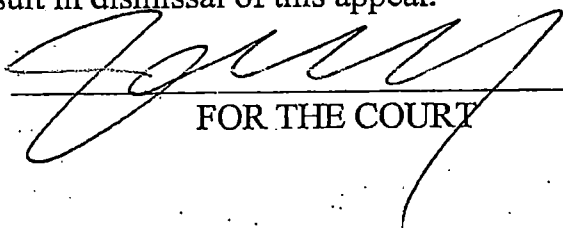
The State, Respondent.

Appellate Case No. 2022-000972

ORDER

After careful consideration, Respondent's motion to dismiss this appeal and to strike Appellant's July 13, 2022 filing is denied.

Appellant's October 17, 2022, motion to allow late filing of his initial brief is granted. However, we do not accept the attached document, entitled, "Petition for Writ [of] Certiorari, Motion for a[n] Evidentiary Hearing . . ." as Appellant's initial brief. Accordingly, Respondent's motion to compel Appellant to file Appellant's initial brief and designation of matter is granted, in part. Within thirty days of the date of this order, Appellant shall serve and file an initial brief and designation of matter that complies with Rules 208 and 209 of the South Carolina Appellate Court Rules. Failure to comply will result in dismissal of this appeal.



FOR THE COURT

Columbia, South Carolina

FILED
Jan 18 2023

cc:

Robert Earl Dillard, 00220045
Alan McCrory Wilson, Esquire
Taylor Zane Smith, Esquire

EXHIBIT [1]
RECORD ON APPEAL

The South Carolina Court of Appeals

Robert Earl Dillard, Appellant,

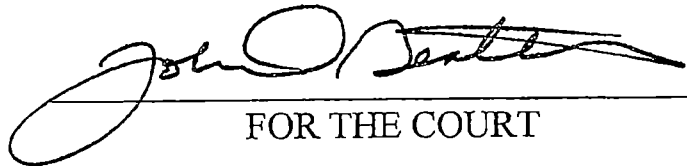
v.

The State, Respondent.

Appellate Case No. 2022-000972

ORDER

Appellant's motion to proceed *in forma pauperis* is granted.



FOR THE COURT

Columbia, South Carolina

cc:

Robert Earl Dillard, 00220045
Alan McCrory Wilson, Esquire
Taylor Zane Smith, Esquire

FILED
Sep 02 2022

RECORD ON APPEAL

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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SC Court of Appeals

Robert Earl Dillard,

Appellant,

v,

The State of South Carolina,

Respondent,

PROOF OF SERVICE

I Robert Earl Dillard, 220045 Certify True-copy (s) of my Final Brief of my motion to filed Rule 211 Record on Appeals unbound service, A Certificate that the final Brief (s) COMPLIES WITH Rule 211. and my original objection Reply to the State initial Brief and Designation of matter Response motion on Record on Appeal. to Court of Appeals by mail in the PCI Mailroom TO:

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APR 24 2025

PCI MAILROOM

COURT OF APPEALS
JENNY ABBOTT KITCHINGS,
CLERK

post office box 11629
Columbia, S.C. 29211

CC: ALAN WILSON, ESQ.
MEDOLEY JANE BROWN, ESQ.
Attorney General office
post office box 11549
Columbia, S.C. 29211

date 4-24 2025.


Robert Earl Dillard #220045

Robert Earl Dillard # 220045
Penit Correctional INST.
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APR 29 2025
SC Court of Appeals

South Carolina Court of Appeals
Jenny A. Kitchens, Clerk
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