

State of South Carolina
In The Supreme Court.

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OCT 30 2025

SC Court of Appeals

Certiorari to Colleton County
Honorable Roger M. Young: Circuit Judge

Albert Siders

Petitioner

State of South Carolina

Respondent

Petition For Rehearing

Now Comes the Petitioner, Albert Siders; petition this Honorable Supreme Court of Appeals for a rehearing pursuant to South Carolina Appellate Court Rule: Rule 221 (a); to review the following outlined particularity points that was raise but been overlooked and misapprehended by this Court in its prior reviews. See the below outlined agument particularity point that was overlooked and misapprehended in this Court prior ruling that affected this appeal.

October 22, 2025

Albert E. Siders
Albert E. Siders

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Statement Of Case

Petitioner Albert Edward Siders was convicted of Kidnapping armed robbery and possession of a weapon during the commission of a violent crime during a jury trial held at the April 2015 term of the Colleton County General Sessions Court before Judge Thomas W. Cooper. Petitioner was sentenced to life imprisonment. App. 68-291. David S. Matthews, Esquire represented petitioner at trial and Assistant Solicitor Steven H. Knight prosecuted the case. Petitioner did appeal but his case was affirmed on appeal. See State v. Siders Op. No. 2017-UP-429 (Ct. App). Assistant Appellate Defender Laura R. Baer represented the petitioner on direct appeal.

On December 7, 2017 petitioner filed a PCR application with the Colleton County Office of the Clerk of Court. App. 293-299. The Respondent filed a Return on October 26, 2018. App. 300-304. A PCR hearing in the case was convened on November 27, 2023 before Judge Roger M. Young Senior. App. 306-349. Petitioner was present at the PCR hearing and was represented by Chelsey Marto, Esquire and Assistant Attorney General Bryan Hall appeared at the hearing on behalf of the state.

On May 2, 2024 Judge Young filed an Order of Dismissal in the case therein denying post-conviction relief to petitioner. App. 351-359. Petitioner appealed Judge Young's Order of Dismissal. This petition follows after such judicial review on the petitioner's certiorari petition also which was deny; the petitioner ~~prays~~ for a petition for a rehearing as a matter of law therein.

Petition

Now Comes the petitioner Albert Siders petitioning to this Honorable Supreme Court of Appeals; for a rehearing; pursuant to South Carolina Appellate Court Rule, Rule 221 (a); for this Honorable Court to review the issue that was misapprehended and overlooked that was presented on appeal; on the ground that trial Counsel was ineffective for failing to conduct an adequate pre-trial investigation into matters of defense, here the Appellate Counsel misapprehended and overlooked the appellate issue presented on appeal; See the rehearing Argument (1) outlined on the particularity point that was overlooked, and misapprehended as a matter of law that affected the appellate appeal.

Argument (1): Particularity Point

Misapprehended And Overlook

Appellate contends that his appellate's attorney and the Court misapprehended and overlooked the appellate's issue that was properly presented and on the PCR level and on appeal; about trial Counsel was ineffective for failing to object to investigating pre-trial matters into the Prosecutorial Misconduct; which the petitioner's appellate counsel fail to raise this pre-trial matter of investigation; where trial Counsel was ineffective for failing to object to the prosecutorial misconduct in the tampering with the video evidence for failing to object to pre-trial matters of investigation into the prosecutorial misconduct claim in regard of tampering with the video evidence. See PCR Tr. P.4 lines 1-4 where the appellate submitted an amended PCR application asserting the claim of prosecutorial misconduct for tampering with the video evidence: also See PCR Tr. P.6 lines 15 in support thereof. See the PCR final judgment on page 2 where the Court Order addressed the Prosecutorial Misconduct Claim based on such presented on the claim of trial Counsel ineffectiveness for failing to object to the Prosecutorial Misconduct; such presented of this claim of Prosecutorial Misconduct

was properly presented through the Courts level that was misapprehended and overlooked based on the character circumstance around this Claim of the Prosecutorial Misconduct was misapprehended and overlooked. The petitioner pray that this Honorable Court grants an rehearing to review this Prosecutorial Misconduct Claims on its merits as a matter of law therein.

October 27, 2025

Albert E. Siders
Albert E. Siders

The South Carolina Court of Appeals

Albert Siders, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2024-000770

ORDER

This matter is before the court on a petition for a writ of certiorari following the denial of Petitioner's application for post-conviction relief.

Petitioner's counsel asserts that the petition is without merit and requests permission to withdraw from further representation. Petitioner has filed a pro se petition.

Based on the vote of the panel after careful consideration of the entire appendix as required by *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988), the petition for a writ of certiorari is denied and counsel's request to withdraw is granted.

FOR THE COURT
BY Catherine J. Annunzio, deputy
CLERK

Columbia, South Carolina

cc:

Bryan TyJarris Hall, Esquire
Wanda H. Carter, Esquire
Albert Edward Siders, 262284
The Honorable Roger M. Young, Sr.

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Appellate Case No. 2024-DDD770

SC Court of Appeals

I do hereby certify that I Albert E. Siders have
serve the original notice of Appeal and Petition
for a rehearing on the folling Counsels of record
by placing the same in the United States Mail with
sufficient postage affixed thereto on this
27th Day of October 2025.

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

CC: The Honorable Patricia A. Howard
Clerk: Supreme Court of South Carolina
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CC: Bryan Ty Jarris Hall Esquire
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October 27, 2025

Albert E. Siders
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SC Court of Appeals

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