

The Honorable Justices of the Supreme Court
South Carolina.

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S.C. SUPREME COURT

This is my second letter to you concerning your Judgment in appellate Case NO. 2025-000588. The Ruling of the Supreme Court of South Carolina was improper because the Honorable Justices of the Supreme Court of South Carolina produced an Order on March 28, 2024 instructing the Florence County Clerk of Court to file my PCR motions and Newly After Discovered Evidence, After I wrote this Court explaining that I've been attempting to file this motion since I initially received the Affidavit from Sheila Reese Webb Parker. Sheila Parker is the Confidential Informant and Witness for warrant A47001000015. I also included several letters that I received from the Florence County Clerk of Court refusing to file any motions I attempted to file in Florence County Court. Included is a dated time chart showing the Order in which I received the Affidavit, Filed the motions for new hearing, filing delayed by Court and the dismissal of my motion by the State. The Ruling of this Court does not reflect the Rules, laws, and Procedures of the Law concerning the statute of Limitations/Time Barred Procedures. The time clock does not start until March 28, 2024, which is the date the Supreme Court produced the order directing the Florence County Clerk to file my motions.

(1)

This Court disregarded the Due Process Law in
Claim by dismissing my Claim on August 22, 2024
which is only 5 Months from the date this Court
produced the ORDER directing the Florence County Clerk
of Court to file my motions, And 4 Months from the
day I filed my motions. The statute allows a person
1 year to file after receiving the Newly After Discovered
Evidence. The State is attempting to use the date
I received the evidence to clearly its reasoning
for dismissing my Claim under Statute of Limitations/
Time Barred. The states reasoning can not be applied
being that the delay in filing was the Clerk of Court
fault. The Clerk refused to file my motions until the Court
ordered her to do so, on March 28, 2024. The officers
framed me for Charges that did not happen and The
Prosecution is attempting to protect these officers by
Continuing to have my Claims dismissed. That way I
cant put the facts of my case on Record. The
Prosecution has continued to cover for the illegal
and unethical dealings of the officers involve

And the video is evidence that I did not commit a crime and I'm innocent of the charges falsely published against me on warrant #2015A4700/000015. The Court ruled my newly after discovered evidence fails Clark v. State 315 S.C. 385, 387-88 (1993) five factors. Specifically factors 1, 3, & 5 but satisfies 2 & 4. If I satisfied factors 2 and 4, the Court ruling to dismiss my does not reflect its own Rule of Clark v. State five factors. All cases cited by the state on (Constitutional Order pg 7) had hearings for judgment on newly-discovered evidence. The court controlled docket has led to this systematic abuse of the Constitution. It is conceded that defendant has NO Constitutional Right to collateral proceedings. The "Due Process" clause affords protection under due process that cannot and should not be disregarded. The Adversary Order reflects the court's objective opinion and is subjective argument that disregards FACTS and LAW. The court's subjectiveness destroys Constitutional protections afforded PCR applicants. This order epitomizes what Pruitt, Marler, and Fishburne have contended against, (1) Addressing all issues, (2) Preserving All issues,

(3)

I have continued to provide the Courts with,
(1) Affidavit from the States witness, which clears
me of any wrong doing. (2) Copies of The Plea
Hearing Transcript, Sentencing Hearing Transcript, and
the Evidentiary Hearing Transcript which show that
the waiver in my plea Agreement was not made
known to me, my attorney, or the Court. The prosecution
added the waiver in secret. I was never informed
of a waiver in my plea Agreement. The Court Records
reflect my claim that the waiver was done in secret.
This Action by the Prosecution **VOIDS** the entire
Plea Agreement. The issue of the waiver falls under
Subject Matter Jurisdiction, which can be challenged
at any time. The officer's testimony in the Preliminary
Hearing Transcript clearly states that the officer
arrested me because his informant told him I was
involved in past trafficking crimes but not for
warrant 2015A4510100132 that he now had me in
custody for. He testified that I was not involved in
warrant 2015A4510100132 and he had no physical
evidence against me. The Affidavit and video for
warrant A47001000015 shows that I did not commit
a crime.

The arresting officer gave false information to the judge to obtain the warrant. This officer also gave false testimony to the State Grand Jury to obtain the indictment. I was Framed by this officer. The evidence proves that but for the Constitutional Error and false information given by the arresting officer The State Grand Jury would NOT have indicted me. The State has not addressed any of my issues throughout this process. Instead the state has continued to come up with excuses to dismiss my claims that Do not Apply to my Claim or Case. The Court has continued to abuse its power to dismiss my claims without having a hearing to allow me to put the Facts of my Case on Record. The State refuse to address the issue that I waived certain Rights as The State Did NOT go over the waiver of the plea with me, nor did the Court notify me or my Attorney of the waiver in the plea Agreement. This is a Clear Abuse of Power. The very individuals that are replace to uphold the law are Abusing

the law by Avoiding the facts of the Law and Properly applying them.

- Untimely does not apply because the Clerk of Court refused to file my motions

- Statute does not apply for the same reason above

- Successiveness does not apply because Actual Inadvisable, Newly Discovered evidence and The secret waiver all fall under Subject Matter Jurisdiction and can be Challenged at any time.

- Newly Discovered evidence gives the defendant 1 year to bring the Claim forth. The Courts Clerk received my Claim within the 1 year deadline afforded to me to file the Claim. The Courts Clerk refused to file my Claim. The Court can NOT now Hold me responsible because the Courts Clerk refused to file the Claim.

This is a Result of "The Fruit of the Poisonous Tree!" The Abuse of Power to take unjust Advantages of Individuals, Organizations or Governments. This is a Violation of My Constitutional Right to "Due Process" by way of the 14th Amendment of The U.S. Constitution.

Amalys Johnson
1-26-26

(6)

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