

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED
FEB 10 2026
SC Court of Appeals

Certiorari to Cherokee County
HONORABLE PERRY H. GRAVELY, Circuit Court Judge

Donald MARTIN, III, Petitioner Prose

VS.

State of South Carolina, Respondent

Appellate Case No. 2025-000131

MOTION TO HOLD APPEAL IN
ABEYANCE; UNTIL THE LOWER
COURT RULES ON S.C.R.Civ.P.
Rule 60(B); MOTION FOR
RELIEF FROM JUDGMENT/ORDER

Donald MARTIN III, Petitioner Prose
Tyger River C.I. W/Y-5-A-#105
200 PRISON Rd.
ENOREE, S.C. 29335

Petitioner Pro-se filed an "Answer to Johnson Petition", and objection to Appellate Counsel Being Relieved as Counsel. On this same date Petitioner once again Pro-se files a "Motion to hold Appeal in Abeyance until the Lower Court Rules on S.C.R.Civ.P. Rule 60 (B); (3) "Fraud"; motion for relief from Judgment/Order; Attached hereto is a copy of the filing, since this Appeal is effected by that Ruling, this Court has Jurisdiction to Grant Petitioner Request to hold the "Appeal in Abeyance".

See: Attached Exhibit-A

CONCLUSION

The petitioner Pro-se Prays this Court Grant his motion to hold the Appeal in Abeyance, until the Court of Common Pleas, Cherokee County Rules on the 60(B)(3) Motion for Relief from Judgment and Order.

Respectfully Submitted,

15/ Donald Martin III
DONALD MARTIN III, #389230
Petitioner Pro-se

EXHIBIT

-A-

Copy of Motion for Relief
from Judgment and Order

S.C.R. Civ. P. Rule 60(B)(3)

Filed in the Court of Common
Pleas

Donald MARTIN III, # 389230
Tyger River Ct. LY-5A-#105
200 Prison Rd.
ENOKEE, S.C. 29335

JANUARY 07, 2026
~~August~~, ~~2025~~

Cherokee County Clerk of Court
ATTN: Court of Common Pleas, Clerk
HONORABLE BRANDY W. McBEE
P.O. DRAWER 2289
Gaffney, S.C. 29342-2289

RE: Case # 2023-CP-11-0085, "Filing of Motion
For relief from Judgment and Order 60 (B);
a.) certificate of service

Dear clerk,

Please find enclosed for filing in the
above referenced matter. Please clock-stamp
and send me a clocked copy. I thank
you for all your time and help with this
matter

cc./File

Respectfully submitted,
/s/ ~~Donald Martin III~~
Donald MARTIN III
Applicant Proise
(1.) of (1.)

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
 COUNTY OF CHEROKEE) FOR THE 7th JUDICIAL CIRCUIT
)
 Donald Martin III, #389230,) Case No. 2023-CP-11-0085
 Applicant Pro-se)
 vs.)
 State of South Carolina)
 Respondent.)

CERTIFICATE
OF
SERVICE

I do hereby Certify that a TRUE & CORRECT copy of 1.) Motion For Relief from Judgment and Order S.C.R.Civ.P. Rule 60(B); 2.) Certificate of Service was served on the below named and addressed Respondents by way of placing a copy in the U.S. Postal Mail; Postage Prepaid
 On this 7th Day of ~~August~~ JANUARY ~~2023~~ 2026 Addressed Below:

- 1.) Cherokee County Clerk of Court
 Attw: Clerk, Court of Common Pleas
 Honorable BRADY W. McBEE
 P.O. DRAWER 2289
 Gaffney, S.C. 29343-2289
- 2.) S.C. Attorney General's office
 Attw: MR. ALAN WILSON, A.G.
 P.O. Box 11549
 Columbia, S.C. 29211
- 3.) The Honorable Perry H. Gravely
 P.O. Box 219
 Pickens, S.C. 29671

Respectfully Submitted,
 /s/ Donald Martin III
 Donald Martin III #389230
 Applicant Pro-se

LEGAL MAIL

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF CHEROKEE) FOR THE 7th JUDICIAL CIRCUIT
))
)) Case No: 2023-CP-11-0085
Donald Martin, III, #389230,)
Applicant, Prose)
))
vs.) MOTION FOR RELIEF FROM
))
State of South Carolina) JUDGMENT AND ORDER
))
Respondent.) S.C.R. Civ. P Rule 60(B)

Pursuant to Rule 60(B), S.C.R. Civ. P., Applicant moves for Relief from the Judgment. To support this Motion Applicant respectfully submits the following:

Factual Background

Applicant filed for Post Conviction Relief Application from a Guilty plea, where he received (25) Twenty five year sentence with time served for jail credits from Indictment #2022-GS-11-00506). Jaqueline A. Moss, Esq. represented Applicant. On October 13, 2022, Applicant appeared before the Honorable R. Keith Kelly and pleaded guilty pursuant to North Carolina vs Alford, 400 U.S. 25, 91 S. Ct. 160 (1970), to the lesser included offense of Voluntary manslaughter. On October 17, 2022, Applicant appeared before the Honorable R. Keith Kelly for mitigating and sentencing purposes. Judge Kelly sentenced Applicant to (25) years for Voluntary manslaughter. Applicant filed for Application for Post Conviction relief filed on February 9, 2023. On November 19, 2024 the Applicant proceeded to an evidentiary hearing, P.C.R. Attorney was

Rodney W. Richey, Esq., who raised Ineffective Assistance of Counsel for 1.) Failure to investigate potential Alibi witnesses (PCR, TR. P. 4, 1.18-6, 1.14), yet P.C.R. Attorney Rodney W. Richey, Esq., failed to subpoena any Alibi Defense witnesses in a violation of Bannister vs. State; and State vs. Underwood, The Law in S.C. is very clear, that the Applicant must put all Expert witnesses to include Alibi witnesses at the P.C.R. Evidentiary hearing, which P.C.R. counsel clearly in a violation of Martinez vs. Ryan. And Furthermore P.C.R. counsel failed to call all (6-7) Attorneys who represented the Applicant, one major one was (illegal Juvenile waiver), the the Applicant nor his Legal Guardian knew anything about waiving from Family Court. (PCR TR. P. 5, 11.3-5) Transcript proof in the Record P.C.R. Counsel knew of the Alibi witnesses, and the Applicants P.C.R. was Denied on January 2, 2025; The Applicants P.C.R. Attorney filed for notice of Appeal; An Appeal was perfected by Appellate Defender Kathrine H. Hudgins, who filed a "Johnson Petition"; the Applicant filed an objection to Appellate Defender being relieved as Counsel and filed a Memorandum of Law on all issues she "Gagged". That filing is still pending before the S.C. Supreme Court. The Applicant filed a Motion to hold the Appeal in Abeyance, until the Honorable Perry H. Gravely Rules on this Motion for Relief from Judgment and Order pursuant to S.C.R. Civ.P. Rule 60(B). This Appeal Follows:

ARGUMENT

Rule 60(B), SCRPC, states the following:

On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under 59(b)
- (3) fraud, misrepresentation, or other misconduct of an adverse party;
- (4) the judgment is void;
- (5) the judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application.

"To justify relief under [Rule 60(B)], a party must establish that he has a meritorious defense and that the judgment was taken against him by mistake, inadvertence, surprise or excusable neglect." Thompson vs. Hammond, 299 S.C. 116, 119, 382 S.E. 2d 900, 903 (1989), "[A] meritorious defense need not be perfect nor one which can be guaranteed to prevail at a trial. It need be only one which is worthy of a hearing or judicial inquiry because it raises a question of law deserving of some investigation and discussion or a real controversy as to real facts arising from conflicting or doubtful evidence." Id (quoting Graham vs. Town of Loris, 272 S.C. 442, 248 S.E. 2d 594 (1978)). Applicant respectfully

request from "Order", Based on the following arguments as well as any arguments raised by Applicant at a Hearing on this matter.

Issue #1

Rule 60(b)(3) - Fraud, misrepresentation, or

other misconduct of an adverse party:

- 1.) "Missing Great Seals" on "Murder" and/or "Voluntary Manslaughter" Laws; see: 1993 Act No. 184; 1995 Act No. 7 / S.C. Code ANN § 16-3-10; S.C. Code ANN § 16-3-50
See: Exhibit-D - Letter from S.C. Archives & History on missing Great seals; and letter to them inquiring about the Great seals
- 2.) See: Hazel-Atlas Glass Co. vs. Hartford-Empire Co. Its "Fraud"; Fraud upon the Court By officers of the Court;
- 3.) Lack of Subject Matter Jurisdiction; ^{4.)} Lack of Personal Jurisdiction; ^{5.)} Ex Post Facto violation; ^{6.)} Due Process and Equal Protection violation; ^{7.)} UNConstitutional Laws Due to missing Great seals; ^{8.)} violation of S.C. Const. Art. 3, § 18; ^{9.)} violation of S.C. Code ANN § 2-7-230; ^{10.)} violation of S.C. Code ANN § 2-7-240
see: *Chewing vs. Ford Motor Company Inc*; *IN Re Genesis DATA Techs INC.*
see: S.C. Const. Art. 3, § 18 states the following:

No Bill or Joint Resolution shall have the force of law until it shall have been read (3) three times and on (3) three days in each house, has had the Great Seal of the State affixed to it, and has been signed by the President of the Senate and the Speaker of the House of Representatives: Provided, That either Branch of the General Assembly may provide by rule for a first and third reading of any Bill or joint Resolution by its title only. Also see: S.C. Code ANN § 2-7-230; and § 2-7-240.
This conviction should Be ^{4.)} vacated / Reversed Applicant released.

Issue #1

Rule 60(b)(3) - FRAUD; misrepresentation, or other misconduct of an adverse party: 60(B)(1);(2);(3);(4)

2.) The Applicant was indicted in Cherokee County Grand Jury, Court of Common Pleas on May 9, 2022 for Murder; the Applicant has always requested a Jury Trial, the General Sessions Court only one can indict Criminal defendant, so this is clearly FRAUD; Fraud upon the Court By officer of the Court; Prosecutorial Misconduct By the South Carolina Attorney General Alan Wilson himself.

See: Exhibit-E - Indictment manufactured on May 9, 2022 By Attorney General Alan Wilson.

See: S.C. Code ANN § 14-5-420; and § 14-9-170

See: SCCourts.org/calendar Grand Jury Cherokee County on May 9, 2022 [Court of Common Pleas] [out of Jurisdiction] [of General Session]
[There was no Order from S.C. Supreme Court Waive Jurisdiction.]
See: Chenning vs. Ford Motor Company Inc.

346 S.C. 28 02/22/02

See: State vs. Quattlebaum, 338 S.C. 441, 527 S.E2d 105 (2000)

See: In Re Genesys Data Tech Inc., 207 F.3d 124, 130 (4th Cir. 2000)

See: Hazel-Atlas Glass Co. vs. Hartford-Empire Co., 322 U.S. 838, 64 S. Ct. 997, 88 L. Ed. 1250 (1944)

See: State vs. Butler, This is "shocking to the universal sense of Justice" Applicants Conviction Should Be Vacated/Reversed.
5.

Issue #3

Rule 60(B)(3) - Fraud; misrepresentation, or other misconduct of an adverse party:

3.) Applicant raised Alibi Defense; P.C.R. Counsel went forward without subpoena Applicant's Alibi Defense witnesses violation of Bannister vs. State; and State vs. Underwood; and Riddle vs. State. P.C.R. ask for continuance and/or leave record open to bring in witnesses that he was so ineffective assistance of P.C.R. Counsel, violation of Martinez vs. Ryan; violation of the 5th; 6th Amendment to U.S. Const.; Due Process; Equal Protection; clearly malpractice because all Attorney Rodney Richie had to do was file 60(B); and/or 59(e) S.C.R. Civ.B., he clearly done it's "Fraud upon Court By officer of the Court;" and was done intentionally. On this issue alone this Court should Grant motion; and have an Evidentiary hearing so the Applicant can supply his Testimony of his Alibi witnesses. Applicant sentence and conviction should be Vacated / Reversed Remand Back to trial of this Actual Innocence case involving minor child.

(6.)

ISSUE #4

Rule 60 (B) (3) - Fraud, misrepresentation, or other misconduct of Adverse party:

4.) Applicant RAISES Prosecutorial Misconduct of the S.C. Attorney General Alan Wilson, violation of State vs. Quattlebaum, supra; Butler vs. State, which RAISES STANDARD "shocking to the universal sense of Justice".

See: State vs. Quattlebaum, 338 S.C. 441, 527 S.E. 2d 105 (2000)

The whole integrity of the Judicial system is called into question once again of intentional and deliberate Prosecutorial misconduct of Juvenile age (15) waived up as Adult illegally; Indicted in Court of common pleas, By a manufactured Indictment; Court of General Sessions cannot act on such an indictment this RAISES "Butler standard," "shocking to the universal sense of Justice", and it's newly discovered; AND "Fraud" this issue alone this Court should Grant Relief, (7.) AND Vacate AND Reverse conviction

The Applicant respectfully ask this Court to GRANT AN Evidentiary HEARING on the merits AND/OR GRANT relief AND VACATE AND Reverse sentence AND conviction. Rule 60(B)(3) - FRAUD; misrepresentation; OR other misconduct of Adverse party;
Issue #5

5.) Applicant RAISES that he was FRAUDULENTLY Waived from a Juvenile to AN Adult AND his previous Attorney was ineffective AND Attorney General ALAN Wilson; AND/OR Attorney JACQUELINE A. MOSS conspired to leave anything out of RECORD AND P.C.R. Attorney Rodney Richie violation of MARTINEZ vs. RYAN; Juvenile waiver Attorney must Be subpoena for 60(B) motions HEARING.
See: EXHIBITS ATTACHED

- 1.) Affidavit of Due Diligence of Applicant - EXHIBIT - (A)
- 2.) Affidavit to support AN ALIBI Defense - EXHIBIT - (B)
- 3.) PROOF of Calendar GRAND JURY "out of Jurisdiction" to support "FRAUD" CONCLUSION EXHIBIT - (C) AND (D), (E)

Based on the following arguments, as well as any arguments raised By Applicant at a Hearing on this matter. Applicant respectfully request this Court GRANT him relief; AND/OR CONDUCT AN Evidentiary HEARING Pursuant to Rule 60(B) S.C.A.C.P. Respectfully Submitted,

/s/ Donald Martin III

8.

DONALD MARTIN III #389230
Applicant Pro-se

EXHIBIT

A

Affidavit of Applicant

Donald MARTIN III to support

Alibi Defense & Actual Innocence,

"Illegal Juvenile Waiver" and "Fraud
upon the Court"; "Prosecutorial Misconduct"

STATE OF SOUTH CAROLINA

COUNTY OF CHEROKEE

2022-GS-11-0506/2023-cp-110085

AFFIDAVIT

Donald Martin III

PERSONALLY APPEARED BEFORE ME, Donald Martin III #389230 who,

after being duly sworn, deposes and states that: My name is Donald Martin III, S.C.D.C. # 389230, And I am over the age of (18) Eighteen years of age and I am the Affiant and the petitioner, and I am incarcerated within the South Carolina Department of corrections. This Affidavit is true and correct and it is based on my own personal knowledge and information provided to me. This Affidavit is in support of S.C.B. CIV.P Rule 60(B) And/OR S.C.A.C.B. Rule 240 & 245. I have always maintained my innocence I was arrested and charged while I was a minor and illegally waived pp as an adult. It was questioned and interrogated at the age of 16 years of age without a legal guardian and/or my mom present. I had an Alibi Defense and several Alibi witnesses that was conveyed to all 6 or 7 Attorneys I had and plea counsel Ms. Jacqueline A. Moss; And also conveyed to P.C.B. Attorney Rodney W. Bichey who at the end of my P.C.B. hearing tried to leave the record open; Ask for a continuance to get all my Alibi Defense witnesses to testify that I was in orangeburg South Carolina at the time of the alleged crime I was committed and not in Cherokee county South Carolina. I was illegally waived up as an adult from a 15 year old child by fraud upon the court by officers of the court. Its fraud; Ex post facto violation; Due process and legal ~~partial~~ protection violation; lack of personal and subject matter jurisdiction. As there are not ANY "Great Seal" Affixed to the Laws for which I was charged and convicted and after being waived up illegally from a minor, my indictment was done in the court of common pleas on May 9, 2022 and done by the South Carolina Attorney General himself MR. ALAN WILSON in a violation of S.C. Code ANN § 14-9-170; And § 14-5-420. Transacting common pleas in general sessions court is shocking to the universal sense of justice and its fraud upon court by Carolina who is running now for the Governor of the state of South Carolina. I want all Attorneys present to develop the record on motion for 60(B) S.C.B. CIV.P. / All prior Attorneys involved in my case since I was a minor at age 15 years old pursuant opinion # 274165 (2014)

5/6/23 11:54/60 (2012) This Affidavit and other Affidavit is proof that im actually innocent and I had an Alibi Defense and the court does not have jurisdiction to hold me on Inveiril

AFFIDAVIT

Continued from page

Laws and Invalid Court of common pleas Fraudulently
manufactured indictment done by the South Carolina
attorney general ALAN WILSON on May 9, 2022 under
S.C.R. Civ. P. Rule 60(B) Fraud this case calls for Evidentiary
hearing on the merits that I make these true and
accurate statements of my own free will and that I am
not under the influence of any drugs either prescribed
over the counter, or illegal; or alcohol or duress of
any kind

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Signed this 20th day of August 2025

Donald Martin

Signature

Printed Name

Donald Martin III #389230
Tyger river comm INST 1/4-5-A #102
200 Wilson rd.
Evoree. SC 29335
City State Zip Code

STATE OF
South Carolina

CERTIFICATE OF NOTARY

On this 20 day of Aug, 25, before me personally came and appeared
_____, known, and known to me, to be the individual described in and
who executed the foregoing instrument, and who duly acknowledged to me that he/she executed same for
the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
Notary Public

My commission expires: 4/14/26

EXHIBIT

B

Affidavit of Cynthia Watson
To support "Alibi Defense" &
"Illegal Juvenile Waiver"

STATE OF SOUTH CAROLINA

COUNTY OF CHEROKEE

Donald Martin, III vs. State of S.C.

Case No. 2022-GS-11-0506

Case No. 2023-CP-11-0085

AFFIDAVIT

OF

CYNTHIA WATSON

PERSONALLY APPEARED BEFORE ME, Cynthia Watson, who,

after being duly sworn, deposes and states that:

My son Donald Martin III was in Orangeburg at the time with my son at SC State University on August 20th 2017 and he also informed his previous attorneys with this information I was told that I was not able to speak for him do to his age which I don't understand. Considering he was a minor and during the time of his Juvenile waiver hearing I was not informed about his transfer to general session until after the fact by his attorney Timothy Ray that he had a fact allowed the courts to wave him up to be charged as an adult for "a favor for a favor in the near future my son always had a Alibi defense for from day one at the age of 15 a minor and I believe that he is innocent of this crime that he was charged with no evidence pointed to him only hearsay"

AFFIDAVIT

Continued from page 1

~~_____

_____~~

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Signed this 28 day of December, 2025

Denise Watson
Signature

Printed Name Cynthia Denise Watson

SPARTANBURG S.C 29306
City State Zip Code

STATE OF
South Carolina
CERTIFICATE OF NOTARY

On this 28th day of December 2025, before me personally came and appeared Cynthia Denise Watson, known, and known to me, to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that he/she executed same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Ayla H. Smith
Notary Public

My commission expires: 4/22/2034

EXHIBIT

C

- 1.) Letter to S.C. Archives & History
About missing "Great Seals"
- 2.) Letter from S.C. Archives & History
of missing "Great Seals" for which
Applicant was charged and sentenced
of "Invalid" and UN Constitutional laws
that's "Fraud upon the Court"

DONALD MARTIN III, #389230
Tyger River C.I. L/Y-5-A-#705
200 Prison Rd.
ENOPEE, S.C. 29335

August 18, 2025

S.C. Archives & History
ATTN: Mr. Steven Tuttle
8301 Parklane Road
Columbia, S.C. 29223

RE: I need to know if the Following Acts
have a visible impression of the Great Seal
Affixed to 1993 Act No. 184; 1995 Act No. 7

Dear Mr. Tuttle,

I need to know if the Following Acts has
a visible impression of the Great Seal
Affixed to 1993 Act No. 184; 1995 Act No. 7.
Thank you in advance for all your time and
help with this matter

Respectfully Submitted,
Verbatim Copy/File (s) ~~Donald Martin III~~
Donald Martin III, #389230



SOUTH CAROLINA DEPARTMENT OF
ARCHIVES & HISTORY


August 25, 2025

Mr. Donald Martin, III # 389230
Tyger River Correctional Institution
L/Y-5-A-#105
200 Prison Road
Enoree, SC 29335-2798

Dear Mr. Moyer,

We examined South Carolina Act No. 184 from 1993 and No. 7 from 1995 and found that they do not bear a visible impression of the Great Seal.

Sincerely,


Wade H. Dorsey
Supervisor, Reference Services

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
 COUNTY OF CHEROKEE) FOR THE 7th JUDICIAL CIRCUIT
)
 Donald Martin III, #389230,) CASE NO. 2023-CP-11-0085
 Applicant Pro-se)
)
 VS.)
)
 State of South Carolina,)
 Respondent.)

CERTIFICATE
 OF
 SERVICE

I do hereby Certify that a TRUE & CORRECT copy of 1.) Motion For Relief from Judgment and Order S.C.R.Civ.P. Rule 60(B); 2.) Certificate of Service was served on the Below named and Addressed Respondents By way of placing A copy in the U.S. Postal Mail; Postage Prepaid
 On This 7th Day of ~~August~~ ^{JANUARY}, ~~2023~~ ²⁰²⁶ Addressed Below:

- 1.) Cherokee County Clerk of Court
 Attw: Clerk, Court of Common Pleas
 Honorable BRADY W. McBEE
 P.O. DRAWER 2289
 Gaffney, S.C. 29342-2289
- 2.) S.C. Attorney General's office
 Attw: MR. ALAN WILSON, A.G.
 P.O. Box 11549
 Columbia, S.C. 29211
- 3.) The Honorable PERRY H. GRAVELY
 P.O. Box 219
 Pickens, S.C. 29671

Respectfully Submitted,
 /s/ Donald Martin III
 Donald Martin III #389230
 Applicant Pro-se
LEGAL MAIL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

FEB 10 2026

SC Court of Appeals

Certiorari to Cherokee County
Honorable Perry H. Gravely, Circuit Court Judge

DONALD MARTIN III, Petitioner Pro-se

vs.

State of South Carolina, Respondents

Appellate Case No. 2025-000131

CERTIFICATE OF SERVICE

I do certify that a True & Correct copy of the
1.) Motion to hold Appeal in Abeyance; 2.) certificate of
service was served on the Below named parties on
This 7th Day of ~~August~~ ^{January}, 2026, By placing it in
the U.S. postal mail; Postage Prepaid and Addressed
Below:

1.) S.C. Attorney General's office
ATTN: MR. D. Russell Barlow II AG.
ALAN WILSON A.G.
P.O. Box 11549
Columbia, S.C. 29211-1549

2.) S.C. Indigent Defense
ATTN: Ms. Kathrine H. Hudgins
P.O. Box 11589
Columbia, S.C. 29211-1589

Respectfully submitted,
/s/ Donald Martin III
DONALD MARTIN III, #389730
Petitioner Pro-se

Donald Martin III, #389230
Tyger River C.I. 4Y-5-A-#105
200 PRISON Rd.
Endree, S.C. 29335

JANUARY 07, 2026
~~August 29, 2025~~

RECEIVED

FEB 10 2026

S.C. SUPREME COURT

S.C. Supreme Court, Clerk
Attn: Honorable Patricia A. Howard
P.O. Box 11330
Columbia, S.C. 29211

RECEIVED

FEB 10 2026

SC Court of Appeals

RE: Filing of a 1.) Motion to hold Appeal in Abeyance until the Lower Court Rules on S.C.R.Civ.P. Rule 60(B);(3) Motion for Relief from Judgment, filed in Court of Common Pleas, Cherokee, County Attached as Exhibit; 2.) certificate of service [Case No. 2025-000131/pending Johnson petition]

Dear Honorable Patricia Howard,

Please find here for filing in the above referenced matter. Please clock-stamp and file and forward a clocked stamp to me for my files. Thank you all AND God Bless.

Respectfully Submitted

/s/

Donald Martin III
DONALD MARTIN III, #389230
Petitioner Pro-se

cc./File
S.C. Attorney General
ALAN WILSON

1. of 1.

Donald Martin III, #389230
Tyger River C.I. 44-5-A-#105
200 Prison Rd.

Enroute S.C. 29335

Retail



28211

RDC 99

U.S. POSTAGE PAID
FCM LG ENV
SPARTANBURG, SC 29308
FEB 08, 2026

\$2.72

92324P507271-52

RECEIVED

FEB 10 2026

S.C. SUPREME COURT

S.C. Supreme Court, Clerk
Attn: Honorable Patricia A. Howard

P.O. Box 11330

Columbia, S.C. 29211

RECEIVED

FEB 10 2026

S.C. SUPREME COURT

RECEIVED

FEB 10 2026

S.C. Court of Appeals

LEGAL MAIL

