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Phillip D. Newberry  
State of South Carolina

(Appellant) SC Court of Appeals  
(Respondent)

Indictment No.

2024-GS-12-00560

2024-GS-12-00561

### Statement of Issues on Appeal

1. Did the trial court err by not granting the defendants motion(s) to suppress illegally obtained evidence and its fruits in violation of the omnibus Crime control and safe Streets act of 1968? (There were 3)
2. Did the trial Court err in denying defendants motion(s) for a directed verdict?
3. Did the trial Court err by allowing into evidence what was objected to, that contained no contact information for Mrs. Costy?
4. Did the trial court err by denying to certify the defendants constitutional challenges filed Pursuant to Rule 5.1 (a)(1)(B) and (a)(2) Fed. R. Civ. P. (See case Brief in clerks File)

5. Did the trial Court err by denying defendants request for disclosure Pursuant to Rule 26 Gov. R. Civ. P.?
6. Was the defendant Prejudiced by the States decision on competency? See: United States v. Coleman, 871 F.3d 470 (6<sup>th</sup> Cir. 2017) at : [871 F.3d 477] Paragraph #2
7. Was the defendant Prejudiced by the Allen Charge?
8. Did the trial Court err by not considering defendants Constitutional Challenges Prior to trial on the Grounds argued? See: Roe v. Wade, 410 U.S. 113 (1973) Pg. 126 Paragraph 3
9. Was the defendant Prejudiced by the narrow scope of granting the motion to compel the May 2023 body cam footage? See: Erickson v. Pardus, 551 U.S. 89 (2007) at [551 U.S. 94] Paragraph #3
10. Was the defendant Prejudiced by the witnesses who did not comply with subpoena, and the lack of accountability?
11. Did the trial Court err in denying any other of the defendants motions or objections?

3-16-2026

Phillip Newberry