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SC Court of Appeals

JORGE ALBERT RODRIQUEZ  
#389273 F3B. RM. 126  
EVANS C.I. 610 HWY. 9 WEST  
BENNETTSVILLE, S.C. 29512

IN RE: CASE NO. 2025-001507 WITHIN THE S.C. SUPREME COURT THAT WAS TRANSFERRED TO THE S.C. COURT OF APPEALS UNDER THEIR SPECIFIC CASE NUMBER SEEKING TO VOLUNTARILY WITHDRAW THE APPEAL TO FILE SUCCESSIVE PCR DUE TO FRAUD UPON THE COURT AND TO PRESERVE JURISDICTIONAL CLAIMS BEFORE APPELLATE REVIEW AND ESTABLISH EQUITABLE TOLLING.

TO: THE ATTORNEY WESLEY CHANDLER NORVILLE APPELLATE DEFENDER ET. AL.,

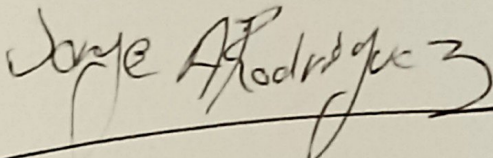
SIR, I AM GIVING YOU JUDICIAL NOTICE OF MY DESIRE TO VOLUNTARILY WITHDRAW THE APPEAL REGARDING THE ABOVE CAPTIONED MATTER DUE TO THE LOWER COURT ATTORNEY CONSPIRING UNDER COLOR OF STATE LAW WITH THE ATTORNEY GENERAL'S OFFICE TO VIOLATE MY CONSTITUTIONALLY PROTECTED DUE PROCESS RIGHT OF AUTONOMY AND TO PREVENT THE ARGUING OF SUBSTANTIAL JURISDICTIONAL LEGAL ISSUES THAT CANNOT BE WAIVED AND OR FORFEITED, AND CAN BE RAISED AT ANY TIME EVEN AFTER A FINAL JUDGMENT WAS ISSUES, EVEN FOR THE FIRST TIME ON APPEAL. FOR ONE THING, THE ATTORNEY DENIED MY REQUEST AND DESIRE THAT THE CASTLE DOCTRINE, STAND YOUR GROUND DOCTRINE BE ARGUED AS MY "PRIMARY DEFENSE" OF INNOCENCE AND OR IMMUNITY IN THE CASE, VIOLATING MY CONSTITUTIONALLY PROTECTED DUE PROCESS RIGHT OF AUTONOMY, IN ACTS OF FRAUD UPON THE COURT, CONSPIRACY AND OBSTRUCTION OF JUSTICE. THIS CLAIM IS NOT PROPERLY PRESERVED WITHIN THE LOWER COURT RECORD FORCING ME TO SEEK TO WITHDRAW THE APPEAL WHERE I INTEND TO FILE SUCCESSIVE PCR TO TOLL THE CLOCK AND HAVE THIS CLAIM PROPERLY PRESERVED BEFORE APPELLATE REVIEW

OCCURS. PLEASE MOVE BEFORE THE COURT TO WITHDRAW THE CURRENTLY PENDING APPEAL.

ADDITIONALLY, THERE ARE SUBSTANTIAL CONSTITUTIONAL STRUCTURAL DEFECTS IN MY INDICTMENT AND THE TRIAL CASE ITSELF THAT ARE JURISDICTIONAL IN NATURE AND WHERE MY INTENT IS TO ARGUE AGAINST THE PRECEDENT ESTABLISHED BY THE STATE v. GENTRY CASE OF 2005. ALSO WHERE THE ESSENTIALLY SOLE AND OR KEY EVIDENCE THAT THE STATE PRODUCED AT TRIAL WAS BASED UPON THE STATEMENT(S) AND TESTIMONY OF ONE PERSON, JUDITH NODINE, MY MOTHER. THE STATE'S EVIDENCE VIOLATE S.C. SUPREME COURT RULING UNDER STATE v. COLLINS, 442 S.C. 444, 900 S.E.2d. 426 (S.C.App.2024) WHERE THE STATEMENT AND TESTIMONY WAS THE KEY EVIDENCE LINKING ME TO THE EVENT ENTERED IN VIOLATION OF S.C. CODE ANN. § 19-1-80 AND 19-1-90 PRODUCING EXTREME PREJUDICE IN ADDRESSING MY DUE PROCESS MATTERS. NONE OF THIS IS PROPERLY PRESERVED WITHIN THE LOWER COURT RECORD AND IS JURISDICTIONAL IN NATURE ALSO PRODUCING VIOLATIONS OF THE SEPARATION OF POWERS CLAUSE WHERE THE LOWER COURT SUBTLY EXPANDED AND FORCE CONSTRUCTED THE APPLICABLE STATUTE TO ALLOW THIS KEY TESTIMONY AND EVIDENCE INTO THE COURT RECORD AT TRIAL REQUIRING REVERSAL. IT IS MY INTENT TO ARGUE AGAINST ANY ESTABLISHED PRECEDENT REGARDING THIS MATTER AS WELL PURSUANT TO RULES OF APPELLATE PROCEDURE, RULE 217. BUT FIRST I WOULD LIKE TO HAVE YOU WITHDRAW THE CASE TO ALLOW ME TO ESTABLISH EQUITABLE TOLLING AND ALLOW ME TO FILE SUCCESSIVE PCR TO ADDRESS THE FRAUD UPON THE COURT, CONSPIRING UNDER COLOR OF STATE LAW AND OBSTRUCTION OF JUSTICE THAT PREVENTED ME FROM PRESERVING THESE MATTERS WITHIN THE COURT RECORD. BASE UPON THESE FACTS I DO NOT WAIVE ANY RIGHTS ESTABLISHED BY THE CURRENTLY PENDING APPEAL BUT SEEK TO CORRECT THE INJUSTICE BEFORE THIS CASE IS PROPERLY BROUGHT UP INTO THIS COURT. I HAVE A DUE PROCESS RIGHT TO ENSURE THAT THESE CLAIMS ARE PROPERLY PRESERVED WITHIN THE LOWER COURT RECORD UNDER THE INDEPENDENT ACTION RULE, TO ALSO ENSURE THAT IF A SUBSEQUENT FEDERAL PETITION FOR HABEAS CORPUS IS FILED WITHIN THE DISTRICT COURT. THESE CLAIMS WILL BE PROPERLY EXHAUSTED AND PRESERVED WITHIN ALL COURT RECORDS INVOLVED. WITHDRAW THE APPEAL PLEASE TO ALLOW ME TO ACHIEVE THIS END. I THANK YOU IN ADVANCE

FOR YOUR KIND ASSISTANCE. A COPY OF THIS CORRESPONDENCE WILL ALSO  
BE SERVED UPON THE COURT OF APPEAL AND THE S.C. ATTORNEY GENERAL.  
STILL REMAIN,

RESPECTFULLY,  
JORGER ALBERTO RODRIQUEZ



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MAY , 15 , 2026

CC: THE S.C. COURT OF APPEALS  
THE S.C. ATTORNEY GENERAL