

The State of South Carolina
 IN THE COURT OF APPEALS

Appeal From Chester County
 Court of General Sessions
 The Honorable Clifton Newman

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JUN 01 2026

SC Court of Appeals

Appellate Case No.: 2026-000715

Trial Court Case No.: 2024GS1200560
 2024GS1200561

State of South Carolina, Respondent
 v.
 Phillip D. Newberry, Appellant

Supplimental Issues on Appeal

1. Did the trial Court Err in denying defendants challenges to Jurisdiction?
2. Did the trial Court Err in allowing into Evidence Records that were to be expunged due to a Previous Plea agreement?
3. Did the trial Court Err in allowing the State to introduce evidence from other investigations? More over, those that did not result in Conviction?
4. Was the defendant Presjudiced by the States Proposed Jury Charge? Defendant alleges that the States Proposed Supreme Court Case File violated the Ex Post Facto Clause, due to the fact that the defendant was already under investigation. Although the Ex Post Facto clause does not usually apply to Judicial Rulings, it does (in South Carolina) when the ruling increases the Punishment for a Crime. Taking the RICO Act as Precedent i.e. Congress had to Pass the law before opening a new investigation into the New York Mafia, Defendant argues that since he was already under investigation at the time the States Proposed case decision was passed, which "back pedaled" on true-threat Jurisprudence since Eionis v. United States, 135 S.Ct. 2001 (2015) Then he was in fact biased by the States Proposed Jury Charge, forcing him to rely on statute that is challenged as unconstitutional.

5-28-2026

Phillip D. Newberry
 SCDC # 400374

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