

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

CASE DOCKET NO. 2025-001856

APPEAL FROM KERSHAW COUNTY
THE COURT OF GENERAL SESSIONS

CASE 2004-GS-28-0385

LAWRENCE L. CRAWFORD ET. AL.,

APPELLANT

Vs.

THE STATE OF SOUTH CAROLINA; THE COUNTY OF KERSHAW

RESPONDENT

AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO
EXPEDITE RULING ON PENDING MOTION TO AMEND CAPTION AND
MOTION TO INTERVENE, TO DEEM TIMELY-FILED BRIEF
COMPLAINT, AND TO PREVENT DISMISSAL AND MOTION TO MOTION
THEREFOR

TO: THE S.C. COURT OF APPEALS ET. AL.,

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Sep 08 2026

SC Court of Appeals

THE APPELLANT APPEARING PRO SE, RESPECTFULLY MOTION THIS COURT FOR AN EXPEDITED RULING ON THE PENDING MOTION TO AMEND THE CAPTION AND TO INTERVENE, AND FOR AN ORDER CONFIRMING THAT THE APPEAL WILL NOT BE DISMISSED FOR ALLEGED NON-COMPLIANCE WHILE THE MOTIONS REMAINS UNRESOLVED. THIS MOTION IS NECESSARY BECAUSE THE APPELLANT TIMELY FILED THE BRIEF, BUT THE FILING IDENTIFIED BOTH PARTIES WHOSE NAMES APPEAR ON THE UNDERLYING DNA APPLICATION. THE APPELLATE CLERK SUBSEQUENTLY ADVISED THAT ONLY ONE PARTY'S NAME SHOULD APPEAR IN THE APPELLATE CAPTION. APPELLANT THEN PROMPTLY FILED THE MOTION TO AMEND THE CAPTION TO CONFORM THE CAPTION TO THE CLERK'S INSTRUCTION. THAT MOTION, INCLUDING THE MOTION TO INTERVENE, HAS REMAINED UNRESOLVED FOR APPROXIMATELY TWO MONTHS. THIS ISSUE PRESENTLY REQUIRING ACTION IS THEREFORE NOT A FAILURE TO FILE A BRIEF. A BRIEF WAS TIMELY FILED AFTER THE TRIAL TRANSCRIPT WAS OBTAINED AND FILED WITHIN THE COURT RECORD. THE PRESENT ISSUE IS THE FORM OF THE CAPTION AND THE IDENTITY OF THE PARTY OR PARTIES TO BE REFLECTED IN THE APPELLATE CAPTION. THE APPELLANT SHOULD NOT BE SUBJECTED TO DISMISSAL FOR FAILURE TO COMPLY WITH THE CAPTION REQUIREMENT WHILE A TIMELY-FILED MOTION SPECIFICALLY SEEKING CORRECTION OF THAT CAPTION IS AWAITING DISPOSITION.

FACTUAL AND PROCEDURAL BASIS:

(1) THE UNDERLYING DNA APPLICATION WAS FILED IN KERSHAW COUNTY, SOUTH CAROLINA, WITH TWO PARTIES IDENTIFIED IN THE APPLICATION.

(2) THE MATTER CONCERNING OBSTRUCTION WAS PREVIOUSLY PRESENTED TO THE SOUTH CAROLINA SUPREME COURT. THE SUPREME COURT DID NOT ENTER ANY ORDER SEVERING EITHER PARTY FROM THE APPLICATION.

(3) THE SAME APPLICATION, IDENTIFYING BOTH PARTIES, REMAINED THE OPERATIVE APPLICATION, AND A HEARING WAS CONDUCTED

SEPTEMBER 13, 2025. ONE OF THE PARTIES WAS NOT NOTIFIED OF THE HEARING AS DUE PROCESS LAW REQUIRED.

(4) A JUDGE WHO WAS EXPECTED TO RECUSE FROM THE MATTER NEVERTHELESS PARTICIPATED AND ORALLY DISMISSED THE MATTER. NO WRITTEN FINAL ORDER MEMORIALIZING THE ORAL DISMISSAL WAS PROVIDED TO THE AFFECTED PARTY LEAVING THE MATTER PROCEDURALLY UNRESOLVED AND PLACING THE APPELLATE PARTIES IN LEGAL LIMBO. THE KERSHAW COUNTY CLERK WAS WRITTEN SEVERAL TIMES INQUIRING IF A WRITTEN FINAL ORDER WAS FILED IN THE CASE BUT AFTER GOING ON THREE MONTHS HAVE NOT RESPONDED TO THE APPELLANT REGARDING THIS MATTER FURTHER SUBSTANTIATING NO SUCH WRITTEN ORDER EXISTS.

(5) AN APPEAL THEREAFTER WAS PURSUED.

(6) THE APPELLANT TIMELY FILED THE REQUIRED BRIEF. THE BRIEF CONTAINED THE NAME OF BOTH PARTIES BECAUSE BOTH NAMES APPEAR ON THE UNDERLYING APPLICATION AND THERE HAD BEEN NO ORDER SEVERING EITHER PARTY.

(7) AFTER THE TIMELY FILING, THE CLERK ADVISED THAT ONLY ONE NAME SHOULD APPEAR IN THE APPELLATE CAPTION. THE APPELLANT DID NOT DISREGARD THAT INSTRUCTION. INSTEAD, APPELLANT FILED A MOTION TO AMEND THE CAPTION SEEKING TO CORRECT THE CAPTION IN ACCORDANCE WITH THE CLERK'S DIRECTION.

(8) THE MOTION TO AMEND THE CAPTION HAS REMAINED UNRESOLVED FOR APPROXIMATELY TWO MONTHS.

(9) BECAUSE THE CAPTION MOTION REMAINS PENDING, APPELLANT IS NOW AT RISK OF BEING TREATED AS HAVING FAILED TO COMPLY WITH THE BRIEFING REQUIREMENTS EVEN THOUGH THE BRIEF WAS TIMELY FILED AND THE ONLY IDENTIFIED DEFECT CONCERNS THE CAPTION.

(10) APPELLANT SEEKS EXPEDITED CONSIDERATION SO THAT

THE APPEAL IS NOT UNJUSTLY DISMISSED BECAUSE OF AN UNRESOLVED PROCEDURAL ISSUE THAT APPELLANT HAS ALREADY ATTEMPTED TO CORRECT.

ARGUMENT:

(A) THE TIMELY FILING SHOULD NOT BE TREATED AS A FAILURE TO FILE THE BRIEF. SOUTH CAROLINA APPELLATE COURT RULE 208 GOVERNS INITIAL BRIEFS AND PROVIDES DISMISSAL WHEN AN APPELLANT FAILS TO FILE AND SERVE THE BRIEF WITHIN THE PRESCRIBED TIME. HERE, HOWEVER, THE BRIEF WAS FILED WITHIN THE APPLICABLE DEADLINE. THE DISPUTE AROSE AFTERWARDS CONCERNING THE CAPTION. RULE 208 THEREFORE DOES NOT ACCURATELY DESCRIBE THE PRESENT SITUATION AS A FAILURE TO FILE A TIMELY BRIEF. RULE 260, SCACR, PERMITS DISMISSAL WHEN AN APPELLANT HAS FAILED TO COMPLY WITH THE REQUIREMENTS OF THE APPELLATE RULES. BUT WHERE THE APPELLANT TIMELY FILED THE BRIEF AND THEN PROMPTLY SOUGHT CORRECTION OF THE CAPTION ISSUE IDENTIFIED BY THE CLERK, DISMISSAL WOULD ELEVATE A CORRECTABLE FORM ISSUE OVER THE TIMELY PROSECUTION OF THE APPEAL. APPELLANT RESPECTFULLY REQUEST THAT THE COURT RESOLVE THE CAPTION ISSUE BEFORE TAKING ANY DISMISSAL ACTION.

(B) THE PENDING CAPTION MOTION SHOULD BE DECIDED BEFORE ANY DISMISSAL OR RELATED MATTER FOR NON-COMPLIANCE. THE PENDING MOTION TO AMEND THE CAPTION DIRECTLY CONCERNS THE ALLEGED DEFECT BEING ASSERTED AS NON-COMPLIANCE. IT IS THEREFORE IMPORTANT THAT THE COURT DECIDE THAT MOTION BEFORE DETERMINING WHETHER THE APPELLANT HAS FAILED TO COMPLY WITH THE BRIEFING RULES. RULE 240, SCACR, PROVIDE THE PROCEDURE FOR MOTIONS FILED IN THE APPELLATE COURT AND REQUIRES MOTIONS TO STATE THEIR GROUNDS AND COMPLY WITH THE APPLICABLE FILING REQUIREMENTS. APPELLANT HAS INVOKED THAT PROCEDURE SPECIFICALLY TO OBTAIN A RULING ON THE CAPTION WHICH IS COMPOUNDED BY ALSO A MOTION TO INTERVENE SUBMITTED BY YAH DINA OVERSTREET-U-DEEN THE SECOND PARTY THAT IS THE SUBJECT OF THIS ISSUE. THE UNRESOLVED MOTIONS SHOULD NOT OPERATE TO THE APPELLANT'S DISADVANTAGE WHILE THE APPELLANT AWAITS THE COURT'S DECISION.

(C) THE COURT SHOULD PRESERVE THE APPEAL WHILE THE CAPTION WHILE THE CAPTION AND MOTION TO INTERVENE ISSUE IS RESOLVED. SOUTH CAROLINA APPELLATE RULES CONTEMPLATE THAT PROCEDURAL DEFECTS CAN BE ADDRESSED THROUGH ORDERS OF THE APPELLATE COURT. RULE 260 EXPRESSLY PROVIDES A MECHANISM FOR REINSTATEMENT AFTER DISMISSAL UPON GOOD CAUSE, DEMONSTRATING THE IMPORTANCE OF AN ORDERLY OPPORTUNITY TO ADDRESS COMPLIANCE ISSUES. HERE THE CIRCUMSTANCES PROVIDE PARTICULARLY STRONG REASON TO RESOLVE THE PENDING MOTIONS BEFORE ANY INTENDED DISMISSAL WOULD OCCUR: (1) THE BRIEF WAS TIMELY FILED AND SERVED; (2) THE CAPTION REFLECTED THE NAMES APPEARING ON THE UNDERLYING APPLICATION; (3) THE SUPREME COURT PREVIOUSLY DID NOT SEVER THE PARTIES; (4) THE APPELLATE CLERK SUBSEQUENTLY DIRECTED THAT ONLY ONE NAME APPEAR IN THE CAPTION; AND (5) APPELLANT RESPONDED BY FILING A MOTION TO AMEND THE CAPTION ALSO IN SUPPORT OF THE MOTION TO INTERVENE THAT REMAINS UNRESOLVED FOR MONTHS. DISMISSAL UNDER THESE CIRCUMSTANCES WOULD RISK CONVERTING AN UNRESOLVED CAPTION AND MOTION TO INTERVENE QUESTION INTO A FORFEITURE OF APPELLATE REVIEW EVEN THOUGH APPELLANT TIMELY PERFORMED THE SUBSTANTIVE ACTS FOR WHICH THE BRIEFING DEADLINE EXISTED--THE FILING AND SERVICE OF THE BRIEF.

(D) IF THE COURT DETERMINES THAT A CORRECTED BRIEF OR CAPTION IS REQUIRED, APPELLANT REQUESTS LEAVE TO FILE IT IMMEDIATELY UPON ENTRY OF AN ORDER. THE APPELLANT DOES NOT SEEK TO EVADE THE COURT'S FORMATTING OR CAPTION REQUIREMENTS. TO THE CONTRARY, APPELLANT SEEKS A CLEAR RULING IDENTIFYING THE PROPER CAPTION SO THAT THE RECORD AND BRIEF CAN BE CORRECTED CONSISTENTLY WITH THE COURT'S ORDER. ACCORDINGLY, IF THE COURT CONCLUDES THAT A CORRECTED BRIEF, CORRECTED CAPTION, OR OTHER AMENDED FILING IS REQUIRED, APPELLANT RESPECTFULLY REQUESTS LEAVE TO FILE THE CORRECTED DOCUMENT WITHIN A REASONABLE PERIOD SPECIFIED BY THE COURT, WITHOUT TREATING THE ORIGINAL TIMELY FILING AS A FAILURE TO COMPLY WITH THE BRIEFING DEADLINE.

WHEREFORE:

APPELLANT-PETITIONER RESPECTFULLY REQUEST THAT THIS
COURT:

(1) EXPEDITE CONSIDERATION OF THE PENDING MOTIONS;

(2) RULE ON THE MOTION(S) BEFORE DISMISSING THE APPEAL FOR
AN ALLEGED FAILURE TO COMPLY WITH THE BRIEFING REQUIREMENTS;

(3) RECOGNIZE THAT THE BRIEF WHICH INCLUDE ITS SERVICE WAS
TIMELY FILED AND THAT THE PRESENT DISPUTE CONCERNS ONLY THE
CAPTION/FORM OF THE FILING;

(4) DEEM THE TIMELY-FILED BRIEF SUFFICIENT FOR PURPOSES OF
PRESERVING THE APPEAL, SUBJECT TO CORRECTION OF THE CAPTION IF
THE COURT DETERMINES CORRECTION IS REQUIRED;

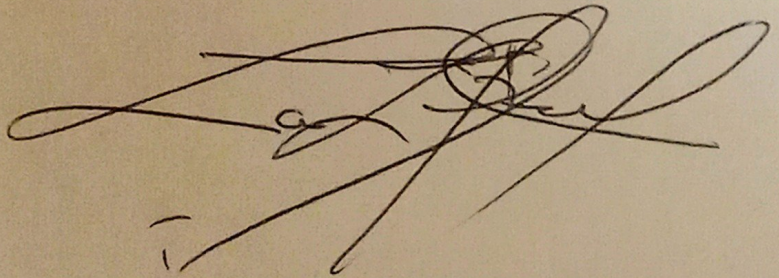
(5) ALTERNATIVELY, GRANT APPELLANT LEAVE TO FILE A
CORRECTED CAPTION AND OR CORRECTED BRIEF AND SERVE THE PARTIES
WITHIN A REASONABLE PERIOD AFTER THE COURT'S RULING;

(6) DECLINE TO DISMISS THE APPEAL WHILE THE MOTION TO
AMEND THE CAPTION AND TO INTERVENE REMAINS PENDING; AND

(7) GRANT ANY AND ALL OTHER RELIEF THAT THE COURT WOULD
DEEM JUST, FAIR AND PROPER.

RESPECTFULLY,

LAWRENCE L. CRAWFORD

A large, stylized handwritten signature in black ink, appearing to read 'Lawrence L. Crawford', is written over the typed name.

SEPTEMBER 8, 2026

LAWRENCE L. CRAWFORD AKA
JONAH GABRIEL JAHJAH T. TISHBITE
#300839 F3B. RM. 148
EVANS C.I. 610 HWY. 9 WEST
BENNETTSVILLE, S.C. 29512

IN RE: CASE 2025-001856 AND FILING MOTION TO EXPEDITE RULING ON
PENDING MOTIONS AND TO PRESERVE RIGHT TO APPEAL.

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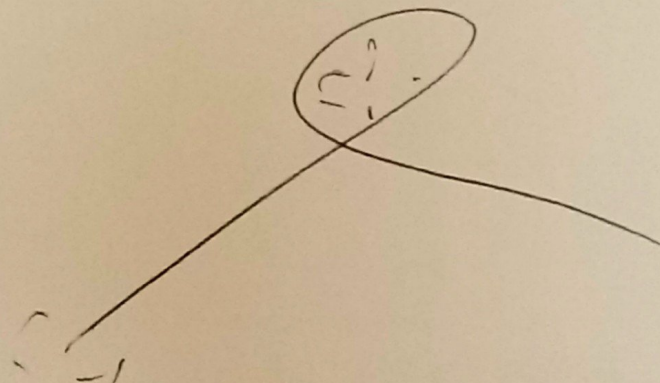
SC Court of Appeals

TO: THE S.C. COURT OF APPEALS,

ATTACHED IS A COPY OF A PLEADING FILED FOR THE PURPOSE
OF SEEKING EXPEDITED RULING ON PENDING MOTIONS AND TO PRESERVE
THE RIGHT TO APPEAL TO PREVENT ANY UNJUST DISMISSAL. PLEASE FILE
THE PLEADING IN THE CASE CAPTIONED ABOVE AND FORWARD IT FOR
ADJUDICATION. I THANK YOU IN ADVANCE. STILL REMAIN,

RESPECTFULLY,
JONAH THE TISHBITE

SEPTEMBER 8, 2026

A handwritten signature in dark ink, consisting of a large, stylized loop that encircles the letters 'J' and 'T', with a long horizontal stroke extending to the right.

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AFFIDAVIT OF SERVICE

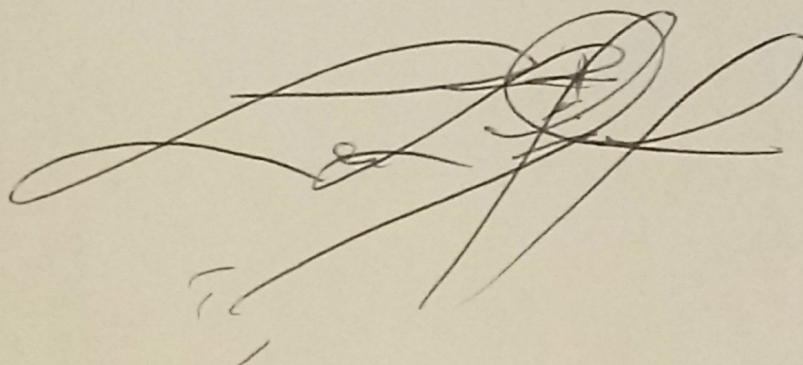
I, LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE, DO HEREBY CERTIFY THAT HE HAS MAILED AND OR SERVED A COPY OF AN AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO EXPEDITE RULING ON PENDING MOTION TO AMEND CAPTION AND MOTION TO INTERVENE, TO DEEM TIMELY-FILED BRIEF COMPLAINT, AND TO PREVENT DISMISSAL, ON THE S.C. COURT OF APPEALS P.O. 11629, COLUMBIA,

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SC Court of Appeals

S.C. 29211, THE S.C. ATTORNEY GENERAL P.O. BOX 11549 COLUMBIA,
S.C. 29211, BY U.S. MAIL AND OR PDF, POSTAGE PREPAID, BY PLACING
IT IN THE INSTITUTION MAILBOX ON SEPTEMBER 8, 2026.

RESPECTFULLY,

LAWRENCE L. CRAWFORD

A handwritten signature in dark ink, appearing to be 'L. Crawford', with a large circular flourish at the end.

SEPTEMBER 8, 2026