

THE STATE OF SOUTH CAROLINA

RECEIVED

IN THE SUPREME COURT

OCT 02 2026

S.C. SUPREME COURT

APPEAL FROM GREENWOOD COUNTY, S.C.

HONORABLE CIRCUIT JUDGE - PATRICK C. FANT III

CASE NO. 2023-CP-2400259

COURT OF APPEALS NO. 2026-000968

FILED DATE OF ORDER - AUGUST 18TH, 2026

GREENWOOD COUNTY
DETENTION CENTER

>

> RESPONDENT

V.S.

JOEY C. REID

>

> APPELLANT

PETITION FOR WRIT OF CERTIORARI

ATTORNEY FOR PETITIONER
PRO SE PETITIONER

RUSSELL W. HARTER, JR.

P.O. BOX 10224

GREENVILLE, SC. 29603-0224

(A)

INDEX

PAGE No.

JOEY C REID - PRO SE'

1

QUESTIONS PRESENTED

2

STATEMENT OF THE CASE

3-4

ARGUMENTS

5-6-6A

DESCRIPTIONS OF ORDER

CITATION OF CASE

7

CONCLUSION

8

CERTIFICATE OF SERVICE

9

CERTIFICATE OF PRO SE COUNSEL

I, JOEY C. REID, PETITIONER CERTIFIES THAT HIS PRO SE
PETITION FOR REHEARING, WAS RULED UPON BY THE
HONORABLE COURT OF APPEALS, S.C., ON AUGUST 18TH 2026.

QUESTIONS PRESENTED

QUESTIONS PRESENTED

- 1) DID THE TRIAL COURT ERR IN CALCULATING THE 2-YEAR STATUTE OF LIMITATIONS ON PETITIONER'S TORT CLAIMS LAWSUIT HEREIN.
- 2) DID THE TRIAL COURT ERR, IN NOT ORDERING THAT PETITIONER IN THIS CASE, RELEASED, AFTER ACQUITTAL, ON ATTEMPTED MURDER CHARGE, [CASE # 2019-A24-20100670] USED ARREST, TO VIOLATE HIS PROBATION, TO A PREVIOUS ATTEMPTED MURDER CHARGE, IN [CASE # 2012-ES-24-1325], WHICH PROBATION WAS AN ILLEGAL SENTENCE FOR PREVIOUS ATTEMPTED MURDER CHARGE.
- 3) DID THE STATE AND THE SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLES AND PARDON SERVICES, EXHIBIT PREJUDICE, BIANESS, VINDICTIVE AND MALICIOUS PROSECUTIONS TO HOLD THIS PETITIONER OVER 7 MONTHS AFTER ACQUITTAL, WHICH ACQUITTAL NULLIFIED VIOLATION OF PROBATION ON ILLEGAL SENTENCE, IN WHICH PETITIONER SERVED APPROXIMATELY 1-YEAR UPON, BEFORE BEING REVOCATED.
- 4) DID TRIAL COURT ERR BY NOT APPOINTING PETITIONER AN ATTORNEY, FOR THIS CIVIL LAWSUIT, EVEN THOUGH PETITIONER, NORMALLY WOULD HAVE NO CONSTITUTIONAL RIGHT TO COUNSEL BEING APPOINTED, DUE TO THE "UNUSUAL" AND "EXCEPTIONAL" CIRCUMSTANCES CREATED BY THE STATE'S ERRORS, ANY RULINGS BY THE TRIAL COURT WOULD PREJUDICE PETITIONER, AGAIN, WITH APPOINTED COUNSEL BECAUSE OF HIS INDIGENT STATUS, THE FAIR ENDS OF JUSTICE WOULD HAVE PREVAILED.
- 5) DID COURT OF APPEALS ABUSE ITS DISCRETION IN DISMISSING PETITIONER'S TORT CLAIMS PETITION WITHOUT THOROUGHLY REVIEWING.

STATEMENT OF THE CASE

PETITIONER, ON JAN 27TH 2014 PLEAD GUILTY TO ONE COUNT OF ASSAULT AND BATTERY, 1ST degree, AND (1) COUNT OF ATTEMPTED MURDER (2012-GS-24-1325). THE PLEA WAS NEGOTIATED, AND PETITIONER WAS SENTENCED TO 10-YEARS IN SCDC, AND UPON RELEASE, SERVE 5-YEARS PROBATION, WHICH CAME FROM A 20-YEAR SUSPENDED SENTENCE BY ALL PARTIES

PETITIONER FINISHED HIS 10-YEAR SENTENCE, AND AFTER ABOUT 1-YEAR, WAS ARRESTED ON A (2ND) ATTEMPTED MURDER CHARGE, HIS PROBATION WAS REVOKED, AND HE WAS INCARCERATED, AND REQUESTED A JURY TRIAL, FOR THE JULY 11TH 2019 ATTEMPTED MURDER CHARGE. PETITIONER WON THE JURY TRIAL BY ACQUITTAL, PETITIONER PROBATION HEARING HAD BEEN CONTINUED FROM JAN. 30TH 2020, UNTIL OCTOBER 28, 2021, SOME 7-8 MONTHS AFTER PETITIONER WAS ACQUITTED ON APRIL 21ST 2019.

THE STATE APPEALED AND THE S.C. COURT OF APPEALS DISMISSED THE APPEAL STATING "BECAUSE THE STATES APPEAL DUE TO THE UNDISPUTED ILLEGAL SENTENCE, IS A PROBLEM OF THE STATES OWN CREATION."

PETITIONER HEREIN FILED A TORT CLAIM UNDER THE S.C. TORT CLAIMS ACT FOR THE ILLEGAL SENTENCE, WHEREIN HE WON THE JURY TRIAL, AND ARGUES BECAUSE THE SOUTH CAROLINA DEPT OF PROBATION PARDONS AND PAROLES VIOLATED HIS PROBATION, WHEN HE WAS ARRESTED ON A 2ND ATTEMPTED MURDER CHARGE (7-11-2019), HOWEVER PETITIONER FURTHER ARGUES HE WAS ILLEGALLY INCARCERATED FOR 7-8 MONTHS IN GREENWOOD DETENTION CENTER WHILE HE WAITED ON THE PROBATION HEARING THAT WAS RE-SCHEDULED AFTER THE ACQUITTAL.

PETITIONER CLAIMS HIS PROBATION SHOULD HAVE BEEN RE-INSTATED IMMEDIATELY UPON ACQUITTAL, THE ILLEGAL ARREST THAT LED TO HIS VIOLATION, AND ONCE, HE PROVED HE WAS ARRESTED AND CHARGED ILLEGALLY, VIA JURY TRIAL VICTORY, HIS JOURNEY

TO COMPLETE THE OTHER 3^{1/2} YEARS ON HIS PROBATION SHOULD HAVE BEEN CONTINUED. HE ARGUES EVERYTHING THE SCDPPPS AND THE STATE DID WAS EITHER ILLEGAL, OR THEY LOST, INCLUDING PROBLEMS ALL ALONG, THAT THEY CREATED.

PETITIONER CLAIMS ALL THEIR MISHAPS, ERRORS AND MISTAKES DOES NOT CREATE A DEFENSE FOR THEM AGAINST A LAWSUIT FILED UNDER THE STATE'S TORT CLAIM ACT, IT CREATE THE EXACT OPPOSITE, BUT FOR PETITIONER, A REMEDY, SO BOTH TRIED TO PURSUE, AND FURTHER PUNISH PETITIONER.

PETITIONER FILED A TORT CLAIM AGAINST THE GREENWOOD COUNTY DETENTION CENTER, AND THE COURT OF COMMON PLEAS GRANTED DEFENDANT'S SUMMARY JUDGEMENT ON THEIR PLEADINGS ONLY. THERE WAS NO DISPUTE THAT THE SENTENCE FOR PROBATION WAS ILLEGAL, WHICH MAKES ANY ACTIONS FROM THAT, ILLEGAL, AND THIS WAS ALL CREATED BY STATE ACTORS ERRORS, NONE OF OR BY PETITIONER.

THEY KNEW THIS, SO TO PUT PETITIONER BACK IN JAIL, AFTER ACQUITTAL, AMOUNTS TO VINDICTIVE AND MALICIOUS PROSECUTION, AND PREJUDICE AND BIASNESS TOWARD HIM.

PETITIONER APPEARED TO THE COURT OF APPEALS WHO DISMISSED THE APPEAL, SO PETITIONER REQUEST RE-CONSIDERATION AND AGAIN IT WAS DISMISSED. PETITIONER ARGUES THE COURT OF APPEALS ABUSED ITS DISCRETION, FOR (1) THE STATUTE OF LIMITATIONS SHOULD HAVE BEGAN TO OPERATE ONCE THE ACQUITTAL WAS HANDLED DOWN, THAT'S A 2-YEAR STATUTE FOR A TORT CLAIM, PETITIONER, AS THIS COURT CAN SEE, WAS WELL WITHIN THE 2-YEARS. (2), HOW CAN THE COURT OF APPEALS SAY THAT WHAT THE STATE ACTORS DID WAS NOT PREJUDICIAL, VINDICTIVE AND CONTINUED TO MALICIOUSLY ILLEGALLY INCARCERATE PETITIONER, INSTEAD, THE COURT OF APPEALS DENIED IT TO BE HEARD, THEREFORE PETITIONER NOW APPEALS BY WRIT OF CERTIORARI TO THIS S.C. SUPREME COURT, PETITIONER IS WITHIN HIS RIGHTS TO PURSUE REDRESS AGAINST A GOVERNMENT STATE ACTIONS FOR 1ST, 14TH AMENDMENT RIGHTS.

ARGUMENTS

QUESTION 1).
PAGE 2

PETITIONER ARGUES THAT THE TRIAL COURT ERRED IN ITS CALCULATION OF THE 2-YEAR STATUTE OF LIMITATIONS UNDER S.C. TORT CLAIMS ACT.

PETITIONER ARGUES HE BECAME AWARE OF THE STATUTES BEGINNING, ON THE DAY HE WAS ACQUITTED, BY A JURY, THEREFORE HIS TORT CLAIMS LAWSUIT WAS FILED WITHIN THE 2-YEAR LIMITATIONS, IMPLEMENTED INTO THE ACT. IT WOULD BE IMPOSSIBLE TO KNOW THE STARTING DATE, PRIOR TO ACQUITTAL.

QUESTION
PAGE 2

2).

PETITIONER ARGUES THE TRIAL COURT ERRED IN NOT ORDERING HIS RELEASE, AFTER HE WAS ACQUITTED AT A JURY TRIAL IN CAUSE # 2019-A2420100670, BECAUSE HIS SENTENCE ON THE PROBATION, AND HIS ARREST, WAS FROM AN ILLEGAL SENTENCE FOR PROBATION, ON A PREVIOUS ATTEMPTED MURDER CHARGE, AND HIS ARREST, FOR A VIOLATION OF THAT PROBATION, HE WON IN A JURY TRIAL BY ACQUITTAL, INSTEAD HE WAS PUT BACK IN COUNTY JAIL AND HELD ILLEGALLY FOR NEARLY 8 MONTHS, NOT TO MENTION PETITIONER SPENT 1-YEAR ON THAT SAME PROBATION, PRIOR TO HIS ARREST, FOR GETTING ARRESTED ON THE ATTEMPTED MURDER CHARGE HE WON. PETITIONER ARGUES HE WAS VINDICTIVELY AND MALICIOUSLY PURSUED BY THE STATE, AND THE STATE ERRED IN THE ILLEGAL SENTENCE, AND THEY LOST THE JURY TRIAL, THE ATTEMPTED MURDER CHARGE HAD ABSOLUTELY NO MERITS, STATE WAS AWARE OF THIS.

QUESTION 3)
PAGE 2

PETITIONER ARGUES THAT THE STATE AND THE DEPT OF PROBATION, PAROLES AND PARDONS SHOWED BIASNESS, PREJUDICE AGAINST HIM, AS ALSO THE STATE DID BY ILLEGALLY RESTRAINING HIM, FALSLY ARRESTING HIM, AND HOLD HIM FOR NEARLY 8-MONTHS, PETITIONER FURTHER ARGUES IT WAS INTENTIONAL AND KNOWINGLY DONE, THEY HAD ABSOLUTELY NO REASON (C) FOR SITTING HIM BACK IN COUNTY JAIL AT GREENWOOD DETENTION CENTER FOR NEARLY 8-MONTHS. THE CHARGE WAS ACQUITTED, THE PROBATION VIOLATION WAS NO MORE, IT SHOULD HAVE BEEN IMMEDIATELY "WITHDRAWN" AND BECAUSE I WAS INDIGENT AND TO POVERTY-STRIKEN (POOR) IS NOT A LEGAL-BINDING WAY TO ILLEGALLY RESTRAIN A PERSON BUT THAT'S WHAT THEY DONE.

QUESTION 4)
PAGE 2

PETITIONER ARGUES BECAUSE OF THE STATE'S NUMEROUS ERRORS IN HIS CRIMINAL MATTERS, THE TRIAL COURT DUE TO EXCEPTIONAL CIRCUMSTANCES, ALL CAUSED BY INEPT STATE ACTIONS, THE TRIAL COURT IN THE FAIRNESS OF JUDICIAL EQUALITY SHOULD HAVE APPOINTED PETITIONER AN ATTORNEY TO "SORT THROUGH THE STATE'S MESS" BY USING ITS GIVEN "DISCRETION" FOR SUCH APPOINTMENT, EVEN THOUGH IT HAS NO LEGAL DUTY TO, NOR DOES IT HAVE TO, PURELY DISCRETIONARY, HOWEVER THE COURT DID MAKE NOTE IN THE RECORD SEVERAL TIMES AND ALSO USED THE TERM "UNUSUAL" SEVERAL TIMES. PETITIONER ARGUES THIS ENTIRE CASE SHOULD BE REMANDED.

QUESTION 5)
PAGE 2

PETITIONER ARGUES THE COURT OF APPEALS ERRED AND ABUSED ITS DISCRETION IN DISMISSING HIS TORT CLAIMS LAWSUIT PETITION FOR THE FOLLOWING:

A) COURT OF APPEALS did NOT THOROUGHLY REVIEW THE RECORDS IN THE TRIAL COURT, THE PREDICATE FOR THE CLAIM PETITIONER COMPLAINS OF "THE STATUTE OF LIMITATIONS IS WELL WITHIN THE 2-YEAR LIMITATION, IF THE COURT STARTS THE BEGIN DATE FROM THE DAY PETITIONER WAS ACQUITTED, IT CAN CLEARLY SEE PETITIONER WAS WELL WITHIN THE STATUTE;

B). COURT OF APPEALS COULD NOT, BECAUSE OF (A) ABOVE, REVIEWED THE RECORD THOROUGHLY, ALSO FOR THE TRIAL COURT TO GRANT SUMMARY JUDGMENT ON THE RESPONDENTS PLEADINGS WAS ERROR.

EVEN UNDER FEDERAL LAW SUCH AS A CIVIL LAWSUIT FILED UNDER 42 U.S.C. § 1983, THE STATES SUCH AS SOUTH CAROLINA ADOPT THEIR STANDARDS FOR REVIEW, AND THE UNITED STATES COURT OF APPEALS ADOPTS THE U.S. SUPREME COURT'S STANDARDS. (i.e. example) IN SHORT V HARTMAN, THE 4TH CIRCUIT COURT HELD THAT IT REVIEWS A DISTRICT COURT'S RULINGS ON A MOTION FOR JUDGMENT ON THE PLEADINGS AND WE DO SO BY APPLYING A STANDARD, AND THAT STANDARD REQUIRES THAT WE ACCEPT ALL FACTS PLED IN THE COMPLAINT AS TRUE AND "DRAW ALL REASONABLE INFERENCES IN FAVOR OF THE PLAINTIFF". SHORT V HARTMAN 87 F. 4TH 593 (4TH CIR 2023), ALSO SEE EDWARDS V CITY OF GOLDSBORO, 178 F. 3d. 231, 243 (4TH CIR 1999), THIS HONORABLE S.C. SUPREME COURT, HAS A UNIQUE HISTORY OF AGREEING WITH BOTH THE FED. DIST. CTs AND 4TH CIRCUITS, AS WELL AS THE UNITED STATES SUP. CT., IT SHOULD DO THE SAME AGAIN.

DESCRIPTION OF ORDER - CITATION - DATE

NOTICE OF APPEAL - COA# 2026-000968 - 4-21-2026

NOTICE OF APPEALS DEFICIENCY LETTER - COA# 2026-000968 - 4-21-26

TRANSCRIPT REQUEST - COA# 2026-000968 - 5-12-2026 (ORDER)

NOTICE OF APPEAL (SUMMARY JUDGMENT) - COA# 2026-000968 - 5-13-26 (ORDER)

TRANSCRIPT STATUS - APPEAL DISMISSED - COA# 2026-000968 - 5-18-2026

MOTION FOR EXTENSION OF TIME - COA# 2026-000968 - 6-4-2026

MOTION TO RE-INSTATE (DEFICIENCY) - COA# 2026-000968 - 6-17-26

2ND MOTION TO RE-INSTATE (CORRECTIONS) - COA# 2026-000968 - 6-22-26

MOTION TO PROCEED (IN FORMA PAUPERIS) - COA# 2026-000968 - 6-25-26

REMITTITUR NOTICE - COA# 2026-000968 - 7-14-26

MOTION TO RE-CONSIDER DISMISSAL - COA# 2026-000968 - 8-18-26

CONCLUSION

PETITIONER CONCLUDES AND WITH PRAYER, SHOWS THAT BOTH THE TRIAL COURT AND COURT OF APPEALS OVERLOOKED THE ACTUAL BEGINNING DATE OF APRIL 21ST (ACQUITTAL) ON PETITIONER'S LAWSUIT (2-YEARS FROM 4-21-23) HEREIN, HE ALSO ARGUES THAT THE DEPT OF PROBATION, PAROLE AND PARDONS, THE TRIAL COURT AND EVEN THE STATE ADMIT, THE SENTENCE WAS ILLEGAL, WHICH THIS PETITIONER CLAIMS THE STATE VINDICTIVELY AND MALICIOUSLY PURSUED HIM (1) PETITIONER FINISHED HIS INITIAL PRISON SENTENCE FROM ON OR ABOUT 2012, THEN WAS PUT ON PROBATION FOR ATTEMPTED MURDER WHICH WAS NO FAULT OF PETITIONER'S, THEN AFTER ON OR ABOUT A YEAR ON PROBATION, PETITIONER WAS AGAIN CHARGED BY THE STATE, WITH ANOTHER ATTEMPTED MURDER CHARGE, WHICH VIOLATED HIS PROBATION. PETITIONER KNEW THE CHARGE WAS BASELESS WITH NO MERIT, SO TOOK IT TO JURY TRIAL AND WAS ACQUITTED, WHICH SHOULD HAVE RE-INSTATED HIS PROBATION, THEN THE ILLEGAL SENTENCE OF PROBATION, FOR HIS 1ST ATTEMPTED MURDER CHARGE HE HAS BEEN ON, HOWEVER INSTEAD OF RE-INSTATING HIS PROBATION AFTER ACQUITTAL, THE STATE PUT PETITIONER BACK IN COUNTY JAIL AT THE GREENWOOD DETENTION CENTER, ILLEGALLY INCARCERATING HIM, WITHIN THE 2-YEAR STATUTE OF LIMITATIONS, PETITIONER FILES THIS TORT CLAIMS LAWSUIT. THE COURT OF COMMON PLEAS GRANTED RESPONDENT'S SUMMARY JUDGMENT BASEDLY ON THE PLEADINGS, THIS PETITIONER APPEALED, ALSO REQUESTED COUNSEL, APPEAL WAS DENIED, PETITIONER REQUESTED A REHEARING, COURT OF APPEALS ON AUGUST 18TH 2026, DENIED REHEARING, AND NOW PETITIONER REQUEST THE S.C. SUPREME COURT FOR A WRIT OF CERTIORARI, TO REVIEW STATING FOR (1) COURT OF APPEALS FAILED TO ADDRESS THE STATUTE OF LIMITATIONS AND PETITIONER FEELS, THEY ABUSED THEIR DISCRETION IN DOING SO.