The State of South Carolina

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S.C. SUPREME COURT

For State Supreme Court

	Court of Common Pleas
	Ninth Judicial Circuit
Ryan Delestoa,	
Appellant.	Appellants Pro Se Brief
vs.	
State of South Carolina,	
Respondent.	

To: South Carolina Attorney General
Ninth Circuit PCR Division
Post Office Box 11549
Columbia, South Carolina 29211

A) South Carolina Code Ann. Sec 17-27-90

This court adopted rules pursuant to Sec. 17-27-110 designed to effectuate the purposes of the uniform act. Further, successive applications for post-conviction relief in State courts, while not absolutely barred, are not looked upon favorably unless ample reason exists for applicant to litigate again. See Land v. State, 262 S.E.2d 735 (1980) This particularly true, when as herein the court has reviewed the action of the lower court by way of direct appeal and found to be without merit. Land. id. at 737,.

The "Reverse Third Party Guilt" under 404(b) was fully briefed on appeal. But the district court found our "Reverse 404(b) Third Party Guilt" argument was not Preserved. Hence, language of Section 17-27-90 is not restricted to state Proceedings but rather refers to "Any Other Proceeding" where relief might be sought Prior to submission of a subsequent application. This court has extended the reasoning espoused in Land to case at bar. See, Deleston v. Nelsen, 2021-WL 32177-2020-WL873664

Applicant clearly established, the court improperly addressed 404(B) reverse third Party Guilt evidence claim and unreasonably applied Holmes/Cole in their denial of appeal

B) Accomplice Liability

Applying the common law Principles to the Hands of One Hands of All charge against applicant there is no question that the Jury instruction did not comply with the textual command of due Process, constitutes as an improper command on evidence.

No evidence exist as to the Hands of one Hands of all. instruction to warrant the instruction. The "Natural And Probable Consequences" is unconstitutionally ascribing liability regardless of whether it was Planned. Under Rosemond v. United

States. applicant was denied due Process. See. State v. Sellers. 442 S.C. 140 (2024)
Rosemond v. United States. 572 U.S. 65 (2014)

Wherefore. it is Prayed court Grant relief

Date: 29 day of Oct, 2024.

Respectfully Submitted:
s/ Ryan Deleston / Pro Se

Ryan Delostrao #307106
LEE C I F4 B 2227
990 Wisaky Hwy
Bishopville S.C 29010

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