

STATE of South Carolina  
Court of Appeals

S.C. Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

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JUN 10 2014

SC Court of Appeals

Subject: Jurisdictional Investigation

In re: STATE v. Vincent Missouri: 2012-GS-39-2202; 2203;  
2012-GS-39-2204.

Dear Court;

By now, this honorable court of appeals should have received my letter of Intent To Appeal. Based on the legitimate concerns I have with Pickens County and the attorney that was "forced upon me", preventing me from mounting "any viable defense to the charges", since June 26, 2012. And I do have reason to believe the transcribed record have been remanufactured or is in the process.

My jurisdictional concerns however stems from my "Habeas Corpus" filed since 10-22-2013, attacking the subject-matter-jurisdiction of the circuit court's authority to proceed with the criminal process, where

the defendant has clearly demonstrated procedural due process was and has been continually denied. Habeas Corpus pending #2013-CP-230-6448. Because the State failed to "resolve" the habeas corpus. Did the defendant file a federal habeas corpus. Federal Habeas Corpus 8:14-CV-00035-MGL-JDA. Both the state motion and the subsequent federal motion was sent to Pickens and Greenville authorities, (i.e. "the State")

However, the federal court recommended that it's Younger v. Harris, decision required non-interference with state matters unless in the extraordinary circumstances, such state deprivation requires federal oversight. I filed an objection to the magistrates finding, arguing that such circumstances exist where the state remedies are "ineffective or inadequate," or as here, the state simply will not address the wrongs complained of. The federal court, has yet to finalize my "objection filed on February 5, 2014".

## I.

To begin with, the Supreme Court concluded that Habeas Corpus jurisdiction is sweeping in its breadth. Withrow v. Williams, 507 U.S. 680, 715 (1993). And that the Habeas Corpus Act of 1867 is of the most comprehensive character. It brings within the Habeas Corpus jurisdiction of every court and every judge every possible case of privation of liberty contrary to the national Constitution, treaties or laws. It is impossible to widen this jurisdiction.

## II.

With such a vehicle of attack "Known by the State", questioning the very jurisdiction of the circuit court of South Carolina. Withstanding the merits of such a attack. Without first resolving the constitutional challenges to the indictment, by way of a formal hearing under the authority granted by a Habeas Corpus application. Did the circuit court for General Sessions in Pickens County, retain "subject-matter-jurisdiction" to try Vinient Missouri, on 5-19-2014 - 5-20-2014? When the application was filed since 10-22-2013. If so, the U.S. Fourteenth Amend. to the Constitution is mere verbalisms, where liberty has been deprived without due process.

## III.

Again, Missouri is not here to argue "the merits of the application". Nor is this a attempt to supplement this investigation request in place of his direct appeal. However, jurisdiction must be satisfied at "the start of a criminal matter" in order to constitutionally as well as statutorily supply the Court of Appeals with proper jurisdiction.

## IV.

Moreover, a "acquiesced" to the Habeas Corpus by the State, where no other reason exist for ignoring or being silent, would

suggest that the Habeas relief should be granted. In which case reverses the instant convictions and quashes the indictments. For the total "lack of an indictment divest the court of subject-matter jurisdiction". See Pierce v. State, 338 S.C. 139 (2000); Gentry v. State, 363 S.C. 93 (2005). But again, unless the merits of the Habeas Corpus was resolved, that questioned the indictment, according to applicable law, NO trial should have convened.

The court made absolutely sure, the defendant would be hogtied by forcing counsel upon him. So that none of Missouri's defenses would have been placed on the record, And counsel smirked and rejected any and every issue I attempted to posit through him.

Under penalty of perjury I certify the facts herein are true and absolutely correct to the best of my recollection and personal knowledge. See 28 U.S.C. §1746.

Respectfully Submitted

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CC: filed

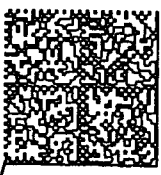
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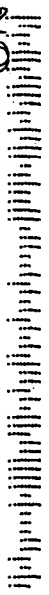
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