

Daniel E. Shegrouse

Clerk of Court

P.O. Box 11330

Columbia, S.C. 29211

Donald E. Robinson #237941

Kershaw Correctional Institution

4848 Goldmine Hwy.

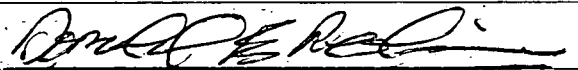
Kershaw, S.C. 29067

August 19, 2014

Re: Donald E. Robinson v. The State,

Dear Mr. Shegrouse:

Enclosed you will find the Petitioner's Petition
for Rehearing, Appellate case NO. 2014-001515 and
lower court case NO. 2013-LD-40-07435. Please file
it with the Supreme Court for future reference.
Thank you for your assistance.



Donald E. Robinson #237941

CC: File

Megan E. Harrigan, Esquire.

RECEIVED

AUG 22 2014

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal From Richland County
Howard W. King, Circuit Court Judge

DONALD E. ROBINSON, PETITIONER,

v.

STATE OF SOUTH CAROLINA, RESPONDENT.

PETITION FOR REHEARING

The Petitioner Donald E. Robinson respectfully moves under Rule 221(a) of the South Carolina Appellate Court Rules for rehearing of the affirmance of his appeal in opinion number 2014-001515 and 2013-CP-40-07435 filed August 14, 2014.

The Petitioner received the Supreme Court order on August 18, 2014. The notice of appeal filed July 7, 2014 to this court was due to a conditional order of dismissal from the LPCR court. This court dismissed the Petitioner notice of appeal without prejudice because the order is not an appealable order.

The Petitioner PCR application filed on December 10, 2013 and his Response application to the Conditional order of Dismissal filed on June 2, 2014 did provided specific reasons, Facts, and legal why the Petitioner is entitled to PCR relief. But the PCR court have ignored and overlooked the issues in this case, so, I am filing to the Supreme Court to review the Facts.

The Petitioner respectfully requests the Supreme Court to review his PCR application and Response application the same as March 17, 2010 letter as the following:

This Office has received a notice of appeal in the above post-conviction relief action. Since the order of the Circuit Court determined that this action is barred as being successive and as being untimely under the statute of limitations, Rule 243 (c), [formerly Rule 227 (c)], SCACR, requires you to provide a written explanation as to why this determination was improper. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the lower court was improper. The failure to make a sufficient showing may result in the dismissal of this matter.

This Court asked that I provided the explanation required by Rule 243(c) within twenty (20) days of the date of this letter.

Rule 21.1(e), SCRCP. The applicant has the burden of establishing his entitlement to relief by a preponderance of the evidence.

A complete review of the Petitioner's PCR application and the Response application filed to the PCR court proves according to the Appendix record, that the Petitioner was denied and deprived of constitutional rights to have a "Fair trial" required by due process of law and equal protection of the laws of this state and the United States Constitution.

1. The facts prove that the PCR Counsel failed to amended the Petitioner's original PCR application filed on November 9, 2000 as required by Rule 21.1(d), SCRCP. Counsel shall insure that all available grounds for relief are included in the application and shall amend the application if necessary.

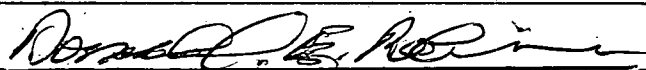
2. The Petitioner (Black Male) according to the state's eye witness standing across the street from the victim's house, only saw the Black Male standing on a public sidewalk. The Petitioner never should have been charged with Burglary in the first degree under S.C. Code Sec. 16-11-311. The Black Male never entered the victim's house.

3. The Facts also proves that Corporal Blackwell did not responded to this 911 call on February 13, 1996. The computer printout proves this 911 call was made by the Dispatcher at 19:16:39 and Blackwell testified under oath, that he Dispatch 19:12 and Arrived 19:15. The Printout proves that Burteen (142), Police Officers received this 911 call at 19:16:39, he the only Officer Dispatch and Arrived before the 911 call was made.

CONCLUSIONS

The Court is asked to reconsider it action and Vacate Petitioner's convictions and sentences.

Respectfully Submitted,



Ronald E. Robinson # 237946

August 19, 2014

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Richland County
Howard A. King, Circuit Court Judge

RONALD E. ROBINSON,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

The Petitioner Donald E. Robinson hereby has served
a copy of the Petition for Rehearing in the above
reference case upon Megan E. Harrigan, Esquire, this
19th day of August 2014.



Donald E. Robinson #237946

Enclosed:

Mr. Thegrouse,

1. This is the Closed Incident Report computer printout from the Columbia Central Dispatch Communication Center, Court's Exhibit A-1 pages 1254-56. This proves Mrs. Naomi Bostic called 911 at 19:14:54 and the 911 dispatcher made the 911 call at 19:16:39 to fourteen (14), police officers.
2. Also, this is Corporal Blackwell's Search Activity and search summary reports on pages 1310-11, both have the "Scene False" Dispatch 19:12, Arrival 19:15, and Departure 21:00 Times. The computer printout proves by a preponderance of the evidence that Blackwell did not respond to this 911 call on February 13, 1996.

This Police Officer deliberately lied to the court and jury while under oath, about his reports times that denied and deprived the petitioner of a fair trial that violated due process of law.

Thank you.

CLOSED INCIDENT REPORT

1254

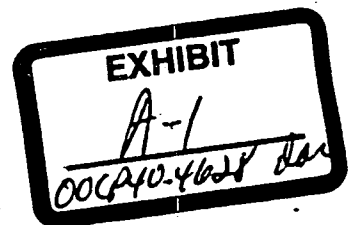
Incident #: L4566 Case #: MI #: 960114103
 Agency Name: Columbia PD Date/Time Rcvd: 02/13/96 19:14:54
 Municipality: CO COLUMBIA CITY Alarm: 01 Disp Code: 8
 Current Location: 909 NORTHWOOD ST ,CO CO
 Original Location: 909 NORTHWOOD ST ,CO CO
 Grid Zone Area Dist Apt. Priority Prev. Pri.
 534 532 P4 D5 1
 Routed Dispatched Enrouted Arrived Cleared
 02/13 19:16:24 02/13 19:16:39 02/13 19:18:45 02/13 19:18:45 02/13 22:54:58
 Current CFS Orig Upd. 1 Upd. 2 Upd. 3 Upd. 4
 BURGI BURGLARY IN PROG BURGI

CALLER/SUBJECT

Name: BOSTICK, NAOMI Phone: H(911)254-7813 W(803) -
 /S: C Addr: 910 northwood st
 ct: COM City: COLUMBIA ST: SC Zip: 29201-

COMMENTS

| Date | Time | Oper. | CC Comment |
|----------|-------|-------|---|
| 02/13/96 | 19:14 | 10309 | CT MALE SUBJ RAN TO NEIGHBORS HOUSE <i>ct. = original comment</i> |
| 02/13/96 | 19:16 | 5907 | DP Res: 552 Disp |
| 02/13/96 | 19:17 | 10309 | CT 2 MALE SUBJS WENT INTO RESIDENCE AND POSSIBLY ASSAULTED |
| 02/13/96 | 19:17 | 10309 | CO THE TWO ELDERLY PEOPLE THAT LIVE THERE |
| 02/13/96 | 19:17 | 5907 | DP Res: 502 Disp |
| 02/13/96 | 19:17 | PH | DP Res: 839 Disp |
| 02/13/96 | 19:17 | PH | DP Res: 507 Disp |
| 02/13/96 | 19:18 | PH | DP Res: 858 Disp |
| 02/13/96 | 19:18 | PH | AR Res: 858 |
| 02/13/96 | 19:18 | PH | AR Res: 839 |
| 02/13/96 | 19:19 | PH | DP Res: 855 Disp |
| 02/13/96 | 19:19 | 5907 | DP Res: 542 Disp |
| 02/13/96 | 19:19 | 5907 | DP Res: 142 Disp |
| 02/13/96 | 19:19 | PH | AR Res: 855 |
| 02/13/96 | 19:19 | 5907 | DP Res: 132 Disp |
| 02/13/96 | 19:19 | 5907 | AR Res: 552 |
| 02/13/96 | 19:20 | 5907 | DP Res: 532 Disp |
| 02/13/96 | 19:21 | 5907 | AR Res: 532 |
| 02/13/96 | 19:22 | 5907 | CO 2 BM SUSP |
| 02/13/96 | 19:23 | 5907 | AR Res: 502 |
| 02/13/96 | 19:23 | 10309 | DP Res: 817 Disp |
| 02/13/96 | 19:23 | 10309 | AR Res: 817 |
| 02/13/96 | 19:24 | PH | AR Res: 817 |
| 02/13/96 | 19:24 | 5907 | CO 2 BM'S NFD |
| 02/13/96 | 19:24 | PH | AR Res: 507 |
| 02/13/96 | 19:25 | PH | CO SUSP ARE A WHITE MALE WITH A WHITE CAP AND ALSO A BLK MALE |
| 02/13/96 | 19:25 | PH | CO WITH NIKE SHOES NFI AT THIS TIME |
| 02/13/96 | 19:26 | PH | DP Res: 859 Disp |
| 02/13/96 | 19:26 | PH | AR Res: 859 |
| 02/13/96 | 19:27 | 10309 | EP Res: 132 |
| 02/13/96 | 19:27 | 10309 | EP At: OCONEE/LINDSAY |
| 02/13/96 | 19:28 | PH | DP Res: 895 Disp |
| 02/13/96 | 19:29 | PH | AR Res: 895 |
| 02/13/96 | 19:30 | PH | CO BLK MALE BJ 5 10" WET SHIRT POSS CARRYING A MOBILE PHONE |
| 02/13/96 | 19:31 | PH | DP Res: 152 Disp |



Resource history (continued)

1255

| Source | Date | Time | SC | Pid1 | Pid2 | Pid3 | Pid4 | Pid5 | Pid6 | Pid7 | Pid8 |
|--------|----------|----------|----|-------|---|------|------|------|------|------|------|
| 12 | 02/13/96 | 19:16:39 | DP | 10068 | | | | | | | |
| | 02/13/96 | 19:19:59 | AS | 10068 | | | | | | | |
| | 02/13/96 | 20:16:24 | EH | 10068 | | | | | | | |
| | 02/13/96 | 20:20:33 | AH | 10068 | | | | | | | |
| | 02/13/96 | 20:49:27 | AV | 10068 | | | | | | | |
| | | | | | <u>552</u> Ronnie Pardon | | | | | | |
| 7 | 02/13/96 | 19:23:45 | DP | 6742 | | | | | | | |
| | 02/13/96 | 19:23:52 | AS | 6742 | | | | | | | |
| | 02/13/96 | 19:24:01 | AS | 6742 | | | | | | | |
| | 02/13/96 | 20:40:14 | AV | 6742 | | | | | | | |
| | 02/13/96 | 21:09:33 | DP | 6742 | | | | | | | |
| | 02/13/96 | 22:09:02 | AV | 6742 | | | | | | | |
| | | | | | <u>817</u> Joe Smith Inv. | | | | | | |
| 9 | 02/13/96 | 19:17:38 | DP | 9911 | | | | | | | |
| | 02/13/96 | 19:18:45 | AS | 9911 | | | | | | | |
| | 02/13/96 | 22:54:55 | AV | 9911 | | | | | | | |
| | | | | | <u>839</u> Darin Dougherty | | | | | | |
| 5 | 02/13/96 | 19:19:17 | DP | | | | | | | | |
| | 02/13/96 | 19:19:26 | AS | | | | | | | | |
| | 02/13/96 | 22:54:56 | AV | | | | | | | | |
| | | | | | <u>855</u> ⊗ | | | | | | |
| 8 | 02/13/96 | 19:18:19 | DP | 10785 | | | | | | | |
| | 02/13/96 | 19:18:45 | AS | 10785 | | | | | | | |
| | 02/13/96 | 22:54:56 | AV | 10785 | | | | | | | |
| | | | | | <u>858</u> William Pegrum | | | | | | |
| 9 | 02/13/96 | 19:26:06 | DP | | | | | | | | |
| | 02/13/96 | 19:26:12 | AS | | | | | | | | |
| | 02/13/96 | 22:54:57 | AV | | | | | | | | |
| | | | | | <u>859</u> | | | | | | |
| 5 | 02/13/96 | 19:28:56 | DP | 6528 | | | | | | | |
| | 02/13/96 | 19:29:22 | AS | 6528 | | | | | | | |
| | 02/13/96 | 20:57:30 | EH | 6528 | | | | | | | |
| | 02/13/96 | 21:20:33 | AV | 6528 | | | | | | | |
| | | | | | <u>895</u> Donald Catse - I D Technician | | | | | | |

615

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| Date | Time | Oper. | CC | Comment |
|----------|-------|-------|----|---|
| 12/13/96 | 19:31 | PH | AP | At: OCONNE AND LINDSEY |
| 12/13/96 | 19:37 | 5907 | AR | Res: 542 |
| 12/13/96 | 19:47 | 5907 | CL | Finish/Clear Resource Number: 142 |
| 12/13/96 | 19:50 | 5907 | CL | Finish/Clear Resource Number: 542 |
| 12/13/96 | 19:55 | 11185 | CO | COMP AT 3125 PARK ST SAYS HE WANTS TO SEE AN OFFICER |
| 12/13/96 | 19:55 | 11185 | CO | REF TO THE SUSPS THROWING SOMETHING DOWN, HE WILL POINT |
| 12/13/96 | 19:56 | 11185 | CO | IT OUT SEE DAVID |
| 12/13/96 | 20:06 | 5907 | EP | Res: 532 |
| 12/13/96 | 20:06 | 5907 | EP | At: 1409 LINCOLN ST |
| 12/13/96 | 20:07 | 10309 | AP | Res: 532 |
| 12/13/96 | 20:07 | 10309 | AP | At: 1409 LINCOLN ST |
| 12/13/96 | 20:13 | 5907 | AR | Res: 152 |
| 12/13/96 | 20:15 | 5907 | CL | Finish/Clear Resource Number: 152 |
| 12/13/96 | 20:16 | 5907 | EH | Res: 552 Hosp: Richland Mem Hosp |
| 12/13/96 | 20:19 | 5907 | CL | Finish/Clear Resource Number: 532 |
| 12/13/96 | 20:20 | 5907 | AH | Res: 552 Hosp: Richland Mem Hosp |
| 12/13/96 | 20:30 | 5907 | CL | Finish/Clear Resource Number: 132 |
| 12/13/96 | 20:39 | 5907 | CL | Finish/Clear Resource Number: 502 |
| 12/13/96 | 20:40 | 11185 | CL | Finish/Clear Resource Number: 817 |
| 12/13/96 | 20:49 | 5907 | CL | Finish/Clear Resource Number: 552 |
| 12/13/96 | 20:57 | 11185 | EH | Res: 895 Hosp: Richland Mem Hosp |
| 12/13/96 | 21:09 | 10309 | DP | Res: 817 Disp |
| 12/13/96 | 21:20 | 11185 | CL | Finish/Clear Resource Number: 895 |
| 12/13/96 | 22:08 | 5907 | CL | Finish/Clear Resource Number: 507 |
| 12/13/96 | 22:09 | 5907 | CL | Finish/Clear Resource Number: 817 |
| 12/13/96 | 22:54 | 5907 | CL | 11 |
| 12/13/96 | 22:54 | 5907 | CL | Finish/Clear Resource Number: 839 |
| 12/13/96 | 22:54 | 5907 | CL | Finish/Clear Resource Number: 858 |
| 12/13/96 | 22:54 | 5907 | CL | Finish/Clear Resource Number: 855 |
| 12/13/96 | 22:54 | 5907 | CL | Finish/Clear Resource Number: 859 |

RESOURCE HISTORY

| Resource | Date | Time | SC | Pid1 | Pid2 | Pid3 | Pid4 | Pid5 | Pid6 | Pid7 | Pid8 |
|----------|----------|----------|----|-------|------|------|------|------|------|------|------|
| 132 | 02/13/96 | 19:19:47 | DP | 9427 | | | | | | | |
| | 02/13/96 | 19:27:56 | EP | 9427 | | | | | | | |
| | 02/13/96 | 20:30:46 | AV | 9427 | | | | | | | |
| 142 | 02/13/96 | 19:19:20 | DP | 11176 | | | | | | | |
| | 02/13/96 | 19:47:32 | AV | 11176 | | | | | | | |
| 152 | 02/13/96 | 19:31:06 | DP | | | | | | | | |
| | 02/13/96 | 19:31:28 | AP | | | | | | | | |
| | 02/13/96 | 20:13:51 | AS | | | | | | | | |
| | 02/13/96 | 20:15:00 | AV | | | | | | | | |
| 102 | 02/13/96 | 19:17:22 | DP | 8233 | | | | | | | |
| | 02/13/96 | 19:23:37 | AS | 8233 | | | | | | | |
| | 02/13/96 | 20:39:01 | AV | 8233 | | | | | | | |
| 107 | 02/13/96 | 19:17:39 | DP | | | | | | | | |
| | 02/13/96 | 19:24:23 | AS | | | | | | | | |
| | 02/13/96 | 22:08:50 | AV | | | | | | | | |
| 132 | 02/13/96 | 19:20:23 | DP | 11199 | | | | | | | |
| | 02/13/96 | 19:21:20 | AS | 11199 | | | | | | | |
| | 02/13/96 | 20:06:51 | EP | 11199 | | | | | | | |
| | 02/13/96 | 20:07:33 | AP | 11199 | | | | | | | |
| | 02/13/96 | 20:19:03 | AV | 11199 | | | | | | | |
| 142 | 02/13/96 | 19:19:19 | DP | 10456 | | | | | | | |
| | 02/13/96 | 19:37:30 | AS | 10456 | | | | | | | |
| | 02/13/96 | 19:50:53 | AV | 10456 | | | | | | | |

Ginger Sanders

Palmore

Jeff Romine

Martin Kershaw

Feliberty Aleea

COLUMBIA POLICE DEPARTMENT K-9 UNIT
Search / Activity Report

1311

Handler: BACWELL Canine: GATOR

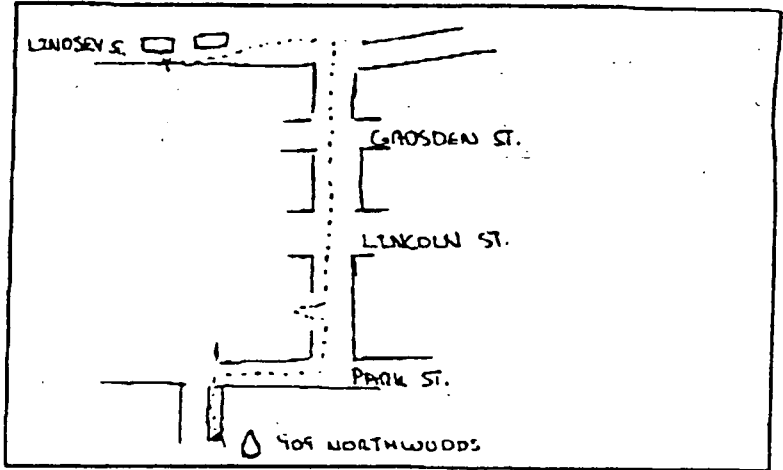
Date: 01/30 Incident Time: 1910 Dispatch Time: 1912 Arrival Time: 1915 Departure Time: 2100

Call Type: BURGLARY/ARMED Search Type: TRACK Requesting Supervisor: DISPATCH

Location of Call: 909 NORTHWOODS District: S Shift: EVE Duty Status: ON OFF

Narrative: Describe Search and any problems encountered: Diagram: Use back if additional space is needed

STAGED ON SIDEWALK IN FRONT OF SCENE W/BLACK
 BLK MALE AND WHI MALE OBSERVED RUNNING
 WEST TOWARD PARK ST. PICKED UP STRONG SCENT.
 TRACK AT ONTO PARK ST TO O'CONNOR ST THEN LEFT.
 MED BLOCK TURNED LEFT INTO ALLEY THEN BACK TO
 O'CONNOR, BACK TO LINDSEY ST AND SENDERS CALLS
 OUT WITH POSS. SUSPECTS. TRACK LEFT ON LINDSEY
 TO BIK. MALE STANDING IN DOOR OF PATROL CAR.
 GOOD ALERT GIVEN BY GATOR, MIRANDA/KE BOTH
 SUSPECTS WHITE MALE DOESN'T SAY ANYTHING.
 BUT BLK MALE STATES THEY WENT TO HOUSE



Search Confirmed: Yes/No Capture: Yes/No

* OVER

Handler: _____ Canine: _____

Date: _____ Incident Time: _____ Dispatch Time: _____ Arrival Time: _____ Departure Time: _____

Call Type: _____ Search Type: _____ Requesting Supervisor: _____

Location of Call: _____ District: _____ Shift: _____ Duty Status: ON / OFF

Narrative: Describe Search and any problems encountered: Diagram: Use back if additional space is needed

Search Confirmed: Yes/No Capture: Yes/No

01/10/1997 14:02 803-748-4790

SOLICITORS OFFICE

PAGE 04

DOESNT KNOW IF WHITE MALE DID BUT BOTH WENT INTO RESIDENCE.
POSITIVE I.D. GIVEN BY NEIGHBOR WITNESS.

1312

COLUMBIA POLICE DEPARTMENT K-9 UNIT
Search Summary

1310

Handler: Blackwell - E.R. Cpl.

Canine: Gator

Date: 021396 Incident Time: 1910 Dispatch Time: 1912 Arrival Time: 1915 Departure Time: 2100

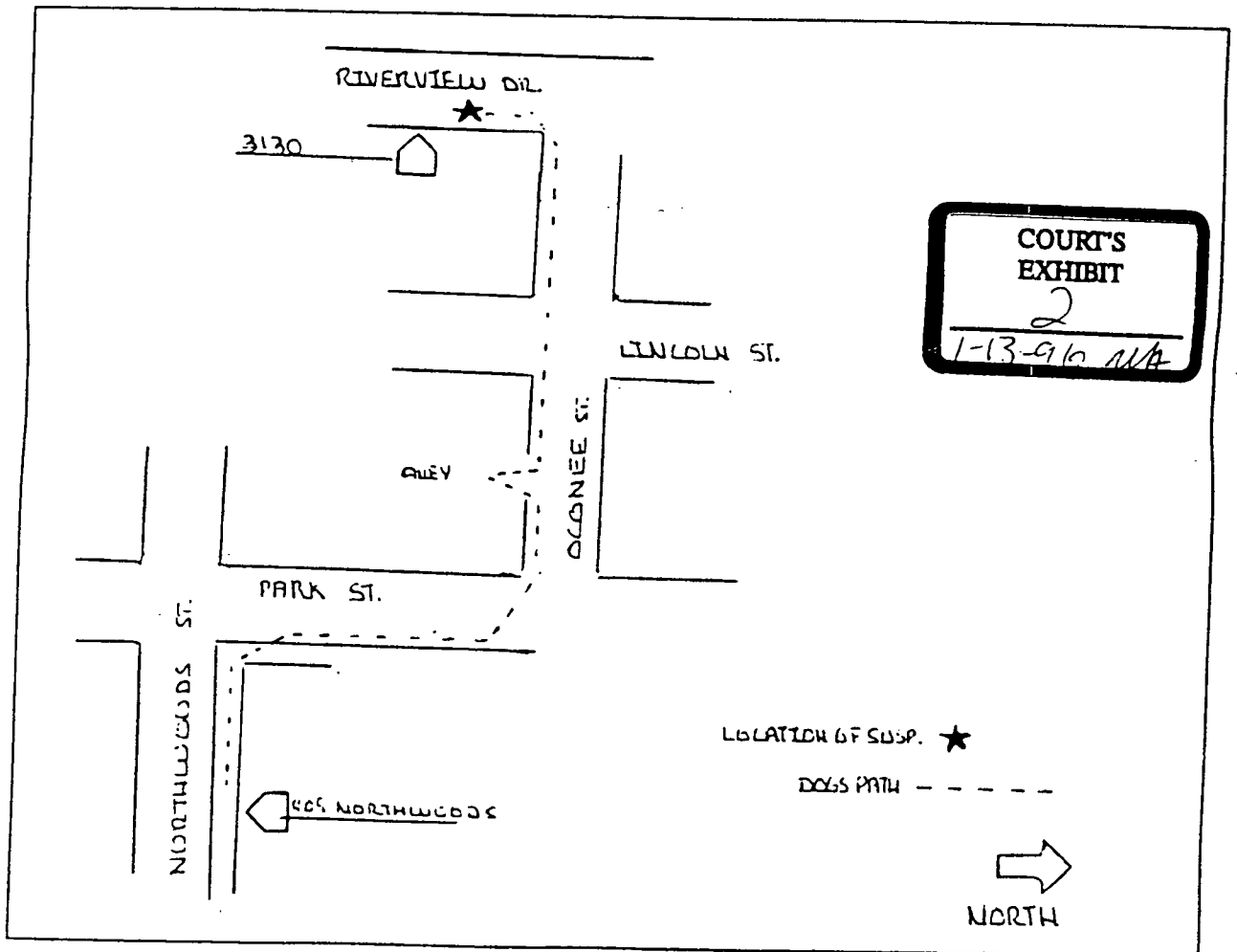
Call Type: Burglary Search Type: Track Requesting Supervisor: N/A

Location of Call: 909 Northwoods District: 5 Shift: Evening Duty Status: On

Narative: Describe Search and any problems encountered:

Upon arrival on the scene I was advised that time lapse was approx. 5 minutes. Was advised that a White Male Black Male were observed running from the residence West on the sidewalk in front of the residence and that else has been on the sidewalk. Started track on sidewalk Dog pulled hard with head down. Turned right on Park between fence and stop sign. Tracked on right side of roadway to Oconee St. then turned left. Went half block left side of Street and tracked approximately 20 feet into alley on left side. Came back out to street and tracked side of roadway across Lincoln St. and approximately 40 feet before turning left onto Riverview Dr. Officers with possible suspects. Turned left onto Riverview Dr. And tracked to a Black male standing in the apex of a car with several officers and Gator alerted by barking. While on scene white male was miranized and admitted at the residence and taking the phone from the residence.

Diagram:



Handler Signature: E. R. Blackwell

Date: 102896

Columbia, South Carolina

This 11th Day of November, 1996.

Donald E. Robinson # 237946

Kershaw Correctional Institution

4848 Goldmine Hwy. ^{CA 58}

Kershaw, S.C. 29069

The Supreme Court
Daniel E. Shegouse
Clerk of Court
P.O. Box 11330
Columbia, S.C. 29211

LEGAL