

THE STATE OF SOUTH CAROLINA
COUNTY OF YORK

IN THE SOUTH CAROLINA
COURT OF APPEALS

THE STATE, RESPONDENT
v

APPELLATE CA. No. 2014-002630

RECEIVED

JEFFREY LYNN CHRONISTER, APPELLANT

DEC 30 2014

SC Court of Appeals

CERTIFICATE OF SERVICE BY MAIL

I, JEFFREY LYNN CHRONISTER, DO CERTIFY THAT ON THIS THE
29 TH DAY OF DECEMBER, 2014, SERVED MY ORIGINAL COPY OF
LETTER OF RESPONSE ON THE HONORABLE V. CLAIRE ALLEN, DE-
PUTY CLERK OF THE SOUTH CAROLINA COURT OF APPEALS, P.O.
BOX 11629, COLUMBIA, S.C., 29211, AND A REDACTED COPY OF
THE HONORABLE JUDGE LEE S. ALFORD'S ORDER, DATED NOVEM-
BER 21, SO TO CORRECT THE DEFICIENCY RAISED IN THE HONORABLE
CLERK'S LETTER DATED DECEMBER 19, 2014.

I FURTHER CERTIFY THAT I SERVED A COPY OF THE SAME ORDER,
AND A COPY OF THIS CERTIFICATE ON THE PARTY LISTED BELOW BY
WAY OF THE UNITED STATES MAIL, BY DEPOSITING IN SEPARATE
ENVELOPES WITH FIRST CLASS POSTAGE PRE-PAID.

THIS 28TH DAY OF DECEMBER, 2014

Jeffrey Lynn Chronister
JEFFREY LYNN CHRONISTER
IM# 189827

ALAN McCORRY WILSON, ESQUIRE
P.O. BOX 11549
COLUMBIA, S.C. 29211

(1)

JEFFREY LYNN CHRONISTER,⁴ 189827

KIRKLAND C.I., B-II, 34

4344 BROAD RIVER RD.

COLUMBIA, S.C., 29210

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V. CLAIRE ALLEN, DEPUTY CLERK

RE: THE STATE, RESPONDENT

THE SOUTH CAROLINA COURT OF APPEALS

V

POST OFFICE BOX 11629

JEFFREY LYNN CHRONISTER

COLUMBIA, S.C. 29211

APPELLANT

APPELLATE CA No. 2014-002630

HONORABLE DEPUTY CLERK:

THIS RESPONSE CONCERNS YOUR LETTER DATED DECEMBER 19, 2014.

I AM A PROSE LITIGANT, AND THIS MATTER AROSE FROM MY FILING OF A MOTION FOR AFTER NEWLY DISCOVERED EVIDENCE UNDER RULE 29(b), SCR CRIM. P., AND PURSUANT TO RULE 60(b) SCRPC. I FILED THE MOTION TO THE YORK COUNTY COURT OF GENERAL SESSIONS, AND RECEIVED A REDACTED ORDER FROM THE HONORABLE LEE S. ALFORD, RESIDENT JUDGE OF THE SIXTEENTH JUDICIAL CIRCUIT INFORMING ME THAT "THIS COURT CANNOT GRANT RELIEF ON A MOTION UNLESS TIMELY MADE", AND THAT I WOULD NEED TO FILE A POST-CONVICTION RELIEF ACTION IN ORDER FOR THE COURT TO CONSIDER MY MOTION (SEE COPY ENCLOSED).

I FILED A NOTICE OF INTENT TO APPEAL THE DECISION FOR THE FACTS OF THE MOTION'S ISSUE(S) RAISE FRAUD ON THE TRIAL COURT THAT THE DIRECT VERDICT WAS ALSO PRODUCED BY, AND BY MY RESEARCH OF RULE 60, AND ALSO CASE LAWS I WAS PROPER IN SUBMITTING THE MOTION. PURSUANT TO THE RULE BECAUSE THERE IS NO TIME LIMITATION WHEN A

PARTY SEEKS TO SET ASIDE A JUDGMENT DUE TO FRAUD ON THE COURT, AND THE PROVISIONS OF THE RULE DOES NOT LIMIT THE POWER OF A COURT TO ENTERTAIN AN INDEPENDENT ACTION TO RELIEVE A PARTY FROM A JUDGMENT, ORDER, OR PROCEEDING, OR SET ASIDE A JUDGMENT FOR FRAUD UPON THE COURT. ALSO THE OTHER ISSUE OF THE MOTION RAISES SUBJECT MATTER JURISDICTION. FOR MY INDICTMENT FAILS TO SHOW ANY INDICATION OF IT BEING STAMPED "TRUE BILLED", AND UNDER SIMILAR CASES THATS BEEN BEFORE THIS COURT THE ISSUE OF A DEFECT IN SUBJECT MATTER JURISDICTION MAY BE RAISED AT ANYTIME. BECAUSE OF ITS FUNDAMENTAL NATURE.

UPON MY RECEIVING OF THE STATE'S SUPREME COURT'S ORDER TRANSFERRING MY NOTICE OF APPEAL TO THIS COURT I SEEN WHERE A COPY OF IT WAS SENT TO THE HONORABLE JENNY ABBOTT KITCHINGS, WHO I FOUND IS THE CLERK OF THIS COURT, AND MAILED A LETTER TO THE HONORABLE CLERK ON DECEMBER 19, 2014. WHICH NOTED IS THE SAME DATE AS OF YOUR LETTER TO ME. THE LETTER HAD QUESTIONS OF MY APPEAL, AND ALSO I INCLUDED A COPY OF JUDGE ALFORD'S ORDER. ALSO PLEASE NOTE THAT THE COPY I SENT TO THE HONORABLE CLERK, AND THE ONE THAT I SENT TO YOU WHICH IS ALSO TO CORRECT THE "DEFICIENCY" YOU MENTION I YOUR LETTER OF MY NOT INCLUDING A REDACTED COPY OF THE JUDGE'S ORDER WITH MY NOTICE OF APPEAL, WERE BOTH MADE AT THE "KIRKLAND LAW LIBRARY" ON THE DAY PRIOR TO MAILING MY LETTER TO THE HONORABLE CLERK. PLEASE CONSIDER THAT THE COPY I SENT TO THE HONORABLE CLERK IN CORRECTING THE DEFICIENCY. BECAUSE OF YOUR LETTER STATES THAT IT "MUST BE CORRECTED WITHIN TEN (10) DAYS OF THE DATE OF YOUR LETTER OR MY APPEAL WILL BE DISMISSED. YOUR

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(3)

LETTER OF DECEMBER 19TH IS SHOWN BY ITS ENVELOPE TO HAVE BEEN STAMPED "RECEIVED" BY THE MAILROOM ON "DEC 22 2014", AND I GOT AN ORDER TO REPORT ON THAT SAME EVENING TO PICK IT UP ON THE FOLLOWING DAY, THE 23RD. THE MAILROOM CLOSED ON THE 24TH AND IS SCHEDULED TO REOPEN ON THE 29TH OF DECEMBER DUE TO THE STATE HOLIDAY AND THE WEEKEND. PLEASE SEE THE CERTIFICATE OF SERVICE BY MAIL WHERE I DATED THIS TO BE SERVED ON THE 29TH OF DECEMBER, 2014, AND BARRING ANY UNFORSEEN SITUATION I WILL MAIL IT ON THAT DATE WITH THE ATTORNEY GENERAL'S COPY OF ORDER.

THE QUESTION I RESPECTFULLY ASK FOR YOUR ANSWER IS, DOES THIS COURT OBTAIN THE ORIGINAL COPY OF MY MOTION, AND HANDLE THE APPEAL ITSELF?

I EXPRESS MY APPRECIATION IN ADVANCE FOR YOUR ATTENTION, AND ANY ADVICE THAT YOU ARE AT LIBERTY TO PROVIDE ME IN THIS MATTER AS SOON AS PRACTICABLE.

DECEMBER 27, 2014

RESPECTFULLY:

Jeffrey Lynn Chronister
JEFFREY LYNN CHRONISTER

KIRKLAND LAW LIBRARY

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SC Court of Appeals

State of South Carolina
The Circuit Court of the Sixteenth Judicial Circuit

Lee S. Alford
Judge

Moss Justice Center
1675-1J York Highway
York, SC 29745-7434
Phone: (803) 628-3048
Fax: (803) 628-3139
lalfordj@sccourts.org

November 21, 2014

Jeff Chronister, #189827
Kirkland C.I., B-II, 34
4344 Broad River Road
Columbia, S. C. 29210

Dear Mr. Chronister:

This will acknowledge receipt of your motion and correspondence. This Court cannot grant relief on a motion unless timely made. You would need to file a Post-Conviction Relief Action in order for the Court to consider your motion.

With kind regards, I am

Yours Very Truly,

A handwritten signature in cursive script that reads "Lee S. Alford /s".

Lee S. Alford
Resident Judge
of the Sixteenth Judicial Circuit

LSA:rgb

JEFF CHRONISTER, #189827
KIRKLAND C.I., B-II, #34
4344 BROAD RIVER RD.
COLUMBIA, S.C., 29210

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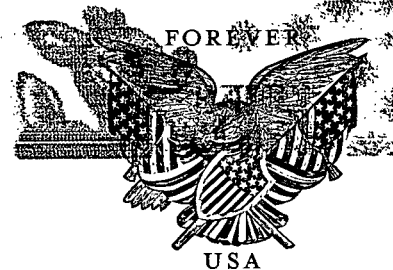
DEC 29 2014

KIRKLAND R&E CENTER
MAILROOM

**LEGAL
MAIL
ONLY**

COLUMBIA SC 290

29 DEC 2014 PM 11



V. CLAIRE ALLEN, DEPUTY CLERK

THE SOUTH CAROLINA COURT OF APPEALS

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