

Spencer Utsey
Appellant

v.

8:13-cv-

01433

Respondents

12-9-15

The U.S. Supreme
Court Clerk
sent case back
in letter dated
12-2-15;
highest state
court.

MOTION TO COURT
FOR NO JURISDICTION
OVER CASE # 8:13-CV-
01433 and TO challenge
The 85% Bill 3096
"TRUTH-IN-SENTENCING"
AND §16-11-330(a) STATUTE
on Robbery, under Rule

RECEIVED

224 CR

DEC 15 2015

RE: CASE No. 8:13-CV-01433

SC Court of Appeals

The General Assembly violated the single subject clause of S.C. CONST. ART III §17 when it enacted bill 3096 "TRUTH-IN-SENTENCING" when it included within one bill unrelated provisions, and §17-25-45(a) of that and Appellant sentence are unconstitutional, changing the meaning of the §16-11-330(a) statute and Appellant was denied due process of law in violation of ART. I §3 & 14.

Subject meaning the things legislated about, or topic - more than 1 topic was discussed in the 85 percent "TRUTH-IN-SENTENCING" bill 3096 only 1 subject or passed and placed in a bill or this violated ART III §17 provides: Every Act... having force of law shall relate to but one subject and that shall be expressed in its title.

ACT relate to one subject, subject to be expressed in title.

The validity of the statute was drawn in question by U.S. Supreme Court Clerk either Scott or Erik Fossum. And it was under §1254 and §1257, in which this was all drawn into question not

the bill itself because the power of the court must not be extended to challenge legislature passing bill 3096 unconstitutionally,

The validity of §16-11-330(a) statute excluded the 85 percent law.

IT is conclusive that the statute (which was legislated by S.C. Representative is explicit, Arn Robbery charge a mandatory minimum sentence of (10) ten years, a maximum sentence of (30) years, (7) seven without the possibility of parole hereby the §16-11-330(a) statute excluded the 85% and subject of Amendment by legislature, therefore leaving no jurisdiction over the 99-65-05-137 charge, the courts of Appellant case, and state of S.C. the statute §16-11-330(a) Arn Robbery is unconstitutional and Repugnance to the constitution; ART III §17. Jurisdiction can be raised at any time and no jurisdiction over case; and being withheld against const.

Purpose of constitutional provision which requires act to relate to one subject (mandatory requirements) and for subject to be expressed in title of act is to prevent legislature from being misled into passage of bills containing provisions not indicated in their titles, and to apprise people of subject of proposed legislation, thereby giving them opportunity to be heard. const, ART, 3 §17.

GRANT FOR the above case No. 8:13-cv-01433 and for the Record on off, entirety. The §16-11-330(a) statute excluded the 85% TRUTH-IN-SENTENCING. Jurisdiction of court under 28 U.S.C. §1254(3) JEREMY WISEM

Spencer Utsey
192660
Appellant

12-9-15

certificate of
service

V.

8:13-cv-

01433

Respondents

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SC Court of Appeals

I do hereby attest that on or about
12/9/15 Appellant did serve the S.C. Appeals
Court with a copy of the motion for no
jurisdiction over case and to challenge 85%
and placed a copy in the MacDougall Corr.
mail system, around 12/9/15; to me the U.S.
Clerk of U.S. Supreme Court had jurisdiction
to act on the claim then, even during proceeding.
Lack of jurisdiction can be heard.

Clerk

S.C. COURT OF APPEALS

P.O. BOX 14629

COLUMBIA, S.C. 29211

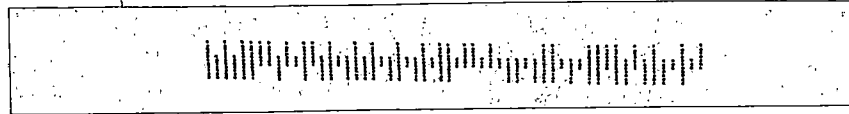
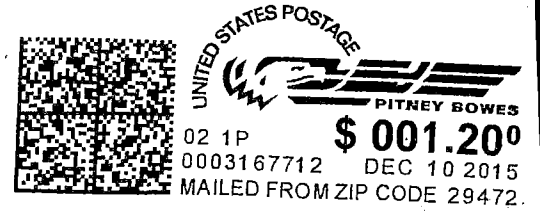
Spencer Utsey 192660

SPENCER WISEY

192660

C1-B-17

MacDougall CORR, INST
1516 Old Gilliard Rd.
Ridgeville, S.C. 29472



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DEC 10 2015

MacDougall Corr. Inst.
Mailroom

clerk
S.C. COURT OF APPEALS
P.O. Box 11629
Columbia, S.C. 29211

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SC Court of Appeals