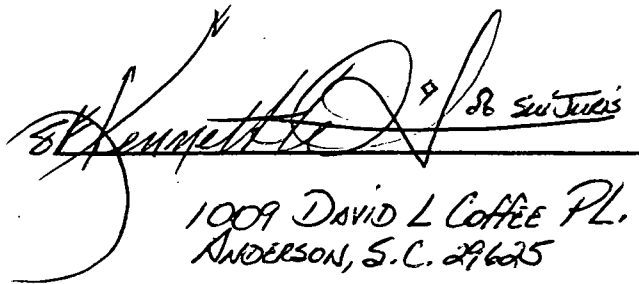


State of South Carolina	)	Court of General Sessions
County of Greenville	)	
Kenneth Whitmore,	)	Indictment No. <u>2006-GS-23-8929</u>
Defendant,	)	I-796808 / I-796809
v	)	
State of South Carolina	)	<u>Notice of Appeal</u>
Respondent	)	

I, Kenneth Whitmore, Sui Juris appeal the Request for Denial, Petitioner's Motion for Relief from Judgment or Order Rule 60(b)(4) Judgment is void. Petitioner received this Request on September 26, 2016

 26 Sui Juris  
 1009 David L Coffee Pl.  
 Anderson, S.C. 29625

cc: Karen C. Radigan-Sadag  
 cc: Supreme Court of S.C.

**RECEIVED**  
 SEP 30 2016  
 S.C. SUPREME COURT

State of South Carolina

County of Greenville

KENNETH WHITMORE,

PETITIONER,

v.

State of South Carolina,

RESPONDENT.

Court of General Session

INDICTMENT # 2006-GS-23-8929

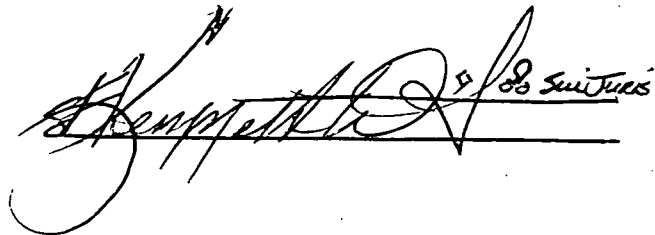
I-796808 / I-796809

SUMMONS

YOU ARE HEREBY SUMMONED AND REQUIRED TO ANSWER PETITIONER'S NOTICE OF APPEAL, TO THE COMPLAINT WHICH IS HEREWITH SERVED UPON YOU WITHIN 30 DAYS AFTER SERVICE. IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE ACTION.

Kathryn H. McCall

DATE SEPTEMBER 27, 2016

 9/28/16  
Kathryn H. McCall

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S.C. SUPREME COURT

RECEIVED

SEP 30 2016

State of South Carolina	)	Court of General Sessions	S.C. SUPREME COURT
County of Greenville,	)		
Kenneth Whitmore,	)	Indictment # 2006-GS-23-8929	
Defendant,	)	I-796808 / I-796809	
v	)		
State of South Carolina,	)	Appeal to the Thirteenth Judicial	
Respondent.	)	Circuit Solicitor's Office Request.	

Petitioner is appealing the Request, Denying his motion from Judgment or Order from the Thirteenth Judicial Circuit Solicitor's Office, by using the Petitioner's indictment number in this case, show's the court that the Decision by the court has never become final, and there is no time limit upon any court for its correction and vindication, the Judgment is VOID.

First and foremost, Petitioner's PCR hearing convened on May 12, 2011, not on April 12, 2010. If the Greenville County Solicitor's Office make simple mistakes as this, how can the public have trust in the judicial legal process, and how many other mistakes have this office made on my behalf.

G. Edward Welmaker (PCR Judge) did not address all of Petitioner's allegations depriving him his due process.

The grounds of this appeal, in substance, that the sole basis of this conviction is perjured testimony, no probable cause supported by the record, in which the prosecutor stated to the jury, he had this evidence for them to look at, and extrinsic fraud which was knowingly used by the prosecutor.

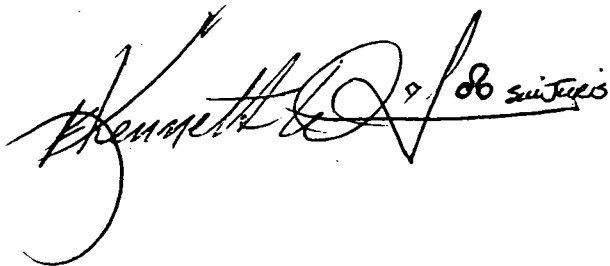
PETITIONER FURTHER CONTENTS THAT THE STATE DEPRIVES HIM OF HIS LIBERTY AND JUSTICE WITHOUT DUE PROCESS OF LAW, BY ITS FAILURE IN MISLEADING ACTS WHICH PREVENTED THE MOVANT FROM PRESENTING ALL OF HIS CASE AND DEPRIVED PETITIONER THE OPPORTUNITY TO BE HEARD. THIS IS THE REQUEST FROM THE GREENVILLE COUNTY SOLICITOR'S OFFICE, DO NOT LET PETITIONER BACK INTO COURT BECAUSE THEY NEVER HAD PROBABLE CAUSE AND SUBJECT MATTER JURISDICTION OVER PETITIONER.

THE COURT BASED ITS RULING ON INCOMPETENT AND INADMISSIBLE EVIDENCE, THE COURT RELIED ON EVIDENCE THAT IS NOT SUPPORTED BY THE RECORD.  
STATE V. GAMBLE (OPINION NO. 27307, AUG. 28, 2013)

WHEREFORE, PETITIONER RESPECTFULLY PRAYS THAT THIS COURT ENTER JUDGMENT GRANTING PETITIONER:

A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED HEREIN VIOLATED PETITIONER'S RIGHTS UNDER THE CONSTITUTION AND LAWS OF SOUTH CAROLINA AND THE UNITED STATES, A PRELIMINARY AND PERMANENT INJUNCTION ORDERING RESPONDENT TO IMMEDIATE RELEASE PETITIONER AND VACATE HIS SENTENCE WITH LOST WAGES COMPENSATION AND ANY ADDITIONAL RELIEF THIS COURT DEEMS JUST, PROPER AND EQUITABLE, OR FOR PETITIONER TO BE REMANDED FOR A NEW TRIAL, BECAUSE OF EXTRINSIC FRAUD PROVEN BY THE GREENVILLE COUNTY SOLICITOR'S OFFICE.

DATE SEPTEMBER 27, 2016

  
KENNETH A. JONES