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S.C. SUPREME COURT

THE HONORABLE DANIELE SHEAROUSE
CLERK, SUPREME COURT OF SOUTH CAROLINA
POST OFFICE BOX 11330
COLUMBIA, S.C., 29211

RE: JEFFREY LYNN CHRONISTER, #189827, APPELLANT v STATE OF
SOUTH CAROLINA, YORK COUNTY PUBLIC DEFENDER'S OFFICE,
THE SHERIFF OF YORK COUNTY, AND THE COMMISSION ON
JUDICIAL CONDUCT, RESPONDENTS:

APPELLATE CS. No. 2017-001596: CS. No 2016-CP-46-2952
HONORABLE CLERK:

ENCLOSED FOR FILING IS THE REPLY TO RESPONDENTS RETURN
TO APPELLANTS PETITION FOR REHEARING. ALSO ENCLOSED ARE
THE FOLLOWING:

- (1) PROOF OF SERVICE OF THE REPLY ON THE PARTIES
 - (2) INSTITUTIONS ORDER TO REPORT
 - (3) ORDER, DATED JULY 27, 2017
 - (4) THIS MATTER COMES PURSUANT TO RULES 240(B), S.C.R.C.P
- THANK YOU FOR YOUR ASSISTANCE IN THIS MATTER

AUGUST 27, 2017

RESPECTFULLY:

Jeffrey Lynn Chronister
JEFFREY LYNN CHRONISTER #189827

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

APPEAL FROM YORK COUNTY

S. JACKSON KIMBALL, SPECIAL CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2017-001596

CASE NO. 2016-CP-46-2952

RE: pro se JEFFREY LYNN CHRONISTER,[#] 189827, APPELLANT v STATE OF SOUTH CAROLINA, YORK COUNTY PUBLIC DEFENDER'S OFFICE, THE SHERIFF OF YORK COUNTY, AND THE COMMISSION ON JUDICIAL CONDUCT, RESPONDENTS

REPLY TO THE RESPONDENTS' RETURN
TO APPELLANT'S PETITION FOR REHEARING

APPELLANT RECEIVED ON AUGUST 23, 2017 (SEE ORDER TO REPORT, P. 4) THE RESPONDENTS' RETURN DATED AUGUST 17, 2017, AND IN RESPONSE TO P. 1-2, THE ORDER FILED JULY 27, 2017 STATES, "THE MOTION TO PROCEED IN FORMA PAUPERIS IS DENIED. IF PETITIONER FAILS TO PAY THE FILING FEE REQUIRED BY RULE 142 (C) OF THE SOUTH CAROLINA APPELLATE COURT RULES WITHIN TEN (10) DAYS OF THE DATE OF THIS ORDER, THIS MATTER WILL BE DISMISSED" (ORDER, P. 5)

PETITIONER FILED THE PETITION FOR REHEARING ASKING THE COURT TO RECONSIDER THE JUDGE'S DENIAL OF THE MOTION TO

PROCEED PURSUANT TO RULE 221(a) AND 240(b). WHERE;
 "ANY REVIEW OF AN ORDER ISSUED BY AN INDIVIDUAL JUDGE OR JUSTICE SHALL BE BY PETITION FOR REHEARING"
 THE ASKING FOR RECONSIDERATION WAS BECAUSE OF THE FACTS OF THE MOTION SHOW ACTIONS SO EGREGIOUS AS TO RAISE TO THE LEVEL OF CONSTITUTIONAL VIOLATIONS RENDERING PETITIONER'S TRIAL FUNDAMENTALLY UNFAIR, AND TO DENY A MEANINGFUL OPPORTUNITY FOR THE MERITS TO BE FULLY HEARD BECAUSE OF INDIGENCY / FAILING TO PAY FILING FEES WOULD BE DENIAL OF DUE PROCESS OF LAW USCA CONST AMEND. 5, 14: S.C. CONST. ART 1. UNDER BODIE v. CONNECTICUT, 401 U.S. 371, 91 S. Ct. 780, 28 LEd 113 (1961) "THE RIGHT TO MEANFUL OPPORTUNITY TO BE HEARD WITHIN LIMITS OF PRACTICALITY MUST BE PROTECTED AGAINST DENIAL BY PARTICULAR LAWS THAT OPERATE TO JEOPARDIZE IT FOR PARTICULAR INDIVIDUALS" US-CA CONST. AMEND. 14. ALSO UNDER MARTIN v. STATE 471 SE 2D AT 135 (1995) "AMONG THE STATUTORY PROVISIONS ALLOWING OR REQUIRING WAIVER OF FILING FEE," FURTHER, WHERE CERTAIN FUNDAMENTAL RIGHTS ARE INVOLVED, THE CONSTITUTION REQUIRED THAT AN INDIGENT BE ALLOWED ACCESS TO THE COURTS, COMPARE Id. BODIE.

AS TO PAGE 2-3 OF THE RETURN: PETITIONER RESPECTFULLY CONTENDS THAT THE PETITION FOR REHEARING SHOULD BE GRANTED, AND THAT THE COURT'S EARLIER RULING WAS INCORRECT. BECAUSE OF THE ACTIONS THAT RAISED TO THE LEVEL OF CONSTITUTIONAL VIOLATIONS WERE THE RESULTS OF AFFIRMATIVE LEGAL DUTY STATUTES VIOLATIONS THAT ALSO INCLUDED UNLAWFUL GROSS NEGLIGENCE IN DEFENSE COUNSEL'S SUBORNATION OF FALSE TESTIMONY. THAT WAS MATERIAL TO THE ISSUES OF THE MOTION. IN SHOWING MALICIOUS PROSE.

CAUTION WITH ACTUAL MALICE, ABUSE OF PROCESS IN OBTAINING THE ARREST WARRANT WITHOUT PROBABLE CAUSE, THUS RAISING IMPROPER EXTRADITION, AND FALSE IMPRISONMENT. UNDER ADAM V HUNTER 343 F. SUPP. 1284 (DC SC 1972) "VIOLATIONS OF A STATUTE IN SOUTH CAROLINA CONSTITUTES NEGLIGENCE AND ARE EVIDENCE OF RECKLESSNESS" S.C. CODE ANN 16-3-60. AND Id. MARTIN STATUTORY PROVISION 20-7-1440 (SUPP. 1994) (NO COURT FEE MAY BE CHARGED IN DELINQUENCY AND NEGLECT ACTION)

PETITIONER'S CASE BEFORE THE COURT IS DISTINGUISHABLE FROM MARTIN V SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, AND ALSO SULLIVAN. BECAUSE PETITIONER FAILS TO SEE WHERE MARTIN FITS WITHIN ONE OF THE STATUTORY OR CONSTITUTIONAL EXCEPTIONS TO THE REQUIREMENTS OF FILING FEES, AND IN SULLIVAN IT IS RULED THAT THERE IS NO STATUTORY PROVISION THAT PERMITS THE WAIVER OF FILING FEES FOR APPEAL BROUGHT UNDER THE ADMINISTRATIVE PROCEDURE ACT" AND "ACCESS TO THE COURT WAS NOT CONSTITUTIONALLY REQUIRED"

PETITIONER CERTIFYS THE FOREGOING TO BE TRUE, AND FOR THE REASONS STATED THE APPEAL RESPECTFULLY SHOULD BE ALLOWED TO PROCEED BY GRANTING THE CURRENT PETITION FOR DETERMINING OF THE MATTER

AUGUST 27, 2019

RESPECTFULLY SUBMITTED:
Jeffrey Lynn Chronister #189829
JEFFREY LYNN CHRONISTER
KIRKLAND C.I. B-II, 39
COLUMBIA S.C. 29210

4.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Operations
ORDER TO REPORT

SCDC # 189 827	Name Jeffery M. Christian	Area B2-39
REPORT TO <u>Mail Room 8123117</u> AT <u>8:00</u>		
Bring All Belongings <input type="checkbox"/> Bring State Clothing <input type="checkbox"/> Bring Nothing <input type="checkbox"/>		
Date 8/21/17	Signed [Signature]	
Date	Inmate's Signature	
Date	Staff Member's Signature	

SCDC 19-45 (Rev. August 1997)

4.

The Supreme Court of South Carolina

Jeffrey Lynn Chronister #189827, Petitioner,


v.

State of South Carolina, York County Public Defender's
Office, the Sheriff of York County, and the Commission
on Judicial Conduct, Respondents.

Appellate Case No. 2017-001596

ORDER

The motion to proceed *in forma pauperis* is denied. If petitioner fails to pay the filing fee required by Rule 242(c) of the South Carolina Appellate Court Rules within ten (10) days of the date of this order, this matter will be dismissed.



FOR THE COURT

C.J.

Columbia, South Carolina

July 27, 2017 |

cc: Robert David Garfield, Esquire
Andrew F. Lindemann, Esquire
Mr. Jeffrey Lynn Chronister #189827

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM YORK COUNTY
S. JACKSON KIMBALL, SPECIAL CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2017-001596
CASE NO. 2016-CP-46-2952

RE: JEFFREY LYNN CHRONISTER, #189827, PETITIONER v STATE OF SOUTH
CAROLINA, YORK COUNTY PUBLIC DEFENDERS' OFFICE, THE SHERIFF OF
YORK COUNTY, AND THE COMMISSION ON JUDICIAL CONDUCT, RESPONDENTS

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED THE REPLY TO THE RESPONDENTS'
RETURN TO APPELLANT'S PETITION FOR REHEARING ON THE BELOW
PARTIES BY DEPOSITING A COPY OF IT IN THE UNITED STATES MAIL
POSTAGE PREPAID ON AUGUST 29, 2017

Jeffrey Lynn Chronister
JEFFREY LYNN CHRONISTER, #189827

ROBERT D. GARFIELD, ESQUIRE, AND
ANDREW F. LINDEMANN, ESQUIRE, OF
DAVIDSON & LINDEMANN, P.A.
POST OFFICE BOX 8568
COLUMBIA, S.C., 29202-8568
ATTORNEYS FOR RESPONDENTS

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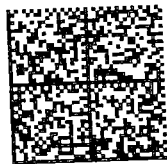
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KIRKLAND R+E, B-II, #39
4344 BROAD RIVER ROAD
COLUMBIA, S.C., 29210

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AUG 29 2017

KIRKLAND R+E CENTER
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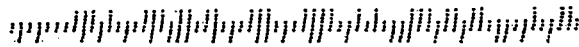


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THE SUPREME COURT OF SOUTH CAROLINA
DANIEL E. SHEAROUSE, CLERK OF COURT
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COLUMBIA, S.C., 29211

2921181330 8085



THE DEPARTMENT OF CORRECTIONS HAS NOT
INSPECTED OR CENSORED THIS ITEM, THEREFORE, THE
DEPARTMENT DOES NOT ASSUME RESPONSIBILITY FOR
ITS CONTENTS.

