

RONNIE C. SWOFFORD, JR. #218281
McCI F-3-161-A
386 REDEMPTION WAY
McCORMICK, S.C. 29899

12 DECEMBER 2017

HONORABLE DANIEL SHEARHOUSE
CLERK OF COURT
S.C. SUPREME COURT
PO 11330
COLUMBIA, SC 29211

RECEIVED

DEC 15 2017

S.C. SUPREME COURT

RE: APPELLATE CASE NO. 2016 - 000508

Dear Clerk,

Recently my case was transferred to the Court of Appeals. Though your Office sent me the Order, I was just sending a friendly reminder. Also, can you please send me a response upon accepting my enclosed Motion. I am Indigent and can not afford return Postage.

Sincerely I Thank you,

Ronnie C. Swofford Jr.
Ronnie C. Swofford, Jr.

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DEC 18 2017

SC Court of Appeals

REC'D
DEC 18 2017

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NO. 20-1000-1000

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STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

CERTIORARI TO GREENVILLE COUNTY
HONORABLE PERRY H. GRAVELY, CIRCUIT COURT JUDGE

RECEIVED

RONNIE C. SWOFFORD, JR.,

PETITIONER

DEC 15 2017

V

STATE OF SOUTH CAROLINA,

RESPONDENT

S.C. SUPREME COURT

APPELLATE CASE NO. 2016 - 000508

CERTIFICATE OF SERVICE

The Petitioner certifies that the original and one copy of the of the Petitioners "MOTION FOR LEAVE TO SUPPLEMENT THE PETITIONERS JOHNSON PRO SE RESPONSE FOR WRIT OF CERTIORARI" was placed in the U.S. mail postage prepaid addressed to: The Honorable Daniel Shearhouse, Clerk of Court, S.C. Supreme Court, Post Office Box 11330, Columbia, S.C. 29211. Also, one copy of the aforementioned Motion was sent to the following parties, Ms. Wanda Carter, Appellate Counsel for Petitioner Post Office Box ¹¹⁵⁸⁹~~11433~~, Columbia, SC 29211 and Mr. Justin Hunter, Attorney Generals Office, Post Office Box 11549, Columbia, SC 29211 also received their copy of the Motion by U.S. mail postage prepaid.

12-11-17

DATE

Ronnie C. Swofford Jr.

RONNIE C. SWOFFORD, JR #218281

McCI F-3-161-A

386 Redemption Way

McCormick, SC 29899

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NO. 100-100000-1000

RECORDED

AFFIDAVIT

I RONNIE C. SWOFFORD, JR., THE PETITIONER SWEARS UNDER OATH THAT I HAVE RECENTLY RECEIVED ONE OF MY LEGAL BOXES THAT WAS MISPLACED BY SECURITY AT MCCORMICK CORR. INST. DURING A TRANSFER WHEN I SURGERY IN FEBRUARY. I HAVE WRITTEN NUMEROUS REQUESTS USING DUE DILIGENCE AND MADE GOOD FAITH EFFORTS IN LOCATING MY MISSING LEGAL OVER THE LAST 11 MONTHS THAT CONTAINED EXTREMELY CRUCIAL MATERIAL EVIDENCE IN SUPPORTING MY ALLEGATIONS. THE SIX PIECES OF EVIDENCE ARE:

1. P&E Sheet (Exhibit Z.1)
2. 4 - SLED Forensic Lab Reports (Exhibit Z.2.A , Z.2.B , Z.2.C , Z.3)
3. Motion for Continuance (Exhibit Z.4)

THE AFOREMENTIONED PIECES OF EVIDENCE ARE TO BE ADDED TO "THE DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL", and MADE TO SUPPLEMENT ARGUMENT I PG 4 - 10, ARGUMENT III PG 14 - 17, ARGUMENT IV PG 18 - 19, ARGUMENT V PG 20 - 26.

THIS IS A TRUE AND ACCURATE STATEMENT, PETITIONER HAD A MAY 26, 2017 DEADLINE TO RESPOND AND HAD TO SUBMIT THE PRO SE RESPONSE WITHOUT THE AFORMENTIONED PIECES OF EVIDENCE, DUE TO THE MISPLACEMENT OF STORAGE BY SECURITY AT THE INSTITUTION.

SWORN BEFORE ME THIS 11, DAY
OF DECEMBER 2017.

J. Franklin
NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: 12/16/2019

Ronnie C. Swofford Jr.
RONNIE C. SWOFFORD, JR.
MCCI F-3-161-A
386 REDEMPTION WAY
MCCORMICK, SC 29899

SWIFT & CO
FEB 11 2018

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RONNIE C. SWOFFORD, JR. #218281
McCI F-3-161-A
386 REDEMPTION WAY
McCORMICK, S.C. 29899

12 DECEMBER 2017

WANDA CARTER
INDIGENT DEFENSE APPELLATE COUNSEL
POST OFFICE BOX 11433
COLUMBIA, SC 29211

RE: APPELLATE CASE NO. 2016 - 000508

MRS. CARTER,


PLEASE FIND ENCLOSED THE FOLLOWING:

1. JOHNSON PRO SE RESPONSE FOR WRIT OF CERTIORARI, May 24, 2017.
2. MOTION FOR LEAVE TO AMEND JOHNSON PRO SE RESPONSE, September 1, 2017.
3. MOTION FOR LEAVE TO SUPPLEMENT JOHNSON PRO SE RESPONSE, Dec. 12, 2017.

ALSO, PER OUR CONVERSATION ON DECEMBER 6, 2017, PLEASE CORRECT YOUR OR REDACT YOUR JOHNSON PETITION THAT CONTAINS FALSE AND MISLEADING INFORMATION THAT YOU PROVIDED IN THE JOHNSON PETITION OR ATLEAST NOTE TO THE COURT OF THESE SEVERE MISTAKES. THIS IS A SERIOUS MATTER, AND I PRAYFULLY ASK AND HOPE THAT YOU USE ETHICAL REASONING IN CORRECTING THESE MISTAKES. I HAVE PROVIDED ALL THE PROOF TO SUPPORT ALL MY ALLEGATIONS. ALL YOU HAVE TO DO IS PROPERLY ARGUE THEM.

I AM INNOCENT !!!

SINCERELY,



RONNIE C. SWOFFORD, Jr.

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RONNIE C. SWOFFORD, JR. #218281
McCI F-3-161-A
386 REDEMPTION WAY
McCORMICK, SC 29899

12 DECEMBER 2017

MR. JUSTIN HUNTER, ESQ.
ATTORNEY GENERALS OFFICE
POST OFFICE BOX 11549
COLUMBIA, SC 29211

RE: APPELLATE CASE NO. 2016 - 000508
RONNIE C SWOFFORD, JR. V THE STATE

MR. HUNTER,

I HAVE SERVED YOU THE JOHNSON PRO SE RESPONSE ON MAY 24, 2017, and the MOTION TO AMEND THE JOHNSON PRO SE RESONSE ON SEPT 1, 2017. ENCLOSED IS THE MOTION FOR LEAVE TO SUPPLEMENT THE JOHNSON PRO SE RESPONSE WITH EXHIBITS. I ENCLOSED AN EXTRA COPY OF THE MOTION TO AMEND FROM SEPT 1, 2017 BECAUSE I NEVER HEARD FROM YOUR OFFICE. I BELIEVE UPON REVIEWING THE EXHIBITS AND CASE LAW THAT PRAYFULLY IN THE INTEREST OF JUSTICE THAT YOU WILL RECOMMEND THE SAME ACTION TAKEN IN THE KENNETH SIMMONS V THE STATE CASE. RECOMMENDING A REMAND TO THE PCR COURT. I THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER.

SINCERELY,



RONNIE C. SWOFFORD JR

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THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

CERTIORARI TO GREENVILLE COUNTY
HONORABLE PERRY H. GRAVELY, CIRCUIT COURT JUDGE

RONNIE C. SWOFFORD, JR.,

PETITIONER

V

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016 - 000508

MOTION FOR LEAVE TO SUPPLEMENT PETITIONERS JOHNSON
PRO SE RESPONSE FOR WRIT OF CERTIORARI

Comes now the Petitioner, Respectfully moves this Honorable Court to accept the "Motion for Leave to Supplement Petitioners Johnson PRO SE Response for Writ of Certiorari". Petitioner Supplements his Argument to add the following six (6) Exhibits and one (1) supporting case law that are "Extremely crucial" in proving the Petitioners allegations raised at the PCR Court and now to this Honorable Court for review.

The Following six (6) Exhibits and one (1) Case law are meant to support and prove Petitioner was denied **DUE PROCESS** and **EFFECTIVE COUNSEL** at trial. Also, the Exhibits are to support the Arguments:

ARGUMENT I pages 4 - 10,

ARGUMENT III pages 14 - 17

ARGUMENT IV pages 18 - 19

ARGUMENT V pages 20 - 26

The Exhibits are as followed:

1. **Exhibit Z.1** The Greenville County P&E sheet of "Section of Wall" prepared by Jon Derby, Forensics of Greenville County intially identified to have had Blood and Tissue that belonged to Petitioner, impounded July 27, 2009.

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2. **Exhibit Z.2.A** 7 days before trial Solicitor Hodge sent a letter to Defense Counsel Johnston with SLED lab results of the Alleged Blood and Tissue DNA of the "Section of Wall", Results were **NEGATIVE for BLOOD and NO TISSUE** detected.
3. **Exhibit Z.2.B** SLED Forensic Lab results indicating that item 7 "Section of Wall" that **"NO BLOOD INDICATED"**
4. **Exhibit Z.2.C** an attachment to **Exhibit Z.2.B** indicating Verona Gibson was the DNA Technician that tested the "Section of Wall" also, Ms. Gibson testified there was Negative results for Blood" **see ARGUMENT I page 6** of Petitioner Johnson PRO SE Response.
5. **Exhibit Z.3** SLED Forensic Lab report stating a Copper Jacket found in the kitchen and tested on August 3, 2009, had No Appreciable stain for blood, but appeared a piece of material was found but not identified.
6. **Exhibit Z.4** Defense Counsel Johnston Motioned the Court for a 30 day continuance to go over the DNA results that showed **"NO BLOOD INDICATED"** on item 7 "Section of Wall" *******However Defense Counsel opened arguments and argued throughout trial that Petitioners blood and Tissue was in fact on the "Section of Wall".

The Following case law is in support of Petitioners allegations that **DUE PROCESS** and **EFFECTIVE ASSISTANCE OF COUNSEL** were in fact denied to Petitioner at trial.

KENNETH SIMMONS v THE STATE OF SOUTH CAROLINA (Appellate Case No. 2014 - 000387, and decided on June 8, 2016) **REMANDED** to PCR Court (PCR Court overturned Simmons case and granted a New Trial in July 2017). The Mis-leading and misrepresenting the evidence to the Jury with false evidence introduced at trial with no objections. The Petitioners case is merely the same as the Simmons case in regards to Petitioners Due Process was violated and suffered severe prejudice by deficient errors by Defense

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Counsel among other Constitutional Violations.

CONCLUSION

The Petitioner has diligently sought Appellate Counsel Wanda Carter's assistance in this Appellate matter, specifically on December 6, 2017. Petitioner asked Ms. Carter to correct the False and Misleading information that she provided in her Johnson Petition sub judice.

Petitioner has further diligently submitted the Exhibits and the Simmons decision, to be Supplemented to Petitioners initial Johnson Pro Se Response for this Honorable Court to have all necessary and truthful material facts as evidence to make a decision in favor of the Petitioner, and in the interest of Justice.

12-11-17
DATE

Respectfully Submitted,

Ronnie C. Swofford, Jr.

RONNIE C. SWOFFORD, JR.

McCI F-3-161-A

386 Redemption Way

McCormick, S.C. 29899

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State of South Carolina
Solicitor, Thirteenth Judicial Circuit

Ex. Z. 2. A

Telephone: 864-467-8647
Telefax: 864-467-8610



Greenville County Courthouse
305 E. North Street, Suite 325
Greenville, SC 29601-2185

Solicitor

W. Walter Wilkins

April 9, 2012

Andrew Johnston
184 North Daniel Morgan Ave.
Spartanburg, SC 29306

IN RE: State of South Carolina v. Ronnie Swofford
2009-GS-23-9403, 04, 05
2011-GS-23-7263

Mr. Johnston:

Under State's continuing duty to disclose pursuant to Rule 5, SCRCP, and Brady, attached please find recent SLED reports for a GSR kit analysis and Trace Evidence. These were provided to me as of today, and I am forwarding them to you. I am faxing you a copy of these as well. These reports were recently generated due to the fact I asked SLED to examine the GSR kit, and a section of wall, labeled JD-G. I requested the section of wall be analyzed to determine if there was any potential evidence, either trace or DNA on this item. I submitted the request two months ago, advising them of our trial date of April 16th. I am awaiting final report from DNA, and was told it should be out in next day or two. I will forward that report to you as soon as I receive it.

In addition, I contacted our Latent Analysis Division, in the Department of Public Safety, to determine if any of the latent prints lifted from the glass door on front porch were matched to anyone. Their policy is not to make any type report unless a match is confirmed. Capt. Kellet advised me today that no latents lifted in this case were matched to the defendant. The latents from the glass front door were not of AFIS quality, and as of today have not been matched to anyone. However, the latents lifted off of assorted paperwork, and not matched to Rikki Edwards, were of AFIS quality, and were searched on AFIS. No one other than Rikki Edwards was matched to any of the latents lifted from the paperwork.

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

FORENSIC SERVICES LABORATORY REPORT

NIKKI R. HALEY
Governor



MARK A. KEEL
Chief

Inv. Chris T Miller
Greenville County Sheriff's Office
Law Enforcement Center, 4 McGee Street
Greenville, SC 29601

EVIDENCE PROCESSING

April 04, 2012
SLED LAB: L09-09220
Your Case No: 109119378
Incident Date: 7/27/2009
[V] Curtis Wooten
[S] Ronnie Swofford, Jr.

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Mark A. Keel, Chief
South Carolina Law Enforcement Division

SUPPLEMENTAL REPORT

ITEMS OF EVIDENCE:

Item: 7 Section of wall

RESULTS:

No blood indicated.

Item: 7.1 Debris

RESULTS:

Potential evidence collected and sent to the Trace Department.

~~Item: 7.2 Possible hair~~

RESULTS:

~~Potential evidence collected and sent to the DNA Department.~~



These examinations were conducted by DNA Evidence Processing Technician Verona Gibson and were reviewed by Forensic Scientist Stephanie M. Stanley in the DNA Casework Department.

Note: Any remaining evidence and/or packaging will be returned to the requesting agency.

Stephanie M. Stanley

Stephanie M. Stanley
Forensic Scientist



Ex. Z. 3



DEPARTMENT OF
FORENSIC DNA ANALYSIS

Evidence Worksheet

Lab #: L09-09220
Analyst: Adrienne N. Riley
Date: 8/3/2009
Victim: Curtis R. Wooten
Subject: Ronnie C. Swofford, Jr.

1	Swab of suspected blood/tissue from kitchen floor					DNA	?	Per Inv. Miller: from bullet that passed through subject Piece of material present on swab. <u>No appreciable stain</u> Went straight to PCR.
2.1	Cutting from yellow gingham print table cloth		+			DNA	Yes	
3.1	Cutting from beige chenille material blanket		+			DNA	Yes	
4	Buccal swabs from Curtis Randolph Wooten (2)					DNA	Yes	Cut ~1/4 of each swab; Received on 8/4/09

AR

Phenolphthalin SR 1170
3% H₂O₂ SR 1118
Quality Control ✓ 8.3.09

AP Spot SC
Quality Control

Handwritten signature/initials

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

IN THE COURT OF GENERAL SESSIONS
FOR THE THIRTEENTH JUDICIAL

THE STATE,)
)
)
VS.)
)
RONNIE C. SWOFFORD,)
)
DEFENDANT.)

MOTION FOR CONTINUANCE

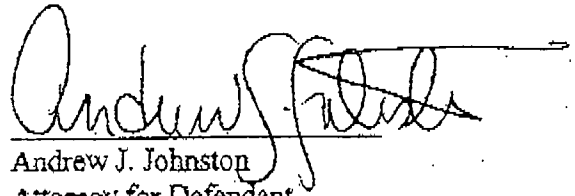
2009-GS-23-9403
2009-GS-23-9404
2009-GS-23-9405
2011-GS-23-7263

TO: KRIS HODGE, ESQ., ASSISTANT SOLICITOR, GREENVILLE COUNTY

YOU WILL PLEASE TAKE NOTICE that the Defendant, by and through his attorney undersigned, will move before the Presiding Judge of the Thirteenth Judicial Circuit, located in the Greenville County Courthouse, Greenville, South Carolina, as soon as this matter can be heard, for an Order granting a Continuance on the trial on the above charges, scheduled for the April 16, 2012, term of court.

This request is based on the Defense needing additional time to review DNA evidence just received by the State.

*Granted
JAC
4/12/12*



Andrew J. Johnston
Attorney for Defendant
PO Box 3252
Spartanburg, SC 29304

April 12, 2012

Spartanburg, South Carolina