

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM SPARTANBURG COUNTY  
COURT OF GENERAL SESSIONS  
J. Derham Cole, Circuit Court Judge

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Appellate Case No. 2018-001390

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THE State of South Carolina . . . . . Respondent,  
V.,  
Shannon Miles Lancaster . . . . . Appellant.

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REQUESTING EN BANC HEARING

August 30, 2018

Shannon Lancaster  
Shannon M. Lancaster, Pro-se  
Perry Corr. Inst. / Q1B-  
430 Oaklawn Road  
Pelzer, S.C. 29669

Other counsel of record:  
James Edward Hunter  
Assistant Solicitor's  
Seventh Circuit Solicitor's Office  
180 Magnolia Street  
Spartanburg, S.C. 29306  
Attorney for Respondent

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SEP 05 2018

SC Court of Appeals

# THE SOUTH CAROLINA COURT OF APPEALS

Shannon Miles Lancaster, Plaintiff,

v.,

THE STATE OF SOUTH CAROLINA Defendant.

The above captioned Plaintiff would move for this Court to sit EN BANC in this instant case since it appears that the Court has misconstrued and/or misinterpreted or overlooked certain criteria of Statute § 17-30-110. When in the first line of section (A) it read, "Prior to any trial, hearing, or proceeding in or before any Court...", and further states in Subsection (3) "The motion must be made before the trial, hearing, or proceeding unless there was no opportunity to make the motion or the person was not aware of the grounds of the motion." And since the Plaintiff was in direct appeal stage. That, as defined by Black's law dictionary; "And when such an appeal may be authorized, for example, when the case involves the constitutionality of a state law." It was an unreasonable and unfair interpretation of this statute by the Court that lead to a denial of this

requested suppression motion (e.g. absurd result) see: State v. Tisdale, 321 S.C. 153, 157, 467 S.E.2d 270, at 271-72.

In addition, Judicial notice should be taken that the Plaintiff's direct appeal was based on extortion and intimidation of and by the Trial Court and/or the agents thereof, as well as, erroneous advice by counsel. To which, it was initially request within 10 (ten) days of plead to withdraw guilty plead under Hazel.

August 30, 2018  
Pelzer, South Carolina

Shannon Lancaster  
Shannon Miles Lancaster, Pro-se  
Perry Corr. Inst. / OIB  
430 Oaklawn road  
Pelzer, S.C. 29669

# Certificate of Service

I, Shannon M. Lancaster, hereby certify that a request ENBANC hearing was this day, postage pre-paid, placed in the hand of the United States postmaster here at Perry Correctional Institution and addressed to the following;

- (1) Mr. Alan Wilson, A.G.  
Attorney General for South Carolina  
Post Office Box  
Columbia, S.C.
- (2) S.C. Court of Appeals  
Clerk of Court's office  
Post Office Box  
Columbia, S.C.

Shannon M. Lancaster  
Shannon M. Lancaster, Pro-se

Sworn and Subscribed  
before me this <sup>30</sup>~~29~~  
day of ~~September~~, 2018.

Tamara Conwell  
August  
Notary Public

my Commission expires: September 25, 2021  
My Commission Expires

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P.C.I. MAILROOM

To Clerk

I'm filing a rehearing en banc for Appellate case # 2018-001390.  
Thank you for your time,

yours truly,

Dated: August 30, 2018

/s/ Shannon Lancaster

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SC Court of Appeals