

1.
STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY
HONORABLE C. THOMAS COOPER CIRCUIT
COURT JUDGE

THE STATE

respondent

VS

RECEIVED

DEC 27 2018

TYRONE LORENZA ROBINSON

SC Court of Appeals

APPELLANT

APPELLATE case NO: 2017-002233

AMENDED PROSE BRIEF,
AMENDED TO ORIGINAL
PROSE BRIEF, AMENDING
5th ISSUE OF LACK OF
SUBJECT MATTER JURISDICTION

TYRONE LORENZA ROBINSON #235104
W-C-RM 255
LIEBER CORRECTIONAL INSTITUTION
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Statement of The case

APPELLANT TYRONE LORENZA ROBINSON WAS INDICTED DURING THE OCTOBER 18TH 2012 TERM OF THE BEAUFORT COUNTY GRAND JURY FOR CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY.

APPELLANT WAS TRIED BEFORE JUDGE THOMAS AND A JURY ON SEPTEMBER 15TH 2014. ON SEPTEMBER 19TH 2014 THE JURY AT TRIAL FOUND APPELLANT GUILTY OF A THIRD UNINDICTED FIRST DEGREE MURDER CRIME THAT IS NOT CLASSIFIED AS A LESSER INCLUDED DEGREE CRIME OF THE CRIME THATS CHARGED AND ALLEGED INSIDE OF THE WRITTEN WRITE UP OF INDICTMENT # 2012-GJ-07-01935

STATEMENT OF FACT

AFTER THE STATE OF SOUTH CAROLINA RESTED THERE CASE, ON MOTION FOR DIRECTED VERDICT OF ACQUITTAL. THE TRIAL JUDGE AND TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO DENY MY MOTION FOR DIRECTED VERDICT OF ACQUITTAL AND UNLAWFULLY RESTRAIN ME. ON THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGING"

ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DIED WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT IS A NON EXISTENT SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE, THAT IS NOT CLASSIFIED AS A CRIME OR OFFENSE BY THE LAWS OF THE STATE OF SOUTH CAROLINA. FOR PROOF REVIEW

case law merits

SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA CASE LAW OF, WHITNER VS. STATE 492 S.E.2d 777 "QUOTING"

UNDER SOUTH CAROLINA LAW, A CIRCUIT COURT LACK SUBJECT MATTER JURISDICTION TO ACCEPT A GUILTY PLEA TO A NON EXISTENT OFFENSE

STATEMENT OF ISSUE ON APPEAL

5TH ISSUE
ARGUED ON APPEAL

LACK OF SUBJECT MATTER
JURISDICTION

did the TRIAL JUDGE AND TRIAL COURT LACK SUBJECT MATTER JURISDICTION, to deny my motion for directed verdict of ACQUITTAL and UNLAWFULLY RESTRAIN me. ON THE "SECOND" UNINDICTED ALLEGED

FALSE MURDER CHARGE "allegedly"

ON OR ABOUT SEPTEMBER THE 1ST 2,012 TYRONE ROBINSON DID WELLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT IS A NONEXISTENT SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE. THAT IS "NOT CLASSIFIED" AS A CRIME OR OFFENSE BY THE LAWS OF THE STATE OF SOUTH CAROLINA FOR PROOF REVIEW

CASE LAW MERITS
SUPREME COURT OF APPEALS OF STATE OF SOUTH CAROLINA CASE LAW OF WHITNER VS. STATE 492 S.E. 2d 777 "quoting" UNDER SOUTH CAROLINA LAW A CIRCUIT COURT LACK SUBJECT MATTER JURISDICTION TO ACCEPT A GUILTY PLEA TO A NONEXISTENT OFFENSE

2ND 6-0

ARGUMENT

LACK OF SUBJECT MATTER JURISDICTION

THE TRIAL JUDGE AND TRIAL COURT LACK SUBJECT MATTER JURISDICTION. TO DENY MY MOTION FOR DIRECTED VERDICT OF ACQUITTAL, RENDER JUDGEMENT AGAINST ME, DEPRIVE ME OUT OF MY LIBERTY AND UNLAWFULLY RESTRAIN ME. ON THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGED" ON OR ABOUT SEPTEMBER THE 1ST 2,012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT IS A NONEXISTENT SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE, THAT IS NOT CLASSIFIED AS A CRIME OR OFFENSE BY THE LAWS OF THE STATE OF SOUTH CAROLINA FOR PROOF REVIEW

CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA CASE LAW OF WHITNER VS. STATE 492 S.E.2D 772 "QUOTE" UNDER SOUTH CAROLINA LAW A CIRCUIT COURT LACK SUBJECT MATTER JURISDICTION TO ACCEPT A GUILTY PLEA TO A NONEXISTENT OFFENSE

LAW ANALYSIS

BECAUSE THE TRIAL JUDGE AND TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO RENDER JUDGEMENT AGAINST ME, ON A SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGED" ON OR ABOUT SEPTEMBER THE 1ST 2,012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED THAT I WAS UNLAWFULLY DEPRIVED OUT OF MY LIBERTY AND WAS UNLAWFULLY RESTRAINED AND HELD A PRISONER ON. IT IS THE DUTY OF THIS COURT TO ORDER THAT I BE DISCHARGED FROM UNLAWFUL RESTRAINT AND RELEASED FROM UNLAWFUL IMPRISONMENT FOR PROOF REVIEW

CASE LAW MERITS

SUPREME COURT OF APPEAL OF THE UNITED STATES OF AMERICA CASE LAW OF EXPARTE BAIN 75 CT 281 (1887) "QUOTE" IF IT SHALL APPEAR THAT THE COURT HAD NO JURISDICTION TO RENDER THE JUDGEMENT WHICH IT GAVE AND UNDER WHICH THE PETITIONER IS HELD A PRISONER, IT IS WITHIN THE POWER AND IT WILL BE THE DUTY OF THIS COURT TO ORDER HIS DISCHARGE

INSIDE OF THE CASE OF STATE VS. DICKERSON 716 S.E.2D 895 THE SUPREME COURT OF THE STATE OF SOUTH CAROLINA DECIDED. THAT THE 2,005 CASE LAW OF STATE VS. GENTRY 610 S.E.2D 494 MERELY HELD THAT A DEFENDANT MUST CHALLENGE AN INDICTMENT PRIOR TO THE SWEARING OF THE JURY. BECAUSE THE SUFFICIENCY OF THE INDICTMENT IS NOT THE ISSUE BEING ARGUED IN THIS ARGUMENT. THE 2,005 CASE LAW OF STATE VS. GENTRY 610 S.E.2D 494 IS IN OPPOSITE AND IS NOT CONTROLLING LAW IN THIS ARGUMENT ON THE ISSUE OF LACK OF SUBJECT MATTER JURISDICTION TO RENDER JUDGEMENT AGAINST ME ON THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGED" ON OR ABOUT SEPTEMBER THE 1ST 2,012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT IS A NONEXISTENT SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE, THAT IS NOT CLASSIFIED AS A CRIME OR OFFENSE BY THE LAWS OF THE STATE OF SOUTH CAROLINA

That is NOT CHARGED AND ALLEGED INSIDE OF A INDICTMENT AND THERE IS NOT ANY INDICTMENT CHARGING ME WITH IN VIOLATION OF SOUTH CAROLINA CODE OF LAWS 17-19-10 WHICH STATES "QUOTE I AG" NO PERSON SHALL BE HELD TO ANSWER IN COURT FOR A ALLEGED CRIME OR OFFENSE UNLESS UPON INDICTMENT BY A GRAND JURY

ALSO ISSUES RELATED TO SUBJECT MATTER JURISDICTION MAY BE RAISED AT ANYTIME, INCLUDING FOR THE FIRST TIME ON APPEAL IN THE SUPREME COURT, AS DECIDED BY THE SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA INSIDE OF THE CASE LAW OF BROWN VS. STATE 540 S.E. 2D 846 UNDER SOUTH CAROLINA LAW THE TRIAL COURT LACKS SUBJECT MATTER JURISDICTION TO ACCEPT A GUILTY PLEA TO A NON EXISTENT OFFENSE. AS DECIDED BY THE SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA INSIDE OF THE CASE LAW OF WHITNER VS. STATE 492 S.E. 2D 777 "QUOTE I AG" UNDER SOUTH CAROLINA LAW A CIRCUIT COURT LACKS SUBJECT MATTER JURISDICTION TO ACCEPT A GUILTY PLEA TO A NON EXISTENT OFFENSE

ARGUMENT

1ST ALLEGED CRIME OF FIRST DEGREE MURDER THAT IS CHARGED AND ALLEGED INSIDE OF THE WRITTEN WRITE UP OF INDICTMENT # 2012-61-07-01935 THAT THE JURY AT MY TRIAL WAS SWORN IN ON THE DEFENSE OF DOUBLE JEOPARDY ATTACHED TO AND I WAS PUT IN JEOPARDY OF BEING PUNISHED WITH PRISON TIME OF LIFE IMPRISONMENT ON UNDER S.C. CODE OF LAW 16-3-10 FOR ALLEGED CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY OF VICTIM KHALIL SINGLETON ON SEPTEMBER 1ST 2012, ON HILTON HEAD ISLAND BEAUFORT S.C. IN THE AREA OF MARSHLAND DRIVE IS AS FOLLOWS I QUOTE THE TRIAL JUDGE AND TRIAL COURT CONFESSTION FROM TRIAL TRANSCRIPT ATTACHED STATE OF SOUTH CAROLINA

TYRONE VS. ROBINSON

"QUOTE I AG" FROM PAGE 3 AND 4 OF TRIAL TRANSCRIPT THE COURT (AKA) TRIAL JUDGE THOMAS COOPER STATED "QUOTE I AG" LADIES AND GENTLEMAN AS YOU HAVE HEARD THE SOLICITOR HAS CALLED THE CASE OF THE STATE VERSUS TYRONE ROBINSON MR. ROBINSON HAS BEEN INDICTED BY THE GRAND JURY OF BEAUFORT COUNTY AND CHARGED WITH THE CRIME OF MURDER. THE INDICTMENT ALLEGES THAT HERE IN BEAUFORT COUNTY ON OR ABOUT SEPTEMBER THE 1ST 2012 WHILE ENGAGED IN A ONGOING GUN BATTLE, AN INHERENTLY DANGEROUS FELONY, TYRONE ROBINSON DID WILLFULLY, UNLAWFULLY AND WITH MALICE AFORETHOUGHT CAUSE THE VICTIM KHALIL SINGLETON TO BE SHOT AND KILLED IN THE AREA OF MARSHLAND DRIVE AND ALLEN ROAD ON HILTON HEAD ISLAND AND THAT KHALIL SINGLETON DID DIE IN BEAUFORT COUNTY AS A PROXIMATE RESULT THERE OF ON SEPTEMBER THE 1ST 2012 IN VIOLATION OF THE LAW

WHICH AFTER THE JURY WAS SWORN IN IS THE FIRST ALLEGED CRIME OF FIRST DEGREE FELONY MURDER BY THE FELONY MURDER RULE THEORY. THAT I WAS PUT IN JEOPARDY AT TRIAL OF BEING PUNISHED AND RECEIVING PRISON TIME OF LIFE IMPRISONMENT FOR INSIDE OF THE COURT OF GENERAL SESSION THE 14TH JUDICIAL CIRCUIT OF BEAUFORT COUNTY SOUTH CAROLINA. TRIAL IN THIS CASE AGAINST I TYRONE ROBINSON BEGAN ON SEPTEMBER 19TH 2014

CONFESSIO^{8.}N

The TRIAL TRANSCRIPT FROM THE PRE TRIAL HEARING ON FEBRUARY 27TH, 2014 WHERE I REPRESENTED MYSELF PRO SE, REVEALS THAT THE STATE OF SOUTH CAROLINA AND ITS SOLICITOR ISSAC MC. DUFFIE STONE "CONFESSED" THAT THE CRIME THATS CHARGED AND ALLEGED INSIDE OF THE WRITTEN WRITE UP OF INDICTMENT # 2012-ES-07-01935, IS THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY ONLY, THAT IS THE ONE AND ONLY CRIME AND THEORY THAT THEY TRIED ME ON BEFORE THE JURY AT TRIAL AND HAD THE BURDON OF PROOF TO PROVE ONLY, FOR PROOF I QUOTE THE CONFESSIO^{8.}N OF THE STATE OF SOUTH CAROLINA AND ITS SOLICITOR ISSAC MC. DUFFIE STONE, FROM THE TRIAL TRANSCRIPT OF THE PRE TRIAL HEARING THAT TOOK PLACE ON FEBRUARY 27TH, 2014 AT BEAUFORT COUNTY GENERAL SESSION COURT HOUSE WHERE I REPRESENTED MYSELF PRO SE "QUOTEING" STATE OF SOUTH CAROLINA

TYRONE VS. ROBINSON

QUOTEING THE STATE OF SOUTH CAROLINA AND ITS SOLICITOR ISSAC MC. DUFFIE STONE CONFESSIO^{8.}N FROM PAGE 1052 PARAGRAPHS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 AND 24 AND PAGE 1053 2 AND 2 OF TRIAL TRANSCRIPT FROM PRE TRIAL HEARING ON FEBRUARY 27TH, 2014

"QUOTEING" OUR THEORY IS THE FELONY MURDER RULE, THEORY, THAT YOU HAVE THREE PEOPLE COMMITTING INHERANTLY DANGEROUS FELONIES, AND AS A RESULT OF THERE INHERANTLY DANGEROUS FELONIES, A CHILD DIES. THE ACTUAL SHOOTER, AS TO SPEAK, THE ONE THAT DISCHARGED THE FATAL BULLET, UNDER THAT SCENARIO IS, WHILE RELEVANT, NOT CONTROLLING, SO, THAT IS THE POSITION THAT THE STATE GOES UNDER, THATS THE THEORY THAT THE STATE GOES UNDER, AND THAT IS A CONSTITANT THEORY AMONG ALL THE DEFENDANTS, THATS THE THAT IS THE THEORY, WERE NOT SWITCHING UP OUR THEORIES, DEPENDING ON WHICH DEFENDANT WERE TALKING ABOUT. WE FEEL LIKE ALL THREE OF THESE PEOPLE WERE INVOLVED IN AN INHERANTLY DANGEROUS FELONY, WHICH IS A SHOOTOUT THAT BASICALLY WENT FROM THE RIGHT AS YOU GO TO HILTON HEAD, ALL THE WAY DOWN INTO MARSHLAND ROAD, ALONG THE CROSS ISLAND EXPRESSWAY, AND I DONT KNOW IF YOUR FAMILIAR WITH THIS AREA, BUT IT INVOLVES THREE NEIGHBORHOODS IN HILTON HEAD, AND THIS WAS A SHOOT OUT THAT TOOK PLACE FIRST AT WHITE HORSE ROAD, AND THEN AT ANOTHER NEIGHBORHOOD IN BETWEEN, AND THEN AT A THIRD AT ALLEN ROAD AREA, WHICH IS WHERE THE CHILD WAS PLAYING ON THE TRAMPOLINE AND KILLED, OUR THEORY IS ALL THREE OF THEM ARE CULPABLE UNDER THAT SCENARIO, AND THATS THE THEORY WERE PROCEEDING FOR TRIAL.

2ND UNINDICTED ALLEGED

FALSE MURDER CHARGE THAT IS A NONEXISTENT SECOND UNINDICTED FALSE MURDER CHARGE THAT IS NOT CLASSIFIED AS A CRIME BY THE LAWS OF THE STATE OF SOUTH CAROLINA.

THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE ALLEGING
ON OR ABOUT SEPTEMBER THE 25TH 2012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT IS A SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE, THAT IS NOT CLASSIFIED AS A CRIME BY THE LAWS OF THE STATE OF SOUTH CAROLINA.

THAT THERE IS NOT ANY INDICTMENT CHARGING ME WITH IN VIOLATION OF S.C. CODE OF LAW 17-19-10 THAT THE TRIAL JUDGE AND TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO DENY MY MOTION FOR DIRECTED VERDICT OF ACQUITTAL, RENDER JUDGEMENT AGAINST ME DEPRIVE ME OUT OF MY LIBERTY AND UNLAWFULLY RESTRAIN ME ON PURVANT TO THE SUPREME COURT OF APPEALS OF THE UNITED STATES OF AMERICA CASE LAW OF WHATEVER W/ STATE 492 S.E. 2D 777 "QUOTEING" UNDER SOUTH CAROLINA LAW, A CIRCVET COURT LACK SUBJECT MATTER JURISDICTION TO ACCEPT A GUILTY PLEA TO A NONEXISTENT OFFENSE

FOR PROOF I QUOTE THE PROCEEDINGS FROM THE TRIAL TRANSCRIPT OF ATTORNEY ARIE DAVID BAX AND THE CONFESSION OF TRIAL JUDGE THOMAS COOPER THATS ATTACHED AS EVIDENCE
STATE OF SOUTH CAROLINA

V.S.

TYRONE ROBINSON

"QUOTEING" PAGE 667 PARAGRAPH 22 AND 23 OF TRIAL TRANSCRIPT OF TRIAL ATTORNEY ARIE DAVID BAX STATEING "QUOTEING" AND I THINK WITHOUT THAT HE IS ENTITLED TO A DIRECTED VERDICT

"QUOTEING" FROM PAGE 668 PARAGRAPH 3, 4, 5, 6, 7 AND 8 OF TRIAL TRANSCRIPT OF TRIAL ATTORNEY ARIE DAVID BAX STATEING "QUOTEING" BECAUSE UNDER THERE INDICTMENT THEY HAVE NOT MET THEIR BURDON TO MEET THE LANGUAGE OF THE INDICTMENT THAT THEY HAVE GONE FORWARD ON. THEY HAVE NOT BEEN ABLE TO PROVE AN INHERANTLY DANGEROUS FELONY OF ANY KIND THAT WAS OCCURING AT THE TIME THE CHILD DIED THAT MR. ROBINSON WAS INVOLVED IN, EXCUSE ME

"QUOTEING" FROM PAGE 669 PARAGRAPH 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, AND 14 OF TRIAL TRANSCRIPT OF TRIAL JUDGE THOMAS COOPER "QUOTEING" NOW THE INHERANTLY DANGEROUS FELONY MAY HAVE BEEN THERE TO TRY TO SHOW EVIDENCE OF MALICE, IT MAY HAVE BEEN THERE FOR SOME OTHER PURPOSE, I REALLY CAN'T SPEAK TO THAT BUT IF THOSE WORDS WERE NOT THERE, IF THOSE WORDS WERE NOT THERE AND THE GUN BATTLE STUFF

10.
AND ALL THAT WAS NOT THERE AND IF IT JUST SAID
THAT ON OR ABOUT SEPTEMBER THE 21ST 2012 TYRONE ROBINSON
DID WILLFULLY AND WITH MALICE CAUSE HIM TO BE
SHOT AND KILLED AND HE DIED

THEN THOSE ISSUES OF COURSE WOULD BE PLAIN AND
APPROPRIATE AND THE CHARGE WOULD BE AT LEAST SIMPLY
MADE UNDER THOSE CIRCUMSTANCES AND IF IT WAS
EVIDENCE TO SUPPORT THOSE CHARGES THEN IT WOULD
GO FORWARD

QUOTEING FROM PAGE 672 PARAGRAPHS 10, 11, 12, 13, 14, 15,
16, 17, 18, AND 19 OF TRIAL TRANSCRIPT JUDGE THOMAS COOPER

"QUOTEING"
MY POINT WAS THAT FROM THE STAND POINT FOR A
MOTION FOR A DIRECTED VERDICT THAT THE INCLUSION
OF THE WORDS WHILE ENGAGED IN A ONGOING GUN BATTLE
AN INHERANTLY DANGEROUS FELONY, WHICH I THOUGHT
WAS PUT THERE MORE APPROPRIATELY WHEN THEY WERE
DEALING WITH THREE DEFENDANTS IN THIS PARTICULAR
CASE THAT THOSE WORDS COULD BE TAKEN OUT OF THAT
PARTICULAR CHARGE AS INDICATED AND THERE WOULD
BE NO QUESTION ABOUT WHETHER OR NOT THEY WOULD
HAVE A RIGHT TO A JURY ON THE CHARGE OF MURDER

"QUOTEING" FROM PAGE 674 PARAGRAPHS 21, 22, 23, 24,
AND 25 AND PAGE 675 PARAGRAPH 1 AND 2 OF TRIAL
TRANSCRIPT TRIAL ATTORNEY ARIE DAVID BAX

"QUOTEING"
MR. BAX; AND I JUST NOTE THAT JUST FOR A MATTER
OF COURSE FOR FUTURE REVIEW I JUST FEEL THAT AS A
DEFENSE ATTORNEY IT IS NOT A PROPER SITUATION
WERE THE DEFENSE FEELS LIKE IT HAS TO JUGGLE BETWEEN
ALTERNATIVE THEORIES OF PROSECUTION, AND I FEEL
STRONGLY THATS THAT WHAT THAT PUT ME IN. I CERTAINLY
UNDERSTAND THE RULING AND RESPECT THAT YOUR HONOR,
THANK YOU SIR

BLACK LAW DICTIONARY DEFINITION
FOR THE CRIME OF FELONY MURDER STATES

"QUOTEING"
MURDER THAT OCCURES DURING THE
COMMISSION OF A DANGEROUS FELONY
(OFTEN LIMITED, TO RAPE, KIDNAPPING,
ROBBERY, BURGLARY

BLACKS LAW DICTIONARY DEFINITION PROVES THAT INDICTM-
ENT # 2012-GF-07-01935 CHARGES F TYRONE ROBINSON
WITH THE CRIME OF FELONY MURDER

THE NECESSARY ELEMENT REQUIRED
TO CONSTITUTE THE CRIME OF FELONY
MURDER BY THE FELONY MURDER RULE THEORY

THE ESSENTIAL AND FACTUAL ELEMENT "ALLEGED"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERANTLY
DANGEROUS FELONY

THAT IS CHARGED AND ALLEGED INSIDE OF THE WRITTEN
WRITE UP OF THE ALLEGED CRIME OF FELONY MURDER BY THE
FELONY MURDER RULE THEORY "ALLEGED"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERANTLY
DANGEROUS FELONY, TYRONE ROBINSON DID WILLFULLY,
UNLAWFULLY AND WITH MALICE A FORETHOUGHT CAUSE THE

VICTIM KHALIL SINGLETON TO BE SHOT AND KILLED

THAT IS CHARGED AND ALLEGED INSIDE OF THE WRITTEN WRITE UP OF INDICTMENT #2012-GJ-07-01935 THAT I WAS TRIED ON BEFORE THE JURY AT TRIAL. IS AN ESSENTIAL AND FACTUAL ELEMENT THAT IS REQUIRED IN ORDER TO CONSTITUTE THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY FOR PROOF REVIEW CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA CASE LAW OF:

GORE VS. LEEKE 1995, E. 2d 755 "QUOTEING"

IF SEVERAL PERSONS AGREE OR CONSPIRE TO COMMIT A FELONY SUCH AS GRAND LARCENY OR ROBBERY OR BURGLARY EACH OF THOSE PERSONS ARE CRIMINALLY RESPONSIBLE FOR THE ACTS OF ASSOCIATES OR CONFEDERATES WHICH ARE DONE IN FURTHERANCE OR IN PROSECUTION OF THE COMMON PURPOSE FOR WHICH THEY COMBINED. THE COMMON PURPOSE LADIES AND GENTLEMAN, MAY HAVE NOT INCLUDED OR MAY NOT HAVE BEEN INVOLVED IN THE KILLING AND THE MURDER OF ANYONE BUT IF IN EXECUTING THIS COMMON DESIGN AND PURPOSE AND IF IT WAS UNLAWFUL AS FOR INSTANCE, BREAKING IN AND HEALING, AND IN THE EXECUTION OF THE COMMON PURPOSE A HOMICIDE IS COMMITTED BY ONE OF THE CONFEDERATES OR ONE OF THE ASSOCIATES AND YOU, THE JURY DETERMINE FROM THE PROOF BEYOND A REASONABLE DOUBT THE HOMICIDE WAS A PROBABLE OR NATURAL CONSEQUENCE OF THE ACTS WHICH WERE DONE IN PURSUANCE OF THIS COMMON DESIGN THEN LADIES AND GENTLEMAN, ALL WHO ARE PRESENT EITHER ACTUALLY OR CONSTRUCTIVELY, AND PARTICIPATING IN THE UNLAWFUL, COMMON DESIGN ARE AS GUILTY AS THE SLAYER HIMSELF

CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE UNITED STATES OF AMERICA CASE LAW OF

WHOLEN VS. UNITED STATES 100 S. CT 1435 "QUOTEING"

A CONVICTION FOR KILLING IN THE COURSE OF RAPE CAN NOT BE HAD WITHOUT PROVING ALL THE ELEMENTS OF THE OFFENSE OF RAPE "FURTHER QUOTEING" IN THE PRESENT CASE PROOF OF RAPE IS A NECESSARY ELEMENT OF PROOF OF THE FELONY MURDER

CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA CASE LAW OF:

PAUL SIMMONS VS. STATE OF SOUTH CAROLINA 215 S. E. 2d 883 "QUOTEING"

THIS CASE POSES A DIFFICULT QUESTION WHETHER AN ESSENTIAL ELEMENT OF A FELONY CAN BE CONSTITUTIONALLY FOUNDED UPON AN INFERENCE DRAWN FROM THE COMMISSION OF A MISDEMEANOR, EVEN IN A CASE WHERE THE FELONY MURDER RULE WAS IMPLIED

1st
ELEMENTS TEST

PROVING THAT THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE IS NOT CLASSIFIED AS THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY AND ALSO IS NOT CLASSIFIED AS A VIOLATION OF THE LAWS OF THE STATE OF SOUTH CAROLINA FOR THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY

AS A MATTER OF LAW THE ESSENTIAL AND FACTUAL ELEMENT "ALLEGEDLY" WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERANTLY DANGEROUS FELONY

THAT IS CHARGED AND ALLEGED INSIDE OF THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY "ALLEGEDLY" WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERANTLY DANGEROUS FELONY, TYRONE ROBINSON DID WILLFULLY / UNLAWFULLY, AND WITH MALICE AFORETHOUGHT CAUSE THE VICTIM KHALIL JIMPLETON TO BE SHOT AND KILLED

THAT IS CHARGED AND ALLEGED INSIDE OF THE WRITTEN WRITE UP OF INDICTMENT # 2012-65-07-01935 THAT I WAS TRIED ON BEFORE THE JURY AT TRIAL. IS NOT INCLUDED INTO THE ELEMENTS OF THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGEDLY" ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY AND WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

AS A MATTER OF LAW PROVING THAT THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGEDLY" ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY AND WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED.

IS A SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE FOR THE SAME FIRST DEGREE OFFENSE, THAT IS NOT A LEISER INCLUDED DEGREE ALLEGED CRIME AND OFFENSE OF THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY "ALLEGEDLY"

WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERANTLY DANGEROUS FELONY, TYRONE ROBINSON DID WILLFULLY / UNLAWFULLY AND WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

BECAUSE THE ESSENTIAL AND FACTUAL ELEMENT "ALLEGEDLY" WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERANTLY DANGEROUS FELONY THAT REQUIRED IN ORDER FOR A CRIME TO CONSTITUTE THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY, THAT IS CHARGED AND ALLEGED INSIDE OF THE WRITTEN WRITE UP OF INDICTMENT # 2012-65-07-01935 THAT I WAS TRIED ON BEFORE THE JURY AT TRIAL.

IS NOT INCLUDED INTO THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGEDLY" ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY AND WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

PROVES THAT AS A MATTER OF LAW THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGEDLY" ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY AND WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

DOES NOT CLASSIFY AS THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY BY THE LAWS OF THE STATE OF SOUTH CAROLINA. ALSO DOES NOT CLASSIFY AS A VIOLATION OF SOUTH CAROLINA LAWS FOR THE CRIME OF FELONY MURDER BY THE FELONY MURDER RULE THEORY FOR PROOF REVIEW

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CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA
CASE LAW OF

GORE VS. LEEKE 199 S.E. 2d 755 "QUOTING"
IF SEVERAL PERSONS AGREE OR CONSPIRE TO COMMIT A FELONY
SUCH AS GRAND LARCENY OR ROBBERY OR BURGLARY EACH OF THOSE
PERSONS ARE CRIMINALLY RESPONSIBLE FOR THE ACTS OF
ASSOCIATES OR CONFEDERATES WHICH ARE DONE IN FURTHER-
ANCE OR IN PROSECUTION OF THE COMMON PURPOSE FOR WHICH
THEY COMBINED. THE COMMON PURPOSE LADIES AND GENTLE-
-MAN MAY HAVE NOT INCLUDED OR MAY NOT HAVE BEEN INVOLVED
IN THE KILLING AND THE MURDER OF ANYONE BUT IF IN
EXECUTING THIS COMMON DESIGN AND PURPOSE AND IF IT
WAS UNLAWFUL AS FOR INSTANCE BREAKING IN AND
STEALING, AND IN THE EXECUTION OF THE COMMON PURPOSE
A HOMICIDE IS COMMITTED BY ONE OF THE CONFEDERATES
OR ONE OF THE ASSOCIATES AND YOU, THE JURY DETERMINE
FROM THE PROOF BEYOND A REASONABLE DOUBT THE HOMICIDE
WAS A PROBABLE OR NATURAL CONSEQUENCE OF THE ACTS WHICH
WERE DONE IN PURSUANCE OF THIS COMMON DESIGN THEN, LADIES
AND GENTLEMEN, ALL WHO ARE PRESENT EITHER ACTUALLY
OR CONSTRUCTIVELY, AND PARTICIPATING IN THE UNLAWFUL
COMMON DESIGN ARE AS GUILTY AS THE SLAYER HIMSELF

THE LAW DICTIONARY
DEFINITION FOR THE WORD
MURDER MEANS THE FOLLOWING
MEANING "QUOTING"

MURDER A COMMON LAW OFFENSE OF UNLAWFUL
HOMICIDE, UNLAWFUL KILLINGS OF ANOTHER HUMAN
BEING WITH MALICE AFORETHOUGHT. THIS REQUIRES A
PREMEDITATED INTENT TO KILL PLUS AN ELEMENT OF
HATRED

AS A MATTER OF LAW THERE IS ABSOLUTELY NOT ANY
INDICTMENT THAT CHARGES TYRONE LORENZA ROBINSON
WITH THE CRIME OF MURDER BY THE CRIME ALLEGEDLY
I KILLED THE VICTIM WITH MALICE AND AFORETHOUGHT

THE NECESSARY ELEMENTS
REQUIRED IN ORDER TO CONSTITUTE
THE CRIME OF MURDER 16-3-10 BY THE
LAWS OF THE STATE OF SOUTH CAROLINA

INSIDE OF THE STATE OF SOUTH CAROLINA THE CRIME OF MURD-
-ER IS THE KILLING OF ANY HUMAN BEING WITH MALICE
AFORETHOUGHT EITHER EXPRESS OR IMPLIED FOR PROOF
REVIEW

CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA
CASE LAW OF

THE STATE OF SOUTH CAROLINA VS. WATSON 563 S.E. 2d 336 "QUOTING"
16-3-10 MURDER IS THE KILLING OF ANY PERSON WITH MALICE
AFORETHOUGHT EITHER EXPRESSED OR IMPLIED

14.

IN ORDER TO CONSTITUTE THE CRIME OF MURDER IN VIOLATION OF SOUTH CAROLINA CODE OF LAWS 16-3-10, INSIDE OF THE STATE OF SOUTH CAROLINA. TWO ELEMENTS MUST ESTABLISH. THE FIRST ELEMENT THAT MUST BE ESTABLISHED IS THE ELEMENT "ALLEGING" THE DEFENDANT UNLAWFULLY KILLED ANOTHER PERSON

THE SECOND ELEMENT THAT MUST BE ESTABLISHED IS THE ELEMENT "ALLEGING" THE KILLING WAS COMMITTED WITH MALICE AND AFORETHOUGHT

FOR PROOF REVIEW THE ELEMENTS REQUIRED TO CONSTITUTE THE CRIME OF MURDER UNDER SOUTH CAROLINA CODE OF LAWS 16-3-10

2ND ELEMENTS TEST

PROVING AS A MATTER OF LAW THAT THE SECOND UNINDICTED FALSE MURDER CHARGE IS NOT CLASSIFIED AS THE CRIME OF MURDER 16-3-10 BY THE LAWS OF THE STATE OF SOUTH CAROLINA, AND ALSO IS NOT CLASSIFIED AS A VIOLATION OF SOUTH CAROLINA CODE OF LAWS 16-3-10 FOR THE CRIME OF MURDER INSIDE OF THE STATE OF SOUTH CAROLINA

14.

1ST ELEMENT

REQUIRED TO CONSTITUTE UNINDICTED CRIME OF MURDER 16-3-10 BY THE LAWS OF THE STATE OF SOUTH CAROLINA

1ST ELEMENT REQUIRED TO CONSTITUTE UNINDICTED CRIME OF MURDER 16-3-10 BY THE CRIME ALLEGING THE DEFENDANT KILLED THE VICTIM WITH MALICE AND AFORETHOUGHT

IS: THAT THE ACCUSED UNLAWFULLY KILLED ANOTHER

WHICH DEFINED BY ITS WEBSTER DICTIONARY DEFINITION MEANS TO ALLEGE THAT THE ACCUSED UNLAWFULLY DEPRIVED ANOTHER PERSON OUT OF THEIR LIFE

THIS IS BECAUSE THE WEBSTER DICTIONARY DEFINITION FOR THE WORD KILL MEANS THE FOLLOWING "MEANING" TO DEPRIVE OF LIFE.

1ST ELEMENT

FOR SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE

1ST ELEMENT FOR SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE BY THE CRIME "ALLEGING" ON OR ABOUT SEPTEMBER THE 1ST 2,012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED IS:

ON OR ABOUT SEPTEMBER THE 1ST 2,012 TYRONE ROBINSON DID WILLFULLY CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

WHICH DEFINED BY ITS DICTIONARY DEFINITION MEANS TO

"ALLEGED" ON OR ABOUT SEPTEMBER THE 21ST 2012 TYRONE ROBINSON DID WILLFULLY CAUSE A TRAIN OF EVENTS THAT RESULTED IN THE VICTIM KHALIL SINGLETON BEING SHOT AND DEPRIVED OUT OF HIS LIFE

THIS IS BECAUSE THE LAW BOOK DICTIONARY DEFINITION FOR THE WORD CAUSE MEANS THE FOLLOWING MEANING "ALLEGING" CAUSE THAT WHICH EFFECTS A RESULT DIRECT CAUSE THE ACTIVE, EFFICIENT CAUSE THAT SET IN MOTION A TRAIN OF EVENTS THAT BRINGS ABOUT A RESULT WITHOUT INTERVENTION OF ANY OTHER INDEPENDANT SOURCE

AS A MATTER OF LAW THE FIRST ELEMENT TO THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGING" ON OR ABOUT SEPTEMBER THE 21ST 2012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED WHICH IS

ON OR ABOUT SEPTEMBER THE 21ST 2012 TYRONE ROBINSON DID WILLFULLY CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

WHICH DEFINED BY ITS DICTIONARY DEFINITION MEANS TO ALLEGE. ON OR ABOUT SEPTEMBER THE 21ST 2012 TYRONE ROBINSON DID WILLFULLY CAUSE A TRAIN OF EVENTS THAT RESULTED IN THE VICTIM KHALIL SINGLETON BEING SHOT AND DEPRIVED OUT OF HIS LIFE

IS NOT INCLUDED INTO AND DOES NOT CONSTITUTE THE 2ND ELEMENT REQUIRED TO CONSTITUTE THE UNINDICTED CRIME OF MURDER 16-3-10 BY THE CRIME "ALLEGING" THE DEFENDANT KILLED ANOTHER WITH MALICE AND A FORETHOUGHT

WHICH HAS THE 2ND ELEMENT OF "KILLED ANOTHER PERSON THAT THE ACCUSED UNLAWFULLY KILLED ANOTHER PERSON WHICH DEFINED BY ITS DICTIONARY DEFINITION MEANS TO ALLEGE THAT THE ACCUSED UNLAWFULLY DEPRIVED ANOTHER PERSON OUT OF THERE LIFE

2ND ELEMENT

REQUIRED TO CONSTITUTE THE UNINDICTED CRIME OF MURDER 16-3-10 BY THE CRIME "ALLEGING" THE DEFENDANT KILLED THE VICTIM WITH MALICE AND A FORETHOUGHT IS; THAT THE KILLING WAS COMMITTED WITH MALICE AND A FORETHOUGHT

WHICH DEFINED BY ITS WEBSTER DICTIONARY DEFINITION MEANS TO ALLEGE THAT THE DEPRIVATION OF LIFE WAS COMMITTED WITH MALICE AND A FORETHOUGHT

THIS IS BECAUSE THE WEBSTER DICTIONARY DEFINITION FOR THE WORD KILL MEANS THE FOLLOWING "MEANING" TO DEPRIVE OF LIFE

2ND ELEMENT

FOR SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE

2ND ELEMENT FOR SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE BY THE CRIME "ALLEGING" ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED IS:

ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

WHICH DEFINED BY ITS DICTIONARY DEFINITION MEANS TO "ALLEGED"

ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WITH MALICE CAUSE A TRAIN OF EVENTS THAT RESULTED IN THE VICTIM KHALIL SINGLETON BEING SHOT AND DEPRIVED OUT OF HIS LIFE

THIS IS BECAUSE THE LAW BOOK DICTIONARY DEFINITION FOR THE WORD CAUSE MEANS THE FOLLOWING MEANING "ALLEGING" CAUSE THAT WHICH EFFECTS A RESULT DIRECT CAUSE THE ACTIVE, EFFICIENT CAUSE THAT SET IN MOTION A TRAIN OF EVENTS THAT BRINGS ABOUT A RESULT WITHOUT INTERVENTION OF ANY OTHER INDEPENDENT SOURCE

AS A MATTER OF LAW THE SECOND ELEMENT TO THE UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGING" ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY AND WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED WHICH IS

ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

WHICH DEFINED BY ITS DICTIONARY DEFINITION MEANS TO "ALLEGED"

ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WITH MALICE CAUSE A TRAIN OF EVENTS THAT RESULTED IN THE VICTIM KHALIL SINGLETON BEING SHOT AND DEPRIVED OUT OF HIS LIFE

IS NOT INCLUDED INTO AND DOES NOT CONSTITUTE THE 2ND ELEMENT REQUIRED TO CONSTITUTE THE UNINDICTED CRIME OF MURDER 16-9-10 BY THE CRIME "ALLEGING". THE DEFENDANT KILLED ANOTHER WITH MALICE AND AFORETHOUGHT

WHICH HAS THE 2ND ELEMENT OF "ALLEGING" THE KILLING WAS COMMITTED WITH MALICE AND AFORETHOUGHT

WHICH DEFINED BY ITS DICTIONARY DEFINITION MEANS TO "ALLEGED" THAT THE DEPRIVATION OF LIFE WAS COMMITTED WITH MALICE AND AFORETHOUGHT

AS A MATTER OF LAW PROVEING THAT THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGING" ON OR ABOUT SEPTEMBER THE 21ST 2,012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT THERE IS NOT ANY INDICTMENT CHARGEING ME WITH, IN VIOLATION OF SOUTH CAROLINA CODE OF LAW 17-19-10 WHICH STATES "QUOTEING"
NO PERSON SHALL BE HELD TO ANSWER IN COURT FOR A ALLEGED CRIME OR OFFENSE UNLESS UPON INDICTMENT BY A GRAND JURY

IS NOT CLASSIFIED AS A CRIME OF MURDER 16-3-10 BY SOUTH CAROLINA CODE OF LAWS 16-3-10
ALSO IS NOT CLASSIFIED AS A VIOLATION OF SOUTH CAROLINA CODE OF LAWS 16-3-10 FOR THE CRIME OF MURDER.
AND IS A NON EXISTENT SECOND UNINDICTED FALSE MURDER CHARGE THAT IS NOT CLASSIFIED AS A CRIME BY THE LAWS OF THE STATE OF SOUTH CAROLINA,

AS A MATTER OF LAW PROVEING THAT THE TRIAL JUDGE AND TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO DENY MY MOTION FOR DIRECTED VERDICT OF ACQUITTAL, RENDER JUDGEMENT AGAINST ME, DEPRIVE ME OUT OF MY LIBERTY AND UNLAWFULLY RESTRAIN ME ON THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGING"
ON OR ABOUT SEPTEMBER THE 21ST 2,012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

AS DECIDED BY THE SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA FOR PROOF REVIEW
CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA CASE LAW OF
WHITNER V. STATE 492 S.E. 2d 777 "QUOTEING"
UNDER SOUTH CAROLINA LAW, A CIRCUIT COURT LACK SUBJECT MATTER JURISDICTION TO ACCEPT A GUILTY PLEA TO A NON EXISTENT OFFENSE

2ND REASON PROVEING

THE TRIAL JUDGE AND TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO DENY MY MOTION FOR DIRECTED VERDICT OF ACQUITTAL RENDER JUDGEMENT AGAINST ME, DEPRIVE ME OUT OF MY LIBERTY AND UNLAWFULLY RESTRAIN ME ON THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE

AS A MATTER OF LAW THE TRIAL TRANSCRIPT AND EVIDENCE ATTACHED, PROVES THAT I DID NOT WAIVE PRESENTMENT OF INDICTMENT TO THE GRAND JURY ON THE SECOND UNINDICTED ALLEGED FALSE MURDER

charge "alleging" ON OR ABOUT SEPTEMBER THE 1ST 2/012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT IS A NON EXISTENT SECOND UNINDICTED FALSE MURDER CHARGE THAT IS NOT CLASSIFIED AS A CRIME BY THE LAWS OF THE STATE OF SOUTH CAROLINA.

THAT THERE IS NOT ANY INDICTMENT CHARGING ME WITH IN VIOLATION OF SOUTH CAROLINA CODE OF LAWS 17-19-10 "QUOTE" UNLESS FOR A ALLEGED CRIME OR OFFENSE UNLESS UPON INDICTMENT BY A GRAND JURY

THEREFORE AS A MATTER OF LAW THE TRIAL JUDGE AND TRIAL COURT, LACKED SUBJECT MATTER JURISDICTION TO DENY MY MOTION FOR DIRECTED VERDICT OF ACQUITTAL, RENDER JUDGEMENT AGAINST ME DEPRIVE ME OUT OF MY LIBERTY AND UNLAWFULLY RESTRAIN ME. ON THE SECOND UNINDICTED FALSE

MURDER CHARGE "ALLEGING" ON OR ABOUT SEPTEMBER THE 1ST 2/012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT I DID NOT WAIVE PRESENTMENT OF INDICTMENT TO THE GRAND JURY OR FOR PROOF REVIEW

CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE STATE OF SOUTH CAROLINA CASE LAW OF, Odam vs. State 566 S.E. 2d 528 "QUOTE" ORAL WAIVER OF PRESENTMENT WAS NOT SUFFICIENT TO BESTOW SUBJECT MATTER JURISDICTION ON THE TRIAL COURT IN THE ABSENCE OF AN INDICTMENT, A WRITTEN WAIVER WAS REQUIRED ALSO "QUOTE" IN THE ABSENCE OF AN INDICTMENT, THERE MUST BE A VALID WAIVER OF PRESENTMENT FOR THE TRIAL COURT TO HAVE SUBJECT MATTER JURISDICTION OF THE OFFENSE

1st 19, UNLAWFUL RESTRAINT

BECAUSE AS A MATTER OF LAW THE TRIAL JUDGE AND TRIAL COURT LACKED SUBJECT MATTER JURISDICTION TO DENY MY MOTION FOR DIRECTED VERDICT OF ACQUITTAL, RENDER JUDGEMENT AGAINST ME, DEPRIVE ME OUT OF MY LIBERTY AND UNLAWFULLY RESTRAIN ME. ON THE SECOND UNINDICTED FALSE MURDER CHARGE ALLEGED IN ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT IS ALSO A NONEXISTENT SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE THAT IS NOT CLASSIFIED AS A CRIME BY THE LAWS OF THE STATE OF SOUTH CAROLINA. AS A MATTER OF LAW THE JUDGEMENT OF DENIAL OF MOTION FOR DIRECTED VERDICT OF ACQUITTAL, THAT THE TRIAL JUDGE AND TRIAL COURT RENDERED JUDGEMENT ON, DEPRIVED ME OUT OF MY LIBERTY AND UNLAWFULLY RESTRAINED ME ON, ON THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE ALLEGED IN ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

IS A NULLITY AND IS VOID AND UNLAWFUL, AS A MATTER OF LAW PROVING THAT MY UNLAWFUL RESTRAINT ON THE NULL AND VOID JUDGEMENT OF DENIAL OF MOTION FOR DIRECTED VERDICT OF ACQUITTAL, THAT THE TRIAL JUDGE AND TRIAL COURT RENDERED AGAINST ME, DEPRIVED ME OUT OF MY LIBERTY ON, AND UNLAWFULLY RESTRAINED ME ON, ON THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE ALLEGED IN ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY AND WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

IS UNLAWFUL AND IS CURRENTLY CAUSING ME TO BE HELD UNLAWFULLY RESTRAINED, AS DECIDED BY THE SUPREME COURT OF APPEALS OF THE UNITED STATES OF AMERICA FOR PROOF REVIEW

CASE LAW MERITS

SUPREME COURT OF APPEALS OF THE UNITED STATES OF AMERICA CASE LAW OF. EXPARTE TOBIAS WATKINS 28 U.S. 193 "QUOTE IN" AN IMPRISONMENT UNDER A JUDGEMENT CAN NOT BE UNLAWFUL, UNLESS THAT JUDGEMENT BE AN ABSOLUTE NULLITY, AND IT IS NOT A NULLITY IF THE COURT HAD GENERAL JURISDICTION OF THE SUBJECT ALTHOUGH IT SHOULD BE ERRONEOUS.

2ND UNLAWFUL RESTRAINT IN VIOLATION OF SOUTH CAROLINA CODE OF LAW 17-19-10

AS A MATTER OF LAW THERE IS ABSOLUTELY NOT ANY INDICTMENT THAT CHARGE TYRONE LORENZA ROBINSON WITH THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE ALLEGED IN ON OR ABOUT SEPTEMBER THE 1ST 2012 TYRONE ROBINSON DID WILLFULLY WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED
IN VIOLATION OF SOUTH CAROLINA CODE OF LAW 17-19-10

which states "quoting"

NO PERSON shall be held to ANSWER IN COURT FOR a ALLEGED CRIME OR OFFENSE UNLESS UPON INDICTMENT BY a GRAND JURY

FEDERAL 5TH AMENDMENT RIGHT OF DOUBLE JEOPARDY BARRS RETRIAL FOR THE DEATH OF VICTIM KHALIL SINGLETON

AT TRIAL when the JURY was SWORN IN, I was put IN JEOPARDY and TRIED before the JURY at TRIAL on the CRIME OF FELONY MURDER by the FELONY MURDER RULE THEORY "ALLEGING"

while engaged in a ONGOING GUN BATTLE and INHERENTLY DANGEROUS FELONY, TYRONE ROBINSON did WILLFULLY UNLAWFULLY and with MALICE aforethought cause the VICTIM KHALIL SINGLETON to be shot and KILLED

That's charged and alleged INSIDE OF the WRITTEN WRITE UP OF INDICTMENT #2012-GS-07-01935. That I was TRIED on before the JURY at TRIAL.

AFTER the STATE OF SOUTH CAROLINA rested there case, on motion for directed verdict of ACQUITTAL, the TRIAL JUDGE and TRIAL COURT resolution, CORRECT OR NOT, OF THE TRIAL JUDGE and TRIAL COURT ~~TERMINATING~~ disposing and "DISMISSING" the essential and Factual element and CRIMINAL CONDUCT "ALLEGING" while engaged in a ONGOING GUN BATTLE and INHERENTLY DANGEROUS FELONY

IN RESPONSE to attorney ARIE DAVID BAX ARGUMENT, that his CLIENT TYRONE ROBINSON is ENTITLED to a directed verdict of ACQUITTAL, because the evidence the STATE OF SOUTH CAROLINA

Submitted at TRIAL, was INSUFFICIENT to
CONVICT ON THE ESSENTIAL AND FACTUAL ELEMENT
AND CRIMINAL CONDUCT "ALLEGEDLY"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN
INHERENTLY DANGEROUS FELONY

REPRESENTING A FINDING BY THE TRIAL JUDGE
AND TRIAL COURT, THAT THE EVIDENCE THE STATE
OF SOUTH CAROLINA SUBMITTED AT TRIAL, WAS
INSUFFICIENT TO CONVICT ON THE ESSENTIAL AND
FACTUAL ELEMENT AND CRIMINAL CONDUCT
"ALLEGEDLY"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN
INHERENTLY DANGEROUS FELONY

CONSTITUTED A ACQUITTAL

ON THE ESSENTIAL AND FACTUAL ELEMENT AND
CRIMINAL CONDUCT "ALLEGEDLY"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN
INHERENTLY DANGEROUS FELONY

THAT I CHARGED AND ALLEGED INSIDE OF THE WRITTEN
WRITE UP OF INDICTMENT # 2012-GS-07-01935
THAT I WAS TRIED ON BEFORE THE JURY AT TRIAL.
CASE LAW MERITS

UNITED STATES OF AMERICA COURT OF APPEALS
FOR THE TENTH CIRCUIT COURT OF APPEALS CASE
LAW.

V.S. VS. HUNT 212 F.3d 539 "QUOTEING"
IN UNITED STATES VS. SCHWARTZ 785 F.2d 673
(9TH CIR 1986) "QUOTEING":

FOR ITS PART, THE GOVERNMENT READILY ADMITS
THAT CERTAIN PARTS OF THE INDICTMENT WERE
SPECIFICALLY DEEMED FOR LACK OF EVIDENCE
THEREBY AMOUNTING TO AN ACQUITTAL AS TO
THOSE PARTS. THE GOVERNMENT DOES NOT APPEAL
THOSE SPECIFIC FINDINGS

ALSO AS A MATTER OF LAW THE "ACQUITTAL" THAT
I OBTAINED ON THE ESSENTIAL AND FACTUAL ELEMENT
AND CRIMINAL CONDUCT "ALLEGEDLY"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERENTLY
DANGEROUS FELONY

CONSTITUTES A ACQUITTAL

ON THE WHOLE CRIME OF FELONY MURDER BY THE FELONY
MURDER RULE THEORY "ALLEGEDLY"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERENTLY
DANGEROUS FELONY, TYRONE ROBINSON DID WILLFULLY,
UNLAWFULLY AND WITH MALICE AFORETHOUGHT CAUSE
THE VICTIM KHALIL SINGLETON TO BE SHOT AND KILLED

THAT I CHARGED AND ALLEGED INSIDE OF THE WRITTEN
 WRITE UP OF INDICTMENT # 2012-65-07-01935 THAT I
 WAS TRIED ON BEFORE THE JURY AT TRIAL.
 AS A RESULT THE FEDERAL 5TH AMENDMENT RIGHT
 OF DOUBLE JEOPARDY BARRS THE STATE OF SOUTH
 CAROLINA FROM RETRIALING ME IN A RETRIAL FOR
 THE DEATH OF VICTIM KHALIL SINGLETON. ALSO
 THE FEDERAL 5TH AMENDMENT RIGHT OF DOUBLE
 JEOPARDY BARRS THE STATE OF SOUTH CAROLINA FROM
 APPEALING AGAINST ME IN THIS APPEAL CASE NO.
 21017-002233. ON THE SECOND UNINDICTED
ALLEGED FALSE MURDER CHARGE ALLEGING
ON OR ABOUT SEPTEMBER THE 1ST 21012 TYRONE
ROBINSON DIED WILLFULLY WITH MALICE CAUSE
HIM TO BE SHOT AND KILLED AND HE DIED

THAT THE TRIAL JUDGE AND TRIAL COURT DID NOT
 SPECIFICALLY REJECT FOR LACK OF EVIDENCE,
 AND USED TO DENY MY MOTION FOR DIRECTED VERDICT
 OF ACQUITTAL ON, FOR PROOF REVIEW
 CASE LAW MERITS

UNITED STATES OF AMERICA COURT OF APPEALS FOR
 THE NINTH CIRCUIT COURT OF APPEALS CASE LAW OF,
 U.S. V. HUNT 212 F.3d 539 "QUOTEING"

THE NINTH CIRCUIT REACH THE SAME CONCLUSION IN
 UNITED STATES VS. SCHWARTZ 785 F.2d 673 (9th CIR 1986)
 "QUOTEING"

THERE THE GOVERNMENT MADE THE SAME ARGUMENT
 THAT IT MAKES HERE.

FOR ITS PART, THE GOVERNMENT READILY ADMITS THAT
 CERTAIN PARTS OF THE INDICTMENT WERE SPECIFICALLY
 DISMISSED FOR LACK OF EVIDENCE THERE BY AMOUNTING
 TO AN ACQUITTAL AS TO THOSE PARTS, THE GOVERNMENT
 DOES NOT APPEAL THOSE SPECIFIC FINDINGS. THE CRUX
 OF THE GOVERNMENT'S ARGUMENT, HOWEVER IS THAT

DESPITE THE LABEL OF ACQUITTAL USED BY THE COURT, THE
 JUDGEMENT ON COUNT ONE THROUGH TWELVE WAS IN
 FACT PARTLY A DISMISSAL BASED ON THE RULING OF
 LAW THAT THERE WAS AN IMPERMISSIBLE VARIANCE.
 THE GOVERNMENT OPINES THEREFORE, THAT IT IS NOT

BARRED FROM APPEALING OR SEEKING A RETRIAL
 ON THE INDIVIDUAL PARTS OF THE SCHEME WHICH
 THE DISTRICT COURT DID NOT SPECIFICALLY REJECT

FOR LACK OF SUFFICIENT EVIDENCE.
 THE NINTH CIRCUIT REJECTING THE GOVERNMENT'S
 ARGUMENT IN SCHWARTZ, IN AS MUCH AS WE FIND

THE JUDGEMENT BELOW TO BE A TRUE ACQUITTAL,
 THE DOUBLE JEOPARDY CLAUSE BARRS APPEAL EVEN
 IF THE DISTRICT COURT BASED THE ACQUITTAL ON AN
 ERRONEOUS INTERPRETATION OF GOVERNING LEGAL
 PRINCIPLES OR UPON LEGAL PRINCIPLES WHICH ARE
 THEMSELVES SUBSEQUENTLY OVERTURNED

BECAUSE THE "ACQUITTAL" THAT I OBTAINED ON
 THE ESSENTIAL AND FACTUAL ELEMENT AND CRIMINAL

CONDUCT "ALLEGEDLY"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHERANTLY
DANGEROUS FELONY

CONSTITUTES A "ACQUITTAL" ON THE CRIME
OF FELONY MURDER BY THE FELONY MURDER RULE THEORY
"ALLEGEDLY"
WHILE ENGAGED IN A ONGOING GUN BATTLE AN INHER-
-ANTLY DANGEROUS FELONY, TYRON ROBINSON DID
-WILLFULLY, UNLAWFULLY AND WITH MALICE AFORE-
-THOUGHT CAUSE THE VICTIM KHALIL SINGLETON TO
-BE SHOT AND KILLED

THAT CHARGED AND ALLEGED INSIDE OF THE WRITTEN
WRITE UP OF INDICTMENT # 2012-65-07-01935 THAT I
WAS TRIED ON BEFORE THE JURY AT TRIAL.
THE FEDERAL 5TH AMENDMENT RIGHT OF DOUBLE JEOPARDY
BARRS THE STATE OF SOUTH CAROLINA FROM RETRIEING
ME IN A RETRIAL FOR THE DEATH OF VICTIM KHALIL
SINGLETON AND BARRS THE STATE OF SOUTH CAROLINA FROM
APPEALING AGAINST ME IN THIS APPEAL, EVEN IF
THIS ACQUITTAL WAS BASED ON AN ERRONEOUS
INTERPRETATION OF GOVERNING LEGAL PRINCIPLES OR
UPON LEGAL PRINCIPLES WHICH ARE THEMSELVES
SUBSEQUENTLY OVERTURNED. FOR PROOF REVIEW

CASE LAW MERITS

UNITED STATES OF AMERICA COURT OF APPEALS FOR THE
NINTH CIRCUIT COURT OF APPEALS CASE LAW OF.
U.S. VS. HUNT 212 F.3D 539 QUOTEING
THE NINTH CIRCUIT REACHED THE SAME CONCLUSION IN
UNITED STATES VS. SCHWARTZ 785 F.2D 673 (9TH CIR 1986)

"QUOTEING"
THE NINTH CIRCUIT REJECTING THE GOVERNMENT'S
ARGUMENT IN SCHWARTZ, IN AS MUCH AS WE FIND
THE JUDGMENT BELOW TO BE A TRUE ACQUITTAL, THE
DOUBLE JEOPARDY CLAUSE BARRS APPEAL EVEN IF THE
DISTRICT COURT BASED THE ACQUITTAL ON AN ERRONEOUS
INTERPRETATION OF GOVERNING LEGAL PRINCIPLES OR
UPON LEGAL PRINCIPLES WHICH ARE THEMSELVES
SUBSEQUENTLY OVERTURNED

CONSEQUENTLY AS A RESULT THE STATE OF SOUTH CAROL-
-INA IS BARRED FROM ARGUEING AGAINST ME IN
THIS APPEAL CASE NO: 2017-002233. THEREFORE THIS
SOUTH CAROLINA COURT OF APPEALS MUST DISMISS ANY
OF THE STATE OF SOUTH CAROLINA ARGUMENTS THAT THE
STATE OF SOUTH CAROLINA SUBMIT AGAINST ME IN THIS
CASE. PURSUANT TO THE FEDERAL 5TH AMENDMENT
RIGHT OF DOUBLE JEOPARDY FOR PROOF REVIEW

CASE LAW MERITS

UNITED STATES OF AMERICA COURT OF APPEALS FOR THE
NINTH CIRCUIT COURT OF APPEALS CASE LAW OF.

IN UNITED STATES VS. SCHWARTZ 785 F.2D 673 (9TH
CIR 1986) "QUOTEING"
CONSEQUENTLY, BECAUSE THE DISTRICT COURTS JUDGMENT
IN FAVOR OF DEFENDANT SCHWARTZ, LANE AND MAROLDA
WAS AN ACQUITTAL, THE APPEAL IN NO. 89-1102 AS TO THOSE
THREE DEFENDANTS IS BARRED BY THE DOUBLE JEOPARDY CLAUSE.

PREJUDICED ME

However after the state of south carolina had rested there case. on motion for directed verdict of acquittal. I was unlawfully forced against my will, to face the separate second unindicted alleged false murder charge "ALLEGING" on or about september the 1st 2012 TYRONE ROBINSON did willfully with malice cause him to be shot and killed and he died

That is a non-existent second unindicted false murder charge that is not classified as a crime by the laws of the state of south carolina. That there is not any indictment charging me with, in violation of south carolina code of laws 17-19-10.

That the trial judge and trial court **LACKED SUBJECT MATTER JURISDICTION.** to deny my motion for directed verdict of acquittal and unlawfully restrain me on, which prejudiced me. for proof review case law, merits

south carolina court of appeals of state of south carolina case law of. state vs. PARKER 543 S.E. 2d 255 "ALLEGING" we conclude Kirby and Parker were prejudiced because they faced the charge of armed robbery at trial, but were forced at the end of the states case to face the separate offense of grand LARCENY

DISCHARGE FROM UNLAWFUL RESTRAINT

BECAUSE THE TRIAL JUDGE AND TRIAL COURT LACKED SUBJECT MATTER JURISDICTION, TO DENY MY MOTION FOR DIRECTED VERDICT OF ACQUITTAL AND UNLAWFULLY RESTRAIN ME ON THE SECOND UNINDICTED ALLEGED FALSE MURDER CHARGE "ALLEGEDLY" ON OR ABOUT SEPTEMBER THE 1ST 2/012 TYRONE ROBINSON DID WILLFULLY, WITH MALICE CAUSE HIM TO BE SHOT AND KILLED AND HE DIED

THAT IS A NONEXISTANT SECOND UNINDICTED FALSE MURDER CHARGE THAT IS NOT CLASSIFIED AS A CRIME BY THE LAWS OF THE STATE OF SOUTH CAROLINA AS A MATTER OF LAW THIS COURT MUST DISCHARGE ME FROM UNLAWFUL RESTRAINT AND UNLAWFUL IMPRISONMENT, FOR PROOF REVIEW CASE LAW MERITS

UNITED STATES OF AMERICA SUPREME COURT OF APPEALS CASE LAW OF.

EX PARTE PARKS 93 U.S. 18 "QUOTE"

IF THE SUPREME COURT FINDS THAT THE COURT BELOW HAS TRANSCENDED ITS POWER, IT WILL GRANT THE WRIT OF HABEAS CORPUS AND DISCHARGE

THE PRISONER, EVEN AFTER JUDGEMENT, WHERE PROCEEDINGS ARE NOT ONLY ERRONEOUS BUT ARE ENTIRELY VOID, AS WHERE THE COURT WITHOUT JURISDICTION OF THE "PERSON" OR THE "CAUSE", AND A

PARTY IS SUBJECTED TO ILLEGAL IMPRISONMENT, IN CONSEQUENCE, THE SUPERIOR COURT OR JUDGE INVESTED WITH THE PREROGATIVE POWER OF ISSUING A HABEAS CORPUS MAY REVIEW THE PROCEEDINGS, BY THE WRIT AND DISCHARGE FROM ILLEGAL IMPRISONMENT, IN SUCH CASES A DISCHARGE CAN BE GRANTED ONLY

26.
were the proceedings below are ENTIRELY
VOID.

CONCLUSION

Based on the facts explained this court
must discharge me from UNLAWFUL
RESTRAINT and UNLAWFUL IMPRISONMENT.

Signature: Tyrone L. Robinson
PRINT: TYRONE L. ROBINSON
Date: December 19th 2, 018

CERTIFICATE OF SERVICE

I TYRONE L. ROBINSON CERTIFY THAT
I SENT A COPY OF MY AMENDED PRO SE BRIEF
ON ALL PARTIES THIS CONCERNS, BY
U.S. POSTAL SERVICE TO THE
REQUIRED ADDRESS.

RECEIVED

DEC 27 2018

SC Court of Appeals

SIGNATURE: Tyrone L. Robinson
DATE: December 19th 2, 018

DEAR CLERK OF COURT,
THIS IS MY AMENDED PROSE BRIEF THAT
I AM AMENDING TO MY ORIGINAL PROSE BRIEF
THAT I RECENTLY FILED WITH THIS COURT. IN
APPEAL CASE NO: 2017-002233. PLEASE FILE
THIS AMENDED PROSE BRIEF ALONG WITH MY
ORIGINAL PROSE BRIEF AND SUBMIT BOTH
MY ORIGINAL PROSE BRIEF AND THIS AMENDED
PROSE BRIEF, TO THE JUDGES TO DECIDE ON IN
APPEAL CASE NO: 2017-002233. THANK YOU
SINCERELY I AM TYRONE ROBINSON

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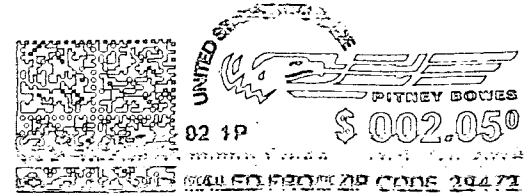
SC Court of Appeals

SIGNATURE: Tyrone L. Robinson
PRINT: TYRONE LORENZA ROBINSON
DATE: DECEMBER 19th 2, 018

TYRONE L. ROBINSON #235104
W-C-Rm 255
LIEBER CORRECTIONAL INSTITUTION
P.O. BOX 205
RIDGEVILLE, S.C. 29472

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SOUTH CAROLINA COURT OF APPEALS
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