

RECEIVED

The Supreme Court of South Carolina JUL 08 2019

S.C. SUPREME COURT

HAYWARD L. ROGERS,

PETITIONER.

VS.

STATE OF SOUTH CAROLINA,

Respondent.

Appellate Case No. 2019-000429

AFFIDAVIT OF Presentment  
of Newly Discovered Evidence

Personally appeared before me, and after being duly sworn upon his oath, I, Hayward L. Rogers, does depose and state as follows:

Prior to his trial, and during trial and by clear negligence my trial counsel failed to conduct a meaningful pre-trial investigation, which cause an innocent person to be convicted and sentenced.

I, the appellant in this matter hereby do swear upon my oath that since trial newly discovered evidence was discovered that proves innocence, and that I was arrested by an abuse of power, Criminal Conspiracy, Judicial misconduct, Attorney misconduct, and Judicial misconduct.

Attachment 1, Arrest warrants was founded on fraud, and ms. J. L. Marta Valentino was not a Judge, and

2,

have never Taken The prescribed oath of office, S.C. Code Ann. 22-1-20, and had no Judicial authority Find probable Cause or To issue warrants For a Felony. (See, Response From The Honorable T. Shealy, office of The Secretary of State.)

Attachment 2 - newly discovered evidence of The Lexington County Grand Jury Show That The appellant was on indicted For assault with intent To kill. Thus, The amending of The indictment To assault and battery with intent to kill was without presentment by The Grand Jury, and The Court lacked subject matter Jurisdiction To . Convict and sentence me. Appellant Should never had been sentence To Life without parole, because his 1979 prior conviction For A.B.W.I.K. was not Classified as "most serious" or violent at The Time. Thus, 16-1-60 was not passed until 1986, any Crimes Committed before That date will no longer be Classified as "Violent offenses". AS a Result, The provisions of 24-21-640 Should no Longer be applicable To appellant's conviction, because his A.B.W.I.K. To place in 1976, he would have been parole eligible after January 1, 1994.

Attachment 4, Supports The appellant was convicted in violation of his 4th, 5th, and Fourteenth Amendments due To his illegal arrest, and illegal search and

3.

seizure due to the fact that the person that drew his blood for a DNA sample was an imposter, was not a nurse, was not certified, and appellant was denied his Sixth Amendment right to confront his accuser as to their qualifications in complying with the statute, S.C. Code Ann. 23-3-630(A).

July 2, 2019

Hayward L. Rogers

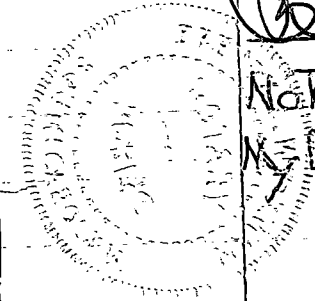
Sworn To AND Subscribed Before me

This 2 Day of July, 2019

W. D. Waldman

Notary Public for South Carolina

My Commission Expires 9/30/26



RECEIVED

JUL 08 2019

The Supreme Court of South Carolina SUPREME COURT

HAYWARD L. ROGERS,

Petitioner,

VS.

State of South Carolina,

Respondent.

Appellate Case No. 2019-000429

Proof of Service

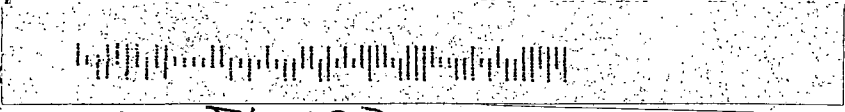
I, The undersigned, hereby does certify that on this date a copy of The "Affidavit of Presentment of Newly Discovered Evidence" was served upon opposing party by placing a copy of same in The U.S. mail postage prepaid.

July 2, 2019

Hayward L. Rogers

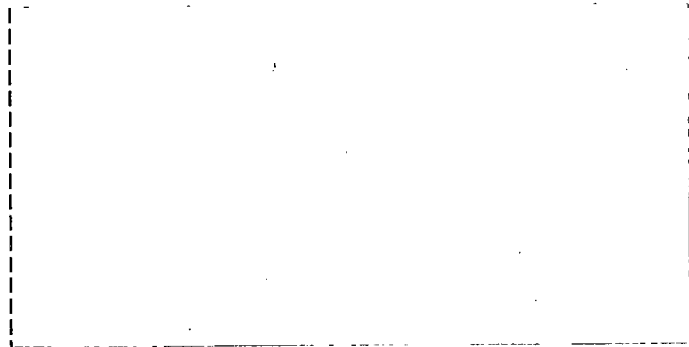
CC: Kelly Oppenheimer, Esquire

HAYWARD | T NEDC # 00001

McFormick C. 

386 Redemption Way, FI-127B

McFormick, S.C. 29899



RECEIVED

JUL 08 2019

S.C. SUPREME COURT

Handwritten mark resembling a large right-facing curly bracket.

RECEIVED

JUL 02 2019

MCCI  
MAIL ROOM

South Carolina Supreme Court  
Post Office Box 11330  
Columbia, S.C. 29211