

State of South Carolina
In the Supreme Court
Certiorari to Dickens County
Honorable Alex Kindow, Circuit Court Judge

RECEIVED

SEP 26 2019

S.C. SUPREME COURT

Albert Lovern Taylor
Petitioner

✓

State of South Carolina
Respondent

Appellate Case 2019-000126

Johnson Petition for writ of Certiorari

Pro-se Brief of Appellant

Pro-se Litigant
Albert L. Taylor #375218
McCormick Correctional Inst.
McCormick, SC 29899
P-4-B rm# 233

Jessica M. Saxon
Appellate Defender

INDEX

INDEX

ISSUE PRESENTED

STATEMENT

ARGUMENT

THE PCR JUDGE ERRORED IN REFUSING TO FIND TRIAL COUNSEL INEFFECTIVE FOR FAILING TO INFORM THE SOLICITOR OFFICE AND TRIAL JUDGE, THAT THE LAWS OF SOUTH CAROLINA WAS MISSING THE GREAT SEAL OF SOUTH CAROLINA, AND THAT TRIAL SHOULD HAVE KNOWN OF THE INVALID AND VOID LAWS.

CONCLUSION

Issue Presented

Did the PCJ JUDGE error in not finding trial counsel ineffective for not bringing to the courts attention and the solicitors office attention that the laws of South Carolina, is missing the "Great Seal" of the state.

The "Great Seal" of the state "Must" be attached to an act before it can become effective, "1977-78"

STATEMENT

Petitioner was indicted for murder and possession of a violent crime by Pickens County Grand Jury on October 11, 2016. App. 65-66. On January 25, 2018, Petitioner pled guilty to murder and possession of a weapon during the commission of a violent crime before the Honorable Edward W. Miller. App. 1; app 4 11. 8-12. Baker Cleveland appeared on behalf of the state and Dorothy Yarbrough represented Petitioner.

Judge Miller accepted the plea, and sentenced Petitioner to concurrent terms of imprisonment for thirty-two years for murder and five years for possession of a weapon during the commission of a violent crime. App. 10 11. 15-18; app. 16 11. 13-14.

On July 12, 2018, Petitioner filed a PCR application. App. 18-24. Petitioner alleged, inter alia, that plea counsel failed to advise him of self-defense. App. 33 11. 21-24. The state made it's return on October 23, 2018. App. 25-30.

An evidentiary hearing took place before the Honorable Alex Kinlaw Jr. on December 17, 2018. App. 32. Don A. Thompson represented Petitioner, and Jewell H. Gregory appeared on behalf of the state. Id. Petitioner and plea counsel testified at the hearing.

Judge Kinlaw's order of dismissal was filed on January 11, 2019. He found Petitioner received effective representation. App. 55-64.

This Petition for writ of Certiorari follows.

ARGUMENT

The PCR JUDGE erred in refusing to find trial counsel ineffective for failing to call the attention of the solicitor's office and the trial judges attention concerning the Great Seal of the State not affixed to the laws of the State. 1993 act NO. 184 and 1995 act NO. 7. not affixed with the Great Seal.

At the time of his trial Mr. Obregon was seventy-one (71) years old and he had no prior Criminal record.

There was no forensic evidence of no crime, no lab reports, no nurse or doctors report.

Ignorance or Blindness

Ignorance of the laws is traditionally no excuse.

Subject matter jurisdiction cannot be "cured" and, if the court does not have jurisdiction, it does have power to preside over case.

Petitioner received and found out about the newly discovered evidence in a letter dated July 5 2019, from a Mr. Steven D. Tuttle, from the South Carolina department of archives and history. In which he states, I checked the following acts that you requested and found that each act does not have a visible impression of the Great Seal. 1993 act no 184 and 1995 act no. 7.

No visible seals attached. Missing seal makes state law void. Unconstitutional Bill.

No Seal, No Laws.

South Carolina Great Seal missing, from over 100 laws.
South Carolina seals absence from laws.

Article III. Section 18 of South Carolina's Constitution plainly states, "no bill or joint resolution shall have the force of law until it shall have been read three times, and on three several days in each house, has had the Great Seal affixed to it..."

Trial counsel was ineffective because the Constitution guarantees effective assistance of counsel.

It's prosecutorial misconduct, by the Pickens County solicitor's office.

a fundamental miscarriage of justice.

Which places me false imprisonment its misconduct
in office, the pickens county solicitors office has
used these invaled, null, and void laws to punish me.

These laws have been invaled, null and void for
twenty-five (25) years today. Without the "Great Seal"
appixed to them."

ONE (1) COUNT OF MURDER

ONE (1) COUNT OF POSSESSION OF A WEAPON DURING
A VIOLENT CRIME.

INDICTMENTS #2016-65-39-2322, 2016-65-39-2323.

The Great Seal of state "Must" be attached to an act
before it can become effective.

Petitioner will also bring to the courts a Heutionary
Counselor's ineffectiveness was the court sentence
petitioner under section 16-1-60, violent crimes.

The section of the law also has "never" been enacted
in the law in South Carolina.

See. 1993-94 act NO. 184 Bill-3151.

This is PROUD upon the COURT, BY OFFICERS OF THE COURT.
There's no statute of limitation for action brought
pursuant to Fed. R. Civ. P. 60(a)(3).

The Court may assert this power *suas poente*.
The law is clear, there is no doubt, art III, 18 are
mandatory and "Must" be followed.

"The Constitution "Must" always be enforced and obeyed.".

The state's argument is *fraus in lege* and it's
obstruction of justice.

The Constitution is a sword and a shield to protect people.

"The Supreme law of the land."

Trial Counsel has failed to bring this argument to
the Court's attention, he is an officer of the Court. He conspires
with the solicitor's office against his client. Also trial
court and this court should have known these laws were
and still today void.

See, United State Code Annotated. 28 U.S.C. 1438.

This court should find prejudice although Counsel
failed to represent his client, at his trial

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

CERTIORARI TO PICKENS COUNTY
HONORABLE ALEX KINLOW, CIRCUIT COURT JUDGE

Albert Lovern Taylor Petitioner

RECEIVED

SEP 26 2019

S.C. SUPREME COURT

V.
State of South Carolina Respondent

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Johnson petition for writ of certiorari in the above referenced case, has been served upon the Supreme Court of South Carolina Daniel E. Sherouse, Clerk of Court, Post Office Box 11330, Columbia, SC 29511, and a copy of the Johnson petition for writ of certiorari.

Subscribed and sworn to before me
this/day of September 24th 2019

[Signature]
Notary Public for South Carolina
my commission expires: 8/5/2024

Albert Taylor
Albert Taylor # 375218
PRO-SE LITIGANT

CONCLUSION

Based on the above argument this court should Grant the petition for writ of Certiorari.

Albert Taylor
Albert L Taylor
PRO-SE

This 24th day of September