

RECEIVED

OCT 03 2019

in United State district Court division
of District of Columbia South Carolina Court of Appeals

~~State of South Carolina Appeals Court~~ ORIGINAL COPY ~~State of South Carolina Appeals Court~~

Calvin L Gaddy 323551
PROSE Applicant:
- VS -

MEMORANDUM OF LAW
INFORMAL Complaint
- AND -
MOTION LEAVE STATE COURTS
FOR CAUSE OF ACTION

State of South Carolina
Attorney General Office's
* defendant's *

RE:

INCLOSE, ARE STATE INMATE, REQUESTING:
[TO] [LEAVE & MOVE] [STATE COURT MATTER]
OF [A] DELAYED 4 1/2 YEARS, [STATE POST-CONVICTION ACTION]
[THAT] STATE OF SOUTH CAROLINA ATTORNEY GENERAL OFFICES
HAS, DELIBERATELY DELAYED & DENIED STATE INMATE,
DUE PROCESS OF LAW OF 14th AMED. OPPORTUNITY RESOLVE,
STATE REMEDIE, [TO] PROCEED FOR OPPORTUNITY FOR
FEDERAL WRIT'S OF HABEAS CORPUS 28. U.S.C § 2254 (d)
REVIEW, STATE COURT RECORDS AT DISPUTE RAISED
IN STATE INMATE FORM (S) APPLICATION FOR
POST CONVICTION RELIEF. FILED MAY 13th 2015
IN LANCASTER COUNTY CLERK OF COURT OF [COMMON PLEAS]
OF SIXTH JUDICIAL CIRCUIT COURTS. FOR [CAUSATION]
POST CONVICTION ACTION, BEEN DELIBERATELY DELAYED
OVER 4 1/2 YEARS FOR * EVIDENTIARY HEARING *

* STATE OF SOUTH CAROLINA COURTS APPEALS *

[YOUR] COPIE, APPLICANT ASKING
FEDERAL COURT [MOTION] STATE MATTER
FOR WRIT'S OF HABEAS CORPUS
28. U.S.C § 2254 (d)

LEGAL
GADDY-323551

United State district Court
For State of South Carolina division
GREENVILLE, SOUTH CAROLINA 29601

Calvin L Gaddy 323551
PROSE DEFENDANT

VS

State of South Carolina
DEFENDANT'S ET AL

MEMORANDUM OF LAW
INFORMAL COMPLAINT
MOTION:

B. E. INCLOSE:

MOTION LEAVE STATE COURTS
[FOR] *UNEXHAUSTED* DELAYED *STATE REMEDIE*
POST CONVICTION RELIEF ACTION
TO, *FEDERAL COURTS JURISDICTION*

REQUEST:

FOR FEDERAL HABEAS CORPUS
28. U.S.C § 2254 (E)

SEE: Exhibits & Supporting FACTS:

SEE: Supporting [EXHIBITON] STATE INMATE
Above, has TRIED RESOLVE STATE REMEDIE

SEE CONCLUSION:

& MOTION :

& AFFIDAVIT OF SERVICE

LEGAL

GADDY-323551

South district of US district Court
OF DISTRICT OF Columbia S.C. division
GREENVILLE S.C. 29601

CARVIN L Gaddy 323551

PROSE PETITIONER
-VS-

INFORMAL Complaint

& Motion

[be] granted

STATE OF SOUTH CAROLINA ATTORNEY GENERAL

DEFENDANT'S

MEMORANDUM OF LAW:

INFORMAL Complaint:

R.F.

Against: STATE OF SOUTH CAROLINA LOWER COURT'S
& STATE OF SOUTH CAROLINA ATTORNEY GENERAL
OFFICE

STATE INMATE, ABOVE, HAS BEEN DENIED DUE PROCESS,
OF LAW 14th AMENDMENT. TO PROCEED (A) FORM (S)
POST-CONVICTION RELIEF ACTION FILED MAY 13th 2015.

IN LANCASTER COUNTY SIXTH JUDICIAL CIRCUIT COURT'S * CAUSE *
[THE] STATE OF SOUTH CAROLINA [ATTORNEY GENERAL]
HAS DELIBERATELY DISCRIMINATE STATE INMATE'S
OPPORTUNITY OF FAIR BITE, AT THE APPLE

OF: EXTRAORDINARY NEWLY DISCOVERY: REASON

OF: MISSING [IMPANEMENT DOCUMENTATION]

OF: 12, 18th LANCASTER COUNTY COMMUNITY CITIZEN

VOTING & DELIBERATION FINDING TRUE BILLING * PETITIONER *

[INDICTMENT] 2007-65-29,880 FOR MURDER: CRIME:

REDUCE TO LESSER INCLUDED OFFENSE [MANSLAUGHTER] * OFFENSE *

MOST SERIOUS OFFENSE 85% PERCENT 25 YEARS

SENTENCE. [WERE GREATER OFFENSE] WAS NEVER

FOUNDED. BY STATE OR COUNTY [GRAND JURY]

LEGAL

[CONTINUE] → ON →

GADDY-323551

* MOTION FOR WRIT'S OF HABEAS CORPUS FORMS
28. USC § 2254 (E) CHALLENGE STATE DELAYED:
STATE INMATE EXHAUSTION REMEDIE
FOR POST CONVICTION RELIEF ACTION
FORM (S)
FILED MAY 13th 2015
IN LANCASTER COUNTY 6th JUDICIAL CIRCUIT
COURT OF COMMON PLEAS

X [MOTION:]*

~~GRANTED~~

(OR)

~~DENIED~~

* by: Judge:

* SIGNATURE

X date:

2019

[THE STATE OF SOUTH CAROLINA COURTS OF APPEALS]

P.O. Box 11629 Columbia SC 29211

[INTRODUCTION] → [OF] [IN FORMAL COMPLAINT]

RE: INCLOSE: ARE [ISSUE] OF [STATE OF SOUTH CAROLINA]

* INEXCUSABLE * DELAYED: BY THE STATE IN PROCESSING
PETITIONER CLAIMS FOR RELIEF:

WHERE, [NEWLY DISCOVERED] UNKNOWN, BEFORE ENTERING:

OPEN [GUILTY PLEA]: PETITIONER MURDER [INDICTMENT]

WAS, [NEVER] BEFORE [LAW] GRAND JURY [IN TERMS]

OF GENERAL SESSION, FOR TRUE BILLING.

[FOR] ACCEPTING [VOLUNTARY MANSLAUGHTER] LESSER [PLEA]

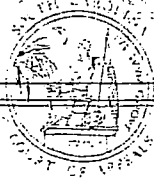
WHERE, ~~IS~~ [GREATER OFFENSE] OF MURDER.

[WAS] FOUNDED: BY 12th, 18th LANCASTER COUNTY HONEST

COMMUNITY CITIZENS. [DELIBERATIONS] [OR] DELIBERATING. VOTE'S

OF: * STATE LAW * VIOLATED * OF [CRIME]: AGAINST

PETITIONER: * CONVICTED * INDICTED * PROSECUTED:



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11839
COLUMBIA, SOUTH CAROLINA 29211
1223 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 734-1850
FAX (803) 734-1853
WWW.SCCOURTS.ORG

June 12, 2015

The Honorable Jana E. Shealy
Edgar A. Brown Building
1205 Pendleton Street
Suite 224
Columbia SC 29201

(A) + (1)[#] - (2017)

MAY 2016

* MISSING IMPANELMENT
DOCUMENTATION

REMITTITUR

Re: Calvin Gaddy v. SCDC (2)
Lower Court Case No. 2015.ALJ040105.AP
Appellate Case No. 2015-000685

DELAIED REDRESS
REMEDY

42 U.S.C.S 1991 E(A)

Dear Clerk of Court:

The above referenced matter is hereby remitted to the (lower court) or (tribunal). A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Enclosure

To: State South CAROLINA COURT OF APPEALS:
P.O. Box 116 29
Columbia South CAROLINA 29211

"Notice" "PLEASE":

IF, THESE INCLOSED: [P.C.R.] ACTION / [APPELLATE COURT'S] /
* DOCUMENTATION * WAS MAILED TO THE WRONG:
* JURISDICTION * PLEASE RETURN: ADDRESS BELOW [CAUSE]:
* PETITIONER * WITHOUT: COUNSEL ASSISTANCE: ON: THE:
ISSUES * INCLOSED * [DELAYED] STATE REMEDIE RESOLVED:
IN: STATE ATTORNEY GENERAL OFFICE'S P.C.R. ACTION
* * 42 U.S.C § 1997 E (A) *
PLEASE: RE-TURN ADDRESS FOR PROPER [INFORMATION]
[THAT] HANDLE: DELAYED ISSUE: [P.C.R.] POST-CONVICTION-
* RELIEF * PENDING STATE COURT DISPUTE: SINCE 2015:
IT'S 4th YEARS DELAY: RESOLVING STATE REMEDIE EXISTING
* 42. U.S.C.A.S 1997 E [A3] *

Calvin L Gaddy S.C. dc # 323551
Kershaw C.I. H.C. 119th
4848 Gold Mine H.W. y.
Kershaw S.C. 29067

STATE OF SOUTH CAROLINA COURTS OF APPEALS

P.O. Box 11629

Columbia S.C. 29211

Calvin L Gaddy 323551

PROSE PETITIONER

- vs -

STATE OF SOUTH CAROLINA

STATE AGENTS

DEFENDANTS

MEMORANDUM OF LAW:

FOR INFORMAL COMPLAINT:

CASE: 2015-CP-29-000637

APPELLATE CASE:

2019-000-482

2017-000-2273

ENCLOSED CAUSE OF ACTION

* DELAYED STATE REMEDIE EXISTING *

* 42 U.S.C.A. § 1997 E [A]

RE: SEE: * [WOJTCZAK] vs. [FUB COMER] [800 F.2d 3rd Cir 1986]

THE ABOVE: STATE OF SOUTH CAROLINA COURTS OF APPEALS

HAS HINDERANCE, STATE INMATE, PETITIONER, ABOVE,

FROM: SEEKING [AN] 28 U.S.C.A. § 2254(b)

FEDERAL HABEAS CORPUS ACTION

* INCLOSE X ARE CONTROLLING COURT PRECEDENT'S:

DEALING WITH DELAYED [OF] INMATE DUE PROCESS

OF: 14th AMEND: [VIOLATION] OF DUE PROCESS CLAUSE:

OF: DENIED EQUAL FAIRNESS OF EVIDENTIARY PROCEEDING:

DISPUTE, CONDITIONS OF CONFINEMENT

SEE: CONCLUSION * MEMORANDUM OF LAW *

- AND -

* AFFIDAVIT OF SERVICE *

LEGAL

GADDY-323551

TO: STATE OF SOUTH CAROLINA COURTS APPEALS

P.O. BOX 11629

COLUMBIA S.C. 29211

APPELLATE CASE: NO: 2019-000 ~~482~~ 482.

APPELLATE CASE: NO: 2017-000 2273.

POST-CONVICTION-RELIEF: 2015-CP-29-00637

RE: [TOT] ABOVE COURT OF SOUTH CAROLINA:

IF, THESE INCLOSE: DOCUMENTATION WAS MAILED:

[TOT] WRONG, JURISDICTION [PLEASE] RETURN WITH [INFORMATION]

FOR, PETITIONER BRING INTO PROPER ORDER WITH ADDRESS:

TO, THE COURT [HANDLE] THIS *~~XXXXXXXXXX~~* TYPE: OF CLAIM:

TO: ADDRESS BELOW

KERSHAW C.I. H.C. 119th

4848 Gold Mine Hwy

KERSHAW S.C. 29067

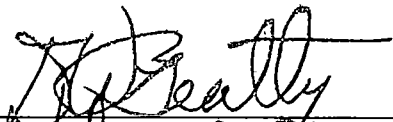

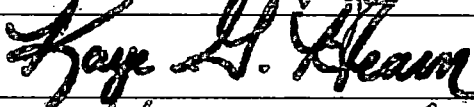

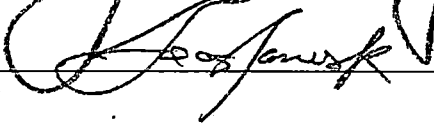
The Supreme Court of South Carolina

ORDER

The following matters are dismissed pursuant to *Key v. Currie*, 305 S.C. 115, 406 S.E.2d 356 (1991), because no extraordinary reason exists to entertain them in this Court's original jurisdiction:

1. *Heyward L. Rogers v. State*, Letter to the Clerk of Court, dated February 12, 2019; Letter to the Clerk of Court, dated March 25, 2019; Petition for Rehearing, dated March 28, 2019; and Motion for Appointment of Counsel, dated April 2, 2019. Appellate Case No. 2019-000156.
2. *Noel Gray v. The Honorable Chief Admin. Judge for the Third Judicial Circuit Court Clifton Newman At Large*, Petition for Writ of Mandamus and Motion for Leave to Proceed *In Forma Pauperis*, dated March 19, 2019. Appellate Case No. 2019-000485.
3. *Ex parte John L. Mills*, Notice of Appeal, dated March 18, 2019. Appellate Case No. 2019-000351. (Few, J., not participating).
4. *John L. Mills #198973 v. Justice, Paul E. Short, Jr., S. Carolina*, Motion Against Judge, dated March 12, 2019. Appellate Case No. 2019-000450. (Few, J., not participating).
5. *Yolanda Shatten v. Sampit River Investments, LLC*, Complaint, dated March 18, 2019. Appellate Case No. 2019-000453.
6. *Calvin L. Gaddy # 323551 v. State Government Agency, State Attorney General Office*, Informal Complaint, Causation, Petition for Writs: Mandamus, received March 22, 2019. Appellate Case No. 2019-000482.
7. *Sabrina D. Davis v. Bankers Life and Casualty Company*, Motion to Vacate Void Judgment and Motion to Proceed *In Forma Pauperis*, dated February 27, 2019. Appellate Case No. 2019-000348.

8. *Pete S. Bryant v. State*, Declaratory Judgment Complaint, dated February 19, 2019. Appellate Case No. 2019-000294.
9. *John Erin Wilson, Jr., #295493 v. State*, Motion: Petitioning to be Heard 1st Const. Amend., dated February 20, 2019. Appellate Case No. 2019-000293.

	C.J.
	J.
	J.
	J.
	J.

Columbia, South Carolina

June 18, 2019

Columbia, South Carolina

June 18, 2019

CC:

Mr. Hayward Leon Rogers

Taylor Zane Smith, Esquire

Alan McCrory Wilson, Esquire

Mr. Noel E. Gray, Jr.

The Honorable Clifton Newman

Justice, John C. Few

The Honorable Jenny Abbott Kitchings

Mr. John L. Mills, Jr.

Justice, Paul E. Short, Jr.

Yolanda Shatten

Joseph Clay Hopkins, Esquire

Mr. Calvin Lyndale Gaddy

Sabrina D. Davis

Sarah Day Hurley, Esquire

Mr. Pete S. Bryant

Mr. John Ervin Wilson, Jr.

The Supreme Court of South Carolina

* INQUIRY INTO MISSING *
* IMPAANELMENT DOCUMENTATION *
* PUBLIC INTEREST IS (FACTOR) (WHEN THERE) GRAND JURY IMPANELMENT MISSING *

ORDER

but * UNDER: (PRECEDENT BELOW) THIS MATTER CAN BE ENTERTAINED IN STATE:
* TRIAL COURTS OF THIS STATE: (OF) SIXTH JUDICIAL LANCASTER COUNTY:

The following matters are dismissed pursuant to *Key v. Currie*, 305 S.C. 115, 406 S.E.2d 356 (1991), because no extraordinary reason exists to entertain them in this Court's jurisdiction:

1. Damon L. Jackson v. State of South Carolina. Petition for Writ of Mandamus dated November 1, 2017. Appellate Case No. 2017-002303.

2. Samuel A. Wilder v. State of South Carolina. Petition for Writ of Mandamus dated October 26, 2017. Appellate Case No. 2017-002292.

FOR INQUIRY INTO MISSING GOVERNMENT ARCHIVE'S?

* 3. Calvin L. Gaddy v. State of South Carolina. Petition for Writ of Mandamus received November 1, 2017. Appellate Case No. 2017-002273. THIS CASE HAS (SIGNIFICANT) (PUBLIC INTEREST) OF EMERGENCY
WHEN, THERE'S (NO) IMPANELMENT LISTING VOTING CITIZEN ARE PRESENT!

4. Keenan K. Hurell. Letter to the Chief Justice received October 16, 2017. Appellate Case No. 2017-002127.

PART (2) (A) - Exhibit

5. Terrence Ingram. Letter to the Clerk of Court dated October 14, 2017. Appellate Case No. 2017-002177.

6. DaQuan Crummey v. Julie Armstrong, Sheriff Al Cannon, Chief Beatty, Scarlett Wilson, et al. Petition for Writ of Mandamus and Petition for Writ of Habeas Corpus dated October 22, 2017. Appellate Case No. 2017-002247.

7. State v. Aaron J. Brown. Petition for Writ of Mandamus received October 30, 2017. Appellate Case No. 2017-002244.

8. Clifford Miller. Letter to the Clerk of Court dated November 27, 2017. Appellate Case No. 2017-002451.

TO: STATE OF SOUTH CAROLINA COURTS OF APPEALS

P.O. BOX 11629
COLUMBIA SOUTH CAROLINA 29211

Calvin L Gaddy 323551
PROSE PETITIONER

- VS -

STATE OF SOUTH CAROLINA
DELAYED STATE PROCEEDING
DEFENDANT'S ET AL

MEMORANDUM OF LAW

INFORMAL COMPLAINT:

DELAYED EXHAUSTION REMEDIE

CASE: 2015-CP-29-00637 *PCR*

~~MEMO~~ ACTION FILED MAY 13TH 2015
FOR: PETITION FOR FEDERAL HABEAS CORPUS

28. U.S.C. § 2254 (b)

STATE HINDERANCE ~~AND~~ RESOLVING

STATE REMEDIE EXISTING

PETITIONER, [ABOVE], HAS [A] LITIGITMATE CLAIM:

OF, DENIED DUE PROCESS OF LAW, OF 14TH AMEND.

OF: PROCEEDING EVIDENTIARY HEARING IT'S OVER 4^H YEARS
DELAYED. FOR PETITIONER, PETITION FOR 28. U.S.C. § 2254 (b)
FEDERAL HABEAS CORPUS ACTION.

UNDER: BELOW PRECEDENTS BY:

* U.S. SUPREME COURT CASES

* FOURTH CIRCUIT COURTS APPEALS

* THIRD CIRCUIT COURTS APPEALS

(SEE) RHEVARK V SHAW 628 F.2d

[A] DELAYED OF NEARLY TWO YEARS, FROM NOTICE OF [APPEAL]
TO, THE DATE WHEN HIS STATEMENTS "303" OF THE FACTS, WAS FINALLY

PREPARE, EXCESS, THE LIMIT OF DUE PROCESS [PREJUDICE]

CIRCUMSTANCE'S LENGTH OF DELAY. [REASON] FOR DELAY
DEFENDANT'S ASSERTION OF HIS RIGHTS CAUSE PREJUDICED
TO: DEFENDANT'S DUE PROCESS OF LAW.

[CONTINUE] [PRECEDENTS]

↳ [NEXT PAGE]

①

In Closed is the Form (5)
Original ~~Completed~~ Competed
Application NOTARIZATION
December 13th 2018.
it's not my Fault They
ARE Lost in YOUR ARCHIVES
FOR Filing

JEFF HAMMOND
Clerk of Court
P.O. Box 1809
Lancaster, SC 29721-1809

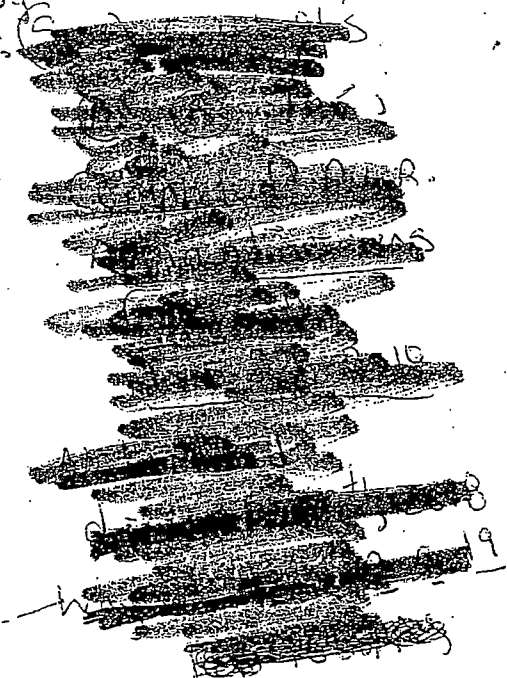
PART ①

RESubmitted
date: FRIDAY
8th day
FEBRUARY 2019 #

These government official trying
EVERYTHING Keep me out P.C.R. COURT HEARING
To dispose this unknown before Enter plea:
Newly discovery

this what
CLERK OF COURT
said →
Kershaw, SC 29067

You already have a
pending PCR in our
court. 2015 CP2900437.
We are not in charge
of scheduling. Contact
the Attorney General's
office to get info
about a hearing.



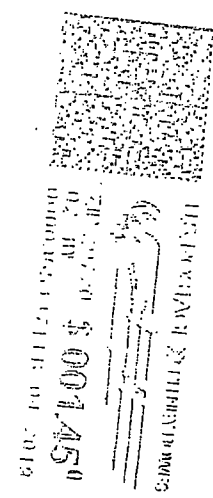
SEP 11 2019



PART ①



A ②



LEGAL
GADDY-323551

TO: State of South Carolina
Supreme Court of Columbia S.C.
Post-Office Box 11330

Columbia South Carolina 29211-1549

That: has ignored EXTRAORDINARY CIRCUMSTANCES INCLOSED:

Calvin L Gaddy 323551

PROSE APPLICANT:
VS

State Government Agency

State Attorney General Office

* Double * JEOPARDY * Clause *

Missing ARCHIVE'S Impanchment documentation (See) Exhibits (A) And (B)

DEFENDANT Et. AL

* x NOTICE x *

(FOR) CAUSATION EXTRAORDINARY

* REASON * ABOVE: *

* INCLOSED: ARE State inmate documentation: FOR CAUSATION:
That: has, BURDEN OF PROOF EXTRA Copie: OF INCLOSED:

ISSUE TO: ATTACH FOR 28 U.S.C. 2254 REQUEST:

FOR: FEDERAL WRITS OF HABEAS CORPUS:

* PROTEST * he's TRIED, RESOLVE Remedie IN STATE COURT'S

42 U.S.C. 1997 E(A) Though The (STATE * SYSTEMS *

OF: SOUTH CAROLINA SUPREME COURT HIGHEST COURT

OF: SOUTH CAROLINA THAT HAS * JURISDICTION * X

TO: (SEE) * INJUSTICE, CORRECTED * STATE COURT SYSTEM ERROR:

* GIVING FALSE MISLEADING GRAND JURY INFORMATION:

That's, BEEN REPORTED: LANCASTER County News COMPANY:

FOR: YOUR FAILURE "COMPLY" STATE INMATE ACCESS: TO:

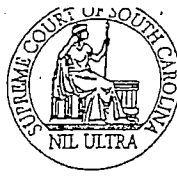
* COURT EXHAUSTION STATE * REMEDIE: (CAUSE) THE,

* SOUTH CAROLINA SUPREME COURT, HAS JURISDICTION:

LEGAL

TO: ACT: IN EXHIBIT'S (A) & (B) NEXT PAGE:

GADDY-323551



South Carolina Court Administration

South Carolina Supreme Court
Columbia, South Carolina

TONNYA K. KOHN
INTERIM DIRECTOR

1220 SENATE STREET, SUITE 200
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1800
FAX: (803) 734-1355

PART (1)

March (7) 2018

(A)

+ 1

~~Addressed to [redacted]~~
~~[redacted]~~

(B)

CLERK OF COURT
LANCASTER, SC

2010 APR 11 AM 10:43

FILED
CLERK OF COURT

Mr. Calvin L. Gaddy, #323551
Kershaw Corr. Inst.
Oak - A - 13
4848 Gold Mine Road
Kershaw, South Carolina 29067

Re: Your correspondence received March 6, 2018 SEE SECTION 17-27-50

Filed APRIL 11th 2018
IN LANCASTER COUNTY

Dear Mr. Gaddy:

* Per your request, we have included below a copy of the terms of circuit court for the Sixth Judicial Circuit for the month of (July 2007) which includes the date of (August 2) 2007, as mentioned in your correspondence.

* LANCASTER NEWS HAS THESE DOCUMENTS

We have also enclosed a copy of the Supreme Court's Order concerning the cost for copies and mailing. Please be advised that should you request any additional information from this office, you will be charged per the enclosed order.

* NEWLY DISCOVERY WAS UNKNOWN HAS NO STATUTE OF LIMITATION

All terms of court dating back to (2002) are available on our public website at (www.sccourts.org/calendar) If you are unable to access this information yourself, you may wish to have someone do so on your behalf.

* LACK OF SUBJECT MATTER JURISDICTION HAS NO STATUTE OF LIMITATION

(A) In response to your request for information relating to the convening of the grand jury in Lancaster County, please be advised that this office is not the custodian of information relating to the convening of the grand juries, nor does this office possess impanelment documents for the grand juries. (IMPORTANT DOCUMENT MISSING)

* You will need to contact the county (Clerk of Court or the Solicitor's Office to obtain) any information relating to the activity of the grand jury in the event they still have this information for the year 2007.

FOR REGAIN REDRESS RECONSTRUCT

Missing Impanelment Listing
who TRUE billed August 02 2007 54
SEE: SECTION 17-27-50 (A)

22 D-16th (A)
EXHIBIT → A

Additionally, the code section you cite, §14-9-210, S.C. Code of Laws, relates to the county courts which were abolished as of July 1, 1979, pursuant to Article VII, Section 5 of Act No. 690 of 1976.

Sincerely,

Staff Attorney Section/tr

PART ①

Enclosure

* ANALYZE Exhibit (B) 2018

below:

FOR publicity CORRUPTION
in Exhibits (A) & (B) *Chester*

Circuit Number	7/2/2007	7/9/2007	7/16/2007	7/23/2007	*7/30/2007*
⑥		Common Pleas Non-Jury Goode, Kenneth <u>AMBROZIAK</u>		Common Pleas Lancaster Goode, Kenneth <u>WATKINS 23</u> <u>NO CR NEEDED 24,</u> <u>25, 26, 27</u>	General Sessions Chester * Goldsmith, Brooks <u>WATKINS</u> Common Pleas Fairfield Goode, Kenneth <u>AMBROZIAK 30,</u> <u>31, 1</u> <u>NO CR NEEDED 2, 3</u>

(A)

(B)

C
H
E
S
T
E
R

? (B) 2018

important issues at dispute. FOR public Attention

LANCASTER NEWS COMPANY HAS THIS

ASK "THEM" ?

(SUSPICIOUS)

What my Family drop OFF
FEBRUARY 1st 2019 ?
~~DO NOT~~ - Nov 2018

D-12
Exhibit (B)

ⓐ

this Order upon him to show why this Order should not become final. The Applicant shall file any reasons he may have with the Lancaster County Clerk of Court and shall serve opposing counsel at (the following address):

Office of the Attorney General
Attn: Patrick Schmeckpeper, Esquire.
Post Office Box 11549
Columbia, South Carolina 29211

RAISE QUESTION UNRESOLVED ISSUE

AND IT IS SO ORDERED this ? day of _____, 2017. ?

* NEVER SIGN OFF DISPOSITION *

BRIAN M. GIBBONS
Chief Administrative Judge
Sixth Judicial Circuit Court

_____, South Carolina

STATE OF SOUTH CAROLINA:
ATTORNEY GENERAL HAS DUTY PROTOCOL
& OBLIGATION PROVE BURDEN OF PROOF
IMPANIMENT DOCUMENTATION MISSING OF
DELIBERATION & DELIBERATING VOTING TRUE BILLING: ?
ATTACHMENT SHEET NO JUDGE SIGNATURE !

D-70#

35#

Exhibit

MARCH 13th 2018

(11)

2018

(PLEASE?)
SEE
WRIT'S
MANDAMUS

NEXT PAGE

(36)

Lancaster County

Jeff Hammond
Clerk of Court

Clerk of Court of Lancaster County
Post Office Box 1809
Lancaster, S.C. 29721

Phone (803) 285-1581
Fax (803) 416-9388

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

IN THE COURT OF COMMON PLEAS
6TH JUDICIAL CIRCUIT

Calvin Lyndale Gaddy #323551

CERTIFICATE OF SERVICE

CASE# 2015-CP-29-00637

Applicant

VS
State of South Carolina

Respondent

I certify that, on November 1, 2017 I served a copy of the Petition for Writs Mandamus by mailing to him at his last known address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows:

Calvin L. Gaddy #323551
B.R.C.I.
Murray 191A
4460 Broad River Road
Columbia, SC 29210

* NECESSITY OF NECESSARY NEED * ABSENT OF:
① THE MISSING IMPANELMENT DOCUMENTATION
TRUE BILLING AUGUST 2, 2007 GENERAL SESSION
TERMS ACCORDINGLY MANDATE & MANDATORY
S.C. CODE ANNS 14-9-210

11/1/2017

Date

Jeff Hammond

Signature

* ATTACHMENT SHEET *

FILED
OFFICE OF CLERK
OF COURT
2017 NOV - 1 AM 11:23
CLERK OF COURT
LANCASTER, SC

* Supporting *
PART TWO II * INFORMAL COMPLAINT *
* ATTACHMENT SHEETS *

~~***~~ In his second and current application for post-conviction relief, the Applicant alleges that

he is being held unlawfully for the following reasons: Exhibit 2018

- 1. Newly discovered evidence
- a. "No Grand Jury convene in terms of General Sessions"

? Before this Court are the records of the Lancaster County Clerk of Court regarding the subject convictions, Applicant's prior PCR records, Applicant's PCR application, and Respondent's Return and Motion to Dismiss.

* UNANSWER QUESTION ?

III.

This Court finds that the current application for post-conviction relief must be summarily dismissed because it is successive to his prior applications for post-conviction relief. S.C. Code Ann. §17-27-90 provides that:

All grounds for relief available to an application under this chapter must be raised in his original, supplemental or amended Application. Any ground finally adjudicated or not so raised, knowingly, voluntarily and intelligently waived in the proceeding that resulted in the conviction or sentence or in any other proceeding Applicant has taken to secure relief, may not be the basis for a subsequent Application, unless the court finds a ground for relief asserted which for sufficient reason was not asserted or was inadequately raised in the original, supplemental or amended Application.

Successive applications are disfavored and the burden is on Applicant to establish that any new ground raised in a subsequent application could not have been raised by him in a previous application. Foxworth v. State, 275 S.C. 615, 274 S.E.2d 415 (1981); Aice v. State, 305 S.C. 448, 409 S.E.2d 392 (1991); Arnold v. State/Plath v. State, 309 S.C. 157, 420 S.E.2d 834 (1992).

1971 Exhibit C Exhibit 2018 (October) 2018
7 @ # 1963 MARCH 2018 11
NOVEMBER 2018

FORM 5

RECEIVED
USDC CLERK, GREENVILLE, SC
2018 APR -6 PM 3:37

SOUTH CAROLINA
~~LANCASTER~~

IN THE COURT OF COMMON PLEAS

Calvin Lyndale Gaddy #32355
Full name and prison number (if any) of Applicant

2015 CP 29 00637
2015-CP-29-00637

APPLICATION FOR
POST-CONVICTION RELIEF

2015 MAY 13 PM 2:12
LANCASTER COURT
GREENVILLE, SC

~~STATE AGENCY DOUBLE JEOPARDY~~

State of South Carolina

~~WARDEN Joseph~~

~~McFadden S.C.D.C.~~

~~CLERK OF COURT's~~ August 02, 2007

~~JEFFREY HAMMOND~~ (NO) COURT REPORTER

~~DEFENDANT'S ET AL~~

INSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

~~IMPANEMENT~~ document MISSING GRAND JURY August 02, 2007

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention HiBER CORRECTIONAL INSTITUTIONAL
D.O. Box 205, Ridgeville S.C. 29472*

2. Name and location of Court which imposed sentence THE LANCASTER COUNTY
SIXTH CIRCUIT GENERAL SESSION Common Pleas

3. Name(s) of co-defendant(s) (if any) OTHER & Newly discovered
Evidence, Against This State of South Carolina

The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed: New Ground of S.C.R.C.P. 60 (A)

ILLEGALLY guilty plea. Indictment WAS NEVER

PRESENTED 18th member 3/4-9-210. Voting

DOUBLE JEOPARDY Clause & damages
S.C.R.C.P. RULE 60 (B) Newly discovered

(7)

Continued Supporting Precedents

BARKER -v- Wingo 407 U.S. 519.

92 S.Ct. 2182 33 L.Ed. 2d 101.

US -v- Hood 556 F.3d 226.

U.S. Courts of Appeals 4th Cir.

State -v- HagRequist 254, S.C. 501.

Supreme Court of South Carolina. [A] DELAY [Which].

deprives [AN] ACCUSED OF THE EFFECTIVE EXERCISE:
OF: Rights OF [APPEALS] MAY AMOUNT TO
DEPRIVATION OF DUE PROCESS [AND]

EQUAL PROTECTION, OF THE LAWS

Const ART 18-5; U.S. C.A Const Amend 14th

[Also]

SEE: Gilchrist -v- Hagan, Mathis -v- Hood 5 1/2 YEARS [delayed]
851 F.2d 612 615, 2nd Cir 1988

SEE: BURKETT -v- Cunningham 826 F.2d 1208, 3rd Cir (1987)

SEE: WOITCZOK -v- Fulcomer 800 F.2d 353, 3rd Cir (1986)

33 months delayed.

(SEE) PATTERSON -v- LEEKE 556, F.2d 1168, 1172 4th Cir (1977)

delayed OR INACTION, IN STATE COURT PROCEEDING

(CAN) RENDER: STATE REMEDIES, "INEFFECTIVE"

Suggesting [A] delayed could MAKE: EXHAUSTION.

OF STATE REMEDIES: *UNNECESSARY*

UNDU: delayed IN PROCESSING ON APPEALS MAY [RISE:]

TO: THE, LEVEL OF (A) due process violation

(SEE) United States -v- Johnson 732 F.2d

379, 381 4th Cir 1984 [2#] YEARS delay.

"CONTINUE"

↳ NEXT PAGE:

CONTINUE FROM PAGE: 2[#]

ANY: PREJUDICE "SUFFERING" BY [PETITIONER] IS, OUTWEIGHT BY THE FACTS THAT [THE] [DELAY] IS JUSTIFIED, AND [STILL] WITHIN REASONABLE, [A].

MOUNT; OF TIME FOR STATE COURT [TO] HEAR PETITIONER CLAIMS: [FOR] 28. U.S.C. § 2254(b)

THAT FEDERAL HABEAS CORPUS ACTION, [HAVE] [EXTRAORDINARY] [CIRCUMSTANCES] WHERE: [DETENTION] BEYOND [TERMINATION]

OF [SENTENCE] CAN, (CONSTITUTE CRUEL-AND-UNUSAL) PUNISHMENT: IF, IT [IS,] RE-SULT OF

[DELIBERATE] INDIFFERENCE] TO PRISONER'S [LIBERTY] [INTEREST]; OTHERWISE; SUCH [DETENTION] CAN, BE [HELD] UNCONSTITUTIONAL ONLY IF, IT VIOLATE'S DUE PROCESS;

U.S.C.A. 5, 8, 14, AMEND.

(SEE) HAGGARD - V. YOUNG 769 F.2d 1350

" " SAMPLE - V. DECKS 885 F.2d 1099 (1989)

(SEE) "EXHIBITS & EXHIBITION"

IN: THIS CASE'S AT [REDACTED] HANDS

* CASE# 2015 CP. 29-00637 * FILED MAY 13th 2015

THIS ACTION, HAS BEEN DELAYED OVER 4[#] YEARS FOR [PROPER] EVIDENTIARY HEARING FOR [EXHAUSTION]

STATE REMEDIE EXISTING 42 U.S.C.S 1997 E (A)

THEREFORE: STATE OF SOUTH CAROLINA

ATTORNEY GENERAL HAS HAD MORE, THAN

[REDACTED] ENOUGH TIME BRING THIS [P.C.R ACTION]

IN: PROPER [ORDER] RESOLVE STATE [REMEDIE]

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

Calvin L Gaddy 323551
PROSE Applicant:
vs

MEMORANDUM OF LAW
INFORMAL Complaint

State of South Carolina
Attorney General Office
Clerk of Court Jeff Hammond
Missing Government Archive's
Defendant's Et. Al.

Key - v. CURRIE 406 S.2d 356 1991
is, not controlling in
Precedent: below filed May-13-2015
Gaddy vs - State of South Carolina
2015 - CP - 29 - 00637

PROSE: Applicant: Above dispute's This: Supreme Court:
of, South Carolina, has Jurisdiction, Intervene: When
* State Attorney General* hinderance, * State Inmate From:
* Appeal Process* & petition for Federal Writ's of Habeas Corpus
28. U.S.C.S 2254. That Cant (Proceed) to, State Remedy
Exhausted. 42. U.S.C. § 1997 E (A) SEEK (Writ's of habeas Corpus)
inclosed * [REDACTED] * ISSUE * Application, for P.C.R. Form (S)
was filed May 2015 in Lancaster County Court
of Common Pleas Court. it's now MARCH 15th 2019
Four, Year's delayed, Hearing in P.C.R Court's Ruling
on, * Missing * Impairment * documentation, * of Grand Jury*
August 02, 2007 Activity: * CAUSE * THE: COURT: OF
* South Carolina Administrative * documentation in PART (A)
Exhibit (A) & (B) dont lie. (NO) GRAND JURY;
Convened, in general session terms: This Supreme Court
of: South Carolina has Jurisdiction: When State
Inmated being denied RESOLVE State Remedy:

(SEE) CONCLUSION & * PRIMA - FACIE *
Supporting Exhibit's PREPONDERANCE EVIDENCE
(SEE) AFFIDAVIT OF SERVICE

LEGAL

GADDY-323551

* CONCLUSION *

PETITIONER Calvin L Gaddy 323551^H

KEEPS [AT] TRACKING RECORD OF [ALL]

DOCUMENTATION OF U.S. POSTAGE OF SERVICE

& * AFFIDAVIT OF SERVICES * ?

BEEN, NOTARIZED BY K.C.I. MAIL ROOM STAFF

[AND] DATES NOTARIZED:

I, DECLARE UNDER PENALTY & PERJURY THESE DOCUMENTS
INCLOSE: ARE TRUE & CORRECT REACH ADDRESS BELOW

STATE OF SOUTH CAROLINA COURTS OF APPEALS

P.O. BOX 11629

COLUMBIA S.C. 29211

* AFFIDAVIT * OF * SERVICE *

SWORN - AND - SUBSCRIBED BEFORE ME

THIS DATE ^{13TH} OF

August

2019

NOTARY PUBLIC FOR STATE OF SOUTH CAROLINA

Catherine A Amoss

MY COMMISSION EXPIRES: December 22 2029

* Calvin Gaddy 323551

Calvin L Gaddy 323551

Kershaw C.I. H.C. 119

4848 Gold Mine Hwy.

Kershaw S.C. 29067

[CONTINUE]

State of South Carolina Attorney General,
has hinderance, delayed: State Inmate, proceeding [To:
[EXTRAORDINARY EVIDENTIARY HEARING] ON, disputed [FACTS]
MISSING IMPANELMENT OF THE [GRAND JURY CONVENING]
IN QUESTION OF AUGUST 02, 2007 GENERAL SESSION
[TERMS] ACCORDINGLY MANDATE S.C. CODE ANN. 14-9-210
THE STATE OF SOUTH CAROLINA, HAS HAD THERE,
FAIR OPPORTUNITY. • BRING [PETITIONER] INTO:
POST-CONVICTION RELIEF COURT, FOR [EXHAUSTION]
STATE REMEDY: IN [THE] FOLLOWING
DOCUMENTATION *EXHIBITON* [BEEN]
NEGLECTED BY ATTORNEY GENERAL OFFICE
OF: SOUTH CAROLINA NEGLIGENCE MISCONDUCT
DELAYED: OVER 4 1/2 YEARS UNRESOLVED ISSUE,
* UNCONSTITUTIONAL GUILTY PLEA: *
NEWLY AFTER DISCOVERY UNKNOWN BEFORE ENTERING
OPEN PLEA: [NO] 12, 18, LANCASTER COUNTY
HONESTLY COMMUNITY CITIZEN FOUNDED [DILERATION]
DELIBERATING VOTING OF MURDER CRIME INDICT FOR
*INDICTMENT. 2007-65-29-880
(SEE): SUPPORTING [FACTS] EXHIBITON & EXHIBIT'S

[REQUEST] FOR [MOTION] PROCEED: FOR
GREAT WRIT'S OF HABEAS CORPUS FORM

WITH: [AFFIDAVIT] OF [SERVICE]

FEDERAL COURTS SHOULD NOT DENIE PROCEEDING
INFORMAL PAUPER'S STATUS*
FOR REQUEST PROCEED [PROSE] FOR [WRIT'S] [HABEAS]
[CORPUS] * 28. U.S.C.S 2254 (E)X

LEGAL

GADDY-323551

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OCT 03 2019

SC Court of Appeals

AFFIDAVIT OF SERVICE

SWEAR - AND - SUBSCRIBED BEFORE ME

ON THIS DATE September 25

2019

Catharine A. Amador

NOTARY PUBLIC FOR STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES December 22, 2029

* Calvin J. Gaddy 323551

Calvin L. Gaddy S.C. dc. # 323551

KERSHAW C.T. H.C. 119*

4848 Gold Mine H.W.Y.

KERSHAW S.C. 29067

LEGAL

GADDY-323551

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OCT 03 2019

SC Court of Appeals

R.E.

Inclosed.

ARE documentation, STATE INMATE GAVE FORMAL
[NOTICE] IF STATE OF SOUTH CAROLINA COURT

[APPEAL] REFUSE [ANSWER] OR [FAIL RETURN]

ADDRESS HANDLE DELAYED POST. CONVICTION RELIEF

ACTION: STATE INMATE, INCLOSE, WOULD SEEK [TO]:

FEDERAL COURT'S JURISDICTION OF DELAYED

UN-EXHAUSTION REMEDIE: FOR PROMISSION ENTER:

IA7 28. U.S.C. § 2254 (E)

WRIT'S OF HABEAS CORPUS ACTION

[SEE] THE AFFIDAVIT OF SERVICE

AUGUST 13th 2019. TO:

STATE OF SOUTH CAROLINA

COURT'S APPEALS

FOR, "TRACKING" RECORDS [KERSHAW C.I.]

MAIL ROOM: (ALSO) HAS RECORDS CAN BE

[SUBPOENA] MAIL [LEGAL MAIL OUT]

[by] S.C. de. debt forms * [date]

[by] S.C. de. policy @ A-01-03-09.

LEGAL

GADDY-323551

MR. Calvin A Gaddy 323551
Kershaw C.I. H.c. 119th
4848 Gold mine Hwy
Kershaw S.C. 29067

RECEIVED

OCT 03 2019
SC Court of Appeals

To: South Carolina Court's of Appeals
Jenny Abbott Kitchings Clerk
Post office Box 11629
Columbia. S.C. 29211

~~Gaddy~~
LEGAL
323551