

The Supreme Court of South Carolina

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MAY 18 / 2020

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S.C. SUPREME COURT

Robert Campbell
S.C.D.C. NO. 131941

v.

State of South Carolina

[NOTICE OF APPEAL]

UNDER-ACCESS to Justice -
Post-CONVICTION RELIEF ACT;

DEAR SUPREME COURT;

I HAVE [REQUESTED] with the GREENVILLE COUNTY COURT ON BEING TESTED FOR D.N.A. TO PROVE MY INNOCENCE OF THE CRIMES I PLEAD GUILTY TO WHILE ON MEDICATION COMING FROM MENTAL HEALTH. ALL SO. THIS SAME COURT DID RESPONDED BACK TO ME ON [MARCH 19, 2009] ABOUT THIS TEST. SEE SUPREME COURT LETTER, BUT I JUST RECEIVED ANOTHER RESPOND WITH A NEW D.N.A. APPLICATION FROM THE CLERK OF THE SUPREME COURT, TELLING ME TO [REFILE] THE APPLICATION. AND I DID. BUT THE CIRCUIT COURT JUST DENIED IT AGAIN.

SINCE [FEBRUARY OF 1999] I HAVE FILED (7) P.C.R. APPLICATIONS REQUESTING D.N.A. TESTING. AND I DID WRITE FORMER CHIEF JUSTICE MS. JEAN TOAL SHE HAD THE CLERK TO SEND ME THIS MARCH 19, 2009 LETTER. SO THIS SUPREME COURT KNOWS ABOUT MY REQUEST TO BE TESTED TO PROVE MY INNOCENCE OF THESE CHARGES. PLUS, I HAVE PROVIDED [COURT DOCUMENTS] THAT THE [SLED] SENT TO THE * [INNOCENCE PROJECT] ABOUT MY CASE. AND THIS SLED - COURT DOCUMENT SHOWS THAT I AM INNOCENT TO THE CHARGE I PLEA GUILTY TO WHILE ON MEDICATION IN MENTAL HEALTH CARE.

I HAVE FILED (2) D.N.A. APPLICATIONS. THE FIRST WAS ON THE 7/3/2018. AND 11/25/2019. AND THE CIRCUIT COURT JUST DENIED ME ON THE 4/28/2020. NOTE: THE CIRCUIT COURT JUDGE STATED THAT, I [DID NOT] MEET THE REQUIREMENT SET FORTH IN S.C. CODE ANN. 17-28-40? "BUT I DID" [IF] THE COURT LET ME TAKE THIS D.N.A. TEST. THIS TEST WILL SHOW ME BEING NOT GUILTY OF THESE CRIMES. FACTS. NOW - ACCORDING TO THIS S.C. SUPREME COURT LETTER, THE D.N.A. TESTING WAS STILL ~~NOT READY~~ NOT READY YET? DUE TO LACK OF FUNDING. FACT #2 HERE IS A [S.C. SLED] DOCUMENT SHOWING ME BEING INNOCENT OF (SAME) CHARGE I AM DOING TIME FOR. CSC. SLED BEEN STATED. NOT GUILTY OF CHARGE. SEE DOCUMENT, SIGNED BY Patsy Habben

HOW CAN I PROVE MY INNOCENCE [IF] THE COURT WANT LET ME TAKE THIS TEST. HERE IS ONE OF THE CHARGE I CAN PROVE WITH PROOF. SEE [SLED] DOCUMENT

20 APR 28 PM 2:31
Paul Wickens
Clerk of Court
Greenville, SC

STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT

COUNTY OF GREENVILLE)

State of South Carolina,)

1986-GS-23-00125-29
1986-GS-23-132,134

v.)

**ORDER DENYING APPLICATION FOR
FORENSIC DNA TESTING AND MOTION TO
APPOINT COUNSEL**

Robert Campbell,)

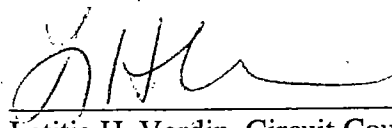
Defendant)

B350004, B352028, B287940
B287896, 97, B287941

This matter comes before the Court on Defendant's Application for Forensic DNA testing and Motion for Appointment of Counsel. The Defendant has not met the requirements set forth in S.C. Code Ann. 17-28-40. The Defendant makes the assertion that he was on medication when he pled guilty to the above-captioned charges and that DNA would prove he did not commit these crimes, but provides no other basis or specifics upon which the Court could grant his motions. While the Defendant may have other means of relief in this matter, Defendant has not met the requirements of S.C. Code Ann. 17-28-40. Accordingly, Defendant's Application for Forensic DNA Testing and Motion for Appointment of Counsel are respectfully denied.

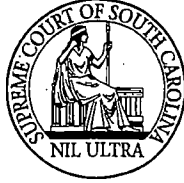
IT IS SO ORDERED.

April 28, 2020



Letitia H. Verdin, Circuit Court Judge

A Certified Copy
Paul B. Wickens
Clerk of Court C.P. & G.S.
Greenville County, SC
Dated 5/6/2020



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499

March 19, 2009

Mr. Robert Campbell, #1311941
Lieber Correctional Institution
P.O. Box 205
Ridgeville, SC 29472

Dear Mr. Campbell:

This responds to your Form SCCA DNA 101. Please be advised that any request for DNA testing under the "Access to Justice Post-Conviction Relief Act" must be filed in the circuit court, S.C. Code § 17-28-40 (B) ("The application must be verified by the applicant and filed under the original indictment number or petition with the clerk of court of the general sessions court or family court in which the conviction or adjudication took place."). Therefore, I am returning the form to you. I note that we did not receive page 1 of the form.

Further, I note that Act No. 23 of 2009, setting forth the State Budget for FY 2009-2010 states the following in Part IB of that Act:

89.108. (GP: Implementation of Access to Justice Post-Conviction DNA Testing Act) The provisions of the "Access to Justice Post-Conviction DNA Testing Act" (Act 413 of 2008) are not required to be implemented until such time as general funds are appropriated or federal or other funds are received to begin implementation of the act.

Therefore, it is quite likely that no DNA testing is currently available under the "Access to Justice Post-Conviction Relief Act" due to a lack of funding.

Sincerely,

Daniel E. Shearouse

Enclosure

RICHARD W. RILEY
Governor

Law Enforcement Division

J. PRESTON STROM
Chief

P. O. Box 21398

Phone (803) 758-6354
758-6000

TO: Darrall F. Chambers
4 McGee Street
Greenville, SC 29601

COLUMBIA, S. C. 29221-9990

LABORATORY FILE NO.: L85-3197

DATE: 7-9-85

SUBJECT(S):

VICTIM(S):

CONFIDENTIAL: This is an official report of the South Carolina Law Enforcement Division Chemistry Department and is to be used in connection with an official criminal investigation. The items and the results of laboratory examinations are reported below:

J.P. Strom J. P. STROM

ITEM(S) SUBMITTED

RESULTS OF EXAMINATION(S)

- A. Swab tube from the victim
- B. One saliva sample from the defendant

- A. Negative for semen
- B. No analysis made for blood factors at this time.

I am a Chemist employed and certified by the South Carolina State Law Enforcement Division (SLED) to perform chemical and physical examination(s) on evidence submitted by Law Enforcement Agencies in criminal cases, and have been qualified in courts of record in the State of South Carolina to testify on such examination(s).

On _____, 19____, submitted the above item(s) to me for examination(s). I tested this (these) item(s) using accepted reliable forensic procedures employed by SLED and the above results reflect my conclusions based on my examinations.

- Chemical Test
- Microscopic
- Ultraviolet Spectroscopy
- Infrared Spectroscopy
- Atomic Absorption
- Gas Chromatography
- Immuno Assay

- Fluorescence Spectroscopy
- Thin Layer Chromatography
- Gas Chromatography
- Mass Spectrometry
- Liquid Chromatography
- X-Ray Spectroscopy
- Emission Spectroscopy

For me this 9 day of July, 1985

NOTARY PUBLIC

Patsy Habben
Patsy Habben

CHEMICAL ANALYST

PLACE

7-9-85

DATE

Expires: 8-31-85