

The Supreme Court of South Carolina

P. O. Box 11330

Columbia, S.C. 29211

Case No. 2020-000253

RECEIVED

MAY 29 2020

S.C. SUPREME COURT

Dear Honorable Chief Justice Beatty:

On the 21<sup>st</sup> day of April, 2020 I filed a Motion For Immediate Release in pursuant to my illegal incarceration under the Double Jeopardy Clause of the United States Const. and the South Carolina Const. On the 22<sup>nd</sup> of April 2020

I sent the missing page 5 that was left out by mistake and asked that the missing page be filed with this Motion.

I re-filed this Motion on May 6, 2020 after receiving the stamped filed on May 5, 2020 noticing that the missing page was not filed with the Motion adding the missing page to the re-filed Motion.

This Motion is supported by a copy of Judge Baxley's ruling in my first trial 2012. This Motion is also supported by clearly established South Carolina Supreme Court Law and United States Supreme Court Law. Which proves that (1) That Judge Baxley's decision to declare a mistrial after the jury only deliberated for 2 hours and 50 minutes, an hour of that time used for lunch break and questions was not dictated by "manifest necessity or ends of public justice" and violated my 5<sup>th</sup> Amendment right to have my trial completed by a particular tribunal and because jeopardy attached after the jury was sworn in. Double Jeopardy

barred retrial.

(2) Judge Baxley's ruling also indicated that, "Now what you've told us is that you can't reach a unanimous decision and I would say to you to that that's not a failure on your part. That's actually a strong message to the Prosecution that they are unable to meet the burden of proof to the extent that they can bring back a unanimous verdict." Judge Baxley's ruling was based on insufficient evidence that the State was unable to meet the burden of proof which established my innocence and lack of criminal culpability. According to clearly established State and Federal Law of the United States Const. Judge Baxley's ruling was and is an acquittal of my case and Double Jeopardy bars retrial.

My case is not an appeal from a criminal conviction because this is proof that the State South Carolina has no legal authority to hold me illegally incarcerated.

My case is a civil rights case in violation of my 8<sup>th</sup> Amendment rights to be free from Cruel and Unusual punishment. I have been held captive for over 6 years in the SCDC because Georgetown County Solicitor's Office made an intentional decision to break the law.

I am sure you were not aware of this. However, as of April 21, 2020 you were made aware of this through my Motion For Immediate Release. My question to you Honorable Chief Justice Beatty is how long will you allow this State to illegally hold hostage an American Citizen

of the United States. My research and knowledge of you and your background is that you are an Honorable Chief Justice who does not tolerate Prosecutorial and Government Misconduct.

Pursuant to the Rules of Judicial Conduct, Rule 501 SCAER, Canon 3, D, (1), (2) states:

(1) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this Code should take appropriate action. A judge having knowledge that another judge has committed a violation of this Code that raises a substantial question as to the other judge's fitness for office shall inform the appropriate authority.

(2) A judge who receive information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct contained in Rule 407, SCAER, should take appropriate action. A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects shall inform the appropriate authority.

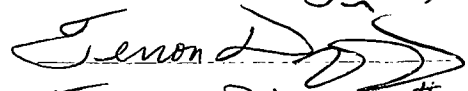
The actions of Georgetown County's Solicitor's Office resulted in the illegal incarceration of an innocent man with no legal authority, taken away from My family and kids, for over 6 long years. In this case you, Honorable Chief

Justice Beatty are the appropriate authority.

For these reasons I am request that you release me immediately from being held hostage under no legal authority. I trust and believe that you will uphold justice.

Date: May 27, 2020

With Kind regards,



Terron Dizzle #359480

4460 Broad River Rd.

Columbia, S.C. 29210