

FILED-RECEIVED

STATE OF SOUTH CAROLINA  
IN THE COURT OF COMMON PLEAS <sup>2020 MAR - 4 AM 11: 57</sup>

COUNTY OF YORK DAVID HAMILTON  
C.C.C.P. & CS

RE: JEFFREY LYNN CHRONISTER, #189827, STATE OF SOUTH CAROLINA  
~~MOTION FOR AFTER NEWLY DISCOVERED EVIDENCE AND RELATED  
POST-CONVICTION RELIEF APPLICATION, CASE NO 2019-CP-46-01421~~

MOTION FOR APPOINTMENT OF COUNSEL

APPLICANT MOVES FOR APPOINTMENT OF COUNSEL IN THE ABOVE REFERENCED CASE FOR THE FOLLOWING REASONS:

(1) EVIDENCE OF MATERIAL FACTS, NOT PREVIOUSLY PRESENTED AND HEARD THAT REQUIRES VACATION OF THE CONVICTION AND SENTENCE IN THE INTEREST OF JUSTICE S.C. CODE 17-27-20(4)

(2) THE CONSTITUTIONAL ISSUES INVOLVED, 17-27-20(2); WOOD v STATE (S.C. 1991) 257 S.C. 179, 184 SE2d 701

(3) QUESTIONS OF LAW AND FACTS WHICH WILL REQUIRE A HEARING AND ALSO;

(4) APPLICANT IS INDIGENT RULE 71.1(G) SCACP.

(5) APPLICANT PRO SE WITH NO FORMAL TRAINING IN LAW

(6) AS TO THIS CLERK'S OFFICE LETTER DATED "2/17/20," (COPY AT P.3), STATING: "WE ARE DIRECTED BY THE ATTORNEY GENERAL'S OFFICE TO APPOINT ATTORNEYS FOR PCR CASES" THAT APPARENTLY DERIVED FROM CHIEF JUSTICE TOAL'S MEMORANDUM, DATED JANUARY 12, 2004 (SEE COPY OF LETTER BY THIS OFFICE DATED APRIL 23, 2019 AT P.4), AND THE MEMORANDUM STATES (IN PART) THAT:

"THE MEMORANDUM POINTS SPECIFICALLY TO APPLICATIONS WHICH ARE SUCCESSIVE, FILED BEYOND THE STATUTE OF

LIMITATIONS, AND THOSE THAT RAISE JURISDICTIONAL ISSUES WITHOUT SPECIFICS".

THE MEMORANDUM SHOULD NOT APPLY TO APPLICANT'S CASE, BECAUSE OUTSIDE OF THE REFERENCED MOTION BEING SUBMITTED "UNDER RULE 29(b)" AND "PURSUANT TO RULE 60(b) SCRPC" IT IS ALSO SHOWN BY RAISING THE FOLLOWING NOT TO BE SUCCESSIVE, FILED BEYOND STATUTES OF LIMITATIONS, AND ALSO SPECIFICS ARE SHOWN, (1) MOTION PAGE 2-17; INTENTIONAL "FRAUD UPON THE COURT" BY ATTORNEY, SOLICITOR, AND PRIMARY INVESTIGATOR, MR. T. M. & T. 378 S.C. 127, 135, 662 S.E.2d 413 (Ct. App. 2008): "THERE IS NO (TIME) LIMITATION WHEN A PARTY SEEKS TO SET ASIDE A JUDGMENT DUE TO FRAUD ON THE COURT" CHEWNING, 354 S.C. AT 80 579 S.E.2d AT 609-10; ARATA V VILLAGEST OWNERS ASSN INC NOT REPORTED IN S.E.2d 2011, WL 11735004 (S.C. APP. 2011); RULE 60(b) (2) PAGE 17-21: "SUBJECT MATTER JURISDICTION" BELLS V MONSANTO CORP 577 S.E.2d 325 (S.C. 2003) "THIS ISSUE CAN BE RAISED AT ANYTIME, CANNOT BE WAIVED BY THE MOVANT, AND THE COURT SHALL NOT FAIL TO TAKE NOTICE" BROWN V STATE 343 S.C. 342, 540 S.E.2d 846 (2001); STATE V BROWNING 320 S.C. AT 368, 465 S.E.2d AT 359 CITING STATE V MUNN 357 S.E.2d 461 (S.C. 1987)

#### CONCLUSION

FOR THE REASONS STATED, APPLICANT ASKS FOR APPOINTMENT OF COMPETENT APPEALS ATTORNEY

FEBRUARY 23, 2020

RESPECTFULLY SUBMITTED

Jeffrey Lynn Chronister

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