

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM THE S.C. COURT OF APPEALS
CASE FROM BERKELEY COUNTY COMMON PLEAS COURT

APPELLATE CASE NO. 2017-002051

DOCKET NO. _____

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DEC 02 2020

S.C. SUPREME COURT

RON SANTA McCRAY,

PETITIONER

Vs.

THE STATE OF SOUTH CAROLINA,

RESPONDENT

AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; PETITION FOR
A WRIT OF CERTIORARI; NOTICE AND MOTION TO ACT PRO SE;
MOTION FOR A STAY; MOTION FOR NOTICE AND A RESET ON ANY
TIMETABLE TO SUBMIT BRIEF AND OTHER RELATED DOCUMENTS
AND MOTION TO MOTION THEREFOR

IN RE: SEEKING LEAVE TO APPEAL FILING FOR WRIT OF CERTIORARI AND
OTHER RELATED MATTERS.

TO: THE S.C. COURT OF APPEALS,
THE S.C.. SUPREME COURT,
THE S.C. ATTORNEY GENERAL ET. AL.,

HERE THE COURT AND PARTIES WILL FIND:

(1) EXHIBIT, "DEFAULT". THIS IS A COPY OF AN AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO CHALLENGE THE COURT OF COMMON PLEAS JURISDICTION; MOTION FOR DEFAULT AND JUDGMENT AND MOTION TO MOTION THEREFOR, (22) PAGES DATED SEPTEMBER 17, 2020. IT WAS CLOCKED STAMPED FILED IN THE BERKELEY COUNTY COURT OF COMMON PLEAS UNDER CASE NUMBER 2019-CP-08-1992 IN SEPTEMBER 2020. THE PETITIONER GIVES THE COURT AND PARTIES JUDICIAL NOTICE. THE PETITIONER FILED A MOTION FOR REHEARING ON THE ISSUES OF RECALLING THE REMITTITUR AND TO STAY THAT APPEAL UNDER CASE 2017-002051 WITHIN THE S.C. COURT OF APPEALS AS A CHALLENGE TO THAT COURT'S JURISDICTION, UNDER THE DUE PROCESS PRONG TO SUBJECT MATTER JURISDICTION, WHERE IT IS THE PETITIONER'S POSITION THAT A RULING UNDER CASE 2019-CP-08-1992 IN THE PETITIONER'S FAVOR WOULD HAVE A DIRECT IMPACT ON ANY RULING THAT WAS MADE OR COULD BE MADE UNDER CASE 2017-002051, WHICH IS JURISDICTIONAL IN NATURE, CANNOT BE WAIVED OR FORFEITED AND CAN BE RAISED EVEN AFTER A FINAL ORDER IS ISSUED UNDER CASE 2017-002051.

AFTER SOME APPARENT RESISTANCE BY THE S.C. COURT OF APPEALS, IT APPEARS THAT THE COURT OF APPEALS CONCEDED TO THE PETITIONER'S CLAIM THAT THE PETITIONER HAD A CONSTITUTIONAL DUE PROCESS RIGHT TO SEEK THAT SOUGHT REHEARING UNDER CASE 2017-002051 FOR THE PURPOSE OF FURTHER EVENTUALLY SEEKING A WRIT OF CERTIORARI BEFORE THE S.C. SUPREME COURT IF SUCH WAS NECESSARY TO CORRECT ANY INJUSTICE OR MISAPPLICATION OF LAW.

ON NOVEMBER 19, 2020 THE PETITIONER RECEIVED A COPY OF AN

ORDER IN THE "HECTER CASES CARRERAS" CASE, CASE NUMBER 2018-000214 WHICH TOTALLY BAFFLED THE PETITIONER SINCE THE COURT OF APPEALS ENVELOPE THAT IT CAME IN WAS ADDRESSED TO THE PETITIONER BUT THE ORDER CONTAINED THEREIN WAS FROM CASE 2018-000214. THE PETITIONER IS AWARE THAT THIS COULD MERELY BE CLERICAL ERROR. BUT ON THE OTHER HAND, IT COULD ALSO POTENTIALLY BE THE S.C. ATTORNEY GENERAL CONSPIRING UNDER COLOR OF STATE LAW WITH MEMBERS OF THE S.C. COURT OF APPEALS IN EGREGIOUS ACTS OF FRAUD UPON THE COURT, CRIMINAL CONSPIRACY, MACHINATION AND OBSTRUCTION OF JUSTICE TO PUSH THE PETITIONER BEYOND THE TIME LINE TO TIMELY SEEK A WRIT OF CERTIORARI BEFORE THE S.C. SUPREME COURT. THEREFORE, THE PETITIONER INFORMS BOTH THE S.C. COURT OF APPEALS AND THE S.C. SUPREME COURT THAT IF AN ORDER HAS BEEN ISSUED UNDER CASE 2017-002051 RELATED TO THE PETITIONER SEEKING REHEARING AND TO RECALL THE REMITTITUR. THE PETITIONER WANTS A COPY OF IT PROPERLY SERVED UPON HIM AS APPELLATE COURT RULES REQUIRE IMMEDIATELY. THE PETITIONER HAS (10) DAYS TO FILE SEEKING WRIT OF CERTIORARI MAKING THIS FILING TIMELY DUE TO THE UNCERTAINTY CAUSED BY THE S.C. COURT OF APPEALS. IN THIS REGARD, IN AN ABUNDANCE OF CAUTION, TO PREVENT ANY ATTEMPTS AT PUSHING THE PETITIONER BEYOND ANY PRESCRIBED TIME PERIOD TO SEEK WRIT OF CERT. BY FRAUD AND MACHINATION. THIS DOCUMENT IS TO BE CONSTRUED AS A NOTICE SEEKING LEAVE TO APPEAL AND FILE FOR WRIT OF CERTIORARI BEFORE THE S.C. SUPREME COURT TO ADDRESS THE MATTERS OCCURRING UNDER CASE NUMBER 2017-002051 WITHIN THE S.C. COURT OF APPEALS.

THE PETITIONER GIVES THE COURT(S) AND PARTIES JUDICIAL NOTICE. THE PETITIONER IS OFFICIALLY INVOKING HIS CONSTITUTIONAL DUE PROCESS RIGHT OF SELF REPRESENTATION AND SEEKS TO BRING THE SEEKING OF WRIT OF CERT. AS A PRO SE APPELLANT, WHICH IN FUNDAMENTAL FAIRNESS TO THE PETITIONER CANNOT BE DENIED HIM (CITATIONS OMITTED).

THE PETITIONER MOTIONS TO STAY THIS APPEAL BEFORE THE S.C.

SUPREME COURT SEEKING WRIT OF CERT., TO INCLUDE ALL TIMELINES TO SUBMIT ANY REQUIRED DOCUMENT TO PERFECT HIS EFFORTS IN SEEKING WRIT OF CERT., UNTIL THE MATTERS UNDER CASE 2019-CP-08-1992 IN THE BERKELEY COUNTY COURT OF COMMON PLEAS ARE BROUGHT TO THEIR CONCLUSION WHERE THE MATTERS ARE PRESENTLY BEFORE THE CHIEF ADMINISTRATIVE JUDGE OF THAT COUNTY AND A RULING IN THE PETITIONER'S FAVOR WOULD HAVE A DIRECT IMPACT IN THE PETITIONER SEEKING WRIT OF CERT. BEFORE THE S.C. SUPREME COURT WHICH WOULD ALSO CREATE AN AUTOMATIC CHALLENGE TO THE S.C. SUPREME COURT'S JURISDICTION AS WELL. THE PETITIONER MOTIONS FOR A REST, EXTENSION OF TIME, BEING OFFICIALLY NOTIFIED BY THE SUPREME COURT ON THE COURT RECORD AS TO NEW TIMELINES TO SUBMIT BRIEF OR ANY OTHER DOCUMENT OR FILING NECESSARY TO PERFECT THE SEEKING OF THE WRIT OF CERT. BEFORE THE S.C. SUPREME COURT ONCE CASE 2019-CP-08-1992 IS CONCLUDED. THE PETITIONER PRAYS FOR THIS RELIEF TO INCLUDE ANY AND ALL OTHER RELIEF THE COURT WOULD DEEM JUST, FAIR AND PROPER.

RESPECTFULLY SUBMITTED,

RON SANTA McCRAY



NOVEMBER 20, 2020