

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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APPEAL FROM SPARTNBURG COUNTY
COURT OF COMMON PLEAS

J. MARK HAYES, CIRCUIT COURT JUDGE

S.C. SUPREME COURT

2021-000360

ROBERT LEE JR.,PETITIONER,

V.

THE STATE,RESPONDENT.

"EXPLANATION"

NOW COMES THE PETITIONER BEFORE THIS COURT WITH HIS EXPLANATION FOR THE COURT TO CONSIDER. THE PETITIONER WOULD LIKE TO SUBMIT TO THE COURT, THAT PETITIONER'S TRIAL COUNSEL FAILED TO INVESTIGATE THE LAWS OF SOUTH CAROLINA AS WHETHER THEY WERE "AFFIXED" WITH THE IMPRESSION OF THE GREAT SEAL OF SOUTH CAROLINA. ALSO, COUNSEL FAILED TO ADVISE THE PETITIONER THAT THE 1993 ACT NO.184, HAD NOT BEEN PROPERLY FILED WITH THE S.C. DEPARTMENT OF ARCHIVES AND HISTORY, AND FUTHERMORE, THE UNCONSTITUTIONAL BILL IS MISSING THE REQUIRED STAMP OF THE GREAT SEAL.

THE PETITIONER HAD A DUE PROCESS RIGHT TO BE ADVISED OF THE INVALID 1993 ACT NO.184 BILL, BEFORE ANY TRIAL OR COURT HEARING, AND THEN PETITIONER WOULD OF INSISTED THAT COUNSEL MOVE TO DISMISS THE CHARGES ON THE GROUNDS THAT THE LAW THAT THE PETITIONER WAS ACCUSED OF VIOLATING WAS NOT CONSTITUTIONALLY VALID. FUTHERMORE, THE PETITIONER IS NOT AN ATTORNEY OR HAS WENT TO LAW SCHOOL FOR A DEGREE. THE PETITIONER RELIED ON HIS ATTORNEY FOR ADVISE AND ANY POTENTIAL DEFENSE. TRIAL COUNSEL WAS UNAWARE OF THE GREAT SEAL MISSING FROM THE 1993 BILL, AND THE ILLEGAL SENTENCE THAT PETITIONER WAS SENTENCED THERETO. PETITIONER IS ENTITLED TO DUE PROCESS OF LAW, AND TRIAL COUNSEL HAD AN OBLIGATION TO ADVISE THE PETITIONER ABOUT THE INVALID CRIMINAL BILL.

FUTHER, THE PETITIONER FIRST DISCOVERED THAT THE 1993 BILL WAS UNCONSTITUTIONAL THROUGH OTHER INMATES HERE AT PERRY CORRECTIONAL INSTITUTION, AND THEN THE PETITIONER CONDUCTED AN INDEPENDENT INVESTIGATION WITH A MR. STEVEN TUTTLE AT ARCHIVES AND HISTORY TO CONFIRM THE ISSUE OF THE GREAT SEAL MISSING FROM THE 1993 ACT NO.184. (SEE EXHIBIT 1) PETITIONER WOULD AGAIN STATE TO THE COURT THAT COUNSEL HAS HAD FORMAL TRAINING AND AN EDUCATION AT LAW SCHOOL, AND IS A PRACTICING MEMBER OF THE BAR OF THIS STATE SO PETITIONER HAD TO RELY ON COUNSEL FOR ADVISE FOR THIS CASE. ALSO, THE 1993 BILL GAVE JURISIDICION TO THE TRIAL COURT TO IMPOSE SUCH SENTENCES AS LIFE WITHOUT PAROLE, 85% PERCENT FOR VIOLENT CRIMES AND WITHOUT PAROLE, AND 3RD AND SUBQUENT OFFENSES FOR ENHANCEMENTS ON ALL CRIMES.

"CONCLUSION"

THEREFORE, THE PETITIONER RESPECTFULLY ASK THIS COURT TO REMAND THIS CASE BACK TO THE LOWER COURT TO HAVE APPOINTMENT OF COUNSEL, AND AN EVIDENTIARY HEARING ON THIS ISSUE.

RESPECTFULLY SUBMITTED,

s/ Robert Lee Jr
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