

## South Carolina Supreme Court

My name is Demetriss Glenn, I received a letter from your office indicating Adam Ruffin filed something on my behalf, and that he had forwarded materials to me. At this time I wish to inform the courts that Mr. Ruffin made a complete fabrication.

I received & believe one letter from Mr. Ruffin. Mr. Adam Ruffin is a liar and I will be filing a complaint on him with the office of disciplinary counsel.

At this time I would like to petition this court for extension of time to gather evidence to show state witness Charles Plumley committed perjury at my NOV. 2013 trial.

**RECEIVED**

MAY 11 2021

S.C. SUPREME COURT

Supreme Court I have presented an affidavit [see Attached] also a letter written to me by Daniel Cokely [See Attached]. I presented this to Mr. Adam Ruffin as my legal counsel, to go to the solicitor, since he was the authority to charge a person with perjury.

During my Nov. 2013 trial state witness Charles Plumley presented solicitor Shawn Graham with a note trial transcript pg. 313 Courts Exhibit #2 note to Plumley from UBN. This note was preserved and marked evidence by the court, so how can upon discovery of its origins be deemed without merits.

South Carolina Supreme Court as you can see this was a fraud committed on the courts, so for Mr. Ruffin to feel as though my case is without merit is a crime to his profession.

In the Supreme Court  
of South

Demetriss Glenn,  
petitioner

vs.

State of South Carolina  
Respondent.

Case#: 2016-CP-32-02577

writ of  
Certiorari

Petitioner now moves pro se and address the Supreme Court with the following:

In Criminal cases, the appellate court sits to review errors of law only. State v. Wilson, 345 SC. 1, 5-6, 545 S.E. 2d 827, 829 (2001); State v. Butler, 353 SC. 383, 388, 577 S.E. 2d 498, 500 (Ct. APP. 2003).

The Appellate court is limited to determining whether the trial court abused its discretion. State v. Reed, 332 SC. 35, 43 503 S.E. 2d 747, 751 (1998);

State v. Bowie, 360 SC. 210, 216 600 S.E. 2d 112, 115

(Ct. APP. 2004). An abuse of discretion occurs when the trial Courts ruling is based on a error of

Law. State v. Forster, 354 SC. 614, 621, 582 S.E. 2d

426, 429 (2003); State v. Adams, 354 SC. 361, 378

580 S.E. 2d 785, 793-94 (Ct. APP. 2003).

Subject matter Jurisdiction

State v. Gentry, 610 S.E. 2d 494 (SC. 2005).

Section 16-1-20, or a felony which provides for a maximum term of ten yrs. or less, and if the court after full investigation, considers it contrary to the best interest of the child or of the public to retain jurisdiction, the court in its discretion acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offense if committed by an adult.

I was convicted in 2000 for the burglary charge I was arrested and indicted for at 16 yrs old in June of 1999, by the Orangeburg City PD and the Orangeburg Sheriff Dept. I received 7 yrs NTE 7 yrs. Petitioner maxed this sentence out in full Aug. 2007.

255 Constitutional Law

Juvenile court proceedings that affect young persons substantial rights must measure up to essentials of due process and fair treatment in same manner as must

The court noted that subject matter jurisdiction is the power of a court to hear and determine cases of the general class to which the proceedings in question belong Pierce v. State, 338 S.C. 139, 526 S.E. 2d 222 (2000); and that issues related to subject matter jurisdiction may be raised at any time. Brown v. State, 343 S.C. 342 S.E. 2d 846 (2001). The lack of subject matter jurisdiction may not be waived, even by consent of the parties; and should be taken notice of by this court.

In June of 1999 I was 16, I was arrested in Orangeburg South Carolina for 2nd degree burglary. At this arrest I was charged at 16yrs old as an adult, by the Orangeburg City PD. Subsequently I was indicted at 16 on July 26 1999.

South Carolina statute 20-7-7605(4) if a child 16 yrs of age or older is charged with an offense which if committed by an adult, would be a misdemeanor, a class E or F felony as defined in

Criminal proceedings affecting substantial rights of adults.

§ 255 (4)

Juvenile waiver hearings must measure up to essentials of due process and fair treatment. U.S.C.A. Const. Amend. 14.

§ 68.7 (4), 68.8

In order for the court undertake meaningful review of transfer of jurisdiction by juvenile court to adult court, required by due process, reviewing court should have before it statement of reasons motivating waiver, including statement of the relevant facts, and order must set forth various specific reasons why the judge feels that child cannot be rehabilitated and it is not sufficient to merely state that judge finds from the record and all testimony that child cannot be rehabilitated. U.S.C.A. Const. Amend. 14

Juvenile Court act Kent at 553, 86 S. Ct, at 1053. It is clear beyond dispute that the waiver of Jurisdiction is a critically important action determining vitally important statutory rights of the Juvenile...the statutory Scheme makes this Plain...the Juvenile Court is vested with original and exclusive Jurisdiction of the child. The Net therefore is that Petitioner - then a boy of 16 - was by statute entitled to certain procedures and benefits as a consequence of his statutory right to the exclusive Jurisdiction of the Juvenile Court.

In these circumstances...we conclude that, as a condition to a valid waiver order, Petitioner is entitled to a hearing, including access by his counsel to the social records and probation or similar reports which Presumably are considered by the courts decision, we believe that this result is required by the statute read in the context of Constitutional principles relating to due process and the assistance of counsel.

Petitioner never received a waiver hearing at 16.  
Petitioner was entitled to a hearing under B.C.  
statute section 20-7-7605 (4) which was existing  
law in 1999 when Petitioner was arrested, indicted,  
plead, and was sentenced.

under state and federal laws my statutory and  
Constitutional rights were violated, as I have illustrated  
and presented. Petitioner asks the court to  
correct this violation and also any adverse  
consequences, since Petitioner is no longer a child  
and have served the sentence in full. Kemplen  
v. Maryland, 428 F.2d 169 (1970).

In re Gault, 387 US at 30, 31, 87 S. Ct. at 1445

Kent v United States, 383 US 541, 86 S. Ct 1045, 16 L. Ed  
2d 84

Powell v Alabama, 287 US 45, 69, 53 S. Ct. 55, 64, 77 L. Ed  
158

Memph v Rttag, 389 US 128, 134, 88 S. Ct. 254, 257, 19  
L. Ed 2d 336

United States v. Constanza, 395 F.2d 441

Patton v. Toy, 857 F. Supp. 356

In re Winship, 397 US 358, 90 S. Ct. 1068, 25 L. Ed.

2d. 368

to 89

Petition for habeas Corpus was not rendered moot by Petitioner's release from custody pending proceedings.

Furthermore trial court made reversible error, during Petitioner's 2013 Nov. trial, petitioner made motion at the beginning of trial, trial transcript pg. 78, 81 to exclude any mention of 1999 arrest for impeachment purposes, trial court erred when trial court ruled it would allow Petitioner's 1999 arrest in for impeachment purposes. trial transcript pg. 452, 453.

Again Petitioner was prejudiced by trial Courts lack of subject matter jurisdiction over Petitioner's 1999 arrest, when solicitor offered Petitioner's 1999 arrest during sentencing phase of Petitioner's 2013 Nov. trial.

State v. Lueder, 242 N.W. 2d 142

The Burgett, Tucker and Koch cases, taken together, hold that when the conviction of an uncounselled defendant is later used in a criminal trial either to impeach the credibility of defendant or to enhance his punishment, the resulting conviction will be invalidated no matter how old the prior conviction thus used.

Exhibit (A) petitioner introduces 1999 indictment for Burglary in the Second degree (Building)

"That Demetrius A Glenn did in Orangeburg County on or about June 05 1999 willfully and unlawfully enter without consent and with the intent to commit a crime therein, a building, to wit: Woody's Pawn Shop, and the defendant entered in the night time."

According to 1985 Act No 159 Section 2 SC Code § 16-11-313 (A) A person is guilty of burglary in the third degree if the person enters a building without consent and with intent to commit a crime therein.

(B) Burglary in the third degree is a felony punishable by imprisonment for not more than 5yrs for conviction on a first offense.

Petitioner would like for the court to take notice that petitioner was sentenced to 7yrs NTE 7yrs for this illegal sentence. The courts have previously ruled general sessions courts are without jurisdiction to accept a plea deal from a defendant who committed offense as a juvenile. Slocumb v state, 337 SC. 46, 522 SE. 2d. 809 (1999). (where petitioner was 13 at time he committed offense, general sessions court was without jurisdiction to accept his plea to (CSC).

This constitutes cruel and unusual punishment a violation of petitioner's 8<sup>th</sup> Amend Const. rights.

Based on the foregoing Petitioner's asks this Court to vacate Petitioner's Sentence and Conviction.

Also I have raised issues in the PCR court, but I have yet to be given a copy of the PCR transcript, so at this time Petitioner asks this Court to preserve those issues as well.

Demetrius Glenn

Demetrius Glenn

4-15-2021

Exhibit (A)

WITNESSES

Det. W. Jones

ARREST WARRANT #:

F581791

Arrested on June 05, 1999

ACTION OF GRAND JURY

JUL 26 1999

TRUE BILL

Foreman: *Mertha Snelgrove*  
Grand Jury

VERDICT

Foreman: \_\_\_\_\_  
Petit Jury  
Date: \_\_\_\_\_

DOCKET #: 99CS38-1354

THE STATE OF SOUTH CAROLINA  
County of Orangeburg

COURT OF GENERAL SESSIONS

Term: July 1999

THE STATE

vs.

Demetrius A. Glenn

INDICTMENT FOR

0903

BURGLARY IN THE SECOND DEGREE

(BUILDING)

ATTEST: TRUE COPY

*Winnifia B. Clark*  
CLERK OF COURT  
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA )  
 )  
County of Orangeburg )

**INDICTMENT #99GS38-1354**

At a Court of General Sessions, convened on July 26, 1999  
the Grand Jurors of Orangeburg County present upon their oath:

**COUNT: BURGLARY IN THE SECOND DEGREE  
(BUILDING)**

That Demetrius A. Glenn did in Orangeburg County on or about June 05,  
1999, willfully and unlawfully enter without consent and with the intent to  
commit a crime therein, a building, to wit: Woody's Pawn Shop, and the  
defendant entered in the nighttime.

Against the peace and dignity of the State, and contrary to the statute  
in such case made and provided.

SOLICITOR



A handwritten signature in black ink, appearing to be 'C. Glenn', is written over a horizontal line. The signature is stylized and cursive.

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS**

**MEMORANDUM**

**TO:** All Policy Manual Holders

**FROM:** Mr. Bryan P. Stirling, Director

**SUBJECT:** CHANGE 1 to GA-01.12, "INMATE GRIEVANCE SYSTEM"

**DATE:** May 14, 2014

**This change is effective immediately:**

**Section 13.2, amended as follows:**

**13.2** Inmates must make an effort to informally resolve a grievance by submitting a Request to Staff Member Form to the appropriate supervisor/staff *within eight (8) working days of the incident*. However, in certain cases, informal resolution may not be appropriate or possible (e.g., when the matter involves allegations of criminal activity). An informal resolution is not necessary when appealing a disciplinary conviction or a custody reduction. If informal resolution is not possible, the grievant will complete Form 10-5, Step 1, which is located in common areas, i.e., living areas, libraries, etc. and will place the form in a designated grievance drop box within five (5) *working* days of the alleged incident. All grievance recordings must be submitted to the Major, utilizing a Request to Staff

What's up BTO Ok wow that's  
wicked up how that fake bitch  
HSS Nigga did you Buck 2 got  
one lie for you like check  
his out the man told this  
white boy some shawna knight  
to write that you was going  
to kill him and all on this kite  
the and he gave this kite  
to shawna gram Now the  
white boy keep the one Charlie  
wrote to him cause I told  
him to the white boy cause  
I said you is my cuzin like

and you go home or at least give  
some of that time back would  
sh let die till you can be  
tryin to do Now like is kill off  
your house X-Dogg next of his wife  
is com in on the white girl id  
want to see she just got talked  
up about 2 or 3 weeks now to  
so his wife aint shit either  
it's crazy Bro. Love you love  
Love up I put in for a PER.  
If so I be able to at least give  
this some some of this 3 years  
7 and let you be that on and

So I say I want to see  
you put that shit back fire on him  
and if will so if you can prove  
or find the kite Charlie gram  
shawna gram you good like that  
I never think he is any  
kite about him and I  
want to kill him or the boy  
that hit if so the white boy  
there is shawna knight that wrote  
it for Charlie but shawna gram  
things you wrote it you feel  
Now that a lie, OACC you told  
that he lie on the stand and  
now case is open as dead word

It could be worst than  
10. So I count my Bless write  
back Big BTO love, peace  
and keep your head up.

Letter from  
Daniel Cokely

I, Jeffrey Knight was an inmate detained at the Lexington County Detention Center between 3-13-13 and 4-12-17. I was housed on 1<sup>st</sup> Floor A-Wing with another inmate named Charles Plumley. I was young + Plumley was trying to use + manipulate me to do his dirty work. He also was trying to get me to join his fake gang. Me being young, I followed him up for a little while. In hindsight all he was doing was using + extorting me. Mr. Plumley told me that he killed his victim + was turning it all on his co D Shawn Sharpe. Plumley testified on Sharpe as well as his wife Angela and lied resulting in Plumley getting 10 yrs + Sharpe 50. Mr. Plumley spoke with me one day and asked me to write a note for him that the Bloods were trying to kill him. That was false. He was never threatened by any Bloods. He asked me to write the note so it wouldn't be in his hand writing. We had this conversation through the door. The next time I came out for visit I told Plumley im not getting involved in that and he told me he was just going to write it himself left handed. Charles Plumley lied + manipulated the 13<sup>th</sup> circuit solicitors office, and I am living and breathing proof. After I told plumley I wasnt going to write the note we stopped messing with each other.

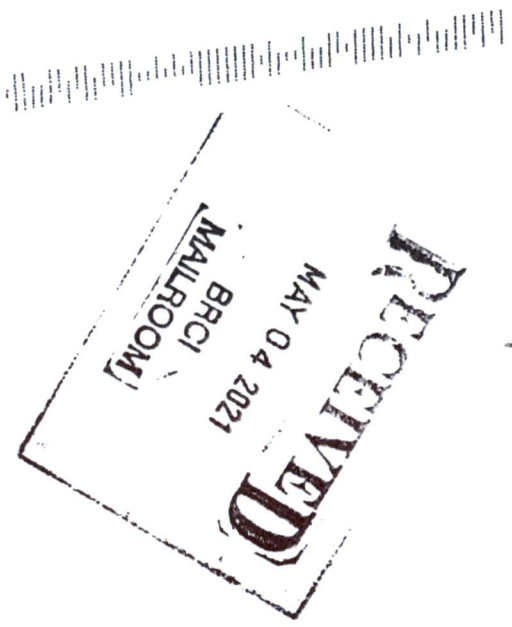
EMMETT OS GIVENN 2/10 6/11  
600 Broad River Corr. Inst, WA#258  
600 Broad River Road  
Columbia, SC. 29210



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MAY 11 2021

S.C. SUPREME COURT



The Supreme Court of South Carolina  
Daniel E. Shearouse, Clerk of Court  
Post office Box 11330  
Columbia, South Carolina 29211

LEGAL