

SUPREME COURT OF SOUTH CAROLINA

POST OFFICE BOX #1330

COLUMBIA SOUTH CAROLINA 29211

CAVIN L. GADDY # 323551, PETITIONER

VS.

STATE OF SOUTH CAROLINA, RESPONDENT:

APPELLATE CASE NO: 2021-000415

RECEIVED

JUL 08 2021

S.C. SUPREME COURT

PETITION FOR WRIT'S OF HABEAS

\*CASE: 2015.. CP- 2900637 \*

\*APPELLATE CASE: 2021-000415 \*

THE, ABOVE, PETITION IS A PROSE LITIGANT  
WITHOUT ASSISTANCE COUNSEL, HELP. TO:

DEMONSTRATE LANCASTER COUNTY COURT:

LACKED SUBJECT MATTER OF JURISDICTION:

SEE: \* U.S. SUPREME COURT \*

\* UNITED STATE - V - COTTON 122 S.Ct. 1781, 2002 \*

SEE:

\* STATE - V - GENTRY 610 S.E.2d 404 S.C. (2005) \*

At

LEGAL

GADDY-323551

SUPREME COURT OF SOUTH CAROLINA

POST OFFICE BOX 11330

COLUMBIA SOUTH CAROLINA 29211

TO: DANIEL E. SHEAROUS

CLERK OF COURT:

P.O. BOX 11330

COLUMBIA SOUTH CAROLINA 29211

TO: MR ALAN WILSON

ALAN MCCRODY WILSON, ESQUIRE

STATE REPRESENTATIVE

ATTORNEY GENERAL P.O. BOX 11549

COLUMBIA SOUTH CAROLINA 29211-1549

CALVIN L GADDY 323551

VS.

STATE OF SOUTH CAROLINA

PRO-SE PETITIONER

RESPONDENT'S

PETITION FOR WRITS OF CERTIORARI

IN R.E.

ARE, TABLE OF CONTENTS OF CONTROLLING  
AUTHORITY CONTROLLING CASES

PRECEDENT: RE-VIEW ISSUE:

RAISED ON

\* NOTICE OF APPEAL \*

ISSUE. OF STATE LACKED SUBJECT MATTER JURISDICTION

ACCORDING CRIMINAL LAW:

10-K-1033.1. JURISDICTION

SEE: S.C. CONST ART. V. § 1 IMPROPER VENUE

FOR: THIS WRITS OF CERTIORARIO  
BE, GRANTED:

\*

SUPREME COURT OF SOUTH CAROLINA  
THE ORIGINAL JURISDICTION  
OF COLUMBIA SOUTH CAROLINA

\* CALVIN L GADDY - VS - STATE OF SOUTH CAROLINA \*

PETITION FOR WRIT'S CERTIORARI

IN R.E.

INCLOSED, IS (A) STATE INMATE, WITHOUT:  
ASSISTANCE OF COUNSEL, PREPARE THIS WRIT'S  
IF, THIS ABOVE, COURT IN CAPTION: FINDING  
ANY ERRORS, NEED \*CORRECTED. PLEASE  
RETURN TO PETITIONER FOR CORRECTION  
BRING INTO PROPER ORDER: TO BE FILED  
IN THIS JURISDICTION OF COURT.

STATEMENT'S OF CASE

CONSTITUTIONAL PROVISIONS - VIOLATING;  
\* INVOLVED \*

(\*) (VIOLATION) OF ARTICLE: S.C. CONST. 1 & 11  
VS 22. \* INDICTMENT - AND - GRAND JURY \*

(\*) (VIOLATION) S.C. CODE ANN 14-9-210

THAT'S MANDATED: IN SOUTH CAROLINA:

(\*) (VIOLATION) OF THE FOURTEENTH AMENDMENT

NO-STATE, - SHALL - DEPRIVE ANY - PERSON OF LIFE  
LIBERTY, - OR - PROPERTY WITHOUT DUE PROCESS  
OF LAW, - NOR - DENY TO ANY PERSON WITHIN,  
IT'S JURISDICTION THE EQUAL PROTECTION:  
OF THE LAWS; ON INDICTMENT & GRAND JURY:  
RAISE, ON (APPEALS) - AND - (POST CONVICTION RELIEF)

0  
" "  
(B)

LEGAL

GADDY-323551

Attachment Sheet

Supporting precedent

MC MANN - v - RICHARDSON

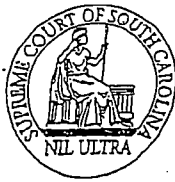
90 S.Ct. 1441 - 397 U.S. 759

FORMERLY 110 K 273

A guilty plea must be an intelligent act done, with sufficient awareness of relevant circumstances - and - likely consequences of the open plea:

The enclosed documentation from:

The South Carolina Administrative Court information of (MARCH 6, 7, 2018) could not be raised: OR Amendment in petitioner's first P.C.R. action in 2008 - to be ruled on.

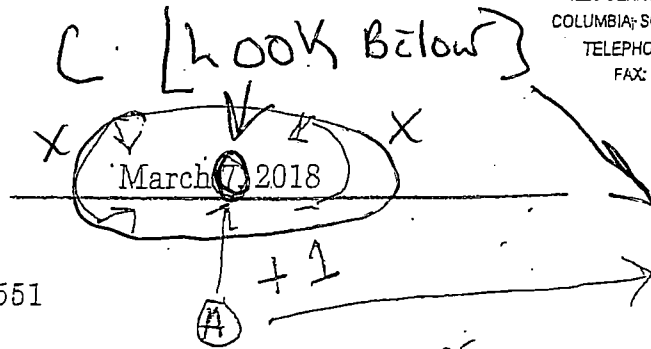


# South Carolina Court Administration

South Carolina Supreme Court  
Columbia, South Carolina

TONNYA K. KOHN  
INTERIM DIRECTOR

1220 SENATE STREET, SUITE 200  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1800  
FAX: (803) 734-1355



FILED  
CLERK OF COURT  
LANCASTER, SC  
2018 APR 11 AM 10:43  
CLERK OF COURT

Mr. Calvin L. Gaddy, #323551  
Kershaw Corr. Inst.  
Oak - A - 13  
4848 Gold Mine Road  
Kershaw, South Carolina 29067

ATTACHMENT CASE.

EXHIBIT

Re: Your correspondence received March 6, 2018

Dear Mr. Gaddy:

LANCASTER NEWS HAS THIS INFORMATION ASK THEM

Per your request, we have included below a copy of the terms of circuit court for the Sixth Judicial Circuit for the month of (July 2007) which includes the date of August 2) 2007, as mentioned in your correspondence.

Important Issue below? \* EXTRAORDINARY REASONS \*

We have also enclosed a copy of the Supreme Court's Order concerning the cost for copies and mailing. Please be advised that should you request any additional information from this office, you will be charged per the enclosed order.

\* NEWLY DISCOVERY WAS UNKNOWN HAS NO STATUTE OF LIMITATION \*

All terms of court dating back to (2002) are available on our public website at [www.sccourts.org/calendar](http://www.sccourts.org/calendar). If you are unable to access this information yourself, you may wish to have someone do so on your behalf.

\* LACK OF SUBJECT MATTER JURISDICTION HAS NO STATUTE OF LIMITATION \*

In response to your request for information relating to the convening of the grand jury in Lancaster County, please be advised that this office is not the custodian of information relating to the convening of the grand juries, nor does this office possess impanelment documents for the grand juries.

MISSING DOCUMENTATION ?

You will need to contact the county (Clerk of Court or the Solicitor's Office to obtain) any information relating to the activity of the grand jury in the event they still have his information for the year 2007.

FOR REGAIN REDRESS RECONSTRUCT

MISSING IMPANELMENT LISTING WHO TRUE BILLED AUGUST 02, 2007

\* LANCASTER COUNTY \* EXHIBIT

0003 #Exhibit (A)

7 #

II.

In his second and current application for post-conviction relief, the Applicant alleges that he is being held unlawfully for the following reasons: Exhibit (D)

1. CONTRARY

Newly discovered evidence → SEE Chester County 2017  
a. "No Grand Jury convene in terms of General Sessions"

August (22) 2007

Before this Court are the records of the Lancaster County Clerk of Court regarding the subject convictions, Applicant's prior PCR records, Applicant's PCR application, and Respondent's Return and Motion to Dismiss.

Attachment Sheet

III.

This Court finds that the current application for post-conviction relief must be summarily dismissed because it is [successive] to his prior applications for post-conviction relief. S.C. Code Ann. §17-27-90 provides that:

All grounds for relief available to an application under this chapter must be raised in his original, supplemental or amended Application. Any ground finally adjudicated or not so raised, knowingly, voluntarily and intelligently waived in the proceeding that resulted in the conviction or sentence or in any other proceeding Applicant has taken to secure relief, may not be the basis for a subsequent Application, unless the court finds a ground for relief asserted which for sufficient reason was not asserted or was inadequately raised in the original, supplemental or amended Application.

d

Successive applications are disfavored and the burden is on Applicant to establish that any new ground raised in a subsequent application [could not have been raised by him in a previous [application] Foxworth v. State, 275 S.C. 615, 274 S.E.2d 415 (1981); Aice v. State, 305 S.C. 448, 409 S.E.2d 392 (1991); Arnold v. State/Plath v. State, 309 S.C. 157, 420 S.E.2d 834 (1992).

Exhibit

(D)

2019 10/23/19

Exhibit

(B)

2017

(7#)

(A)

(4)

Additionally, the code section you cite, §14-9-210, S.C. Code of Laws, relates to the county courts which were abolished as of July 1, 1979, pursuant to Article VII, Section 5 of Act No. 690 of 1976.

Sincerely,

Staff Attorney Section/tr

Enclosure

\* SUFFICIENT \* (C) (SEE) (Chester County)  
 \* EVIDENCE \* ANALYZE → AUGUST (2)

* Circuit X Number	(7/2/2007)	(7/9/2007)	(7/16/2007)	(7/23/2007)	* 7/30/2007 *
* (6)		Common Pleas Non-Jury Goode, Kenneth  AMBROZIAK	Exhibit (B)	Common Pleas Lancaster Goode, Kenneth  WATKINS 23 NO CR NEEDED 24, 25, 26, 27	General Sessions Chester Goldsmith, Brooks  WATKINS  Common Pleas Fairfield Goode, Kenneth  AMBROZIAK 30, 31, 1 NO CR NEEDED (2)
* Attachment - sheet *					
SEE: CHESTER GENERAL SESSIONS					
ABOVE: 2007 TERM:					

\* STATE'S NEGLIGENCE DAMAGES \* SUSPICIOUS \*

? RAISE QUESTION? FOR TORT CLAIM

? WAS RAISED CASE 8:13 -cv- 01586 - Gaddy-V- DEGEORGIS \*?

(SEE) CHESTER COUNTY JURISDICTION AUGUST (2) 2007

Suspicious → STATE ATTORNEY GENERAL

STILL LIABLE FOR ANY 57 - 1967

~~IMMINENT~~ IMMINENT IRREDEMIABLE (C)

\* DEATH \* INJURY DAMAGE \*

Suspicious

1967

\* ANALYZE (C) 2007 November 2018

Exhibit →

(B) (C)

(6)

(18)

SupREME COURT OF South CAROLINA

JURISDICTION

OF Columbia South CAROLINA Division

Calvin L Gaddy  
PROSE PETITIONER

VS

STATE OF South CAROLINA  
Respondent.

PETITION FOR WRIT OF CERTIORARI

QUESTION PRESENTED FOR RE-VIEW

\* QUESTION \*

How Long Lower Courts, OF South CAROLINA  
going to CONTINUE, ILLEGALLY TRUE bill:  
Statute, Statutory State indictment  
And give FALSE GRAND JURY:  
X INFORMATION X

CAUSE THE ABOVE:

PETITIONER, HAS PROVIDED

PRIMA-FACIE FACTS EXHIBITS

WITH EVIDENCE FROM: South CAROLINA ADMINISTRATIVE COURT

- NO - GRAND JURY ACTIVITY OF August 02, 2007

FROM LANCASTER County COURT OR CLERK OF COURT

IS REPORTED, FOR TERM OF GENERAL SESSION

FOR TRUE BILLING PETITIONER MURDER S.C. CODE ANN § 16-3-10

STATE indictment 2007-65-29-880

SUPPORT CLAIM STATE LACKED SUBJECT MATTER JURISDICTION

RAISED ON APPEAL, BUT IGNORED. NEVER ADDRESSED:

NO - ~~OPINION~~ OPINION

X AFFIRMATIVE CONVICTION X

(A)

SUPREME COURT OF SOUTH CAROLINA

THE ORIGINAL JURISDICTION

FOR STATE OF COLUMBIA SOUTH CAROLINA

CALVIN L GADDY

VS - STATE OF SOUTH CAROLINA

PROSE. PETITIONER

RESPONDENT'S

CASE: 2015-CP-29-000637 P.C.R. ACTION<sup>x</sup>

CASE: APPELLATE CASE. 2021-000-415<sup>x</sup> APPEAL<sup>x</sup>

\* QUESTION FOR REVIEW : \*

TO: SOUTH CAROLINA SUPREME COURT.

THE ABOVE PETITIONER.

HAS MADE (A) PRIMA-FACIE-SHOWING  
HIS GUILTY PLEA. SHOULD BE-VACATED.

UNDER HILL-VS-LOCKHART 106.S.Ct 366, 370  
(1985) FOR [PROBABLE CAUSE]

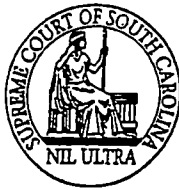
THERE'S NO WAY POSSIBLE PETITIONER WAS  
INTELLIGENT KNOWING MADE, OF THE  
INFORMATION FOUNDED IN SOUTH CAROLINA  
ADMINISTRATION COURT. \*EXHIBIT (A)\*

NO, REPORTED GRAND JURY ACTIVITY OF AUGUST.  
02, 2007 IN GENERAL SESSION TERM. IN THE  
LANCASTER COUNTY PUBLIC INDEX, FOR TRUE BILLING  
\*INDICTMENT 2007-65-29-880\* SUPPORT CLAIM\*

STATE LACKED SUBJECT MATTER JURISDICTION:  
WHICH WAS RAISED ON PETITIONER APPLICATION  
FOR SECOND P.C.R. ACTION & APPEAL\*

(C)

(1)



# South Carolina Court Administration

South Carolina Supreme Court  
Columbia, South Carolina

TONNYA K. KOHN  
INTERIM DIRECTOR

1220 SENATE STREET, SUITE 200  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1800  
FAX: (803) 734-1355

March 7, 2018

+ 1  
ATTACHMENT CASE.  
~~APPEAL RECORD~~

FILED  
CLERK OF COURT  
LANCASTER, SC  
2018 APR 11 AM 10:43  
OFFICE OF CLERK  
OF COURT

Mr. Calvin L. Gaddy, #323551  
Kershaw Corr. Inst.  
Oak - A - 13  
4848 Gold Mine Road  
Kershaw, South Carolina 29067

Re: Your correspondence received March 6, 2018

Dear Mr. Gaddy:

Calvin Gaddy copies

\* Per your request, we have included below a copy of the terms of circuit court for the Sixth Judicial Circuit for the month of July 2007 which includes the date of August 2, 2007, as mentioned in your correspondence.

We have also enclosed a copy of the Supreme Court's Order concerning the cost for copies and mailing. Please be advised that should you request any additional information from this office, you will be charged per the enclosed order.

~~\* Newly discovered was unknown has no statute of limitation~~

All terms of court dating back to 2002 are available on our public website at [www.sccourts.org/calendar](http://www.sccourts.org/calendar). If you are unable to access this information yourself, you may wish to have someone do so on your behalf.

~~\* Lack of subject matter jurisdiction has no statute of limitation~~

\* In response to your request for information relating to the convening of the grand jury in Lancaster County, please be advised that this office is not the custodian of information relating to the convening of the grand juries, nor does this office possess impanelment documents for the grand juries.

\* You will need to contact the county (Clerk of Court or the Solicitor's Office) to obtain any information relating to the activity of the grand jury in the event they still have this information for the year 2007.

FOR REGAIN REDRESS RECONSTRUCT  
Missing Impanelment Listing  
Who TRUE billed, August 02, 2007

AA  
EXAMPLE 1A

(6)  
(D)

To: The Supreme Court of South Carolina  
Post Office Box 11330  
Columbia South Carolina 29211

PRO-SE PETITIONER

- VS -

State of South Carolina  
LANCASTER COUNTY COURT  
RE-SPONDENT.

CASE: 2015-CP-29-00637

\* NOTICE OF APPEAL \*

FOR - A - STANDARD - RE - VIEW  
THE SIXTH JUDICIAL CIRCUIT COURT  
LACKED - SUBJECT - MATTER - JURISDICTION

IN - R.E.

THE ABOVE: PETITIONER RECEIVED ON MARCH 30, 2021  
NOTICE OF FINAL ORDER OF DISSISSAL OF APPLICATION:  
OF POST-CONVICTION-RELIEF: DISMISSED WITH PREJUDICE.

\* EXPLANATION OF APPEAL \*

PETITIONER: DECLINE RULING ORDER OF DISSISSAL

EXPLANATION 1#

LANCASTER COUNTY COURT LACKED - SUBJECT - MATTER - JURISDICTION -  
AUGUST 17<sup>th</sup> 2007. PETITIONER HAS SHOWN PRIMA-FACIE FACTS  
OF NEWLY AFTER DISCOVERY: IN [EXHIBITS INCLOSED] THAT WAS  
UNKNOWN, BEFORE ENTERING (A) OPEN GUILTY PLEA: AUGUST 17<sup>th</sup>, 2007,  
TO VOLUNTARY MANSLAUGHTER. 25 YEARS 85% PERCENT.  
THE SOUTH CAROLINA ADMINISTRATIVE COURT DON'T [LIE] ??

\* EXPLANATION 2#

AUGUST 02, 2007, TERM OF GENERAL SESSION FOR THE:  
SIXTH JUDICIAL CIRCUIT COURT. CONVENEED IN

[CHESTER COUNTY JURISDICTION]

SEE: EXHIBIT (B) EXPLAINING

FROM THE SOUTH CAROLINA ADMINISTRATIVE COURT:

NO - REPORTED COURT REPORTER NEED FOR JULY 30, 31,  
AUGUST (1) (2) 2007

\* CONTINUE X

EXPLANATION 2#

\* ATTACHMENT SHEET \*

(E)

(4) 4#

Additionally, the code section you cite, §14-9-210, S.C. Code of Laws, relates to the county courts which were abolished as of July 1, 1979, pursuant to Article VII, Section 5 of Act No. 690 of 1976.

Sincerely,

PART ①

Staff Attorney Section/tr

Enclosure

\*ANALYZE\* Exhibit ⑥ 2018  
below:

FOR publicity CORRUPTION  
in Exhibits ① & ② X Chester X

Circuit Number	7/2/2007	7/9/2007	7/16/2007	7/23/2007	*7/30/2007*
⑥		Common Pleas Non-Jury Goode, Kenneth  AMBROZIAK		Common Pleas Lancaster Goode, Kenneth  WATKINS 23 NO CR NEEDED 24, 25, 26, 27	General Sessions Chester X Goldsmith, Brooks  WATKINS  Common Pleas Fairfield Goode, Kenneth  AMBROZIAK 30 NO CR NEEDED 28

Exhibit  
" ⑥ "

LANCASTER

③ ① ②

? (B) 2018

\*Important issues at dispute! FOR public Attention\*

LANCASTER NEWS COMPANY HAS THIS

ASK "THEM" ?

\*(Suspicious)\*

What my Family drop off  
FEBRUARY 1st 2019 ?  
~~DO NOT~~ - Nov 2018

D-12  
Exhibit → ⑥ ②  
Exhibit ③

⑥

④

②

⑤

SUPREME COURT OF SOUTH CAROLINA

in the ORIGINAL JURISDICTION  
FOR Columbia South CAROLINA

CALVIN L GADDY

-VS-

STATE OF SOUTH CAROLINA

PROSE-PETITIONER

RESPONDENT

PETITION: FOR WRITS OF CERTIORARI

QUESTION FOR REVIEW

THE ABOVE PETITION: ON HIS APPEAL  
DID, PROVIDE: \*EXHIBITS & EXPLANATION\*

FROM: SOUTH CAROLINA COURT ADMINISTRATION

FROM: \*SOUTH CAROLINA SUPREME COURT\* OF.

\*Columbia South CAROLINA\*

THAT THERE WAS NO GRAND JURY ACTIVITY  
REPORTING OF August 02, 2007. TRUE BILLING

THE: PETITIONER MURDER, INDICTMENT 2007-65-29-880.

THEREFORE, LANCASTER COUNTY NEVER HAD JURISDICTION

OFFER, OR ACCEPT. PETITIONER LESSER INCLUDED, PLEA.

OF MOST VIOLET CRIME: TO 25 YEARS 85% PERCENT.

\*VOLUNTARY MANSLAUGHTER:\*

WERE THERE NO PUBLIC INDEX OF THE (JURY)  
\*LISTING, IMPANIMENT OF 12<sup>th</sup> 18<sup>th</sup> 24<sup>th</sup> SUMMON,

HONEST COMMITTEE ~~ON~~ CITIZEN REPORTING  
IN GENERAL SESSION TERM OF August 02, 2007

③ " " " "  
③ (G) ③

## Supporting Table of Contents

SEE: STATE - V. MC CLURE

SEE: STATE - V. FUNDERBURK

SEE: STATE - V. WHEELER

Supporting S.C. Code ANN § 14-9-210 MANDATE:

It's MANDATORY PROVISION OF SECTION:  
14-9-210.

State has [NO.] JURISDICTION: TO ISSUE, (OR)  
RETURN, (A) TRUE billed indictment:

EXCEPT: DURING (A) TIME WHEN THE,  
COURT OF GENERAL SESSION IS,

LAWFULLY, CONVEND TO OVER. (SEE)  
\* THE GRAND JURY PROCESS \*

THE, PETITIONER, - AND - HIS FAMILY IS ENTITLED  
TO: IMPANIMENT DOCUMENTATION: LISTING

FROM: LANCASTER COUNTY CLERK OF COURT. OF,  
THE 12<sup>th</sup> 18<sup>th</sup> 24<sup>th</sup> COMMUNITY CITIZEN

VOTED, TO INDICT FOR (A) MURDER CRIME,

dURING GENERAL SESSION TERM, August 02, 2007  
TRUE billing PROCEDURE. FOR (JURISDICTION) TO:

OFFER. LESSER INCLUDED OFFENSE REDUCED TO,

\* VOLUNTARY MANSLAUGHTER \* (CAUSE) (INDICTMENT)

ISSUE, ARE BEING IGNORED IN SOUTH CAROLINA  
SUPREME COURT: OF COLUMBIA SOUTH CAROLINA

FOR \* REASONABLE PROBABILITY \*  
State LOWER COURTS: ARE:

VIOLATING CONST OF ART 1 § 11. V § 22

MANDATE: S.C. CODE ANN § 14-9-210

(2)

(H)

Table of contents:

Supporting precedents:

United State Supreme Court

See: U.S. - V. Cotton 122 S.Ct. 1181- (2002)

See: State - V. Gentry 610 S.Ct. 2d, 404 S.Ct. (2005)

See: Moses Anderson - V. State of South Carolina 527 S.Ct. 2d 398, 338, S.Ct. 629 S.Ct. App (2001)

\*Lacked. Subject Matter Jurisdiction: \*

Can be raised. Anytime. Criminal Law:

110-K-1033.1. Jurisdiction Issue:

The above precedent, which guided the

South Carolina Supreme Court: Holding

- in state - v. Gentry 610 S.Ct. 2d, 404 S.Ct. (2005)

in both: Cotton - and - Gentry. Courts.

Held that the term: Subject - Matter -

Jurisdiction:

Means the Courts' Statutory \*

- and - Constitutional power to.

Adjudicate during General Session

Terms: were, crime was committed.

its - and. Arguable basis for a Re. View

on waits of certiorari. The next's pages

Exhibits (A) (B) (C) (D) are (prima facie)

Facts. That was based on Application: For

Post. Conviction. Relief. Action: and - Appeal.



(4)

(!)

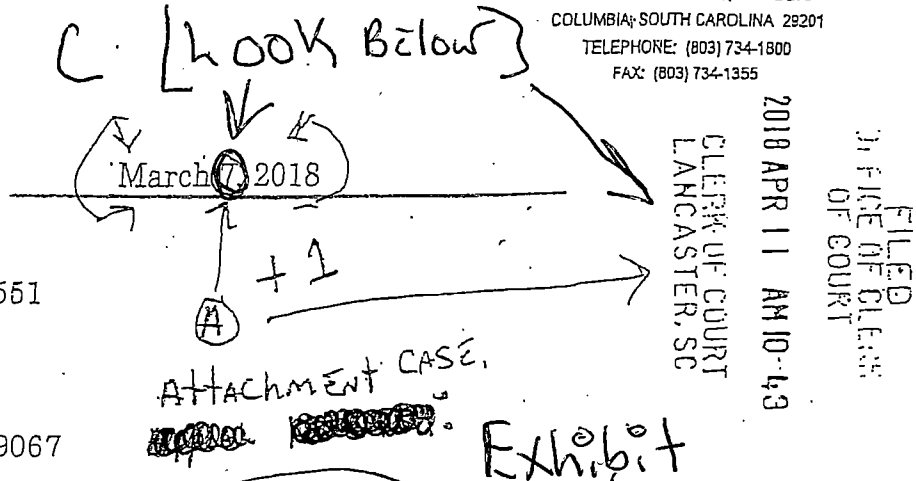
(I)



South Carolina Court Administration  
South Carolina Supreme Court  
Columbia, South Carolina

TONNYA K. KOHN  
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Mr. Calvin L. Gaddy, #323551  
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\*\*NEWLY DISCOVERY WAS UNKNOWN HAS NO STATUTE OF LIMITATION\*\*  
\*\*LACK OF SUBJECT MATTER JURISDICTION HAS NO STATUTE OF LIMITATION\*\*

In response to your request for information relating to the convening of the grand jury in Lancaster County, please be advised that this office is not the custodian of information relating to the convening of the grand juries, nor does this office possess impanelment documents for the grand juries.

You will need to contact the county (Clerk of Court or the Solicitor's Office to obtain) any information relating to the activity of the grand jury in the event they still have his information for the year 2007.

22 ~~Deb~~  
#Exhibit (A)  
0003

MISSING DOCUMENTATION?  
FOR REGAIN REDRESS RECONSTRUCT MISSING IMPANELMENT LISTING  
WHO TRUE BILLED AUGUST 02, 2007  
\*LANCASTER COUNTY\* EXHIBIT (A) 7#

STATE OF SOUTH CAROLINA )  
COUNTY OF LANCASTER )

INDICTMENT  
? NO NUMBER OF CASES

At a Court of General Sessions, convened on August 2, 2007 the Grand Jurors of Lancaster County present upon their oath: \*deceived\* } SUSPICIOUSNESS

MURDER

NO COURT REPORTER

That Calvin Lyndale Gaddy did at 3155 Major Evans Road, in Lancaster County on or about June 8, 2007, feloniously, willfully, and of his malice aforethought kill and murder Aretha Cunningham by choking her with his hands and the victim did die as the proximate cause thereof on June 8, 2007, in violation of Section 16-3-10 of the Code of Laws of South Carolina.

Exhibit ↓

(B)

See: ~~Next Page~~

Chester County

August 02, 2007

NO COURT REPORTER NEEDED

\*\*\* Attachment Sheet \*\*\*

\* SUSPICIOUSNESS \* STATE ATTORNEY GENERAL OFFICE \*

? didn't know August 02, 2007 WAS  
in Chester County JURISDICTION  
(Also) NEED PROVE Impanelment documentation.  
OF: \* August 02, 2007 TRUE billing \*

(B)

MARCH 2018

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

\* Committed CRIME \*

PERJURY S.C Code ANN 16-9-10

Douglas A. Barfield, Jr., SOLICITOR

Exhibit ↓

(B)

(K)

(B)

03#

106

(J)

page (30)

Additionally, the code section you cite, §14-9-210, S.C. Code of Laws, relates to the county courts which were abolished as of July 1, 1979, pursuant to Article VII, Section 5 of Act No. 690 of 1976.

Sincerely,

Staff Attorney Section/tr

Enclosure

\*ANALYZE Exhibit (B) 2018

below: FOR publicity CORRUPTION in Exhibits (A) & (B) CHESTER?

Circuit Number	7/2/2007	7/9/2007	7/16/2007	7/23/2007	*7/30/2007*
(6)		Common Pleas Non-Jury Goode, Kenneth <u>AMBROZIAK</u>		Common Pleas Lancaster Goode, Kenneth <u>WATKINS 23</u> <u>NO CR NEEDED 24, 25, 26, 27</u>	General Sessions Chester * Goldsmith, Brooks <u>WATKINS</u> Common Pleas Fairfield Goode, Kenneth <u>AMBROZIAK 30, 31, 1</u> <u>NO CR NEEDED 2, 3</u>

Exhibit (C)

? \*NO\* COURT REPORTER FOR August (02) 2007?  
RAISE QUESTION??  
\* ATTACHMENT SHEET \*

Exhibit 10/23/19

(C) (A) Q# (L)

(B)

10#

(2) 04#

~~(A) (B) (C) (D) (E) (F) (G) (H) (I) (J) (K) (L) (M) (N) (O) (P) (Q) (R) (S) (T) (U) (V) (W) (X) (Y) (Z)~~ #

(A)

(A)

II.

In his second and current application for post-conviction relief, the Applicant alleges that he is being held unlawfully for the following reasons: Exhibit 7

1. ~~CONTRARY~~ Newly discovered evidence → SEE Chester County August 2017

a. "No Grand Jury convene in terms of General Sessions"

Before this Court are the records of the Lancaster County Clerk of Court regarding the subject convictions, Applicant's prior PCR records, Applicant's PCR application, and Respondent's Return and Motion to Dismiss.

Attachment sheet

III.

This Court finds that the current application for post-conviction relief must be summarily dismissed because it is successive to his prior applications for post-conviction relief. S.C. Code Ann. §17-27-90 provides that:

D

All grounds for relief available to an application under this chapter must be raised in his original, supplemental or amended Application. Any ground finally adjudicated or not so raised, knowingly, voluntarily and intelligently waived in the proceeding that resulted in the conviction or sentence or in any other proceeding Applicant has taken to secure relief, may not be the basis for a subsequent Application, unless the court finds a ground for relief asserted which for sufficient reason was not asserted or was inadequately raised in the original, supplemental or amended Application.

Successive applications are disfavored and the burden is on Applicant to establish that any new ground raised in a subsequent application could not have been raised by him in a previous application Foxworth v. State, 275 S.C. 615, 274 S.E.2d 415 (1981); Aice v. State, 305 S.C. 448, 409 S.E.2d 392 (1991); Arnold v. State/Plath v. State, 309 S.C. 157, 420 S.E.2d 834 (1992).

Exhibit 7

D

2019 10/23/19

Exhibit 7

B

2017

M

4

7#

A

STATE OF SOUTH CAROLINA )  
COUNTY OF LANCASTER )

INDICTMENT

At a Court of General Sessions, convened on August 2, 2007, the Grand Jurors of Lancaster County present upon their oath:

MURDER

? PER JURY TESTIMONY  
S.C. Code ANN § 16-9-10  
See - Chester County →

That Calvin Lyndale Gaddy did at 3155 Major Evans Road, in Lancaster County on or about June 8, 2007, feloniously, willfully, and of his malice aforethought kill and murder Aretha Cunningham by choking her with his hands and the victim did die as the proximate cause thereof on June 8, 2007, in violation of Section 16-3-10 of the Code of Laws of South Carolina.

Important

---

part 2 (C)  
ISSUES Above: ?  
IMPOSSIBLE  
See Chester County →  
\* UNANSWER QUESTION IMPORTANT ISSUES \*  
\* WHERE'S IMPANELMENT DOCUMENTATION \*  
Exhibit → # ~~500~~ Exhibit (E)  
2019-10/23/19  
\* PERJURY TESTIMONY ABOVE: \*

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

made and provided.

~~Barfield~~  
~~Barfield~~

*[Handwritten signature]*

Douglas A. Barfield, Jr., SOLICITOR

30

(I)

Exhib. -

# (S)

CONTINUE

TABLE OF CONTENTS

SEE HILL - VS - LOCKHART X GUILTY PLEA ISSUE: X

106 S.Ct. 366, 370, (1985)

CAUSE, THERE'S NO - WAY - POSSIBLE PETITIONER,

HAD INTELLIGENT KNOWLEDGE, OF THE,

\* INFORMATION \* IN EXHIBIT (A) MARCH 7, 6, (2018)

FROM SOUTH CAROLINA COURT ADMINISTRATION

X ANSWER X, WHILE ENTERING (A) OPEN GUILTY PLEA:

AUGUST 17, 2007, TO RECEIVE (A)

J# 25 YEAR SENTENCE, 85% PERCENT;

X MOST \* SERIOUS \* VIOLENT \* CRIME.

WHERE, THERE, NO REPORTED PUBLIC INDEX RECORDS

OF, THE, 12, 18, 24, SUMMON FOR JURY

DUTY OF LANCASTER COUNTY COMMUNITY CITIZEN.

VOTED, AND - DELIBERATED. FOR THE CONVING

IN TERM, OF GENERAL SESSION. AUGUST 02, 2007

TRUE BILLING PROCESS. BEFORE (A) PRESIDING

JUDGE. IN THAT TERM. (2007)

THAT'S MANDATED BY S.C. CODE ANN'S 14-9-210

THE PETITIONER UNDER 14<sup>TH</sup> AMENDMENT OF DUE PROCESS

OF LAW. EQUAL FAIRNESS, IS ENTITLED. TO.

THE SUMMON, LISTING THAT WAS ON THE:

IMPALEMENT. OF 12<sup>TH</sup>, 18<sup>TH</sup>, 24, LANCASTER COUNTY CITIZEN,

VOTED, TO INDICT, A MURDER CRIME: DURING

GENERAL SESSION, TERMS, AUGUST 02, 2007.

FOR TRUE BILLING PROCEDURE. (CAUSE)

THE SUPREME COURT OF SOUTH CAROLINA

JUDICIAL COURT DID NOT: ATTEMP

TO ADDRESS OR PRESUME THE MERITS

ON PETITION (NOTICE OF APPEAL)

ON STATE LACKED SUBJECT MATTER

\* JURISDICTION \* IN CASE 2015-29-000637

(N)

(5)

LEGAL

GADDY-323551

\*  \* CONTINUE \*  \*

INDICTMENT ISSUE, ARE BEING IGNORED  
BY SOUTH CAROLINA SUPREME COURT.

FOR: REASONABLE PROBABILITY: "THAT"  
STATE LOWER COURTS ARE:  VIOLATING  
S.C. CONST ARTICLE 1 § 11, V § 22  
(ALSO) S.C. CODE ANN § 14-9-210 MANDATED:

THE, PETITIONER, RESPECTFULLY PRAYS THAT.  
A WRIT'S OF CERTIORARIO BE ISSUE,

TO REVIEW: THE JUDGMENT OF HIS APPEAL  
ENTERED: JUNE 15, 2021 \* REMITTITUR \* THE,  
MOTION: TO RE-INSTATE HIS APPEAL ON ISSUE,  
STATE LACKED SUBJECT MATTER JURISDICTION,  
RAISED IN CASE: 2015-CP-000637

PETITIONER, SECOND P.C.R. AFTER NEWLY  
\* DISCOVERY \* UNKNOWN BEFORE ENTERING - AND -  
OPEN GUILTY PLEA: AUGUST 11<sup>th</sup> 2007

WHERE, THERE, MISSING ARCHIVE'S OF.

THE \* IMPANEMENT DOCUMENTATION \*  
FROM: LANCASTER COUNTY CLERK OF COURT  
PUBLIC INDEX RECORDS

\* CONCLUSION \*

FOR THE REASON STATED ABOVE, THE  
WRIT'S SHOULD BE GRANTED AND. THE  
CASE SET DOWN FOR ARGUMENT. ON  
STATED LACKED SUBJECT MATTER JURISDICTION

S.E.E. AFFIDAVIT OF SERVICES

SEE: \* ATTACHMENT \* SHEET'S \*

0

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LEGAL

GADDY-323551

# The Supreme Court of South Carolina

Calvin L. Gaddy, #323551, Petitioner,

v.

The State of South Carolina, Respondent.

Appellate Case No. 2021-000415

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## ORDER

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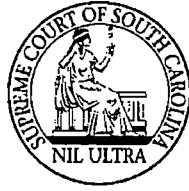
The final order of dismissal of Petitioner's second application for post-conviction relief (PCR) was filed on October 26, 2020. Petitioner's notice of appeal was received by this Court on April 20, 2021. According to Petitioner, he did not receive a copy of the final order until March 30, 2021. Because the affidavit of service did not indicate who was served, the method of service, or the date of service,<sup>1</sup> the notice of appeal was dismissed.

Petitioner has now filed documents that we construe as a motion to reinstate and the explanation required under Rule 243(c), SCACR. In the motion, Petitioner indicates he served the United States Supreme Court, the Attorney General, and the Lancaster County Court House by mail with his notice of appeal on April 16, 2021. Because Petitioner has provided the information required by Rules 203(d)(1)(B)(i) and 243(b), SCACR, the Court could reinstate the notice of appeal.

However, we also have reviewed Petitioner's Rule 243(c) explanation. Petitioner has failed to show that there is an arguable basis for asserting that the determination by the PCR court was improper. Accordingly, we decline to reinstate this matter.

---

<sup>1</sup>The affidavit of service indicated it was notarized on April 13, 2021.



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211

1231 GERVAIS STREET  
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1080

FAX: (803) 734-1499

[www.sccourts.org](http://www.sccourts.org)

June 17, 2021

The Honorable Jeff L. Hammond  
PO Box 1809  
Lancaster SC 29721-1809

## **REMITTITUR**

Re: Calvin L. Gaddy, #323551 v. The State of South Carolina  
Lower Court Case No. 2015CP2900637  
Appellate Case No. 2021-000415

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CHIEF DEPUTY CLERK

Enclosure

cc:

Alan McCrory Wilson, Esquire  
Calvin Lyndale Gaddy, 00323551

  
\_\_\_\_\_  
FOR THE COURT C.J.

Columbia, South Carolina  
June 15, 2021

cc:  
Alan McCrory Wilson, Esquire  
Calvin Lyndale Gaddy, 00323551

# The Supreme Court of South Carolina

Calvin L. Gaddy, #323551, Petitioner,

v.

The State of South Carolina, Respondent.

Appellate Case No. 2021-000415

Lower Court Case No. 2015CP2900637

---

## ORDER

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In this post-conviction relief case, the final order was filed on October 26, 2020.<sup>1</sup> Petitioner has now filed a notice of appeal which was received by this Court on April 20, 2021.

The document entitled "affidavit of service" accompanying the notice of appeal does not indicate who has been served or the method of service. Nor does it state the date on which service was accomplished.

Accordingly, based on petitioner's failure to provide a proof of service showing that the notice of appeal has been served on the opposing counsel as required by Rules 243(b) and 203(d)(1)(B)(i) of the South Carolina Appellate Court Rules (SCACR), the notice of appeal is dismissed. The remittitur will be sent as

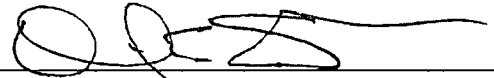
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<sup>1</sup> While petitioner did not provide a complete copy of the final order of dismissal or the conditional order of dismissal, this Court has obtained a copy of these orders from the public case index for Lancaster County. In the notice of appeal documents, petitioner alleges he did not receive notice of the final order until March 30, 2021.

provided by Rule 221, SCACR.

FOR THE COURT

BY

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a horizontal line.

CLERK

Columbia, South Carolina

April 23, 2021

cc: Office of the Attorney General  
Mr. Calvin Lyndale Gaddy, 323551

\* AFFIDAVIT OF SERVICE \*

THIS ABOVE: AFFIDAVIT OF SERVICE  
IS TRUE & CORRECT THOUGH KERBOW MAIL ROOM  
STAFF TO REACH PARTIE BELOW  
DANIEL E. SHEAROUSE, CLERK OF COURT  
FOR SUPREME COURT OF SOUTH CAROLINA  
POST OFFICE BOX 11330  
COLUMBIA SOUTH CAROLINA  
MICHAEL D. DAVIDSON A.A.G.  
SOUTH CAROLINA ATTORNEY GENERAL OFFICE  
P.O. BOX 11549  
COLUMBIA, SOUTH CAROLINA 29211-1549

\* AFFIDAVIT OF SERVICE \*

SWORN AND SUBSCRIBED BEFORE ME  
ON THIS DAY June 29<sup>th</sup> OF 2021  
Catherine A. Conway  
NOTARY PUBLIC FOR STATE OF SOUTH CAROLINA  
MY COMMISSION EXPIRES 12-22-2029

\* Calvin Gaddy

CALVIN L GADDY 323551 K.C.T  
H.C. 114 4848 GOLD MINE HWY  
KERSHAW S.C 29067

MR. Calvin L Gaddy 323551  
Kershaw C.I. H.c. 114  
4848 Gold mine Hwy  
Kershaw S.C. 29067

TO: THE SUPREME COURT OF SOUTH CAROLINA  
MR. DANIEL E SHEAROUS,  
CLERK OF COURT  
PO BOX 11330  
Columbia S.C. 29211

JUL 07 2021

NON  
DELIVERED

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