

IN THE STATE OF SOUTH CAROLINA
IN THE SOUTH CAROLINA SUPREME COURT

ROBERT DEXTER THOMAS^{III}
Appellant
VS

State of South Carolina
Respondent

Brief
Case No: 2018-CP-42-104

In South Carolina Supreme
Court, from the Court of
Common Pleas.

Brief

ROBERT DEXTER THOMAS^{III},
VS

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JUL 20 2021
S.C. SUPREME COURT

STATE OF SOUTH CAROLINA,

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STATEMENT OF FACT

I Appellant Appeal the PCR Case No 2018-CP-42-1046 on these grounds.

- ① The transferring of the Appellant's Case to the Court of General Sessions was not supported by law.
- ② The Court of General Sessions had no jurisdiction to hear the Case.
- ③ The 1996 Truth of Sentence bill was not passed into law at the time so Cases could not just be taken from family Court for just any crimes or some crimes by kids age (16) sixteen.
- ④ THIS WAS A VIOLATION of the Appellants 5th 6th 8th 14th amendment to the US Const. When the Appellant was used as a test case for the law to pass a bill.
- ⑤ IN 1994 Appellant was age sixteen A was forced into a plea as an adult being held in the County jail of Spartanburg with no bail for eight months held on lock up and beaten by police.

Issues

Subject Matter Jurisdiction

5th 6th 8th 14th Amendment violation US Const.

Rule 5 Brady v. Maryland

Register as Sex offender

Argument

On The year of October 1994 the Appealant was placed in the Department of Juvenile Justice the Appealant was sixteen years of age. As the Appealant was taken back and forth to family Court the Appealant was one day taken to the fifth floor of the old county jail of the Court house on that day was placed in the strip cell and beaten but not badly placed on the knee with Coff behind back Not long after Appealant on the week of Appealants birthday in January of 1995 was take to the County jail and placed with the adults.

At this time the Court of General Sessions had ~~no~~ right of jurisdiction to hear the case Appealant was not in jail for rape, Murder, or ~~Armed~~ robbery.

As Appealant was held with no bail, for eight months went to the law library and requested a rule 5 Brady Vs Maryland. Not long after was in fight with trustees and placed in pod 5 lock up unit.

When got out of lock up problems was made for Appealant and was sent back to lock up as one day asked for some Tylenol the officer got in ~~the~~ space and Appealant pushed him away.

OFFICER Chavis, Sgt Petterson, came to the Cell placed the Appealant in cuff and took Appealant to Transpotation where they beat the Appealant and took Appealant to the hospital (Spartanburg Regional) And was told (Better NOT TELL NOBODY)

Appealant was held, beaten, and forced into making a plea in the Court of General Sessions when the Court had no jurisdiction ~~of~~ the Case of the juvenile. THE Appealant was not allowed the rule 5 Brady vs Maryland Motion that was requested Prosecutors office did not give to the Appealant.

THE Prosecutors office was very unprofesional at the time under Holman C. Gossett, JR. At the time the truth of Sentencing bill was not passed in to law at the time and the 1996 bill could not be used, the prosecuting Miscondit of the Prosecutors office is beyond the law.

Appealant's 5th 6th 8th 14th Amendment to the US Const. Was Violated, when the Case was removed from family Court without due process

of Law taken an heard by General Sessions.
held in the County Jail with out bail, the
5th, 6th, 8th, 14th amendment was violated here
the Appealant was beaten, violated and
treated wrong by the law in every way.
Was the Appealant Used as a test to see
how the law would work on kids? If So
Not Well because the law was broken
almost in this very act. THEN the Appealant
was made to register as a sex offender
for a crime that had nothing to do
with sex. Also the Appealant was charged
with Armed Robbery And Held In the County
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Also it is a fact that the Appealant was
removed from the custody of (DJJ) AND
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And it was an act of Double Jeperdy
See record police took it upon them self
to put the Appealant in prison by any
means.

THE Applicant at this time Also want to State that the Counsel was ineffective for just relying on the State's Competency hearing and not seeking their own.

THE State knew of the mental health of the Applicant and knowing so that the Applicant only has a public defender and not the money to seek outside the State's doctor; the State went along with the plea knowing the Applicant had a special need disability and did nothing.

THE injustice of the fact is now the Applicant is taken the time to find out what has happen in his life to get him to this place, it was a misjudgement of the Applicant, and now only wants the Court to right the wrong and review the case and set the right. Wrongs can be set right with only the truth and this is the truth.

Request for Relief

THE Appellant ask the Court to remove all the Charges from the Appellants record at this time. And That the Appellants Name be removed from the Sex offender Registry list.

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#221038 PCI D-1-8

430 OAKLAWN Rd

Pelzer, SC 29669

7-15-21

NOTE

THE Applicant HAS BE THE ONE
that has suffered a great deal
for these constitutional violations
And as it is a fact of the
record is clearly showing only
what was done from only one
side and not the other. THE Applicant
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