Exhibit

28 USC § 1407

TRANSFER

Z

LAWRENCE L. CRAWFORD AKA
JONAH GABRIEL JAHJAH T. TISHBITE
#300839 F2B. RM. 1260
LEE C.I. 990 WISACKY HWY.
BISHOPVILLE, S.C. 29010

RON SANTA McCRAY
#353031 COOPER B-59
LIEBER C.I. P.O. BOX 205
RIDGEVILLE, S.C. 29472

IN RE: SEEKING THE TRANSFER OF CASES 2021-000740, 2021-000629, 2020-000974, 2020-001615, 2021-000309, 2021-000508, 2021-000592, 2021-000814, 2021-000296, 2004-GS-385; 2006-CP-400-3567, 3568, 3569 ET. AL.,

2021-000629

TO: THE S.C. SUPREME COURT,
THE 3rd. CIRCUIT COURT OF APPEALS ET. AL.,

THE PETITIONERS IN THESE CASES ARE GIVING THE COURT AND ALL PARTIES JUDICIAL NOTICE. A COPY OF THIS PLEADING IS TO BE FILED IN ALL THE SOUTH CAROLINA CASES CAPTIONED TO GIVE YOU ALL NOTICE THAT THE SOUTH CAROLINA STATE CASES ARE BEING SOUGHT TRANSFERRED TO THE 3rd. CIRCUIT COURT OF APPEALS FOR REVIEW UNDER CASE 21-1330. YOUR JURISDICTION RELATED TO THESE CASES IS PRESENTLY DIVESTED DUE TO THE SEEKING OF 28 U.S.C. §§ 1602-1612

Exhibit

28 USC § 1407

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TO: THE S.C. SUPREME COURT,
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ET. SEQ. AND 1407 TRANSFER. PLEASE LEAVE ALL THESE CASES ALONE UNTIL THE 3rd. CIRCUIT HAS HAD OPPORTUNITY TO REVIEW THESE MATTERS AND HOPEFULLY GET THESE MATTERS BEFORE THE MULTI-DISTRICT PANEL AND OR TRUSTEE FOR REVIEW. WE THANK YOU IN ADVANCE. STILL REMAIN,

RESPECTFULLY,
JONAH THE TISHBITE

RON ~~SANTA~~ McCRAY

Ron S McCray

AUGUST 29, 2021

EXHIBIT, "DEFAULT AND VOIDING OF JURISDICTION"

THE STATE OF SOUTH CAROLINA THE COUNTY OF GREENVILLE	)	THE COURT OF COMMON PLEAS THE 13TH. JUDICIAL CIRCUIT
BENJAMIN ERIC CASE # 305097 APPLICANT	)	CASE NO. 2020-CP-23-01050
Vs.	)	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
THE STATE OF SOUTH CAROLINA RESPONDENT	)	

TO: THE ADMINISTRATIVE JUDGE OF GREENVILLE COUNTY,
THE 13TH. CIRCUIT SOLICITOR'S OFFICE,
THE GREENVILLE COUNTY COURT OF COMMON PLEAS,
THE S.C. ATTORNEY GENERAL,
THE GREENVILLE COUNTY CLERK OF COURT ET. AL.,

THE APPLICANT IN THE ABOVE CAPTIONED MATTER GIVES THE ADMINISTRATIVE JUDGE, GREENVILLE COUNTY CLERK OF COURT, AND ALL OTHER PARTIES JUDICIAL NOTICE. THIS AFFIDAVIT IS FILED SEEKING DEFAULT, AND JUDGMENT PURSUANT TO S.C. RULES OF CIVIL PROCEDURE RULES 55(a), 55(2), 56, 57, 58, 60(a) AND ARTICLE V § 4 OF THE SOUTH CAROLINA CONSTITUTION. THIS DOCUMENT IS ALSO FILED FOR THE PURPOSE OF MOTIONING TO CHALLENGE THE GREENVILLE COUNTY COURT OF

COMMON PLEAS JURISDICTION SEEKING FORFEITURE AGAINST THE STATE FOR DUE PROCESS VIOLATION AND UNCONSTITUTIONAL ACTION.

S.C. RULES OF CIVIL PROCEDURE, RULE 55(a) PROVIDE:

"ENTERING A DEFAULT: WHEN A PARTY AGAINST WHOM A JUDGMENT OF AFFIRMATIVE RELIEF IS SOUGHT HAS FAILED TO PLEAD OR OTHERWISE DEFEND, AND THAT FAILURE IS SHOWN BY AFFIDAVIT OR OTHERWISE, THE CLERK MUST ENTER THE PARTY'S DEFAULT." THE APPLICANT SEEKS THAT DEFAULT BE ENTERED INTO THE COURT RECORD. THE S.C. ATTORNEY GENERAL AND THE 13TH. CIRCUIT SOLICITOR'S OFFICE HAD (365) DAYS SET IN PLACE BY THE S.C. LEGISLATURE TO CONCLUDE THE APPLICANT'S DUE PROCESS MATTERS OR GET BEFORE THIS COURT AND EXPLAIN WHY HE HAS FAILED TO DO SO. HE HAS FAILED IN HIS FIDUCIARY DUTY VIOLATING NOT JUST HIS OATH OF OFFICE TO UPHOLD THE STATE AND FEDERAL CONSTITUTION, BUT HE HAS ALSO VIOLATED THE APPLICANT'S DUE PROCESS RIGHTS ESTABLISHING UNCONSTITUTIONAL ACTION WHICH VOIDS THE GREENVILLE COUNTY COURT OF COMMON PLEAS JURISDICTION FOR THIS UNCONSTITUTIONAL ACTION. THIS IS CHALLENGE.

ARTICLE V § 4 OF THE SOUTH CAROLINA CONSTITUTION PROVIDES:

IT IS ORDERED, THAT ALL CIVIL CASES WITHIN THE COURT OF COMMON PLEAS IN THE STATE OF SOUTH CAROLINA **"[S]HALL"** BE DISPOSED OF WITHIN (365) DAYS OF THE ORIGINAL FILING. PROVIDED, HOWEVER, THE CIRCUIT COURT MAY CONTINUE A CIVIL CASE BEYOND THE (365) DAYS BY **[W]RITTEN ORDER"** (EMPHASIS ADDED), IF THE COURT DETERMINED THAT EXCEPTIONAL CIRCUMSTANCES EXIST IN THE CASE. THIS DOES NOT CREATE OR DEFINE A RIGHT TO A SPEEDY TRIAL". (SEE S.C. RULES OF COURT 2003 EDITION ON PAGE 652 AND S.C. RULES OF COURT 2004 EDITION ON PAGE 659).

BY NO MEANS IS THE APPLICANT CLAIMING THAT THE STATE COULD NOT GO BEYOND THE (365) DAYS IN QUESTION. WHAT THE APPLICANT IS INDEED ASSERTING IS THAT IF THE STATE AND COURT INTENDED TO DO SO? BY THE APPLICANT'S DUE PROCESS RIGHTS, THEY WERE REQUIRED TO

RESPOND FOR THE PURPOSE OF GETTING THE APPLICANT BEFORE THE COURT TO OBTAIN THE ESSENTIALLY NEEDED CONTINUANCE, WHICH IS A "[J]URISDICTIONAL [R]EQUSITE", TO ALLOW THE PROSECUTOR TO FURTHER CONTROL HIS DOCKET IF HE SO DESIRED TO PUSH THE CASE PAST THE (365) DAYS PROSCRIBED BY DUE PROCESS LAW AND THE S.C. LEGISLATURE, WHICH HE AND THE COURT FAILED TO TIMELY DO, PLACING THE STATE AND COURT IN FORFEITURE ON THE CAUSE WHICH THE APPLICANT RESPECTFULLY SEEK.

ARTICLE V PRIVILEGES, RULE 501 GENERAL RULE PROVIDES:

"EXCEPT AS REQUIRED BY THE SOUTH CAROLINA CONSTITUTION, BY THE CONSTITUTION OF THE UNITED STATES, OR BY SOUTH CAROLINA STATUTE, THE PRIVILEGES OF A WITNESS, PERSON, OR THE GOVERNMENT (EMPHASIS ADDED) SHALL BE INTERPRETED BY THE COURTS IN LIGHT OF REASON AND EXPERIENCE. THE RULE MODIFIES THE FEDERAL RULE TO REFER TO THE SOUTH CAROLINA CONSTITUTION".

ARTICLE V PROVISIONS IN THIS INSTANCE MAKES IT "MANDATORY", "DRACONIAN", REQUIRING ANY INTERPRETATION OF THIS PROVISION TO BE REFERRED TO THE UNITED STATES CONSTITUTION, THE SOUTH CAROLINA CONSTITUTION AND LEGISLATURE AS A PRIMARY RULE AND OR FIRST CHOICE, AND NOT TO THE FEDERAL RULE AS IT PERTAINS TO NORMAL ADMINISTRATIVE MATTERS, ESPECIALLY IN LIGHT OF THE FACT THAT WE ARE DEALING WITH A JUDICIAL ORDER ISSUED BY THE S.C. SUPREME COURT THAT BY THEIR JUDICIAL DISCRETION THEY ATTACHED TO THE SOUTH CAROLINA CONSTITUTION MAKING ITS ADHERENCE MANDATORY BY LEGISLATIVE INTENT PURSUANT TO ARTICLE 1 § 23 OF THE SOUTH CAROLINA CONSTITUTION.

TO FURTHER BOLSTER THIS PROPOSITION THAT THIS RULE, ORDER OR PROVISION OF LAW IS MANDATORY, DRACONIAN IN NATURE, THE APPLICANT BRINGS THE COURT'S ATTENTION TO SOUTH CAROLINA RULES OF COURT 2005 EDITION, PAGES 296, 297, 303 AND 304. THEY STATE:

IT IS ORDERED, THAT UPON THE FILING OF A POST TRIAL

MOTION UNDER RULES 50, 52, 59 OR 60(a) S.C.R.C.P., BY A PARTY IN A JURY OR NON JURY ACTION, THE PARTY **"[S]HALL"** WITHIN (10) DAYS PROVIDE A COPY OF THE MOTION TO THE JUDGE.

IT IS FURTHER ORDERED,**** THE CHIEF JUDGE FOR ADMINISTRATIVE PURPOSES IN EACH CIRCUIT SHALL ENSURE COMPLIANCE WITH THIS ORDER, ALSO SEE S.C. RULES OF COURT 2013 EDITION".

IT IS PERSPICUOUS THAT IF THE LOWER COURT IS NOT IN COMPLIANCE TO RULE(S) 50, 52, 59 OR 60(a) BY THESE JUDICIAL ORDERS ISSUED FROM THE SOUTH CAROLINA SUPREME COURT, THE HIGHER COURT(S) CANNOT ENTERTAIN JURISDICTION, AND MUST REMAND FOR FURTHER ADJUDICATION BY THE LOWER COURT(S) IN QUESTION IF THE MOTIONS ARE NOT RULED ON WHEN TIMELY SUBMITTED IN ACCORDANCE TO THESE JUDICIAL ORDERS, MAKING THE ARTICLE V PROVISION AND OR ORDER(S) IN QUESTION "DRACONIAN", "MANDATORY" IN NATURE. ON THIS PREMISE, THE COURT OF COMMON PLEAS UNDER VIOLATION OF THE (365) DAY PROVISION **"[C]ANNOT"** CONTINUE TO ENACT AND OR INVOKE AND OR PROCEED WITH ITS "[P]OWERS" OF SUBJECT MATTER JURISDICTION IF THEY FAIL TO BE IN COMPLIANCE WITH THIS DUE PROCESS REQUIREMENT, FORTMILL v. FITZGERALD, S.E.2d., 2014 WL 7339453(S.C.App.2014); CALDWELL v. WINQUIST, 402 S.C. 565, 741 S.E.2d. 583(S.C.App.2013).

S.C. RULES OF CIVIL PROCEDURE, RULE 56 PROVIDE:

"A PARTY AGAINST WHOM A CLAIM, COUNTERCLAIM, OR CROSS-CLAIM IS ASSERTED OR A DECLARATORY JUDGMENT IS SOUGHT MAY, AT ANY TIME (EMPHASIS ADDED), MOVE WITH OR WITHOUT SUPPORTING AFFIDAVITS FOR SUMMARY JUDGMENT IN HIS FAVOR AS TO ALL OR ANY PART THEREIN". THE APPLICANT MOVES FOR SUMMARY JUDGMENT, FOR DECLARATORY JUDGMENT, FORFEITURE AND CHALLENGES THE COURT'S JURISDICTION FOR DUE PROCESS VIOLATION AND UNCONSTITUTIONAL ACTION.

S.C. RULES OF CIVIL PROCEDURE, RULE 57 PROVIDE:

"THE EXISTENCE OF ANOTHER ADEQUATE REMEDY DOES NOT PRECLUDE A JUDGMENT FOR DECLARATORY RELIEF IN CASES WHERE IT IS APPROPRIATE. THE COURT MAY GRANT A SPEEDY HEARING OF AN ACTION FOR DECLARATORY JUDGMENT AND MAY ADVANCE IT ON THE CALENDAR". DUE TO WHAT IS ARGUED, THE APPLICANT SEEKS AN IMMEDIATE HEARING AND MOTION THAT THIS CASE BE IMMEDIATELY ADVANCED ON THE COURT CALENDAR FOR PROPER RESOLUTION. THE COURT IS NOT BOUND TO ADHERE TO STRICT ORDER OF DOCKET IF THERE BE ANY REASON OF JUSTICE, NECESSITY OR CONVENIENCE FROM DEPARTING FROM IT. THE CASE WILL EMBARRASS THE OPERATION OF THE GOVERNMENT IF LEFT UNSETTLED, U.S. v. FOSSATT, 62 U.S. 455, 21 HOW. 445, 1858 WL 9345; BRANNON POE, CPA., LLC. v. STRAVOLO, S.E.2d., 2016 WL 2745274 (S.C.2016); STATE v. BROAD RIVER POWER COMPANY, 164 S.C. 208, 162 S.E. 74 (S.C.1931); FORBES v. DEHON, 17 S.C. Eq. 45 SPEARS Eq. 45, 1843 WL 2962; ATLAS TRAVEL SERVICE, INC. v. MORELLY, 97 S.O.2d. 496 (1957); GONZALEZ v. CROSBY, 545 U.S. 524, 125 S.Ct. 2641, 162 L.Ed.2d. 480(U.S.2005); NATURAL GAS CO. OF WEST VIRGINIA v. PUBLIC SERVICE COMMISSION OF WEST VIRGINIA, 55 S.Ct. 646 (MEM)(U.S.1935).

S.C RULES OF CIVIL PROCEDURE, RULE 60(a) PROVIDES:

"CORRECTIONS BASED ON CLERICAL MISTAKES, OVERSIGHTS AND OMISSIONS. THE COURT MAY CORRECT A CLERICAL MISTAKE **"OR A MISTAKE ARISING OR OMISSIONS WHENEVER ONE IS FOUND IN A JUDGMENT, ORDER, OR OTHER PART OF THE RECORD** (EMPHASIS ADDED). THE COURT MAY DO SO ON MOTION, OR ON ITS OWN, WITH OR WITHOUT NOTICE". THE RULE ALLOWS FOR THE CORRECTION OF NOT JUST CLERICAL MISTAKES OR OMISSIONS, BUT ALSO FOR ANY OTHER MISTAKE OR OMISSION, SUCH AS THE ONES ARGUED HERE, THAT OCCURRED ON THE PART OF THE COURT AND OR ATTORNEY GENERAL'S OFFICE.

THE CHIEF ADMINISTRATIVE JUDGE HAS A FIDUCIARY DUTY TO CORRECT THIS OMISSION AND INJUSTICE. THE VIOLATION OF DUE PROCESS AND UNCONSTITUTIONAL ACTION ON THE PART OF THE COURT OF COMMON

PLEAS AND SOLICITOR'S OFFICE VOIDS THE COURT'S JURISDICTION PLACING THE STATE IN FORFEITURE ON THE CAUSE. THE COURT OF COMMON PLEAS MAY NOT, VIA DOCTRINE OF "HYPOTHETICAL JURISDICTION" DECIDE CAUSE OF ACTION BEFORE RESOLVING WHETHER THE JURISDICTION GIVEN TO THEM BY LEGISLATIVE PROVISIONS HAVE BEEN MADE VOID FOR DUE PROCESS VIOLATION AND UNCONSTITUTIONAL ACTION; DOING SO WOULD CARRY COURTS BEYOND BOUNDS OF AUTHORIZED JUDICIAL ACTION AND THUS OFFEND FUNDAMENTAL PRINCIPLES OF SEPARATION OF POWER, ESPECIALLY IN LIGHT OF THE FACT THAT WE ARE ALSO DEALING WITH LEGISLATIVE INTENT PURSUANT TO ARTICLE 1 § 23 OF THE S.C. CONSTITUTION, AND WOULD PRODUCE NOTHING MORE THAN HYPOTHETICAL JUDGMENT, WHICH WOULD COME TO THE SAME THING AS ADVISORY OPINION, DISAPPROVED BY THE U.S. SUPREME COURT, UNITED STATES v. GORDON, 2019 WL 5586966, * 1 E.D.Mich.; IN RE: GEE, 941 F3d. 153, 161+ 5TH. Cir.(La.); UNITED STATES v. CAVERGNE, 785 Fed. Appx' 212, 217+, 5TH.Cir.Tex..

SUBJECT MATTER JURISDICTION, BECAUSE IT INVOLVES THE COURT'S POWER TO HEAR A CASE, CAN NEVER BE FORFEITED OR WAIVED. THIS HAS NOTHING TO DO WITH THE PROSECUTOR BEING ABLE TO CONTROL HIS DOCKET. HE CANNOT BE PERMITTED TO USE SUCH ASSERTION AS A MEANS TO STRIP THE APPLICANT OF CONSTITUTIONAL PROTECTIONS PLACED ON HIM BY THE U.S. CONSTITUTION, THE S.C. CONSTITUTION AND THE S.C. LEGISLATORS, WHICH OCCURRED IN THIS CASE VOIDING THE COURT'S JURISDICTION FOR THIS UNCONSTITUTIONAL ACTION, HENDERSON EX REL HENDERSON v. SHINSEL, 131 S.Ct. 1197, 1198+ U.S.; BURGESS v. UNITED STATES, 2019 WL 7293400, * 1 D.Md.; BARNES v. GIVENS, 2019 WL 5579543, * 3, W.D.Tex.; WALLS v. BOEING COMPANY, 2019 WL 4931365, * 2 D.S.C..

THE APPLICANT GIVES THE COURT AND PARTIES JUDICIAL NOTICE. NOT ONLY BY THIS DOCUMENT, BUT ALSO BY HIS PRESENTED PCR APPLICATION, THE APPLICANT IS ARGUING AGAINST THE PRECEDENT ESTABLISHED BY STATE v. GENTRY, 363 S.C. 93, 610 S.E.2d. 494, 495(S.C.2005). THE APPLICANT IS ALSO ARGUING AGAINST THE PRECEDENT ESTABLISHED BY STATE v. LANGFORD, 400 S.C. 421, 735

S.E.2d. 471(S.C.2012) PURSUANT TO APPELLATE COURT RULES, RULE 217, AND BASED UPON THE UNCONSTITUTIONAL ACTION THAT HAS OCCURRED IN THIS CASE INVOLVING THE STATE PROSECUTOR AND THE COURT ITSELF. EQUITABLE TOLLING IS ESTABLISHED AT ALL LEVELS, STATE AND FEDERAL, THAT WOULD PERMIT THE APPLICANT TO HAVE THESE DUE PROCESS MATTERS ADDRESSED AT EVERY STAGE, JOSEPH v. SOUTH CAROLINA DEPT. OF LABOR, LICENSING AND REGULATION, 417 S.C. 436, 790 S.E.2d. 763(S.C.App.2016); STOKES-CRAVEN HOLDINGS CORP. v. ROBINSON, 416 S.C. 517, 787 S.E.2d. 485(S.C.App.2016); JOHNSON v. JOHNSON, S.E.2d., 2014 WL 2721680(S.C.App.2014); BODMAN v. STATE, 403 S.C. 60, 742 S.E.2d. 363(S.C.2013); PEGG v. HEARNBERGER, 845 F3d. 112 (4th.Cir.2017); GRAHAM v. GAGNON, 831 F3d. 176 (4th.Cir.2016); JONES v. WEAVER, 2019 WL 3034672 (N.D.Va.2019).

IN THE LANGFORD CASE, THE COURT DETERMINED THAT THE STATE PROSECUTORS HAVE A RIGHT TO CONTROL THEIR DOCKET. THIS IS NOT THE ISSUE OF CONCERN HERE. ONE OF THE ESSENTIAL ISSUES OF CONCERN IS THAT IN THE COURT MAKING ITS DETERMINATION THAT THE PROSECUTORS HAVE A RIGHT TO CONTROL THEIR DOCKET. THE COURT AND STATE PROSECUTORS HAVE CONSTRUED THAT JUDICIAL DETERMINATION, CONSPIRING UNDER COLOR OF STATE LAW, IN AN INAPPROPRIATE MANNER AND IN AN ABUSE OF DISCRETION TO MEAN THAT SUCH A DETERMINATION ALSO ALLOWS AND OR OPEN THE DOOR FOR THE COURT AND STATE TO DIMINISH, NEGATE OR WATER DOWN OTHER SUBSTANTIAL PROTECTIONS SET IN PLACE BY THE U.S. CONSTITUTION, THE S.C. CONSTITUTION, THE STATE LEGISLATORS AND DUE PROCESS LAW RENDERING ANY ACTION OF THE COURT ATTACHED THERETO UNCONSTITUTIONAL AND VOIDS THE COURT(S) INVOLVED JURISDICTION FOR SUCH UNCONSTITUTIONAL ACTION. FOR EXAMPLE, IN THE FILED PCR CASE. THE COURT AND STATE PROSECUTOR HAS CONSTRUED THE LAW PURSUANT TO THE LANGFORD CASE AS CARTE BLANCHE TO DENY THE APPLICANT OF THE APPOINTMENT OF THE APPOINTMENT OF LEGAL COUNSEL AT CRITICAL STAGES OF THE PCR PROCESS SUCH AS THE STAGE OF FILING THIS PRESENT DEFAULT, DEMONSTRATING THAT PREJUDICE IS CLEARLY ESTABLISHED. ONCE THE PCR APPLICATION IS FILED. THE APPLICANT HAS THE DUE PROCESS RIGHT, ALSO BY HIS RIGHT OF AUTONOMY, TO AMEND, FILE MOTIONS OR

PETITIONS ETC. TO PERFECT HIS DUE PROCESS MATTERS, AND THE APPLICANT IS PREJUDICED IN DOING ALL OF THIS IF LEGAL COUNSEL IS NOT APPOINTED TO ASSIST HIM AT THESE CRITICAL STAGES. THE COURT AND PROSECUTOR CANNOT IN FUNDAMENTAL FAIRNESS TO THE APPLICANT'S DUE PROCESS RIGHTS USE THE LANGFORD HOLDINGS AS AN UNCONSTITUTIONAL MEANS TO NEGATE, WATER DOWN OR DIMINISH THIS SUBSTANTIAL CONSTITUTIONAL DUE PROCESS RIGHT. IMMEDIATELY APPOINTING LEGAL COUNSEL AS DUE PROCESS LAW REQUIRES AT CRITICAL STAGES OF THE PROCEEDINGS, SUCH AS WHEN THE PCR IS FILED WHERE THERE ARE CLEAR JURISDICTIONAL CLAIMS ARGUED, WOULD NOT HARM, IN ANY MANNER, THE PROSECUTOR'S RIGHT OR ABILITY TO CONTROL HIS DOCKET. ONCE COUNSEL IS APPOINTED, THE PROSECUTOR CAN PLAY, "SKIP THROUGH MY LOOP MY DARLING", "RING AROUND THE ROSIE" OR WHATEVER OTHER MADNESS HE FEELS HE OR SHE IS BIG AND BAD ENOUGH TO DO AND SCHEDULE ANY REQUIRED HEARING ACCORDING TO THE TIMETABLE HE OR SHE SEES FIT. THUS, THE LANGFORD HOLDINGS BEING USED TO DIMINISH OR WATER DOWN OR NEGATE THIS SUBSTANTIAL CONSTITUTIONAL DUE PROCESS RIGHT RENDERS THIS PRESENT PCR CASE UNCONSTITUTIONAL AND VOIDS THE COURT'S JURISDICTION FOR DUE PROCESS VIOLATION. ONCE THIS EXISTING PCR APPLICATION WAS FILED PRESENTING JURISDICTIONAL ISSUES WHICH CANNOT BE WAIVED OR FORFEITED. THE APPLICANT HAS A DUE PROCESS RIGHT TO HAVE LEGAL COUNSEL IMMEDIATELY APPOINTED WHERE THE INITIAL FILING IS A CRITICAL STAGE OF THE PROCEEDINGS ~~WHERE MOTIONS, AMENDMENTS, PETITIONS ETC. NEED TO BE FILED AND~~ THE LANGFORD HOLDINGS CANNOT BE USED TO WATER DOWN, DIMINISH, NEGATE OR DENY THIS SUBSTANTIAL DUE PROCESS CONSTITUTIONAL RIGHT WHICH WOULD RENDER THE PROCEEDINGS IN QUESTION UNCONSTITUTIONAL AND VOID. THE PREJUDICE THAT THE APPLICANT IS AND WAS SUBJECT TO IS OVERWHELMINGLY SELF EVIDENT VOIDING THIS COURT'S JURISDICTION FOR THIS UNCONSTITUTIONAL ACTION, WHITE v. MARYLAND, 373 U.S. 59; LAKE v. STATE,--S.W.3d.--, 2017 WL 514588 (2017); RICE v. UNITED STATES, F.Supp.3d., 2015 WL 9216877 (W.Va.2015); ROWSEY v. U.S., 71 F.Supp.3d. 585 (E.D.Va.2014); U.S. v. WRIGHT, 59 F3d. 168 (TABLE) 1995 WL 378594 (4th.Cir.1995); U.S. v. HOLLIS, 506 F3d. 415(5th.Cir.2007); STATE v. BRYANT, 383 S.C. 410, 680 S.E.2d. 11

(S.C.App.2009); U.S. v. WADE, 388 U.S. 218; LAFLER v. COOPER, 132 S.Ct. 1376; SELLNER v. STATE, 416 S.C. 606; GIDEON v. WAINWRIGHT, 372 U.S. 335, 83 S.Ct. 258, 19 L.Ed.2d. 319(1967); MEMPHA v. RHAY, 389 U.S. 128, 134, 88 S.Ct. 254, 257, 19 L.Ed.2d. 336(1969); McCOY v. LOUISIANA, 138 S.Ct. 1500, 200 L.Ed.2d. 821 (U.S.2018).

THERE IS A SECOND INJUSTICE THAT HAS MANIFESTED ITSELF PRODUCED BY THE HOLDINGS MADE UNDER THE LANGFORD CASE. THE STATE PROSECUTOR, SUPPORTED BY THE ABUSE OF DISCRETION OF THE STATE COURT(S) INVOLVED, HAVE INTERPRETED THE PROSECUTOR'S RIGHT TO CONTROL HIS DOCKET TO MEAN OR BE CONSTRUED TO MEAN THAT THEY CAN VIOLATE AND OR DIMINISH AND OR WATER DOWN CONSTITUTIONAL DUE PROCESS PROTECTIONS PLACED UPON THE DEFENDANTS BY THE STATE LEGISLATORS IN CLEAR VIOLATION OF THE SEPARATION OF POWERS CLAUSE RENDERING ALL STATE ACTION AND PROCEEDINGS ATTACHED TO THIS INJUSTICE A VIOLATION OF DUE PROCESS, UNCONSTITUTIONAL AND VOIDS THE COURT(S) INVOLVED JURISDICTION FOR THIS UNCONSTITUTIONAL ACTION WHICH VIOLATES ARTICLE 12 § 2 AND ARTICLE 1 § 23 OF THE S.C. CONSTITUTION WHICH PROVIDE:

"THE PROVISIONS OF THE SOUTH CAROLINA CONSTITUTION "[S]HALL" (EMPHASIS ADDED) BE TAKEN, DEEMED AND CONSTRUED TO BE MANDATORY AND OR PROHIBITORY AND NOT MERELY DIRECTORY, EXCEPT WHERE MADE DIRECTORY OR PERMISSORY BY ITS OWN TERMS".

ONCE THE SOUTH CAROLINA SUPREME COURT ATTACHED THESE SPECIFIC PROVISIONS OF LAW TO THE SOUTH CAROLINA CONSTITUTION BY THEIR VOLUNTARY AND DISCRETIONARY ACTION, LEGISLATIVE INTENT THEREUPON ATTACHES TO THE PROVISIONS OF LAW IN QUESTION. THE STATE LEGISLATURE, INDISPUTABLY DETERMINED THAT ONCE ATTACHED TO THE S.C. CONSTITUTION, ALL PROVISIONS OF DUE PROCESS LAW, THEREUPON ATTACHED, THE LAW IN QUESTION ADHERENCE BECOMES "MANDATORY", "DRACONIAN" IN NATURE, CREATING A "[J]URISDICTIONAL [C]HALLENGE" AND OR "[J]URISDICTIONAL [D]EFECT" FOR FAILURE TO BE

IN COMPLIANCE THERETO. THE APPLICANT FILED THE INITIAL PCR APPLICATION ON FEBRUARY 20, 2020. THIS GAVE THE PROSECUTOR AND COURT OF COMMON PLEAS UNTIL FEBRUARY 20, 2021 TO CONCLUDE THE APPLICANT'S DUE PROCESS MATTERS BEFORE THIS COURT. THEY ARE AT MINIMUM (30) DAYS PAST THE TIME FRAME GIVEN TO THEM BY DUE PROCESS LAW. IF THEY HAD AN ISSUE WITH THE CORONAVIRUS? THEY SHOULD HAVE GOTTEN THE APPLICANT BEFORE THE COURT TO OBTAIN A CONTINUANCE AS IS REQUIRED BY LAW AND THE APPLICANT'S RIGHTS OF DUE PROCESS. ON TOP OF THIS INJUSTICE, THE ISSUE OF WHETHER OR NOT AN ATTORNEY SHOULD BE APPOINTED HAS NOT BEEN TIMELY ADDRESSED PLACING THE STATE IN FORFEITURE AS WELL AS IN VIOLATION OF THE PROSCRIBED DEADLINE SET IN PLACE BY THE S.C. SUPREME COURT AND THE S.C. STATE LEGISLATURE PURSUANT TO ARTICLE 1 § 23 OF THE SOUTH CAROLINA CONSTITUTION WHICH VOIDS THEIR JURISDICTION FOR DUE PROCESS VIOLATION. FOR THE PROSECUTOR AND COURT(S) INVOLVED TO ALLOW THE LANGFORD CASE IN ACTS OF FRAUD UPON THE COURT AND IN AN ABUSE OF DISCRETION TO BE PERMITTED TO BE CONSTRUED TO MEAN THAT THEY ARE ALLOWED TO BLATANTLY IGNORE THE CONSTITUTIONAL DUE PROCESS PROTECTIONS PLACED UPON INMATES BY THE STATE LEGISLATURE RENDERS ALL PROCEEDINGS IN QUESTION, THOSE SUBSEQUENTLY ATTACHED AND THE CONVICTIONS RELATED THERETO UNCONSTITUTIONAL, A VIOLATION OF THE SEPARATION OF POWERS CLAUSE, A VIOLATION OF DUE PROCESS AND VOIDS THE COURT(S) INVOLVED JURISDICTION WHERE THESE MATTERS ARE TO BE ADJUDICATED UNDER **"THE DUE PROCESS PRONG TO SUBJECT MATTER JURISDICTION"**. THUS, THE COURT(S) BEING GIVEN JURISDICTION BY LEGISLATIVE PROVISIONS OR THE ABUSE OF DISCRETION PRODUCED BY THE STATE v. GENTRY CASE WOULD NOT PREVENT THE ISSUES FROM BEING HEARD UNDER THE DUE PROCESS PRONG TO SUBJECT MATTER JURISDICTION. DUE TO THE FAILURE TO CONCLUDE THE PCR CASE IN THE COURT OF COMMON PLEAS BY THE TIME FRAME SET IN PLACE BY THE S.C. LEGISLATURE VIA THE LAW BEING ATTACHED TO THE S.C. CONSTITUTION. THE FAILURE TO BE IN COMPLIANCE PLACES THE STATE IN FORFEITURE ON THE CAUSE OF CONVICTION, ALSO VIA THE CLAIMS ARGUED WITH THE POST CONVICTION RELIEF APPLICATION THAT ESTABLISHES THIS CASE, AND ANY DETERMINATION TO THE CONTRARY WOULD VIOLATE THE SEPARATION OF

POWERS CLAUSE, THE U.S. CONSTITUTION AND DUE PROCESS LAW. THE SEPARATION OF POWERS CLAUSE AND THE PLAIN MEANING RULE PURSUANT TO ARTICLE 1 § 23 OF THE S.C. CONST. ARE TRIGGERED, BANK MARKAZI v. PETERSON, 136 S.Ct. 1310, 194 L.Ed.2d. 463, 84 U.S.L.W. 4222 (U.S.2016); U.S. v. BASTON, 818 F3d. 651 (11th.Cir.2016); 24 SENATORIAL DIST. REPUBLICAN COMMITTEE v. ALCORN, 820 F3d. 624 (4th.Cir.2016); STAR ATHLETICA, LLC. v. VARSITY BRANDS, INC., 137 S.Ct. 1002, 197 L.Ed.2d. 354, 85 U.S.L.W. 4139 (U.S.2017); ENCINO MOTOR CARS, LLC. v. NAVARRO, 136 S.Ct. 2117, 195 L.Ed.2d. 382, 84 U.S.L.W. 4424. A CONVICTION UNDER AN UNCONSTITUTIONAL LAW IS NOT MERELY ERRONEOUS, BUT IT IS ILLEGAL AND VOID, AND CANNOT BE A LEGAL CAUSE OF IMPRISONMENT. REVERSAL IS REVERSAL, REGARDLESS OF REASON, AND AN INVALID CONVICTION IS NO CONVICTION AT ALL, WHICH OF COURSE INCLUDE THE MATTERS RELATED TO THE POST CONVICTION RELIEF APPLICATION THAT IS FILED WITHIN THIS CASE, PEOPLE v. FIELDS, N.E.3d., IL. App. (1st.) 122012-UB; FARROW v. LIPETZKY, 2017 WL 1540637 (N.C.Cali.2017); UNITED STATES v. AJRAWAT,--Fed. Appx'--, 2018 WL 3045619 (4th.Cir.2018).

ANY JUDGMENT, JUDICIAL ACT OR DETERMINATION, OR LACK THEREOF, SUCH AS IN THIS CASE, THAT DEFIES "JUSTICE AND FAIRNESS", OR CONVICTION ATTACHED, THAT IS CONTRARY TO THE CONSTITUTION AND DUE PROCESS LAW IS VOID, WELL FARGO BANK N.A. v. H.M.H. ROMAN TWO N.C., LLC., 859 F3d. 295 (4th.Cir.2017); MOSELY v. UNITED STATES, 2018 WL 1187778 (W.D.N.C.2018); MILFORD v. MIDDLETON, 2018 WL 348059 (DSC.2018).

THE UNITED STATES SUPREME COURT MADE EFFORTS TO ADDRESS SIMILAR MATTERS UNDER BETTERMAN v. MONTANA, 136 S.Ct. 1609, 194 L.Ed.2d. 723 (U.S.2016). THE U.S. SUPREME COURT DETERMINED THAT A PERSON DOES HAVE A RIGHT TO A SPEEDY TRIAL PRIOR TO CONVICTION. BUT THIS IS NOT WHAT THE APPLICANT IS ARGUING SINCE THE PROVISION OF LAW IN QUESTION CLEARLY STATES IN ITS CONCLUSION, "THIS DOES NOT DEFINE THE DEFENDANT'S RIGHT TO A SPEEDY TRIAL". STILL THE SUPREME COURT MADE EFFORTS TO ADDRESS THE STATES HAVING THESE

VARIOUS TIME FRAMES AND DUE PROCESS PROVISIONS IN PLACE VIA THEIR VARIOUS STATES CONSTITUTIONS. EVEN THOUGH THE U.S. SUPREME DID DETERMINE THAT THE DEFENDANTS MAY INDEED HAVE A 5TH. AND 14TH. AMENDMENT CONSTITUTIONAL REMEDY AVAILABLE. THIS IS ONLY ONE OF THE PROVISIONS THE APPLICANT IS ARGUING THIS ISSUE UNDER. THE APPLICANT IS ALSO ARGUING THE "SEPARATION OF POWERS" VIOLATION WHICH COMPOUNDS THE INJUSTICE THAT THE UNITED STATES SUPREME COURT NEVER EVEN CONSIDERED IN THE BETTERMAN CASE. THE APPELLANT IN THE BETTERMAN CASE MAY HAVE FAILED TO PROPERLY PRESENT THE CLAIM, BUT THE APPLICANT IN THIS CASE DOES NOT FAIL TO PROPERLY PRESENT IT. THE APPLICANT IS MASTER TO DECIDE WHAT LAW HE WILL RELY UPON AND THE LAW RELIED UPON IN THIS CASE IS DUE PROCESS, SUBJECT MATTER JURISDICTION, PROSECUTIONAL MISCONDUCT, 4TH., 5TH., 6th., 13TH., 14TH. AND 15TH. AMENDMENT VIOLATIONS, VIOLATION OF THE EQUAL PROTECTION OF THE LAWS CLAUSE, FRAUD UPON THE COURT AND VIOLATION OF THE SEPARATION OF POWERS CLAUSE VIA ARTICLE 1 § 23 OF THE SOUTH CAROLINA CONSTITUTION AND ANY OTHER PROVISION OF LAW CITED WITHIN THIS DOCUMENT AND THE POST CONVICTION RELIEF APPLICATION ITSELF TO ADDRESS THIS AND ALL OTHER ISSUES OF CONCERN, THE FAIR v. KOHLER DIE & SPECIALTY CO., 228 U.S. 22, 33 S.Ct. 410 (U.S.1913); CATERPILLAR INC. v. WILLIAMS, 482 U.S. 386, 107 S.Ct. 2425(U.S.1987); LANCASTER v. KAISER FOUNDATION,..., 958 F.Supp. 1137 (E.D.Va.1997); POWERS v. SOUTH CENTRAL UNITED FOODS & COMMERCIAL WORKERS,..., 719 F2d 760 (5th.Cir.1983). THE STATE OF SOUTH CAROLINA, ITS PROSECUTORS AND ITS COURT(S) HAVE BEEN CONCEALING AND CIRCUMVENTING CORRECTING THIS INJUSTICE IN ONE FORM OR THE OTHER EVEN PRIOR TO ITS ADJUDICATION OF THE LANGFORD AND GENTRY CASES IN VIOLATION OF THE EQUAL PROTECTION OF THE LAWS CLAUSE, THE SEPARATION OF POWERS CLAUSE, FRAUD UPON THE COURTS INVOLVED AND DUE PROCESS LAW. THIS INJUSTICE MUST BE CORRECTED NOW. IT IS WELL SETTLED THAT WILLFUL BLINDNESS AND CONSCIOUS AVOIDANCE IS THE LEGAL EQUIVALENT TO KNOWLEDGE, GLOBAL-TECH APPLIANCES, INC. v. S.E.B., S.A., 563 U.S. 754, 131 S.Ct. 2060, 179 L.Ed.2d. 1167 (U.S.2011); U.S. v. FERGUSON, 676 F3d. 440, 105 Fed. R. EVID. SERV. 207(1st.Cir.2017); U.S. v. JINWRIGHT, 683 F3d. 471

(4th.Cir.2012).

SUBJECT MATTER JURISDICTION CAN BE RAISED AT ANY STAGE, AT ANY TIME, EVEN FOR THE FIRST TIME ON APPEAL, EVEN AFTER A FINAL ORDER OR JUDGMENT HAS BEEN ENTERED BEFORE ANY OF THE COURTS INVOLVED, CANNOT BE WAIVED OR FORFEITED BY THE APPLICANT AND THE COURT(S) **"[S]HALL [N]OT"** FAIL TO TAKE NOTICE, STEEL CO. v. CITIZENS FOR A BETTER ENVIRONMENT, 523 U.S. 83, 118 S.Ct. 1003(U.S.1998); TAMM v. CINCINNATI INSURANCE COMPANY, 2020 WL 60932 (S.D.N.Y.2020); CHASE v. ANDEAVOR LOGISTICS L.P., 2019 WL 5847879, * 2 W.D.Tex.; UNITED STATES v. VALLADARES, 2019 WL 4888629, * 1, W.D.Tex..

THE COURT OF COMMON PLEAS AND THE CHIEF ADMINISTRATIVE JUDGE IN THIS INSTANCE, HAS AN INDEPENDENT OBLIGATION TO DETERMINE WHETHER SUBJECT MATTER JURISDICTION EXIST BASED UPON THE JURISDICTIONAL PLEADING PLACED BEFORE THE COURT AND THEY CANNOT IN ACTS OF FRAUD UPON THE COURT BE SILENT VIOLATING THEIR OATH OF OFFICE TO UPHOLD THE STATE AND FEDERAL CONSTITUTIONS AND THEIR FIDUCIARY DUTY IN ADDRESSING THESE SUBSTANTIAL DUE PROCESS AND SUBJECT MATTER JURISDICTION CLAIMS. SUCH MUST BE DETERMINED IN ABSENCE OF CHALLENGE FROM ANY PARTY, SORRINGWIND ENERGY, LLC. v. CATIC U.S.A. INCORPORATED,--F3d.--, 5TH. Cir.(Tex.); 460 S. LAKE AVENUE, LTD. v. APPLETON, 2019 WL 7184737, * 1 C.D.Cal.; SLAYTON v. JOHNSON AND JOHNSON, 2019 WL 7208414, * 1 C.D.Cal..

WITHOUT JURISDICTION, THE COURT CANNOT PROCEED AT ALL IN ANY CAUSE; JURISDICTION IS POWER TO DECLARE LAW, AND WHEN IT CEASE TO EXIST, THE ONLY FUNCTION REMAINING TO THE COURT IS THAT OF ANNOUNCING THE FACT AND DISMISSING THE CAUSE AGAINST THE APPLICANT RELATED TO THE CONVICTION, ARBAUGH v. Y & H CORP., 546 U.S. 500, 126 S.Ct. 1235(U.S.2006); STEVENS E. HECKER, PLAINTIFF v. THE STATE OF WASHINGTON, DEFENDANT, 2020 WL 134168(Fed.Cl.2020). AT THIS JUNCTURE, THE CHIEF ADMINISTRATIVE JUDGE HAS AN INDEPENDENT OBLIGATION TO DETERMINE WHETHER THE COURT OF COMMON PLEAS JURISDICTION HAS NOW BEEN MADE VOID FOR THE

UNCONSTITUTIONAL ACTION ARGUED. IN FUNDAMENTAL FAIRNESS TO THE APPLICANT, THE CASE MUST BE ADVANCED ON THE DOCKET AND THE APPLICANT AND ALL NECESSARY PARTIES BE IMMEDIATELY BROUGHT BEFORE THE COURT FOR A HEARING OR ALL FACTS ASSERTED BE AFFIRMED IN THE RECORD AND THE SENTENCE AND CONVICTION BE VACATED. THE STATE IS IN FORFEITURE ON THE CAUSE, HICKS v. HEART OF HOSPICE, LLC., 2019 WL 6255496(N.D.Miss.2019); KRIKORIAN v. FORD MOTOR COMPANY, 2019 WL 7042939 (S.D.Ala.2019).

ALTHOUGH COURTS ARE GENERALLY LIMITED UNDER ADVERSARIAL SYSTEM TO ADDRESSING THE CLAIMS AND REQUIREMENTS ADVANCED BY THE PARTIES, THE CHIEF ADMINISTRATIVE JUDGE VIA HIS ARTICLE V POWERS AND COURT OF COMMON PLEAS HAVE AN INDEPENDENT OBLIGATION TO ENSURE THAT THE COURT OF COMMON PLEAS AND PARTIES INVOLVED HERE DO NOT EXCEED THE SCOPE OF THEIR JURISDICTION, ESPECIALLY IN LIGHT OF THE FACT, THAT WE CLEARLY HAVE A SEPARATION OF POWERS ISSUE MANIFESTING ITSELF WHERE THE PROSECUTOR AND COURT HAS GONE BEYOND THE TIME FRAME TO CONCLUDE THESE MATTERS IN VIOLATION OF THE S.C. CONSTITUTION AND DUE PROCESS LAW. THE ADMINISTRATIVE JUDGE AND PARTIES MUST RAISE AND DECIDE JURISDICTIONAL QUESTIONS THAT THE PARTIES EITHER OVER LOOKED OR ELECT NOT TO PRESS (EMPHASIS ADDED) WHICH REQUIRE THE ADMINISTRATIVE JUDGE TO NOW ADDRESS THE MERITS OF THE CLAIMS PRESENTED. THE APPLICANT OBJECTS AND MOVES TO VACATE THE SENTENCE AND CONVICTION AND MOTIONS FOR FORFEITURE ON THE CAUSE, JEFFERS v. J.P. MORGAN CHASE & CO., 2019 WL 6255311, * 1, S.D.Tex.; ANTHONY W. HALL, PLAINTIFF v. FRENKEL, LAMBERT...., 2020 WL 136658, * 2, E.D.N.Y.; DAVIS v. PALUMBO, 2019 WL 6915949, * 1, W.D.MO..

FOR INORDINATE DELAY AS A PRETRIAL DETAINEE THE SPEEDY TRIAL PROVISION DOES APPLY, BUT THIS IS NOT WHAT THE APPLICANT IS SPECIFICALLY ARGUING. IN THIS SITUATION AS IT RELATES TO THE MATTERS IN THEIR TOTALITY, A DEFENDANT POTENTIALLY HAVE OTHER RECOURSE, INCLUDING, IN APPROPRIATE CIRCUMSTANCES, TAILORED RELIEF UNDER THE DUE PROCESS CLAUSE OF THE 5TH. AND 14TH. AMENDMENTS. THE UNITED STATES SUPREME COURT HAS FOUND THAT THE

DUE PROCESS CLAUSE ALSO PROTECTS THE DEFENDANT'S RIGHT TO DIRECT AND OR COLLATERAL APPEAL WHEN THE RIGHT IS GUARANTEED BY THE STATE, EVEN THOUGH THE CONSTITUTION DOES NOT REQUIRE STATES TO GRANT THE RIGHT, SEE E.G. EVITT, 469 U.S. AT. 393, 105 S.Ct. AT. 834. DUE PROCESS REQUIRES THAT A RIGHT TO APPEAL BE A RIGHT TO "AN ADEQUATE AND EFFECTIVE APPEAL", WHICH THE APPEAL CANNOT BE DEEMED "ADEQUATE OR EFFECTIVE" IF THE COURT AND PROSECUTORS ARE PERMITTED TO STRIP FROM THE DEFENDANT OF "MANDATORY", "DRACONIAN" PROTECTIONS SET IN PLACE BY THE STATE LEGISLATURE(S) RELATED TO TIME LINES OF CONCLUSION OF THE DEFENDANT'S DUE PROCESS MATTERS THAT ARE PRECURSOR, RELATED, TO THE INITIATING OF A TIMELY APPEAL, WHICH IS MORE THAN A "MEANINGLESS RITUAL" ID AT. 393, 394, 105 S.Ct. AT. 834 QUOTING CRIFFIN v. ILLINOIS, 351 U.S. 12, 18, 76 S.Ct. 585, 590, 110 L.Ed. 891(1956) AND DOUGLAS v. CALIFORNIA, 372 U.S. 353, 359, 83 S.Ct. 814, 817, 9 L.Ed.2d. 811(1963). DUE PROCESS FURTHER PROTECTS NOT ONLY THE RIGHT "TO OBTAIN A FAVORABLE DECISION", BUT ALSO THE RIGHT "TO OBTAIN A DECISION ON ALL MERITS OF THE CASE", EVITTS, 469 U.S. AT. 395n. 6, 105 S.Ct. AT. 835n. 6 (EMPHASIS ADDED). IN SHORT, A CONVICTED DEFENDANT HAS A RIGHT TO KNOW WHAT THE SENTENCE OR FINAL DISPOSITION OF HIS PCR IS TO BE, AND TO PROCEED WITH A DIRECT AND OR COLLATERAL APPEAL WITHIN THE TIME FRAME SET IN PLACE BY THE S.C. SUPREME COURT AND STATE LEGISLATURE BY THE PROVISIONS OF LAW PRESENTLY ARGUED BEFORE THIS COURT WHICH CANNOT BE ILLEGALLY, SUBTLY OR FORCIBLY EXPANDED OR THERE IS CLEAR VIOLATION OF THE SEPARATION OF POWERS CLAUSE AND DUE PROCESS CLAUSE WHICH WOULD RENDER THE COURT(S) INVOLVED JURISDICTION VOID FOR UNCONSTITUTIONAL ACTION.

THE SUPREME COURT HAS BEEN CLEAR IN ITS REASONS FOR EXTENDING THE MEANINGFUL PROCEDURAL PROTECTION OF DUE PROCESS TO APPEALS, DIRECT OR COLLATERAL, WHICH THE PROSECUTOR AND COURT BLATANTLY IGNORED BY ALLOWING THE PROSECUTOR TO GO BEYOND THE (365) DAY MANDATE SET IN PLACE BY THE S.C. SUPREME COURT AND THE S.C. LEGISLATURE UNDER ARTICLE V § 4 AND ARTICLE 1 § 23 OF THE SOUTH CAROLINA CONSTITUTION, AS A RIGHT. BY DECIDING THAT THE

APPEAL IS SO IMPORTANT THAT IT MUST BE AVAILABLE AS A MATTER OF RIGHT, AND THIS HAS BEEN COMPOUNDED AND SUPPORTED BY THE S.C. SUPREME COURT AND THE STATE LEGISLATURE'S INTENT PURSUANT TO ARTICLE 1 § 23 OF THE SOUTH CAROLINA CONSTITUTION PRODUCING SPECIFIED AND CLEAR TIMETABLES, WHERE A STATE HAS, MADE THE APPEAL THE FINAL STEP IN THE ADJUDICATION OF GUILT OR INNOCENCE OF THE INDIVIDUAL, ID. AT. 404, 105 S.Ct. AT. 840; BETTERMAN v. MONTANA, 136 S.Ct. 1609, 194 L.Ed.2d. 723, 84 U.S.L.W. 4293 (U.S.2016); UNITED STATES v. JAMES, 712 Fed. Appx' 154, 161+ 3rd.Cir.(N.J.).

IN REFERRING BACK TO THE ISSUE OF THE PROVISION OF LAW IN QUESTION BEING MADE "MANDATORY", "DRACONIAN" ONCE THE S.C. SUPREME COURT BY ITS DISCRETIONARY POWER ENSURED IT WAS ATTACHED TO THE SOUTH CAROLINA CONSTITUTION SUPPORTED BY ARTICLE 1 § 23. IN CONSTRUING STATUTES, WORDS MUST BE GIVEN THEIR PLAIN AND ORDINARY MEANING WITHOUT RESORT TO SUBTLE OR FORCED CONSTRUCTION IN AN ATTEMPT TO EXPAND THE STATUTE AS THE COURTS DID HERE REGARDING THE LANGFORD CASE. ONCE IT IS REQUIRED THAT THE DEFENDANT'S DUE PROCESS MATTERS BE CONCLUDED WITHIN (180) DAYS AND OR (365) DAYS REVISED IN 2013 FOR PRETRIAL MATTERS, AND OR (365) DAYS FOR PCR AND CIVIL MATTERS, WHETHER PRETRIAL OR PCR OR CIVIL, WHICHEVER IS APPLICABLE, IT IS REQUIRED THAT A TIMELY FILED "[W]RITTEN" (EMPHASIS ADDED) ORDER OF CONTINUANCE EXIST AND OR BE OBTAINED, TO GO BEYOND THE PROSCRIBED TIME FRAME SET IN PLACE BY THE S.C. SUPREME COURT AND OR STATE LEGISLATURE. THE COURTS AND PROSECUTORS CANNOT SUBTLY OR FORCIBLY EXPAND THE STATUTE UNDER THE FRAUDULENT, MISREPRESENTING GUISE OF THE PROSECUTOR BEING ABLE TO CONTROL HIS DOCKET ALLOWING HIM TO NEGATE, DIMINISH, OR WATER DOWN OTHER SUBSTANTIAL, CLEARLY ESTABLISHED, UNAMBIGUOUS CONSTITUTIONAL AND DUE PROCESS PROTECTIONS, EVEN THOSE SET IN PLACE BY THE S.C. LEGISLATURE, SUCH AS THE ONES MENTIONED IN THIS CASE. IT WOULD AUTOMATICALLY VIOLATE THE SEPARATION OF POWERS CLAUSE, VIOLATE THE DUE PROCESS CLAUSE PRODUCING UNCONSTITUTIONAL ACTION WHICH IS TO BE ADJUDICATED UNDER THE DUE PROCESS PRONG TO SUBJECT MATTER

JURISDICTION WHERE THE COURTS BEING GIVEN JURISDICTION UNDER THE LEGISLATIVE PRONG WOULD BE NO DEFENSE ON THE PART OF THE COURTS, PROSECUTORS AND STATE ACTORS, STATE v. LOCKLAIR, 341 S.C. 352, 535 S.E.2d. 420(S.C.2000); HINTON v. SOUTH CAROLINA DEPT. OF PROBATION, PAROLE AND PARDON SERVICES, 357 S.C. 327, 592 S.E.2d. 335 (S.C.2004); ODOM v. TOWN OF McBEE ELECTION COMMISSION, 427 S.C. 305, 831 S.E.2d. 429 (S.C.2019); HUCK v. OAKLAND WINGS, LLC., 422 S.C. 430, 813 S.E.2d. 288 (S.C.2018); LOUMIET v. UNITED STATES, 65 F.Supp.3d. 19 (2014); WELLS FARGO BANK N.A. v. H.M.H. RIMAN TWO N.C., LLC., 859 F3d. 295 (4th.Cir.2017); MILFORD v. MIDDLETON, 2018 WL 348059 (DSC.2018); MONTGOMERY v. LOUISIANA, 136 S.Ct. 718, 193 L.Ed.2d. 599 (U.S.2016); 24 SENATORIAL DIST. REPUBLICAN COMMITTEE v. ALCORN, 820 F3d. 624 (4th.Cir.2016).

THE WISDOM OF THE STATUTE, SUCH AS ARTICLE 1 § 23 AND OR ARTICLE 12 § 2 OR ANY OTHER REFERRED TO IN THIS CASE, WHERE **"[S]HALL"** IS MANDATORY, IS NOT THE CONCERN OF THE COURTS; IF THE CHALLENGED STATUTE OR THAT LAW WHICH IS RELIED UPON DOES NOT VIOLATE THE CONSTITUTION OR DUE PROCESS IT MUST STAND AND BE SUSTAINED MAKING THE PROVISION OF LAW THAT HAS COME UNDER SCRUTINY HERE "MANDATORY", "DRACONIAN", HODGES v. RAINEY, 341 S.C. 79, 533 S.E.2d. 578 (S.C.App.2000); BESSINGER v. R-N-M BUILDERS & ASSOCIATES, LLC., 421 S.C. 349, 806 S.E.2d. 731(S.C.App.2017); MARSHALL v. DODDS, 417 S.C. 196, 789 S.E.2d. 88 (S.C.App.2016); I.N.S. v. CHADHA, 462 U.S. 919, 103 S.Ct. 2764, 77 L.Ed.2d. 317 (U.S.1983); MILLER v. DAVIS, 56 Kan. App.3d. 39, 423 P.3d. 1044 (Kan.2018); STATE EX REL BIAFORE v. TOMBLIN, 236 W.Va. 528, 782 S.E.2d. 223 (2016); MEJIA v. TIME WARNER CABLE INC., 2017 WL 3278926(S.D.N.Y.2017).

MEMBERS OF THE COURT ARE INVESTED WITH THE AUTHORITY TO INTERPRET LAW, BUT THEY POSSESS NEITHER THE EXPERTISE NOR THE PREROGATIVE TO MAKE POLICY JUDGMENTS SUCH AS THE PROSECUTORS BEING ABLE TO CONTROL THEIR DOCKET BY VIOLATING CLEAR LEGISLATIVE INTENT IGNORING THE PLAIN MEANING RULE THAT ATTACHES TO THESE

PROVISIONS OF LAW IN QUESTION GIVING WAY TO SUBTLE OR FORCED CONSTRUCTION OF THE STATUTES INVOLVED. THESE DECISIONS ARE ENTRUSTED TO THE LEGISLATURE WHO DECIDED ONCE ATTACHED TO THE SOUTH CAROLINA CONSTITUTION THE PROVISIONS OF LAW THAT ARE AT THE HEART OF THESE MATTERS HERE NOW BECOME "MANDATORY", "DRACONIAN", UNLESS THERE IS SOME SPECIFIC LANGUAGE CONTAINED WITHIN THE PROVISION OF LAW THAT WOULD DICTATE OTHERWISE WHICH OBVIOUSLY, THERE IS NOT ANY SUCH CONTRARY LANGUAGE THAT EXIST IN THE STATUTES ARGUED. THE INJUSTICE, PREJUDICE AND DUE PROCESS VIOLATIONS ARE OVERWHELMING REQUIRING THE CONVICTION(S) TO BE RENDERED UNCONSTITUTIONAL AND THE COURTS INVOLVED JURISDICTION BE MADE VOID FOR THIS UNCONSTITUTIONAL ACTION. THE STATE IS IN FORFEITURE. THE PETITIONER MOVES FOR THIS BEFORE THE CHIEF ADMINISTRATIVE JUDGE, NATIONAL FEDERATION OF INDEPENDENT BUSINESS v. SEBELIUS, 567 U.S. 519, 132 S.Ct. 2566, 183 L.Ed.2d. 450(U.S.2012); STEGALL v. T.M.C. MULTI-STATE INTER-GOVERNMENTAL EMPLOYEE BENEFITS POOLS, INC., 2019 WL 4855226, S.W. Rptr. (Tex.2019); IN RE: BORDER INFRASTRUCTURE ENVIRONMENTAL LITIGATION, 284 F.Supp.3d. 1092(S.D.Cali.2018); U.S. v. RON PAIR ENTERPRISES INC., 489 U.S. 235, 109 S.Ct. 1027, 103 L.Ed.2d. 290(U.S.1989); IN RE: ARGON CREDIT, LLC.,--B.R.--, 2017 WL 4404269 (2017); UNITED STATES v. STE-BRI ENTERPRISES, INC., 2017 WL 4226873(D.C.OHIO.2017).

INSOMUCH, IF YOU TAKE A FATALLY DEFECTIVE INDICTMENT AND BRING IT BEFORE THE CRIMINAL COURT FOR THE SAKE OF FRAUDULENTLY PROCURING A CONVICTION, DEPRIVING THE DEFENDANT OF PROPER AND FAIR NOTICE OF THE "[C]AUSE AND [N]ATURE" OF THE ACCUSATION(S) BEING LEVIED AGAINST HIM DENYING HIM THE CONSTITUTIONAL DUE PROCESS RIGHT TO KNOW EXACTLY WHAT IT IS THAT HE IS CALLED UPON TO MEET AND DEFEND, CONSTRUCTIVELY AMENDING THE INDICTMENT(S) ALL OVER THE PLACE ON ESSENTIAL ELEMENTS OF THE OFFENSE(S). THEN YOU COUPLE THIS WITH THE OTHER EGREGIOUS VIOLATIONS ARGUED WITHIN THIS DOCUMENT AND OR THE APPLICANT'S PCR APPLICATION, VIOLATING DUE PROCESS LAW PRODUCING OVERWHELMING PREJUDICE AS PRESENTED. SUCH ACTION AND INJUSTICE DONE WITHIN THE PROCEEDINGS RENDER THE

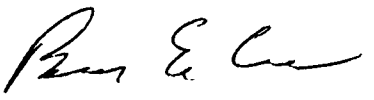
PROCEEDINGS UNCONSTITUTIONAL AND VOIDS THE COURT'S JURISDICTION FOR THAT UNCONSTITUTIONAL ACTION WHICH IS TO BE ADJUDICATED UNDER THE **"DUE PROCESS PRONG"** TO SUBJECT MATTER JURISDICTION. THE ADDITIONAL LITIGATION SUBMITTED IN SUPPORT OF THIS ISSUE AND THE SEEKING OF DEFAULT AND JUDGMENT IS SEEN WITHIN THE APPLICANT'S SUBMITTED PCR APPLICATION FILED WITHIN THIS CASE.

THE LAW AS DETERMINED BY THE UNITED STATES SUPREME COURT IS CLEAR AND UNAMBIGUOUS ON THE ISSUES SUCH AS THE ONES BEING ARGUED WITHIN THIS CASE. IF A RULING HAS BEEN OBTAINED BY AN UNCONSTITUTIONAL JUDICIAL DETERMINATION AND OR LEGISLATIVE STATUTE AND OR INTERPRETATION OF LAW AND OR ACT, WHICH INCLUDE FRAUD. THE LAW EXPLAINED IF THIS POSITION IS WELL TAKEN, WHICH IT IS, IT EFFECTS THE **"FOUNDATION"** OF THE **"WHOLE"** (EMPHASIS ADDED) PROCEEDING, CONFIRMING ALSO THAT **"FRAUD AND UNCONSTITUTIONAL ACTION VITIATES EVERYTHING".** AN UNCONSTITUTIONAL LAW AND OR ACT AND OR STATUTE AND OR JUDICIAL DETERMINATION AND OR CONVICTION IS **"VOID"** AND IS AS IF THERE WERE NO LAW AND OR ACT AND OR AND OR JUDICIAL DETERMINATION AND OR CONVICTION AND OR STATUTE MADE OR DONE AT ALL, BEING STRUCTURAL CONSTITUTIONAL ERROR NOT SUBJECT TO THE HARMLESS ERROR DOCTRINE WHICH HAVE JURISDICTIONAL RAMIFICATIONS AS WELL. THE GENERAL RULE IS THAT AN UNCONSTITUTIONAL JUDICIAL DETERMINATION AND OR LEGISLATIVE STATUTE AND OR ACT AND OR CRIMINAL CONVICTION AND OR LAW, THOUGH HAVING THE FORM AND NAME OF LAW, IT IS IN REALITY NO LAW BY SUCH ACTS, BUT IS **"WHOLLY VOID"** AND INEFFECTIVE FOR ANY PURPOSE, TO INCLUDE ANY JUDICIAL DETERMINATION OR CONVICTION ATTACHED TO IT, SINCE ITS UNCONSTITUTIONALITY DATES FROM THE TIME OF ITS ENACTMENT AND OR WHEN IT WAS DONE....IN LEGAL CONTEMPLATION, IT IS INOPERATIVE AS IF IT HAD NEVER BEEN PASSED OR DONE....SINCE AN UNCONSTITUTIONAL STATUTE AND OR JUDICIAL DETERMINATION AND OR CONVICTION AND OR LAW AND OR ACT IS VOID, THE GENERAL PRINCIPLE FOLLOWS THAT IT IMPOSES NO DUTY (DUTY TO MAINTAIN THE CONVICTION), CONFERS NO RIGHTS (THE STATE HAS NO RIGHT TO THIS ILLEGAL CONVICTION PRODUCED BY FRAUD AND VIOLATIONS OF DUE PROCESS LAW.), CREATES NO OFFICE (JUDICIAL, PROSECUTIONAL OR

OTHERWISE), BESTOWS NO POWER OR AUTHORITY ON **"ANY PERSON"** (EMPHASIS ADDED)[WHICH MEANS THAT YOUR JURISDICTION IS MADE VOID PLACING THE STATE AND COURT(S) INVOLVED IN FORFEITURE], AFFORDS NO PROTECTION (THE COURTS AND PROSECUTORS ARE NOT IMMUNE IF THEY FAIL TO CORRECT THIS INJUSTICE WHICH VIOLATES THEIR OATHS OF OFFICE.), AND JUSTIFIES NO ACTS PERFORMED UNDER IT (SUCH AS YOU MAINTAINING THE CONVICTION)....A VOID ACT CANNOT BE LEGALLY CONSISTENT WITH A VALID ONE WHERE HERE IT IS COUPLED BY THE FRAUD UPON THE COURT THAT OCCURRED RELATED TO THESE ISSUES. AN UNCONSTITUTIONAL LAW AND OR STATUTE AND OR CRIMINAL CONVICTION CANNOT OPERATE TO SUPERSEDE AN EXISTING LAW OR BE PERMITTED TO DEPRIVE A DEFENDANT OF LIBERTY. INDEED INSOFAR AS A CRIMINAL CONVICTION AND OR JUDICIAL DETERMINATION AND OR STATUTE AND OR LEGISLATIVE PROVISION AND OR ACT RUNS COUNTER TO THE FUNDAMENTAL LAW OF THE LAND (THE U.S. CONSTITUTION, DUE PROCESS LAW, THAT INDICTMENTS ARE TO BE ADJUDICATED UNDER THE DUE PROCESS PRONG TO SUBJECT MATTER JURISDICTION), IT IS SUPERSEDED THEREBY. NO ONE IS BOUND TO OBEY FRAUD OR AN UNCONSTITUTIONAL LAW AND OR JUDICIAL DETERMINATION. A REVERSIBLE CONVICTION IS REVERSIBLE, REGARDLESS OF THE REASON, AND AN INVALID CONVICTION IS NO CONVICTION AT ALL. A CONVICTION UNDER AN UNCONSTITUTIONAL LAW IS NOT MERELY ERRONEOUS, BUT IT IS ILLEGAL AND VOID, AND CANNOT BE A LEGAL CAUSE OF IMPRISONMENT. ALL RULES, STATUTES, PRACTICES (LIKE THE ~~FRAUD, OBSTRUCTION, CRIMINAL CONSPIRACY AND MACHINATION ENGAGED~~ IN BY THE PARTIES INVOLVING THESE LEGAL ISSUES.), WHICH ARE REPUGNANT TO THE U.S. CONSTITUTION ARE **"NULL"** AND **"VOID"**, UNITED STATES v. LIBOUS, 858 F3d. 64 (2nd.Cir.2017); CITY OF LEBANNON v. MILBURN, 286 Or. App. 212, 398 P.3d. 486(2017); PEOPLE v. FIELDS, N.E.3d., IL. App. (1st.) 122012-UB; FARROW v. LIPETZKY, 2017 WL 1540637 (N.C.Cali.2017); UNITED STATES v. AJRAWAT,--Fed. Appx'--, 2018 WL 3045619 (4th.Cir.2018); BETTERMAN v. MONTANA, 136 S.Ct. 1609, 194 L.Ed.2d. 723 (U.S.2016); MARTIN v. UNITED STATES, 2018 WL 1626578, * 2, D.Md.; PYNE v. UNITED STATES, F.Supp.3d., 2016 WL 1377402(D.C.Md.2016); MARBURY v. MADISON, 5TH. U.S. (2 CRANCH) 137, 180; VINES v. UNITED STATES, 28 F3d. 1123 CRIM. LAW 1163(1),

1165(1); ROBINSON v. ARVONIO, 27 F3d. 877 REHEARING DENIED CERT. GRANTED VACATED 115 S.Ct. 1247, 513 U.S. 1186, 131 L.Ed.2d. 129; LOUMIET v. UNITED STATES, 65 F.Supp.3d. 19 (2014); JOHNSON v. UNITED STATES,--S.Ct.--, 2015 WL 2473450(U.S.2015); MONTGOMERY v. LOUISIANA, 136 S.Ct. 718, 193 L.Ed.2d. 599, 84 U.S.L.W. 4063(U.S.2016); GEFT OUTDOORS. LLC. v. CONSOLIDATION CITY OF INDIANAPOLIS***, 187 F.Supp.3d. 1002, 1012, S.D.ILL.; HILL v. SNYDER, 821 F3d. 763, 765+ (6th.Cir.Mich.); PEOPLE v. SOLO, N.E.3d., 2017 WL 1838423(2017); 24 SENATORIAL DIST. REPUBLICAN COMMITTEE v. ALCORN, 820 F3d. 624 (4th.Cir.2016); VAETH v. BOARD OF TRUSTEES, F.Supp.3d., 2016 WL 775386(D.C.Md.2016); WELLS FARGO BANK N.A. v. H.M.H. ROMAN TWO N.C., LLC., 859 F3d. 295(4th.Cir.2017); MOSELY v. UNITED STATES, 2018 WL 1187778 (N.C.2018).

RESPECTFULLY SUBMITTED,
BENJAMIN ERIC CASE



MARCH 20, 2021

EXHIBIT, "CASE NO. 2020-001615"

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT ET. AL.,

APPELLATE CASE NO. 2020-001615

APPEAL FROM BERKELEY COUNTY
THE COURT OF COMMON PLEAS

CASE NO. 2019-CP-08-1992

[redacted]
RON SANTA MCCRAY #353031
APPELLANT

Vs.

THE STATE OF SOUTH CAROLINA

RESPONDENT

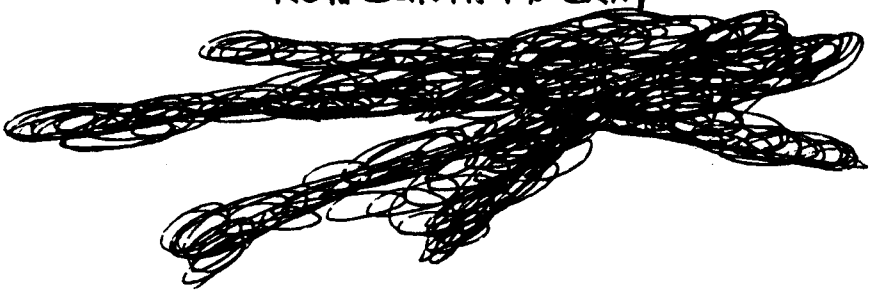
AFFIDAVIT OF SERVICE

I, [redacted] RON SANTA MCCRAY DO HEREBY CERTIFY, THAT I HAVE MAILED AND OR SERVED A COPY OF AN AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO FILE OBJECTIONS AS TO WHY THE CONDITIONAL ORDER SHOULD FINAL IN CASE 2019-CP-08-1992; RENEWING THE PETITION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION; RENEWING THE NOTICE SEEKING LEAVE TO APPEAL THE

CONDITIONAL ORDER SEEKING REVIEW UNDER TORRENCE v. S.C. DEPT. OF CORRECTIONS; MOTION TO CHALLENGE THE BERKELEY COMMON PLEAS COURT'S JURISDICTION DUE TO CONTINUED ACTS OF FRAUD UPON THE COURT AND UNCONSTITUTIONAL ACTION AND MOTION TO MOTION THERFOR, ON THE S.C. SUPREME COURT, THE CHIEF ADMINISTRATIVE JUDGE OF BERKELEY COUNTY, THE BERKELEY COUNTY COURT OF COMMON PLEAS, THE S.C. ATTORNEY GENERAL AND ALL INVOLVED PARTIES, BY U.S. MAIL POSTAGE PREPAID, BY DEPOSITING IT IN THE INSTITUTION MAILBOX ON MAY 17, 2021.

RESPECTFULLY,

[redacted]



MAY 17, 2021

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT ET. AL.,

APPELLATE CASE NO. 2020-001615

APPEAL FROM BERKELEY COUNTY
THE COURT OF COMMON PLEAS

CASE NO. 2019-CP-08-1992

[redacted]

RON SANTA McCRAY

APPELLANT

Vs.

THE STATE OF SOUTH CAROLINA

RESPONDENT

AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO FILE OBJECTIONS AS TO WHY THE CONDITIONAL ORDER SHOULD NOT BECOME FINAL IN CASE 2019-CP-08-1992; RENEWING THE PETITION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION; RENEWING THE NOTICE SEEKING LEAVE TO APPEAL THE CONDITIONAL ORDER SEEKING REVIEW UNDER TORRENCE v. S.C. DEPT. OF CORRECTIONS; MOTION TO CHALLENGE THE BERKELEY COMMON PLEAS COURT'S JURISDICTION DUE TO CONTINUED ACTS OF FRAUD UPON THE COURT AND UNCONSTITUTIONAL ACTION AND MOTION TO MOTION THEREFOR

IN RE: CASE(S) 2019-CP-08-1992; 2020-0001615; RON SANTA McCRAY ET. AL.,

TO: THE S.C. SUPREME COURT,
THE CHIEF ADMINISTRATIVE JUDGE OF BERKELEY COUNTY,
THE BERKELEY COUNTY COURT OF COMMON PLEAS,
THE S.C. ATTORNEY GENERAL ET. AL.,

ON MAY 7, 2021 THE BERKELEY COUNTY COURT OF COMMON PLEAS ISSUED A CONDITIONAL ORDER WHICH IT HAS NOW OFFICIALLY SIGNED AND SERVED UPON THE APPLICANT/APPELLANT ON THE DATE AFOREMENTIONED. THE CONDITIONAL ORDER SHOULD NOT BECOME FINAL FOR THE FOLLOWING REASONS:

THE APPLICANT/APPELLANT CONTENDS THAT THE CHIEF ADMINISTRATIVE JUDGE AND BERKELEY COUNTY COURT OF COMMON PLEAS IS CONSPIRING UNDER COLOR OF STATE LAW WITH THE S.C. ATTORNEY GENERAL'S OFFICE IN ACTS OF MACHINATION, FRAUD UPON THE COURT, CRIMINAL CONSPIRACY AND OBSTRUCTION OF JUSTICE TO THWART THE APPLICANT SEEKING TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION DUE TO THE APPLICANT/APPELLANT ARGUING AGAINST THE PRECEDENT RELATED TO BOTH THE STATE v. GENTRY CASE 2005 AND THE STATE v. LANGFORD CASE OF 2012 PURSUANT TO RULES OF APPELLATE PROCEDURE, RULE 217 AND THE DEFAULT AND VOIDING OF JURISDICTION THAT HAS OCCURRED IN THIS CASE, JOSEPH v. SOUTH CAROLINA DEPT. OF LABOR, LICENSING AND REGULATION, 417 S.C. 436, 790 S.E.2d. 763(S.C.App.2016); STOKES-CRAVEN HOLDINGS CORP. v. ROBINSON, 416 S.C. 517, 787 S.E.2d. 485(S.C.App.2016); JOHNSON v. JOHNSON, S.E.2d., 2014 WL 2721680(S.C.App.2014).

WHEN THE COURT AND PARTIES SERVED THE APPLICANT/APPELLANT A COPY OF THE CONDITIONAL ORDER BEFORE IT WAS ACTUALLY SIGNED. THE APPLICANT/APPELLANT SOUGHT TO APPEAL IT BECAUSE EVEN THOUGH

IT WAS NOT OFFICIALLY SIGNED. THE SUBMISSION OF THE DOCUMENT ALONE, THOUGH IT WAS NOT SIGNED, STILL CONSTITUTE AN ACT OF DECLARING LAW WHEN IT WAS CLEAR THEIR INTENT WAS INDEED TO SIGN THE CONDITIONAL ORDER INTO EFFECT WHICH THE COURT WAS VOID OF JURISDICTION TO DO. BECAUSE OF THE UNCONSTITUTIONAL ACTION ARGUED.

NONETHELESS, BY THEIR ACTIONS, THE APPLICANT/APPELLANT WAS WELL AWARE OF THE PLOY AND ACT OF MACHINATION INTENDED. THEIR POSITION BY SUCH ACTION IS THAT UNTIL THE CONDITIONAL ORDER WAS ACTUALLY OFFICIALLY SIGNED. THE DOCUMENT LEGALLY WAS NOT AN ORDER AT ALL OF ANY KIND BUT WAS MERELY A PIECE OF PAPER WITH NO LEGAL FORCE WHATSOEVER AND THEREBY, THE S.C. SUPREME COURT WOULD NOT BE ABLE TO ENTERTAIN JURISDICTION TO REVIEW IT IN ANY CAPACITY SINCE THE CONDITIONAL ORDER UNTIL NOW WAS NEVER ACTUALLY SIGNED INTO EFFECT. THUS, THE APPELLANT/PETITIONER'S EFFORTS TO SEEK LEAVE TO APPEAL IT SEEKING SUCH APPELLATE REVIEW PURSUANT TO TORRENCE v. S.C. DEPT. OF CORRECTIONS,--S.E.2d.--, 2021 WL 1114310 (S.C.2021) WOULD HAVE BEEN PREMATURE DUE TO THE ESSENTIAL AND MATERIAL DISTINCTION BETWEEN THE CONDITIONAL ORDER IN QUESTION FOR WHICH THE APPLICANT SOUGHT REVIEW AND THE ORDER THAT CAME UNDER REVIEW IN THE TORRENCE CASE WAS THAT THE TORRENCE ORDER(S) WAS ACTUALLY SIGNED INTO EFFECT AND THE CONDITIONAL ORDER IN THE APPELLANT'S CASE WAS NOT SIGNED INTO EFFECT AT THE TIME HE INITIALLY SOUGHT TO APPEAL IT. THEREFORE, TO PREVENT THIS ACT OF MACHINATION AND INJUSTICE. THE APPLICANT/APPELLANT RENEWS HIS PREVIOUSLY FILED MOTION AND OR PETITION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION AND RENEWS THE PREVIOUSLY FILED NOTICE SEEKING LEAVE TO APPEAL AND SEEK TO ADD THIS NOW OFFICIALLY SIGNED CONDITIONAL ORDER(S), WHICH SERVE TO PROVE THAT THE APPLICANT WAS CORRECT. THE CONSPIRING PARTIES INTENT WAS TO DECLARE LAW BY THEY FILING IT BEFORE THE COURT SIGNED OR UNSIGNED. THIS DOCUMENT IS ALSO FILED RENEWING THE CHALLENGE TO THE BERKELEY COUNTY COURT OF COMMON PLEAS AND CHIEF ADMINISTRATIVE JUDGE'S JURISDICTION TO ISSUE AND ADJUDICATE IT, SEEKING TO APPEAL THE SUBMITTED AND NOW SIGNED CONDITIONAL ORDER

WHICH WARRANTS APPELLATE REVIEW PURSUANT TO TORRENCE v. S.C. DEPT. OF CORRECTIONS,--S.E.2d.--, 2021 WL 1114310(S.C.2021).

THE TORRENCE CASE BEARS ON THE CLAIM(S) MADE BY THE APPLICANT/APPELLANT IN THIS CASE THAT WAS NOT AVAILABLE AT THE TIME THE APPLICANT/APPELLANT FILED HIS LAST PLEADING. THEREFORE, IN FUNDAMENTAL FAIRNESS TO THE APPELLANT. THE APPELLANT MUST BE PERMITTED TO SUPPLEMENT HIS PREVIOUS PLEADING TO ADD THE RULING OF THE S.C. SUPREME COURT THAT THE APPLICANT/APPELLANT FEELS BEAR ON THE ISSUES THAT ARE PRESENTLY PRESENTED BEFORE THIS COURT RELATED TO WHETHER OR NOT THE CONDITIONAL ORDER, NOW SIGNED, MUST BE DEEMED FINAL FOR PURPOSES OF APPEAL WHICH IS COMPOUNDED BY THE FACT THAT THE COURT WAS VOID OF JURISDICTION TO ACCEPT ITS FILING OR TO ALLOW THE RESPONDENT TO SUBMIT THE PROCEDURALLY BARRED RESPONSE OF THE S.C. ATTORNEY GENERAL'S OFFICE AND OR SOLICITOR'S OFFICE THAT WAS FILED IN THIS CASE, KOSCIUSKO v. PARHAM, 428 S.C. 481, 836 S.E.2d. 362(S.C.App.2019); FIRST CITIZEN BANK AND TRUST COMPANY, INC. v. TAYLOR, 431 S.C. 149, 847 S.E.2d. 249(S.C.App.2020); ASTERBADI v. LEITESS, 176 Fed. Appx' 426 CA4 (Va.2006); PYNE v. UNITED STATES, F.Supp.3d., 2016 WL 1377402 (D.C.Md.2016); UNITED STATES v. CONRAD, 675 Fed. Appx' 263, 265 CA4 (N.C.2017); STEEL CO. v. CITIZENS FOR A BETTER ENVIRONMENT, 523 U.S. 83, 118 S.Ct. 1003 (U.S.1998); CHASE v. ANDEAVOR LOGISTICS, L.P., 2019 WL 5847879. * 2 W.D.Tex.; HENDERSON EX REL HENDERSON v. SHINSEL, 131 S.Ct. 1197, 1198+ U.S.; WALLS v. BOEING COMPANY, 2019 WL 4931365 * 2 D.S.C.; MONTGOMERY v. LOUISIANA, 136 S.Ct. 718, 193 L.Ed.2d. 599, 84 U.S.L.W. 4063(U.S.2016); 24 SENATORIAL DIST. REPUBLICAN COMMITTEE v. ALCORN, 820 F3d. 624 (4th.Cir.2016).

INSOMUCH, DUE TO THE VOIDING OF JURISDICTION. THERE IS NOTHING LEFT FOR THE COURT TO DO, THUS, MAKING THE CONDITIONAL ORDER IN THIS CASE THAT IS NOW OFFICIALLY SIGNED, DUE TO DECLARING LAW, A FINAL ORDER FOR PURPOSES OF APPEAL. IT HAS A TIME MANDATE, REQUIRING A RESPONSE BY SUCH DECLARING OF LAW IN AN UNCONSTITUTIONAL PROCEEDING THAT VIOLATES THE SEPARATION OF

POWERS CLAUSE. A FINAL JUDGMENT DISPOSES OF THE WHOLE SUBJECT MATTER OR TERMINATES THE PARTICULAR PROCEEDING OR ACTION (EMPHASIS ADDED) AS THE FILING OF THE NOW SIGNED CONDITIONAL ORDER DOES AND THE S.C. ATTORNEY GENERAL AND OR SOLICITOR'S RESPONSE DID WHERE IT IS OBVIOUS THAT HE WAS ORDERED EX PARTE TO RESPOND AS WELL AS WHICH IS INDICATED BY THE TIMING OF HIS FILING BEING IN CLEAR VIOLATION OF THE SEPARATION OF POWERS CLAUSE, CORRUPTING THE ENTIRE PROCEEDING, LEAVING NOTHING TO DO BUT TO ENFORCE BY EXECUTION WHAT HAS BEEN DETERMINED BY THE DEFAULT AND VOIDING OF THE BERKELEY COMMON PLEAS COURT'S JURISDICTION FOR THIS UNCONSTITUTIONAL ACTION. BY SUCH, THE NOW OFFICIALLY SIGNED AND FILED CONDITIONAL ORDER BECOMES A FINAL ORDER FOR APPEAL PURPOSES, GOOD v. HARTFORD ACCIDENT & INDEMITY CO., 201 S.C. 32, 21 S.E.2d. 209 (S.C.1942); CHARLOTT-MECKLENBURG HOSP. AUTHORITY v. SOUTH CAROLINA DEPT. OF HEALTH AND ENVIRONMENT CONTROL, 387 S.C. 265, 692 S.E.2d. 894 (MEM)(S.C.App.2010). THE CONDITIONAL ORDER IS VOID. JURISDICTION IN FULL IS NOW COMPLETELY ESTABLISHED BEFORE THE S.C. SUPREME COURT AS WELL AS THE APPLICANT/APPELLANT'S CLAIMS ON DEFAULT ON THE CAUSE WHERE THE STATE FAILED TO **"TIMELY"** (EMPHASIS ADDED) RESPOND WAIVING ANY RIGHT TO DO SO NOW WARRANTING APPELLATE REVIEW PURSUANT TO TORRENCE v. S.C. DEPT. OF CORRECTIONS,--S.E.2d.--, 2021 WL 1114310 (S.C.2021).

SINCE NO SUCH ORDERS OR RESPONSE RELATED TO THIS CASE IN QUESTION CAN BE FILED OR SUBMITTED AFTER THE FACT CLEARLY VIOLATING THE SEPARATION OF POWERS CLAUSE PURSUANT TO ARTICLE 1 § 23 OF THE S.C. CONSTITUTION AND OTHER CITED PROVISIONS OF LAW WHERE THE STATE HAS FAILED TO TIMELY REBUT PLACING THEM IN FORFEITURE ON EVERY SINGLE MATTER FILED IN THIS CASE TO INCLUDE THE MOTION TO INTERVENE, NOR CAN THOSE PROCEEDINGS MOVE ANY FURTHER WHERE THE DEFAULT MUST BE GIVEN FULL FAITH AND CREDIT WITHIN THE COURT RECORD, ESPECIALLY IN LIGHT OF THE EGREGIOUS ACTS OF FRAUD UPON THE COURT WHERE THEY CONSPIRED UNDER COLOR OF STATE LAW TO CIRCUMVENT EVEN ADDRESSING THE CLEAR AND OBVIOUS

JURISDICTIONAL CLAIMS RENDERING THE PCR PROCEEDINGS UNCONSTITUTIONAL AND VOID PRODUCING MANIFEST INJUSTICE AND CONSTITUTIONAL ERROR. IF BY THE PROCEDURRALY BARRED RESPONSE THEY WERE SILENT ON THE JURISDICTIONAL CLAIMS MADE. THAT SILENCE IS ACCEPTANCE, CHIMMEBY'S MANAGEMENT CO., LLC. v. AFFILIATED F.M. INSURANCE CO., 152 F.Supp.3d. 159 (2016); BAUER v. QUEST COMMUNICATION CO., LLC., 743 F.Supp.3d. 221 (2014). THE APPLICANT/APPELLANT'S DUE PROCESS CLAIMS CANNOT BE DENIED, CHARLOTT-MECKLENBURG, 387 S.C. AT 267, 692 S.E.2d. AT 894; TORRENCE v. SOUTH CAROLINA DEPT. OF CORRECTIONS,--S.E.2d.--, 2021 WL 1114310 (S.C.App.2021).

IT IS PERSPICUOUS THAT THE COMPROMISED CHIEF ADMINISTRATIVE JUDGE WHO SAT UPON THIS CASE ESTABLISHING CONSTITUTIONAL STRUCTURAL ERROR PURSUANT TO WILLIAMS v. PENNSYLVANIA, 136 S.Ct. 1899 (U.S.2016) IS CONSPIRING UNDER COLOR OF STATE LAW IN ACTS OF MACHINATION TO AID THE S.C. ATTORNEY GENERAL AND OR SOLICITOR'S OFFICE TO CIRCUMVENT THE FACT THAT HE IS IN DEFAULT DUE TO THEIR FAILURE TO BE IN COMPLIANCE TO THE PROCEDURAL PROCESSING RULE IN QUESTION AND DUE TO THEIR FAILURE TO TIMELY RESPOND WHERE IN THIS CASE THE COURT OF COMMON PLEAS JURISDICTION IS MADE VOID. THEIR FURTHER INTENT, IN ACTS OF FRAUD UPON THE COURT, IS TO ASSERT, "WELL THE STATE MAY HAVE FAILED TO TIMELY RESPOND TO THE PLEADING AND ARE IN DEFAULT. BUT THE APPLICANT HAS ALSO FAILED TO TIMELY RESPOND TO WHY THE CONDITIONAL ORDER SHOULD NOT BECOME FINAL. SINCE THEY BOTH FAILED TO TIMELY RESPOND THEN THEY BOTH ARE IN DEFAULT AND THE DEFAULTS "OFF SET" EACH OTHER". THEREFORE, TO PREVENT THIS ADDITIONAL ATTEMPT AND FRAUD, CONSPIRACY AND OBSTRUCTION OF JUSTICE, THE APPLICANT/APPELLANT WILL RESPOND AS TO WHY THE ORDER SHOULD NOT BECOME FINAL EVEN THOUGH THE APPLICANT/APPELLANT CHALLENGES THE COURT OF COMMON PLEAS JURISDICTION TO ISSUE IT, WHICH CANNOT BE WAIVED OR FORFEITED, WHICH CAN BE RAISED AT ANY TIME, AT ANY STAGE, EVEN AFTER A FINAL ORDER HAS BEEN ISSUED IN THE CASE, WHICH THIS DOCUMENT IS SUBMITTED FOR THAT PURPOSE ALSO TO PREVENT THIS FRAUDULENT ATTEMPTED FORFEITURE OF THE CONSTITUTIONAL DUE

PROCESS RIGHTS GIVEN TO THE APPLICANT/APPELLANT. THE JUDGE AND PARTIES NEED TO BE ASHAMED OF THEMSELVES.

INSOMUCH, REFERRING BACK TO THE ISSUE AT HAND. DOES THE STATE AND OR COURT'S FAILURE TO OBTAIN THE **"[W]RITTEN"** (EMPHASIS ADDED) ORDER OF CONTINUANCE BEFORE THE PRESCRIBED TIME DEADLINE EXPIRES VOID THE COURT'S INVOLVED JURISDICTION FOR DUE PROCESS VIOLATION AND UNCONSTITUTIONAL ACTION? FIRST, IT IS BEYOND DISPUTE THAT A PARTY IS NOT PERMITTED TO WAIVE SUBJECT MATTER JURISDICTION, UNITED STATES v. WHEELER, 886 F3d. 415 (4th.Cir.2018); 139 S.Ct. 1318 (U.S.2019); MATHENY v. BRECKON, 2020 WL 871085 (W.D.Va.2020).

FOR THE RECORD, AGAIN, WE ARE NOT DEALING MERELY WITH A PROCEDURAL RULE, LIKE RULE 3(c). THIS PARTICULAR JURISDICTIONAL REQUIREMENT IS BASED UPON JUDICIAL ORDER. AN **"ORDER"** BY ITS VERY NATURE IS MANDATORY, SO THIS IS NOT THE QUESTION. WHAT IS MORE THE ISSUE, ARE THE WORDS IMBUED WITHIN THE ORDER WHICH CLEARLY READ "[S]HALL....BE CONCLUDED." THE WORD **"CONCLUDED"** BY ITS VERY NATURE SETS IN PLACE CLEAR PROHIBITION TO MOVE FURTHER IN ANY WAY UNLESS THE **"JURISDICTIONAL REQUISITE"** OF THE ORDER OF CONTINUANCE IS **"TIMELY"** AND **"PROPERLY"** OBTAINED AND FILED WITHIN THE CASE. IF THE COURT IS PROHIBITED TO GO FURTHER BY THE VERY NATURE OF THE WORDS **"[S]HALL....CONCLUDE"** CLEARLY MANIFESTING AN INABILITY TO **"DECLARE LAW?"** THE ABILITY TO **"DECLARE LAW"** GOES TO SUBJECT MATTER JURISDICTION. FAILURE TO ADHERE TO JURISDICTIONAL TIMELINES WOULD WARRANT DISMISSAL OF THE CAUSE OF THE CONVICTION AT ANYTIME, AS SUCH REQUIREMENTS IMPLICATE THE COURT'S POWER TO ADJUDICATE THE CONTROVERSY PRESENTED, UNITED STATES v. JOHNSON, 451 F.Supp.3d. 436(D.Md.2020); UNITED STATES v. WALLS, 2020 WL 4748457, * 1 D.Md.; UNITED STATES v. EDWARDS, 456 F.Supp.3d. 953, 959+ M.D.Tenn..

THE COURTS MAY NOT DEVELOPE JUDICIAL EXCEPTION TO A JURISDICTIONAL BAR, SUCH AS STATING THE PROSECUTION CAN CONTROL HIS DOCKET AS IT RELATES TO THE JURISDICTIONAL TIME FRAME TO

CONCLUDE THE CASE REQUIREMENT WHERE BY SUCH IN THIS CASE THE COURT WOULD BE EXPANDING THEIR POWER TO HEAR CASES BY JUDICIAL DECREE WHICH IS HIGHLY IMPERMISSIBLE WHERE THE TIMELINE BY THE S.C. SUPREME COURT'S OWN VOLUNTARY ACTIONS HAS BEEN ATTACHED TO THE S.C. CONSTITUTION INVOKING THE PROVISIONS OF ARTICLE 1 § 23 OF THE S.C. CONSTITUTION, UNITED STATES v. SMITH, 2020 WL 2063417, * 2+ N.D.OHIO; UNITED STATES v. WALL, 2020 WL 4748457, * 1 D.Md.; UNITED STATES v. RANDOLPH, 2020 WL 8455501, * 1 S.D.IOWA.; UNITED STATES v. GOWDY, 2020 WL 7706236, * 2 S.D.Miss..

SINCE THE RULE GOVERNS THE COURT'S ADJUDICATORY AUTHORITY IT MUST BE DEEMED JURISDICTIONAL, GONZALEZ v. THALER, 565 U.S. 134, 141, 132 S.Ct. 641, 181 L.Ed.2d. 619 (U.S.2012).

THIS DOES NOT MEAN THAT THE STATE LEGISLATURE OR EVEN THE S.C. SUPREME COURT AS IT PERTAINS TO THE ORDER IN QUESTION, **"MUST INCANT MAGIC WORDS"**, UNITED STATES v. KWAI FUN WONG,--U.S.--, 135 S.Ct. 1625, 1632, 191 L.Ed.2d. 533(2015)(INTERNAL QUOTATIONS OMITTED), LIKE, FOR EXAMPLE, THE WORD "JURISDICTIONAL", ESPECIALLY IN LIGHT OF THE FACT THAT WE ARE DEALING WITH AN "ORDER" WHICH IS MORE THAN A MERE PROCEDURAL RULE LIKE RULE 3(c), WHERE THE PROVISION IS INDISPUTABLY ATTACHED TO THE S.C. CONSTITUTION. RATHER, "TRADITIONAL TOOLS" OF STATUTORY CONSTRUCTION OR THE S.C. SUPREME ORDER ITSELF BEING DIRECTLY ATTACHED TO THE S.C. CONSTITUTION INVOKING A JURISDICTIONAL MANDATE PURSUANT TO ARTICLE 1 § 23 OF THE S.C. CONSTITUTION WHERE CONSTRUCTION BY WORDING **"[S]HALL....CONCLUDE."** IMBUED A PROCEDURAL [redacted] BAR WITH JURISDICTIONAL CONSEQUENCES PROHIBITING ANY FURTHER DECLARING OF LAW OTHER THAN MINISTERIAL AND OR CLERICAL MATTERS, SEBELIUS v. AUBURN REGIONAL MEDICAL CENTER, 568 U.S. 145, 153-54, 133 S.Ct. 817, 184 L.Ed.2d. 627(U.S.2013).

THUS, THE PROVISION MUST BE DEEMED JURISDICTIONAL BEING AN ORDER WHERE THE LEGISLATIVE INTENT IS ATTACHED AND INVOKED VIA THE WORDS **"[S]HALL....CONCLUDE."** CREATING A LEGAL INABILITY TO

DECLARE LAW UNLESS THE LAWS OF DUE PROCESS AND THE U.S. CONSTITUTION ARE INDEED VIOLATED BY SUCH UNCONSTITUTIONAL ACTION WHICH INCLUDE VIOLATING THE PROVISIONS OF ARTICLE 1 § 23 OF THE S.C. CONSTITUTION AND THE SEPARATION OF POWERS CLAUSE, WHICH DEMONSTRATE THAT THIS PROVISION IS NO MERE MANDATORY CLAIM PROCESSING RULE, HAMER v. NEIGHBORHOOD HOUSING SERVICES OF CHICAGO,--U.S.--, 138 S.Ct. 13, 17, 199 L.Ed.2d. 249(2017).

THERE IS CLEAR EXPRESSION OF INTENT INDICATING THE DEPRIVING OF POWER TO DETERMINE AND OR DECLARE LAW WHERE THE LANGUAGE STATES **"[S]HALL....CONCLUDE"**, NOT GIVING ANY LEAVE WAY FOR EXPANSION BY JUDICIAL DECREE WHICH WOULD VIOLATE THE SEPARATION OF POWERS CLAUSE PRODUCING UNCONSTITUTIONAL ACTION VOIDING JURISDICTION UNDER THE CONSTITUTIONAL PRONG TO SUBJECT MATTER JURISDICTION. THIS IS COMPOUNDED BY THE FACT THAT THE UNITED STATES SUPREME COURT IN A RELATED RULING DETERMINED THAT IT DOESN'T MATTER IF THE PROCEDURAL RULE IS MANDATORY OR NOT, OR JURISDICTIONAL OR NOT. ONCE THE DEFENDANT/PARTY IN THE CASE **"TIMELY AND PROPERLY"** RAISE IT, AS IT IS DONE IN THIS CASE, THE RULE DO INDEED BECOMES MANDATORY, THOUGH THIS CLAIM AND RULE MUST BE DEEMED **"JURISDICTIONAL"** ANYWAY, WILLIAMS v. WARDEN, 713 F3d. 1332, 1340 (11th.Cir.2013). THE LANGUAGE PARALLELS LANGUAGE THAT THE U.S. SUPREME COURT HAS DEEMED JURISDICTIONAL SUCH AS IN CASES LIKE MILLER EL v. COCKRELL, 537 U.S. 322, 336, 123 S.Ct. 1029, 154 L.Ed.2d. 931(U.S.2003); 135 S.Ct. AT 1632 WHERE WE ARE DEALING WITH A DUE PROCESS CONSTITUTIONAL RIGHT ATTACHED TO EVEN TIMELINES OF APPEAL WHICH IS ALSO PROTECTED THAT WAS PROPERLY AND TIMELY ASSERTED MAKING IT MANDATORY AS THE UNITED STATES SUPREME COURT DETERMINED IN THE FORTBEND COUNTY CASE. SEE FORTBEND COUNTY, TEXAS v. DAVIS, 139 S.Ct. 1843(U.S.2019); KEVIN COPPAGE, PLAINTIFF v. CITY OF RALEIGH, DEFENDANT, 2021 WL 1234506, * 4 E.D.N.C.; WALTER McFADDEN, PLAINTIFF v. JENNIFER HOBBY, DEFENDANT, 2021 WL 1197502, * 6+ D.Conn.; JERRY GORALSKI LAMB, PLAINTIFF v. THOMAS MUDLEY SECRETARY OF THE NAVY ET. AL., 2021 WL 1198158, * 10 D.Md..

CHARLOTTE-MECKLENBURG CITED THE CASE OF ADICKS v. ALLISON & BRATTON, 21 S.Ct. AT. 245. THE COURT'S DECISION IN ADICKES IN 1884 DID NOT, OF COURSE, CONCERN AN ADMINISTRATIVE APPEAL, AND THE CASES IN QUESTION ARE NOT ADMINISTRATIVE APPEALS. YET IT IS INSTRUCTIVE TODAY IN DISTINGUISHING BETWEEN A FINAL JUDGMENT AND ONE THAT IS INTERLOCUTORY. IN ADICKES, THE COURT FOUND A JUDGMENT WAS FINAL ALTHOUGH "THERE WAS SOME FURTHER ACT TO BE DONE", ID AT.259. THE COURT NOTED "[N]OTHING WAS LACKING BUT A CALCULATION OF THE INTEREST, SIMILAR IN THIS CASE, WHERE ALL THAT IS LEFT IS AN ACKNOWLEDGMENT OF THE DEFAULT AND VOIDING OF JURISDICTION, WHERE THIS INJUSTICE RELATED TO THE (2) PRECEDENT SETTING CASES HAS EFFECTED THE INMATE(S) CONSTITUTIONAL DUE PROCESS RIGHTS FOR OVER 15+ YEARS; BUT IF SO. BEING MERE CLERICAL MATTER BEING DEFERRED TO THE OFFICER OF THE COURT, WHOSE DUTY IT IS TO ENTER THE FORMAL DEFAULT AND JUDGMENT WITH THE DISMISSAL OF THE CONVICTIONS ATTACHED THERETO" ID, AND AS TO ANY ARGUMENT THAT THE JUDGMENT IS NOT FINAL BY THE COMMON PLEAS COURT OR S.C. ATTORNEY GENERAL GOES TO FORM RATHER THAN SUBSTANCE" ID.

ADICKES PROVIDES AN EXAMPLE OF A FINAL JUDGMENT THAT NONETHELESS REQUIRES AN ADDITIONAL "ACT TO BE DONE". IN THE CASES BEFORE US, TO INCLUDE ALL RELATED CASES SUB JUDICE AND BEFORE THE S.C. SUPREME COURT. THE ACT TO BE DONE IS TO ACKNOWLEDGE THE DEFAULT AGAINST THE STATE OF SOUTH CAROLINA AND OR S.C. ATTORNEY GENERAL, GIVING FULL FAITH AND CREDIT TO ALL CLAIMS AND RIGHTS ASSERTED VIA ALL DOCUMENTS FILED AND DISMISS THE CONVICTION WHICH ARE MINISTERIAL AND OR CLERICAL DUE TO THE DEFAULT AND VOIDING OF JURISDICTION VIA THE UNCONSTITUTIONAL ACTION DONE. THUS, THE RIGHTS OF ALL PARTIES (EMPHASIS ADDED) ARE FINAL, CHARLOTT-MECKLENBURG, 387 S.C. AT. 267, 692 S.E.2d. AT. 894; TORRENCE v. S.C. DEPT. OF CORRECTIONS,--S.E.2d.--, 2021 WL 1114310 (S.C.App.2021).

INASMUCH, THE APPLICANT/APPELLANT OBJECTS TO THE BERKELEY COMMON PLEAS COURT FILING THE NOW SIGNED AND ATTACHED CONDITIONAL ORDER AND THE S.C. ATTORNEY GENERAL'S OFFICE AND OR SOLICITOR'S OFFICE RESPONSE SUBMITTED UNDER EGREGIOUS ACTS OF FRAUD UPON THE COURT, CRIMINAL CONSPIRACY, OBSTRUCTION OF JUSTICE, CONSPIRING UNDER COLOR OF STATE LAW WHERE THESE MATTERS ARE BEFORE THE S.C. SUPREME COURT UNDER CASE 2020-001615. ONCE THE CONDITIONAL ORDER IS NOW OFFICIALLY SIGNED AND FILED? THE APPLICANT/APPELLANT IS PERMITTED BY HIS RIGHTS OF DUE PROCESS TO SEEK APPELLATE REVIEW PURSUANT TO TORRENCE v. S.C. DEPT. OF CORRECTIONS,--S.E.2d.--, 2021 WL 1114310 (S.C.2021) TO DETERMINE WHETHER OR NOT THE APPLICANT/APPELLANT IS CORRECT, THAT BY THE PLEADING THE CONDITIONAL ORDER NOW SIGN CONSTITUTE A FINAL ORDER FOR PURPOSES OF APPEAL. FURTHER, ONCE THE APPLICANT/APPELLANT SOUGHT TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION AS IS RENEWED BY THIS DOCUMENT AND FILING. THIS GIVES THE S.C. SUPREME COURT JURISDICTION OVER ALL MATTERS RELATED TO THIS AND ITS SISTER CASES, NOT THE BERKELEY COMMON PLEAS COURT WHERE THESE MATTERS INVOLVE MULTIPLE COUNTY JURISDICTIONS AND THE APPLICANT/APPELLANT IS ARGUING AGAINST THE PRECEDENT ESTABLISHED BY STATE v. GENTRY 2005 AND STATE v. LANGFORD 2012 AND SEEK APPELLATE REVIEW PURSUANT TO TORRENCE v. S.C. DEPT. OF CORRECTIONS. THE POWER TO DETERMINE LAW VIA JURISDICTION NOW LIES BEFORE THE S.C. SUPREME COURT, NOT THE BERKELEY COUNTY COURT OF COMMON PLEAS, ESPECIALLY IN LIGHT OF THE FACT THAT THE INJUSTICE HAPPENED AND WAS CAUSED BY THE S.C. SUPREME COURT RELATED TO THE (2) PRECEDENT SETTING CASES BEING CALLED INTO QUESTION. YOU HAVE THE APPLICANT/APPELLANT OUT OF BERKELEY COUNTY. YOU HAVE BENJAMIN ERIC CASE OUT OF GREENVILLE COUNTY. YOU HAVE ROMEO BROWN OUT OF ORANGBURG COUNTY. YOU HAVE SEQUOIA McKINNON OUT OF CHARLESTON COUNTY. YOU HAVE ANTHONY COOK OUT OF FLORENCE COUNTY. YOU HAVE JAQUES HYATT OUT OF GREENVILLE COUNTY AND OTHER INMATES FROM THE VARIOUS COUNTIES AROUND THE STATE WHOSE PCR APPLICATIONS POSSESS ESSENTIALLY THE SAME EXACT IDENTICAL LEGAL ISSUES DEMONSTRATING THAT THE APPROPRIATE VENUE TO HAVE ALL THESE CASES HEARD IS THE

S.C. SUPREME COURT WHO'S ADJUDICATION RELATED TO THE TWO PRECEDENT SETTING CASES IS THE SOURCE OF THE CONTROVERSY. ORIGINAL JURISDICTION BEFORE THE S.C. SUPREME COURT IS CLEARLY ESTABLISHED, BRADLEY v. HULLANDER, 266 S.C. 188, 222 S.E.2d. 283 (S.C.App.1976); BRADLEY v. HULLANDER, 277 S.C. 327, 287 S.E.2d. 140 (S.C.App.1982); ANDRICK DEVELOPMENT CORP. v. MACCARO, 280 S.C. 103, 311 S.E.2d. 95 (S.C.App.1984); HEMINGWAY EX REL ESTATE OF DAVIS v. MARION COUNTY, S.E.2d., 2013 WL 8538725 (S.C.App.2013); HARRELL v. PINELAND PLANTATION, LTD., 337 S.C. 313, 523 S.E.2d. 766 (S.C.App.1999); ADAMS v. McMASTER, 432 S.C. 225, 851 S.E.2d. 703 (S.C.App.2020).

ADDITIONALLY, WE HAVE FRAUD UPON THE COURT RELATED TO THE BERKELEY COUNTY COURT OF COMMON PLEAS AND PARTIES INVOLVED, AS WELL AS CRIMINAL CONSPIRACY, AS WELL AS CONSPIRING UNDER COLOR OF STATE LAW TO THWART FAIR AND PROPER REVIEW PRODUCING A POTENTIAL FOR BIAS THAT RISES TO AN UNCONSTITUTIONAL LEVEL WHICH VOIDS THE BERKELEY COUNTY COMMON PLEAS COURT'S JURISDICTION AB INITIO BY THE PRESENCE OF THE ADMINISTRATIVE JUDGE IN THIS CASE, WHICH IS SUBSTANTIATED BY THE INJUSTICES PRODUCED BY HIM PRESENTLY ARGUED PURSUANT TO WILLIAMS v. PENNSYLVANIA, 136 S.Ct. 1899, 195 L.Ed.2d. 132, 84 U.S.L.W. 4359 (U.S.2016). THIS IS FURTHER ESTABLISHED WHERE THE ADMINISTRATIVE JUDGE ILLEGALLY WAIVED THE APPLICANT/APPELLANT'S SUBJECT MATTER JURISDICTION CLAIM(S) BY ISSUING AND SIGNING THE CONDITIONAL ORDER AND THE ATTORNEY GENERAL AND OR SOLICITOR'S OFFICE RESPONSE IN THE MANNER IN WHICH THEY DID, TO CRIMINALLY SUPPRESS TRUTH IN THE COURT RECORD IN HOPES OF DENYING THE APPLICANT APPEALABLE ISSUES AND BE SILENT ON THE JURISDICTIONAL ISSUES VIOLATING THEIR FIDUCIARY DUTY TO SPEAK AND ADDRESS SAID JURISDICTIONAL CLAIMS, WHICH CAN BE RAISED AT ANY TIME, AT ANY STAGE, WHICH CANNOT BE WAIVED OR FORFEITED, WHICH ALSO ALLOW THESE MATTERS TO BE HEARD BEFORE THE S.C. SUPREME COURT INVOKING THEIR ORIGINAL JURISDICTION. ONCE THE CONDITIONAL ORDER IS NOW OFFICIALLY SIGNED AND THE APPLICANT/APPELLANT SEEKS LEAVE TO APPEAL TO ESTABLISH APPELLATE REVIEW PURSUANT TO TORRENCE v. S.C. DEPT. OF CORRECTIONS AS WELL?

THE BERKELEY COURT OF COMMON PLEAS DO NOT HAVE JURISDICTION TO HEAR THESE MATTERS WHERE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION IS INVOKED. THIS INCLUDE THE FACT THAT THERE MUST NOW BE A NOTICE OF PERMISSION ISSUED BY THE S.C. SUPREME COURT AND SUCH A NOTICE MUST NOW BE SERVED ON THE APPLICANT/APPELLANT. BY THE BERKELEY COMMON PLEAS COURT AND ADMINISTRATIVE JUDGE'S ACTION INVOLVING THE CONSPIRING PARTIES, THEY VIOLATED THE APPLICANT/APPELLANT'S DUE PROCESS RIGHT OF NON PARTY COLLATERAL ESTOPPEL AND OR RES JUDICATA PURSUANT TO ISSUE PRECLUSION WHICH THE APPELLANT OFFICIALLY ASSERTS BEFORE ALL COURTS INVOLVED WHICH IS JURISDICTIONAL IN NATURE, PRESSLEY v. McMASTER, 2016 WL 1106601 (DSC.2016); ZINN v. C.F.I. SALES & MARKETING, LTD., 415 S.C. 93, 780 S.E.2d. 611 (S.C.2015); CATAWBA INDIAN NATION v. STATE, 407 S.C. 526, 756 S.E.2d. 900 (S.C.2014).

IT IS PERSPICUOUS AS IT RELATES TO THE GENTRY CASE OF 2005, THAT THE APPLICANT AND OTHER INMATES WITHIN THESE MULTIPLE COUNTY JURISDICTION CASES WERE CORRECT AND THE S.C. SUPREME COURT RELATED TO THEIR REVIEW OF THESE MATTERS ABUSED THEIR DISCRETION IN THEIR DETERMINATION PRODUCING UNCONSTITUTIONAL LAW. THIS REQUIRES THE S.C. SUPREME COURT TO NOW HEAR THESE MATTERS IN THEIR ORIGINAL JURISDICTION, NOT THE BERKELEY COMMON PLEAS COURT WHO WOULD NOT HAVE JURISDICTION TO ADJUDICATE ALL THE MULTI-COUNTY JURISDICTION CASES INVOLVED HERE. THERE ARE TWO PRONGS TO SUBJECT MATTER JURISDICTION AS THE APPLICANT/APPELLANT AND OTHER INMATES ARGUED WITHIN THESE MULTI COUNTY JURISDICTION CASES, WHERE THE APPLICANT REFERRED TO THE AS "THE DUE PROCESS PRONG", WHICH IS SYNONYMOUS, IDENTICAL, WITH "THE CONSTITUTIONAL PRONG", AND THE OTHER PRONG IS THE LEGISLATIVE PRONG. THE ISSUE OF INDICTMENT DEFECTS WAS SUPPOSED TO HAVE BEEN ADJUDICATED UNDER THE CONSTITUTIONAL PRONG, NOT THE LEGISLATIVE PRONG. ALL ONE WOULD HAVE TO DO IN SUPPORT OF THIS CLAIM IS LOOK AT THE CASES AND RULINGS UNDER KOSCIUSKO v. PARHAM, 428 S.C. 481, 836 S.E.2d. 362 (S.C.App.2019); FIRST CITIZENS BANK AND TRUST COMPANY, INC. v. TAYLOR, 431 S.C. 149, 847 S.E.2d. 249 (S.C.App.2020); SANDERS v. SAVANNAH HIGHWAY AUTOMOTIVE COMPANY,--S.E.2d.--, 2020 WL

6154305 (S.C.App.2020) AND NATIONSTAR MORGT., LLC. v. MEISER, S.E.2d., 2016 WL 1700516 (S.C.App.2016).

THE APPLICANT/APPELLANT ASSERTS THE RIGHT OF NON PARTY COLLATERAL ESTOPPEL AND OR RES JUDICATA RELATED TO ISSUE PRECLUSION EMERGING FROM THESE CASES CITED WHERE THEY CLEARLY DEMONSTRATE THAT THE APPELLANT AND OTHER INMATES FROM THE VARIOUS COUNTIES WERE RIGHT. THERE ARE TWO PRONGS TO SUBJECT MATTER JURISDICTION AND THE S.C. SUPREME COURT ADJUDICATED THESE TWO PRECEDENT SETTING CASES ARGUED PURSUANT TO RULES OF APPELLATE PROCEDURE, RULE 217, UNDER THE INCORRECT PRONG REQUIRING THE S.C. SUPREME COURT TO REVISIT THIS MATTER NOT THE BERKELEY COUNTY COURT DUE TO THERE BEING MULTIPLE COUNTIES INVOLVED HERE WHERE THE INVOKING OF THEIR ORIGINAL JURISDICTION, THE S.C. SUPREME COURT IS PERMITTED TO HEAR ALL MERITS OF THIS CASE AND THE OTHERS INVOLVED, INCLUDING THOSE FILED UNDER CASE 2019-CP-08-1992. THE APPLICANT/APPELLANT OBJECTS AND RENEWS HIS MOTION FOR LEAVE TO SUPPLEMENT THE PROCEEDINGS UNDER CASE 2020-001615 TO ADDRESS THESE MATTERS RENEWING THE PREVIOUSLY FILED MOTION AND OR PETITION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION TO ADDRESS ALL MERITS TO THESE MATTERS IN THEIR TOTALITY WHICH EXIST ACROSS MULTIPLE COUNTIES WITHIN THIS STATE, VIRGINIA HOSP. ASS'N v. BALILES, 830 F3d. 1308 (4th.Cir.1987); PARKLANE HOSIERY CO., INC. v. SHORE, 439 U.S. 322, 99 S.Ct. 645, 58 L.Ed.2d. 552 (U.S.1979); ARATA v. VILLAGE WEST OWNERS ASS'N INC., 2011 WL 11735004, * 2+, S.C.App.; WILSON v. GMAC MORTG., LLC., F.Supp.3d., 2015 WL 5244967(DSC.2015).

THE APPLICANT/APPELLANT MOTIONS FOR LEAVE TO SUPPLEMENT THE PROCEEDINGS AND MOTION FOR LEAVE TO APPEAL THIS NOW OFFICIALLY SIGNED AND FILED CONDITIONAL ORDER TO SEEK REVIEW PURSUANT TO TORRENCE v. S.C. DEPT. OF CORRECTIONS DUE TO FRAUD UPON THE COURT AND UNCONSTITUTIONAL ACTION, AS WELL AS MOTION TO SEEK INJUNCTIVE AND DECLARATORY RELIEF TO VACATE THE ORDER, REQUIRE THE JUDGE TO RECUSE HIMSELF AND HALT ALL ACTION PURSUED WITHIN THE BERKELEY COUNTY COURT OF COMMON PLEAS UNDER CASE

2019-CP-08-1992 WHERE THEIR ACTIONS ARE PRODUCED BY EGREGIOUS MANIFEST INJUSTICE, AND JURISDICTION BY THE APPLICANT/APPELLANT'S DUE PROCESS RIGHTS NOW LIE BEFORE THE S.C. SUPREME COURT. ALL ACTS, JUDGMENTS, ORDERS OR DECREES DONE BY ALL COURTS ON RECORD THAT ARE REPUGNANT TO THE UNITED STATES CONSTITUTION, AND THAT ARE CONTRARY TO DUE PROCESS LAW ARE **"VOID"** AND CANNOT BECOME LAW OR STAND AS LAW AND MAY BE COLLATERALLY ATTACKED FOR FRAUD UPON THE COURT WHICH IS FREE OF ALL PROCEDURAL LIMITATIONS, ESPECIALLY SINCE THE CONDITIONAL ORDER IS NOW OFFICIALLY SIGNED AND IS NO LONGER MERELY A PIECE OF PAPER ALLOWING THE S.C. SUPREME COURT TO GIVE REVIEW UNDER THE TORRENCE CASE. UNLESS THERE IS PERMISSION NOW OFFICIALLY GIVEN BY THE S.C. SUPREME COURT WHERE THEIR ORIGINAL JURISDICTION IS INVOKED? THE BERKELEY COURT HAS NO JURISDICTION WHERE THESE ISSUES INVOLVE MULTIPLE COUNTIES AND INMATES. ONCE THE CONDITIONAL ORDER IS SIGNED AND FILED ESTABLISHED WITHIN THE COURT RECORD. IT CAN BE COLLATERALLY ATTACKED FOR FRAUD UPON THE COURT WHERE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION IS INVOKED. JURISDICTION TO HEAR ALL MERITS RELATED TO THESE MULTIPLE COUNTY CASES PRESENTLY LIE BEFORE THE S.C. SUPREME COURT IN ITS ORIGINAL JURISDICTION, ASTERBADI v. LEITESS, 176 Fed. Appx' 426 CA4 (Va.2006); PYNE v. UNITED STATES, F.Supp.3d., 2016 WL 1377402 (D.C.Md.2016); MYLES v. DOMINOS PIZZA, LLC., 2017 WL 238436 (D.C.Miss.2017); UNITED STATES v. CONRAD, 675 Fed. Appx' 263, 265 CA4 (N.C.2017); IN RE: GENESYS DATA TECHNOLOGIES INC., 204 F3d. 124 (4th.Cir.2000).

INSOMUCH, SILENCE WILL EQUATE WITH FRAUD WHEN THERE IS A LEGAL AND MORAL DUTY TO SPEAK AS THERE IS IN THIS CASE RELATED TO THE JURISDICTIONAL CHALLENGES AND QUESTIONS. KNOWING FAILURE TO DISCLOSE MATERIAL INFORMATION, LIKE WHETHER THE SUBJECT MATTER JURISDICTION CLAIMS ARE VALID AND MERITOUS, NECESSARY TO PREVENT THE CHIEF ADMINISTRATIVE JUDGE AND SOLICITOR'S STATEMENTS FROM BEING MISLEADING VIOLATING 18 U.S.C. §§ 242 AND 1001 IS FRAUD. THE APPLICANT/APPELLANT MOVES TO STRIKE THEM FROM THE RECORD SINCE THE COURT'S JURISDICTION IS MADE VOID BY THE UNCONSTITUTIONAL ACTION IN THE FIRST PLACE WHERE THESE MATTERS

ARE BEFORE THE S.C. SUPREME COURT VIA TORRENCE APPEAL AND THE INVOKING OF THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION AND NO OFFICIAL LEAVE TO DO SO IS SERVED UPON THE APPLICANT/APPELLANT OR ENTERED IN THE COURT RECORD. IT'S FRAUD. PUBLIC OFFICIAL(S), JUDGES, CONCEALING MATERIAL INFORMATION AS FIDUCIARY TO THE PUBLIC ALSO TO DENY THE APPLICANT/APPELLANT APPEALABLE ISSUES IS FRAUD, U.S. v. KORN, F.SUpp.2d., 2013 WL 289056(W.D.N.Y.2013); TONEY v. COM., 1998 WL 684203 (4th.Cir.1998); SEC v. FARMER, F.Supp.3d., 2015 WL 5838867(S.D.Tex.2015); U.S. v. MOSBERG, 866 F.Supp.2d., 2008 WL 2223869(W.D.Pa.2008); U.S. v. BANK OF AMERICA CORP., F.Supp.2d., 2014 WL 2777397 (N.C.2014).

SUPPRESSION OF TRUTH WITH THE INTENT TO DECEIVE IS FRAUD. FRAUDULENT CONCEALMENT WITHOUT ANY MISREPRESENTATION OR DUTY TO DISCLOSE CAN CONSTITUTE FRAUD, EVEN IN ABSENCE OF FIDUCIARY DUTY, STATUTORY, OR OTHER INDEPENDENT LEGAL DUTY TO DISCLOSE MATERIAL INFORMATION, SUCH AS THE JURISDICTIONAL ISSUES ARE NOT SUBJECT TO STATUTE OF LIMITATIONS BAR OR SUCCESSIVE BAR. COMMON LAW FRAUD INCLUDES ACTS TAKEN TO CONCEAL, LIKE THE COURT CONCEALED BY THE RESPONSE RULING ON THE JURISDICTIONAL CLAIMS THAT CANNOT BE WAIVED OR FORFEITED, CREATE FALSE IMPRESSION, LIKE THE APPELLANT DID NOT DEFEAT THE PROCEDURAL RESTRICTIONS AND OR REQUIREMENTS, MISLEAD, OR OTHERWISE DECEIVE TO PREVENT OTHER PARTY FROM ACQUIRING MATERIAL INFORMATION, SUCH AS A RULING ON THE DEFAULT AND FORFEITURE AND ON THE JURISDICTIONAL CLAIMS MADE, ESTABLISHES THE JURISDICTIONAL CLAIMS BY THEIR SILENCE AND THE UNCONSTITUTIONAL ACTION ON THE PART OF THE BERKELEY CHIEF ADMINISTRATIVE JUDGE INCLUDING DEFAULT ON ALL MATTERS ARGUED IN THIS CASE SUB JUDICE, U.S. v. COTTON, 231 F3d. 890(4th.Cir.2000); UNITED STATES v. CONRAD, 675 Fed. Appx' 263, 265 CA4 (N.C.2017); IN RE: DURAMAX DIESEL LITIGATION,--F.R.D.--, 2018 WL 949856(E.D.Mich.2018); UNITED STATES v. PALIN, 874 F3d. 418(4th.Cir.2017); UNITED STATES v. LUSK, 2017 WL 508589(S.D.Va.2017); UNITED STATES v. CALLOWAY, F.Supp.3d., 2016 WL 4269961(N.D.Cal.2016); MORRISON v. ACCUWEATHER, INC., F.SUpp.3d., 2016 WL 3015226(M.D.Pa.2016).

THE APPLICANT/APPELLANT BRINGS THE COURT(S) AND ALL PARTIES ATTENTION TO EXHIBIT, "DEFAULT AND VOIDING OF JURISDICTION", THE AFFIDAVIT OF FACTS*** THAT WAS RECENTLY FILED IN THE BENJAMIN ERIC CASES PCR PROCEEDING IN GREENVILLE COUNTY COMMON PLEAS COURT THAT CASE IN THE PROCESS OF BEING ASSIGNED A CASE NUMBER BEFORE THE S.C. SUPREME COURT ALSO SEEKING TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION. THE APPLICANT/APPELLANT CHALLENGES THE BERKELEY COUNTY CHIEF ADMINISTRATIVE JUDGE AND THE BERKELEY COUNTY COURT'S JURISDICTION TO EVEN ISSUE THE CONDITIONAL ORDER WHICH AGAIN IS WHY THE APPLICANT/APPELLANT SEEKS LEAVE TO APPEAL IT PURSUANT TO TORRENCE v. S.C. DEPT. OF CORRECTIONS, AND IT BE DEEMED A FINAL ORDER FOR THAT PURPOSE OF APPEAL ON THIS PARTICULAR ISSUE, BECAUSE THE COMMON PLEAS COURT DO NOT POSSES JURISDICTION TO ISSUE IT PURSUANT TO UNITED STATES v. WHEELER, 886 F3d. 415 (4th.Cir.2018); 139 S.Ct. 1318 (U.S.2019) AND FORTBEND COUNTY, TEXAS v. DAVIS, 139 S.Ct. 1843(U.S.2019), AND THE STATE IS IN DEFAULT AND FORFEITURE ON EVERY CLAIM, EVERY DOCUMENT, EVERY INTERVENTION, EVERY MOTION AND PETITION FILED IN THIS CASE SUB JUDICE OR THEY WOULD BE IN CLEAR VIOLATION OF THE SEPARATION OF POWERS CLAUSE. THE APPLICANT/APPELLANT HAS AN IDENTICAL DOCUMENT LIKE THIS FILED UNDER CASE 2019-CP-08-1992, AS DO THE OTHER INMATES INVOLVED FROM THE VARIOUS COUNTIES REQUIRING S.C. SUPREME COURT ORIGINAL JURISDICTION REVIEW, WHERE THE DOCUMENT IN QUESTION IS FILED IN THE BENJAMIN ERIC CASE PCR PROCEEDING UNDER CASE 2020-CP-23-01050 AND THE S.C. SUPREME COURT. THE BERKELEY COUNTY COURT IN FUNDAMENTAL FAIRNESS TO THE APPLICANT AND OTHER INMATES DO NOT HAVE JURISDICTION TO HEAR MATTERS INVOLVING MULTIPLE COUNTY JURISDICTIONS, ESPECIALLY IN LIGHT OF THE FACT THAT ITS JURISDICTION IS MADE VOID BY THE DUE PROCESS CLAIMS ARGUED OR IT WOULD BE A CLEAR VIOLATION OF THE SEPARATION OF POWERS CLAUSE. WITHOUT JURISDICTION, THE COMMON PLEAS COURT CANNOT PROCEED AT ALL IN ANY CAUSE. JURISDICTION IS THE POWER TO DECLARE LAW, AND WHEN IT CEASE TO EXIST, THE ONLY FUNCTION LEFT THE COURT IS THAT OF ANNOUNCING THE FACT AND DISMISSING THE

CAUSE AGAINST THE APPLICANT/APPELLANT RELATED TO THE CONVICTION, NOT PRODUCE AN ILLEGAL CONDITIONAL ORDER OF DISMISSAL. THUS, THE CONDITIONAL ORDER PURSUANT TO THE PREVIOUSLY CITED CASES MUST BE DEEMED A FINAL ORDER FOR PURPOSES OF APPEAL AND MUST BE DEEMED VOID FOR THE UNCONSTITUTIONAL ACTION ARGUED, BECAUSE BY IT THE COMMON PLEAS COURT IS DECLARING LAW. THE COMMON PLEAS COURT HAS NO JURISDICTION TO DO SO DUE TO THE DEFAULT AND VOIDING OF JURISDICTION PRODUCING A CLEAR VIOLATION OF THE SEPARATION OF POWERS CLAUSE. THE CONDITIONAL ORDER MUST BE DEEMED A FINAL ORDER PURSUANT TO TORRENCE, WHEELER AND FORTBEND SINCE NO OTHER ACTION EXCEPT DISMISSING THE CAUSE OF ACTION AGAINST THE APPLICANT/APPELLANT CAN BE FILED WITHIN THIS CASE IN FUNDAMENTAL FAIRNESS TO THE APPELLANT. THE APPLICANT/APPELLANT SEEKS LEAVE TO APPEAL THE NOW SIGNED CONDITIONAL ORDER PURSUANT TO TORRENCE SUPPLEMENTING IT TO THE S.C. SUPREME COURT PROCEEDINGS UNDER CASE 2020-001615. THE STATE FAILED TO TIMELY RESPOND TO CHALLENGE AND SHOULD NOT BE ABLE TO DO SO NOW VIOLATING THE APPLICANT/APPELLANT'S SUBSTANTIAL DUE PROCESS RIGHTS, UNITED STATES v. OLANO, 507 U.S. 725, 113 S.Ct. 1770, 123 L.Ed.2d. 508 (U.S.1993); MOHAWK INDUSTRIES, INC. v. CARPENTER, 558 U.S. 100, 130 S.Ct. 599, 175 L.Ed.2d. 458(U.S.2009).

ALL ORDERS THAT HAVE A DIRECT IMPACT ON SUBSTANTIAL DUE PROCESS RIGHTS ARE APPEALABLE IN LIGHT OF THE FACT THAT THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION IS INVOKED AND REVIEW IS SOUGHT PURSUANT TO THE TORRENCE CASE THE S.C. SUPREME COURT JUST RULED ON. THE S.C. SUPREME COURT MUST TAKE NOTICE DUE TO THE JURISDICTIONAL CLAIM THAT INITIALLY EMERGED FROM THE S.C. SUPREME COURT RELATED TO THE STATE v. GENTRY CASE WHICH IS THE SOURCE OF THE CONTROVERSY, ALSO DUE TO THESE MATTERS INVOLVING INMATES FROM MULTIPLE COUNTIES AROUND THE STATE WITH THE SAME IDENTICAL ISSUES ESSENTIALLY. THESE CLAIMS CANNOT BE WAIVED OR FORFEITED IN FUNDAMENTAL FAIRNESS TO THE APPLICANT/APPELLANT AND THE APPLICANT/APPELLANT MUST BE GIVEN LEAVE TO SUPPLEMENT THE PLEADING UNDER CASE 2020-001615 WITH THE JURISDICTIONAL CLAIMS TO

HAVE THIS INJUSTICE AND FRAUD UPON THE COURT, CONSPIRING UNDER COLOR OF STATE LAW AND OBSTRUCTION OF JUSTICE ADDRESSED OR IT WOULD VIOLATE NOT JUST THE SEPARATION OF POWERS CLAUSE, BUT ALSO THE APPLICANT/APPELLANT'S RIGHTS UNDER THE EQUAL PROTECTION OF THE LAWS CLAUSE, BODMAN v. STATE, 403 S.C. 60, 742 S.E.2d. 363(S.C.2013); MARSHALL v. CITY OF ROCK HILL, S.E.2d., 2015 WL 3884258(S.C.App.2015); IANNELLI v. U.S., 420 U.S. 770, 95 S.Ct. 1284, 43 L.Ed.2d. 616; HOLLOWAY v. PERRY, 2016 WL 4074149; STEEL CO. v. CITIZENS FOR A BETTER ENVIRONMENT, 523 U.S. 83, 118 S.Ct. 1003(U.S.1998); TAMM v. CINCINNATI INSURANCE COMPANY, 2020 WL 60932 (S.D.N.Y.2020); CHASE v. ANDEAVOR LOGISTICS, L.P., 2019 WL 5847879, * 2 W.D.Tex.; UNITED STATES v. VALLADARES, 2019 WL 4888629, * 1, W.D.Tex.; UNITED STATES v. GORDON, 2019 WL 5586966, * 1 E.D.Mich.; IN RE: GEE, 941 F3d. 153, 161+ 5TH. Cir.(La.); UNITED STATES v. CAVERGNE, 785 Fed. Appx' 212, 217+ 5TH. Cir.Tex.; HENDERSON EX REL HENDERSON v. SHINSEL, 131 S.Ct. 1197, 1198+ U.S.; BURGESS v. UNITED STATES, 2019 WL 7293400 * D.Md.; BARNES v. GIVENS, 2019 WL 5579543, * 3, W.D.Tex.; WALLS v. BOEING COMPANY, 2019 WL 4931365 * 2 D.S.C..

IT DOESN'T MATTER WHERE THE LEGAL ISSUES ARGUED CAME FROM. THEY COULD HAVE CAME FROM FORMER PRESIDENT OBAMA, SUDAM HUSAIN, THE INCREDIBLE HULK, AN ANGEL FROM HEAVEN, IRON MAN, SUPERMAN, THE AID OF THE LAW LIBRARY CLERK LAWRENCE CRAWFORD, OR PRESIDENT ABRAHAM LINCOLN. ONCE THE APPLICANT/APPELLANT COLLECTIVELY AND OR JOINTLY WORKED ON AND RESEARCHED THE LEGAL ISSUES OF CONCERN MAKING THEM ALSO **"PERSONALLY"** HIS OWN, AND **"PERSONALLY"** (EMPHASIS ADDED) DETERMINED THAT THE LEGAL ISSUES IN QUESTION DIRECTLY IMPACT HIS CASE, AND THEN **"PERSONALLY"** (EMPHASIS ADDED) DECIDED TO PLACE THE LEGAL ISSUES IN HIS CASE WHERE THE APPLICANT IS MASTER TO DECIDE WHAT LAW HE WILL RELY UPON? TO PREVENT OR DENY AND OR IMPEDE AND OR OBSTRUCT THEIR REVIEW IN THE APPLICANT/APPELLANT'S CASE WOULD BE A CRIMINAL ACT OF CONSPIRACY, OBSTRUCTION OF JUSTICE AND A VIOLATION OF THE APPLICANT/APPELLANT'S CONSTITUTIONAL DUE PROCESS RIGHT OF

AUTONOMY, McCOY v. LOUISIANA, 138 S.Ct. 1500, 200 L.Ed.2d. 821 (U.S.2018); THE FAIR v. KOHLER DIE & SPECIALTY CO., 228 U.S. 22, 33 S.Ct. 410(U.S.1913); CATERPILLAR INC. v. WILLIAMS, 482 U.S. 386, 107 S.Ct. 2425(U.S.1987).

IT IS WELL SETTLED IN LAW THAT WILLFUL BLINDNESS AND CONSCIOUS AVOIDANCE IS THE LEGAL EQUIVALENT TO KNOWLEDGE. THIS APPLIES TO THE S.C. SUPREME COURT ALSO IF THEY FAIL TO GIVE JUST AND FAIR REVIEW. THE COMMON PLEAS COURT HAS WILLFULLY, BLINDLY AND CONSCIOUSLY AVOIDED CLEAR JURISDICTIONAL CHALLENGES BEING SILENT ON THE ISSUES IN THIS FRAUDULENTLY PRODUCED CONDITIONAL ORDER AND ATTORNEY GENERAL AND OR SOLICITOR'S RESPONSE, WHICH THEY WERE VOID OF JURISDICTION TO PRODUCE UNDER THE DUE PROCESS/CONSTITUTIONAL PRONG TO SUBJECT MATTER JURISDICTION. THE S.C. SUPREME COURT AT PRESENT DUE TO THESE MATTERS ALSO INVOLVING MULTIPLE INMATES ACROSS MULTIPLE COUNTY JURISDICTIONS IS THE PROPER VENUE AND JURISDICTION TO HAVE ALL OF THESE MATTERS ADDRESSED, NOT THE BERKELEY COUNTY COURT OF COMMON PLEAS. THE APPLICANT/APPELLANT OBJECTS AND RENEWS ALL PREVIOUSLY FILED PETITIONS, MOTIONS, ETC. AND SEEK TO SUPPLEMENT THESE JURISDICTIONAL CLAIMS THAT CANNOT BE WAIVED OR FORFEITED UNDER CASE 2020-001615 TO ADDRESS THE FRAUD AND MANIFEST INJUSTICE IN LIGHT OF THE FACT THAT THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION IS ALREADY INVOKED, ALSO DUE TO THE RECENT TORRENCE RULING, AND THE S.C. SUPREME COURT IS THE SOURCE OF THE GENTRY CASE CONTROVERSY. THE APPLICANT/APPELLANT AGAIN SEEKS LEAVE TO APPEAL THE NOW SIGNED CONDITIONAL ORDER SUBMITTED BY THE PROSECUTOR, STATE ACTORS AND COURT, DUE TO THE COMMON PLEAS COURT DECLARING LAW IN WHICH IT HAD NO JURISDICTION TO DO, WHERE NOW IT IS INDISPUTABLE DUE TO THE SEEKING LEAVE TO APPEAL PURSUANT TO TORRENCE THEY WOULD NOW NEED PERMISSION OFFICIALLY GIVEN ON THE COURT RECORD AND SUCH NOTICE BE SERVED UPON THE APPLICANT/APPELLANT. IN AN ABUNDANCE OF CAUTION THIS DOCUMENT IS ALSO FILED TO DEMONSTRATE WHY THE CONDITIONAL ORDER SHOULD NOT BECOME FINAL TO PREVENT THE ACTS OF MACHINATION CONSPIRED IN BY

THE STATE ACTORS AND BERKELEY COUNTY CHIEF ADMINISTRATIVE JUDGE AND COURT. THE APPLICANT/APPELLANT AS DO THE OTHER INMATES FROM THE MULTIPLE COUNTY JURISDICTIONS SEEK THAT THE S.C. SUPREME COURT ADDRESS ALL MERITS OF THESE MULTIPLE COUNTY JURISDICTION CASES, GLOBAL-TECH APPLIANCES, INC. v. S.E.B., S.A., 563 U.S. 754, 131 S.Ct. 2060, 179 L.Ed.2d. 1167(U.S.2011); U.S. v. FERGUSON, 676 F3d. 440, 105 Fed. R. EVID. SERV. 207 (1st.Cir.2017); U.S. v. JINWRIGHT, 683 F3d. 471(4th.Cir.2021); SORRINGWIND ENERGY, LLC. v. CATIC U.S.A. INCORPORATED,--F3d.--, 5TH. Cir.(Tex.); 460 S. LAKE AVENUE, LTD. v. APPLETON, 2019 WL 7184737, * 1 C.D.Cal.; SLAYTON v. JOHNSON AND JOHNSON, 2019 WL 7208414, * 1 C.D.Cal.; ARBAUGH v. Y & H CORP., 546 U.S. 500, 126 S.Ct. 1235(U.S.2006); STEVENS E. HECKER, PLAINTIFF v. THE STATE OF WASHINGTON, DEFENDANT, 2020 WL 134168 (Fed.Cl.2020); HICKS v. HEART OF HOSPICE, LLC., 2019 WL 6255496(N.D.Miss.2019); KRIKORIAN v. FORD MOTOR COMPANY, 2019 WL 7042939 *S.D.Ala.2019); JEFFERS v. J.P. MORGAN CHASE & CO., 2019 WL 6255311, * 1, S.D.Tex.. THE STATE OF SOUTH CAROLINA AND THE ATTORNEY GENERAL AND OR SOLICITOR'S OFFICE ARE IN FORFEITURE ON EVERYTHING THAT WAS FILED AND ARGUED WITHIN THIS CASE SUB JUDICE, EVERYTHING, DUE TO THEIR ATTEMPTS AT FRAUD, CRIMINAL CONSPIRACY AND OBSTRUCTION OF JUSTICE AND DUE TO THEIR FAILURE TO TIMELY RESPOND WITHIN (365) DAYS OF THE CASE'S FILING AS THE STATUTE(S) BEING ARGUED REQUIRED. TO DETERMINE OTHERWISE WOULD VIOLATE THE SEPARATION OF POWERS CLAUSE. THE APPLICANT/APPELLANT OBJECTS. THEY ARE PROCEDURALLY BARRED TO SUBMIT THE CONDITIONAL ORDER AND ANY RESPONSE ATTACHED TO IT REQUIRING THAT THEY BE RENDERED UNCONSTITUTIONAL AND VOID AND THE APPLICANT/APPELLANT'S SENTENCE AND CONVICTION BE VACATED DUE TO THE UNCONSTITUTIONALITY THE PROCEEDINGS HAS NOW BECOME. THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION DUE TO MULTIPLE INMATES FROM MULTIPLE COUNTIES IS INVOKED MAKING THE S.C. SUPREME COURT THE APPROPRIATE VENUE AND JURISDICTION TO HAVE ALL MERITS ADDRESSED TO INCLUDE THE VACATING OF THE APPLICANT/APPELLANT'S SENTENCE AND CONVICTION, ANTHONY W. HALL, PLAINTIFF v. FRENKEL,

LAMBERT,...., 2020 WL 136658, * 2, E.D.N.Y.; DAVIS v. PALUMBO, 2019 WL 6915949, * 1, W.D.MO..

THE APPLICANT/APPELLANT MOVES FOR AN INJUNCTION AND DECLARATORY JUDGMENT TO HAVE JUDGE YOUNG RECUSED FROM THIS CASE AND TO VOID THE CONDITIONAL ORDER DUE TO THE POTENTIAL FOR BIAS RISING TO AN UNCONSTITUTIONAL LEVEL PRODUCING STRUCTURAL ERROR THAT VOIDS HIS JURISDICTION AB INITIO PURSUANT TO WILLIAMS v. PENNSYLVANIA, 136 S.Ct. 1899 (2016). THE APPLICANT/APPELLANT HAD NO IDEA JUDGE YOUNG WAS SITTING UPON THIS CASE UNTIL NOW. JUDGE YOUNG KNOWS BETTER, VIOLATING HIS OATH OF OFFICE TO UPHOLD THE STATE AND FEDERAL CONSTITUTIONS, ABUSING HIS DISCRETION, PRODUCING THIS MISCARRIAGE OF JUSTICE WHEN HE COULD HAVE EASILY TRANSFERRED THIS CASE TO BE HANDLED BY ANOTHER JUDGE. HE FAILED TO DO SO BECAUSE IS INTENT WAS TO DENY THE APPLICANT/APPELLANT THE SUBSTANTIAL DUE PROCESS RIGHTS ARGUED. JUDGE YOUNG SAT ON TWO OF THE APPLICANT/APPELLANT'S CASES PRIOR TO THIS; THE APPELLANT'S BOND HEARING PROCEEDINGS IN WHICH HE IN BIAS DENIED THE APPELLANT HIS BOND. HE ALSO SAT ON A PROCEEDING SEEKING TO REMOVE STATE APPOINTED COUNSEL FROM THE APPLICANT/APPELLANT'S CASE, WHERE THAT COUNSEL CONSPIRED UNDER COLOR OF STATE LAW WITH THE SOLICITOR'S OFFICE AND JUDGE YOUNG TO COMPROMISE THOSE PROCEEDINGS AND THROW THE APPLICANT/APPELLANT UNDER THE BUS. IT BECOMES PERSPICUOUS THAT JUDGE YOUNG SHOULD HAVE NEVER SAT UPON THESE PROCEEDINGS TO ACT IN A SIMILAR MANNER, WHICH IS CLEARLY DEMONSTRATED BY THE COMPROMISED JUDGE ALLOWING THE CONDITIONAL ORDER TO BE ISSUED IN THIS CASE, IGNORING CLEAR INDISPUTABLE JURISDICTIONAL CHALLENGES WHERE THE COMMON PLEAS COURT IS VOID OF JURISDICTION DUE TO THE UNCONSTITUTIONAL ACTION ARGUED. THIS IS CLEAR MANIFEST INJUSTICE, DEMONSTRATING THAT BY HIS PRESENCE THE POTENTIAL FOR BIAS RISES TO AN UNCONSTITUTIONAL LEVEL, VOIDING JUDGE YOUNG'S JURISDICTION AB INITIO VIA THE CONSTITUTIONAL STRUCTURAL ERROR THAT EXIST BY HIM SITTING ON THIS CASE WHEN HE COULD HAVE EASILY TRANSFERRED THIS CASE TO ANOTHER JUDGE, WILLIAMS v. PENNSYLVANIA, 136 S.Ct. 1899, 195 L.Ed.2d. 132, 84 U.S.L.W. 4359(U.S.2016); UNITED STATES v. QUINONES,--F.Supp.3d.--, 2016 WL 4413149 (S.D.W.Va.2016);

KENWOOD GARDENS CONDOMINIUM, INC. v. WHALEN PROPERTIES, LLC., 2016 WL 6788052 * 11+ (Md.2016).

INASMUCH, IF YOU TAKE A FATALLY DEFECTIVE INDICTMENT(S) AND BRING IT BEFORE A CRIMINAL COURT FOR THE PURPOSE OF ILLEGALLY PROCURING A CONVICTION, CONSTRUCTIVELY AMENDING THE INDICTMENT(S) ALL OVER THE PLACE ON ESSENTIAL ELEMENTS AND OR ALLEGATIONS OF THE OFFENSE(S), INCLUDING THE MENS REA ELEMENTS OF THE OFFENSE(S), TAKING AWAY THE PRESUMPTION OF INNOCENCE, PREDETERMINING IN ADVANCE THE OUTCOME OF THE PROCEEDINGS, DESPITE ANY INSUFFICIENT CURATIVE INSTRUCTION, **"BOILERPLATE"**, SHIFTING THE BURDEN OF PERSUASION, DEPRIVING THE DEFENDANT OF PROPER AND FAIR NOTICE, AND OF KNOWLEDGE OF EXACTLY WHAT HE IS CALLED UPON TO MEET AND DEFEND? THOSE CRIMINAL PROCEEDINGS IN QUESTION BECOME A VIOLATION OF DUE PROCESS LAW, IS A FORM OF PROSECUTIONAL MISCONDUCT, IS AN ACT OF FRAUD UPON THE COURT, IS A VIOLATION OF THE 4TH., 5TH., 6TH., 13TH., 14TH., 15TH. AMENDMENTS OF THE U.S. CONSTITUTION BY WHAT IS ARGUED IN THIS CASE, BECOMES UNCONSTITUTIONAL AND **"VOIDS"** THE CRIMINAL COURT'S JURISDICTION FOR THIS UNCONSTITUTIONAL ACTION, WHICH IS TO BE ADJUDICATED UNDER THE DUE PROCESS/CONSTITUTIONAL PRONG TO SUBJECT MATTER JURISDICTION, NOT THE LEGISLATIVE PRONG AS THE GENTRY COURT IN AN ABUSE OF DISCRETION DONE IN THE PAST. THE CLAIM(S) BEING JURISDICTIONAL IN NATURE, CANNOT BE WAIVED AND OR FORFEITED, CAN BE RAISED AT ANY TIME, AT ANY STAGE, EVEN AFTER A FINAL ORDER IN ANY OF THE RELEVANT CASES INVOLVED HAS BEEN ISSUES (SEE CITATIONS OF LAW ARGUED). ANY ACT, ORDER, JUDGMENT OR LAW THAT STAND IN BLATANT DEFIANCE TO THE U.S. CONSTITUTION OR THAT IS CONTRARY TO DUE PROCESS LAW, CANNOT BECOME LAW OR STAND AS LAW. THUS, THE APPLICANT/APPELLANT'S SENTENCE AND CONVICTION MUST BE VACATED, WHICH DO NOT EVEN TAKE INTO ACCOUNT THE OTHER LEGAL ISSUES AND DUE PROCESS VIOLATIONS ARGUED AND DEFAULTED ON BY THE STATE OF SOUTH CAROLINA PLACING THEM IN FORFEITURE ON ALL CLAIMS MADE AND ON ALL CAUSES OF CONVICTION, PETITIONS TO INTERVENE, AND EVERYTHING ELSE THAT IS ARGUED IN THIS CASE SUB JUDICE, BANK MARKAZI v. PETERSON, 136 S.Ct. 1310, 194 L.Ed.2d. 463, 84

U.S.L.W. 4222 (U.S.2016); STAR ATHLETICA, LLC. v. VARSITY BRANDS, INC., 137 S.Ct. 1002, 197 L.Ed.2d.354, 85 U.S.L.W. 4139(U.S.2017); LOUMIET v. UNITED STATES, 65 F.Supp.3d. 19 (2014); WELLS FARGO BANK N.A. v. H.M.H. ROMAN TWO N.C., LLC., 859 F3d. 295 (4th.Cir.2017); MILFORD v. MIDDLETON, 2018 WL 348059 (DSC.2018).

THE LAW AS DETERMINED BY THE UNITED STATES SUPREME COURT IS CLEAR AND UNAMBIGUOUS ON THE ISSUES SUCH AS THE ONES BEING ARGUED WITHIN THIS CASE. IF A RULING HAS BEEN OBTAINED BY AN UNCONSTITUTIONAL JUDICIAL DETERMINATION, SUCH AS THE GENTRY RULING, SUCH AS ORDERING AND OR ALLOWING THIS CONDITIONAL ORDER TO BE SIGNED AND FILED, OR THE ATTORNEY GENERAL AND OR SOLICITOR'S RESPONSE AND OTHER MATTERS ARGUED, AND OR AN UNCONSTITUTIONAL LEGISLATIVE STATUTE AND OR INTERPRETATION OF LAW AND OR ACT, WHICH INCLUDE FRAUD. THE LAW EXPLAINED IF THIS POSITION IS WELL TAKEN, WHICH IT IS, IT EFFECTS THE **"FOUNDATION"** OF THE **"WHOLE"** (EMPHASIS ADDED) PROCEEDING, CONFIRMING ALSO THAT **"FRAUD AND UNCONSTITUTIONAL ACTION VITIATES EVERYTHING THEY ENTER."** AN UNCONSTITUTIONAL LAW AND OR ACT AND OR STATUTE AND OR JUDICIAL DETERMINATION AND OR CONVICTION IS **"[V]OID"** AND IS AS IF THERE WERE NO LAW AND OR ACT AND OR STATUTE AND OR JUDICIAL DETERMINATION AND OR CONVICTION AND OR CONDITIONAL ORDER AND OR ATTORNEY GENERAL OR SOLICITOR'S RESPONSE MADE OR DONE AT ALL, BEING STRUCTURAL CONSTITUTIONAL ERROR NOT SUBJECT TO THE HARMLESS ERROR DOCTRINE, ESPECIALLY IN LIGHT OF THE DEFAULT, WHICH HAVE JURISDICTIONAL RAMIFICATIONS AS WELL. THE GENERAL RULES IS THAT AN UNCONSTITUTIONAL JUDICIAL DETERMINATION AND OR LEGISLATIVE STATUTE AND OR ACT AND OR CRIMINAL CONVICTION, WHICH INCLUDE THE CONDITIONAL ORDER AND ATTORNEY GENERAL/SOLICITOR'S RESPONSE, THOUGH HAVING THE FORM AND NAME OF LAW, IT IS IN REALITY NO LAW BY SUCH ACTS, BUT IS **"WHOLLY VOID"** AND INEFFECTIVE FOR ANY PURPOSE, TO INCLUDE ANY JUDICIAL DETERMINATION OR CONVICTION ATTACHED TO IT, SINCE ITS UNCONSTITUTIONALITY DATES FROM THE DATE OF ITS ENACTMENT AND OR WHEN IT WAS DONE....IN LEGAL

CONTEMPLATION, IT IS INOPERATIVE AS IF IT HAD NEVER BEEN PASSED OR DONE....SINCE AN UNCONSTITUTIONAL STATUTE AND OR JUDICIAL DETERMINATION AND OR CONVICTION AND OR LAW AND OR ACT IS **"VOID"**, THE GENERAL PRINCIPLE FOLLOWS THAT IT IMPOSES NO DUTY (DUTY TO ANSWER OR MAINTAIN THE CONDITIONAL ORDER OR RESPONSE OR CONVICTION RELATED THERETO), CONFERS NO RIGHTS (THE STATE HAS NO RIGHT TO THIS ILLEGAL CONVICTION PROCURED BY FRAUD AND VIOLATIONS OF DUE PROCESS LAW OR RIGHT TO THE CONDITIONAL ORDER OR STATE RESPONSE.), CREATES NO OFFICE (JUDICIAL, PROSECUTIONAL OR OTHERWISE), BESTOWS NO POWER OR AUTHORITY ON **"ANY PERSON"** (EMPHASIS ADDED)[WHICH MEAN THAT THE COURT(S) INVOLVED JURISDICTION IS MADE VOID PLACING THE STATE AND COURTS INVOLVED IN FORFEITURE], AFFORDS NO PROTECTION (THE COURTS AND PROSECUTORS ARE NOT IMMUNE IF THEY FAIL TO CORRECT THIS MISCARRIAGE OF JUSTICE WHICH VIOLATES THEIR OATHS OF OFFICE TO UPHOLD THE CONSTITUTION(S).), AND JUSTIFIES NO ACTS PERFORMED UNDER IT (SUCH AS THE STATE MAINTAINING THE CONVICTION OR REQUIRING THE APPLICANT/APPELLANT TO RESPOND TO THE TAINTED, CORRUPTED, ILLEGAL PROCEEDING SUB JUDICE VOIDING THE CONVICTION)....A VOID ACT CANNOT BE LEGALLY CONSISTENT WITH A VALID ONE WHERE HERE IT IS COMPOUNDED BY EGREGIOUS ACT OF FRAUD UPON THE COURTS INVOLVED RELATED TO THESE ISSUES OF CONCERN. AN UNCONSTITUTIONAL LAW AND OR STATUTE AND OR JUDICIAL DETERMINATION AND OR CONVICTION CANNOT OPERATE TO SUPERSEDE OR BE PERMITTED TO DEPRIVE A DEFENDANT OF LIBERTY. INDEED INSOFAR AS A CRIMINAL CONVICTION AND OR JUDICIAL DETERMINATION AND OR STATUTE AND OR LEGISLATIVE PROVISION AND OR LAW AND OR ACT RUNS COUNTER TO THE FUNDAMENTAL LAW OF THE LAND, (THE U.S. CONSTITUTION, DUE PROCESS LAW, THAT INDICTMENTS ARE TO BE ADJUDICATED UNDER THE DUE PROCESS/CONSTITUTIONAL PRONG OF SUBJECT MATTER JURISDICTION, THAT THE S.C. SUPREME COURT HAS ORIGINAL JURISDICTION OVER THESE MULTIPLE COUNTY MATTERS, NOT THE BERKELEY COURT.), IT IS SUPERSEDED THEREBY. NO ONE IS BOUND TO OBEY FRAUD OR AN UNCONSTITUTIONAL LAW AND OR ACT AND OR JUDICIAL DETERMINATION. A REVERSIBLE CONVICTION IS REVERSIBLE REGARDLESS OF THE REASON, AND AN INVALID CONVICTION IS NO CONVICTION AT ALL. A CONVICTION UNDER AN UNCONSTITUTIONAL LAW IS NOT MERELY

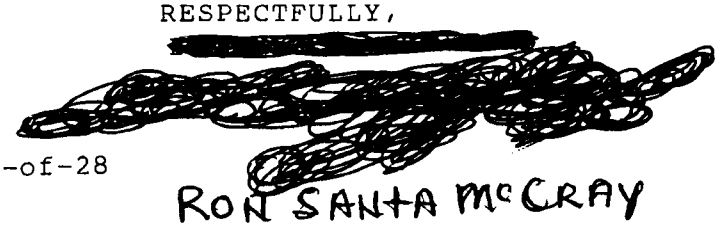
ERRONEOUS, BUT IT IS ILLEGAL AND VOID AND CANNOT BE A LEGAL CAUSE OF IMPRISONMENT. ALL RULES, STATUTES, LAWS, PRACTICES (LIKE THE FRAUD, OBSTRUCTION, CRIMINAL CONSPIRACY AND MACHINATION ENGAGED IN BY THE STATE PARTIES INVOLVING THESE LEGAL ISSUES.), WHICH ARE REPUGNANT TO THE U.S. CONSTITUTION AND DUE PROCESS LAW ARE **"NULL"** AND **"VOID"**, UNITED STATES v. LIBOUS, 858 F3d. 64 (2nd.Cir.2017); CITY OF LEBANNON v. MILBURN, 286 Or. App. 212, 398 P.3d. 486(2017); PEOPLE v. FIELDS, N.E.3d., ILL. App. (1st.) 122012-UB; FARROW v. LIPETZKY, 2017 WL 1540637 (N.C.Cal.2017); UNITED STATES v. AJRAWAT,--Fed. Appx'--, 2018 WL 3045619 (4th.Cir.2018); BETTERMAN v. MONTANA, 136 S.Ct. 1609, 194 L.Ed.2d. 723 (U.S.2016); MARTIN v. UNITED STATES, 2018 WL 1626578, * 2, D.Md.; PYNE v. UNITED STATES, F.Supp.3d., 2016 WL 1377402(D.C.Md.2016); MARBURY v. MADISON, 5TH. U.S. (2 CRANCH) 137, 180; VINES v. UNITED STATES, 27 F3d. 877 REHEARING DENIED CERT. GRANTED VACATED 115 S.Ct. 1247, 513 U.S. 1186, 131 L.Ed.2d. 129; LOUMIET v. UNITED STATES, 65 F.Supp.3d. 19 (2014); JOHNSON v. UNITED STATES,--S.Ct.--, 2015 WL 2473450(U.S.2015); MONTGOMERY v. LOUISIANA, 136 S.Ct. 718, 193 L.Ed.2d. 599, 84 U.S.L.W. 4063(U.S.2016); GEFT OUTDOORS, LLC. v. CONSOLIDATION CITY OF INDIANAPOLIS***, 187 F.Supp.3d. 1002, 1012, S.D.ILL.; HILL v. SNYDER, 821 F3d. 763, 765+ (6th.Cir.Mich.); PEOPLE v. SOLO, N.E.3d., 2017 WL 1838423(2017); 24 SENATORIAL DIST. REPUBLICAN COMMITTEE v. ALCORN, 820 F3d. 624 (4th.Cir.2016); VAETH v. BOARD OF TRUSTEES, F.Supp.3d., 2016 WL 775386(D.C.Md.2016); WELLS FARGO BANK N.A. v. H.M.H. ROMAN TWO N.C., LLC., 859 F3d. 295(4th.Cir.2017); MOSELY v. UNITED STATES, 2018 WL 1187778(N.C.2018).

INSOMUCH, THIS DOCUMENT PRODUCES MORE THAT SUFFICIENT REASON WHY NO CONDITIONAL ORDER SHOULD BECOME FINAL IN THIS CASE. THE APPLICANT/APPELLANT RENEWS THE MOTION AND OR PETITION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION, RENEWS HIS NOTICE SEEKING LEAVE TO APPEAL THIS NOW OFFICIALLY SIGNED CONDITIONAL ORDER SEEKING REVIEW PURSUANT THE TORRENCE CASE AND RENEW ALL OTHER PREVIOUSLY FILED OBJECTIONS, MOTIONS, PETITIONS,

INJUNCTIVE AND DECLARATORY RELIEF SOUGHT. AS LONG AS THE CASE IS NOT MOOT WHERE THESE MATTERS INVOLVE NUMEROUS INMATES ACROSS MULTIPLE COUNTY JURISDICTIONS WHOSE CASES ARE OBVIOUSLY STILL PENDING? THE APPLICANT/APPELLANT IS ENTITLED TO SEEK THE RELIEF OF INVOKING THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION WHERE ONE COUNTY CANNOT ADJUDICATE FOR ALL THE COUNTIES INVOLVED, TANDOM v. NEWSOM,--S.Ct.--, 2021 WL 1328507 (U.S.2021).

WHEN THE APPLICANT/APPELLANT IS STILL BEING BARRED FROM CHALLENGING HIS INDICTMENT DEFECTS AS A SUBSTANTIAL DUE PROCESS VIOLATION AND JURISDICTIONAL CLAIM WHICH IS PERSPICUOUS BY THE FACT THAT THE CONDITIONAL ORDER IN FRAUD CIRCUMVENTED MAKING EFFORT TO EVEN ADDRESS THE ISSUE WHERE THE STATE GOVERNMENT IS CONSTANTLY, CONTINUALLY MAKING USE OF THE STATE v. GENTRY CASE AGAINST THE APPLICANT/APPELLANT AND ALL INMATES WITHIN THIS STATE? THE S.C. SUPREME COURT MUST ACT AND THE LEGAL CLAIMS CANNOT BE DEEMED MOOT EVEN IF THE LOWER COURT IN ACTS OF FRAUD UPON THE COURT ATTEMPT TO MAKE THE CONDITIONAL ORDER A FINAL ORDER, FRIENDS OF THE EARTH INC. v. LAIDLAW ENVIRONMENTAL SERVICES (TOC), INC., 528 U.S. 167, 120 S.Ct. 693(U.S.2000); UZUEGBUNAM v. PRECZEWSKI, 141 S.Ct. 792 (U.S.2021); GENESIS HEALTHCARE CORP. v. SYMCZYK, 569 U.S. 66, 133 S.Ct. 1523, 185 L.Ed.2d. 636(U.S.2013); HANSEN v. UNITED STATES,--Fed.Appx'--, 2021 WL 1016424 (10th.Cir.2021). SINCE THE APPLICANT/APPELLANT HAS A CONSTITUTIONAL DUE PROCESS RIGHT RELATED TO THE ISSUES OF CONCERN. THE CONTROVERSY STILL REMAINS EMBED IN AN ACTUAL CONTROVERSY ABOUT THE APPLICANT/APPELLANT'S LEGAL RIGHTS WARRANTING THE S.C. SUPREME COURT TO INVOKE ITS ORIGINAL JURISDICTION TO RESOLVE THE CONTROVERSY, ALREADY. LLC. v. NIKE, INC., 568 U.S. 85, 133 S.Ct. 721, 184 L.Ed.2d. 553 (U.S.2013); WALKER v. STATE, 843 S.E.2d. 561 (Ga.2020).

RESPECTFULLY,



MAY 16, 2021

28-of-28

RON SANTA McCRAY

IN THE COURT OF APPEALS
FOR THE 1st., 3rd., 4th. CIRCUIT(S) ET. AL.,

DOCKET CASE NO.(S) 21-1330; 21-6275 ET. AL.,

LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE;
RON SANTA McCRAY; YAHYA MUQUIT ET. AL.,

APPELLANTS/PETITIONERS

Vs.

THE UNITED STATES; JUDGE LINARES; THE S.C. DEPT. OF CORRECTIONS;
WARDEN NELSON; THE STATE OF SOUTH CAROLINA ET. AL.,

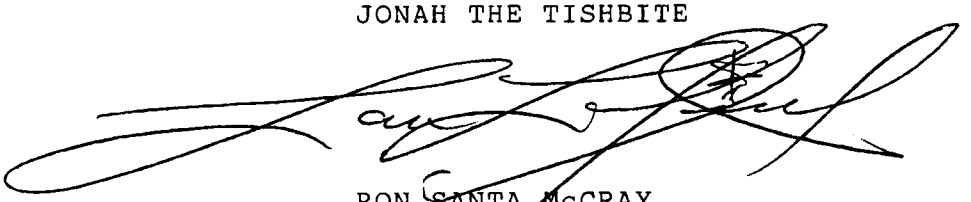
DEFENDANT(S)

AFFIDAVIT OF SERVICE

WE, LAWRENCE L. CRAWFORD, RON SANTA McCRAY ET. AL., DO HEREBY CERTIFY, THAT WE HAVE MAILED AND OR SERVED A COPY OF AN AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION FOR RECUSAL; MOTION TO DISQUALIFY THE S.C. U.S. DISTRICT COURT IN THEIR ENTIRETY; MOTION TO DISQUALIFY THE RICHLAND COUNTY COURT OF COMMON PLEAS IN ITS ENTIRETY; MOTION TO DISQUALIFY THE S.C. SUPREME COURT IN ITS ENTIRETY; MOTION FOR TAG ALONG TRANSFER

PURSUANT TO 28 U.S.C. §§ 1407, 1602-1612 ET. SEQ. AND MOTION TO MOTION THEREFOR, ON THE S.C. SUPREME COURT 1231 GERVAIS STREET COLUMBIA, S.C. 29201, THE RICHLAND COUNTY COURT OF COMMON PLEAS 1701 MAIN STREET COLUMBIA, S.C. 29201, THE S.C. U.S. DISTRICT COURT P.O. 835 CHARLESTON, S.C. 29402, THE 4th. CIRCUIT COURT OF APPEALS 1100 EAST MAIN STREET SUITE 501 RICHMOND, VIRGINIA 23219, THE TEXAS DISTRICT COURT NORTHERN DISTRICT 501 WEST TENTH STREET RM. 310 FORT WORTH TEXAS 76102, THE 1st. CIRCUIT COURT OF APPEALS J.J.M. U.S. COURTHOUSE 1 COURTHOUSE WAY SUITE 2500 BOSTON MASS. 02210, THE McKAY LAW FIRM FOR THE STATE OF SOUTH CAROLINA RICHLAND DEFENDANTS 1303 BLANDING STREET COLUMBIA, S.C. 29201, THE FIRM OF DUBOSE-ROBINSON PC FOR KERSHAW DEFENDANTS 935 BROAD STREET CAMDEN, S.C. 29020, THE 3rd. CIRCUIT COURT OF APPEALS 21400 U.S. COURTHOUSE 601 MARKET STREET PHILADELPHIA, PA. 19106 AND ALL OTHER INVOLVED PARTIES BY U.S. MAIL, POSTAGE PREPAID, BY DEPOSITING IT IN THE INSTITUTION MAILBOX ON AUGUST 29, 2021. IT IS DEEMED FILED THAT DATE, HOUSTON v. LACK, 287 U.S. 266, 273-76, 108 S.Ct. 2397 (U.S.1988).

RESPECTFULLY,
JONAH THE TISHBITE



RON SANTA McCRAY

Ron McCray

AUGUST 29, 2021

IN THE COURT OF APPEALS
FOR THE 1st., 3rd., 4th. CIRCUIT(S) ET. AL.,

DOCKET CASE NO.(S) 21-1330; 21-6275 ET. AL.,

LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE;
RON SANTA McCRAY; YAHYA MUQUIT ET. AL.,

APPELLANTS/PETITIONERS

Vs.

THE UNITED STATES; JUDGE LINARES; THE S.C. DEPT. OF CORRECTIONS;
WARDEN NELSON; THE STATE OF SOUTH CAROLINA ET. AL.,

DEFENDANT(S)

AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION FOR RECUSAL; MOTION TO DISQUALIFY THE S.C. U.S. DISTRICT COURT IN THEIR ENTIRETY; MOTION TO DISQUALIFY THE RICHLAND COUNTY COURT OF COMMON PLEAS IN ITS ENTIRETY; MOTION TO DISQUALIFY THE S.C. SUPREME COURT IN ITS ENTIRETY; MOTION FOR TAG ALONG TRANSFER PURSUANT TO 28 U.S.C. § 1407 AND MOTION TO MOTION THEREFOR

IN RE: CASES 9:21-cv-2526-TLW-MHC; 2006-CP-400-3567; 2021-000740;

2021-000309; 2021-000508; 2021-000592; 2021-000814; 2021-000296; 2004-GS-385; 2020-000974; 2020-000629; 2020-0001615 ET. AL.,

TO: THE 3rd. CIRCUIT COURT OF APPEALS,
THE 4th. CIRCUIT COURT OF APPEALS,
THE 1st. CIRCUIT COURT OF APPEALS,
THE S.C. U.S. DISTRICT COURT,
THE S.C. SUPREME COURT,
THE RICHLAND COUNTY COURT OF COMMON PLEAS,
THE S.C. ATTORNEY GENERAL ET. AL.,

HERE THE COURT(S) AND PARTIES WILL FIND:

(1) A COPY OF THE COMPLAINT THAT MAKE UP CASE 9:21-cv-2526-TLW-MHC.

(2) A COPY OF THE "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO VACATE THE ORDER OF CONTINUANCE RECENTLY FILED; MOTION TO CHALLENGE THE COMMON PLEAS COURT'S JURISDICTION TO ISSUE IT DUE TO UNCONSTITUTIONAL ACTION; MOTION RENEWING THE PREVIOUS FILED MOTION FOR DEFAULT AND JUDGMENT; MOTION FOR RECUSAL; AND MOTION TO MOTION THEREFOR", (12) PAGES DATED AUGUST 20, 2021 FILED IN CASE 2006-CP-400-3567.

(3) A COPY OF THE "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION AND OR PETITION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION; NOTICE SEEKING LEAVE TO APPEAL TO ASSERT THE CLAIM OF NON PARTY RES JUDICATA AND OR COLLATERAL ESTOPPEL DUE TO OTHER RELATED CASES SEEKING REVIEW UNDER TORRENCE v. S.C. DEPT. OF CORRECTIONS; MOTION TO CHALLENGE THE CHARLESTON COMMON PLEAS COURT'S JURISDICTION DUE TO THE CONTINUED ACTS OF FRAUD UPON THE COURT INVOLVING THESE MATTERS AND MOTION TO MOTION

THEREFOR", (13) PAGES DATED JULY 5, 2021 FILED IN CASE 2021-000740 IN THE S.C. SUPREME COURT.

(4) A COPY OF THE "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION AND OR PETITION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION; NOTICE SEEKING LEAVE TO APPEAL TO ASSERT THE CLAIM OF NON PARTY RES JUDICATA AND OR COLLATERAL ESTOPPEL DUE TO THE OTHER RELATED CASES SEEKING REVIEW UNDER TORRENCE v. S.C. DEPT. OF CORRECTIONS; MOTION TO CHALLENGE THE GREENVILLE COMMON PLEAS COURT'S JURISDICTION DUE TO THE CONTINUED ACTS OF FRAUD UPON THE COURT INVOLVING THESE MATTERS AND MOTION TO MOTION THEREFOR", (13) PAGES DATED JULY 10, 2021 FILED IN CASE 2021-000296 IN THE S.C. SUPREME COURT.

(5) A COPY OF THE "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO CHALLENGE THE S.C. SUPREME COURT'S JURISDICTION FOR FILING CASE 2021-000629 IN THE MANNER THEY DID VIOLATING THE APPELLANT'S CONSTITUTIONAL DUE PROCESS RIGHT OF AUTONOMY ESTABLISHING STRUCTURAL ERROR; MOTION TO FILE OBJECTIONS TO THE S.C. SUPREME COURT'S FAILURE TO RULE ON THE MOTION TO CONSOLIDATE ALL CASES INVOLVED; MOTION TO RENEW THE PREVIOUSLY FILED MOTION TO CONSOLIDATE; MOTION TO STRIKE THE RESPONDENT'S RESPONSE DATED JULY 23, 2021 FILED IN CASE 2021-000629; MOTION FOR SANCTIONS DUE TO POTENTIAL FRAUD UPON THE COURT; MOTION TO RENEW ALL PREVIOUSLY FILED MOTIONS, PETITIONS, OBJECTIONS, INJUNCTIVE RELIEF AND OR DECLARATORY RELIEF MADE UNDER CASE 2020-000974 TO ALSO BE HEARD AND RULED UPON UNDER CASE 2021-000629 AND MOTION TO MOTION THEREFOR", (13) PAGES DATED JULY 29, 2021 THAT WAS FILED IN BOTH CASES 2020-000974 AND 2021-000629 WHOSE ORDERS ARE BEING SOUGHT VACATED BEFORE THE 3rd. CIRCUIT DUE TO FRAUD UPON THE COURT INVOLVING THE S.C. SUPREME COURT. ALL ORDERS, JUDGMENTS, DECREES AND ACTS OF ALL COURTS MAY BE COLLATERALLY ATTACKED FOR FRAUD UPON THE COURT WHICH IS FREE OF ALL PROCEDURAL LIMITATIONS SUCH AS THE S.C. SUPREME COURT CLAIMING THEIR IS NO REHEARING. SEE CASES CITED IN ATTACHMENTS AND PREVIOUS FILINGS.

INSOMUCH, THE PLAINTIFFS/APPELLANTS GIVE THE COURT(S) AND PARTIES JUDICIAL NOTICE THAT THE SAME EXACT LEGAL ISSUES RELATED TO CONVICTION THAT ARE THE SAME EXACT LEGAL ISSUES BEFORE THE S.C. SUPREME COURT IN THE CASES REFERRED TO ABOVE, ARE THE SAME EXACT LEGAL ISSUES THAT ARE BEFORE THE NEW JERSEY DISTRICT COURT UNDER CASE 1:18-cv-13459-NLH-KMW, THAT ARE ALSO FILED UNDER CASE 1:18-cv-167-O IN THE TEXAS DISTRICT COURT, ARE THE SAME EXACT ISSUES FILED BEFORE THE BOSTON DISTRICT COURT THAT ESTABLISH THE APPEAL UNDER CASE 19-2005 WHICH FURTHER ESTABLISH THAT WE ARE DEALING WITH MULTI-DISTRICT LITIGATION LITIGATION AND OR PLEADING WARRANTING THE PLAINTIFFS/APPELLANTS SEEKING THE TRANSFERRING OF ALL THESE CASES INVOLVED SINCE THE PLAINTIFF(S) LAWRENCE L. CRAWFORD AND RON SANTA McCRAY MOTIONED TO CONSOLIDATE ALL THESE CASES WITHIN THE S.C. SUPREME COURT JUSTIFYING TRANSFER PURSUANT TO 28 U.S.C. §§ 1602-1612 ET. SEQ. AND 1407. WHERE COMMON FEDERAL ISSUES EXIST, SUCH AS THE U.S. SUPREME COURT FORT BEND TEXAS CASE AND UNITED STATES v. WHEELER CASE EXIST AND THE OTHER FEDERAL LEGAL QUESTIONS EXIST AMONG ACTIONS IN MULTI-DISTRICT LITIGATION, THE PRESENCE OF DIFFERENT LEGAL THEORIES AMONG THE SUBJECT MATTER IS NOT A BAR TO CENTRALIZATION. CENTRALIZATION OF ACTIONS IN MULTI-DISTRICT LITIGATION DOES NOT REQUIRE A COMPLETE IDENTITY OF PARTIES. THE PENDENCY OF RELATED STATE COURT LITIGATION CANNOT BE DEEMED A VALID BAR TO THE CENTRALIZATION OF ACTIONS IN MULTI-DISTRICT LITIGATION. CENTRALIZATION IS WARRANTED WHERE THESE ISSUES INVOLVE A DEFAULT THAT IS FURTHER ESTABLISHED BY CASE 2006-CP-400-35767 WHERE THE S.C. SUPREME COURT IS CONSPIRING UNDER COLOR OF STATE LAW TO THWART FAIR AND JUST REVIEW IN ACTS OF MACHINATION AND IN ACTS OF FRAUD UPON THE COURT, IGNORING JURISDICTIONAL FACTS WHICH CANNOT BE WAIVED OR FORFEITED OR LEGALLY DISPUTED AND THE MATTERS INVOLVE THE FIDUCIARY DUTY OF THE SOLE CORPORATION WHICH IS ALSO DEFAULTED ON AT THE STATE LEVEL, IN RE; BANK OF NEW YORK MELLON CORP., FOREIGN EXCHANGE TRANSACTION LITIGATION, 857 F.Supp.2d. 1371 (2012); IN RE:

DARVOCET, DARVON AND PROPOXYPHENE PRODUCTS LIABILITY LITIGATION, 780 F.Supp.2d. 1379 (2011); IN RE: MARRIOTT INTERNATIONAL INC., CUSTOMER DATA SECURITY BREACH LITIGATION, 363 F.Supp.3d. 1372(2019); SCHOONER EXCHANGE v. McFADDON, 7 CRANCH 116, 11 U.S. 116, 1812 WL 1310, 3 L.Ed. 287 (U.S.1812); DOE v. FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA, 189 F.Supp.3d. 6, 16 (D.D.C.2016); DOGAN v. BARAK, F.Supp.3d., 2016 WL 6024416 (C.D.2016).

THE PETITIONERS MOTION TO VACATE THE ORDERS ISSUED BY THE S.C. SUPREME COURT RELATED TO THESE CASES, CASES 2020-00974; 2020-001615 AND 2021-000629 AND SEEK TO TRANSFER ALL CASES INVOLVED DUE TO FRAUD UPON THE COURT AND UNCONSTITUTIONAL ACTION WHICH PRESENTS A CHALLENGE TO THE COURT'S JURISDICTION RENDERING THOSE ORDERS VOID FOR THAT UNCONSTITUTIONAL ACTION AS WELL AS THE CONVICTIONS ATTACHED TO THEM. IT WAS AN ACT OF FRAUD UPON THE COURT FOR THE SUPREME COURT TO DETERMINE THAT THERE ARE NO EXCEPTIONAL CIRCUMSTANCES THAT EXIST IN THESE CASES WHEN NOT ONLY DO YOU HAVE THE S.C. ATTORNEY GENERAL DEFAULTING ON THE LEGAL CLAIMS IN THE FILED POST CONVICTION RELIEF CASES INVOLVED WHICH IS COMPOUNDED BY THE HOLDINGS FROM BOTH THE 4th. CIRCUIT AND U.S. SUPREME COURT PURSUANT TO WHEELER AND FORT BEND TEXAS CASES. BUT YOU HAVE THE S.C. ATTORNEY GENERAL AND THE SUPREME COURT CONSPIRING UNDER COLOR OF STATE LAW TO BLOCK THE APPELLANT "CRAWFORD" FROM THE PCR COURT FOR OVER (15) YEARS WITH NO ORDER ISSUED BY ANY COURT EXPLAINING WHY WHICH FORCED HIS SISTER TO FILE HIS DNA APPLICATION WHICH IS CLEAR EVIDENCE OF THIS EGREGIOUS OBSTRUCTION OF JUSTICE. THEY WON'T EVEN ADHERE TO THERE OWN STATE LAWS. IT IS THE CLERKS MINISTERIAL DUTY TO DOCKET FILINGS IRRESPECTIVE OF POTENTIAL FLAWS THAT MAY EXIST, MILLER v. STATE, 377 S.C. 99, 102, 659 S.E.2d. 492, 493(2008)(IT IS NOT WITHIN THE CLERK OF COURT'S AUTHORITY TO REFUSE TO PERFORM HER DUTY BASED ON HER OPINION THAT A FILING LACKS LEGAL MERIT OR IS UNTIMELY.). THIS DUTY IS NOT DISCRETIONARY. SEE 21 C.J.S. COURTS § 335(2021). UNLESS AUTHORIZED BY STATUTE OR A COURT RULE OR A

JUDICIAL ORDER EXPLAINING WHY? THE PLAINTIFF/APPELLANT CRAWFORD SHOULD HAVE NEVER BEEN DENIED HIS CONSTITUTIONAL RIGHTS OF DUE PROCESS AND ILLEGALLY BLOCKED FROM THE STATE COURT(S) AS IT PERTAINS TO FILING HIS PCR OR SEEKING THAT DNA EVIDENCE OF ACTUAL INNOCENCE FOR OVER (15) YEARS, BARNES v. STATE,---S.E.2d.--, 2021 WL 2306725 (S.C.App.2021).

THE STATE ACTORS ILLEGALLY FRAMED THE PLAINTIFF/APPELLANT "CRAWFORD" A MEMBER OF THE SOLE CORPORATION, BEHIND RELIGIOUS AND RACIAL HATRED SUPPRESSING EVIDENCE OF ACTUAL INNOCENCE WHICH WAS WHY HE WAS CRIMINALLY BLOCKED FROM THE STATE COURT(S) OR DELAYED IN THE STATE COURT AS IT PERTAINS TO CASE 2006-CP-400-3567 FOR OVER (15) YEARS WARRANTING THE RECUSAL AND DISQUALIFYING OF NOT JUST THE S.C. U.S. DISTRICT COURT. BUT ALSO THE S.C. STATE COURTS AS WELL BY OUR RIGHTS UNDER THE EQUAL PROTECTION OF THE LAWS CLAUSE AND THE DUE PROCESS CLAUSE, U.S. v. $41,320 U.S. CURRENCY, 9 F.Supp.3d. 582 (2014); WHITE v. MANIS, 2014 WL 1513280 (DSC.2014); BETTERMAN v. MONTANA SUPRA.; UNITED STATES v. JAMES, 712 Fed. Appx' 154, 161+ 3rd.Cir.(N.J.). THE FAILURE TO DISCLOSE MATERIAL EVIDENCE IN THIS CASE SUCH AS THAT DNA THE PETITIONER/APPELLANT/PLAINTIFF "CRAWFORD" WAS BLOCKED FROM FOR OVER (15) YEARS, ALONG WITH THE FACT THAT THE STATE OF SOUTH CAROLINA PRODUCED FRAUD INDICTMENTS THAT NEVER WENT BEFORE A GRAND JURY IS MORE THAN SUFFICIENT TO UNDERMINE THE CONFIDENCE IN THE CONVICTION. THE SUPPRESSION OF THE PROSECUTION OF EVIDENCE FAVORABLE TO THE ACCUSED UPON REQUEST WHICH WAS REPEATEDLY MADE AND IGNORED BY EVEN THE STATE SUPREME COURT VIOLATES DUE PROCESS WHERE THE EVIDENCE IS MATERIAL EITHER TO GUILT OR TO PUNISHMENT, IRRESPECTIVE OF THE GOOD FAITH OR BAD FAITH OF THE PROSECUTION WHERE IN THIS CASE BAD FAITH IS CLEARLY SHOWN BY THEY COMPROMISING THE STATE SUPREME COURT TO PREVENT REVIEW DUE TO THE UNPRECEDENTED CLAIMS MADE, WEARRY v. CAIN, 136 S.Ct. 1002, 194 L.Ed.2d. 78 (U.S.2016); UNITED STATES v. BURNS, 2016 WL 3910273; DENNIS v. SECRETARY, PENNSYLVANIA DEPART. OF CORRECTIONS,--F3d.--, 2016 WL 4440925 (3rd.Cir.2016); U.S. v.

HARE, 820 F3d. 93 (4th.Cir.2016); PEGG v. HEARNBERGER, 845 F3d. 112 (4th.Cir.2017).

BY SOUTH CAROLINA'S OWN STATE LAWS, DEFAULT JUDGEMENT IS AND ENTRY OF JUDGMENT OCCURS WHEN DAMAGE AMOUNTS LIKE THE $3.2 BILLION WHICH HAS COMPOUNDED OVER THE YEARS IS DETERMINED WHICH IS WHY THE S.C. SUPREME COURT IS CONSPIRING UNDER COLOR OF STATE LAW NOT TO ENTERTAIN IT. ITS A POISON PILL AGAINST THE STATE OF SOUTH CAROLINA FROM WHICH THAT COURT IS FRAUDULENTLY PROTECTING THEM FROM OBSTRUCTING JUSTICE. THE DEFENDANTS FAILED TO SHOW UP AT THE LAST HEARING UNDER CASE 2006-CP-400-3567 PLACING THEM IN DEFAULT AND FORFEITURE. BY DEFAULTING THE DEFENDANTS FORFEITS HIS RIGHT TO ANSWER OR OTHERWISE PLED TO THE COMPLAINT AND THE STATE ACTORS ARE CONSPIRING TO CONCEAL THE MATERIAL FACT OF THE DEFAULT. IN ESSENCE, THE DEFAULTING DEFENDANT CONCEDES LIABILITY, 5 STAR LIFE INSURANCE CO. v. PEEK PERFORMANCE,--S.E.2d.--, 2021 WL 3073289 (S.C.App.2021). IF THE SUPREME COURT WOULD HEAR IT. THEY WOULD HAVE TO ADMIT THE DEFAULT SO THEY ARE CONSPIRING IN FRAUD TO BE SILENT AND CIRCUMVENT RULING AND TO PREVENT A COMPLETE RECORD FROM BEING ESTABLISHED BEFORE THE S.C. SUPREME COURT. REVERSAL IS REVERSAL, REGARDLESS OF REASON, AND AN INVALID CONVICTION IS NO CONVICTION AT ALL IN LIGHT OF ALL THE UNCONSTITUTIONAL LAWLESSNESS OCCURRING IN THESE CASES WHICH VOID THE S.C. SUPREME COURT'S JURISDICTION FOR THIS UNCONSTITUTIONAL ACTION, WHICH DUE TO THIS, SUCH WOULD NOT PREVENT REVIEW UNDER § 1983 AS IS SOUGHT BEFORE THE VARIOUS MULTI-DISTRICT LITIGATION COURT(S). CONVICTION UNDER AN UNCONSTITUTIONAL LAW IS NOT MERELY ERRONEOUS, BUT IS ILLEGAL AND VOID, AND IS AS IF THERE WERE NO CONVICTION AT ALL, AND CANNOT BE A LEGAL CAUSE OF IMPRISONMENT, PEOPLE v. FIELDS, N.E.3d. ILL. App. (1st.) 122012-UB; FARROW v. LIPETZKY, 2017 WL 1540637(N.C.Cal.2017); UNITED STATES v. AJRAWAT,--Fed. Appx'--, 2018 WL 3045619 (4th.Cir.2018); MONTGOMERY v. LOUISIANA, 136 S.Ct. 718, 193 L.Ed.2d. 599, 84 U.S.L.W. 4063(U.S.2016); 24 SENATORIAL DIST. REPUBLICAN COMMITTEE v. ALCORN, 820 F3d. 624 (4th.Cir.2016).

SILENCE CAN EQUATE WITH FRAUD WHEN THERE IS A LEGAL AND MORAL DUTY TO SPEAK AS THERE IS IN THIS CASE WHERE THE S.C. SUPREME COURT IS TRYING TO BE SILENT AND PROTECT THE STATE FROM THAT $3.2 BILLION DEFAULT AND PREVENT THE ESTABLISHING OF RIGHTS UNDER 28 U.S.C. § 1602-1612 ET. SEQ.. THE PUBLIC OFFICIALS VIOLATED THEIR OATHS OF OFFICE TO UPHOLD THE STATE AND FEDERAL CONSTITUTION(S) BY THIS FRAUD RENDERING ANY ORDER PRODUCED BY THEM VOID FOR THIS UNCONSTITUTIONAL ACTION WHERE THEY ARE FIDUCIARIES OF THE COURT. KNOWING FAILURE TO DISCLOSE MATERIAL INFORMATION TO PREVENT STATEMENT OR ORDER FROM BEING MISLEADING IS FRAUD, LIKE THE FACT THAT THE PETITIONER/APPELLANT "CRAWFORD" WAS BLOCKED FROM FILING DNA AND PCR FOR OVER (15) YEARS WITHOUT JUDICIAL ORDER EXPLAINING WHY AND THE DEFAULT CLEARLY OCCURRING NOT JUST UNDER CASE 2006-CP-400-3567 BUT IN ALL THESE CASES OF CONCERN SUPPORTED BY WHEELER AND THE FORT BEND TEXAS CASES IS FRAUD, U.S. v. KORN, F.Supp.2d., 2013 WL 2898056 (W.D.N.Y.2013); TONEY v. COM., 1998 WL 684203 (4th.Cir.1998); SEC v. FARMER, F.Supp.3d., 2015 WL 5838867(S.D.Tex.2015); U.S. v. MOSBERG, 866 F.Supp.2d. 275 (D.N.J.2011); U.S. v. WECHT, F.Supp.2d., 2008 WL 2223869(W.D.Pa.2008).

SUPPRESSION OF TRUTH WITH INTENT TO DECEIVE IS FRAUD. FRAUDULENT CONCEALMENT WITHOUT ANY MISREPRESENTATION OR DUTY TO DISCLOSE CAN CONSTITUTE FRAUD, EVEN ABSENCE OF FIDUCIARY, STATUTORY, OR OTHERWISE INDEPENDENT LEGAL DUTY TO DISCLOSE MATERIAL INFORMATION LIKE THE DNA, THE FACT THAT CRAWFORD WAS BLOCKED FROM THE COURT WITHOUT JUDICIAL ORDER EXPLAINING WHY, THAT THE DEFAULT IS SOLIDIFIED BY CASE 2006-CP-400-3567, 3568 AND 3569, WHERE COMMON LAW FRAUD INCLUDES ALL ACTS TAKEN TO CONCEAL, CREATE A FALSE IMPRESSION, MISLEAD, OR OTHERWISE DECEIVE TO PREVENT OTHER PARTY FROM ACQUIRING MATERIAL INFORMATION AS THE STATE SUPREME COURT DID HERE, U.S. v. COTTON, 231 F3d. 890 (4th.Cir.2000); IN RE: DURAMAX DIESEL LITIGATION,--F.R.D.--, 2018 WL 949856 (E.D.Mich.2018); UNITED STATES v. LUSK, 2017 WL 508589(S.D.Va.2017); UNITED STATES v. CALLOWAY, F.Supp.3d., 2016 WL 4269961(N.D.Cal.2016); MORRISON v. ACCUWEATHER, INC.,

F.Supp.3d., 2016 WL 3015226(M.D.Pa.2016).

IT IS WELL SETTLED THAT WILLFUL BLINDNESS AND CONSCIOUS AVOIDANCE IS THE LEGAL EQUIVALENT TO KNOWLEDGE, WHITE OAK MANOR INC. v. LEXINGTON INS. CO., 407 S.C. 1, 753 S.E.2d. 537 (S.C.2014); DOE v. BISHOP OF CHARLESTON, 407 S.C. 128, 754 S.E.2d. 494(S.C.2014); GLOBAL-TECH APPLIANCES, INC. v. S.E.B., S.A., 563 U.S. 754, 131 S.Ct. 2060, 179 L.Ed.2d. 1167(U.S.2011); U.S. v. TOFANAH, 765 F3d. 141 (2nd.Cir.2014); U.S. v. JINWRIGHT, 683 F3d. 471 (4th.Cir.2012).

FRAUD VITIATES EVERYTHING THAT IT ENTERS, AND A JUDGMENT PROCURED BY FRAUD MAY BE COLLATERLLY ATTACKED AT ANY TIME, WHICH APPLIES TO THE JUDGMENTS AND DECREES OF ALL COURTS AND IS FREE OF ALL PROCEDURAL LIMITATIONS WHICH INCLUDE FRAUD BY OFFICERS OF THE COURT WHEN SUCH ACTS EFFECT THE INTEGRITY OF THE NORMAL JUDICIAL PROCESS AS HAS OCCURRED HERE, IN RE: GENESYS DATA TECHNOLOGIES, INC., 204 F3d. 124 (4th.Cir.2000); UNITED STATES v. CONRAD, 675 Fed. Appx' 263, 265 CA4 (N.C.2017); FOX EX REL FOX v. ELK RUN COAL CO. INC., 739 F3d. 131, 87 Fed. R. SERV.3d. 534 (4th.Cir.2014); MARTIN v. TARGET CORP. OF MINNESOTA, F.Supp.2d., 2013 WL 1187034(D.N.J.2013); MYLES v. DOMINO'S PIZZA, LLC., 2017 WL 238436(D.C.Miss.2017).

INSOMUCH, THE PLAINTIFFS/APPELLANTS MOTION FOR THE RECUSAL AND DISQUALIFICATION OF THE S.C. SUPREME COURT AND ITS JUDGES. THE RECUSAL AND DISQUALIFICATION OF JUDGE NEWMAN, THE RICHLAND COUNTY COURT OF COMMON PLEAS IN ITS ENTIRETY AND THE STATE OF SOUTH CAROLINA ITSELF, DUE TO THESE EGREGIOUS ACTS OF FRAUD UPON THE COURTS, CRIMINAL CONSPIRACY AND OBSTRUCTION OF JUSTICE INVOLVINg THESE STATE ACTORS. THE PLAINTIFFS/APPELLANTS MOTION FOR THE RECUSAL AND DISQUALIFICATION OF JUDGE(S) CHERRY AND WOOTEN. THESE TWO JUDGES ARE THE SAME TWO JUDGES THAT CREATED THE FIASCO OF ADJUDICATION THAT OCCURRED UNDER CASE 21-6275 THAT IS PRESENTLY FILED BEFORE THE 4th. CIRCUIT COURT OF APPEALS SOUGHT

TRANSFERRED TO THE NEW JERSEY DISTRICT COURT VIA THE 3rd. CIRCUIT UNDER CASE 21-1330. THESE JUDGES ARE ESSENTIALLY SITTING UPON THEIR OWN CASES DUE TO THEIR RELATION AND THE POTENTIAL FOR BIAS DO INDEED RISES TO AN UNCONSTITUTIONAL LEVEL PRODUCING STRUCTURAL CONSTITUTIONAL ERROR NOT SUBJECT TO THE HARMLESS ERROR DOCTRINE THAT WOULD VOID THEIR JURISDICTION AB INITIO IF THESE JUDGES ARE ALLOWED TO HANDLE THESE CASES INVOLVED. THEREFORE, THE PLAINTIFFS/APPELLANTS MOTION FOR THEIR RECUSAL WHERE THE ISSUES ARE NOT MOOT STILL PENDING BEFORE THE VARIOUS COURTS AND THE PLAINTIFFS/APPELLANTS ARE CONTINUALLY SUBJECT TO THE UNCONSTITUTIONAL ACTION ARGUED. WE SEEK THE DISQUALIFICATION OF THE S.C. U.S. DISTRICT COURT IN THEIR ENTIRETY AS WELL WHERE BOTH THE STATE AND FEDERAL ACTORS CONSPIRED TO THWART FAIR AND PROPER REVIEW OF THESE MATTERS FOR OVER (15) YEARS, UNITED STATES v. QUINONES, 2016 WL 4413149, * 6+ (S.D.Va.2016); WILLIAMS v. PENNSYLVANIA, 136 S.Ct. 1899, 195 L.Ed.2d. 132, 84 U.S.L.W. 4359 (U.S.2016); KOLON INDUSTRIES INC. v. E.I. DUPONT DeNEMOURS & CO., 748 F3d. 160 CA4 (Va.2014); U.S. v. ECCLESTON,--Fed. Appx'--, 2015 WL 4591890 CA4 (Md.2015); U.S. v. HACKLEY, 662 F3d. 671 CA4 (Va.2011).

BY THIS DOCUMENT THE PLAINTIFFS/APPELLANTS ALSO FILE THIS PLEADING TO CHALLENGE THE RICHLAND COURT, THE S.C. SUPREME COURT AND THE S.C. DISTRICT COURT'S JURISDICTION NOT JUST FOR THE PRIOR UNCONSTITUTIONAL ACTION DONE WHICH VOID THEIR ORDERS AND ALL OF THEIR JURISDICTION WHICH CAN BE RAISED AT ANY TIME EVEN AFTER A FINAL ORDER HAS BEEN ISSUED IN THE CASES AND CANNOT BE WAIVED OR FORFEITED WHERE THE COURT HAS THE INHERENT EQUITY POWER TO SET ASIDE JUDGMENTS PROCURED BY FRAUD UPON THE COURT, MDC INNOVATIONS, LLC. v. NORTHERN,--Fed. Appx'--, 2018 WL 1129607 (4th.Cir.2018); HAMER v. NEIGHBORHOOD HOUSING SERVICES OF CHICAGO, 138 S.Ct. 13, 199 L.Ed.2d. 249(U.S.2017); PHILLIPS v. BROCK & SCOTT PLLC., 2017 WL 3226866(D.C.Md.2017); STEEL CO. v. CITIZENS FOR A BETTER ENVIRONMENT, 523 U.S. 83, 118 S.Ct. 1003 (U.S.1998); WALLS v. BOEING COMPANY, 2019 WL 4931365 * 2 D.S.C.; NATION STAR MORTG., LLC. v. MEISER, S.E.2d., 2016 WL 1700516

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