

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

Appeal From Cherokee County Court of Common Pleas - PCR  
The Honorable J. Derham Cole, Circuit Court Judge  
Case No. 2019-CP-11-0457

Case No.

Alonzo C. Jeter, III,

APPELLANT,

v

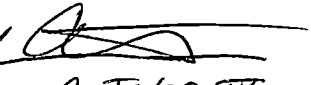
State of South Carolina,

RESPONDENT.

NOTICE OF APPEAL

Appellant, Alonzo C. Jeter, III, hereby appeals the Orders of the Honorable J. Derham Cole, dated and filed April 29, 2022. Appellant received written notice of entry of this (Form 4) Order on or about May 3, 2022. See attached copy of the Order(s) which is to be challenged on appeal.

This 31<sup>st</sup> day of May, 2022.

Respectfully submitted   
Alonzo C. Jeter, III  
APPELLANT/prose

Other Counsel of Record:  
Chelsey F. Marto, AAG  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211-1549  
ATTORNEY FOR THE RESPONDENT

Alonzo C. Jeter, III  
Manning Correctional Institution  
502 Beckman Drive  
Columbia, South Carolina 29203  
APPELLANT appearing PROSE

RECEIVED

JUN 02 2022

S.C. SUPREME COURT



After 5 Days Return To:  
 Mrs. Brandy W. McBee  
 Clerk of Court, Cherokee County  
 Post Office Drawer 2289  
 Gaffney, S.C. 29342

GREENVILLE SC 296

neopost<sup>®</sup>

FIRST-CLASS MAIL

30 APR 2022 PM 04/29/2022

U.S. POSTAGE

\$00.53<sup>0</sup>



ZIP 29340  
 041L11245001

Alonzo Jeter #282902  
 Manning Correctional Institution  
 502 Beckman Dr  
 Columbia, SC 29203

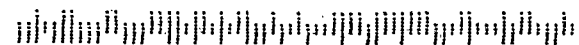
*wlc-43B*

**SCDC**

MAY 3 2022

MAIL ROOM

29203-320902



STATE OF SOUTH CAROLINA  
COUNTY OF CHEROKEE  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE - PCR

CASE NO. 2019-CP-11-00457

Alonzo C. JETER, SCDCID #299199

The STATE of South Carolina,

Applicant,

Respondent,

CHECK ONE:

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other -S.C.Code Ann. Section 17-27-70.
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j) SCRPC;  Bankruptcy;
  - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other

FILED IN OFFICE OF  
CLERK OF COURT  
CHEROKEE COUNTY, S.C.  
2022 APR 29 AM 11:07  
BRANDY W. MCBEE

IT IS ORDERED AND ADJUDGED:  See formal order to follow;  Statement of Judgment by the Court:

This matter was before this Court for hearing on the applicant's Rule 59(e) motion to alter or amend a final order dismissing his application for post-conviction relief.

This matter began on an application for post-conviction relief filed pursuant to *South Carolina Code Annotated Section 17-27-20* by applicant on June 19, 2019. The respondent filed a return and a motion for summary dismissal pursuant to S. C. Code Ann. Section 17-27-70 on December 4, 2020. On December 14, 2020 a Conditional Order of Dismissal was filed which granted the applicant 20 days to show why the conditional order should not become final. The applicant filed his objections to the conditional order and response to the respondents return and motion to dismiss on December 28, 2020. A final order of dismissal was filed by the Court on September 9, 2021. The applicant filed a motion pursuant to Rule 59(e), SCRPC, to "alter or amend and for reconsideration" of the judgment entered by the Court on September 24, 2021 to which the respondent filed its response on October 18, 2021.

Applicant contends in his motion that the Court: (1) failed to address the scintilla of evidence standard; (2) denied the applicant fundamental rights to due process; (3) violated Rules 71.1(f) and 77(d), SCRPC; (4) violated separation of powers doctrine, the equal protection clause, and procedural and substantive due process; (5) failed to make findings of fact and conclusions of law; (6) failed to appoint counsel for the applicant; and (7) failed to grant the applicant an evidentiary hearing on the application.

Having considered the matter carefully, this Court finds that its Order complies with S. C. Code Ann. Section 17-27-70 and Rule 52(a), SCRPC, and finds there is no reason to alter or amend its previous ruling in this matter. To the extent that any further clarification is needed this Court finds that based upon the record of this case, memoranda, and submissions, there is no "genuine" issue as to material fact and the application should be dismissed as a matter of law.

The applicant's **MOTION** pursuant to Rule 59(e), SCRPC, should be and **IS** therefore **DENIED**.

Dated at Spartanburg, South Carolina, this 27<sup>TH</sup> day of **APRIL**, 2022.

\_\_\_\_\_  
J. Derham Cole, Presiding Judge

This judgment was entered on the 29<sup>th</sup> day of April, 2022, and a copy mailed first class this 29<sup>th</sup> day of April, 2022 to attorneys of record or to parties (when appearing pro se) as follows:

ALONZO C. JETER  
Manning Correctional Institution, W-6143B  
502 Beckman Drive  
Columbia, S. C. 29203

CHELSEA F. MARTO, AAG  
Post Office Box 11549  
Columbia, South Carolina 29211-1549

THE APPLICANT appearing PRO SE

ATTORNEY(S) FOR THE RESPONDENT

\_\_\_\_\_  
BRANDY W. MCBEE, CLERK OF COURT