

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

John Baccus — PETITIONER
(Your Name)

vs.

Brian Stirling et al RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Fourth Circuit — But Not on The Merits. See PAGE 1 —
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)
Fourth circuit was unable or unwilling to rule on merits ...
PETITION FOR WRIT OF CERTIORARI

John Baccus
(Your Name)

430 Oak Lawn Road
(Address)

Pelzer, S.C. 29669
(City, State, Zip Code)

843-409-7711
(Phone Number)

704-995-9164

QUESTION(S) PRESENTED

Petitioner Request... Demand The U.S. Supreme Court Recognize An Emergency ^{Public} Crisis.

SYNOPSIS: Whether The State Of South Carolina "Judicial Power", Attorney General, Then, Charlie Condon, Chief Justice Jean Hooper Toul, Now, Attorney General Alan M. Wilson And "Commitment Holders" Brian Peter Stirling, et al, White Respondents, Were Either Unwilling Or Unable To Control Advocating Racial Superiority Widespread Violence Of Their Agency Agents Of Social Control In The South, Prosecutor Edgar L. Clements III, et al, Deliberately Misrepresented And Concealed Favorable Information From Black Petitioner John Baccus, i.e., Despite Established GRADY, etc, Progeny:

"Failure To Disclose Actual Innocence Alibi Exculpatory VIDEOTAPE TR.P. 59, Here, Page 87", And "State Witness Impeachment Statements And Testimonies, TR.P. 45, Here, Page 95", And

"Judge Shopping And Switching Without Giving Proper Notice/Cause To Petitioner, TR.P. 3, L. 18 To P. 4, L. 8. ALSO AT PAGE 103, APP. J.", And

"Change Of Petitioner Retained Defense Attorney Ms. Billie C. Blackmon TR.P. 3, L. 18 To 19, Without Giving Him Notice Of Attorney Frederick A. HOEFER, JR., Who Worked For The Solicitors Office, And Was Appointed By Frederick A. HOEFER'S Aunt, Chief Justice Jean HOEFER Toul In Violations Of S.C.R.C.P. RULE 12 (b) And Rules Of Professional Ethical Misconduct", And

"Coerced Petitioner To Remain In Custody Awaiting Trial Since His Arrest 4 Years, (APP.H). Without Petitioner's Defense Attorneys Not Respondents Making Motions For Continuances And Disclosures Of The Actual Innocence Alibi EXCULPATORY VIDEOTAPE"

"Inv. Von Dean Timberville From Nicholas Marion County Sheriff Dept. Who Had No Probable Cause Warrants, Consent For A Search Arrest Of Petitioner's Life Liberty And Property Residence, Lacked Multi-Jurisdictional Authority To Make The Arrest Of Petitioner Inside His Residence In Florence County TR.P. 4b", AS A RESULT OF ALL THE ABOVE AND MANY OTHER "PRETRIAL INVESTIGATIVE PLATIN INJUSTICES",

"Respondents Secretly Devised, Deferred To, And Concealed A suspicious... Offending... S.C. CASE TRACKING ORDER (EXHIBITS #4) APP. I, Classifying Him A "ROUTINE CRIMINAL" And "PRIORITY HIGH" Offender... Offenses For Which He Was Never Adjudicated Of, "TERMINATING OR ENDING" All His Pretrial, Grand Jurors Trial Jurors Subsequent Criminal Appeal Proceedings Imprisonment Custody", And,

QUESTIONS PRESENTED

SYNOPSIS CONTINUED: The Fourth Judicial Circuit Criminal Justice system Leading Legal JUDICIAL POWER and COMMITMENT HOLDERS, Attorney General Alan M. Wilson, Chief Justice Jean Hofer Trial, Dept. of Corrections Attorney Director Brian Peter Stirlings Warden Scott Lewis, et al, Allowing, Enabling, Excusing Colluding. Awarding The 12TH Judicial Circuit Court Solicitor's Office, Of Edgar L. Clements III To Withhold Information Under BRANN AND ITS Progeny Is Perpetrating A Lie. The Respondents Is "CLEARLY HIDING THE TRUTH" and Endangering The Public That's Been Led To Believe They Are Safe From The Prosecutors (Here, Edgar L. Clements III) Deliberately Callously Recklessly Withholding Of such Information Violates The Accusers (Here, Petitioner John Baccus) Due Process Rights, Equal Protection of The Laws or corrective means... For Nearly Two Decades. SEE: PAGES 41-56, 61-67 II. SEARCH WARRANT AND III. BOBILY INTRUSION; 73 L. 22-75, 77 L. 9-79 L. 11, 85-106, And

Whether The Fourth Circuit Courts Proceedings Which Led To Petitioner's Conviction Incarceration was Constitutionally valid in view of Claims That Prosecutor Edgar L. Clements III's Office Had Deliberately Misrepresented... Concealed The Truth At Pictorial, Grand Jurors, Trial Jurors Subsequent Minkind Appeal Proceedings? SEE PAGES 17-25, 29-32, 41-56, 73-75, 85-106, 125/126, And,

Whether Where VIDEOTAPE Which captured Prosecution Investigating Officer Inv. Van D. Turbeville From Nicholas County Sheriff Dept. Without Probable cause warrants Consent Multi-Jurisdictional Authority To Conduct Trespass, Ambush search Arrest of Petitioner Inside His Private Property Residence in Florence County, (P. 104-101d) Which Prosecutor Investigating Witnesses Repeatedly Described As "Nothing Of Any Evidentiary Value or Exculpatory On The VIDEOTAPE (P. 76)" "Everyone Agreed That It Was Of No Value Evidentiary, (P. 97)" In Prosecution For First Degree Burglary Murder Constituted A Vital Link... On Which Petitioner Was convicted, Although

SYNOPSIS CONTINUED:

"The Prosecutor, Edgar L. Clement III, knew at Pretrial Grand Juror
 Trial Juror subsequent criminal proceedings that the VIDEO TAPES
 substantiated Petitioner's presence at his residence in Florence
 County at the relevant time offenses occurred. Nearly sixty
 60 miles away in Dillon County (P. 74) "It was
 Inv. Von Dean, Turberville who was seen in front of the
 Petitioner's residence captured on the VIDEO TAPES. Arriving
 Petitioner. Not Inv. Barry Prosser from Florence
 County Sheriff Dept. (P. 95, L. 13-17) "Inv. Von Dean
 Turberville lied about seeing the vehicle Petitioner was
 driving. Night of the crimes (P. 85, L. 1-22) "And that
 Attorney General Alan M. Wilson, Chief Justice Jean Hooper
 Todd, S.C.D.C. Director Brian Peter Shiring of all were
 unable or unwilling to control. Corred These Deliberate
 Mirerepresentation concealment of information which
 invalidated Petitioner's indictment conviction sentence
 Attorney to S.C.D.C. Prison system. Under the
 Table of Authority cited (P. 10-13)? And

Whether Petitioner was denied the right to effective assistance of counsel
 At critical stages during his Pretrial, Trial Oral Argument Subsequent
 Criminal Appeals, Guaranteed by the Sixth and Fourteenth
 Amendments to the United States Constitution and the corresponding
 provisions of the South Carolina Constitution. By when... Counsel
 At Petitioner's Pretrial Trial Oral Argument Subsequent
 Criminal Appeals. Failure to move... Continuance...
 Related to the Respondent's Deliberate Mirepresentation and
 concealment of information (See P. 41-50, P. 85-108), And when
 The State Court Prosecution Officials Respondents changed Petitioner's
 Retained Attorney Billie C. Blackmon with Attorney that work
 For the Solicitors Office. Frederick A. Haefer Jr. Without Giving
 Petitioner Notice of the Change. Pursuant to S.C.R.C.P. Rule 12(b)
 (See P. 11, L. 19-P. 12, L. 9), And when Petitioner, Defense Counsel
 Frederick A. Haefer Jr., testified Against Petitioner in Open
 Court (See P. 77, L. 9-P. 79, L. 11, BUT ALSO SEE EXHIBITS

A)

QUESTION(S) PRESENTED

- DOES BLACK PETITIONER JOHN BACUS HAVE LIBERTY... INTEREST IN NOT BEING
 "SECRETLY" "WRONGFULLY" "VINDICTIVELY" LABELED, TREATED
 CLASSIFIED, TERRORISTICALLY THREATENED AND/OR "ADJUDICATED"
 AS A "ROUTINE CRIMINAL" AND "PRIORITY HIGH" OFFENDER?
 AFTER VIDEO TAPE CAPTURED RESPONDENT'S ILLEGAL ARREST... UNDER THE HOLDING
 JANDIN V. CONNER, 515 U.S. 472, 115 S.Ct. 1293 (1995)
- * THOMAS V. WARREN, 391 A.2d 1016 (2005)
- * NE E L E V. UTAH Bd. OF PAROLE AND PAROLE, 916 P.3d 663 (2017)
 WOLFE V. MCDONNELL, 418 U.S. 539 (1974); MORRISON V. OLSON, 487 U.S. 654 (1988)
- * NEAL V. SHIMODA, 131 F.3d 818 (1997); CHISHOLM V. GA., 7 U.S. 419, 1793 WL 85
 U.S. V. WANE, 388 U.S. 218, 87 S.Ct. 1926; KILLES V. WHITLEY, 514 U.S. 419
 U.S. V. CRAWFORD, 680 F.Supp.2d 1179 (2009)
- PEOPLE V. HAMILTON, 115 A.D.3d 12, 979 N.Y.S. 7d 97 (2014)
- * MCQUELGIN V. PERKINS, 569 U.S. 383, 133 S.Ct. 1974 (2013)
- EX PARTE HOLLMAN, 79 S.Ct. 460 S.E. 19 (1909)
- * U.S. V. MARLOW, 404 U.S. 307, 92 S.Ct. 455 (1971)
- CRANE V. KENTUCKY, 476 U.S. 683, 690, 106 S.Ct. 2142
 EX PARTE HOLLMAN, 56 Ct. OF U.S. 4 CRANCH 75.8 U.S. 75 (1807)
- * EX PARTE COMMONWEALTH OF VA., 1100 U.S. 3391, 1879 WL 6561
- * ARADY V. MARYLAND, 373 U.S. 83, 83 S.Ct. 1144 (1963) AND ITS PROGENY
- SEE EXHIBITS # 4 AND "ISSUE"
- * ALSO SEE CASE NO. 2000-65-33-DD4 TRANSCRIPT P.5, L.22-29?
- * TR. P. 45-46; TR. P. 59; TR. P. 542- P. 551...
- LIPSEY V. HANN - RON GA, 2010 WL 4618837
- * STEFANOW V. MCDONNELL, 103 F.3d 1466 (9th Cir. 1996)
- MOORE V. DEMARCO, 126 S.Ct. (1923)?
- FRANKS V. DELAWARE, 438 U.S. 154, 98 S.Ct. 2676 (1978)?
- FRANKS V. DELAWARE, 438 U.S. 154, 98 S.Ct. 2676 (1978)?

QUESTION(S) PRESENTED CONTINUED

* KANAS V. HENDRICK, 521 U.S. 346 ^(*) The Program Unconstitutional IF The Treatment Provided TO E. J. Offender WAS A SHAM OR MERE PRETEXT TO ALLOW Additional Punitive Confinement ^(*) BARKER V. WINGO, 407 U.S. 514

* MURPHY V. WHEATON, 381 F. Supp. 1252 (1974)

* TILLDEN V. PATE, 390 F.2d 614 (7th Cir. 1968)

* U.S. V. PORTER, 23 F.3d 1274

?

SEE ALICE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS REQUEST TO STAFF MEMBERS (RTSM) GRIEVANCES KIOSK NO.

14-051601 TO 18-D1095368

FILED BY PETITIONER ?

AND WAS JURIS DICTIONAL ?

Madonity White Ambitus

Indigent Black

Whether LOWER Courts Respondents ^{Madonity White Ambitus} Violated ^{Indigent Black} PETITIONERS
EXUM Protection... Due Process Rights Under 28
U.S.C. § 2244/2254 § 92 U.S.C. § 1963... Because
He Has contend That Respondents, As Custodians
OF Judicial And Prison System, And His
Immediate custody and care, Acted
With "Vindictive" "Reckless", "Callous" "Malice"
And "CONSCIOUS" Manner And "Disregard OF
His State And Federally Secured Rights?"

SEE EXHIBITS # 1- 50, TR.P. 59 AND SCOT KIOSK No. ABOVE.

QUESTION(S) PRESENTED

Whether Recently Discovered Information In The Record, A Suspicious
Offending... South Carolina Case Tracking Order
(Exhibit #4), And A Reliable Actual Innocence
Alibi Exculpatory Video Tape (TR.P.59) And,
180-DAY Rule / Speedy Trial (Exhibits #3) And,
Attorney Client Privilege (TR.P.3.L. 18-P.4.L. 8)
And Many Other "PLAIN INJUSTICES" "MONSTROUS"
"MOR" "SHOCKING JUDICIAL OFFICIALS RESULTS"
(TR.P.3-P.551...) Was Concealed For Secret Government/
Respondents Activities Against Public Need To
Know... Or "Public Policy"? Deprived Petitioner
EQUAL PROTECTIONS AND DUE PROCESS... Under The
LAW OF The United States Constitution, By The
United States Courts That Adjudicated Cases Stemming
From Case NO. 1000-GS-33-DDK Actions?
"TAKE JUDICIAL NOTICE OF EXHIBIT # A"

Whether Where Transcripts... Discloses That The Orders Of The
Lower Courts "JUDICIAL POWER" And "AUTHORITY TO PERFORM ACTS"
Or "SECRET ACTIVITIES" VIZ, Prosecutors, Judges, Lawyers,
LAW ENFORCEMENT OFFICERS, "Failure To Fully Disclose Alibi, exculpatory
Material (TR.P.59) ... And impeachment evidence Regarding
Statements Given By State Key Witnesses Resulted In Defense
Attorney Decision To Forego Accused's Testify At Trial (TR.P.45),
For The Proposition That The Writ Of Certiorari May Issue To Review
Proceedings Of Lower Court officials Acting In Individual, Official,
Personal And Judicial Capacity, Was Without Authority To Do The Things
Complained Of? ALSO SEE PAGE 5, 7, 8, 9, 15, 17, 20-25, 62, 63, 73-75, 86-87, 90?

QUESTIONS PRESENTED

Whether The United States Courts: "JUDICIAL POWER"
And "COMMITMENT" Holders/Respondents Failure
TO DISCLOSE "KNOWN" "REVIEWED" "ACTUAL INNOVATIONS"
"EVIDENTIARY VALUE" "ALIBI" "EXCULPATORY"
"VINED TAPE" (TR.P. 5.1.12- P.7.1.15; TR.P. 59; TR.P. 541,
L.5-TR.P. 550.1.15) Administration OF BRADY /
BAGLEY PROGENY, TO FIRST DEGREE BUCKLAND
Murder Accuser/Petitioner, AS REQUIRED BY Those
"Lawful Statutes." "Public Policy"? "Compelling
Reasons"? "Departed From The Accepted And
Usual Course Of Judicial Proceedings", OF "Sanctioned
A Departure By Lower Courts, AS TO Call For An
Exercise Of This Court Supervisory Power"?
"And That Adequate Relief... Release Cannot Be
Obtained In Any Other Form Or From Any Other
Court In These "EXTRAORDINARY EXCEPTIONAL
CIRCUMSTANCES."?

Whether With Exculpation, "VINED TAPE" TR.P. 59, "FALSE TESTIMONY"
"TR.P. 45", "IMPEACHMENT PERJURY TESTIMONIES BY STATE COURT
CHIEF WITNESSES" TR.P. 45-46, AND "EXCLUDED TR.P. 185-190"
THAT EXONERATED ACCUSER/DEFENDANT, AND A SUSPICIOUS
OFFENDING... "J.C. CASE TRACKING ORDER" ADJUDICATING
ACCUSED A "ROUTINE CRIMINAL" AND "PRIORITY HIGH", "EXHIBIT #4"
NOT DISCLOSED BY STATE COURT PROSECUTION RESPONDENT WAS
"MATERIAL" IN VIOLATION OF "BRADY" BAGLEY KYLE'S "MCQUEEN'S"
Cumulative Effect Of Suppressed Evidence Favorable TO Accused?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[X] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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Charlie Condon / Alan M. Wilson S.C. Attorney General	57, 110
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James E. Brogdon Jr., 12th Circuit Judge	70, 101, 102
Frederick A. Hoefler II, ESQ	70, 101
Robert E. Lee, ESQ	70
James A. Bakis, R P R Court Reporter	70
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John Black, S L E D	70
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Joseph F. Anderson, U.S. District Judge	27-40
Patricia S. Conner, Clerk	27-40
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John Bacca's Search Arrest Indictment Trial Conviction
Imprisonment Or Life, Liberty And Property, For Nearly
TWO (2) Decades, SEE EXHIBITS # 1, APP. A-L STATE
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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

- ☐ reported at NO. 18-1613; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

* The opinion of the United States district court appears at Appendix B to the petition and is Appellants' Placement in Segregation Separated Him From His Legal Papers.

- ☐ reported at CIA 9:17-CV-1033-REN-RM; 4:17-DL-9251-DCU-BM; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix C, E, F to the petition and is

- ☐ reported at App. CIV 2017-001210; Opn. 26094; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the State court appears at Appendix D, G, H, I, J, K to the petition and is

- ☐ reported at Opinion 26094; 00-65-33-004; 003216664; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was June 26, 2018.

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: June 26, 2018, and a copy of the order denying rehearing appears at Appendix A.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including October 29, 2018 (date) on January 8, 2019 (date) in Application No. 18 A 10163.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was 6/15/2017, 10/12/2009, 11/30/2005, 5/11/2003, 3/27/2003.
A copy of that decision appears at Appendix C, E, H, I.

☐ A timely petition for rehearing was thereafter denied on the following date: APP. C, E, H, I, and a copy of the order denying rehearing appears at Appendix C, E, H, I.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

First Amendment To The U.S. Constitution
Fourth Amendment To The U.S. Constitution
Fifth Amendment To The U.S. Constitution
Sixth Amendment To The U.S. Constitution
Seventh Amendment To The U.S. Constitution
Eighth Amendment To The U.S. Constitution
Ninth Amendment To The U.S. Constitution
Thirteenth Amendment To The U.S. Constitution
FOURTEENTH Amendment To The United States Constitution
Declaration of Rights

STATEMENT OF THE CASE

Petitioner John Bacus commenced this 28 U.S.C. 2254, 42 U.S.C. 1983 DUE TO INFORMATION IN THE RECORD, A SUSPICIOUS... OFFENDING... SOUTH CAROLINA CASE TRACKING ORDER, (EXHIBITS #4) AND A RELIABLE ACTUAL INNOCENCE ALIBI EXCULPATORY VIDEO TAPE (TR.P.59) WAS CONCEALED FOR SECRET GOVERNMENT/RESPONDENTS ACTIVITIES, AGAINST PUBLIC NEED TO KNOW... OR "PUBLIC POLICY"

1. In Retaliation For the Black Petitioner, John Bacus, A Natural Person, Exercise His Right TO A STATUTORY RELIABLE ACTUAL INNOCENCE ALIBI EXCULPATORY VIDEO TAPE (TR.P.5, L. 22-P. 7, L. 10, TR.P.59, TR.P.542 L.5-P.551...), That Was Initially "UNKNOWNST TO", And "CAPTURED" White Ambitus Respondents Warrantless, Probable Causeless, Consentless, LACK OF Multi-Jurisdictional Authority Outside Marion County, Yet Allowed TO Ambush, Search, Arrest Black Petitioner, John Bacus Inside His Private Property Residence In Florence County (PRELIMINARY HEARING TR.P.12-13, TR.P.45-46). And Exaggerated, False, Perjury Impeachment Information Regarding Respondents State Court Prosecutor Key Witnesses, Lawyers, Law Enforcement Officers, (L.E.O.s) LIE And CHEAT, TR.P.3-P.11, L. VI BUT SEE EXHIBITS # , And Respondents Chief Witnesses Excluded Perjury Trial Testimonies, TR.P.185-190 THAT EXONERATED PETITIONER WAS BEING CONCEALED FOR SECRET GOVERNMENT/RESPONDENTS ACTIVITIES—Motivated Respondents Clandestine Conspiracy Driven "VINDICTIVE PROSECUTION" Participation Devising, Deferring TO, Concealing A SUSPICIOUS... OFFENDING... STATE OF SOUTH CAROLINA CASE TRACKING ORDER, (EXHIBITS #4), LABELING, TREATING, CLASSIFYING, TERRORISTICALLY THREATENING AND/OR ANNULLING ALL OF PETITIONERS' PRETRIAL, GRAND JURORS,

TRIAL JURORS SUBSEQUENT CRIMINAL APPEAL PROCEEDINGS AND
IMPRISONMENT CONDITIONS AS OF A "ROUTINE CRIMINAL" AND A
"PRIORITY HIGH" OFFENDER (EXHIBITS #4). WHO HAS NEVER
BEEN CONVICTED OF A "ROUTINE CRIMINAL" AND A "PRIORITY HIGH"
DEFENSE, BASED UPON "UNPROVEN ALLEGATION IN A
DELIBERATELY CALLOUS RECKLESS MANNER", AND THAT RESPONDENTS
"FAILED TO ALLEGE THAT THE "JUDICIAL POWER" AND "COMMITMENT"
HOLDERS ACTED DELIBERATELY TO—"ADVOCATE RACIAL SUPERIORITY",
"VIOLENCE", "HATE SPEECH WITH CONTEXT" UNDER A "CAMPAIGN OF
ABUSE, SEXUAL ASSAULT AND HARASSMENT, RAPE, JOODOWN UPON
BLACK PETITIONER BY WHITE PRISON GUARDS FOR ENTERTAINMENT
CAPTURES ON SURVEILLANCE CAMERAS AND DOCUMENTARY EVIDENCE—
DEPRIVE PEOPLE OF ANOTHER RACE (PETITIONER JOHN BACUS AND
HIS FAMILY) OF HIS LIFE, LIBERTY AND PROPERTY RIGHTS, AS
WOULD BE REQUIRED TO STATE A CLAIM FOR VIOLATION OF
"SUBSTANTIVE AND PROCEDURAL DUE PROCESS", RELATING TO
AMBIGUOUS RESPONDENTS ACTIVE "VINDICTIVE PROSECUTION"
LYNCHING OF PETITIONER FOR NEARLY TWO DECADES
WITHOUT CLEAR WARRANT OF THE "ENCLOSED LAWS". AND THESE
EXCEPTIONAL CIRCUMSTANCES WARRANT THE EXERCISE
THE COURT'S DISCRETIONARY JUDICIAL POWERS, AND THAT
ADEQUATE RELIEF CANNOT BE OBTAINED IN ANY OTHER
FORM OR FROM ANY OTHER COURT.

Statement Of This Case

IT IS CLEARLY ESTABLISHED THAT:

1.) The Appellant was not brought to trial for alleged "INDICTMENT" of first degree murder and burglary until the [4th] fourth year after he had been arrested, during which time the Government offered NO TRIAL TIME PERIOD, NO CONTINUANCES, NO UNUSUAL CIRCUMSTANCES, and SHOWN NO VALID JUSTIFICATION FOR THE DELAY for which the Appellant [d]id diligently assert his rights and prejudices to the courts, etc., for the indeterminate period.

See listings of non-frivolous complaints "filed" in the United States District Court, District of South Carolina, by the Appellant while indefinitely detained in the County jails for the [4th] fourth year without trial.

Although a SPEEDY TRIAL is guaranteed the accused by the SIXTH AMENDMENT to the Constitution, and is imposed by the DUE PROCESS CLAUSE of the FOURTEENTH AMENDMENT "ON THE STATES."

During Appellant's [4th] fourth year indefinite detainment, the Government Twelfth Judicial Circuit Court was forced not to try another case in the Marion County Courthouse, by inquisitive Government officials and Advocates, until the Appellant was granted his rights to trial, rendering the defense "NO PREPARATION" for abrupt trial "except for triage".

2.) The entire episode of Appellant's LIBERTY and PROPERTY being illegally searched and seized, and his home deposit safe cut open, WITHOUT WARRANTS, PROBABLE CAUSE, MAGISTRATES DETERMINATION and SIGNATURES, NOR CONSENT FROM THE APPELLANT WAS RECORDED by Closed Circuit Television Security System Video, [C.C.T.V.S.S.V.], attached to Appellant's property and unknown to the Government upon their ignorance of "NO TRESPASSING" and A.D.T. security signs posted on Appellant's property.

"This 'VIDEO TAPE', contradicts the Government's entire case" which is the reasoning for improper hiding of evidences, VIDEO "TAPE" from the FACT-FINDERS during trial, therefore, "THE VERDICT", and other outcome in this instant case.

3.) Since May 17, 2003, this appeal has been effectuated. For which BRIEF and ORAL ARGUMENTS are being presented before the Supreme Court of South Carolina on November 30, 2005 at 10:30 AM WITHOUT REVIEW and REPRESENTATION OF COMPLETE PRE-TRIAL and TRIAL TRANSCRIPTS, WITHOUT PROPER COURSE OF PROCEEDINGS and COURSE OF APPELLANT'S DEFENSE.

4.) No federal statute of general applicability has been enacted by Congress to enforce the speedy trial provision of the Sixth Amendment, but Federal Rule of Criminal Procedure 48 (b), which has the force of law, authorizes dismissal of an indictment, information, or complaint "[I]f there is unnecessary delay in presenting the charge to a grand jury or in filing an information against a defendant who has been held to answer to the District Court, or if there is unnecessary delay in bring a defendant to trial.... "The rule clearly is limited to post-arrest situations."

The Appellant rest his REQUEST on his ACTUAL INNOCENCE, Constitutional grounds, numerous constitutional magnitudes, Serious Conflict of Interests, prosecutorial misconduct, official(s) dereliction, and Federal Rule of Criminal Procedure 48 (b), as a ground for dismissal of this instant case.

Please see the following case, which are used in this case for references:

Untied States v. Marion, 404 U.S. 307 (1971)
Barker v. Wingo, 407 U.S. 514 (1972)
Teague v. Lane, 489 U.S. 288 (1989)
Klopfer v. North Carolina, 386 U.S. 213 (1967)
Nelson v. Hargett, 989 F.2d 847 5th Cir. (1993)
Strickland v. Washington, 466 U.S. 668 (1984)

REASONS FOR GRANTING THE PETITION

BLACK Petitioner John Baccus Requests The Federal Supreme Court of The United States Courts To Recognize An Emergency Crisis: Petitioner Was Prosecuted convicted Incarcerated Without Due Process. Equal Protection of The Laws or Corrective Means... For Constitutional Violations... Because State Agency Authorities Attorney General Alan M. Wilson, Governor Henry McMaster Solicitor Edgar L. Clement III, S C D C Director Brian Peter Stirling, Warden Scott Lewis, et al Were Either Unwilling or Unable To Control The Wide Spread Violence ~~Advocating~~ Racial Superiority Hate Crimes of Their Klu Klux Klan Agents members (Readily Identifiable In All Cases Stemming From Case No. 2000-GS-33-004 Actions, P A C E R CASE LOCATOR EXHIBIT# A, SOUTH CAROLINA CASE TRACKING AND S C D C RECORD NO. 14-051601 THRU 14-01127109 GRIEVANCES) Against Black Petitioner And His Supporters. — Not Hidden Under A ROCK, But Made Public.

This Petitioner's Writ of Habeas Corpus In Conjunction With This Section 1983 (U.S.C.A. 4 NO. 18-6163) Did Not Provide A Remedy Against These Klu Klux Klan (KKK) or its members, But Instead Provided A Remedy Against Those Who Represented A State, In Some Capacity, Who Were Unable or Unwilling To Enforce A State Law. MONROE V. PAPE, 365 U.S. 167-76.

The State of South Carolina Criminal Justice System "Judicial Power" And "Commitment" Holders Defendants Have Denied To Black Persons Petitioner John Baccus Within Their Custody Control Care Jurisdiction The Equal Protection of The Laws. The Proof on This Point is voluminous unquestionable And Captured on Surveillance Cameras And Documentary Evidence. Defendants Deliberately Misrepresented And Concealed Favorable Information From Black Petitioner John Baccus, That Prosecutors Never Told Him About.

First, Lead Into Von Dean Turberville From Marion Nicholas County Sheriff Dept. Was Coached By Solicitor Ed Clement III on Perjured Important Probable Cause TR.P.45 ~~AND~~ Multi-Jurisdictional Authority To Make The Arrest of Petitioner Inside His Private Property Residence In Florence County TR.P.46, Details of The Night of The Crime Captured on surveillance camera that Was Unbeknownst To Law Enforcement Officials (LEOs)

Inv. Turbeville. Who is Accompanied by A Florence Television Station Anchor Crewman Large Satellite Truck Parked In Petitioners Driveway Is Seen on Petitioners Closed Circuit Television Surveillance Security System Videotape (C.C.T.S.S.S.V.) (SEE PRELIMINARY HEARING P. 12 TO 13). It Was Not Florence Inv. Barry Prosser Whom other State Witnesses Lied About Seen In Front of The Petitioners Residence Captured on The (C.C.T.S.S.S.V.) (SEE TR. P. 46, TR. P. 547, L. 13 - P. 550, L. 2). And These Facts Was Either Ignored or Never Revealed to Petitioner Nor His Counsels.

Second, The Solicitor Ed Clements made A Promise to Inv. Turbeville, Inv. Barry Prosser, Sted Agent John Black And Petitioners Defense Counsels Frederick A. Hooper Jr. And Robert E. Lee. Not to Disclose Seeing Inv. Turbeville From Marion Nicholas County Sheriff Dept. Seen In The Front of The Petitioners Residence on The Videotape Because Inv. Turbeville Lacked Multi-Jurisdictional Authority in Florence County To Make The Arrest of Petitioner John Bowers. (SEE TR. P. 5, L. 22 TO P. 551, ESPECIALLY TR. P. 46). The Results of Videotape Placed Petitioner At His Residence in Florence County. At The Relevant Time The Offenses Occurred, Sixty (60) Miles Away in Dillon County, Captured Inv. Turbeville Entire Trespass Ambush Search Arrest of Petitioner... Seen in The Front of The Petitioners Residence. Not Inv. Barry Prosser From Florence County Sheriff Dept. Were Not Disclosed To The Petitioner Nor His Counsels. By The Solicitor Ed Clements (SEE TR. P. 5, L. 22 TO P. 551, ESPECIALLY PAGE 59, PRELIMINARY HEARING P. 12-13. PAGE 547, L. 4 - 17 AND PAGE 549, L. 18 TO 550, L. 2).

For Exercising His Rights to Trial... Filing Reporting Pursuing Grievances During The Accused Petitioners Detention in Marion County Detention Center Four (4) Years (SEE EXHIBITS # 3, ALSO SEE THE STATE OF SOUTH CAROLINA OFFICE OF SOLICITOR EDGAR L. CLEMENTS III DATED MARCH 19, 2003). The Solicitor Edgar L. Clements III Promised The Attorney General Charlie Condon (SEE OFFICE OF THE ATTORNEY GENERAL DATED MAY 22, 2000 TO E. L. CLEMENTS III) "Boasting" He Coerced Petitioner To Remain in Custody Awaiting Trial Since His Arrest Four Years" (SEE MORNING NEWS THURSDAY MAY 15, 2003 EXHIBITS # 3).

It was concealed from Petitioner and his counsel until trial that Chief Justice Jean Hofer had promised and enabled Solicitor Clements with Judge shopping, switching the initial appointed Trial Judge Paul M. Burch with Solicitor Clements to-hoist Judge James E. Broadnax Jr. (SEE THE SUPREME COURT OF SOUTH CAROLINA ORDER DATED MARCH 27, 2003 OF JEAN HOEFER TRIAL CHIEF JUSTICE, ALSO SEE TR. P. 3-4), so that Solicitor Clements would not have to prove his case beyond a reasonable doubt, but lessened the standard he was obligated to prove. (SEE TR. P. 3 THRU 551, EXHIBITS # 1-3).

It was concealed from Petitioner after his retained Attorney, Billie C. Blackman had deceased and died (SEE TR. P. 3, L. 18 THRU P. 4, L. 15), that Chief Justice Jean Hofer had appointed her Nephew, Frederick A. Hofer Jr. to represent Petitioner in a first degree burglary murder. This was never revealed to Petitioner until Case No. 2016-CP-AND-3473, before Judge Trial who recused herself when this issue was brought and presented before her in open court.

Defense Attorney Frederick A. Hofer Jr. testified against Petitioner in open court during pretrial proceedings. (SEE TR. P. 9, L. 9 THRU 11, L. 11)

Petitioner was never given notice of his change of attorney pursuant to S.C.R.P. Rule 12(b).

As a result of the above, and many, many, many other gross abuses of the judicial system during police pretrial grand juror investigations for nearly two decades the state court officials clandestinely devised, deferred to, and concealed a suspicious...offending...
SOUTH CAROLINA CASE TRACKING ORDER (SEE EXHIBITS #4)
Labeling treating classifying Petitioner as of a
"ROUTINE CRIMINAL" and a "PRIORITY HIGH" offender,
(SEE EXHIBITS #4), who has never been adjudicated
as of a "ROUTINE CRIMINAL" or a "PRIORITY HIGH"
offender (SEE EXHIBITS #4), and "TERMINATING" or
"ENDING" all of Petitioner's pretrial, grand juror, trial
jurors subsequent criminal appeal proceedings based

UPON "UNPROVEN ALLEGATIONS" IN A DELIBERATELY CALLOUSLY
RECKLESS MANNER. SEE JORDAN V. BLOUNT COUNTY, 885
F.3d 413 (6th Cir. 2018); KING V. HARWOOD, 852 F.3d
568 (6th Cir. 2017); MILLER V. PATE, 875 Ct. 785
(1967) ("deliberate misrepresentation invalidate conviction")
(Prosecutorial Misconduct That Led To Wrongful
Conviction For First Degree Burglary Murder Brought
When The Criminal Proceedings Have Terminated).
HASH V. CLARK, 968 F.Supp.2d 825 2013 (Allegation of
Constitutionally Ineffective Assistance Of Counsel (IAD)
And Commonwealth Violated His Due Process Rights By:
(1) Concealing Favorable Information From Him
(2) Engaging In Extreme Prosecutorial And Police
Misconduct During The Course Of The Investigation And
Prosecution

REASONS FOR GRANTING THE PETITION

1. Information In The Record Concealed For "Secret Government/Respondent Activities"
 - (a) Actual innocence Alibi Exculpatory Video Tape (TR.P.59) and,
 - (b) Exaggerated False Perjury Impeachment Transcripts Statements / Trial Testimonies (TR.P.3- P.551...) TR.P.186 TO 190,
 - (c) Excluded (TR.P.186-190) That Exonerated Petitioner, and,
 - (d) Respondents Coerced Black Petitioner To Remain In Custody Awaiting Trial Since His Arrest Four Years. (SEE EXHIBITS # 3, COMMITMENT ORDER 2000-LS-33-DD4, ARREST 11/15/1999 SENTENCES MAY 23, 2003.)
 - (e) Judge Shopping Or Switching (SEE MARCH 27, 2003 ORDER OF THE SUPREME COURT OF SOUTH CAROLINA)
 - (f) Defense Trial Attorneys That Represented Petitioner Failed To Sign Commitment Orders "Papers" In Violation Of Rule 11 (SEE EXHIBITS # 3) OF PROFESSIONAL CONDUCT
 - (g) Respondents Lied (TR.P.45)
 - (h) Respondents EVASIVE ANSWERS (TR.P.8, L.I. P.9, L. 6: TR.P.542- P.551...) and
 - (i) Respondents From Marion/Nicholas County Sheriff Dept. Lack Multi-Jurisdictional Authority To Make The Arrest Of Petitioner John Baccus Inside His Florence County Private Property Residence And Without Probable Cause Warrants (TR.P.46) captured On Surveillance VIDEO TAPE FOOTAGE, (PRE LIMINARY HEARING TR.P. 12-13)
 - (j) On 12/6/17 And 5/25/18 White Prison Guards Abused Sexual Assault And Harassment Rape Sodomy Upon Black Inmate Petitioner For Entertainment, Captured On Surveillance Video Tape Camera...

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Mr. John Brown

Date: November 23, 2018