

4th Circuit
9:19-CV-0227-MGL

IN THE

SUPREME COURT OF THE UNITED STATES

20-1191

Robert Singletary — PETITIONER
(Your Name)

vs.

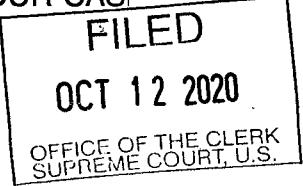
Kenneth Acton — Warden RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS (NOT MERIT)

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

JUST EQUITABLE TOLLING
PETITION FOR WRIT OF CERTIORARI



Robert Singletary

(Your Name)

B.R.C.I. Marion 214

4460 Broad River Rd.

(Address)

Columbia, S.C. 29210

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. IS the SIX Amendment A CONSTITUTIONAL Right?

A. Do the ACCUSED have Rights?

B. Should JURY hear ALL relevant evidence?

C. Do the Constitution guaranteed rights for ALL the people?

D. IS COMPLUSORY process A CONSTITUTIONAL Right. ALONG WITH
DUE PROCESS, CIVIL LIBERTY, EQUAL protection AND THE RULE OF
LAW under your JURISDICTION.

LIST OF PARTIES

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

[] 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 petition is as follows:

RELATED CASES

HOUSTON V. LACK, 487 U.S. 266, 108 S.Ct. 2379, 101 L.Ed.2d 20
FALLEN V. UNITED STATES, 378 U.S. 139, 84 S.Ct. 168
2d. 760 (1964)
HOLLAND V FLORIDA 360 U.S. 631, 130 S.Ct. 2549, 177 L.Ed.2d 130

U.S. V TAYLOR 484 U.S. 1025, 108 S.Ct. 747 (mem)
Sheridan V U.S. 484 U.S. 1024, 108 S.Ct. 747 (mem) 1988

U.S. V SOLLY 545 2d 874 22 Fed.R.Serv.2d 1222

STATE V SCHMIDT 288 S.C. 301, 342 S.E. 2d 401

BARBER V PAGE 390 U.S. 719, 88 S.Ct. 1318, 20 L.Ed.2d

Rule 12.1 Alibi Defence

Rule 401-404-607, 608, 609

The U.S. Constitution, The Right to present Compulsory Process

STRICKLAND V WASHINGTON 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (

U.S. V WADE 388 U.S. 218, 87 S.Ct. 1926, 18 L.Ed.2d 1149

FARETTA V CALIFORNIA 422 U.S. 806 95 S.Ct. 2525, 45 L.Ed.2d

Rompilla V Beard, 545 U.S. 374, 383 (2005)

WHALEN V U.S. 1005 S.Ct. 1432 No. 78 5471 ARGUED NOV. 27, 1979
Decided April 16, 1980

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Signed 10-31-2019

APPENDIX B No. 20-6070 - Submitted June 16, 2020
Decided June 19, 2020

APPENDIX C P.C.R. TRIAL

APPENDIX D Right of ACCUSED to COMPULSORY PROCESS
288 S.C. 301,342, S.E. 2d 401

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ISSUE PRESENTED

STATEMENT

ARGUMENT

The PCR court erred in not finding trial counsel ineffective for not objecting to Debbie Elliott being qualified as an expert in child abuse assessment when there was not a sufficient showing of her individual reliability as there was no evidence her conclusions from the interview were accurate, and her qualification as an expert allowed her to give her improper opinion recommendations that Singletary should have no contact with this child or any child, and that Petitioner should have a complete sex offender assessment which was highly prejudicial to Petitioner Singletary and irrelevant to the jury's finding of guilt or innocence.....

CONCLUSION

STATE OF SOUTH CAROLINA

ORIGINAL

IN THE SUPREME COURT

Certiorari to Florence County

Edgar W. Dickson, Circuit Court Judge

RECEIVED

DEC 21 2015

S.C. Supreme Court

ROBERT SINGLETARY,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000883

PETITION FOR WRIT OF CERTIORARI

LANELLE CANTEY DURANT
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1343

ATTORNEY FOR PETITIONER

TABLE OF AUTHORITIES CITED

CASES

PAGE N

WILLIAMS V TAYLOR, April 18, 2000, 529 U.S. 362, 120 S.Ct. 1495	
U.S. V CRONIC MAY 14, 1984, 466 U.S. 648 104 S. Ct. 2039	
80 L. Ed 2d 657 (1984)	
DARDEN V U.S. Feb. 10, 2015 Not reported F. Supp. 3d	
2015 WL 541249	
TAYLOR V ILLINOIS JAN. 25, 1988 484 U.S. 400 108 S.Ct. 646	
98 L. Ed 2d 798 56 U.S.L.W. 4118	
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97 L. Ed 2d 37	

STATUTES AND RULES

USCA Const. Amend XIV EQUAL protection of the LAWS
Amendment V Due process clause.
Rule 401 Relevant Evidence

OTHER Justice PLEICONES dissent. He wrote. IN MY OPINION
it WAS NOT ONLY UNNECESSARY but IMPROPER for the CIRCUIT
Court to qualify Herod AS AN EXPERT WITNESS BE RELIABLE.
The Court FOCUSED on the RELIABILITY STANDARD BECAUSE
WAS the GIST OF CHAVIS ARGUMENT STATE V CHAVIS 412
101, 771 SE 2d 336 (2015)

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 of the Court of Appeals for the Seventh Circuit.

OPINIONS BELOW

For cases from **federal courts**:

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

reported at _____; 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 F to the petition and is

reported at _____; 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 to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix D to the petition and is

reported at _____; 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 19, 2020.

[] 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: _____, and a copy of the order denying rehearing appears at Appendix _____.

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

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 April. A copy of that decision appears at Appendix _____.

[] A timely petition for rehearing was thereafter denied on the following date, and a copy of the order denying rehearing appears at Appendix _____.

[] 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).

JURISDICTION

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was JUNE 19, 2020.

[] 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: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] 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. § 1254(1).

[] For cases from **state courts**:

The date on which the highest state court decided my case was April 1, 2025. A copy of that decision appears at Appendix _____.

[] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] 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

SCRIMM V. LEE, 935 F.3d 103, 2nd Circuit, AUGUST 20, 2019 WL3924811
Due process

STATE V. JENNINGS, 394 S.C. 473, 716 S.E.2d 91 (2011)

CHAPPELL V. STATE 429 S.C. 68, 837 S.E. 2d 496 (2019)

BRIGGS V. STATE 421 S.C. 316, 806 S.E. 2d 713 (2017)

Rule 403

STATE V. DOUGLAS 380 S.C. 499, 671 S.E.2d 606 (2009)

STATEMENT

In September 2009, the Florence County Grand Jury indicted Robert Singletary charges of committing a lewd act on a minor and criminal sexual conduct (CSC) with a minor. On June 21, 2010, Petitioner Singletary proceeded to trial before the Honorable D. Craig Brown, jury. Singletary was represented by Vick Meetze, and the state was represented by E.L. Cleary III., Robert N. Wells, Jr., and Catherine J. Anderson. App. 1. The jury found Singletary guilty of both charges as indicted. App. 238, ll. 5 – 19. Judge Brown sentenced Singletary to thirty years in prison, the CSC with a minor and fifteen years on the lewd act charge to run concurrent with the CSC sentence. App. 244, ll. 3 – 22. The South Carolina Court of Appeals affirmed Singletary's convictions and sentences on October 31, 2012. State v. Singletary, Op. No. 2012-UP-589 (C.A. filed October 31, 2012).

On April 13, 2013, Petitioner Singletary filed an application for post-conviction relief (PCR). The state filed a return on September 13, 2013. An evidentiary hearing was held on October 9, 2014 before the Honorable Edgar W. Dickson. Singletary was represented by Jonathan C. and the state was represented by Josh Thomas. App. 275. On March 25, 2015, Judge Dickson entered an order denying Singletary's PCR application and dismissing it with prejudice. App. 318 – 327. This petition for a writ of certiorari follows.

ISSUE PRESENTED

Did the PCR court err in not finding trial counsel ineffective for not objecting to Debbie
ott being qualified as an expert in child abuse assessment when there was not a sufficient
wing of her individual reliability as there was no evidence her conclusions from the interview
re accurate, and her qualification as an expert allowed her to give her improper opinion
ommendations that Singletary should have no contact with this child or any child, and that
itioner should have a complete sex offender assessment which was highly prejudicial to
itioner Singletary and irrelevant to the jury's finding of guilt or innocence?

STATEMENT OF THE CASE

Defence COUNSEL FAIL to give notice of ALIBI Defence. When crime occurred someone else WAS in that business. Defence COUNSEL Vick Meetze did NOT investigate or interview the people in the other OFFICES. I would have been better pleading guilty. RULE 12.1, RULE 401 AND 403. See Vick Meetze direct by Mr Thomas p-24 A-5-25. The Jury should have heard ALL testimony AND seen OFFICE ALSO. Poor Performance. Right of ACCUSED to COMPULSORY COUNSEL. Right to present A defence. RULE 407 S.C. RULE OF PROFESSIONAL conduct. STATE had NO PHYSICAL evidence.

REASONS FOR GRANTING THE PETITION

Deprived of Constitutional Rights. Rule of LAW, Compulsory process CLAUSE, Six Amendment, Fourteen Amendment, EQUAL Protection CIVIL Liberty It is your oath and duty to uphold and enforce the Constitution of THE UNITED STATES OF AMERICA.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Robert Singletary

Date: Feb 8, 2021