

UNpublished  
No. 20-1191

4th Circuit  
9:19-cv-00227-MGL

IN THE  
SUPREME COURT OF THE UNITED STATES

20-1191

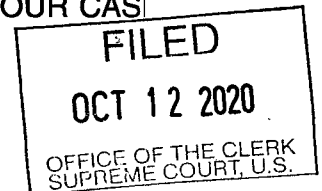
Robert Singletary — PETITIONER  
(Your Name)

vs.

Kenneth A. Lisen — <sup>Warden</sup>RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS (NO 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.F. 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 Compulsory 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. All parties to the proceeding in the court whose judgment is the subject of petition is as follows:

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## RELATED CASES

HOUSTON V. LACK, 487 U.S. 266, 108 S.Ct. 2379, 101 L. Ed. 2d 760 (1964)  
FALLEN V. UNITED STATES, 378 U.S. 139, 84 S.Ct. 168  
HOLLAND V FLORIDA 560 U.S. 631, 130 S.Ct. 2549, 177 L. Ed. 1306  
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. SOLLY 545 2d 874 22 Fed R Serv 2nd 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 US 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 US 806 95 S.Ct. 2525, 45 L. Ed. 2  
Rompilla V Beard, 545 U.S. 374, 383 (2005)  
Whalen v. US 1005 S.Ct. 1432 No. 78 5474 ARGUED Nov 27, 28, 1979  
Decided April 16, 1980.

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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.....

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**ORIGINAL**

STATE OF SOUTH CAROLINA

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  
\_\_\_\_\_

\_\_\_\_\_  
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ATTORNEY FOR PETITIONER

## TABLE OF AUTHORITIES CITED

### CASES

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WILLIAMS V TAYLOR, April 18, 2000, 529 US 362, 120 S.Ct. 1495

U.S. V CRONIC MAY 14, 1984, 466 US 648 104 S. Ct. 2039  
80 L. Ed 2d 657 (1984)

DARDEN V U.S. Feb. 10, 2015 Not reported F.Supp 3d

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TAYLOR V ILLINOIS JAN. 25, 1988 484 US 400 108 S.Ct. 646

98 L Ed 2d 798 56 USLW 4118

ROCK V ARKANSAS JUNE 22, 1987 483 US 44 107 S.Ct. 270  
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 PLICONES DISSENT. HE WROTE. IN MY OPINION  
IT WAS NOT ONLY UNNECESSARY BUT IMPROPER FOR THE CIRCUIT  
COURT TO QUALIFY HERD 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

**OPINIONS BELOW**

☐ For cases from **federal courts:**

The opinion of the United States court of appeals appears at Appendix \_\_\_\_\_ 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   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 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 \_\_\_\_\_, 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 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, 2015. 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**

S Crimo 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, Jr. Singletary was represented by Vick Meetze, and the state was represented by E.L. Clendenen 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 on 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 (Ct. App. 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 L. Thomas 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 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 Singletary should have a complete sex offender assessment which was highly prejudicial to 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 A5-25. The Jury should have heard all testimony and seen my evidence. All Renters had documents and the Lake City, S.C. Business Office also. Poor Performance. Right of Accused to Compulsory Process. 288 S.C. 301, 342. S.E. 2d 401. Strickland ineffective 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.

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### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Robert Singletary

Date: Feb 8, 2021