No. 24-6917 ORIGINAL

Supreme Court, U.S.
FILED
NOV 04 2025
OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES
MARCH TERM 2025

EDMOND STANLEY ADAMS, III
Petitioner

VS

STATE OF SOUTH CAROLINA
Respondent

Petition For Writ Of Certiorari To The
South Carolina Supreme Court

PETITION FOR WRIT OF CERTIORARI

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(Counsel OF Record)

(Questions Presented)

I. Did the S.C. Supreme Court error by barring Petitioners Federal Factual predicate that his purported waiver of his 6th Amendment Right to effective assistance of Counsel was Constitutionally infirm?

II. Did the S.C. Supreme Court error by barring Petitioners Federal Factual predicate that he was denied effective assistance of Counsel at his pretrial motion hearing?

III. Did The S.C. Supreme Court error by barring Petitioners Claim that the Richland County Court of General Sessions Lacked Subject Matter Jurisdiction to entertain, and adjudicate Petitioners Pretrial motion hearing, when the tribunal who presided was on vacation outside of his assigned Judicial Circuit?

IV. Did The S.C. Supreme Court error by barring Petitioners Federal Factual predicate that his purported waiver of his 6th Amendment Right to Counsel was UnConstitutional, Null and utterly void do to the Court Simultaneously questiong his compentency while he was Pro.se.?

V. Did The S.C. Supreme Court error by barring Petitioners Federal Factual predicate that he was denied effective assistance of Counsel at his Compentency hearing held on "April 10th, 2000"?

VI. Did The S.C. Supreme Court error by barring Petitioners Federal Factual predicate that he was denied effective assistance of Counsel when his case was remanded from the S.C. Court of Appeals back to the general Sessions Court of Richland County?

VII. Did The S.C. Supreme Court error by barring Petitioners Federal Factual predicate that he was denied effective assistance of Counsel on his first appeal?

VIII. Did the S.C. Supreme Court error by barring Petitioners Federal Factual predicate that he was denied effective assistance of Counsel on his first appeal when Petitioner relieved himself as Counsel do to mistreatment?

IX. Did The S.C. Court of Appeals acquire Appellate Court Jurisdiction when there Was no motion presented to the Court to reinstate the appeal from the Court of General Sessions from the attempt to repair the transcript?

X. Did the S.C. Supreme Court error by barring Petitioners factual predicate that he did not have a full and fair bite at the Post Conviction relief (PCR) apple?

XI. Did the S.C. Supreme Court error by barring Petitioners factual predicate that the S.C. Supreme Court Lacked Appellate Court jurisdiction to adjudicate Petitioners appeal?

XII. Did the S.C. Supreme Court error by barring Petitioners factual predicate that it was a jurisdictional Structual error to put the jurors Petitioner Struck after a Batson hearing back on the jury panel?

XIII. Did The General Sessions Court of Richland County have Subject Matter jurisdiction to adjudicate Petitioners trial when his indictments were not filed?

XIV. Did The General Sessions Court of Richland County have Subject Matter jurisdiction to adjudicate Petitioners trial when There is No special Count in any indictment for carrying a Concealed weapon pursuant to the S.C. Code Ann § 17-19-40?

XV. Did The General Sessions Court of Richland County have Subject Matter jurisdiction to adjudicate Petitioners Pretrial Motion hearing held on March 29th, 2000?

XVI. Did The S.C. Supreme Court error by barring Petitioners Factual predicate That The jury pool mini panel was tainted with Strangers to the Court who did not have juror information Cards?

List Of Parties To The Proceeding
Pursuant To Rule 14.1(b)

Pursuant to Supreme Court Rule 14.1(b), Petitioner, to wit, Mr. Edmond Stanley Adams, III do hereby certify that the names of all parties to this proceeding appear in the Caption of this Petition for writ of Certiorari.

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(CONSTITUTIONAL PROVISIONS)

(Petition For Writ OF Certiorari)

Petitioner, Edmond Stanley Adams, III respectfully petitions this Honorable Court for a writ of Certiorari to review the outrageous order from the S.C. Supreme Court refusing to entertain and adjudicate Petitioners plethora of [f]ederal factual predicates of denial of effective assistance of Counsel during [S]everal Critical Stages of the judicial process, Involuntary waiver of Counsel, and Lack of Subject Matter jurisdiction claims, accompanied with Several Structual defects That will Shock the conscious of this Court.

(Reported Decisions)

The following decisions in this case directly relating to the questions presented are included in the designated appendices:

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(Statement OF Jurisdiction)

Petitioner, Edmond Stanley Adams, III seeks review of the order from The S.C. Supreme Court issued on May 22nd, 2024 (App. pg. 1). Petitioner Timely filed a petition for a rehearing and that petition was adjudicated by The S.C. Supreme Court on August 13th 2024 (App. pg. 2). The United States Supreme Court has jurisdiction under 28 U.S.C. §1257(a) to review Petitioners ignored Federal Law Factual predicates, and any other Structural defect or jurisdictional defect Sua Sponte that this Court deems just and proper to promote Confidence in the American jurisprudence of Law.

(Constitutional Provisions And Statutes Involved)

The following Constitutional provisions and Statutes are involved in this Case:

(United States Const. Amendment 6)

To be Confronted with the witnesses against him, to have Compulsory process for obtaining witnesses, and to have assistance of Counsel for his defense

(United States Const. Amendment 14)

Nor Shall any State deprive any person of life, liberty or property without due process of law; Nor deny to any person within its jurisdiction the equal protection of laws.

(S.C. Constitution Art. I § 8)

In the government of this State, the legislative, executive and judicial powers of the government Shall be forever Seperate, and distinct from each other, and no person Shall assum or discharge the duties of any other.

(S.C. Constitution Art. I § 14)

To be fully informed of the nature and Cause of the accusation; To be Confronted with the witnesses against him; To have Compulsory process for obtaining witnesses in his Favor, and to be fully heard in his defense by himself or by his Counsel or by BOTH.

(S.C. Constitution Art. V, §4)

The Chief Justice Shall set the terms of any court and Shall have the power to assign any judge to sit in any Court within the unified judicial system. Provided, each County Shall be entitled to four weeks of each year and such terms therefore Shall be provided for by the General Assembly. Provided, further, that the Chief Justice Shall Set a Term of at least one week in any Court of original jurisdiction in any Court within Sixty days after receipt by him of a resolution of the County bar requesting it

(Introduction)

This case at bench is beyond extraordinary in a real Constitutional Sense for it is lynch mob racially motivated and at the apex of bias against Petitioner in the State of South Carolina that directly involves The National Head Quarters of The F.B.I. (App.pg.3), The U.S. Department of Justice (DOJ), and Former U.S. Attorney General Janet Reno (Her Letter was Seized by the State and Never returned) This is a rape, Kidnapping, and armed robbery case in the State of South Carolina, and the prosecutrix is white, and The Petitioner is black. Against this background The State of South Carolina has went way beyond its judicial duties to Secure a Conviction and got "caught" fabricating the hospital reports, The Sexual assault examination protocal reports inter alia. This is a tearse Statement to make at bench in this Honorable Court, however We must revere The findings of The U.S. Dept. of Justice who reviewed those documents, and found [p]rosecutable [V]iolations of [F]ederal [C]riminal Civil rights Statutes (App.pg. 4). Shockingly, The Key witness in this case is Sgt. Myers from the Columbia P.D. who was listening to The Petitioner and the prosecutrix allegedly having sex for a minute or two (App.pg. 6-8) and he testified that The Sex was [C]onsensual. The State in the Final closing argument said "The State Cannot Prove We Had Sex At All" (App.pg. 15). Even more Shocking, The officers spoke to the prosecutrix at Petitioners home, and Specifically, asked her if She was alright, and She "[S]miled" and Said yeah, and was chasing Petitioners cat when it ran out on the Front Porch Saying HERE KITTY KITTY KITTY! (App.pg. 6-14 and 16-21)

As Shockingly true as this diction is, [b]oth Asst. Solicitors who prosecuted this case, to wit, Kathryn Luck Campbell, and Don Johnson were dismissed from the Solicitors office for malfeasence.

Even more bizarre, Don Johnson was arrested, indicted and Convicted in a Court OF The United States OF America for his blatant Crimes against this Country, and Sent to The Federal Penitentiary. (This can be googled). The U.S. Constitution, The Laws our great nation and Federal Law as determined by [t]his Honorable Court has been disrespected to The level of a State Court Judge in South Carolina saying on The record that U.S. Supreme Court precedents are Not the law in South Carolina (App.pg.293).

I will not write what was said about our Honorable Chief Justice in this hearing, because it was erased, and the tape of this hearing was impermissibly destroyed against The law.

At bench is the "KITTY CAT CASE" The most Shocking Case in the History OF The United States Supreme Court.

(Statement Of The Case)

Petitioner and the prosecutrix were long time friends. They worked together at the Blue Marlin Restaurant, and at The Mr Friendly's Restaurant in 5 points. There is no dispute in this case that Petitioner and the prosecutrix Communicated via telephone do to the prosecutrix's home phone, and Cell phone Numbers being found in the Petitioners wallet writen by the prosecutrixs hand. Allegely on August 16th 1998 the prosecutrix gave the Petitioner a ride home, and went inside his home to get Some marijuana. She was late arriving home by a few hours and her boyfriend, and family were Concerned and Called Mr. Friendly's Restaurant. The Owner of the restaurant Christian Nimi went into Petitioners work file records and Impermissibly gave the prosecutrixs boyfriend Petitioners emergency Contact Number, which was his grand aunt, Thelma Burden. Her boyfriend called Thelma Burden, and She gave the prosecutrix's boyfriend Petitioners address. This information was given to Sgt. Myers of the Columbia P.D. who is a very close friend of Christian Nimi . The Columbia P.D. began a all out Search for a 23 year old women who was two hours late arriving home. Sgt. Myers was the first officer to arrive at Petitioners home, and was advised by dispact to wait on back up before he Confronts Petitioner. He went to the house Next door first, because the prosecutrics car was there, and he Said her car looked Normal. Then he heard Sexual Sounds Coming from the back bedroom of Petitioners home. Sgt. Myers hearing these Sexual Sounds went into the Petitioners fenced OFF yard and went all the way around the house to the back yard, and Stood by the Window and listened for a minute or [t]wo until Officer Stan Blunt arrived. The two officers began banggining on Petitioners door like thunder yelling "Columbia Police Department. Petitioner Came to the door rapped only with a towel around him. When Petitioner opened the door, The officers had there hands on their guns at an acute alertness. The officers wanted to know where the prosecutrix was, and Petitioner told them the "truth", "She is in the bed." They forcefully said they wanted to speak with her, and Petitioner went and told her. She got out the bed, and started getting dressed wondering how the police knew she was at Petitioners home which was unexplainable to Petitioner. While putting on her fanny pack and shoes the cat started playing with the prosecutrix, and she came walking up the hallway the cat was running between her feet, and when she got in the presence of the officers, she was scanned by the officers, and was [S]miling in good spirits, then because the officers had the front door open, the cat ran out on the front porch, and the prosecutrix was chasing the cat to keep it from running out in the yard, saying here kitty kitty kitty, and she caught the cat which amazed law enforcement, and she put the cat back into the house. She was ready to leave, and Petitioner walked her to her car, while both officers carefully watched. She opened her door, let her window down and Petitioner began to talk with her. The Law enforcement officers right across from Petitioner and the prosecutrix watched the inter-action between them and to their satisfaction that the prosecutrix was safe, they left her with Petitioner and they continued to talk. A few minutes later the prosecutrix left. When she arrived home, her boyfriend, and family knew where the prosecutrix was, because Sgt. Myers had called the owner of Mr. Friendly's, to wit, Christian and told him that the prosecutrix was at Petitioners home having [C]onsensual sex. The Prosecutrix screamed rape and Law enforcement went to her home. When the Prosecutrix told her story, Sgt. Myers and Stan Blunt thought this was [S]trange because she was fine when she was at Petitioners home. The Prosecutrix purportedly was taken to the hospital, however the hospital reports, The Sexual assault examination protocal reports and other documents have been found to be a remnant of federal prosecutorable action when these document were carefully reviewed by The F.B.I., and the DOJ. Law enforcement went back to Petitioners home and Searched his yard without a Search warrant, and found NO evidence at all to corroborate the Prosecutrixs Story, (App.pg 11 - 12).

Petitioner was appointed Several attorneys in this case, However None of them would do an investigation For him to prepair a defense, forcing Petitioner to relieve Counsel and represent himself. While Petitioner was Pro.se. former Asst. Solicitors Kathryn Luck Campbell, and Dan Johnson sent officers to the County jail to Petitioners cell, and they brutally attacked Petitioner, and Kicked him in his face Chipping his front tooth. Petitioners cell mate Kenneth Tucker was also attacked. The officers Took all of Petitioners Legal mail From officials in Washington D.C. and trial preperation papers. This attack by the State was caused by Petitioner informing former Asst. Solicitor Kathryn Luck Campbell that he Knew She fabricated his mandatory discovery because he was not in jail on August 18th, because the undisputed proof that Petitioner wasn't in jail on on the 18th was his "Check" that he cashed at Pauls liquor Store on The 19th. The State tried to medicate Petitioner to cover up there misconduct by removing Petitioner from the County jail without a Court order. The State Stole this Check at trial, and took it out The Courtroom upstairs to the Solicitors office.

The jury pool mini panel was tainted with "9" Strangers to the Court who did not have juror information Cards, and after a Batson hearing the judge put all the jurors Petitioner Struck back on the jury Panel. Petitioner represented himself at trial, and recieved a 65 year Sentence with no concrete evidence at all.

(Summary OF Arguments)

Petitioner avers that he was impermissibly denied his 6th and 14th Amendment guarantees to have effective assistance of Counsel during [S]everal [C]ritical Stages of the judicial process, to wit, at the pretrial hearing, at the hypersensitive Compentency hearing held on April 10th 2000, on his first appeal, on remand to repair the transcript, inter alia. The S.C. Supreme Court, Nor the Respondent refute the undisputed fact That Petitioner was denied effective assistance OF Counsel during a plethora of Critical Stages in this case, However Petitioner was denied relief because he[C]annot demonstrate [p]rejudice from this Structural defect, (App. pg 95-96), which is flatly unwarranted under clearly established Federal Law as determined by This Court, Garza VS. Idaho, 586 U.S. 232, 139 S.Ct. 738 (2019) Woods VS. Donald, 575 U.S. 312, 135 S.Ct. 1372 (2015). As far as Petitioners factual Predicate that his 6th Amendment waiver to Counsel at [t]rial, The burden of production is on the State to prove that The waiver is Constitutionally iron clad, and Can withstand a searing U.S. Supreme Court Scrutiny. The breathless moment here is there is [N]o transcript, or record to present to this Court to show a waiver at all. The record is "Silent" and this is judicial suicide for Respondent to allow this claim to get to this Court with No record. The jury Selection process is a complete utter Sham from it's genisis. There is just no legal justification for "9", yes nine peoples names to appear on the juror pool mini panel Sheet, and None of these nine persons have a juror information Card in the Certified Court records, which makes them Strangers to The Court. Even more Shocking, [t]wo of these Strangers actually made it on the jury panel which is a undisputed Structural error. The State trial Court took all of Petitioners peremptory challenges away from him, and The Court barred Claims OF Lack of Subject Matter JurisDiction.

(REASONS FOR GRANTING THE WRIT)

The Questions Presented Are Of Extraordinary National Importance To The Fundamental Principals OF American Jurisprudence OF Law That Cannot Be Overlooked.

(I.)

Compelling Respect, regardless of What The S.C. Supreme Court holds to bar the waiver of a Known guaranteed [F]ederal Constitutional Right, in there Court, it is a matter Controlled by Federal Law and Cannot preclude This Honorable Court from de novo Review, Ex Rigore Juris, Gonzalez "vs." U.S, 553 U.S. 242, 128 S.Ct. 1765 (2008). There are Several Concrete reasons to Clearly demonstrate at bench That Petitioners purported waiver of his 6th Amendment Right to Counsel Cannot withstand U.S. Supreme Court Scrutiny.

Getting Straight to the point, as a matter of first impression, There is absolutely No record of The waiver hearing. Put another way, There is absolutely No Transcript at all of The waiver hearing. The Law is Written, (Ita Lex Scripta Est), "Presuming waiver from a silent record is [i]mpermissible. The record must Show, or there must be an allegation and [e]vidence which Show that an accused was offered Counsel, but intelligently, and understandingly rejected the offer, [a]nything less is [N]ot a waiver, Carnley VS. Cochran, 369 U.S. 506, 82 S.Ct. 884 (1962) Parke "VS." Raley, 506 U.S. 20, 113 S.Ct. 517 (1992).

This Court forthwith this famous phraseology, "He Should be made aware of The dangers, and disadvantages of self representation, So that the [r]ecord will establish that he Knows what he is doing, and his choice made with his eyes open" Faretta VS. California, 422 U.S. 806, 95 S.Ct. 2525 (1975).
It is accurate to say, that the record this Court was speaking loudly of was the transcript of The waiver hearing, Id. at [No. 2-3].
To crystalize this point at bench, in every case ever adjudicated in this Court regarding a waiver of the 6th Amendment Right to Counsel, The transcript was always Sub judice from the Westlaw Search engine.
Let me be pellucid, it is incumbent upon the State of South Carolina to prove The intentional relinquishment of Petitioners purported 6th Amendment waiver of Counsel, Brewer VS. Williams, 430 U.S. 387, 97 S.Ct. 1232 (1977).
It is well documented in this case that The State of South Carolina attempted to prove a waiver of Petitioners 6th Amendment Right to Counsel from What Petitioner Said in prior hearings, (App. pg. 77 through 78).
Notwithstanding, The S.C. Supreme Court itself in there domestic precedent State vs. Dial, 429 S.C. 128, 838 S.E.2d. 501 (S.C. 2020) has condemned Petitioners purported waiver of his 6th Amendment Right to counsel for all the reasons that They Said it was valid years in The past.
This is a breath taking moment, but it is obvious and unarguable that Petitioner Cannot waive his 6th Amendment Right to Counsel in a State Court proceeding that is preter legal, Non juridicus, moreover [m]alum [p]rohibitum. The Contention here is Ultrapure.
Fact's are more powerful than words (Facta Sunt Potentiora Verbis), and the fact that the Respondent cannot defeat or overcome is, Petitioner

purportedly waived his right to Counsel in a judicial proceeding in the Court of general Session in Richland County South Carolina on August 11th 1999. (App. pg. 28). Astonishingly, the State Legislature in the State of South Carolina Specifically, and unequivically prohibited anykind of judicial proceeding in Richland County on August 11th 1999, pursuant to the S.C. Code Ann. § 14-5-670 (2) and (3)(a).

The [O]nly exception here is The S.C. Code Ann. § 14-5-910 which authorizes the Chief Justice of the S.C. Supreme Court to authorize [C]onstitutional power, pursuant to the S.C. Constitution Article V, § 4 to have a special term of Court. However, There is no petition from Solicitor requesting a Special term. Unshakable, it is unavoidable to Conclude That The Court Lacked [b]oth [S]tatutory and [C]onstitutional power to have a judicial proceeding in Richland County on August 11th 1999.

In So Concluding, We cannot blink the fact, That Petitioner Absolutely Cannot waive a Known Federal Constitutional Right in a proceeding that is Contrary to written Legislative Statutory Law.

Accordingly, Nobody Can Seriously argue that Petitioner had equal protection of The Laws, fundamental fairness, and due process of law which is protected by The 14th Amendment jurisprudence.

Critically Serious, because it is Concrete that The Court Lacked both Statutory and Constitutional power, according To U.S. Supreme Court jurisprudence, The Court Lacked Subject Matter Jurisdiction,

U.S. vs. Cotton, 535 U.S. 625, 122 S.Ct. 1781 (2002)

Lightfoot vs. Cen. Mort. Corp., 580 U.S. 82, 137 S.Ct. 553 (2017)

Importantly, the moving force why Petitioner wanted to represent himself was

[N]o lawyer appointed to this case would do an investigation to prepare his defense for trial. To demonstrate this Constitutional error, Petitioner had "[S]ix" different lawyers, and Not one of them Could produce an investigative report to the Court. The respondent will Stipulate to the fact That the Court granted Petitioner $1,500.00 dollars to hire an Investigator of his own Choosing, because No lawyer would do an investigation for him. As Shocking as this is, it's The truth, (App.pg.25).

I told Counsel, That I requested to See the Search Warrant, and the officers would not let me See it, and I was arrested in my home without an arrest warrant, (App.pg.251-255). I told Counsel that the Solicitors office Fabricated the hospital reports in my case, along with other documents, Committing the Crime of Forgery, Conspiracy ect. by attempting to make it look like I was in jail and arrested on August 18th, 1998.

The proof that I was not, was my [C]heck that I cashed at Pauls liquor Store on August 19th 1998.

Scandalously, I Subpoenad the Check from the bank to Show the jury. Asst. Solicitor Kathryn Luck Campbell, and X Federal Convict Dan Johnson Stole the Check From me at trial, and I never got to See it, Neither did the jury, because they took it up to the Solicitors office. Taking evidence out of the Court room is obstruction of justice (App.pg.30-39)

My trial date was October 25th, 1999, (App.pg.40) and I appeared before the Court on August 11th, 1999, which was only "75" day's away From trial. I had Counsel for 360 day's, and They did absolutely nothing So I filed a Civil action against Them, to wit, 99-CP-40-3317.

Counsel has a duty to investigate, Strickland vs. Washington, 466 U.S. 668, 104 S.Ct. 2052 (1984)
Kansas vs. Ventris, 556 U.S. 586, 129 S.Ct. 1841 (2009), In this case, an investigation was a "factoid".

Under this type of pressure, Stress, mistreatment, and poor representation it Cannot be Construed as an intentional relinquishment of his right to Counsel. I must emphasize the point that "An act done by me, against my will is not my act" (Actus Me Invito Factus Non Est Meus Actus).

This Court has Stated "If the accused however is not represented by Counsel, and has not compentently and intelligently waived his Constitutional Right, The sixth Amendment Stands as a jurisdictional [b]ar to a valid Conviction, and Sentence depriving him of his life or liberty - The judgment of Conviction pronounced by a Court without jurisdiction is [V]oid."

Custis vs. U.S., 511 U.S. 485, 114 S.Ct. 1732 (1994)

This Same principle is universally recognized by the lower Courts.

Herrington vs. Dotson, 99 F.4th 705 (4th Cir. 2024)
Herrington vs. Clark, 699 Fed. Appx 158 (4th Cir. 2017)
Pazden vs. Maurer, 424 F.3d. 303 (3rd Cir. 2005)
Solina vs. U.S., 709 F.2d. 160 (2nd Cir. 1983)

Unflinching, the lightning Strike in this point is the precedent Wilkins vs. U.S., 598 U.S. 152, 143 S.Ct. 870 (2023), which held "Jurisdictional bars can be raised at anytime by any party and which are required to be raised by a Court Sua Sponte.

Under These principles, The S.C. Supreme Court Could have adjudicated this claim.

(II)

At the purported 6th Amendment waiver hearing held on August 11th 1999 Petitioner Specifically informed The Court that he wanted to represent himself at trial. Petitioner did not say anything about representing himself in any other Stage of the judicial process.

Nevertheless, regardless of what was said at the Waiver hearing, it is Federal Law as determined by this court, that a less rigorous Faretta Waring is required at the pretrial Stage,

Iowa VS. Tovar, 541 U.S. 77, 124 S.Ct. 1379 (2004), also See,

Hines VS. State, 443 S.C. 32, 902 S.E.2d. 377 (S.C. 2024)

The record of the pretrial motion hearing Speaks for itself, and it loudly Say's that No type of Faretta Warning was given at all. (App.pg. 177-353)

This being so, Petitioner was inops Consilii at the pretrial motion hearing. Undebatable, there is No [e]vidence in the record that Petitioner waived his 6th Amendment right to Counsel during this critical Stage of the judicial process.

What is more, The Court was Statutorily mandated to inform Petitioner that he was entitled to Counsel at this hearing, pursuant to The S.C. Code Ann. § 17-3-10, and The Court was Silent, Said absolutely nothing.

Petitioner Litigated this matter at The PCR hearing (App.pg. 545-557)

The Court denied relief on this claim, However Respondent who prepared the order of dismissal did [N]ot include this claim in the order of dismissal Which is a tyrannous 6th Amendment [O]mmission which violates Petitioners procedural Due process, and equal protection of the laws Rights. The S.C. Code Ann. § 17-27-80 required this matter to be addressed in the order of dismissal "and it is not," (App.pg. 70-100). Concrete and to the point of emphasis. When Petitioner raised the [F]ederal factual predicate that he was denied effective assistance of Counsel at his pretrial motion hearing held on March 29th, 2000 in violation of his 6th and 14th Amendments to the U.S. Constitution, The Court of Common Pleas of Richland County, and exspecially The S.C. Supreme Court was Constitutionally and oath to God duty bound to adjudicate this [f]undamental claim. Stare desisis in this Scope supports this logic, to wit, "Under the postconviction relief rules, an applicant is entitled to a full adjudication on the merits of the original petition, or ONE BITE AT THE APPLE."

Odem vs. State, 337 S.C. 256, 523 S.E.2d. 753 (S.C. 1999)

Aice vs. State, 305 S.C. 448, 409 S.E.2d. 392 (S.C. 1991)

On May 19th, 2008, The PCR Court order of dismissal that was prepared and drafted by the Attorney Generals office was Signed. Since then, The Court's have [N]ot adjudicated this claim which is UnAmerican, and inexcusable.

Given this harsh reality, The S.C. Courts blatantly refusing to adjudicate this Federal Claim, has Cheated Petitioner out of automatic reversal because ex rigore juris this is a Structual error,

U.S. vs. Gonzalez - Lopez, 548 U.S. 140, 126 S.Ct. 2557 (2006)

Brecht vs. Abrahamson, 507 U.S. 619, 113 S.Ct. 1710 (1993)

According to Custis Supra, This is also a jurisdictional defect. To Crystalize my point here, For The Courts to ignore this Federal Claim for 17 Years Knowing that this Claim is iron Clad is Shocking to the Universal Sense of justice in the United States.

(III)

As a Starting premise, so that nobody misses the point, "Subject Matter Jurisdiction [p]roperly [C]omprehended refers to a [t]ribunal's [p]ower to hear a case," Union Pacific Railroad Co. VS. Brotherhood Of Locomotive Engineers And Trainmen General Committee OF Adjustment, Central Region, 558 U.S. 671, 130 S.Ct. 584 (2009) Morrison VS. National Australia Bank Ltd., 561 U.S. 247, 130 S.Ct. 2869 (2010) We can all agree that "objections to a tribunals Subject matter jurisdiction Can be raised at anytime, Henderson ex rel. Henderson VS. Shinseki, 562 U.S. 428, 131 S.Ct. 1197 (2011).

Under this impregnable U.S. Supreme Court foundation, every Honorable Justice at bench must understand that Judge James C. Williams Was a Circuit Court Judge from the [S]econd Judicial Circuit or [1st] Judicial Circuit, and Petitioners pretrial and trial was adjudicated in the [5th] judicial Circuit in Columbia South Carolina. Given this understanding, Judge James C. Williams had to drive all the way across the State to entertain and adjudicate Petitioners Pretrial motions, outside of his judicial Circuit.

To Shock The Conscious of every Honorable Justice at bench, in my Scope, meaning Nobody will be a [d]issent on this Claim, This is what Judge James C. Williams Said out of his South Carolina mouth, to wit, "Im taking a day of my vacation. I'm [N]ot even in Columbia this week, - That's the reason we [d]ont have a [C]lerk. I had to find a court reporter that was not working so I could come up here on a day of my [V]acation to do your pretrial early (App. pg. 313).

This language by Judge James C. Williams is the epitome, and essence of lack OF Subject Matter Jurisdiction.
He said it himself, "IM NOT EVEN IN COLUMBIA THIS WEEK, (ipse dixit). Even more to The point, he admits on Court record that The S.C. Supreme Court did not authorize him to preside over Petitioners Pretrial motion hearing, This is Shockingly undisputed.
Then he said, "THAT'S THE REASON WE DONT HAVE A CLERK.
This language by Judge James C. Williams gives substance to the Statutory violation of the S.C. Codes Ann. §§ 14-5-670(2) and (3)(a) Which informs us That The General Sessions Court of Richland County was [C]losed for judicial business on March 29th, 2000.
Thinking out loud, if the Clerk OF Court was [N]ot in the Courthouse, who was Suppose to mark the exhibits presented to the Court?
Obviously, The Clerk of Court is a Fundamental Component of a valid judicial Setting in [F]ederal or [S]tate judicial proceedings. If there is no Clerk, There is no Court. That's why They Call the person working in That Capacity, Clerk OF Court, they go hand and hand, anything to The Contrary, Notwithstanding.
Then he said, "I had to find a Court reporter." The 5th Judicial Circuit has plenty of Court reporters, but The General Sessions Court was Closed, Nobody was in the Courthouse.
Then he said, perse, "He came almost 100 miles across the State on a day of his [V]acation to Columbia to do my pretrial [e]arly."
Simply put, A State judge do not have power to adjudicate on Vacation, which is defined as - "A period of time devoted to

pleasure, rest, or relaxation; A fixed period of holidays, especially one during which a School, [C]ourt or business [S]uspends activities.

Significally important, because Judge James C. Williams was a Vacationist it is accurate to say that his Judicial Capacity was [S]uspended until his Vacation was overwith, and judicial power reinstated to him by the S.C. Supreme Court by operation of law. Then he said "He'll do my pretrial [e]arly". No such thing exist in The law. The Richland County Court of General Sessions Subject matter jurisdiction hinges upon the [a]uthority [g]ranted to the Court by The [L]aws, and Constitution of this State, and it is [f]undamental, Howard vs. S.C. Dept. of Corrections, 399 S.C. 618, 733 S.E.2d. 211 (S.C. 2012). The State Legislature Statutorily authorized a [S]pecific, definate, exact time to handle judicial business. U.S. Supreme Court jurisprudence reinforces my point here, to wit; When a power is Conffered for a limited time, the [a]utomatic Consequence of the expiration of that time, is the expiration of that power, Barnhart vs. Peabody Coal Co., 537 U.S. 149, 123 S.Ct. 748 (2003). Stare desisis informs us that the Court adjudicating my pretrial motion hearing [e]arly, beyond the jurisdictional limits blessed to The Court by the State Legislature had no force at all in the Law, and Judge James C. Williams denying all my pre-trial motions by judicial pronouncement are Negatory and utterly void (Coram Non Judice) Ex Parte Lilly, 7 S.C. 372 (1876), State vs. Henderson, 136 S.C. 363, 134 S.E. 364 (S.C. 1926) (Still Holding as good law) Stare desisis also informs us that Judge James C. Williams Coming from the 1st Judicial Circuit, To The 5th Judicial Circuit at an authorized time is illegal and the Court Lacked Subject Matter Jurisdiction", Ex Parte De Hay, 3 S.C. 564 (1872)."

Strict Scrutiny cannot permit a judicial proceeding to be held malum prohibitum, and not be corrected in this Setting, because if the pretrial motion hearing is utterly void, Then every judicial proceeding behind it is also utterly Void. We are a nation of Laws, Marbury vs. Madison, 1 Cranch, 137, 5 U.S. 137 (1803) and from The words of The Law, There is no departure (A verbis Legis Non Est Recedendum). To make matters worse, I had a copy of the U.S. Supreme Court precedents, Payton vs. New York, 445 U.S. 573, 100 S.Ct. 1371 (1980) and Johnson vs. U.S., 333 U.S. 10, 68 S.Ct. 367 (1948) in my hand in this proceeding. When I Started to read the Supreme Law of The Land, This Court's Law, Judge James C. Williams in open Court Said Your Precedents are [N]ot The Law In South Carolina per se and the Court room was dead Silent and Shocked, There faces Said It all. (App. pg. 293), I wish It was recorded So you could See this yourselves.

(IV)

Petitioner raised the [F]ederal factual predicate, that the trial Court Could not Simultaneously question his compentency to Stand trial, and at the Sametime find Petitioners purported waiver of his 6th Amendment Right to Counsel was Constitutionally valid (App. pg. 54). Undebatable, The PCR Court heard the arguments about this matter for certain, (App. pg. 475-483) The PCR order of dismissal prepared by the [R]espondent Stated this factual predicate was a [d]irect [a]ppeal issue, and thus [p]rocedurally barred a Federal Constitutional Factual predicate pertaining to the waiver of a Known Federal Constitutional

Right in his [f]irst Collateral proceeding which is most Shocking (App.pg. 81) Standing alone, The trial Court is Challenging your competency to Stand trial when you are in a full blown Blair hearing pursuant to State vs. Blair, 275 S.C. 529, 273 S.E.2d. 536 (S.C. 1981), so his purported waiver Cannot Stand,

Pate vs. Robinson, 383 U.S. 375, 86 S.Ct. 836 (1966)

U.S. vs. Purnett, 910 F.2d. 51 (2nd Cir. 1990)

U.S. vs. Kowalczyk, 805 F.3d. 847 (9th Cir. 2015)

U.S. vs. Martin, 608 Fed. Appx. 340 (6th Cir 2015)

Godinez vs. Morgan, 509 U.S. 389, 113 S.Ct. 2680 (1993)

What The rule of Law say's a court cannot do The Court of General Sessions of Richland County openly did, and The S.C. Supreme Court upheld this, and barred Petitioner From litigating this Claim.

Nevertheless, any factual predicate That deal with a 6th Amendment waiver of Counsel, and being possibly Non Campos Mentis Compells Federal Law adjudication.

It is obvious That The Petitioner did not have a full and fair bite of the judicial apple, Odem Supra, being So, The S.C. Supreme Court Could have remanded this Case back to The Court OF Common or adjudicated the Claim on The merits.

Petitioner was denied equal protection of The Laws, Fundamental fairness, and procedural due process which Squelched his 14th Amendment Rights To The U.S. Constitution.

V

Petitioner duly notified the Post Conviction Relief Court, during his first collateral proceeding, that he was denied effective assistance of Counsel at his Blair hearing held on April 10th 2000 which was the first day of his criminal trial. Importantly, The PCR Court was acutely aware that Petitioner was litigating that he was denied Counsel on April 10th 2000 (Appx. pg. 472-473). The extreme malfunction in this matter, is The PCR Court order dismissing relief on this claim, which was drafted by the [R]espondent, adjudicated this claim on the [W]rong Compentency hearing. To be sure, The order of dismissal States in relevant part, - "This Court finds no merit whatsoever in the Applicants claim that he was not represented by Counsel during the Blair hearing. As Chief Administrative Judge, I Signed an order dated October 13th 1999 appointing Doug Truslow to represent the Applicant at the final competency evaluation hearing" (App. pg. 96). This particular Court order was for The Blair hearing held on Monday, October 18th 1999, which was the first Blair hearing (App. pg. 101) On this understanding, and realistic review, it is unquestioned that Petitioners [F]ederal factual powerful predicate that he was denied effective assistance of Counsel at his Compentency hearing held on "April 10th 2000" not October 18th 1999 has never ever been adjudicated in a Court of Law on the merits in 17 years which is monstrous absurdity. There is, of Course, force to the point that Petitioner is a [V]ictim of artful manipulation, tantamount to Fraud on The Court, because a lie is a lie either by Commission, or omission, and in this particular case, [O]mission. The PCR Court had a Statutory duty pursuant To The S.C. Code Ann § 17-27-80 to adjudicate this Claim, Odem supra, and failed in it's judicial duty.

The S.C. Supreme Court Could have remanded this case back to the Court of Common Pleas for proper adjudication according to the operation and rule of Law, or in The alternative adjudicate the claim themselves because being denied effective assistance of Counsel during a critical Stage, is "Shocking to the Universal Sense of Justice".
Butler VS. State, 302 SC 466, 397 S.E.2d. 87 (S.C. 1990) citing
Uveges VS. Com. of Pa., 335 U.S. 437, 69 S.Ct. 184 (1948) also See
Carnley VS. Cochran, 369 U.S. 506, 82 S.Ct. 884 (1962). On the particular merits, The 6th Circuit Court of Appeals has Stated, "We have recently recognized the "Common Sense" viewpoint that a defendant [C]annot represent himself at his own Compentency hearing, the purpose of which is to determine whether a defendant Understands and can participate in the proceedings in the first place,
U.S. vs. Martin, 608 Fed. Appx. 340 (6th Cir. 2015), citing U.S. vs. Ross, 703 F.3d. 856 (6th Cir. 2012).
To Camouflage this Structual error, The lower Courts aver That Attorney Joseph McCulloch in a Standby or advisory capacity for [t]rial Sufficed as effective assistance of Counsel in the Blair hearing, (App.pg. 475 L.1-16; 473 L.1-16), The Courts logic and premise was The Blair hearing was part of the trial, (App.pg. 485 L.20-25 through 486 L.1-25), However by Rule of Law, a Blair hearing has absolutely nothing to do with a Criminal trial where innocense or guilt is determined by tiers of fact, A Blair hearing is [d]istinct, it's Sole purpose is to determine whether a Criminal defendant is Compos mentis, or Non Compos Mentis and given a Strict Criteria to determine this by the State Legislature, pursuant To The S.C. Code Ann. §44-23-430. The Court order appointing Mr. McCulloch to this case prohibits him from Representing me at anytime (App.pg. 111) People VS. Lightsey, 54 Cal. 4th 668, 279 P.3d. 1072 (2012)

(VI)

Let me be pellucid, at bench is [N]ot an issue of advisory Counsel, Standby Counsel, not even phantom Counsel, Sub judice is the hypersensitive [F]ederal factual predicate of having no counsel at all, during a Critical Stage of The judicial process, The Chief evil of the 6th and 14th Amendments To the U.S. Constitution, and an abomination to every Honorable Justice who wears the robe of righteousness. I begin with the Undisputed fact that the S.C. Court of Appeals remanded this case back to the Richland Co. Court of General Sessions for Petitioner to listen to the tapes of the trial to Correct, and repair the transcript of record which was in Complete Shambles on December 4th, 2001 (App. pg. 118).
On July 26th, 2002, Petitioner recieved a letter from the trial Court judge who was in another judicial Circuit, and not in Richland County Stating the tapes of the trial had been [e]rased (App. pg. 120). Inasmuch, from December 4th, 2001, to July 26th, 2002 is "235 days," and during these "235 days" the Court did not appoint Petitioner NO Counsel at all during this very Complex process of repairing a transcript of a week long criminal trial. It is Shockingly Undisputed That These fact's exist, but they remain. The integrity of the trial, and the appeal hinged on this critical Stage, and it is Constitutionally, and fundamentally Flawed in it's genisis. Petitioner being inops consilli at this particular Stage is a noticeable Catastrauphit inescapable fully developed 6th and 14th Amendment tragedy under the precedents, Gideon vs. Wainwright, 372 U.S. 335, 83 S.Ct. 792 (1963) and Powell vs. State of Alabama, 287 U.S. 45, 53 S.Ct. 55 (1932). Scandalously, because Respondent Cannot defeat the facts, They, and The Lower Courts required Petitioner to prove prejudice which is UnConstitutional. This is Simply despicable,

U.S. vs. Cronic, supra, Strickland, supra, Wright, supra, Hamiton Supra, Woods Supra, Smith Supra, Garzas Supra, and Roe Supra. The S.C. Supreme Court was Constitutionally, and Statutorily duty bound to entertain this claim on the merits, or remand this issue back to The Court of Common Pleas based on the Conclusive fact, That The PCR order of dismissal does not have any findings of fact on this Claim, Nor a Conclusion of Law Which violates The S.C. Code Ann. § 17-27-80. I submit That The Court requiring Petitioner to demonstrate prejudice is Not The Law, So that verbage on The Court order is utterly void, and Notwithstanding ipso jure.

(VII)

In Evitts vs. Lucey, 469 U.S. 387, 105 S.Ct. 830 (1985), This Honorable Court was Unequivocal when it "held" that a defendant has a 14th Amendment guarantee to have effective assistance of Counsel on his first appeal. Petitioner while Pro. se. on appeal, requested assistance of Counsel, and the Court denied the motion, (App. pg. 112) I submit Petitioner was denied Counsel on Appeal. As a Starting premise, In Faretta vs. California Supra at [No. 10] This Court Specifically and unequivocally explained to the Nation That There is only Six States That [d]oes allow you to be represented by Counsel, represent yourself, or be represented by "[b]oth, pursuant To The S.C. Const. Art. I § 14. Acknowledging this, The Petitioner was denied effective assistance of Counsel on his first appeal. The S.C. Supreme Court just allowed this judicial lashing to Continue, without taking notice to The jurisdictional attributes That This violation carried with it. This is a Structual error.

(VIII)

Do to a plethora of Constitutional violations, to wit, The S.C. Dept of Corrections [r]efusing to run copies of my briefs, and designated matter of appeal, Charging me 25¢ per copy of any document I needed copied, Charging me money to mail my briefs ect to The Court, which denied me free excess to the Courts, I moved The S.C. Court of Appeals to relieve me as Counsel by written motion because To properly prepare the appeal, and mail it to The Court Cost hundreds of dollars That I did not have. (App.pg. 114). Undebatable, The Court Never appointed me [e]ffective assistance of Counsel after I Specifically to them I relieve myself of Counsel. To be absolutely Sure, I was Still named as Counsel at The end of The appeal (App.pg. 117). This is Clearly a Constitutional violation, (Evitts supra, 14th Amendment). The S.C. Supreme Court Should have entertained this jurisdictional Structural defect. The Court did not address this issue either.

(IX)

Every Honorable Justice at bench is fully aware That when this case was remanded back to the general Sessions Court to repair the transcript, The Court failed to appoint Petitioner effective assistance of Counsel, leaving Petitioner to represent himself. Petitioner avers That The S.C. Court of Appeals Lacked Appellate Court jurisdiction because [t]he never filed a Rule 240(a) SCACR motion to [r]einstate the appeal. This case cannot go From the general Sessions Court, To The S.C. Court of Appeals without The proper documentation. If Subject Matter jurisdiction can be raised at anytime, That principle also applies to Appellate Courts.

(X)

Stare decisis firmly establishes that Petitioner is entitled to a full and fair bite of the PCR apple, Odom supra, Aice supra. It is the contention of Petitioner That his 14th Amendment right's to the U.S. Constitution was Squelched, and he did not get a full and fair bite of The PCR apple which the S.C. Supreme Court Should have recognized to grant Petitioner a new PCR hearing, or entertain These factual predicates infra themselfs, but To do absolutely nothing is just Shockingly [U]njustifiable.

The chiefest part of everything is the beginning (Cujusque Rei Potissima Pars Est Principium), and appointment of Counsel was the beginning of Some inexcusable Due process Violations That is painful to read as an American.

1st, Rule 71.1(d) SCRCP require the Court to [p]romptly appoint Counsel after The State has made it's return to the application. The State made it's return around February 7th 2007, and the Court did not even ask Petitioner about Counsel until March 17th 2008 which was one day before The PCR hearing. [p]romptly is defined as (1) Quick in being done, what should be done, (2) Being ready and quick to act as the occassion demands. (3) To move with action, (4) Done without delay (5) To press into action (6) On time, punctual, and (7) Performed readilly or immediatly. Judge James R. Barber allowed "406" DAYS to pass before he even asked Petitioner about Counsel, and it cannot be said That a 406 day delay is prompt, and we all can agree on that point. Even more Shocking than this, is The Court Never appointed PCR Counsel at all in this case, So Petitioner recieved no entitlement or benefit from Rule 71.1(d) SCRCP at all, to wit, Confer with Counsel, Counsel make Sure all grounds were raised, Counsel amend the application if Needed. Regardless if Petitioner wanted to represent himself Pro se., by rule of law

Counsel was suppose to be appointed, and [i]f for some unknown reason Petitioner didn't want that lawyer, then the Court would hear that issue by motion, but a 406 day delay in this setting is a procedural due process violation, and structual defect under the 14th Amendment jurisprudence on it's facial validity.

2nd, former Asst. Solicitor Kathryn Luck Campbell did [N]ot come to the hearing. The Court said she was unavailable (App.pg. 476). I wanted to ask her, "How could she be prosecuting me at trial, when she was a named defendant in my lawsuit against her in Civil action 99-CP-40-3323 (App.pg. 27), which was a obvious conflict of interest, and blatant violation of Federal Law as determined by the U.S. Supreme Court, Berger vs. U.S., 295 U.S. 78, 55 S.Ct. 629 (1935). To understand the gravity of this issue, Luck Campell had officers kidnap me out of my home with No arrest Warrant, she told the police to do this, (App.pg. 281-290) she was in conspiracy to forge and fabricate my mandatory discovery, and I sent several documents to the F.B.I., and to the D.O.J. Who agree that the documents are not real, and she is a criminal (App.pg. 609 and 615) The Legal letter that the U.S. Attorney General Janet Reno wrote me, she had the officers at the jail assault me, kicked me in the face, and chipped my front tooth, and had [a]ll my Legal mail + Court preperation trial papers taken away from me, and had me taken from the jail, with "No Court order" several times, and taken to The S.C. Dept. of Mental Health where they tried to drug me illegally.

I was suing her for 6.5 million dollars, and I had already been in Civil Court against her [t]wo lawyers, and defeated their motion to dismiss, (App.pg. 124) do to malice, + intent to harm, and this action was still pending at trial.

3rd The S.C. Code Ann. §17-27-80 requires the [C]ourt which is the judicial branch of government to prepare the order of dismissal. In this case, the office of The Attorney General prepared The order of dismissal and They are the executive branch of the government (App.pg. 606).
The executive branch of government Submitting this order of dismissal to the Court, and all the judge had to do is Sign it, Violates The Seperation of powers jurisprudence pursuant to The S.C. Constitution Art. I §8., and this office by not including my most powerful denial of Counsel Claims committed Fraud on the Court by ommission and disrespected The banner of The Constitution.
This act by the Attorney General was also malum prohibitum.
4th Judge James R. Barber Sent Petitioner To The S.C. Dept of Mental Health with "No" appointed Counsel which violated his 6th and 14th Amendment Rights.
He was also [S]pecifically named in my Complaint To The S.C. Supreme Court, (App.pg. 149), and in my Complaints to The F.B.I. and D.O.J. (App.pg. 4)
On that ipso facto he was partial, and bias, and Should not have been presiding in this PCR case at all.
Truly, Petitioner did not have a full and fair hearing, and The S.C. Supreme Court Knowing all this and more, did absolutely nothing.

(XI)

There are [t]wo PCR Judgments in this case which is a factual impossibility legally. The one in the record as page 1763 (App.pg. 126) is not Signed, the other (App.pg 127) is Signed but is not Court record. The S.C. Supreme Court Should have taken action.

(XII)

After a Batson hearing pursuant to Batson vs. Kentucky, 476 U.S. 79, 106 S.Ct. 1712 (1986) the trial Court judge impermissibly nullified Petitioners [p]eremptory [C]hallenges by putting the jurors he Struck, back on the jury panel. (App.pg. 427-432). Stare desisis in this Setting is Straightforward and without exception, and requires that the [e]ntire jury panel be thrown out, and a new jury panel be Selected. State vs. Jones, 293 S.C. 59, 358 S.E.2d. 701 (S.C. 1987); State vs. Edwards, 374 S.C. 543, 649 S.E.2d. 112 (S.C. 2007); State vs. Cochran, 369 S.C. 308, 631 S.E.2d. 294 (S.C. 2006). This procedure employed by the judge absolutely stripped Petitioner of his guaranteed fundamental fairness, equal protection of laws, and Due Process Rights under The 14th Amendment jurisprudence, based on Conclusive fact that it [a]brogated Petitioners peremptory Challenges which he is entitled to by rule of legislative Statutory law pursuant to the S.C. Code Ann. § 14-7-1110. I must emphasize and put every Honorable Justice at Bench to take judicial notice That EX Rigore Juris Petitioner had "5" peremptory Challenges, and after this process by the trial Court he recieved "0", I must reiterate, ZERO! The Shocking revelation to this fact of record is, "Fired from the Solicitors office for misconduct Kathryn Luck Campbell, X Federal Convict Dan Johnson, and the trial Court judge who says U.S. Supreme Court precedents are not the law (App.pg. 293) picked the jury panel themselves, and Petitioner was Kept out of the process which is Clearly UnAmerican, and the proof to this Constitutional tragedy is the record at bench. Petitioner attempted to raise this issue on direct appeal, However The transcript was flowed, and when Petitioner Tried to Correct the transcript, the tapes of the trial were erased (App.pg. 120). Attorney Joseph M. McCullach who was present at The trial informed Petitioner

Via letter that this issue was preserved for appellate review (App.pg.128). This is a [j]urisdictional, [S]tructual [d]efect, and The S.C. Supreme Court in the interest of justice, and jurisdictional bar jurisprudence, Should have adjudicated this claim, or remanded this case back to the lower Court under these Circumstances.

(XIII)

As a Starting premise, "Criminal procedure" is defined as - The rules governing the mechanisms under which crimes are investigated, prosecuted, and adjudicated and punished. It includes the protection of accused persons Constitutional rights. (Blacks Law Dictionary 12th ed. 2024). From this definition, The rules of criminal proceedure are the rules of the game, and when you break the rules, you are penalized or thrown out of the game. Getting Straight to It, It is my proposition that The Richland County Court of General Sessions Lacked Subject Matter Jurisdiction to entertain, and adjudicate this case, predicated On a Rule 3(c) SCRCrimP violation. Concrete and to the point, This rule requires the prosecutor to [f]ile the indictment with the Clerk of Court [b]efore the indictment is presented to the grand jury. Given this understanding of the rule, None of Petitioners indictments are filed with The Clerk of Court Secundum Regulam. Likewise because the violation is ultrapure, The Critical inquiry is whether the trial Court judge had judicial power to entertain and adjudicate this Case with "unfiled" indictments, and Shockingly by rule of Law the answer is [N]o, he did not, Union, Supra, Morrison supra. To understand my first point in this matter, it is Critical to recognize that the

Clerk of Court's "time Stamped Filed" on a judicial document is what seperates The official Court document's, From any other document in the World.
The time-Stamp "[f]iled" from the Clerk of Courts office give you the date, Month, and time that your document become an official Court document with The power of the Law, and The Court. My Second point is even more impressive. Reality is this, The clerk of Courts office is the gateway To The Court, whether it be a State Court of General Sessions, or Common Pleas, a U.S. Magistrate or District Court, a Federal Court of Appeals or This Court, The U.S. Supreme Court, The Clerk of Court's office is the gateway to the Court. My point is this, if The Clerk of Court dont time-Stamp file it, it is not a documente recognized by The law and the Court, and tantamount to a plain Sheet of typing paper.
To give my logic teeth, with a pitbull lock, This Court, The U.S. Supreme Court has explained, "It is equally true that there is no cause in the district Court or Circuit Court within the meaning of the law, until an indictment or information is [f]iled," U.S. vs. Von Duzee, 140 U.S. 169, 11 S.Ct. 758 (1891)(Still holding) Nonabrogable, This Court recognizes the importance of filing the indictments with The Clerk of Court, and the penalty for failing to comply with Rule 3(c) SCRCrimP, which is "No cause within the meaning of the Law" until The indictment is [f]iled. It is a matter of Common Sense and Rule of Law, that if The indictments have no meaning in The Law They are null and void, and if they are Null and void The S.C. Constitution Art. I § 11 cannot be met to transfer judicial power To The Court of General Sessions, because an unfiled indictment is tantamount to no indictment at all by operation of Law. There is force to my point, in Sharp vs. Johnson, 107 F.3d. 282 (5th Cir. 1997) the Court Stated,

"Jurisdiction is Conferred upon the trial court by [f]iling of the indictment not its reading".; The filing of a valid indictment is a prerequisite to the Courts jurisdiction, U.S. vs. Hill, 210 F.3d. 881 (8th Cir. 2000); State vs. Schuler, 135 N.E. 3d. 325 (Ct. App Ohio 2019); State vs. Jones, 255 N.C. App. 364, 805 S.E.2d. 701 (N.C. App. 2017) Ashwell vs. State, 226 So.3d. 69 (S.C. Miss. 2017) (A defendant is Charged when the indictment is filed); State vs. Smith, 344 P.3d. 573, 768 Utah (2014) To emphasize the point that this is a matter of [N]ational importance, The [S]tate Courts are "split" as to whether a rule of Criminal procedure to file an indictment (Stamp-file) is a significant actus reus to obtain the Subject matter jurisdiction brand.[T]his Court has explained "We have urged that a rule Should not be referred to as jurisdictional unless it governs a Courts [a]djudicatory Capacity, that is, it's Subject matter jurisdiction, Henderson ex. rel Henderson vs. Shinseki, 562 U.S. 428, 131 S.Ct. 1197 (2011).

In every State under the banner of the U.S. Constitution, The rules of Criminal procedure requiring indictments to be Stamp "filed" must be done, and Complied with Secundum regulam, it is mandatory, to have the power and force of The law, and brand of The [C]ourt, moreover to insure that The defendant recieves due process of The law, in which the essence of The definition of "Criminal procedure" entails. The Chief Justice of The S.C. Supreme Court has issued a Court order and a Supporting memorandum (App. pg. 617 & 618) emphasizing that all indictments in The State of South Carolina must be filed, under the rule 3(c) SCRCrimP, and The order and memorandum are willfully ignored, and the practice of [F]orgery, and Fabricating indictments and allowing the "Prosecutors" and the Courts to prosecute Citizens of the United States with a piece of paper ran off in a Copy machine must stop.

(XIV)

Petitioner avers That The General Sessions Court of Richland County Lacked Subject Matter Jurisdiction to entertain, and adjudicate Petitioners criminal trial. As a matter of first impression, I am acutely aware That Subject matter jurisdiction [p]roperly comprehended refers to a tribunals power to hear a Case, Union Pacific Railroad Co., Supra, Morrison supra... On this Understanding The S.C. Code Ann. § 17-19-40, Styled, "Special Count for carrying concealed weapons in case of murder and certain other crimes;" Jurisdiction informs us That There must be a Special Count as Stated in the indictment do to the State Charging that a "[K]nife" was used in the case at bench. Critically Serious, The general Sessions Court do [N]ot have exclusive jurisdiction of this Special Count, it has [C]oncurrent [j]urisdiction with The Magistrate Court, State vs. McClenton, 59 S.C. 226, 37 S.E. 819 (S.C. 1901), Importantly, without the Special Count, This matter is Still in The Magistrate Court.

Stare decisis emphasizes the point That the petit jury [M]ust find a verdict on the Special Count [b]efore Petitioner can be Sentenced.

State vs. Johnson, 70 S.C. 384, 50 S.E. 8 (S.C. 1905)

State vs. McClenton, Supra. (These cases are Still good Law, and holding)

Noticeable, The trial Court Judges judicial pronouncement of guilty against Petitioner is Null, utterly void, and without legal effect by rule and operation of law do to No special Count being presented to The jury. This being So, The tribunal did [N]ot have power to hear this case. The actions of a Court without Subject Matter Jurisdiction is Void. (Coram Non Judice). Petitioner was denied equal protection of The Laws, and Due process which violates The 14th Amendment.

(XV)

Pursuant to U.S. Supreme Court Rule 3, this Honorable Court Can entertain and adjudicate Cases in any month, week, work day, year round.
Strickly Speaking, and to the point, The Richland County Court of General Sessions is not the U.S. Supreme Court, and That Courts judicial power is [l]imited and is specifically defined in Legislative State Law, pursuant To The S.C. Code Ann. §14-5-670(2) and (3)(a). On March 29th, 2000 Petitioners Pre-trial motion hearing was adjudicated early by the trial Court judge. (App.pg. 313) Needless to say. The judge did not have the judicial power to extend the time Set Forth by the State Legislature, So it is accurate To say that The Court acted Ultra Virez and the Court Lacked Subject Matter Jurisdiction.

(XVI)

The jury pool mini panel is at bench for review, (App.pg 129). The only way by established fundamental operation of Law that a Name Can be on this Sheet, is you must fill out a juror information Card So The Court will Know who you are, where you work, have you been Convicted of a crime, inter alia. The juror information Cards are also at bench, (App.pg.130-143) and Scandalously nine (9) yes Nine people who are listed on the jury pool mini panel dont have juror information cards, they are "Strangers" to [t]his Court, to wit, Jeffrery S. Beckham#15, Andrea R. Mullins#196, Kenneth J. Williams, #317, Shirley J. Gaines 97 Shelly L. Sutton, #280, Charlie Wilson#319, Leon Harts #118, David M. Parthel #209 and James A. Jackson#332. Even more outrageous, the judge Put #97 back on the panel after She was Struck. and #97 + #118 made it on the jury panel which violates, Clark vs. U.S. 289 U.S. 1, 53 S.Ct. 465 (1933).

(Conclusion)

Normally, for The reasons Stated in this Writ, Petitioners Case Should be remanded for a new trial, however because the State of South Carolina has Stated on the record That They Cannot Prove Petitioner had Sex with the prosecutrix at all, accompanied with verified proof From authorities in Washington D.C. of Forgery and outrageous prosecutorial misconduct Never seen in this Honorable Court, Petitioner Should be released from Custody eo-instanti and all his privileges as a U.S. Citizen reinstated because a new trial would be a waist of the judicial economy and futile.

3.19.25
Date

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