

No. _____

ORIGINAL

24-7414

FILED

MAY 28 2025

**OFFICE OF THE CLERK
SUPREME COURT, U.S.**

SUPREME COURT OF THE UNITED STATES

IN THE

In re Ricardo Fishburne — PETITIONER
(Your Name)

vs.

South Carolina ~~State of~~ — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

S.C. Supreme Court | S.C. Dept. of Corr Agency
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ricardo Fishburne

(Your Name)

Po Box 205

(Address)

Ridgeville SE 29472

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

- 1.) Did S.C. Supreme Court deny Right to Petitioner for Redress?
- 2.) Did state of S.C., SCDC, Governor McMaster fail to Protect when they failed to recommend a time Reduction, Clemency or Commutation of Sentence to get Petitioner out of hostile environment?
- 3.) Did SCDC & State of S.C. act cruel & unusual via failing to recommend a time Reduction?
Did Solicitor Isaac M. Stone Violate law in failing to file motion for time reduction?
- 4.) Did SCDC deny Petitioner Procedural due Process in the Appendix A Agency decision Alleging SCDC cannot recommend a time Reduction and the grievance is a legal matter outside of SCDC's control?
- 5.) Did SCDC & State of S.C. fail to Protect & created hostile prison conditions via Approving A Law 24-3980A Law that is / has caused Petitioner's assaults and employ inmates that did the assaults?
- 6.) Did SCDC, District Court, State of S.C. And United States Attorney office deprive Petitioner Fourteenth Amend. Rights via failure to charge And sanction Directors Davis And Stirling for Committing Perjury?

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 this petition is as follows:

South Carolina Dept. of Corrections
State of S.C / Supreme Court of S.C
Isaac M. Stone 14th Court Solicitor

RELATED CASES

Jarod Price v. State of S.C 441 S.C. 923

Ex Parte Young, 209 U.S. 123

State v. Price 2023 WL 8588535 at 26

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A	S.C Supreme Court
APPENDIX B	S.C Dept of Com. Appearance Step-1 & 2
APPENDIX C	S.C. Dept. of Com. Step-2 Grievance
APPENDIX D	S.C. Dept of Com. Grievance / Complaints
APPENDIX E	Inmate classification Plan 17-25-65 Code of Law
APPENDIX F	

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Jared Price v. State of S.C. 441 S.C. 923 5

Ex Parte Young, 209 U.S. 123 13

STATUTES AND RULES

24-3-180A Capt. Robert Johnson Act 8, 10, 11

17-25-65 Time Reduction 6, 14

21.04 (745) S.C.D.C. Classification Policy 7

OTHER

Amendment-1 Right to Petition for Redress p. 4, 13

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 _____ 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 _____ 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 A 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 S.C Supreme Court court appears at Appendix A 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 _____.

[] 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_____.
S

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 5/13/25.
A copy of that decision appears at Appendix A.

[] 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_____.
S

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- 1.) Amendment-1- Right to Petition Government for Redress of Grievances
- 2.) Fourteenth Amendment. Equal Protection of the Law. Due Process of Law, No state shall make or enforce any law which shall abridge the privileges or immunities of the citizens
- 3.) 24-3-980A Capt. Robert Johnson Act that makes it illegal for inmates to be in possession of Telecommunication devices" unless approved by the Director to do so."
- 4.) 17-25-65 OP 2104(H)SCOC Classification Plain States 17-25-65 can be invoked to give A inmate A time reduction for assisting SCOC or the state... SCOC or state has to verify the assistance

STATEMENT OF THE CASE

The S.C Supreme Court refused to Rescind A Order At Appendix A that is clearly unconstitutional. Which is a ongoing Prohibit Thats depriving the Petitioner his Right to Petition for Redress in violation of Amendment-1 U.S. Const. A Right that is unassailable. The State of SC Supreme Court does not cite Any Justification for assailing this Right. See Appendix A.

Appendix A Also states SC Supreme Court denied A time Reduction as sanctions. Petitioner Requested A time Reduction due to SC Supreme Courts unconstitutional order causing injury. And Petitioner requested A time Reduction due to other assistance the Petitioner promoted At SCOC in regards to Promoting Safety within the Prison via A Communication Platform At SCOC. Now Known As 24-3-950A.

Isaac M. Stone -solicitor
Petitioner has filed multiple time Reductions From Isaac M. Stone. Pur 17-25-65c the Solicitor is required to file a time Reduction motion. Stone is in violation of Statutory Law. Which is cruel & unusual because Stone knows Prison Conditions are critical. Stone is

Required to file A motion to the chief Administrative Judge within 5 days of receiving A Request from an inmate At SCOC for A time Reduction. Petitioner filed A motion for time Reduction Approx 30 days Ago to Gov. McMaster, Attorney General A. Wilson And Isaac M. Stone. Isaac M. Stone failed to follow the Law and is depriving Petitioner equal Protection of the Law, and due Process 14th Amendment.

Isaac M. Stone has a habit of deliberately Ignoring Petitioners motions since 2010. See 3:24-cv-4472-JFA U.S Court of Appeal Number 25 b285 within a Writ of Cert filed in this court for Isaac M. Stone failure to answer A 29b motion for a new trial from 2010-2025. Causing injury. Now that 29b motion is missing from court files. At 3:24-cv-4472-JFA Despite these injuries Isaac M. Stone fail to follow the Statutory law at 17-25-65C and refuses to file the time Reduction As 17-25-65C requires just because

he knows he has immunity for causing injuries.

According to 17-25-65 a-c: The Circuit
Solicitor shall file a motion with the Clerk
of Court where the conviction was held. 2.)
The solicitor shall send a copy of the motion
to the Chief Admin Judge of the Circuit
within 5 days of the filing from the inmate.
3.) The Chief Admin Judge or a Judge
assigned to that county has the authority
to hear and resolve the motion. S.C. Code
Ann 17-25-65c The Statute implicitly requires
a hearing be held in open court.

See Appendix E inmates shall alert the
Solicitor of any assistance to S.C.P.C and
request a time reduction. Petitioner has filed
numerous time reductions. Isaac M. Stone
is violating 14th Amendment Due Process and this
Court Supervisory power is the only court to enjoin it.
Because the solicitor motion is the only way to ^{initiate} ~~process~~ claim
for time reduction.

Petitioner exhausted a grievance at SCOC asking for a time
reduction. SCOC says its a legal matter not SCOC. See Appendix B-C

the Appeal Stating its a Legal matter out
side of SCOC control. which is not true
because SCOC Classification Policy At
Appendix E permits SCOC to recommend
or verify inmates A time Reduction. SCOC
Violated Petitioners equal Protection of Law
they offered Jerod Price v. State 2023 WL 8588535 ~~26~~
The Grievance was for verifying the assistance.
SCOC, State of S.C And Governor McMaster
Failed to protest Petitioner when they
Failed to recommend the solicitor Isaac M.
Stone to give Petitioner A time Reduction
or commute Petitioners sentence or clemency
to get Petitioner out of the hostile prison.
Because the forced Labor is what caused
Prison to be hostile where the inmates on
Communication (Cellphones/ tablets) got on phones
with SCOC via Petitioner being forced to use
Cellphones. See Appendices 1-2 since 2015 the

Petitioner placed A SCDC Mental Health Counselor on notice the cellphones were a problem. SCDC ignored Petitioner. Continued its forced labor causing multiple 17 stab wounds. As Appendix B Grievance stated. From 2016-2022.

SCDC And State of S.C was cruel & unusual for denying to give a decision on Appendix A grievance asking for SCDC and its directors for a time reduction ~~17-2565~~ recommendation. Petitioner did write solicitor recommendation. Petitioner did write SCDC but SCDC has to Verify the assistance. SCDC totally fails to give a decision, yet, passed a law that creates further injury to the Petitioners character because it lets the inmates on the cellphones know that Petitioner facilitated getting them exposed. 24-3-9801 Law admits the Directors Authorizes these inmates to keep telecommunication devices. Since 2010 SCDC Directors, wardens been authorizing inmates to

Keep Cellphones. See Appendix D-4 where SCDC staff admits they will resolve the matter.

Shut the Program down since 2021-2022.

They never did. S.C. Supreme Court / State of S.C. also failed to recommend a time reduction to Isaac M. Stone - solicitor. S.C. / SCDC deprived Petitioner Procedure /

due process in failing to process the grievance

incorrectly alleging a recommendation for a time reduction is a legal matter out of

SCDC's control because Appendix E SCDC's

Classification Policy 21.04 (74) states a

request for assistance SCDC staff can request

a time reduction. Once again Petitioner has

requested numerous time reductions from S.C. to

the solicitor Isaac M. Stone. SCDC HAS to

verify the assistance. Thus the grievance

Requesting the verification SCDC denied due

process of law was cruel & unusual because the

Prison is hostile where that program is causing

A vacuum from the cruel Practices state of SC SCAC facilitates inmates to do. They make people believe there's ~~is~~ problems while ^{state of SC} SCAC directors Authorizes the problems creating a toxic environment via 24-3980A law causing a catastrophe. Cruel & Unusual.

When SCAC testified to SC General Assembly to have 24-3-980A law passed it created a hostile environment for petitioner because as mentioned inmates are exposed for having cellphones / tablets that directors Authorizes. And SCAC and its directors failed to Protect where they had that law passed and failed to offer a time reduction to remove petitioner from SCAC hostile prison conditions because even protective custody has that program on Aha Telecommunication devices cellphones, tablets, Radios, they ~~had~~ ^{voice over}

Facilitates it. Which creates a imminent
danger for Petitioner at ALL SCDC prisons.
Defendant SCDC failed to protect and is
failing to protect because the threat is
ongoing. Also, when SCDC facilitated to
having 24-3-980A Law Passed they
knew the inmates on the phones were
a threat since 2015. See Appendices D-1, D-2
and D-3 D-4; D-5... SCDC forced Petitioner back into population
and forced Petitioner to continue to work via cellphones.
State of SC/SCDC deprived Petitioner the Fourteenth
Amendment Rights that promises equal
protection of the law; due process of laws.
Because SCDC, the District Court and
U.S. Attorneys office failed to criminally
charge Directors Davis and Stirling for
committing perjury under oath. See Appendix
D-3 A order failing to criminally charge

Or give Sanctions for these Directors
lies alleging no program via cellphones
and tablets exists At SCDC. On 7-26-24
Directors B. Stirling And W. Davis
Committed Perryung. Although they had
given testimony At General Assembly
of S.C. that facilitated 24-3-980A
Capt. Robert Johnson Act Bill being Approved
on 5-13-24... Two months prior to their
Perryung the Governor Approved 24-3-980A
law that makes it illegal At SCDC for
Inmates to be in possession of Telecomm-
unication devices "unless Directors Authorizes
the inmate to do so." The state of SC
SCDC knows these Directors committed Perryung
that's causing Petitioner life to be endangered.
Because they know of the prison conditions

Since the 1st time Petitioner Was
Stabbed by inmates working on cellphones
for SCDC... They Knew since Appendices
D-2 and P4 that the Cellphones were
A threat on the inmates on cellphones/tablets
Were A threat to Petitioners Safety. Yet
they Committed Perjury denying the 24-3-980A
of Any program While Knowing the 24-3-980A
Law allowed them to Authorize these
Inmates to possess telecommunication
Devices. They were actually making people
believe there's A Real problem with inmates
and Gangs while they are ordering inmates
to do this. via 24-3-980A Law. Its ongoing
dearly as we litigate. SCDC feels to sentence
Petitioners for Perjury or have Directors Davis
or Stirling criminally charged for Perjury.

Which deprives Petitioner equal Protection of the Laws. Because Appendix D-3 verifies Petitioner requested Davis And Stirling to be Sequestered or changed... SCAC knows of this request so does District Court and U.S. Attorney Pam Bondi. SCAC violated Fourteenth Amendment equal Protection of Laws. See Appendix D-3 verification the Cellphones are Authorized per Judges At District Court saying he will not Sequester Davis And Stirling because Petitioner failed to ask were they using Telecommunication devices on the

24-3-980A Capt R. Johnson Act...

See Appendix F3 for evidence how the Cellphones' Insurrection invaded and injured Petitioner's, ME ~~opposed~~.

REASON FOR GRANTING THE PETITION

S.C Supreme Courts failure to rescind A Prohibit At Appendix A is in violation of Amendment-1

The Reason for granting this petition is due to S.C Supreme Courts ongoing violation of Petitioners Right to Petition for Redress At Appendix-A. Which conflicts with Amendment-1 that states "Congress shall pass no Law prohibiting Citizens Right to Petition for Redress.

S.C Supreme Court Justices Prohibit At Appendix-A has so far departed from the accepted and usual course of Judicial Proceedings as to call for this Courts Supervisory power Because These Justices decided a important federal Question in a way that conflicts with relevant decisions of this court at *Ex Parte Young* 209 U.S. 123 that enjoins ongoing federal Law violations.

SANCTIONS - Time Reduction:

S.C Supreme Court denied the SANCTIONS & a time Reduction request At Appendix A. This Sanction request was due to State of S.C General Assembly

For Directors to request Legislation for 24-3-980A
Law to be enacted while knowing injury At
Appendix F3 wont ignored. Thats like Authorizing
A drug that's supposed to cure a disease while
Knowing its making the Cancer Worse. Because
Appendix F3 happening twice is like Cancer eating
IN Petitioners MIND. Betraying my Thoughts. Which
Endangers Society And ALL INVOLVED.

24-3-980-A states: "It's illegal for inmates At
SCAC to be in possession of Telecommunication
devices unless authorized to do so by directors."
And Directors committed Perjury. Covering injuries
like Appendix F1- F3 up. Judicial Insurrection
to be IN Petitioner space, ignore INSURRECTION, lie to
Cover it up And continue to operate this opt IN. While
I asked to be released to stop operating the program.

CONCLUSION
The Prohibit At Appendix A Shall be rescinded.
A time Reduction Shall be filed to remove Petitioner
From hostile (Black-opt) prison dangerous conditions.
The Writ of Ceat Shall be granted to stop INSURRECTION.

Like Appendix F3

Respectfully submitted,
Placed Fathbinte
5-15-2025