

No. _____

24-7458

ORIGINAL

FILED

MAY 01 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Ricardo Fishburne — PETITIONER
(Your Name)

vs.

Alex Murdaugh et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Carol A. Campbell U.S. District Court South Carolina
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ricardo Fishburne[#] 274661
(Your Name)

P.O. Box 205
(Address)

Ridgeville SC 29472
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

- 1.) Did the District Court Err in ruling that the S.C. Supreme Court Can use Regulation Rule 243C to Prohibit Petitioners Right to Petition for Redress?
 - 2.) Did the District Court Err in Ruling that the S.C. Supreme Court did not act in clear absence of All Jurisdiction?
 - 3.) Did The District Court Err in Ruling that the S.C. Supreme Court were not Already ~~Part~~ Defendants in this Suit Prior to Removal to District Court? See ~~Appendix~~ G1 and Appendix G2.
 - 4.) Did The District Court err in Ruling that the S.C. Supreme Court - Judges has Jurisdiction to Intervene in General sessions trial matters?
 - 5.) Did The District Court Err in not granting the Ex Parte Young doctrine to enjoin ongoing deprivation of U.S. Const. Right to Petition for Redress?
- ~~_____~~
~~_____~~

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:

S.C. Supreme Court

Donald W. Beatty

State of S.C.

George C. James

Keye G. Heann

John Cannon Few

John Kittredge

RELATED CASES

State v. Mener 381 S.C. 167

Ex Parte Young 209 U.S. 123

Stump v. Sparkman 435 U.S. 349, 359

Mineles v. Webb 502 U.S. 11-12

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Jurisdiction Statement

The Jurisdiction of this court is invoked under 28 USC 2101a. Judgment was entered At Appendix B ~~_____~~.

U.S. Court of Appeals Docket # ~~25-6285~~ ~~_____~~
Appeal # 25-6285

Rule 11 U.S. Supreme Court:

28 U.S.C. 2101a states a writ of cert will only be granted on a Pending U.S. Court of Appeals case when Petitioner shows that the case is of such imperative public importance as to justify deviation from normal practice and require immediate determination in the U.S. Supreme Court.

Appendix-C Ex Parte Young 201 U.S. 123
A Regulation was used (Rule 243c) to deprive Petitioners Right to Petition the Government for Redress and A couple Federal law violations are ongoing ^{at} Appendix D and F... Ex Parte Young should have enjoin deprivations.

These Federal law violations are in conflict with New Controlling Law where Presidential executive order 2025 WH 560561 calls for Deregulation of Regulations that Conflicts with Law... District Court Appendix B Conflicts with 2025 WH 485240 Follow the Law executive order ---
2

Order. and Executive order 2025 WL 560561
where President Donald J. Trump calls for All
Regulations that conflicts with Law or
Constitutional Rights to be Deregulated, 2025
WL 485240. Executive orders applies to State & Federal Governments.
Which makes this case of such imperative
public importance requiring this court to
exercise supervisory power. Due to the fact
that The Judicial Court system in South
Carolina is prejudicial towards Petitioner... In
that A 2nd motion for A new trial was filed
in 2010. See Appendix E. The State failed to
Answer this motion from 2010-2015 current date.
(now the motion has been dislocated & concealed & Missing.)
In 2021, 11 years after the motion for A new
trial with newly discovered exculpatory evidence lay
Pending without being Answered. S.C. Supreme Court judges
Issues A Prohibit Citing A Regulation to Prohibit Petition-
ers Right to Petition for Redress. The 2-11-25 order
conflicts with ALL normal judicial rulings.

~~Appeals~~ because Petitioners First Amendment
Right to Petition For Redress has been totally
deprived... The 2ab was never Answered since
2010. Now, according to the District Court Footnote 44 p 8
at 3:24-cv-4472-JFA-WJB Entry # 44 page 8 on the Footnote
Some Public official has erased any evidence

of this 2010 2ab motion, Although Judge
Robert Bonds At Appendix - E reviewed
this 2010 2ab motion its been dislocated
and no longer exists At Colleton County General
Sessions Records... which is far departed
from the accepted and usual course of
Judicial Proceedings which calls for an
exercise of this Courts Supervisory Power... See
Rule 10(a) and 10(c). Rule 11.
The District Courts ~~judgment~~ judgment At

Appendix B answers A Federal question that
Conflicts with all Courts decisions. See Appendix - B.
Now, The District Court ~~has~~ ^{denied} Answered A 59e motion.
on ~~the motion~~

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1.5 ~~15~~ writ of Certiorari:
1) 28 U.S.C. 2101(a) Rule 11: A Petition for a writ of certiorari to review a case pending in a U.S. Court of appeals, before judgment is entered in that court will be granted only upon a showing that the case is of such imperative public importance as to justify deviation from normal practice and to require immediate determination in this court. ~~and~~ ~~the~~.

2) 14-3-330 S.C. Code of Law:
S.C. Supreme Courts Jurisdiction on criminal cases / Appellant Jurisdiction in Law Cases
1) Any order or decree in a law case involving the merits in actions commenced in the Court of common pleas and general sessions brought there by original process or removed there from any inferior court or jurisdiction.

3.5
1st Amendment U.S. Const: Right to Petition for Redress:
Congress shall make no law abridging the right of the citizens to Petition for Redress, or make no law abridging this right and 5 This Right is unassailable.

STATEMENT OF THE CASE

- 1.) The General Sessions of Colleton County South Carolina held on 4-26-23 they will not entertain A 29b ^{SCRC} ~~SCRC~~ motion for A new trial that had been Pending since 2010. See Appendix D for Trial Courts order. The trial court states that it Relieved Counsel due to A Prohibit From S.C. Supreme Court. See Appendix C Where A S.C. Supreme Court is using Rule 243c regulation to Prohibit Petitioners Right to Petition the Govern-ment for Redress requiring Permission From S.C. Supreme Court to Petition the Court for Redress. Which violates Amendment - 1 U.S. Constitution. Right to Petition for Redress. No law shall abridge right to Petition Courts.
- 2.) 14-3-330 - S.C. Supreme Court Jurisdiction:
14-3-330 S.C. Code of Law States: S.C. Supreme Courts Jurisdiction on Case Law is only on cases brought before S.C. Supreme Court... Appendix-C rightfully requires permission to file A Successive Writ of Cert At S.C. Supreme Court. However, S.C. Supreme acted in clear absence of Jurisdiction when they stated they prohibit A 29 S.C. Crim. Procedure. cause its trial Court. See Appendix E. The 29b motion was filed in 2010. Judge Bonds

STATEMENT OF THE CASE

Reviewed the motion that was filed in 2010 and appointed Counsel. At GENERAL SESSIONS COURT. The S.C. Supreme Court had Jurisdiction to deny A PCR and require Permission to file the Writ of Cert at **Appendix - C**.. With 243c.

However, S.C. Supreme Court overreached when they added in addition we prohibit A 29b S.C. Rule. Crim. Proc. because 29b motions are filed At General Sessions Trial Court. And S.C. Supreme Court Held at State v. Mercer 381 S.C. 167 " we do not have power to Intervene in A Trial Court matter. That's the trial Judges discretion and it will not be disturbed except on appeal for errors of Law." end quoted law.

The District Court erred in Ruling the S.C. Supreme Court can prohibit Petitioner Right to Petition for Redress. Amendment -1... And District Court

erred in Ruling that S.C Supreme Court
Can use Rule 243c / 269 to Prohibit Petitioners
Const. Right to Petition For Redress. Because
it conflicts with S.C Supreme Courts Precedent at
State v. Mercer 381 S.C 167 where these Judges
admits they ~~knew~~ / ~~they~~ they do not have jurisdiction
in trial court matters. The district courts order
also conflicts with this courts decision at;

3.) Ex Parte Young, 209 U.S. 123

The District Court erred in Failing to enjoin
Ongoing Deprivations of Amendment-1 Rights to
Petition the Court because Amendment-1 states:
Congress shall pass no law abridging peoples
Right to Petition For Redress. Appendix D: F are ongoing.

4.) The Appendix-C: S.C Supreme Court
clearly states: "because Petitioner shows no reason
why they should not do so they Prohibit Petitioners
Right to Petition For Redress..." Despite Appendix - E.
evidencing a 2nd motion for A new trial was pending
since 2010 S.C Supreme Court issues A prohibit. The
Ex Parte Young claim should have enjoined Judges

Ct S.C Supreme Court Prohibit at Appendix-C
to enjoin ongoing violation of Federal law/Rights.
^{See} Appendix D & F. Two ongoing injuries.

5.) District Court order erred. Removal to Federal Court:

The District Court erred in holding that the S.C. Supreme Court and its Justices were not Defendants prior to removal to District Courts. And they are not Proper Defendants because they never voluntarily appeared in Federal Courts. However, that is incorrect. See Appendix G1

G2 Defendants were Defendants At State Court prior to removal; voluntarily appeared on 7-30-24 in State Court. This case was removed on 8-14-24. They were removed as well per 28 USC 1446.

Which makes the Defendants removed with Codefendants proper due to this court's "Rule of Unanimity."

The S.C. Supreme Court Justices never filed a motion to Remand on objection to Removal. The District Court erred in its order which requires immediate determination from this court. Defendants were removed 8-14-24, voluntarily. Rule of unanimity: See Appendix G2.

The 28 USC 1446 states when one Codefendant removes the case All defendants ^{joined} served are removed. Defendants waived immunity by voluntarily removal to Federal Courts.

REASONS FOR GRANTING THE PETITION

The Reason for granting the Petition is simple.

A Regulation Rule 243c was used to deprive Petitioner his Right to Petition for Redress in violation of the U.S. Constitution 1st Amendment which is in conflict with An New Executive order from President Trump 2025 WL 560561 ordering All Unconst-itutional Regulations to be Deregulated that conflicts with the Laws. Pursuant to U.S. Amendment - 1: no Law shall abridge citizens Right to Petition the Government for Redress. See Appendix C for An Rule, Law, Regulation that is depriving Petitioners Right to Petition for Redress. The District Court failed to follow the Law. In conflict with 2025 WL 485240, controlling Laws. Executive orders applied to the States at 2025 WL 485240 Ex Parte Young 209 U.S. 123.

The District Courts order conflicts with Case law at this Court Ex Parte Young 209 U.S. 123. This Petition shall be granted to enjoin ongoing Violation of Federal Rights - U.S. Const. Rights. Amendment - 1. The District Court erred. In failing to follow The Law. Which conflicts with 2025 WL 485240.

See Appendix D for 1st injury.³ Appendix F

For A 2nd injury where the Defendants prohibits
causing ongoing deprivations of Federal Rights.

Follow the Controlling Law: 2025 WL 485240 Apply to STATES
and Federal Governments:

This Petition shall be granted because the 2-12-25
4-10-25 order At Attachment B is so far

departed from this courts decision at
Ex Parte Young 209 U.S. 123 it departs
from the normal and accepted usual course of

Judicial Proceedings and calls for this Courts
Supervisory power to Enjoin ongoing Federal
Rights violations. The District Court did not follow the
Law At Ex Parte Young 209 U.S. 123. Controlling Law.

7. Public's importance - Imminent Danger: Hanging Threateningly over ones head

Petitioners in imminent danger At SCAC where
A Rumor hangs over petitioners head ~~and~~ its documented
at Attachment H. Where SCAC police services admitted

SCAC knows A Rumor of devices microphones being in

Petitioners teeth exist At SCAC... Attachment-I: verifies

SCAC Counselor did alert Lt. Ward And

Psychiatrist Reven Vaughn Requested Lt. Ward to interview Petitioner for Protective Custody. SCOC or Lt. Ward never did the interview and SCOC denied PC recently. Which keeps Petitioner in constant imminent danger at risk of constant harm because the Attachment H verifies a rumor of microphones being in Petitioner's teeth does exist. A constant risk of being injured or killed. Because someone tells Gangs, criminals, corrupt cops you have on a wire & normally they kill you. Common knowledge... CT shows no microphone.

A movie ~~facilitating~~ to this rumor is "Bart & Bourne" where Jamie Foxx acted out experiences I've (ME) actually suffered. Which makes the rumor seem real. Immedes ask questions. Like who you talking to or did you think about ~~shakedown~~ taking contraband. Clearly the Rumor's imminent danger. Immediate action is required.

Attachment J: is SCOC repeating the rumor. He's equivalent to an ombudsman, stating knock requests "are not related at all except in Petitioner's mind." He's has heard the rumor or experienced it. Which is further evidence of imminent danger being widely known to SCOC, gangs officers etc. They're rumors because

Attachment L Show no intracranial abnormality
in Petitioner's mind. Attachment L is CT CatScan.

From Prisma Health on 3-10-22. on 10-25-23
SCDC had A private doctor in Charleston SC do A
CT CatScan as well. It came back inconclusive.

Despite these catscans being done ~~at~~ ^{State of S.C.}
and staff and inmates have been exposed to (the)
telephonic communications. Which is imminent
danger. Because that should not be known
to criminals, gangs, corrupt staff etc. Its imminent danger.

There's inmates that work for the State Govt.
inments 21-3-980A Law At SCDC daily on camera
saying things like "my mind Aint right," or "I am
you." Especially when something bad happens
like contraband shakes down and takes contraband
some people say "I thought about that cant get it
out my mind." For ~~SC~~ to ignore this is wanton-reckless
which is A elevated Risk of harm. Like telling
gangs Petitioner has A wine in his teeth / brain. Its
imminent danger. SCDC condones & ignored the risk of harm
for yrs. See Attachment H, ~~IT~~ ^{IT} Their Attorney repeats the rumor.

The Petitioner does not deny allegations he has made about Telepathically Communicating. That's me. However, CT Cat scans show nothing abnormal in the mind, Scientists reports.

Theres A song Called, "Free Minds" saying: "my mind cant right, tell ya what I need, I need to Free my mind on the other side" The Court should take Judicial Notice of.

Petitioner does not wish to deviate from the merits in this case. but its imperative of Publics importance that theres no microphones or chips in Petitioners mind. And that Some people And Governments Agencies uses fake news, drones, Helicopters thermal image, And motion detectors to imitate me. Its of Publics importance for people that do know^{of} ME And has communications with me to know that. Otherwise its dangerous for them to not know^{and} be misguided, misled. Its imperative this court be brought up to date. Otherwise it would be equivalent to going to A dr. And not telling them your cancerous symptoms. Some people die like that.

8.5 Imminent Danger. Ready to take place see Attachments OIP. These Attachments documents ongoing hostility with Gangs at SCAC. SCAC knows the assaults were done by gangs Attachment P1 is A separation from A high ranking Gang member which is imminent danger Because it A threat hanging over my

happened or ready to happen defines imminent danger.
That's why this separation at Attachment P-1 exists. It's
ongoing. These assaults, at Attachment ~~P-1~~ were
committed on 3-10-22 Attachment M by these same
gang members or members of the same gang as
the gang member at Attachment P-1 and P-2 and O.
Petitioners in General Population due to SCOC
denying statewide protective custody. Which is imminent
danger because hostility with gangs documented
at Attachment P-1 & Attachment O are hanging threateningly
over petitioners head. Ready to happen. This immi-
nent danger exception qualifies petitioner for informal
perpensis and is a need for an immediate determinat-
ion from this court. State of S.C. Supreme court caused some of it.
Because due to State of S.C. Sequence of events
Failing to Answer A 29b motion for a new trial from
2010-2025, S.C. Supreme Courts Prohibit 11 years
after the 29b motion set Pending and now the
29b motion being stolen despite Attachment E verifying
it existed Facilitated. ALL these injuries at Attachment
O... None of these injuries could happen but for Defendants
Common design to deprive Petitioner Right to Petition Court.

From 2010-2021 when SC Supreme Court
Assisted with Keeping Petitioner in Prison via
Appendix C Prohibiting A 2nd motion For A new
trial that had already been Pending 11 years
prior to 6-15-21 or 9-1-21. When Appendix C
was Filed. Right when Judge Bonds attempted
to stop the state of SC ongoing denial of
Access to court the Supreme Court began to "Hold
Petitioner down while SC used gangs to Hunt me."
Conspiracy.

As mentioned to go to the hospital and not
tell the doctor of cancerous symptoms is reckless.

Due to the under-lying elevated risk of injury
caused by these Rumors, Courts deprivation of Rights
and their common design causing injuries. From
2010-2025. is like cancer eating AT ME, for being. ME

Upon info And belief Elon Musk has visualized
Drones, Helicopters ^{used by} Sheriff dept, FBI, SLED to
monitor Petitioner via thermal image, motion
detectors Laser Beams etc... According to Elon Musk
encrypted messages ~~and Trump~~ to ME. Satellites has
witnessed these operations. which is equivalent to imposters
doing treitorious things imitating me. Musk? Trump say alert the Court.

Because ~~which~~ ^{it's} like posing as me. The Rumor makes
imminent danger because these Drones, Helicopters
Knows exactly how to look and imitate like
they're me on my mind. Go IN the Bank to rob it.
Data gathered with this drones etc Fed to A.I is dangerous.
Petitioner feels the Court needs to know the

Cumulous symptoms to properly treat Petitioner.
For the Elevated Risk of harm that Attachment
H, I, And J verifies exists At sec. Since 2020
this imminent danger was ignored despite Police
services verifying sec knows of this Rumor. Which
is equivalent to someone sweating your house
or Yelling "Gun" in a crowd. People will attack.
Especially in a violent prison around Gangs. Black inmates.

The worse part is Petitioner was used to work
via forced labor to start what is now termed 24-3-980A
Capt. Robert Johnson Act. See Attachment Q. Despite Governor
H. McMaster Approving this law on 5-13-24 the
Directors of sec committed Perjury ~~say~~ on 7-26-24
Saying no such program exists. Being used to start
this ... now ... Law ... is imminent danger. Prior to subjecting
S.C Citizens to this law being passed they had to Acknowledge
how it affected me. 17 ~~which~~ the imminent

Danger At SCDC For years. Because since 2020 Attachment H verify well documented evidence that SCDC knew that cellphones were used to hunt me. Inmates were being paid to ask questions about ME. via their program with phones.

The S.C Supreme Court, state of S.C facilitated this imminent danger with their common design to help "hold Petitioner down" while SCDC operated what is now 24-3-980A Law. Their common design facilitated the imminent danger. While the State Police Services Admitted SCDC knew of these Rumors since 2020. The state denied Access to Court, Conspiracy.

The State knew of this Rumor, knew of the Rumor and ignored it. Despite Attachment H and Attachment P-3 the state approved 24-3-980A Law at Q

which is equivalent to approving A drug that's killing people. Attachments D, P-1, P-3, Q, H shows the drug (24-3-980A Law) was injuring Petitioner And is imminent danger. Yet the Law was passed creating imminent danger. Prior to passing 24-3-980 the first question should've been "How did it affect the first Primate?"

Attachment H, O.P. verified how it affected the Prime Minister.
Because the State of S.C. General Assembly
passing this Law while knowing the injuries
that Petitioner has suffered from the hands
of the Gury members working on ~~see~~ cellphone
tablet Program is ^{wanton} reckless. Equivalent to CDC
using a drug to treat CANCER knowing the
drug is injuring AND killing people. General
assembly has to know how it affected Petitioner (ME)

Conclusion:
This Court shall Grant the Petition
because its reckless And Wanton For S.C.
Supreme Court to fraudulently prohibit A General
Sessions trial Courts decision with Appendix C
because it conflicts with their own precedent
at State v. Mercer 381 S.C. 167 stating S.C. Supreme
Court cannot disturb trial judges decisions At trial
Court unless on Appeal. They committed intentional wrongdoing.
(See Appendix - Attachment N for investigations on S.C. Supreme Court Justices.)
And This makes S.C. Supreme Court order At Appendix C
Fraud because these particular Judges knew they did not
have Jurisdiction. But For Appendix C prohibit ~~that~~ K
could not have happened. on 3-10-22. See Attachment N
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Justices investigated At S.C. Supreme Courts. Attachment A1
9. The Ex Parte. Young, 201 U.S. 123 Precedent Law
applies in this case to enjoin ongoing Constitutional
Rights. Rule 11 of U.S. Supreme Court Requires
immediate determination in this Court for two
ongoing (injuries) at Appendix D & E Federal Rights violations.

State of S.C. Supreme Courts own Precedent Law
at State v. Mercer 381 S.C. 167 admits the S.C. Supreme
Court does not have Jurisdiction to Prohibit A General Sessions
trial Court matter.

CONCLUSION

The U.S. District Court erred in Failing to enjoin the

The petition for a writ of certiorari should be granted. Ongoing Federal violations.

Respectfully submitted,

Russell Fishburne

Date: 4-20-25

