

SUPREME COURT OF SOUTH CAROLINA

IN THE ORIGINAL JURISDICTION OF THE SUPREME COURT

Christopher Woody,

Petitioner,

v.

State of South Carolina;

South Carolina Department of Corrections;

and/or the Warden having custody of

Petitioner,

Respondents.

PETITION FOR WRIT OF HABEAS

CORPUS

IN THE ORIGINAL JURISDICTION OF

THE SUPREME COURT OF SOUTH

CAROLINA

PETITION FOR WRIT OF HABEAS CORPUS

COMES NOW Petitioner Christopher Woody and respectfully petitions the Supreme Court of South Carolina to exercise its original habeas corpus jurisdiction and grant extraordinary relief from Petitioner's conviction and sentence arising from a 2005 criminal trial in York County, South Carolina, in the Sixteenth Judicial Circuit.

This Petition is brought because newly developed evidence identifies, or substantially advances the identification of, the unauthorized person who allegedly entered the jury room during deliberations and improperly influenced the jury to convict Petitioner. The evidence now indicates that the person may have been Kevin Brackett, who at the time was not a prosecutor of

record in Petitioner's case and whose name does not appear on the trial paperwork, but who was allegedly connected to the prosecutorial/investigative apparatus of the Sixteenth Circuit and is now the elected Solicitor of that same circuit.

This Petition also places on the record, for the first time in this posture, a related record-integrity issue concerning a jury-related occurrence that Petitioner asserts was not meaningfully reflected in the trial transcript. Petitioner asserts that, in or around the time of his first PCR proceedings in 2008, he knew of information indicating that the judge had addressed the courtroom after jurors complained of harassment, but Petitioner lacked the documentary proof necessary to present the issue. Counsel declined to raise the issue at that PCR hearing because Petitioner had nothing in the transcript or produced materials to show the occurrence. The juror notes that allegedly referenced the occurrence were not released until 2018, after Petitioner's family contacted the Solicitor's Office in 2017-2018 and after PCR litigation was pursued.

This Petition seeks extraordinary habeas relief because ordinary post-conviction channels have failed to provide a fair forum for these jury-related claims. Petitioner's prior PCR proceedings were denied. The State has relied on procedural bars, time limitations, and technical obstacles to avoid a merits hearing on the jury-room intrusion. But the issue is not ordinary trial error. The issue is external contamination of jury deliberations, newly developed identification evidence, an incomplete or materially limited jury-related record, delayed disclosure of juror notes, and a present conflict involving the current head Solicitor of the circuit where Petitioner was convicted.

The South Carolina Supreme Court has now reaffirmed in the Alex Murdaugh matter that improper external influence upon a jury violates the right to a fair trial and requires a new trial.

The same constitutional principle must apply here. The protection of an untainted jury cannot depend on the wealth, notoriety, or public profile of the defendant.

South Carolina precedent independently supports this Petition. In *State v. Elmore*, 279 S.C. 417, 308 S.E.2d 781 (1983), the Supreme Court of South Carolina held that a trial judge's entry into the jury room to answer a jury question was reversible error, even where counsel were present, and the Court further found a separate jury-room visit during the penalty phase to be elementary error. In *State v. Cameron*, 428 S.E.2d 10 (S.C. Ct. App. 1993), the Court of Appeals reversed a conviction after a bailiff improperly communicated with the jury forelady during deliberations, explaining that a private communication by a court official to jurors cannot be tolerated unless the subject matter clearly appears harmless and could not have affected the verdict. Those cases confirm that unauthorized communications with a deliberating jury strike at the sanctity of the jury system and require judicial relief when they may have affected the verdict.

I. NATURE OF THE CASE

1. Petitioner Christopher Woody was tried and convicted in or about 2005 in York County, South Carolina, in the Sixteenth Judicial Circuit.
2. During jury deliberations, an unauthorized person allegedly entered the jury room.
3. A juror later executed a sworn affidavit in or about 2018 stating that a man entered the jury room during deliberations and told the jury, in substance: "If you have any doubt, you must convict."
4. That statement was a direct misstatement of the law.
5. The law requires the opposite. If a juror has reasonable doubt, the juror must not convict.

6. The sworn juror affidavit further states that the jury was confused by the statement and that Christopher Woody would not have been convicted if the unauthorized person had not entered the jury room and influenced the jury.
7. Additional investigation has produced corroboration from another juror that someone did enter the jury room during deliberations, although that juror does not recall the exact words spoken.
8. No person had lawful authority to enter the jury room during deliberations and speak to the jury about the substance of the case.
9. The presence of an unauthorized person in the jury room during deliberations is itself a grave violation.
10. The alleged statement made inside the jury room turned the burden of proof upside down and directly favored conviction.
11. Petitioner further asserts that another jury-related occurrence was omitted from the trial transcript in any meaningful way: the judge allegedly addressed the courtroom after jurors complained of harassment.
12. Petitioner asserts that juror notes concerning that occurrence were made part of the record, but those notes were not produced to Petitioner until 2018, after Petitioner's family contacted the Solicitor's Office in 2017-2018 and after PCR litigation was pursued.
13. Petitioner asserts that, in or around 2008, he could not prove the transcript omission or the juror-note issue because the notes had not been produced and counsel declined to raise the issue at the first PCR hearing for that reason.
14. Petitioner's claim has already been through PCR proceedings and denied without the meaningful evidentiary hearing required by the seriousness of this constitutional violation.

15. The State has attempted to keep this evidence from being heard by relying on procedural rules, time bars, and disqualification arguments.
16. Petitioner now seeks habeas relief in the original jurisdiction of this Court because newly developed evidence now points to the likely identity of the jury-room intruder and because newly available jury-related record evidence shows why prior review was incomplete.

II. NEWLY DEVELOPED IDENTIFICATION EVIDENCE

17. At the time of prior litigation, Petitioner and his family did not know the identity of the man who entered the jury room.
18. The juror who provided the affidavit did not identify either prosecutor of record when shown photographs.
19. This is important because it demonstrates that the person who entered the jury room was not identified by the juror as one of the prosecutors formally assigned to the case.
20. Later, information came in passing from a woman connected to the case who was also an assistant solicitor and/or investigator.
21. That individual indicated that, if the person was anyone, it was Kevin Brackett.
22. Petitioner understands that Kevin Brackett was not a prosecutor of record in Petitioner's case.
23. Petitioner further understands that Kevin Brackett's name does not appear on the trial paperwork as counsel of record or as a formal participant.
24. That absence does not weaken the claim. It heightens it.
25. If Kevin Brackett entered the jury room during deliberations despite having no formal role reflected in the case paperwork, then the violation was even more irregular, more concealed, and more damaging to the integrity of the verdict.
26. The new issue is not merely that an unknown man improperly influenced the jury.

27. The new issue is that the previously unknown man may now be identifiable as the current Solicitor of the Sixteenth Judicial Circuit.
28. That newly developed identification evidence creates a materially different claim than the one previously litigated.
29. It gives the Court a specific person, a specific conflict, a specific investigative path, and a specific reason why the ordinary local process cannot be trusted to resolve the matter fairly.

III. WHY HABEAS RELIEF IS NECESSARY

30. South Carolina habeas corpus relief is rare, but it remains available in extraordinary circumstances involving a denial of fundamental fairness shocking to the universal sense of justice.
31. This is such a case.
32. A criminal conviction cannot stand where credible evidence shows that an unauthorized person entered the jury room during deliberations and instructed jurors to convict if they had doubt.
33. A criminal conviction cannot stand where a sworn juror states that the outside influence affected the verdict.
34. A criminal conviction cannot stand where another juror corroborates that someone entered the jury room during deliberations.
35. A criminal conviction cannot stand where the person now identified as the likely intruder may be the current elected Solicitor of the same circuit.
36. A criminal conviction cannot be treated as fully reviewed where an additional jury-related proceeding, allegedly involving juror harassment complaints and a judicial address to the

courtroom, was not meaningfully reflected in the transcript and the juror notes referencing the occurrence were not produced until years later.

37. Ordinary PCR review has proven inadequate because the claim has been procedurally blocked, denied, avoided, or not presented due to the lack of documentary support that remained unavailable at the time.
38. Petitioner therefore invokes the original jurisdiction of the Supreme Court of South Carolina and asks this Court to determine whether the constitutional rule applied in the Murdaugh matter, and the jury-contact principles recognized in Elmore and Cameron, apply equally to Petitioner.

IV. CONSTITUTIONAL VIOLATION: EXTERNAL JURY INFLUENCE

39. The Sixth and Fourteenth Amendments to the United States Constitution guarantee a criminal defendant the right to a fair trial by an impartial jury.
40. The South Carolina Constitution likewise guarantees fundamental fairness in criminal proceedings.
41. Jury deliberations must be private, independent, and free from outside influence.
42. Any unauthorized entry into the jury room during deliberations violates the sanctity of the jury process.
43. An unauthorized entry accompanied by a false legal instruction is far more serious.
44. The statement "if you have any doubt, you must convict" is constitutionally poisonous.
45. It reverses the burden of proof.
46. It destroys the presumption of innocence.
47. It transforms reasonable doubt from a reason to acquit into a reason to convict.
48. It directly interferes with the jury's decision-making.

49. It goes to the heart of the verdict.

50. Once improper external influence on the jury is shown, the conviction cannot be treated as reliable.

51. At minimum, Petitioner is entitled to a full evidentiary hearing where the jurors, trial personnel, court personnel, investigators, prosecutors, and Kevin Brackett can be examined under oath.

V. ADDITIONAL JURY-RELATED RECORD-INTEGRITY ISSUE: TRANSCRIPT OMISSION, JUROR NOTES, AND PREVENTED REVIEW

52. Petitioner now places on the record an additional jury-related issue that could not be meaningfully proven or litigated in 2008 and has never received substantive review.

53. Petitioner asserts that, during trial, the presiding judge addressed the courtroom after jurors complained of harassment.

54. Petitioner asserts that this occurrence is not meaningfully reflected in the trial transcript.

55. Petitioner further asserts that juror notes were made part of the record and that those notes were the only record reference to the jury-related occurrence.

56. Those juror notes were not produced to Petitioner when the issue first mattered for review.

57. In or around 2008, at the time of Petitioner's first PCR hearing, Petitioner knew of the issue but had no documentary proof to present because the notes had not been turned over and the transcript did not meaningfully reflect the occurrence.

58. Petitioner's counsel therefore declined to raise the issue at the first PCR hearing because there was nothing in hand to prove it.

59. That is the prevention of meaningful review. The issue was not abandoned because it lacked constitutional importance. It was not raised because the proof necessary to raise it had not been disclosed or produced.
60. After Petitioner's family contacted the Solicitor's Office in approximately 2017-2018 and after PCR litigation was pursued, the juror notes were finally released in 2018.
61. Petitioner does not ask this Court to treat the transcript omission, delayed notes, or alleged courtroom address as proven beyond dispute at this stage.
62. Petitioner asks this Court to recognize that the issue has now been placed on the record and requires factual development because it concerns the same constitutional category of harm: outside pressure, harassment, influence, intimidation, or interference involving the jury.
63. The jury-room intrusion affidavits cannot be fairly evaluated in isolation if the same trial also involved juror complaints of harassment and a related judicial address that was not meaningfully reflected in the transcript.
64. The delayed production of juror notes supports Petitioner's argument that prior appellate and post-conviction review occurred on an incomplete jury-related record.
65. Petitioner has also repeatedly sought to have counsel formally request or demand the original trial audio or underlying recording, but counsel have failed or refused to litigate production of that audio.
66. Production of the original trial audio, court reporter materials, juror notes, court file materials, clerk-file jury communications, and any sealed or docketed materials concerning juror complaints or harassment is necessary to reconstruct what occurred.
67. If South Carolina treats the transcribed paper copy as the official record of court proceedings, then the integrity of the transcript becomes critical. A transcript cannot be used to defeat

review of an event that was omitted from the transcript and later supported only by juror notes that were withheld until 2018.

68. No procedural bar should be applied to this issue until the Court determines what happened, what was omitted, when the State possessed the juror notes, why the notes were not produced earlier, and whether Petitioner was deprived of meaningful review.

69. At minimum, this Court should order preservation and production of all audio, court reporter files, juror notes, jury communications, clerk records, and solicitor records related to the alleged juror harassment complaints and the judge's address to the courtroom.

VI. SOUTH CAROLINA AUTHORITY: STATE v. ELMORE AND STATE v. CAMERON

70. South Carolina law already recognizes that communications with a deliberating jury outside open court threaten the integrity of the verdict.

71. In *State v. Elmore*, 279 S.C. 417, 308 S.E.2d 781 (1983), the Supreme Court of South Carolina reversed murder, criminal sexual conduct, and burglary convictions and vacated a death sentence. Among other errors, the Court held that the trial judge's entry into the jury room, accompanied by counsel, to answer a jury question was reversible error regardless of the presence of counsel.

72. *Elmore* is especially important because the Court did not require proof of actual prejudice from the entry into the jury room. The Court treated the procedure itself as highly improper and inconsistent with the defendant's protected right to be present at all stages of trial in a death case.

73. *Elmore* also condemned the trial judge's later visit to the jury room during the penalty phase without counsel present, calling it elementary error. The Court further criticized requests for periodic reports on the status of deliberations as improper and contrary to settled law.

74. If a judge's entry into the jury room to answer a question is reversible error even when counsel are present, then the unauthorized entry of a prosecutor-connected person into the jury room during deliberations, followed by a false instruction that doubt requires conviction, is a far more serious constitutional violation.
75. In *State v. Cameron*, 428 S.E.2d 10 (S.C. Ct. App. 1993), the South Carolina Court of Appeals reversed a conviction after it was disclosed that a bailiff improperly communicated with the jury forelady during deliberations.
76. *Cameron* reaffirmed that a criminal defendant is constitutionally guaranteed a fair trial by an impartial jury and that the jury must render its verdict free from outside influences of whatever kind and nature.
77. *Cameron* further held that when a court official privately communicates with jurors, a new trial must be granted unless it clearly appears that the subject matter of the communication was harmless and could not have affected the verdict.
78. The bailiff's statement in *Cameron* was less direct than the statement alleged here. There, the bailiff told the forelady that the judge was fair in response to jury confusion about mercy and sentencing. The Court still reversed because the communication tended to lessen the jury's sense of responsibility and may have affected its decision.
79. Here, the alleged communication was not merely a vague reassurance about the fairness of the judge. It was a direct false legal instruction on the central question of guilt: that doubt required conviction.
80. Under *Elmore* and *Cameron*, the jury-room intrusion alleged in Petitioner's case cannot be dismissed as harmless administrative irregularity. It is the type of outside influence South

Carolina courts have already recognized as incompatible with the sanctity of jury deliberations and the right to a fair trial.

81. Elmore and Cameron therefore support, at minimum, a conflict-free evidentiary hearing and, if the affidavit evidence is credited, vacatur of the conviction and sentence.

VII. COMPARISON TO THE MURDAUGH RULING

82. On May 13, 2026, the Supreme Court of South Carolina overturned Alex Murdaugh's murder convictions and ordered a new trial because of improper external influence on the jury by Clerk of Court Rebecca Hill.

83. The Court held that improper jury interference by a court official violated Murdaugh's right to a fair trial.

84. The Murdaugh ruling confirms that when an outside official improperly influences jurors, the constitutional injury is not harmless administrative error. It is a direct attack on the integrity of the verdict.

85. Petitioner's case presents an equal or greater violation.

86. In Murdaugh, the outside influence came from a clerk of court.

87. In Petitioner's case, the outside influence allegedly came from a person connected to the prosecutorial/investigative apparatus who entered the jury room during deliberations and told jurors that doubt required conviction.

88. Petitioner's case also includes a related record-integrity issue: a separate jury-related occurrence involving alleged juror harassment complaints and a judicial address was not meaningfully reflected in the transcript and was not supported by produced juror notes until 2018.

89. If the Constitution required a new trial in Murdaugh, it requires at least an evidentiary hearing and ultimately relief here.
90. The South Carolina Supreme Court should remain consistent with the principle it has now publicly reaffirmed: jury verdicts must be free from improper outside influence.
91. The constitutional rule cannot be selective.
92. It cannot apply to Alex Murdaugh but not Christopher Woody.
93. It cannot apply when a clerk improperly speaks to jurors but disappear when an investigator or solicitor-connected figure enters the jury room itself.
94. Elmore and Cameron show that this rule was not newly invented for Murdaugh. South Carolina courts have long recognized that improper communications with a deliberating jury can require reversal where the communication threatens the independence, privacy, or responsibility of the jury.

VIII. CONFLICT OF INTEREST AND NEED FOR INDEPENDENT REVIEW

95. The newly developed identification evidence creates a direct conflict of interest.
96. Kevin Brackett is now the elected Solicitor of the Sixteenth Judicial Circuit.
97. Petitioner now has evidence or information indicating that Kevin Brackett may have been the unauthorized person who entered the jury room during deliberations.
98. Kevin Brackett was not listed as a prosecutor of record in Petitioner's case.
99. His alleged lack of formal appearance in the case does not eliminate the conflict.
100. Instead, it raises the question of why a person with no formal role reflected in the paperwork would have entered the jury room during deliberations at all.
101. It also raises the question of whether his role was concealed, undocumented, informal, or otherwise outside lawful procedure.

102. Because Kevin Brackett now heads the Solicitor's Office in the same circuit, neither he nor his office can fairly participate in any matter involving Petitioner's effort to vacate the conviction.
103. Even if PCR proceedings are technically civil and ordinarily handled by the South Carolina Attorney General's Office, the local Solicitor's Office and local court machinery may still have practical influence over records, communications, filings, local personnel, court access, and the posture of criminal matters.
104. A solicitor who may be the subject of the allegation cannot have any role, formal or informal, in preventing that allegation from being heard.
105. The conflict is structural.
106. The conflict is obvious.
107. The conflict requires recusal, preservation of records, independent review, and outside investigation.

IX. WHY PROCEDURAL BARS SHOULD NOT APPLY

108. The State may argue that this Petition is barred because prior PCR proceedings have concluded.
109. The State may argue that the claim is successive, untimely, or procedurally defaulted.
110. Those arguments should be rejected.
111. Petitioner is not merely rearguing an old PCR issue.
112. Petitioner presents newly developed identification evidence.
113. Previously, Petitioner had evidence that an unknown person entered the jury room.
114. Now, Petitioner has information pointing to the likely identity of that person.

115. That identity matters because it connects the jury-room intrusion to a present public official with power in the same circuit.
116. That identity also explains why ordinary local review may have failed or may be inadequate.
117. Petitioner also now places on the record a related transcript and juror-note issue that could not be proven at the time of his first PCR hearing in or around 2008.
118. The reason the transcript omission and juror-harassment issue were not presented at the first PCR hearing is itself part of the due process problem: counsel declined to bring the issue because Petitioner had no documentary proof, and the State had not produced the juror notes that later became the only record reference to the occurrence.
119. A petitioner cannot be defaulted for failing to prove what the State had not disclosed and what the transcript did not meaningfully show.
120. No procedural rule should be used to shield a conviction obtained through outside jury influence.
121. No procedural rule should be used to protect possible official misconduct from judicial review.
122. No procedural rule should be used to block a claim where a sworn juror says the defendant would not have been convicted but for an unauthorized person's intrusion into deliberations.
123. No procedural rule should be used to block a record-integrity claim where the very basis for the default is an incomplete transcript and delayed production of jury-related notes.
124. Habeas corpus exists for extraordinary circumstances where the usual process fails to protect fundamental liberty.

125. Elmore and Cameron also weigh against using procedure to avoid the merits. Both cases recognize that the integrity of deliberations is a foundational concern, not a technicality.

126. This Court should exercise that power here.

X. ADDITIONAL FACTUAL INCONSISTENCIES AND VIOLATIONS TO BE SUPPLEMENTED

127. Petitioner expects counsel to supplement this Petition with additional factual inconsistencies, constitutional violations, procedural irregularities, and evidence of systemic failure.

128. These additional matters include but are not limited to issues that may be supplemented after review of the full case file, trial transcript, PCR file, affidavits, court records, solicitor records, clerk records, investigator records, juror notes, original trial audio, court reporter materials, jury communications, and any newly obtained discovery.

129. Petitioner does not rely on those additional issues to establish the primary violation.

130. The primary violation alone is sufficient.

131. A jury-room intrusion during deliberations, followed by a false instruction to convict if there is doubt, requires relief.

132. The record-integrity issue separately demonstrates why prior review was not meaningful and why the Court should order production of the underlying audio, notes, and jury-related records.

133. The additional issues will show the broader context: a justice system failure severe enough to require independent investigation.

XI. NEED FOR BROADER INVESTIGATION

134. If the current Solicitor of the Sixteenth Judicial Circuit entered a jury room during deliberations in a criminal trial, the issue is not limited to Christopher Woody's case.
135. Such conduct would raise serious questions about every case where the same official had access, influence, control, supervision, investigative authority, prosecutorial authority, or post-conviction influence.
136. If substantiated, this allegation requires independent review of every case in which Kevin Brackett's access, involvement, supervision, or authority could have affected jury integrity, prosecutorial fairness, or post-conviction access.
137. Petitioner does not ask this Court to automatically overturn every case involving Kevin Brackett.
138. Petitioner asks this Court to recognize that this allegation, if substantiated, is not merely an isolated irregularity but a matter affecting public confidence in the integrity of the Sixteenth Judicial Circuit.
139. In the Murdaugh matter, criminal charges were brought against Clerk of Court Rebecca Hill after her conduct surrounding the trial.
140. Here, if evidence confirms that Kevin Brackett entered a jury room during deliberations and influenced a verdict, the conduct should likewise be referred for criminal, ethical, and professional investigation.
141. The same investigation should include whether jury-related notes, audio, transcripts, clerk materials, solicitor materials, or other records were withheld, omitted, delayed, or otherwise unavailable in a manner that prevented meaningful review.
142. A solicitor cannot be above the law.

143. A conviction obtained by jury-room intrusion cannot be insulated by title, delay, an incomplete record, delayed disclosure, or procedural technicality.

144. Public confidence in South Carolina's courts requires that this Court act.

**XII. PETITIONER HAS NEVER RECEIVED A CONSTITUTIONALLY VALID
CONVICTION, AND DISCHARGE OR DISMISSAL IS THE PROPER REMEDY**

145. Petitioner realleges and incorporates all prior paragraphs.

146. Petitioner respectfully submits that this case is not merely about trial error.

147. This case is about whether the State ever obtained a lawful conviction at all.

148. A criminal conviction is lawful only if it is produced through a constitutionally valid process.

149. Where an unauthorized person enters the jury room during deliberations and instructs jurors that doubt requires conviction, the resulting verdict is not the product of a free, impartial, and lawful jury.

150. Such a verdict cannot provide a valid constitutional basis for imprisonment.

151. Petitioner therefore submits that he has never been legally convicted in the constitutional sense because the verdict used to imprison him was allegedly produced through external jury interference and unlawful contamination of the deliberative process.

152. The issue is not whether the State believes Petitioner is guilty.

153. The issue is whether the State obtained its judgment through a lawful jury process.

154. It did not, if the juror affidavit and corroborating evidence are credited.

155. The State cannot imprison a man based on a verdict reached after an unauthorized person entered the jury room and told jurors to convict if they had doubt.

156. Petitioner further submits that if Kevin Brackett is proven to be the unauthorized person who entered the jury room, then the misconduct was not an isolated mistake, administrative irregularity, or harmless communication.
157. It was an unlawful act committed under color of the criminal justice system during the most protected stage of trial.
158. It converted the machinery of justice into the instrument of unlawful restraint.
159. Every day Petitioner remains imprisoned under that contaminated verdict compounds the constitutional injury.
160. The record-integrity issue compounds the injury because Petitioner asserts that the official transcript failed to meaningfully reflect another jury-related occurrence and that the notes needed to prove the occurrence were not released until 2018.
161. Petitioner does not ask this Court to prejudge criminal liability against Kevin Brackett in this habeas proceeding.
162. Petitioner does ask this Court to recognize that, if substantiated, the conduct alleged would amount to official misconduct of the highest order and may constitute criminal interference with the administration of justice, jury tampering, obstruction, misconduct in office, and other offenses to be investigated by an independent authority.
163. The remedy should match the severity of the violation.
164. A new trial may be the ordinary remedy for trial error.
165. But this is not ordinary trial error.
166. This is alleged jury-room intrusion by a person now identified as the current elected Solicitor of the same circuit, coupled with years of procedural resistance, delayed disclosure, and incomplete record issues that prevented a full and fair hearing.

167. Under these extraordinary circumstances, Petitioner respectfully requests complete discharge from custody on the challenged conviction and dismissal of the charges with prejudice.
168. In the alternative, if this Court determines that immediate discharge or dismissal is not available on the present record, Petitioner requests that the conviction and sentence be vacated, that the matter be remanded for a conflict-free evidentiary hearing, and that the State be barred from retrying Petitioner unless and until it proves that retrial can occur without benefiting from the prior constitutional violation, conflict, concealment, delay, record omission, or tainted process.
169. Petitioner further requests that this Court expressly preserve the issue of whether dismissal with prejudice is required after factual development.
170. This Court should not allow the State to benefit from its own contaminated process.
171. Nor should the burden of delay fall on Petitioner where the central misconduct was allegedly concealed, undocumented, delayed in disclosure, and only later capable of identification.
172. The constitutional injury here is not cured merely by offering Petitioner another trial decades later, after witnesses, memories, records, and evidence may have been lost or degraded.
173. Petitioner seeks restoration of freedom and liberties because the State's judgment of conviction was allegedly born from an unlawful jury process.
174. Habeas corpus exists for precisely this kind of extraordinary circumstance: where a person is restrained under a judgment that fundamental fairness cannot tolerate.

XIII. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that the Supreme Court of South Carolina:

1. Accept this Petition in its original jurisdiction as a state habeas corpus matter;
2. Find that Petitioner has alleged extraordinary circumstances warranting habeas review;
3. Find that newly developed identification evidence materially changes the posture of the claim;
4. Find that the newly placed-on-record transcript and juror-note issue requires factual development because it concerns the same jury-related constitutional category of harm;
5. Find that *State v. Elmore* and *State v. Cameron* support the conclusion that improper entry into, or communication with, a deliberating jury threatens the sanctity of the jury system and may require reversal or other relief;
6. Find that the alleged jury-room intrusion violated Petitioner's constitutional rights to due process, a fair trial, and an impartial jury;
7. Find that the alleged statement "if you have any doubt, you must convict" reversed the burden of proof and contaminated the verdict;
8. Order a full evidentiary hearing before a conflict-free judge or special master;
9. Permit discovery, subpoenas, sworn testimony, and production of records necessary to determine: a. who entered the jury room; b. what was said; c. why the person entered; d. whether the person was Kevin Brackett; e. what role Kevin Brackett had in or around the case despite not appearing on the paperwork; f. whether the intrusion was known, concealed, or later protected; g. whether the trial transcript omitted a jury-related occurrence involving juror harassment complaints and a judicial address to the courtroom; h. when the juror notes were made part of the record; i. why the juror notes were not produced until 2018; j. whether counsel declined to raise the issue earlier because Petitioner had no documentary proof; k.

whether local officials had any role in preventing the claim from being heard; and I. whether other cases require review;

10. Order Kevin Brackett and the Sixteenth Circuit Solicitor's Office to have no involvement, direct or indirect, in this matter;
11. Order preservation and production of all relevant court, solicitor, clerk, investigator, bailiff, trial, PCR, personnel, audio, recording, court reporter, juror-note, jury-communication, and transcript records;
12. Order production of the original trial audio or underlying recording, if it exists, together with any court reporter notes, logs, backup recordings, clerk-file jury communications, and materials related to juror complaints, harassment, outside contact, or judicial communications concerning the jury;
13. Refer the matter to an independent investigative authority, including but not limited to the South Carolina Attorney General, SLED, the Office of Disciplinary Counsel, and any appropriate federal authority;
14. Declare that Petitioner has not received a constitutionally valid conviction because the verdict was allegedly produced through unauthorized external jury interference, a false statement of law during deliberations, and a process inconsistent with due process, fundamental fairness, and the right to an impartial jury;
15. Vacate Petitioner's conviction and sentence;
16. Order Petitioner discharged from custody on the challenged conviction;
17. Dismiss the charges with prejudice due to extraordinary official misconduct, unconstitutional jury contamination, prejudice from delay, conflict of interest, incomplete or omitted

jury-related record evidence, delayed disclosure, and fundamental unfairness shocking to the universal sense of justice;

18. In the alternative, if this Court determines that dismissal with prejudice is not available on the present record, order a conflict-free evidentiary hearing to determine the truth of the jury-room intrusion, the identity of the unauthorized person, the effect on the verdict, the role of Kevin Brackett if any, the extent of any concealment, conflict, or official misconduct, and the reason prior review was prevented or incomplete;

19. After factual development, preserve and consider Petitioner's request for dismissal with prejudice, discharge from custody, or any other relief necessary to restore Petitioner's constitutional rights;

20. In the further alternative, vacate the conviction and sentence and order a new trial before an untainted jury, in a conflict-free posture, and under supervision that ensures no involvement, direct or indirect, by the Sixteenth Circuit Solicitor's Office, Kevin Brackett, or any person or office implicated in the alleged misconduct;

21. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

Christopher Woody

Petitioner

Date: _____

Address:

VERIFICATION

I, Christopher Woody, being first duly sworn, state that I am the Petitioner in this matter; that I have read the foregoing Petition for Writ of Habeas Corpus; that the factual statements contained in the Petition are true and correct to the best of my personal knowledge, information, and belief; and that any legal arguments are made in good faith based upon the facts and evidence available to me.

Christopher Woody

Petitioner

SWORN TO AND SUBSCRIBED before me

this ____ day of _____, 20 ____.

Notary Public for South Carolina

My Commission Expires: _____