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JUL 27 2022

22 July 2022

SC Court of Appeals

ALAN NIX

STILL AT CHARLESTON COUNTY DETENTION

1401 DENSMORE CIR

CENTER...

Mt. Pleasant, SC 29466

✓ JENNY ABBOTT - KITCHINGS, CLERK OF COURT

SC COURT OF APPEALS

1220 SENATE ST.

COLUMBIA, SC 29201

RE: THE STATE V ALAN G NIX, APPELLATE CASE No 2022-000940

DEAR MS. KITCHINGS,

PLEASE ACCEPT THIS LETTER AS A CLARIFYING RESPONSE TO YOUR LETTER DATED 19 JULY 2022 AND RAISING THE ISSUE OF HYBRID REPRESENTATION. THE CHARLESTON COUNTY PUBLIC DEFENDER CORP FORWARDED ME YOUR LETTER AND I RECEIVED IT YESTERDAY. SINCE I HAVE NOT HEARD FROM ANYONE AS OF THIS AFTERNOON, I WANTED TO ENSURE AT LEAST A BASIC RESPONSE WAS PROVIDED WHILE I STILL COULD GET A LETTER IN THE MAIL BEFORE THE END OF THE WEEK.

FIRST, SINCE I AM STILL LOCKED UP AT THE CHARLESTON COUNTY DETENTION CENTER I HAVE NO WAY TO FOLLOW UP / UNDERSTAND THE CASE YOU CITED (MILLER V STATE) SO I APOLOGIZE IN ADVANCE FOR NOT BEING ABLE TO TAKE THAT INTO ACCOUNT IN THIS RESPONSE AND REQUEST PERMISSION TO FOLLOW BACK UP ON THAT ONCE I AM FINALLY RELEASED FROM JAIL.

HAVING SAID THAT THOUGH, IT SEEMS AS IF THE COURT (OF APPEALS) MAY NOT FULLY UNDERSTAND THE HOPEFULLY UNIQUE CIRCUMSTANCES INVOLVED IN THIS APPEAL. TO MORE CLEARLY EXPLAIN, BENCH WARRANT 2022-B10-00100400 RELATES TO ARREST WARRANT 2021-A10-10200475 AND INDICTMENT 2021-GS-10-02600. AS I'M SURE YOU HAVE BEEN INFORMED, BRADAMIN MACK IS LISTED AS THE ATTORNEY OF RECORD IN THIS CASE.

THE SECOND BENCH WARRANT IS 2022-B10-00100401 AND RELATES TO INDICTMENT 2021-GS-10-02599. THERE IS NO ATTORNEY OF RECORD FOR THIS CASE BECAUSE A SUMMONS HAS NEVER BEEN ISSUED FOR THIS CASE AND I HAVE NEVER BEEN ARRESTED FOR IT OTHER THAN BECAUSE OF BENCH WARRANT 2022-B10-00100401. THIS SET OF BIZARRE FACTS SHOULD GIVE SOME INSIGHT INTO THE TYPES OF CERTIFIED QUESTIONS TO BE BROUGHT BEFORE THE SC SUPREME COURT WHICH WAS NOTED IN MY MOTION FOR EXTENSION DATED 11 JULY 2022.

GOING FORWARD THE TWO CASES WILL BE IDENTIFIED AS "2600 MACK" AND "2599" RESPECTIVELY.

BASED ON THE ABOVE CITED FACTS, AND CURRENTLY RELYING ON YOUR ANALYSIS OF THE APPLICABILITY OF MILLER V. STATE, IT SEEMS LIKELY MILLER V. STATE WOULD APPLY TO 2600 MACK BUT DIFFICULT TO IMAGINE IT COULD LOGICALLY APPLY TO 2599. UNTIL I AM FINALLY RELEASED FROM THE CHARLESTON COUNTY DETENTION CENTER, I WILL RELY ON YOUR PROMPT EXERCISE OF DISCRETION TO MANAGE THESE MATTERS BUT SUGGEST THE BEST WAY TO MANAGE MIGHT BE TO SEPARATE THE TWO INTO TWO SEPARATE APPEALS. FOR INSTANCE, LEAVE 2599 WITH APPEAL 2022-000940 AND

CREATE A NEW APPEAL FOR MACK AND 2600MACK. THIS SOLUTION SEEMS LIKELY TO SOLVE THE CURRENTLY IDENTIFIED HYBRID REPRESENTATION ISSUE YW / THE COURT HAS NOW RAISED.

ALSO, I APOLOGIZE IN ADVANCE FOR USING THIS RESPONSE TO ADDRESS ANOTHER HIGHLY RELATED ISSUE BUT GIVEN MY LOW SUPPLY OF PAPER, ENVELOPPES + REMOTE NECESSARY WRITINGS INSTRUMENTS I NEED TO DO SO.

ON THE SAME DATE AS YOUR 19 JULY 2022 LETTER, MR. URICCHIO FILED A "MOTION TO SEVE DIRECT INDICTMENT AND SET BOND". HE IDENTIFIED ARREST WARRANT 2021-GS-10-02599 AND INDICTMENT NUMBER 2021-GS-10-02599 IN THAT MOTION AND INTERESTINGLY SERVED IT ON MR. MACK. TO ENSURE THERE IS NO CONFUSION, THIS IS THE SAME INDICTMENT NUMBER THAT WAS PREVIOUSLY DISCUSSED IN THIS LETTER, THE SAME INDICTMENT NUMBER ASSOCIATED WITH THE 3 JUNE 2022 BENCH WARRANT 2022-BID-(X)100401, WHICH IS THE SAME BENCH WARRANT THE U.S. MARSHALL FUGITIVE TASK FORCE ARRESTED ME ON IN OCONEE COUNTY ON THE MORNING OF 28 JUNE 2022.

MR. URICCHIO.

I AM CONFIDENT YOU WERE COPIED ON MR. PENNINGTON'S EMAIL AT APPROXIMATELY 1030 ON THE MORNING OF 7 JAN 2022 WHEN HE TOLD ME I DIDN'T HAVE TO TURN MYSELF IN THAT MORNING ON 2021-GS-10-02599 AND THAT YOU WOULD SEND ME A SUMMONS ON THIS MATTER. THAT HAS BEEN ALMOST SEVEN MONTHS AGO AND I HAVE BEEN SITTING IN THE AL CANNON (ESQ.) DETENTION CENTER FOR TWENTY DAYS AT THE TIME YOU FILED YOUR FRIVILOUS MOTION ON 19 JULY 2022.

I WOULD RECOMMEND YOU DO THE FOLLOWING AS SOON AS POSSIBLE EARLY
NEXT WEEK.

- (1) ENSURE YOUR MANAGER IS FULLY INFORMED ABOUT 2021-GS-10-02599
AND PROVIDES YOU WRITTEN DIRECTION ON HOW TO PROCEED.
- (2) WITH A NEW YOUR 19 JULY 2022 MOTION AND DO AS MR. PENNINGTON
STATED IN HIS 7 JUN 2022 EMAIL. NOW THAT WE KNOW THE
DEGREE OF COOPERATION YOU TWO ENGAGED IN ON THE
MORNING OF 7 JUN 2022, IT SEEMS REASONABLE TO BELIEVE
YOU AGREE WITH MR. PENNINGTON'S DIRECTIONS.
- (3) SERVE THE SUMMONS ON ME BY U.S. POSTAL SERVICE. I
AM SURE YOU KNOW WHERE I'M AT GIVEN YOUR CLEAR
INVOLVEMENT IN GETTING ME HERE.
- (4) HAVE CAPT. BROOKER ENTER ARREST WARRANT 2021-GS-10-02599
IN THE FBI NCIC DATABASE AND THEN SERVE IT ON
ME AT THE SHERIFF AL CANNON (ESQ.) DETENTION CENTER.

PLEASE ENSURE ALL OF THE ABOVE IS COMPLETED NO LATER THAN NOON
ON THURSDAY, 28 JULY 2022... OR ENSURE I AM RELEASED BY 1530.

BEST REGARDS,
Al Nix

cc.

ALAN WILSON

SC ATTORNEY GENERAL

1000 ASSEMBLY ST.

COLUMBIA, SC 29201

NICKOLAS URICCHIO

CHARLESTON COUNTY SOLICITOR OFFICE

101 MEETING ST.

CHARLESTON, SC 29401

BENJAMIN MACK

CAPT. BROOKAW

CHARLESTON COUNTY PUBLIC DEFENDER COFF

CHARLESTON COUNTY SHERIFF

101 MEETING ST.

3681 LEOBBS AVE.

CHARLESTON, SC 29401

N. CHARLESTON, SC 29405

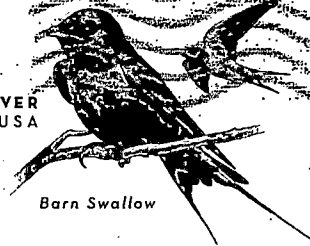
PS. I WILL REPLY WITH COPIES OF REFERENCED DOCUMENTS JUST AS SOON AS POSSIBLE AFTER I AM FINALLY RELEASED. THE CHARLESTON COUNTY DETENTION CENTER HAS AN EVER CHANGING POLICY ON COPIES WHICH RANGE FROM ONLY ONE COPY TO YOUR ATTORNEY MUST MAKE YOUR COPIES TO NO COPIES OF HAND WRITTEN DOCUMENTS, CONSEQUENTLY I AM HAVING TO MAKE FIVE HAND WRITTEN COPIES OF THIS LETTER. PLEASE SHARE WITH THE OTHERS COPIES ONCE RECEIVED IN CASE I AM NOT ABLE TO HAVE WRITE THIS MANY COPIES BEFORE CUT OFF TIME TODAY

NIX
1401 DENSMORE CIR
MT. PLEASANT, SC 29466

CHARLESTON SC 294

25 JUL 2022 PM 1 L

FOREVER
USA



Barn Swallow

RECEIVED

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SC Court of Appeals

JENNY ABBOTT - KITCHINGS, CLERK OF COURT
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1220 SENATE ST.
COLUMBIA, SC 29201

29201-376999

