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SEP 06 2022

To whom it may concern,

I am seeking to appeal the conviction and sentence stemming from my "As Indicted" plea **SC Court of Appeals** containing NO admission of guilt where newly discovered evidence revealed that there NEVER WERE ANY INDICTMENTS. Also, evidence obtained from the F.B.I revealed that only one indictment (2016-GS-420-5451) added after the fact (1/23/18) out of the four propagated by the Solicitor (Barry Barnette) and eventually pled to, ever appears in any records at all (state or federal). Copies of those indictments that appear nowhere in records were later produced and then found to be forgeries, bearing the genuine signature of Barry Barnette. The "clerk's stamp" that appears on those "indictments" does not match the clerk's stamp found on documents that do appear in the state's/clerk's records both before and after the date "stamped" on the "indictments".

It is maintained that since the clerk's own records reflect that NO INDICTMENTS were ever clocked/stamped/filed pursuant to SCRCP Rule 3, sections (c) and (e) and therefore never legally existed, trial attorney William J. Nowicki was ineffective for failing to realize this and ask for a dismissal.

It is further maintained that since no legal indictments ever existed pursuant to SCRCP Rule 3, sections (c) and (e), the ~~state and the court~~ Solicitor violated Brady v. Maryland where he failed to disclose that and openly claimed otherwise during pretrial motions/hearings.

It is also maintained that the plea could not have been knowingly, willingly or intelligently entered where it was "As Indicted" though records show that NO INDICTMENTS EVER EXISTED and therefore the plea is invalid.

It is maintained that because NO INDICTMENTS EXIST in a manner that is recognized legally pursuant to SCRCP Rule 3, sections (c) and (e), the state and the court lacked jurisdiction to accept an "As Indicted" plea, to base a conviction on such plea and (non existent) indictments, or to impose a sentence.

Due to these facts, it is maintained that my United States Constitutional, 14th amendment right to Due process was violated by the state and that I am wrongfully convicted and falsely imprisoned.

Also noted is the fact that Barry Barnette falsely claimed that my blood type was on evidence of the crime where records show that the state never administered or considered a blood test. I am requesting a court-ordered blood test so the results can be cross-referenced with the sample in Barnette's records and I am exonerated.


These matters were posed in an application for a 2nd PCR in Spartanburg County on January 10th, 2022 based on new evidence disclosed by the state on May 4th, 2021 and new evidence obtained from the F.B.I. on June 21st, 2021. That application is still pending awaiting a hearing or an order from the state.

I intend to represent myself pro se in these matters. Do not assign me a "state appointed" attorney.

A copy of this letter has been served on the following by depositing the same in the U.S. mail, postage prepaid:
South Carolina Court of Appeals, 1220 Senate St., Columbia, SC 29201

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