

# The Supreme Court of South Carolina

David M. Dixon

: Petitioner:

V.

State of South Carolina

: Respondent:

Motion:

Pro-se response to the

petition filed by Counsel

& Written memorandum

Appellate Case # 2022-000295

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DEC -1 2022

S.C. SUPREME COURT

The petitioner hereby comes before the court to ask that certain factors may be looked at. For a first factor, Counsel writes letter stating that his wish's wasn't not to represent petitioner. But due to the "Johnson" procedure had to petition the court to be relieved as a standard part of "Johnson" procedure. For a 2nd factor petitioner was and does take mental health meds. And during his guilty plea was on mental health meds, which could have made his decession making poor, And he accepted a plea bargain that he may not have taking if not on meds. As part of his written memorandum he request that the Courts will see that due to and inpart of these facts, the court should reconsider the merit of such request. That the "State" did offer 6years to the petitioner but never put in a plea bargain deal. And that his Counsel errored by not researching and following up with the States offer of 6yrs. The petitioner prays that this Court will grant relief by allowing a extension of time or to Ask the State & Horry County to allow petitioner to be resented to first offer of 6yrs. Also Solicitor Martin Sprattin was public defender, then Solicitor and now Public defender. Which brings conflict of interest into factors of this case.

Date: 11-22-2022

# Memorandum facts:

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## ISSUE PRESENTED

Whether the PCR court erred by finding petitioner failed to prove his counsel conducted

an inadequate investigation before advising him to plead guilty to ABHAN where the victim was not even injured during the incident, where it was undisputed petitioner was mentally ill, and the record revealed counsel only had several truncated interactions with petitioner while petitioner was attempting to get counsel relieved due to the minimum effort she was expending on his case?