

Ineffective Counsel: Counsel was grossly ineffective.

1<sup>st</sup> Counsel failed to advise me of an official Trial date. I received notification of a trial date months prior to date. The time was not clear. I reached out to Mr. O'Leary the day of. Mr. O'Leary advises me lets just wait until tomorrow. Which did not appear to be an official date. Possible just pushing the case through no matter the outcome. Although I did appear without question. From that point forward I was left in a fog.

2<sup>nd</sup> Mr. O'Leary failed to file a Motion to Suppress all Evidence. Knowing that there were issues with the discovery material. Waiting until the day of trial to request Motion to Suppress all Evidence was very unprofessional and as a client put me at great jeopardy.

3<sup>rd</sup> Counsel never advised me that I would be looking at 15+ years . We only had a brief conversation over the phone on his office line. So, there should be a record of conversation. Mr. O'Leary advised me that charges would be disposed and that there were issues with identity. Discovery video footage shows another male id being found during the initial search of vehicle. Axon-Body 3 X60308360 2020-09-27 04:33:50 -0400 . Which is a recorded fact. Mr. O'Leary never makes any mention of. Why, I'm not sure.

4<sup>th</sup> Giving that counsel did have the opportunity to ask questions during cross-examination of Officer Breeden a witness for the State Of South Carolina. Counsel fails to do so. A very important question should have been asked. Why was it prior to arriving back to the scene where the car was, Officer Breeden calls over the radio and state "Make sure we keep that pistol

and drugs from processing". Axon Body 3 X60308360 0:14:12-0:14:42 Why might an officer, a veteran officer say such thing ? From that point forward all evidence has been tainted due to not being processed properly. Officers shouldn't be allowed to hold evidence and turn it in when they see fit. The officer could have done whatever he wanted with the evidence. Officer Breeden admits during cross examination by Mr. O' Leary on page. 115 Line 19 & 20 that they could speak "direct direct" and NOT have to go through dispatch. All the evidence could have been fabricated. When you have an officer of 28 years not following proper protocol it creates an even bigger issue. No matter how good prosecution dresses it up to make jurors believe his testimony. Its wrong. It explains why the drug amounts differ from discovery material. Discovery show drug amounts 2.12 and 1.15. Trial drug amounts are !.73 and 0.78. What happen to change the drug amounts, I have no idea. All I know is counsel never made it a point to mention it. Nor did he receive a drug analysis report to share with me.

5<sup>th</sup> Racial Bias during deliberation goes against The Constitution fair trials by an impartial jury. When jurors in a criminal case openly express racial prejudice will infect the jury deliberation process. Meaning, on January 12, 2022, day 2 of trial. Believed to be Juror #274 Ms. Washa the first Alternate chosen by The State of South Carolina. I feel as a juror on Day2 of trial, openly wearing a jacket that displays a confederate flag during the trial of a African American man openly expresses racial prejudice. Also, page 250 Line 9-11 Prosecutor Joshua Thomas States to the courts " This man isn't some civilian at a Macolm X rally. Referring to officer Breeden. How

do you compare a civilian attending one of the most prominent figures during the civil rights movement "Malcolm X" to veteran police officer of 28years. That was a very racial bias statement itself. The two are not comparable in any way. Of course, he was allowed to do so. Judge D. Hall allowed it. He allowed the officer's fabricated testimony and to be a witness for the state. His 28 years as an officer persuaded the courts in whole including Judge. That he was telling the truth. When he took the stand and told several lies under oath.

6<sup>th</sup> Issues with evidence drug amount in discovery material states something totally different during trial. Counsel never made any point to mention the drug amounts that were found in discovery material vs the amount giving in testimony by Tobias the Lab Chemist. In discovery material there was never a drug analyst report given. I only received pictures. Pictures of both sets of drug amounts in clear small Ziplock bag, No label on neither bag. Placed on some sort of large scale individually. Also, I received two more pictures of clear bags with a white evidence label. Which are marked with custody chain information. One is labeled black torn bag, the other white torn bag. No drugs were in neither bag. Never received anything on the drug or gun chain of custody as apart of the Motion of Discovery Material. More than likely because officer Breeden wanted to keep them from being processed for his own personal satisfaction I assume.

7<sup>th</sup> Time Frame incident date Sept.27, 2020 and arrest date Oct. 06, 2020, over a week apart. During arrest while picking my daughter up from the school. An unmarked vehicle pulled up as I was waiting several officers jumped out ununiformed pointing guns banging on the windows.

Ramon R Hope  
Case # 2022-000454  
Other Issues

Reached to unlock the doors . Officer Immediately grabs me and slams me on the ground. The rest of officers proceed with jumping on top me. Beating me I would say. I never resisted being arrested although I did ask for more information on the warrant. I was told I had a warrant for a stolen firearm. Nothing further was explained. The incident involved same officer during a viral arrest that took place in Rock Hill SC . Which the officer displayed those same behaviors that got him charged and terminated. Mr. Joshua Thomas made an objection when asked question about the officer and the arrest. A week or so after my trial. The officer went to trial for the incident that occurred during the arrest. Was later acquitted of those charges. My opinion Mr. Thomas objected to questioning about the matter because he knew this former officer Jonathan Moreno trial would be coming up in the same month. It was important for those issues to be addressed. I was charged with the resisting arrest ; the charge was disposed without me nor my attorney knowledge. I'm guessing because it would affect the officer case if jurors heard of one more incident on those same behaviors the officer displayed.

My !4<sup>th</sup> amendment was violated. Judge D Hall erred in allowing bad faith testimony into trial. I would like to ask for a new trial. I believe the actions during trial were not fair nor justifiable. A very bias decision was made during sentencing.

-Ramon R Hope