

In State v. Hamilton (1999) ^{apply} Hamilton

①

Headnotes

7- Sufficiency - Authority of revoking Court should always be predicated upon an evidentiary showing of fact tending to establish a violation of the terms and condition. (17 cases) Judge Harrington, was Bias, Prejudice, condoned a Political influence "clout" used by long relations with parties, defendants, Conspiratorial Plan, of long time Probation revocation, WIDE DESCRETIONS. of Full revocations, That I was not aware of, "KARMA" is more Powerful than those Parties. Your Honor, I have a lot of documentations, mitigating evidence of letters to Solar, Pennington, that were withheld, also filed in the Clerk of Court, to the Director of S.C.D.P.A.P.S. Jerry Geger, Motion for rehearing and denial of the violations with legitimate causes of not reporting, medical, attorney, Jeff Soungman witness, made efforts.

8- Sufficiency - Before revoking Probation, the Circuit judge must determine if there is sufficient evidence to establish that the probationer has Violated his probation conditions. (conspiratorial Plan).

Defense Counsel Solar, failure to litigate any objections to the Judge, the false Felony, the agent State Several times I was arrested 8 times, when I only had 3 drinking offenses, Solar didn't Clarify this. Through records, The medical records were right there at the jail Per Dr. Hoffmann, it is in P.C.R Application and on Solar's Notes in ^{Supp} App 9. Solar purposefully didn't call witnesses, like she said she did and Stated on her Notes she left a message at Mr. Wayne's is a lie, the truth I sent Mr. Wayne a copy of her Notes, I sent Mr. Wayne and Breacher Cashwell a copy of the original Directive Court Order for Aug 8, 2016, and Solar tricked and lied to me again about something came up, I can't make it to Aug 8, 2016, I got you in earlier for the Civil Conspiracy.

11. Sentencing and Punishment - Violation Probation

Condition, Probationer who's Sole Violation of terms and conditions consist of nonpayment, of fine or restitution and who is willing (call attorney Jeff Youngman at Shelter who mailed letter + \$50.00 money order after warrant Feb 23 2016 Phone No. 843-723-9477 is on Counsel Solar's Notes in lower Court records, Appx, Supp. pg 9) but unable to pay, Should not be penalized for being poor, (attorney Jeff Youngman was my disability attorney trying to get out of tent City.) Revocation Counsel Solar, Changed, my Civil Conspiracy at undocumented Revocation hearing July 26, 2016.

Before the said parties involved: ① Bench had Dispute, Agent Holmes Relationship to Bench, ② Solar my Counsel also Relationship to Bench, ③ Pennington failure to train supervisory liability, Conflict of interest + Relation to program, ④ Harrington Judge abuse of discretion, Violation Separation of powers, Subject matter jurisdiction!

12- Violation of Probation Condition - Probationer indicates that the original probation sentence was inappropriate and that imprisonment is the preferred method of Rehabilitation. Counsel Solar stated get in DAODAS, I did Counsel Solar, Changed everything, Court date, Judge, Hearing officer, who had preliminary hearing May 17, 2016, July 15, 2016 I wrote a letter of apology to program Coordinator Turning Leaf, I was sentenced to Aug 11, 2014, Coordinator sent me to a Sex offender program, that turned to fear, danger and violation of probation. By leaving, Solar has covered, condoned, and participated in this Conspiratorial Plan, that Changed any possible Rehabilitation of Judge Nicholson Sentence of the Court, and his Order, at Revocation Judge Harrington told

Agent Holmes that Judge Nicholson Sentenced him to (15) years right appx page ~~68~~ LN 8-10 and the Undocumented agent Holmes who wasn't at my official Original Neutral Hearing Documented May 17, 2016, Documented Directive Order and Recommendation, ^{Supp} Appx pg ~~56, 7~~ ^{orders} pg 12 Signed by my P.O. Chao Albach and Kathleen Nadobany, was stripped from there Judicial obligations of Judicial, Procedural Due Process, Separation of Powers, by Undue Political influences "CHOUT" by the Named parties. Reconsideration Hearing increased the Judicial Misconduct. And it increased PROOF. of Conspiracy. Disputed with Bench of Turning Leaf.

14. Constitutional Law, Notice & Hearings; Proceedings Sufficiency- In those cases involved failure to pay, fine restitution, (Didn't owe none) "one month or one missed report only every 3 months, First Violation, Solar counsel failed to defend, get records, for failure to appear, and it's the public Defender fault, I still had a prior offense Burglary 3rd from Prior to being placed on probation. Per Judge Markley Dennis in the Same Circuit, Patricia K. Should have handled that with the future offense. With J.C. Nicholson Aug 11, 2014, Burglary 3rd used at Revocation hearing was and is listed on the Warrant Oct. 11, 2013) In absent of such determinations, a defendant's Due Process

Rights are contravened by deprivation of his constitutional rights to Freedom. U.S.C.A. 5th and 14th
 Let the record reflect I told Judge Harrington at the end of, revocation July 26, 2016, and Reconsideration Dec 5, 2016, Both hearings at the end. Defendant, Thank you Very Much, Thank you Very Much, appx pg 59 + pg 68 I assumed, counsel Solar told me I would be continued.
 15-Sentencing & Punishment- Matters Considered,

Circuit Court Judges not bound by defendant's agreements with probation officer (Judge Harrington was bound by the other legal documented May 17, 2016 Neutral hearing officer and P.O. Albacho more lenient recommendation and still turned a blind eye, She New, Cause she kept asking Counsel Solar, Mo Solar anything further, appx pg 58 IN 22-23 at Revocation Undocumented Court date that Solar says Judge Harrington Changed, and Judge Harrington wanted to do some extra probation hearing on a Non Week for Court, appx pg 59 8-9) Mo Solar anything else I need to know?, appx pg 68 IN 11-16 (No your Honor,) Probation officer and Neutral hearing officer for May 17, 2016 had a recommendation) they out of no where Agent Holmes Supervisor who overrode that Proceedings) that officer told the Judge I committed Burglary 3rd and was arrested (8) times whenever the variant states 6 times, and on 3 of them were for open containers, public drunk, and disorderly conduct, the Rest was for failure to appear from Hospitalizations, I.O.P's and the 129 days I had to sit in jail for the Prior Burglary 3rd that the Same Public Defenders office didn't handle with this offense I asked and begged Patricia to get Both Charges, See P.C.R Application on Record and Judge Dennis was aware Nov. 13, 2015

I was represented another witness David Swackie,
 Sentence of the Court was 90 days, I spent 129 days
 See appx pg 136 ^{pg 16} The Agent Supervisor went way
 out of her boudry, "Seperation of Power, Subject Matters
considered Jurisdiction who) was the probation officer's
 undocumented, hearing that revoke and terminate, due
 to Holmes, Solar, and Pennington Relationships (wow)
 even a poor ole, homeless now educated former restarted
 defendant can see, the Judicial Functioning of the Public
 Defender office, the S.C. Dept Probation Parole Pardon Services,
 the General Sessions Courts, the Clerk of Court, the Court
 reporters and Chambers, at Reconsideration Dec. 5, 2016
 Judge Harrington, Kescia Holmes, Solar, and probably Barch
 took a (7) seven minute break before this Conspiratorial
 Plan and Reconsideration, the "maggots" wanted to hear me
 plea, beg, and there hearing was already denied then, and
 Solar withheld that Order denying the Same day for over
 2 months Cause I could file my P.C.R. until I got that
 order and documents I present back, (that's when she Solar
 Stated in the Holding cell where no witnesses were, don't
 know what you look so happy about, "You ain't going now
 where", Dec. 5, 2016, And I promise if I live she's going to
confess. appx pg 127 ^{pg 15} Dec 5, 2016 fake as Reconsideration
 Plan.) So agent Holmes won her overridden appropriate
 remedy for defendant's Violation of term and conditions
 by lying to a judge in open court appx pg 54 lw. 1-7
 and the Clerk of Court there not a transcript and don't

Have to be a court reporter at a revocation, See letter Supp. Appx 27 page, who also withheld, the Attorney General had filed for complete Supplemental under rule 243 (1) cause I remind appellate Defender David Alexander, "I have copy of letter" stating my appendix records is Short by 24-83 pages I had 86 pages, See appx and Supp appx and Clerk of Court still haven't sent complete records cause I have duplicates, computer outline paper is what I wrote every, letter, request, motions and documents, and stamped and or Notarized, even had to write Court administration of Clerk of Court, I filed Office of Disciplinary Counsel complaint back in 2017, which was thrown under the rug, dismissed. Is also involved and has been and always will be. With holding documentary evidence,

16-Criminal Law - Representation, Promises, or Coercion

Plea Bargaining. In the context of plea negotiations, is the decision of the judge sound discretion (which I agree, and understand, that the judge don't have to go along with Solicitor's recommendation (Davis v. State (2009) But in my case in order for the judge to Decide whether to go along with Rec or not (Like Judge Russo said at PCR, hearing March 1, 2018,) it would have been incumbent to object, and presents mitigating Substantial Evidence the Judge Harrington does have Sole Discretion to refuse or go along, however in Storer case, it wasn't

mentioned, appx pg 175 16-17 and as he sits on probation matters, you got to bring up the recommendation, appx pg. 191 19-20. And the reconsideration deem insufficient after the Revocation, So the Judge already knew and the reason I know she knew is because the letter to Barch Charged a lot, and her Barch Retaliatory Conduct has Power to Charge these things but as Appellate defender Stated this is a RARE case, Judge Harrington wanted Solar to Bring up the Recommendation, but Solar didn't, cause Harrington covered her but several time No Solar is there anything else I need to know, Solar No Gour, Solar Stated I didn't mention it ~~the~~ Cause Judge Harrington had it right in front of her, appx pg 170 24-25 and I was going for a continuance, less than a year, taken in Video Visit on april 14, get in DAODAS, June 10, 2016 my Birthday Rec's 1 year essentially marked out, Done deal Court date 8-8-2016, wrote letter July 15, 2016 of appolizy and July 23, 2016, Video Visit Something Come Up. And she wouldn't be able to make it to 8-8-2016 documented hearing, she, tricked me, Wasted my time, writing Pennington, wasted my time crying about it, all those letters to authorities about this violation of 8th amend, Cruel and unusual before I got to prison, on "prisons Conditions (P.L. RA ct.) there was and still is documented in the appendix's a agreement to the Stipulation, and the Pollution to the Administration of Department of Justice, of Corruption in the

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(8)

9th Judicial Circuit, Judge Harrington and the parties
goes in Chamber, and discuss these things, just as
Judge Russo, had to call a recess approx 176-9-11 P.C.R.,
hearing, stated, whoo wait a minute, He knew right
off the bat, Some body F'd UP some where, Solar came
out hiding behind her folder, I pointed my finger
at her in open court, when I stated I begged Ashley Penn-
ington to Charge attorney's (turned a blind eye) and I
stated in open court would you want Solar representing
you at a reconsideration, I think not, she patted me
on the back and stated 15 years see ya! Look around
where's your witnesses. And the Public in Society needs
to know these parties actions, because Shit like this
is why kids schools getting ~~shot~~ up, Judges sons
getting ~~shot~~ by answering the door because, someone
somewhere pisted them off, and the Las Vegas shooting
at Jason Aldene's concert, tragedy like that happen
because "one bad apple", not the "first bite of the apple",
it's called get back time Retaliation, Civil Conspiracy,
"one bad apple", made everything, that pennington, Solar,
agent Holmes, and especially Judge Harrington's reputation
of WIDE DISCRETION, all cause one, dispute one Neg-
ative program coordinator sent me to Sex offender program
caused all parties complaints that they've had in the
past become stronger, that's my frame work of the
"old gerrymandering" of Conspiratorial Plan the
the Supreme Court Justice Frame work it different

17- Criminal Law - Probation and Related Dispositions
 In Hamilton - whether sentence imposed upon revocation of defendant's probation was illegal was not preserved for review, where issues ~~was~~ not raised at Revocation Hearing. (Stone didn't have time to raise an issue or didn't need to raise an issue, Defense Counsel have already told Stone he had essentially maxed out, documented in Withheld Supp. appx pg 9+10 Both pages the Clerk of Court Withheld, I told my appellate defender that records are not in my appendix, the Attorney General got Supplemental. Solar told me to get in DA&DAS, 6 weeks in 6 week to go, why? would a defense attorney tell you that you have essentially maxed out then all of a sudden pull you out of a Drug & Alcohol treatment Program, that was supposed to help me, when something came up! Pennington got mad cause the Freedom of information Act, City Counsel Amy Beck called to get me a transcript of those Video Visits and the proof for federal court, but truthfully I don't think it would be necessary, cause Judge Russo saw the Civil Conspiracy in a matter of minutes, and vacated 5 years ago, and I'm still doing time, Judge Russo's order, should be finalized a time, not correct, my motions following that Order should be correct, I raised as much issues, facts and

allegations, as I could at that time, I didn't know what little I do know now, to the best of my ability, P.R. Counsel was ineffective, "Slow", Appellate defender was ineffective and I now understand, why, Robert Dudek is his supervisor, I wrote the Notarized letters asking to present the evidence, the whole record not what the Attorney General presents but what Judge Russo's order and my complaint represent as a Citizen. They Violated my rights if I have any. In Hamilton, Discussion, Circuit Judge erred in revoking my probationary sentence, because there were no evidence that he "Willfully" Violated the terms, and Hamilton, and Stone maintains that the evidence of his medical conditions removes any inference that his violation were willful.

See Solaris not, Mr. Stone has Alcohol problems been in and out of Hospital, inpatient + Outpatient Holmes, disregarded anything presented ~~to the~~ Homelessness, Counsel purposely failed to represent me, Solaris Boss Remington, due to conflict of interest of that Sex offender Program that "Borch" put me in, Remington Purposely denied me assistance of another counselor due to that one patted me on the Back and said "See Ya! Look around where I your witness July 23, 2016 video visit **SOMETHING** CAME UP I CAN'T MAKE IT TO Aug 8, 2016 Revocation wonder what came up. I did my FRAMING,

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LEGAL WRITING

Headnotes: 16,

The context of Plea Negotiations, the discretion to accept or reject is in the Sound discretion of the Circuit Judge, State v. Gated (1989) Clark v State (1996) (only after acceptance of plea Bargain is the Court bound to honor the agreement). See also State v. Rhinehart (Ct app 1993) "Court is bound to honor its promise to enforce a plea agreement only after the court has accepted the agreement," "Solar my Counsel and I were in agreement, with Agent Albach, and Kathleen Nadobony Administrative hearing at May 17th 2016." Hearing also See, Application P.C.R. and Hearing and transcripts, we where in agreements on Attorney Client Visitation documented as proof in P.C.R. Application, All you have to do is Check those records to match my record as proof, it is the Appellants responsibility to prove, I presented it, and must Compel, there if necessary. Then after the changed court date, changed agent, changed Judge and Spoke of a moment July 23, 2016 Video Visit Something Came up can can't make the Aug 8th 2016 original Directive Order court date, that July 26, 2016 Monday morning I'm getting you just continued. Then at the P.C.R. Hearing appx pg 120 7:23 Solar stated "if we were all in agreement then I would have told the Judge probation, and I am in agreement the Judge is in agreement, and we would all agree", What happened to the other process of proceeding that left the picture, all But SOLAR remained in the Court room, a different Date, Judge, Agent, and Sentence and I haven't agreed to, or signed no consent to any of Solar Due Process

I didn't even sign the Sentencing Sheet, So one put where I was suppose to Sign Unavailable to Sign. So the agreement was not mentioned until reconsideration which was a Scheme or Plan, We believe the same rule applies to agreements between defense Counsel and P.O. concerning the disposition of Probation Violations, Therefore, the judge was not bound in Hamilton's Case, (But She was Bound in Stone's case, And looked at me like she was looking at a petifile or those Neighbors at that Sex offender Program that Amy Burch dropped me off at. Solar didn't object cause that would put Subject matter jurisdiction, I got the max 15 years plus I've done 1 1/2 year probation, 90 days in Celebrate recovery, 129 days on a prior Burglary, That was unnecessary, mistakenly done by 2 parties of Public Defender office Kennedy & Solar, Therefore in absence of Defense Counsel's Solar's deficient Performance, Proof is on record that I made a bona fide effort to pay my fees, thru an attorney, Nichols v State (1992), Barlet v State (1986). In the absence of such determinations a defendant's due process rights are contravened by the deprivation of his Constitution freedom, Bearden, 461, US, Nichols, at Barlet the Circuit Judges must, in those cases in addition to finding sufficient factual evidence of the violation, make an additional finding of willfulness. Even though Revocation & Reconsideration defense Counsel deficient performance didn't raise the preserved issues of the agreement made prior to the letter of apology,

State V Hill (2006) State V. Brown (1985) (13)
to Turning Leaf Coordinator for unrelated dispute,
That I raised, filed, wrote letters and studied this
violation of Civil Conspiracy and Criminal conspiracy
either or is a felon. All my issues to the best of my
ability was raised in PCR application and additional
ineffectiveness by Patricia Kennedy and D. Ashley Perm-
ington was never mentioned at the PCR hearing and should
be because they are part of the investigation, Due Process
In State v Gary Thomas Hill Aug 25, 2006 Certiorari granted
J.C. Nicholson Jr., Holding the court of appeals, (1) Brady
and criminal procedure rule governing discovery applied
to probation Revocation proceedings.

(2) defendant was entitled to discovery documents and records

(3) failure to disclose documents and records was harmless.

State v Brown S.C 407, 410 S.E 2d 410 411 (1985) (holding judges
are "allowed a wide, but not limited, discretion in
imposing conditions of suspension or probation and they
cannot impose conditions in which are illegal and
void as against public policy.") Hill argued the circuit
Court erred by not requiring the state to produce the
information request to the rule 5 and Brady motions prior
to the revocation hearing. ("Stone in my case I requested
Brady and Rule 5 after Revocation, Probation documents and request
to Freedom of Informations Act, due to Defense Counsel turned
on me and abandoned any defense, by merely Conspiracy
in illegal actions that came out in PCR, Hearing. Solar
was found ineffective, and deficient performance prejudiced

State V. Hill Aug 25, (2006)

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LEGAL MAIL

Stone's rights to Discovery, rights to witnesses, rights to present mitigating Substantial evidence withheld records, purposely didn't bring up agreement of Hearing officer more lenient recommendation, purposely didn't call witnesses, and purposely abandoned Mr. Stone's rights to Counsel, Violation 6th amend by failing the 2 prong test in Strickland v. Washington (), and Violation 5th & 14th Procedural Due Process, Violation of freedom of Speech 1st amend to my witnesses, to cross examine, for proof of my defense outlined in my application P.C.R. and motions, letters to the courts, and parties, "materials" for purposes discovery used in Brady Context: impeachment, or exculpatory evidence is material only if there is a reasonable probability that, had the evidence been disclosed to the defense, or the defense had presented evidence the results of proceedings would have been different. By about 14 years in Stone's Case. Stone suffered prejudice at Revocations/undocumented July 26, 2016 reconsideration Dec 5, 2016 Judge Denied motion. Some day, Solar withheld my Requested Brady for 2 months knowing I'd already had my Application Notarized. Intentionally, purposely abandoned client to join the retaliation from the one party that charged a illegal corruption of Justice. Given our appellate courts have extended the application of Brady and Rule 5 beyond criminal trial proceedings

We are persuaded by those jurisdictions that have applied Brady and State Criminal discovery rules in Probation Revocations proceedings and guilty plea proceedings. Thus, the fact that a Probation Revocation Hearing is not the equivalent of a "Criminal Trial" is not dispositive. See Frank v. State, 276 S.C. 636, 638, 281 S.E.2d, 227, 228 (1981). Constitutional Rights are available to probationers, and I quote at my Dec 5, 2016, Reconsider Revocation, Judge Harrington stated that's what Judge J.C. Nicholson gave him right, and the Agent Supervisor Holmes stated that's right your Honor appx pg 68 LN 10. Agent Holmes was out of her jurisdiction, and in public policy by going over another hearing officer's sanctions and documented rulings, that Agent Holmes and Kelly K. Solars keep from the present of the court room, that violated Separation of powers and constitutional Rights to Due Process, to defense Counsel, not abandon counsel, Rule 5, refers to trials, the heading of the rule includes "Criminal Cases" and provides for disclosure of information (all parties in unschedule revocation hearing withheld, the May 17, 2014 Neutral Hearing conducted, legally and procedurally) that is "material to the preparations" of the defense. Furthermore, there is no apparent Statutory restriction placed on disclosure. In fact, the Statute, that the Circuit Court relied on in this case to restrict discovery

discovery permits the Court to order disclosure of material obtained by a probation agent. S.C. Code Ann. § 24-21-290 (Supp 2003) "Reasonable" discovery. See Bobbi O Anello, Annotation, "Availability of Discovery at Probation Revocation Hearings" 52 A.L.R. 5th 559, 587 (1997) and Supp 2003). The court's function is to determine whether the appellant's right to a fair trial has been impaired." State v. Taylor, 333 S.C. 159, 177, 508, S.E. 2d 870, 879 (1998). And so Judge Harrington with held the May 17, 2016 legal documented Preliminary Hearing Sanctions & Rec. by the SCOPPS Director Policy 130-60 (3)(N). Partial Revocation/Solar states on Record that Harrington Had it Right in Front of her appx pg. 165 1-2 14-16. In Hill, Although the judge did not reference the specific statute, she was apparently relying on Section 24-21-290, which provides, "All information and data obtained in the discharge of his official duty by a probation agent is privileged information, is not receivable as evidence in a Court, and may not be disclosed directly or indirectly to anyone other than the Judge or others entitled under this Chapter to receive reports unless ordered by the Court or the director". S.C. Code Ann. § 24-21-290 (Supp 2003), a finding of Willfulness is mandatory (Fruit of the poisonous tree). Here's a sign of the "poisonous tree", My defense Counsel Solar tells Judge Harrington at Dec 5, 2016 Reconsideration hearing appx pg. 65 Line 2-6 "Solar Also, Probation does not oppose the reduction. The original recommendation was one-year revocation, with credit for time served and continue probation. Then got to pg appx 67."

appx pg 67 Line 22-25 Probation: Your Honor, as Ms Solar stated, I was not opposed to her filing of the motion.²⁴ In reference to the sentencing I left that up to the Court,²⁵ when I presented the case. ("Listen to this Bull crap") appx pg 68 Line 1- "Probation" The fact remained that while on supervision, he it² a felony or a misdemeanor, he was arrested eight times while on supervision (6 times)³ "has failure to appear". As I stated during the time⁵ of the revocation hearing, we are recommending revocation, and you stated that you wanted 15 years⁷ so we are in agreement -- The Court: That's what Judge Nicholson gave him, correct? Probation: That's correct, Your Honor.

11- Anything further Ms Solar No Your Honor, as long as it is understood that the hearing officer for Probation was only asking for one year, revocation, of one year. Anything further Mr. Stone? No Magna~~20~~ The Court I will take this matter under advisement, Good luck to you, Thank you.

Now go back to where Solar stated appx pg 65 Ln 3-6 Also 3 Probation does not oppose the reduction. The Original recommendation was one year continue. appx pg 67 Line 22-25 Probation: Your Honor, as Ms Solar stated, I was not opposed to her filing of the motion. In reference to the sentence I²⁵ left that up to the Court. above in appx pg 68 line 6-7 "revocation, and you stated that you wanted 15 years" So we are in agreement -- we are in agreement, that Bitch stole my original agreement, and they all conspired. There's only one way to fix this, and that is my recommendation (5 years and \$2000⁸ fine terminate State officials, Suspend Judge Harrington or transfer her to another Circuit, I'm impeaching her to the House of representatives

Stone V, State 2022, and Conspired Transcript.

(18)

Solar, Holmes, Barch (Pennington), Judge Harrington have already had 7 minutes in Chambers appx pg 64. 7-11 Probation We Spoke with you in Chambers, Previously, Line 10 - The Court! Let's take a Short Comfort break, --- hold on to that --- about Seven minutes 12 - a recess transpired. With the Conspire, Dec 5, 2016 Reconsideration, most of the Hearing was in Chambers and "Unconstitutionally" appx pg 64 Line 2 Dec 5, 2016 12:25 pm. in front of Judge Harrington, Lines 10+11 let's take a Short Comfort break --- hold on to that --- about seven minutes appx pg 68 Lines 22-23, (The proceedings were concluded at (12:39 pm.) By my math that is 14 minutes in proceeding then Seven minutes in Chambers appx pg 64 line 11 which leaves 7 minutes. See Solar again prejudiced me, stating I got the Victim Statement, and Probation not opposing to reduction, the Probation and Harrington had already made an agreement, appx pg 68. 4n 7. So we are in Agreement; Civil Conspiracy consist of two or more person, involved, Keisha Holmes agent and Kelly K. Solar esquire, are two parties listed on appx pg 62. But Solar mentions (Pennington) she tried to advise Barch, and was unaware of Turning Leaf Program, but Keisha Holmes told Judge I completed Turning Leaf year at the Jail in 2014, S.C. Code 1976-16-5-10 Conspiracy Against Civil Rights. And the 1993 Act No. 184§22. The frame work to exclude the evidence would place the parties in a worse position than they otherwise would have been, See Nix v. Williams 467 U.S. 591, 81, LEd, 2d 377 (1984) The Independent Source Doctrine, teaches us that the interest of Society in deterring unlawful police conduct and Public interest in having Suies receive all probative evidence.

of a crime are properly balanced by putting the Police in the same, not a worse position that they would have been in if no #83 police error or misconduct had occurred. Framework "Criminal Conspiracy" Civil Rights S.C. Code 14-1-110 Effect on process pending in Court of failure of court to sit on day appointed by law. No process pending in any court shall be discontinued for or by reason of failure to hold court upon the day appointed by law, (Aug. 8, 2016 Directive Order) "In such cases all suits, process, matters and things depending shall be made to the next succeeding court in course, in the same manner, as if such Succeeding Court had been the same court to which such process stood. Continue for such Returns of appearances. Should have been made And recognizances bonds obligations for appearances of any person at such Succeeding Court and summonses for witnesses, as effectual as if the Succeeding Court, had been expressly mentioned therein" Also while I'm back on page 11 where in the appx 170 Solar states she didn't mention the recommendation cause she was going for less than a year, or continued and she didn't mention it cause Harrington had the Recommendation Right in front of her. Case 7-23 I didn't mention it cause if we were in agreement, I would tell the Judge Rec is 1 year we are in agreement. Solar took me out of the DADAS Program, when before I wrote Barck get in to program if you can't help, Then on Video Visits. Recorded, and I have written Documentation and Summary Hearing, Directive and Recommendation, on Visits Solar would state you are lucky, you've served 5 months essentially.

maxed-out" and I told her on Video Visit June 10th 2016, I was happy in group, and I told Solar I would like to stay and finish DAODAS. Cause I needed it Bad, Just to ask the judge if I could stay here. And she said She would, I was happy that was my Birthday, Then in group on the fourth Step is a hard one, make amends, So I really thought about trying Barch's outpatient program, Cause it'd have to be better than Shields Ministries where she dropped me off in 2014, I got the address from Mr. Kreuthener, and wrote letter of apology, Asking for her help and I had 8 free hrs at The Chorleston Center when I finish treatment. July 14, 2016 on July 15, 2016, July 23, 2016 Video Visit from Solar, we had already been in agreement, something came up, Essentially maxed out, finish DAODAS, Signed, written Documents and hearings, those Video Visit would match my paper work, and her paper work it written down. Someone pulled some strings to change a already hearing from May 17, 2016 to July 26, 2016, Let me say this and I've documented it if Solar, my defense counsel had not conspired with the undocumented State or County officials, "Agent Holmes" and Subdivision Coordinator "Barch" then things would be different, your Honor. Solar was found ineffective by Judge Russo and called them in Chamber and knew my accusation was correct, 3 parties I didn't know Agent Holmes, Judge Honington and Kelly K. Solar, caused Solar completely abandoned me, and I was devastated "Barch" I wrote apology thinking that she sent me in to danger, I have my witness who can get me out of there Cause I feared, and was labled as a predator. I figure I'll forgive her if she'd for give me I wrote Senator McConnell in Chorleston and told him them songs

men were knocking her off, and who ever Amy brought in her class that has female, I was in the 2nd cycle. And from he incarcerated like myself, it's terrible in here. motherbator, and it's been 7 years ago and I can still see those guy racing and arguing over the back showers, time as we went in the Door of B-2-B, "Barch," took me to a Sex offender program not realizing until at night if I walked down the road to my house they would chase me, Judge J.C. Nicholson did not sentence me to no Sex offender program, and "Barch's" program was not operatable get a 50 year Framework should be able to see I was abandoned, By Counsel, Solar, Pennington was conflict of interest, Patricia Kennedy also was ineffective for not handling the prior offense in same circuit like Judge Dennis stated that to would have made things "Different," if my Boss/friend Mr. Wayne Had been there things would have been "different," if Ashley Pennington would have represented me, or appointed another Attorney like I requested, thing would have been ^{"DIFFERENT"}. Solar, Holmes, Barch, Solicitors office Wilson, and Judge Pennington work in relations to probation and Pennington, But I got all these documented Stamped carbon copies of letters to Agent Holmes Boss, Ben Carter, Ben Carter's Boss, Mitchell Ray, His Boss Mathew Buchanan General Counsel, Director Jerry Documentations motions, letters, that is relevant and Substantial evidence, the original Hearing officer Kathleen Hadobny's 2 letters, 2 Notarized letter Complaint to Sheriff Al Cannon, (FOIA) act City of Charleston, for kids visits, and lots of letters to Pennington, Nov. 1, 2017 informing his office about Barch running out of the McDougal institution Ashley stated he acknowledged, I have letter to P.C.R. Counsel Folk who

would not amend my application 59(e) Cause I got another Rule 5 Discovery from Pennington, Solar Sent trash and no letter I'd written her, approx pg 184 pg 185 ¹⁻²⁵ ¹⁻²⁵ She acted like she didn't get the same day of sentence letter she hesitated, he wrote me so many times I don't know if I got it or not, But I'm sure, I have, She withheld them, and I wrote Ashley after I filed my P.C.R. under the Matter of Michael Haddock (1984) Rule 5, Solar, was very sloppy, negative, negligent, before I wrote Borch "July 15, 2016, I could see the difference in her tone and all other visits she'd say how lucky I was, But this time 2 day Notice for Court and took me out of my program, "Something Came up", and it did ^{not} take long for it to don on me, Specially when "Borch" came to prison and I was in the Honor Group, From July 23, 2016 to July 26, 2016 Monday. Just don't seem right for such a short notice and Solar Stating that Harrington did all the Changing, it was all of them and they will be on the 42 U.S.C.A 1983, I have suffered tremendously I'm left in Both Jaw, I got Hypertension - C, March 2020, T.B, Germ 2017, C.O.P.D. of Lung, Prostate problems from being attacked, Covid-19 June 2020 I'm on Vertigo medicine, for dizziness Head injury from March 2016, Hospital Stay, Assaulted Downtown Charleston and two weeks later hit by a car another 10 days in Hospital, Solar and her assistance/parties hadn't, did all this Changing Court dates, agents, judges things would definitely be different, I want to Compell either transcribe video back to words or Make her/tail take a polygraph, test, Cause I can show you lies in transcript, and accuses the Judge, Somebody in that Court room Judicial officials made that piece of moment Change of Process, which Violated Procedural Due Process, ineffective assistance of Counsel, Counsel Prejudice Stone, Counsel told untruth about leaving message with Witness M. Wayne, Solar withheld Records Rule 5, Solar never said anything to me about

A continuance of less than a year, listen to this your Honor
 I have essentially maxed-out, See the Notes in Supp appx pg #10
 Bottom Right hand corner, Holmes Stated that I hadn't been a the
 Shelter when my attorney Jeff Youngman ~~See~~ me everyday, I went
 to mental Health there, medical there got my mail there, attorney Jeff
 and I wrote a letter to Probation in March 10th 2016 with 50,00 money
 order, Solaw got this stuff she could have mitigated on her notes
 Supp appx 9 DAODAS, Even got, get Jail medicine records, ^{Honor} Young
 I have been clearly discriminated, Retaliated, nearly got killed
 in here, there was ^{not} any Security Cause we were all on "Quarantine", no
 C.O.s came in my door luckily, two inmates Saved me I was screaming
 and that's what happened to my prostate, I've only been to get checked
 one time and it hurts for me to go to Bathroom, I've lost freedom,
 Sin Life, liberty, deprivation, property, companionship, Hearing
 I have two very Powerful hearing Aids that I can't even wear in the
 unit cause the fans will be too loud, Mental Anguish, "Prison Conditions
^{lost} 40 pounds, as being indigent it is rough in here I've only been to
 the Canteen one time back it Nov 2020, Wellb Fargo sent me a check
 for 150,00 cause someone was caught in Charleston using my identity.
 and, I had lost my wallet Jan 30/16 S.C.D.C I owe for medical, legal fees
 1500, So they told me that they get 60% I got 40% And when the Stimulus
 Checks Started in 2020, 2021, + 2022, 6, 12, + 14 hundred, I still
 haven't gotten a check yet I've written the Dept of treasury, in
 3 different States and, I filed a 1911 form for lost or stolen Checks,
 and still indigent for 7 years I watch people eat good, The financial
 inmate accountant and mail room Mr Brown, Said that 2 of those
 Checks are in or have been deposited in a bank account, and she'll
 only give me the ~~last~~ 4 numbers, what good will that do and you
 can't call 1800 numbers from in here, unless you own a cell phone,
 and I would ^{not} even try to use one, I got the paper work from

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the Tax people, So I now have a legislative Manual 2018,
So last week I wrote Human Affairs Commissioner, and "hopefully,"
how hard it's to get the Bank account Number and can't find out
who deposited them, You'd think S.C.K. would want that \$1500⁰⁰ I
owe, I am barely surviving medically, I'm 60 years old and
had it rough been Homeless off and on Since 1973, 10 years^{old} when my
father left this world massive heart attack, and I have some Brain
issue that's why I told J.C. Nicholson I need a psychological
evaluation in 2014, I was in Special Ed reading lab, my father
and Mother had the same last name, Stone, and since 2016 head
injury, I take Vertigo Meclizine 12.5mg now I use to take 50mg,
But truthfully, your Honor when they locked me up for public Drunk
in March 20th 2016, I wasn't drunk I was pushing my wheel chair and
that kept me Balancing. Your Honor this is a rare case and
I think the "Citizens Public Society" needs to know what
happened to me, David Alexander says, I have a rare case
and a meritorious case, But I was really slowly about the
Bobby Wayne Stone, who killed police in Sumter County and got
death penalty, no I don't know him, but I have those same
symptoms with my Brain and I tried to explain it the
Judge Harrington in writing that I get lost in words,
and if you'll see appx pg 178 in 3-4. I asked the attorney where
were we at, and truth be known your Honor if I could lose
control and I will, I could facilitate, teach, but I can't,
I've been on mental Health meds since (1996) And I've took
everything probably in the book, it's been rough on me your
Honor, I did get some Law Knowledge, and some big words,
I can't pronounce but I love the Law Dictionary Black Stone,
If Defense Counsel Solar hadn't abandoned me, and did due

diligence, and if I hadn't written "Borch" to trigger this thing off, I could have gotten out in 2016, but my sentence was vacated March 1, 2018, by Judge Russo, and I would have been off probation at the end of 2018, at almost 2023, and I'm still here. I have been trying to comprehend these rules, Civil, Criminal, Evidence Act, Statute, Regulations, Judiciary, I get lost, but I love to write and for the past 6 months I've been trying to study these thing about Constitutional Civil Rights, I'm applying 1st, 5th, 6th, 8th, 14th due process, cruel and unusual punishment Prison conditions!! Solar Patted me on the back 15 years Mr Stone See ya! then I read the case in Sumter Edley v State 2016, Sex offender. No victim put on the internet before court and said See ya! that wasn't all, She said look around out loud look around Mr. Stone where's Mr Wayne, Look around, where Mr. Cashwell, I was confused, Reinstated, and I remember Borch being in there that's why the Counsel stated Look around cause she knew she didn't call him he's retired from the Dept of Defense, and he's not to happy with he calls it misrepresentation But it's been 7, long years of my life, I was working with Mr Wayne at \$50⁰⁰ a week, most weeks that's a lot of money, the only thing I'll be grateful for, I's lost wages \$36,000⁰⁰ a year, that \$250,000⁰⁰ just lost wages, the tablet says if I can get back to it (1) million Dollars per defendant, or agency, and boy I could name a lot, up to 20 million, But, I real want a jury trial and let the jury find the facts, like I did, I just didn't connect the dots right off, but I knew I made a big mistake when I wrote "Borch" while I was in Jail and DADIS, I want to present as evidence any and all documentations I have preserved for trial, I have a 42, 1983 and only 2 Marshall forms, But I've been racking my brain trying to figure

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these court rules, I do know David sent letter and order granting my Certiorari Sept. 8, 2022 I think and from what I'm trying to put together 45 days and 15 days in lower court, I have an Old 2009 rule S.C. ^{RULE} Book and 2011 Federal Rule Book Plus I'm Computer illiterate on my "tablet" and, I be going all over the place, But this thing will answer your questions I'll type in something new I came cross, Say for instant "Barch" is the one I had a dispute with So I'll start with, like one party, I had serious dispute with, I tried to make amends, but she just wants revenge, I use to call if "Clobt." then I learned that means "political influence" which I'm most definitely sure she called Judge Harrington and she probably instructed them Solar, and agent Holmes, to get this man's behind, So as the documents state then "before I wrote Barch, it was set up for release" July 15, 2016 I wrote, July 23, 2016 Solar came and ~~Something~~ Came Up So I write this on the tablet One E.T.O. Coordinators dispute, wants to retaliate, that party got with another party who the have relations "Agent Holmes" So here comes another party July 23, 2016 "Solar" I can't go to "8-8-2016 already ruled on 1 year ~~rec~~" So she says Mon July 26, 2016, by now I'm curious, what come up, So I wrote ashley asked if Solar was off he did not, respond, So I type in the one party has 2 more parties cause Solar done flipped on me, cause they all have relations, then Judge Harrington give me 15 years, I put it in the tablet, like this Retaliatory Misconduct, has 4 parties now, over (2) Civil Conspiracy is a felony, So I must send, And all cases that come up are death penalty, I don't read those and I don't read no Sex offenders, I skip through them But Judge Harrington looked at me like I killed someone, I know Solar committed a crime to help Barch, Cause Solar, Holmes, was always at turning Lead Graduations So this whole thing is a conflict

of interest, both those parties and Barch was at my graduation and Pennington was every Friday night his way group, so that also is a conflict and I've been represented in his office before, either way these parties defendants, Barch (1) Agent Holmes (2) Somehow conspired in taking over an already documented Administrative Mutual Hearing Sanction Policy 130-60 (3) (N). Partial 1 year Revoke continue there after. Tape recording my story is same, I don't think a Circuit Judge, Probation agent have the authority to change 1 year guilty plea to the full 15 years, plus 129 days in jail cause a public defender wasn't focused on representation. Solar and Patricia Kennedy is the reason I went to Berkely jail its documented in PCR application and that's why I got all these failure to appear, Agent Holmes and Solar and Att General est. Stated I was arrested 8 times, they are wrong morally wrong, and they all went by what Holmes and Solar stated, 3 times at most the one for Burglary 3rd was from 2013. So they falsified, documentation, just like assist, Solicitor (Waring) at the Aug 11, 2014 Sentence, Mr. Wayne & wife was there, Waring to Judge Nicholson appx pg 47 line 4+17 Waring told the Judge I had 10 Burglary's and that I didn't need to be in Society, Line 12 Kennedy spoke up and said there are not but 3 or 4, all Post extacto minor that Look, listen your Honor, to this, The Court appx pg 48 line 17-23 your record or papers sound serious, 'Most of it has just been petty stuff stuff when you are drunk and do petty stuff. It's not actually where anyone's been harmed or hurt, Do you understand? Stone: Yes Sir, (you heard what Judge Nicholson said about Petty stuff, all my charges has No Value No harm and these assist Solicitor's and worthless public Defender in S.C., is use my name and number to crime the latter to success,

to make these Selms look good to their own Supervisor, and cause I'm poor and can't up the \$250⁰⁰ to get some of that old stuff off my record, that's what's been sending me to prison Post ex-Facto, minor, petty, no harm, no value, Now what's this assist Solicitor, Judge he done read my record from 1980. 42 years ago! If any of those lazy Solicitors would go back to the Sheriff's department and present those warrants or tickets or police reports, this here is a prime example, I wanted a jury trial, but I mess up in concentration, watch this book to ask (Solicitor Waring) appx pg 34 in 4 He's got a very lengthy record Your Honor. ⁵ The Court: What was in the Bag?

6 Mr. Waring: It had various items, Your Honor, ⁷ I suppose

② Syringes, things of that nature, just various things, from the dentist office, The Court: ⁹ You don't have a list of them?

Mr. Waring: I've got them written down in my Notes, Your Honor

11 If you need them. 12 The Court: Mr. Stone are those facts true?

13 - Mr. Kennedy: Yes Your Honor, 14 The Court: Any of those facts you disagree with? 15 The Defendant: No Sir; Your Honor one more thing and I had address this to the Appellate Defender David Alexander

I just to you what the Solicitor stated in line 7 to Judge Nicholson what was in the bag? 2 I suppose, 2 Syringes, various thing Nothing was in the bag that's all the could put together to get me for Burglary, and Violent, Listen to this in the reply Brief from Ass. Atty Gen, Jamison, Page 4. Statement of the Case, Line 5 Jamison in her reply Brief Stone carrying a bag containing Drugs and other items they need to be more specific, Now what does that Book

Like Your Honor, on 2 duprofer, 2 syringes. Your Honor I wrote Alexander and told him to go to transcript 2014, and look at that list of drugs that as Solicitor leaving, told Judge Adams, and if you don't object to that "Bag of drugs," and that crap about Solar trying to get less than a year, when she's already said maxed out, also back to the Reply Brief on your Cert, Your Honor, same page 3, Statement of issue on Certiorari (A) The Hearing officer recommendation of a one-year revocation when the Court refused to consider counsel's articulated and reasonable strategy, and this allegation is directly refuted by the record? Your Honor, I think the As. Att. Gen. is, condoning Solar's less than a year strategy to keep from bringing up the one year recommendation. Your Honor, let the record reflect, Solar or Probation Agent Holmes did not bring up the Documented, more lenient 1 year rec. at the Revocation hearing, Therefore what's the use of the As. Att. Gen. to bring it up now, I've done the dam (13) years, But her husband's like detector it's was useless at the reconsideration Dec 5, 2016, Solar then presented the (1) year recommendation, cause I brought it up, and never said to go less why, I've finish the year, Now Jameson wants to present the one year, That recommendation "DIED" at the July 26, 2016 Non-Court week and Non-Court date, was documented Aug 8, 2016 9: AM Directive Order, When Harrington, Party, Agent Holmes. Party, Solar defense Counsel was asked 2 or 3 times, from Harrington Solar is there anything Further, No Your Honor, Solar is there anything else I need to know? No Your Honor, Agent Holmes, No Your Honor, that articulated strategy went out the window.

Your Honor, when Solar failed to mention the original Recom.
1 year, and articulated under a year or continued money mentioned
So Solar and Holmes agent withheld and there's a loophole for
some reason or another, I think that the recommendation wasn't
mentioned cause neither party Honington Solar, Holmes, or Barch
was at the May 17, 2016, Administrative Original documented officer,
would have violated Separation of power, Subject matter
Jurisdiction, So Solar never mentioned less than a year, why
would I do that, when my PCR application, states the same thing that
on Video Visit, Ask the Judge July 26, 2016 undocumentated date to
let me do 6 more weeks in DNAS, Does the sound like less than
a year, or a continuance, That's what I wanted was a continuance,
until Aug 8, 2016 original date, CAUSE I was confused, dumbfounded
cause I hadn't realized the advantage they took of my inability
to act or respond quickly, "A Simple Fact Finder, So Your
Your Honor, I have presented this to the best of my ability
① that Post ex-Facto, that due to Barely Surviving in Society
when work gets slack, much less that all my prior are really
petty if they would go thru the lower court, Sheriff & Public Defender,
2011 I got 3 years for a 2nd piece of Cooper wire, I broke it off a light
pole, and appealed Petty, I can't afford expurgement, 250⁰⁰
② Evidence in the Record 2014 Court, Solicitor Waring he's got 10 hung jury's
died, then Judge says what is the Bitch and the Son of Bitch wanted
Judge Nicholson to sentence me in the upper Spectrum more
like 10 to 12 years from 2 taluprofer and 2 syringes and I don't even
know because I never act on a light, I let the police in Waring is
the one who got me 3 years for the piece of Cooper 200 in 2011 I appeal
time already served, Then Solar stated she was SHOCKED, when