

HON. JENNY A. KITCHINGS
CLERK OF THE
SOUTH CAROLINA COURT OF APPEALS

DEAR MRS JENNY'S
ENCLOSED YOU WILL FIND A COPY OF MY
INITIAL BRIEF, AND A COPY OF MY DESIGNATION
OF MATTER, AS REQUIRED BY THE LETTER DATED
MAY 03, 2013

I THANK YOU FOR HELP DURING THIS TIME
MAY YOU HAVE A BLESSED DAY.

RESPECTFULLY SUBMITTED
Ronnie C. Mitchell

PRO-SE

RECEIVED

JUN 03 2013

SC Court of Appeals

THE HONORABLE JENNY A. KITCHINGS
CLERK, SOUTH CAROLINA COURT OF APPEALS
P.O. BOX 11629
COLUMBIA, S.C. 29211

RONNIE A. MITCHELL #217691

✓
STATE OF SOUTH CAROLINA

APP. CASE NO. 2012-212180

INITIAL BRIEF

ENCLOSED IS MY MEMORANDUM OF
APPEALABILITY OF ADMINISTRATIVE ORDER

RESPECTFULLY SUBMITTED
Ronnie A. Mitchell
PRO-SE

RECEIVED

JUN 03 2013

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RONNIE A. MITCHELL
PETITIONER,

CASE NO. 2012-212180

✓
vs.

STATE OF SOUTH CAROLINA
RESPONDENT'S

PETITIONER'S MEMORANDUM
OF APPEALABILITY OF
ADMINISTRATIVE ORDER

THIS MATTER COMES BEFORE THE COURT OF PETITIONER'S
APPEAL FROM THE HONORABLE EUGENE C. GRIFFITH'S
ADMINISTRATIVE ORDER DATED MARCH 30TH 2012

PETITIONER FILED A PETITION FOR WRIT OF HABEAS
CORPUS WITH THE CLERK OF COURT'S OFFICE. "ON
MARCH 30TH 2011 THE HONORABLE EUGENE C. GRIFFITH
ISSUED A JUDGEMENT AND A FORM 4 GRANTING THE
PETITIONER TO PROCEED WITHOUT COST ON HIS
STATE HABEAS CORPUS, SENDING A CHECKED AND STAMPED
COPY FILED WITH THE CLERK OF COURT IN
NEWBERRY, CASE NO. (2011-CP-36-00176) SEE I
EXHIBIT (A) ENCLOSED) PETITIONER RECEIVED
HIS COPY, WHICH WAS FILED, AND A COPY
SENT TO THE ATTORNEY GENERAL'S OFFICE.

PETITIONER FILED AND SERVED A NOTICE AND MOTION
FOR JUDGEMENT ON PLEADING BECAUSE STATE DID
NOT ANSWER WITHIN THE ALLOTTED 30 DAYS
WHICH THE STATE HAD TO ANSWER THE
WRIT.

(6) MONTHS LATER, THE STATE SENT A LETTER
SEE: EXHIBIT (B) STATING THAT PETITIONER
MUST FOLLOW SPECIFIC RULES TO PURSUE ANY
ACTIONS CHALLENGING HIS CONVICTION AND
SENTENCES, ONE BEING, THAT PETITIONER IS
REQUIRED TO SEND A NOTARIZED AFFIDAVIT
CERTIFYING THAT THE PETITION IS MADE IN
GOOD FAITH AND IS NOT FRIVOLOUS. NUMBER

(2) THE PETITION MUST BE APPROVED BY
THE CHIEF ADMINISTRATIVE JUDGE, THAT
BEING, THE HON. EUGENE C. GRIFFITH JR, HE
MUST ALSO SEND A AFFIDAVIT CERTIFYING THAT
THE PETITION IS PROPER.

THE PETITIONER CAN SHOW THAT HE MADE
HIS REQUIRED AFFIDAVIT THAT THE STATE
REQUESTED; SEE: EXHIBIT (C) IT WAS
FILED WITH THE CLERK OF NEWBERKY ON
SEPTEMBER 29TH 2011

PETITIONER SUBMITS; THAT THE RECORD
AND EXHIBITS (A) (B) (C) SHOWS THAT
THE PETITIONER FOLLOWED THE REQUIRED
RULES ON HIS PART;

THE RECORD WILL ALSO SHOW THAT HON.
JUDGE EUGENE GRIFFITH JR, GRANTED PETITIONER'S
MOTION TO PROCEED WITH HIS STATE HABEAS
CORPUS ON MARCH 30TH 2011

ONE (1) YEAR LATER THE JUDGE DENIED THE PETITIONER'S STATE WRIT, BUT ONLY AFTER HE RECEIVED A LETTER, FROM THE STATE ATTORNEY GENERAL'S OFFICE ASKING THE JUDGE TO SEND A NOTARIZED AFFIDAVIT STATING THAT PETITIONER'S, STATE HABEAS WAS IN GOOD FAITH, AND NON FRIVOLOUS.

THE PETITIONER ARGUES THAT HE SHOULD BE GRANTED HIS APPEAL, AND A HEARING ON THE ONE (1) ISSUE IN HIS STATE HABEAS CORPUS, PETITIONER FOLLOWED THE REQUIRED RULES IN FILING HIS PETITION, IT IS NOT THE PLACE FOR THE PETITIONER TO MAKE SURE THAT THE JUDGE FOLLOWS THE SAME REQUIREMENTS;

CONCLUSION

BASED ON THE FOREGOING FACTS THE PETITIONER ASK THIS HONORABLE COURT TO GRANT THE APPEAL, NOT ONLY WAS PETITIONER SHOWN PREJUDICE BY THE JUDGE TAKING BACK THE ORDER, BUT THE JUDGE WAITED A WHOLE YEAR TO DO THIS, ONLY BECAUSE HE DID NOT FOLLOW THE REQUIRED RULES

EXHIBITS (C)

ORIGINAL

READ ↓

17

1 BUT I'M GOING TO SEND YOU BACK INTO YOUR ROOM. I'LL
2 HAVE YOU BACK IN JUST AS QUICKLY AS I CAN. THANK YOU
3 KINDLY.

4 (JURY TO THE JURY ROOM.)

5 THE COURT: YOU, LADIES AND GENTLEMEN, NOT NOW
6 INVOLVED IN THIS CASE, I WELCOME YOU TO STAY AND LISTEN
7 IF YOU WISH. IF YOU DO NOT WISH TO DO THAT, THEN I WILL
8 EXCUSE YOU, BUT I WILL NEED YOU TO BE BACK HERE IN THE
9 COURTROOM AT 9:30 TOMORROW MORNING. IF YOU WISH TO
10 LEAVE, I'LL ASK EVERYONE TO REMAIN SEATED WHILE YOU DO
11 SO. THANK YOU, FOLKS. I'LL SEE YOU IN THE MORNING.

12 THE COURT: ANY BATSON MOTIONS?

13 MR. WICKER: OH, NO, YOUR HONOR.

14 THE COURT: OKAY. ALL RIGHT, SIR. YOU HAVE SOME
15 MOTIONS TO PUT ON THE RECORD. DO YOU NOT, MR. WICKER?

16 MR. WICKER: MY UNDERSTANDING WAS THAT THE STATE WAS
17 PLANNING ON AMENDING THE INDICTMENT.

18 THE COURT: ALL RIGHT, SIR. I'LL HEAR YOUR MOTION.

19 MR. COLTER: THANK YOU, YOUR HONOR. THE STATE, YOUR
20 HONOR, AT THIS POINT WOULD MOVE TO AMEND THE INDICTMENT
21 BASED ON THE WAY THE INDICTMENT WAS PRESENTED TO THE
22 GRAND JURY, ALTHOUGH THE OFFENSE REMAINS THE SAME AS WE
23 WERE PLANNING TO GO FORWARD WITH AT TRIAL. THERE IS
24 SIMPLY SOME WORDING THAT WOULD BE INCORRECT AS FAR AS THE
25 ALLEGATIONS WE CONTEND OCCURRED ON SEPTEMBER 18, 1994,

1 LEADING TO THE CRIME OF CRIMINAL SEXUAL CONDUCT IN THE
2 FIRST DEGREE WHICH THE DEFENDANT IS CHARGED WITH.

3 THE STATE WOULD MOVE TO HAVE THE INDICTMENT AMENDED
4 TO READ, THAT RONNIE ALLEN MITCHELL DID IN THE COUNTY AND
5 STATE AFORESAID ON OR ABOUT THE 18TH DAY OF SEPTEMBER,
6 1994, WILLFULLY AND UNLAWFULLY DID COMMIT CRIMINAL SEXUAL
7 CONDUCT IN THE FIRST DEGREE BY ACCOMPLISHING SEXUAL
8 BATTERY UPON THE PERSON CINDY KOON UNDER CIRCUMSTANCES
9 WHERE CINDY KOON WAS ALSO THE VICTIM OF A BURGLARY AT THE
10 HANDS OF RONNIE ALLEN MITCHELL.

11 THAT IS ESSENTIALLY WHAT THE STATE HAD CONTENTED AND
12 CONTENDED ALL ALONG THAT THE BASIS FOR THIS CRIMINAL
13 SEXUAL CONDUCT IN THE FIRST DEGREE WAS THAT IT WAS
14 COMMITTED IN CONJUNCTION WITH BURGLARY. AND YOUR HONOR,
15 I WOULD PRESENT TO THE COURT I HAVE A LETTER WHICH
16 CONTAINS THE WORDING THAT I'VE JUST READ IN COURT, A
17 LETTER THAT I HAD SENT TO MR. WICKER LAST FRIDAY.

READ

18 THE COURT: OH, YOU SENT IT TO HIM LAST FRIDAY?

19 MR. COLTER: YES, SIR.

20 THE COURT: IF YOU WOULD LIKE, YOU CAN MARK IT AND
21 PLACE IT IN THE RECORD.

22 DID YOU GET THAT LETTER, MR. WICKER?

23 MR. WICKER: YES, I DID, YOUR HONOR. I BELIEVE IT
24 WAS FAXED TO ME IN MY OFFICE. I DID RECEIVE THE FAX.

25 THE COURT: DO YOU HAVE ANY RESPONSE TO THAT AS ON

1 YOUR RECEIPT OF IT?

2 MR. WICKER: I'LL BE GLAD TO SAY I RECEIVED IT BY
3 FAX IN MY OFFICE LAST FRIDAY NIGHT.

4 THE COURT: DID YOU RESPOND TO IT?

5 MR. WICKER: I DID NOT RESPOND, NO, SIR.

6 THE COURT: OKAY. ANY OBJECTION?

7 MR. WICKER: I MIGHT ADD THE OFFICE WAS CLOSED UP IN
8 GREENWOOD, BUT I DIDN'T INTEND TO RESPOND TO IT EITHER.

9 THE COURT: OH, I UNDERSTAND. ANY OBJECTION?

10 MR. WICKER: YES. I WOULD LIKE TO OBJECT TO THE
11 AMENDMENT OF THIS INDICTMENT WITHOUT SENDING IT BACK TO
12 THE GRAND JURY, YOUR HONOR. BECAUSE I THINK IT WOULD
13 PREJUDICE MY CLIENT TO CHANGE THE WORDING IN THE
14 INDICTMENT AFTER WE GET HERE IN COURT TO TRY IT.

15 THE COURT: AND TELL ME HOW YOU WOULD BE PREJUDICED.

16 MR. WICKER: WELL, BASICALLY, BECAUSE WE HAVE BEEN
17 READING THIS INDICTMENT FOR SOME TIME NOW AND PLANNING TO
18 DEFEND ON THE WORDING IN THE INDICTMENT NOW. AND WE HAD
19 ALWAYS PLANNED TO ADMIT THAT HE CAME INTO THE HOUSE, YOU
20 KNOW. BUT WE WERE NOT GOING TO ADMIT THAT HE USED FORCE,
21 AND THIS INDICTMENT HAS TO DO WITH HIM USING FORCE AND
22 NAMING A BUNCH OF WEAPONS WHICH WE THINK WERE
23 NONEXISTENT, EVEN THOUGH THEY DID SEARCH TO SEE IF THEY
24 COULD FIND THEM. I DON'T THINK THEY EVER FOUND ANY
25 WEAPONS, AND WE WOULD OBJECT TO AMENDING THIS INDICTMENT

1 AFTER WE GET HERE TO COURT TO TRY THE CASE, BECAUSE WE
2 THINK IT NEEDS TO GO BACK TO THE GRAND JURY AND SEE WHAT
3 THEY SAY ABOUT IT.

4 THE COURT: WHAT DO YOU SAY ABOUT IT, MR. COLTER?

5 MR. COLTER: THANK YOU, YOUR HONOR. IT'S MY
6 UNDERSTANDING THAT, AND I'M REFERRING TO A CASE CAPTIONED
7 HOPKINS VERSUS THE STATE OF SOUTH CAROLINA, A 1994 CASE.
8 IT PERMITS THE AMENDMENT OF AN INDICTMENT PROVIDED THE
9 NATURE OF THE OFFENSE CHARGED HAS NOT CHANGED. AND, OF
10 COURSE, WE WOULD IN OUR AMENDMENT CONTEND THAT THIS DOES
11 NOT, IN FACT, CHANGE THE NATURE OF THE OFFENSE
12 WHATSOEVER. IT REMAINS CRIMINAL SEXUAL CONDUCT, FIRST
13 DEGREE. IT IS ONLY THE WORDING OF THE INDICTMENT ITSELF
14 THAT WE WOULD BE CHANGING, ESSENTIALLY. THE FACTS WOULD
15 SUPPORT THE CHARGE ITSELF, AND YOUR HONOR, THERE ARE NO
16 ADDITIONAL PENALTIES THAT THE DEFENDANT WOULD FACE, AND
17 IT'S SIMPLY THE STATE'S POSITION THAT IT DOES NOT, IN
18 FACT, CHANGE THE NATURE OF EVENTS, AND WE RESPECTFULLY
19 REQUEST THAT IT BE AMENDED.

20 THE COURT: I WOULD THINK, MR. WICKER, THAT WERE HE
21 CHARGED ONLY WITH CRIMINAL SEXUAL CONDUCT AND THE FACTS
22 OF THE COMMISSION OF IT WERE IN ERROR THAT YOUR MOTION
23 WOULD HAVE A BASIS, BUT INASMUCH AS HE IS CHARGED CLEARLY
24 SUFFICIENTLY WITH THE CRIME OF BURGLARY, THAT THERE IS NO
25 DISCERNABLE PREJUDICE TO HIM, AND UNDER THE CASE LAW AS -

1 -- PRIMARILY STATE V. HAMM, 1972 OPINION OF OUR STATE
2 SUPREME COURT, IT SETS OUT THE SUFFICIENCY OF THE
3 INDICTMENT. THE TEST OF IT IS NOT WHETHER IT COULD BE
4 MORE DEFINITE BUT WHETHER IT CONTAINS THE NECESSARY
5 ELEMENTS OF THE OFFENSE INTENDED TO BE CHARGED AND
6 SUFFICIENTLY APPRISES THE DEFENDANT OF WHAT HE MUST BE
7 PREPARED TO MEET. SO, BASED UPON THAT, I DENY YOUR
8 MOTION.

9 ANY OTHER MOTIONS?

10 MR. COLTER: YOUR HONOR, I DID NOT APPROACH MR.
11 WICKER ABOUT THIS PRIOR TO TRIAL. HOWEVER, MY EXPERIENCE
12 WITH MR. WICKER HAS ALWAYS BEEN THAT, AND I PUT THIS
13 FORWARD, THAT HE WOULD USUALLY ALLOW A STIPULATION TO
14 VENUE, AND WE WOULD ASK THAT, IN FACT, THAT BE STIPULATED
15 TO SHOWING THAT NEWBERRY COUNTY WAS, IN FACT, WHERE THIS
16 OFFENSE WAS COMMITTED.

17 MR. WICKER: WE WOULD BE GLAD TO STIPULATE THAT THE
18 ALLEGED OFFENSE WOULD HAVE BEEN IN NEWBERRY COUNTY, YOUR
19 HONOR.

20 THE COURT: ALL RIGHT. ANY OTHER MATTERS?

21 MR. COLTER: FINALLY, YOUR HONOR, I DID PRESENT TO
22 DEFENSE COUNSEL LAST FRIDAY AN INVENTORY OF THE STATE'S
23 EXHIBITS THAT THEY WOULD INTEND TO INTRODUCE THROUGHOUT
24 THE COURSE OF THE TRIAL. IT HAD BEEN MY UNDERSTANDING
25 LAST FRIDAY, AND MR. WICKER CAN CORRECT ME IF I'M WRONG,

1 THAT HE WAS WILLING AT THAT TIME TO STIPULATE TO THESE
2 PIECES OF EVIDENCE AND ENTER THEM INTO EVIDENCE AT THIS
3 TIME.

4 MR. WICKER: I AM WILLING TO STIPULATE THAT WITH THE
5 PROVISION I WOULD LIKE TO SHOW THOSE TO MY CLIENT AT THIS
6 TIME IF THEY'RE AVAILABLE.

7 THE COURT: DO YOU HAVE THE EXHIBITS? AS YOU REVIEW
8 THEM, AND AS SUZIE MARKS THEM, THE DEFENDANT CAN LOOK AT
9 THEM. THAT'S WHAT YOU NEEDED TO DO. JUST HAVE HIM LOOK
10 A THEM.

11 MR. WICKER: I'LL BE GLAD TO DO IT THAT WAY, YOUR
12 HONOR.

13 THE COURT: ALL RIGHT. THAT WOULD BE FINE. LET'S
14 DO THAT, AND WE'LL TAKE A TEN MINUTE RECESS, UNLESS YOU
15 HAVE SOME OTHER MATTERS THAT WE CAN RESOLVE NOW.

16 MR. COLTER: NO. I THINK THAT WILL BE ALL.

17 THE COURT: OKAY. WELL, LET'S DO IT THAT WAY THEN.
18 TEN MINUTES.

19 (SHORT BREAK AT THIS TIME.)

20 (STATE'S EXHIBITS ONE THROUGH THIRTY MARKED FOR
21 IDENTIFICATION AND MADE A PART OF THE RECORD.)

22 THE COURT: MR. COLTER AND MR. WICKER, IN VIEW OF
23 THE HOUR, I THINK I'M GOING TO BRING THE JURY IN AND
24 EXCUSE THEM UNTIL FIFTEEN TILL TWO, UNLESS THEY HAVE
25 SOMETHING ELSE, AND WE MAY HAVE TO DO IT UNTIL TWO

1 O'CLOCK, AND THEN BEGIN THE CASE AT TWO O'CLOCK. ANY
2 OBJECTION?

3 MR. COLTER: NO, SIR.

4 MR. WICKER: NONE BY THE DEFENSE, YOUR HONOR.

5 THE COURT: ALL RIGHT. BRING THE DEFENDANT BACK IN
6 IN THIS CASE --- MR. MITCHELL.

7 BRING THE JURY IN, PLEASE, SIR.

8 (JURY TO THE COURTROOM.)

9 THE COURT: MADAM FORELADY AND LADIES AND GENTLEMEN,
10 I'VE GOT A FEW MORE THINGS THAT I'VE GOT TO DO, NOT IN
11 THIS CASE BUT IN ANOTHER CASE, AND SO, I'M GOING TO LET
12 YOU GO AHEAD AND GO TO LUNCH A LITTLE EARLY. I NORMALLY
13 BREAK ABOUT ONE, BUT I'M GOING TO LET YOU GO AHEAD AND GO
14 TO LUNCH A LITTLE EARLY TO BE BACK AT TWO O'CLOCK THIS
15 AFTERNOON IN THE JURY ROOM.

16 NOW, I DO REQUIRE THAT WHILE YOU'RE AWAY FROM US
17 THAT YOU NOT TALK ABOUT THE CASE AMONG YOURSELVES. DON'T
18 PERMIT ANYBODY TO TALK TO ANY OF YOU OR EVEN TRY TO TALK
19 TO YOU ABOUT THE CASE. IT WOULD JUST BE WRONG FOR THAT
20 TO HAPPEN. Y'ALL ENJOY YOUR LUNCH. BE BACK IN YOUR ROOM
21 AT TWO O'CLOCK, AND THEN I'M GOING TO PUT YOU TO WORK.

22 THANK YOU. SEE YOU IN A BIT.

23 (JURY LEAVES FOR LUNCH.)

24 (COURT IN RECESS.)

25 (COURT RECONVENES.)

1 THE COURT: READY TO BEGIN?

2 MR. WICKER: DEFENSE IS READY, YOUR HONOR.

3 MR. COLTER: JUST VERY BRIEFLY, YOUR HONOR. I
4 HANDED THE COURT A COPY OF THE INVENTORY OF EVIDENCE. I
5 PRESENTED DEFENSE COUNSEL WITH A COPY AS WELL. WE WOULD
6 MOVE TO INTRODUCE THOSE ITEMS LISTED.

7 THE COURT: ANY OBJECTION?

8 MR. WICKER: WE HAVE NO OBJECTIONS AT THIS TIME. I
9 JUST WANTED MY CLIENT TO LOOK AT THEM AS THEY'RE GOING
10 IN, AND WE'RE NOT PLANNING ON HAVING ANY OBJECTION.

11 THE COURT: OKAY. WELL, THE REASON WE PRE-MARK THEM
12 IS THAT WE DON'T WASTE A LOT OF TIME CARRYING THEM OVER
13 TO YOU AND BRINGING THEM BACK.

14 MR. WICKER: WE WON'T WASTE ANY TIME. WE DO THIS IN
15 A VERY QUICK FASHION.

16 THE COURT: ALL RIGHT. AND I'LL ASK YOU IF ---
17 SOLICITOR, DO YOU PLAN TO PREPARE A PROPER INDICTMENT
18 DELETING THE STATUTORY PROVISIONS NOT APPLICABLE IN THIS
19 CASE?

20 MR. COLTER: I WILL DO THAT.

21 MR. WICKER: WE WOULD LIKE THAT, YOUR HONOR.

22 THE COURT: I WILL HAVE THAT DONE. OKAY. ANYTHING
23 ELSE BEFORE I BRING THE PANEL?

24 MR. COLTER: ONE FINAL THING, YOUR HONOR, TO SAVE
25 TIME.

1 THE COURT: YES, SIR.

2 MR. COLTER: I HAVE --- WE HAVE THE TAPE RECORDED
3 STATEMENT BY THE DEFENDANT THAT'S ALREADY BEEN MARKED
4 INTO EVIDENCE, AND WE'VE MADE TRANSCRIPTS OF THAT TAPE.
5 I HAVE 14 COPIES HERE, ONE FOR THE COURT, 13 FOR THE JURY
6 TO BE PASSED OUT. ONE OF THE TRANSCRIPTS HAS BEEN
7 ENTERED INTO EVIDENCE. WHAT I INTEND TO DO IS AT THAT
8 POINT HAND OUT TO THE JURY THESE TRANSCRIPTS AND THEN
9 COLLECT THEM AFTER THAT'S FINISHED, AND THEY'LL HAVE ONE
10 TO REFER BACK TO IN THE JURY ROOM.

11 THE COURT: ANY OBJECT TO THAT PROCEDURE?

12 MR. WICKER: I DON'T HAVE ANY OBJECTION, BUT I COULD
13 NOTE THAT THERE'S SOME DIFFERENCES BETWEEN THE TRANSCRIPT
14 AND THE TAPE. FOR EXAMPLE THE NAME COOPER IS TRANSCRIBED
15 WHERE, I BELIEVE, WHEN I HEARD THE TAPE, MY CLIENT'S NAME
16 IS THERE NOW. I HAVE NOT NOTICED ANY OTHER DIFFERENCES,
17 BUT I WILL BE READING MINE WHEN THE TAPE IS PLAYED, AND
18 I KNOW THAT, BASICALLY, IT SAYS THE SAME THING.

19 THE COURT: THERE IS NO ISSUE OF VOLUNTARINESS OF
20 THE STATEMENT?

21 MR. WICKER: NO, YOUR HONOR.

22 THE COURT: ALL RIGHT.

23 MR. COLTER: I WILL ALSO TRY TO COMPLETE THE RECORD
24 AS TO JACKSON V. DENO VOLUNTARINESS AND MIRANDA BEING
25 GIVEN AS THROUGH THE COURSE OF THE TESTIMONY.

1 THE COURT: ALL RIGHT, AND OF COURSE, MR. WICKER,
2 YOU ARE SATISFIED THAT THE REQUISITES OF JACKSON V. DENO
3 HAVE BEEN MET, AND THERE IS NO NEED TO HAVE THAT ISSUE
4 HEARD BY THE COURT, NOR BY THE JURY?

5 MR. WICKER: THAT'S CORRECT, YOUR HONOR.

6 THE COURT: ALL RIGHT, SIR. AND YOU CAN PUT BEFORE
7 THE JURY WHATEVER YOU LIKE. JUST AVOID TANGENTIAL
8 QUESTIONS IN THEIR MIND.

9 MR. COLTER: YES, SIR.

10 THE COURT: ANYTHING ELSE?

11 MR. WICKER: NOTHING ELSE, YOUR HONOR.

12 (JURY TO THE COURTROOM.)

13 THE COURT: MADAM FORELADY AND LADIES AND GENTLEMEN,
14 BEFORE WE GO AHEAD, SINCE YOU'VE BEEN AT LUNCH, I WOULD
15 LIKE TO KNOW IF DURING THE TIME YOU'VE BEEN AWAY FROM US
16 IF ANYBODY HAS TALKED TO YOU OR TRIED TO TALK TO YOU
17 ABOUT THE CASE?

18 (NO RESPONSE.)

19 THE COURT: HAS ANYTHING AT ALL HAPPENED TO ANY OF
20 YOU WHICH MIGHT AFFECT YOUR ABILITY TO BE FAIR IN THIS
21 CASE?

22 (NO RESPONSE.)

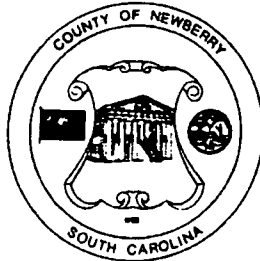
23 THE COURT: GOOD. PANEL IS PRESENT. SWEAR THEM,
24 PLEASE, MA'AM.

25 CLERK OF COURT: PLEASE STAND AND RAISE YOUR RIGHT

OFFICE OF CLERK OF COURT
COUNTY OF NEWBERRY

Jackie S. Bowers
Clerk of Court

P.O. Drawer 10
(803) 321-2110
Fax (803) 321-2111



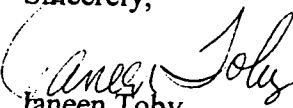
March 30, 2011

Ronnie Allen Mitchell # 217691
SCDC
F2A-185R
386 Redemption Way
McCormick, SC 29899

Mr. Mitchell,

Enclosed you will find a clocked copy of your Motion for Writ of Habeas Corpus and a Form 4 Order granting you to proceed without costs. Please note the Common Pleas Case number assigned to this document and reference this number on any future correspondence dealing with this matter.

Sincerely,


Janeen Toby
Common Pleas Clerk
Newberry County

CC: Harrison D. Brant, Assistant Attorney General

STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NO: 2011-CP-36-00176

Ronnie Allen Mitchell vs. State

CHECK ONE:

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):
 - Rule 12(b), SCRPC;
 - SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):
 - Rule 40(j) SCRPC;
 - Bankruptcy;
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 - Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 - Affirmed;
 - Reversed;
 - Remanded;
 - Other: _____

FILED
NEWBERRY COUNTY
MAR 01 2011
8:39
JACKIE BOWERS
CLERK OF COURT

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; Statement of Judgment by the Court:

MOTION to proceed without costs is granted.

Dated at Newberry, South Carolina, this 29th day of March, 2011.

Court Reporter:

PRESIDING JUDGE - Eugene C. Griffith, Jr.

This judgment was entered on the 30th day of March, 2011, and a copy mailed first class this 30th day of March, 2011, to attorneys of record or to parties (when appearing pro se) as follows:

Ronnie A. Mitchell #217691 SCDC F2A-185R 386
Redemption Way McCormick, SC 29899

Harrison D. Brant, Assistant Attorney General
PO Box 11549, Columbia, SC 29211-1549

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

S/ Jackie S. Bowers

Jackie S Bowers - Clerk of Court

IN THE COURT OF APPEALS
STATE OF SOUTH CAROLINA

APPEAL FROM NEWBERRY COUNTY
EUGENE C. GRIFFITH JR. (ADMIN. COURT JUDGE)
CASE NO. (2011-CP-36-00176)
APPELLATE CASE NO. (2012-212180)

RONNIE A. MITCHELL #217691

APPELLATE

THE STATE

VS.

RESPONDENT

DESIGNATION OF MATTER

TO BE INCLUDED IN THE RECORD ON APPEAL
THE APPELLATE PROPOSES THE FOLLOWING BE
INCLUDED IN THE RECORD ON APPEAL (STATE
HABEAS CORPUS)

- (1) ORG. TRIAL TRANSCRIPT PAGES 11-20 (EXHIBIT (A))
- (2) COPY OF ORG. INDICTMENT (EXHIBIT (B))
- (3) COPY OF ORG. AMENDED INDICTMENT (EXHIBIT (C))
- (4) COPY OF LETTER + FORM 4 GRANTING MY STATE HABEAS
TO PROCEED WITHOUT COST. (EXHIBIT (D))

I CERTIFY THAT THIS DESIGNATION CONTAINS NO
MATTER WHICH IS IRRELEVANT TO THIS APPEAL

DATE: 5/13/2013

s/ Ronnie A. Mitchell
PRO. SE

PROOF OF SERVICE

I RONNIE A. MITCHELL CERTIFY THAT I HAVE SERVED THE ATTORNEY GENERAL AND THE S.C. COURT OF APPEALS, MY INITIAL BRIEF, MEMORANDUM OF APPEALABILITY, BY DEPOSITING (2) COPIES OF THE SAME IN THE U.S. MAIL, POSTAGE PRE-PAID AND ADDRESSED TO THE FOLLOWING

HON. JENNY A. KITCHING
CLERK OF S.C. APPEALS COURT
P.O. Box 11629
COLUMBIA, S.C. 29211

ALAN WILSON
ATTORNEY GENERAL OF
S.C.
P.O. Box 11549
COLUMBIA, S.C. 29211-1549

SWORN TO AND SUBSCRIBED BEFORE ME;
THIS 29 DAY OF MAY 2013
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES 12.16.2019

J. Franklin

s/ Ronnie A. Mitchell
PRO-SE

10/10/10

Dear Mr. [Name],
I am writing to you regarding the [Project Name] which is currently in progress. The [Project Name] is a [Project Description] and it is expected to be completed by [Date]. I am sure that you will find this information of interest.

I am sure that you will find this information of interest. I am sure that you will find this information of interest. I am sure that you will find this information of interest.

I am sure that you will find this information of interest. I am sure that you will find this information of interest. I am sure that you will find this information of interest.

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