

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

WRIT OF CERTIORARI TO WILLIAMSBURG COUNTY
THE HONORABLE GEORGE M. McFADDIN, CIRCUIT COURT JUDGE

Mr. LEVERN McCrea #348891

vs.

STATE OF SOUTH CAROLINA

APPELLATE CASE NO: 2020-001486

MOTION TO RELIEVE APPELLATE
COUNSEL FOR INCOMPETENCE

COMES NOW Mr. LEVERN McCREA #348891, THE PETITIONER, who moves with his Pro-SE Motion for LEAVE TO PROCEED Pro-SE. Appellate Counsel Taylor D. Gilliam knowingly, and intentionally violated RULE 407 of Professional Conduct, RULE 1.1 COMPETENT and RULE 1.4 COMMUNICATION. 1.1 COMPETENCE. A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably NECESSARY for the representation. COUNSEL Taylor D. Gilliam has failed to do so.

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SC Court of Appeals

Appellate Counsel Taylor D. Gilliam, has deliberately sabotaged Petitioners writ of Certiorari claim for relief. By neglecting to address [All] Brady violations within the Petitioners volumes for writ of Certiorari relief. Which includes that letter of LENIENCY that Petitioners P.C.R Attorney, LENCE BOOZER, ENTERED ON THE during Petitioners P.C.R HEARING ON JUNE 1, 2015. That offered the States Star Witness, Christopher Briggs a deal for his testimony. That letter was NEVER included within the Petitioner's RULE-5 Brady motion prior to trial. Appellate Counsel Taylor D. Gilliam, displayed INEFFECTIVE ASSISTANCE of Appellate Counsel and CONSPIRACY. By NOT INCLUDING [ANY] of the THREE (3) States Star Witnesses POLICE INTERVIEW transcripts. Within ANY of the VOLUMES that he prepared and SENT to the Courts of Appeals. AND BECAUSE of Appellate Counsel's INCOMPETENCE AND NEGLIGENCE, the Courts of Appeals, will NOT be able to compare a COMPLETE RECORD of the States Witnesses POLICE INTERVIEW transcripts, to their trial testimony of INCONSISTENCIES and PERJURED testimony. Appellate Counsel Taylor D. Gilliam intentionally neglected to

ENTER Ms. Roberta Smith police interview transcripts of March 28, 2010, Christopher Briggs police interview transcripts of March 29, 2009, April 1, 2009 and of March 31, 2010. Which has per-
judice the Petitioners claim for relief during writ of Certiorari. Petitioner asserts that appellate DEFENDER Taylor D. Gilliam's performance thus far, has been UNREASONABLE, INEFFECTIVE and a total violation of the S.C. Appellate Court rules of 407 of professional conduct, which constitutes grounds to relieve counsel for failure to comply with the Courts rules. For good cause shown, Petitioner's motion to relieve counsel Taylor D. Gilliam should be granted. Appellate Counsel Taylor D. Gilliam has displayed CONTEMPTUOUS, DISRESPECTFUL and UNPROFESSIONAL conduct during a few CONFERENCE phone calls. Which clearly proves that Appellate Counsel Taylor D. Gilliam's performance was deficient and has per-
judice petitioner's defense for writ of Certiorari. Before the Court of Appeals would have an opportunity to review a COMPLETE RECORD in petitioner's claim for relief. THE Petitioner is requesting that sanctions and penalties be applied and that the South Carolina Court of Appeals be informed

About Appellate Counsel's intentional wrong doing to deprive the Petitioner of his fourteenth (14) Amendment rights to due process of law. For deliberately leaving out exculpatory and impeaching evidence of the states star witnesses prior police interview transcripts. That will show inconsistent trial testimony. In addition, to Appellate Counsel Taylor D. Gilliam intentionally neglecting to address the Brady violations. That petitionizes P.C.R Attorney Lance Boozer entered on the record, by way of a supplemental report. At Petitioner's June 1, 2018 P.C.R hearing. Whereas, the court in his final order, ruled on that letter of leniency, but denied the Petitioner relief. Which were legitimate grounds for Appellate Counsel Taylor D. Gilliam to address for Petitioner during Petitioner's writ of certiorari appeal. In violation of Rule 407 of the South Carolina Appellate Court Rules of Professional Conduct, Rule 1.1 Competence and Rule 1.4 Communication.

CONCLUSION

Wherefore, the Petitioner, Mr. LEVERN McCree
prays for consideration of his motion to relieve counsel
on the grounds of prejudice, conflict of interest which
constitutes grounds for relief, and consideration of
the Petitioner's motion for leave to proceed Pro-SE.

Dated: December 21, 2022

Respectfully Submitted

S/ Mr. Lavern McCree

Mr. Lavern McCree
#348291 F-4-B-32
Allendale Corr. Inst
Post office Box 1151
Fairfax, S.C 29827
Pro-SE-Petitioner

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

CERTIORARI TO WILLIAMSBURG COUNTY

THE HONORABLE GEORGE M. MCFADDEN CIRCUIT COURT JUDGE

APPELLATE CASE NO: 2020-001426

Mr. LEVERN McCREE #348291

Petitioner

VS.

STATE OF SOUTH CAROLINA

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CERTIFICATE OF SERVICE

SC Court of Appeals

THE UNDERSIGNED HEREBY CERTIFY THAT ON THIS 21 DAY OF
DECEMBER 2022 THE PETITIONER HAS PROVIDED THE RESPONDENT, MR. TAYLOR
D. GILLIAM, THE HONORABLE PATRICIA A. HOWARD, CLERK OF COURT, AND DANIEL
H. GREGORY, ASST. GENERAL, OFFICE OF THE ATTORNEY GENERAL, P.O. BOX 11549
COLUMBIA, S.C. 29211, SOUTH CAROLINA SUPREME COURT, P.O. BOX 11330, COLUMBIA
S.C. 29211, S.C. COMMISSION ON INDIGENT DEFENSE, P.O. BOX 11554, COLUMBIA
S.C. 29211.

Respectfully submitted

Mr. Levern McCree

Mr. LEVERN McCREE

#348291 F-4-B-32

Attendant Corr. Inst.

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Fairfax, S.C. 29827

Pro-se Petitioner

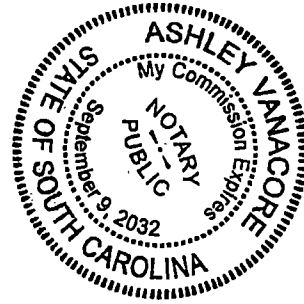
SI Mr Levern McCrea

SUORN TO AND SUBSCRIBED BEFORE ME
This 21st DAY OF December, 2022

Ashley Vanacore

NOTARY PUBLIC FOR STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES: 9/9/32



Mr Levern McCrea

MR. LEVERN MCCREA

#348291 F-4-B-32

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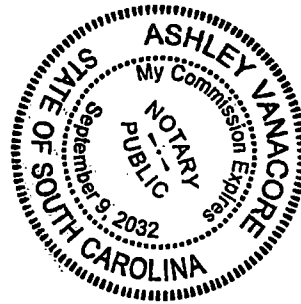
51 Mr Levern McCrea

SWORN TO AND SUBSCRIBED BEFORE ME
This 21st DAY OF December, 2022

Ashley Vanacore

NOTARY PUBLIC FOR STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES: 9/9/32



Mr Levern McCrea

MR. LEVERN MCCREA

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SOUTH CAROLINA BAR

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DECEMBER 21, 2022

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SC Court of Appeals

RE: MR. LEVERN McCREE #348291 VS. STATE OF SOUTH CAROLINA
Appellate Case NO: 2020-02142b

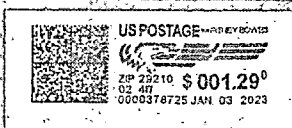
RE: INEFFECTIVE ASSISTANCE OF
APPELLATE COUNSEL DURING
WRIT OF CERTIORARI APPEAL

DEAR CLERK'S OFFICE:

ENCLOSED YOU WILL FIND PETITIONER'S
MOTION FOR RELIEF / MOTION TO RELIEVE COUNSEL.
PLEASE FILE WITH THE COURT AND SEND BACK
A DATED CLERK STAMPED COPY FOR MY RECORDS.

RESPECTFULLY SUBMITTED
SL Mervyn McCree

MR. LEVERN McCREE
348291 F-4-B-2R
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PRO-SE - PETITIONER



INTER AGENCY MAIL

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SC Court of Appeals

SOUTH CAROLINA COURT OF APPEALS
JENNY ABBOTT KITCHINGS, CLERK
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