

Lower Court #2021-CP-21-1712 Appellate Court #2023-000004
"Explanation"
*
EX 1
"CONVICTION IN VIOLATION OF LAW OF THIS STATE, MY S.C. & U.S. CONSTITUTIONS"
MALICIOUS PROSECUTION, INEFFECTIVE COUNSEL, INVALID PLEA, CONVICTION & SENTENCE

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE
V.
JAMES EDGAR HUTCHINSON

IN THE Supreme COURT
INVALID CONVICTION CASE NO. 2019-GS-21-1520 & 1523
POST-CONVICTION CASE NO. 2019-CP-21-2906

is directly related to this case

Layered Ineffective Counsel Claims, Carson v. Penn. Sylvania
1253ct.344 "PETITIONER HUTCHINSON REQUEST'S THE HONORABLE COURT" (2007)

ALLOW HIS SUBMITTED PRO SE ARGUMENT'S BE HELD TO A LESS STRINGENT STANDARD IN PRESENTING ISSUES & CLAIMS OF CONSTITUTIONAL VIOLATIONS.

"HAINES V. KERNER 92SCT.594(1972), GORDON V. LEEKE 574F2D.1147(4TH CIR.1978)"

IT IS THE NATURE OF THE CHARGE THAT UNDERLINES THE NEED FOR COUNSEL. IN A TRIAL OF THIS KIND OF LABYRINTH OF THE LAW IS, OR MAY BE TOO INTRICATE FOR THE LAYMAN TO MASTER.

"THOMPSON V. MISSOURI 65SCT.370(1945)"

VALIDITY OF ANY PRIOR CONVICTIONS USED TO BRING MULTIPLE-OFFENDER CHARGE INTO PLAY MAY BE INQUIRED INTO. I HAVE BEEN UNCONSTITUTIONALLY CONVICTED AND IMPRISONED AS A BURGLAR...

"WILLIAMS V. KAISER 65SCT.363(1945)" "JACKSON V. VIRGINIA 99SCT.2781(1979)"

FAILURE TO RAISE INEFFECTIVE ASSISTANCE OF COUNSEL CLAIM ON DIRECT APPEAL DOES NOT BAR CLAIM FROM BEING BROUGHT IN A LATER APPROPRIATE COLLATERAL PROCEEDING.

"MASSRO V. U.S. 123SCT.1690(2003)" "PARKE V. RALEY 113 SCT.517(1993)"

INEFFECTIVE ASSISTANCE OF COUNSEL WILL EXCUSE A WAIVER UNDER THE [PCRA], AS LONG AS THE APPELLANT HAD A CONSTITUTIONAL RIGHT TO COUNSEL IN STATE PROCEEDINGS WHERE COUNSEL'S INEFFECTIVENESS RESULTED IN A WAIVER OF CLAIMS.

"CHRISTY V. PENNSYLVANIA 116SCT.194(1995)"

I WOULD NOT HAVE PLEAD GUILTY WITHOUT THE COUNSEL & PROSECUTOR'S ILLUSORY THREATS.

"ALEXANDER V. STATE 402SE2D.484(1991)", "HAMMOND V. U.S. 528F2D.15(4TH CIR.1975)", "GIL V. TURNER 443F2D.1064(10TH CIR.1971)", "TURNER V. LASSITER 91SCT.47(1970)" &

"SMITH V. STATE 631SE2D.260(2006)"

I DID NOT KNOW AND WAS NEVER TOLD THAT I BELONGED TO A CERTAIN CLASS OF FELONS OR THAT I HAD THE BURDEN OF PROOF TO SHOW PRIOR ARE INVALID IN ORDER TO PREVENT THE STATE FROM USING PRIOR CONVICTIONS FOR ENHANCEMENT PURPOSES.

"STATE V. PAYNE 504SE2D.335(1998), GREER V. UNITED STATES 141SCT.2090(2021)"

COUNSEL'S IGNORANCE ON CRITICAL ASPECTS & POINTS OF LAW WAS FUNDAMENTAL TO MY CASE.

"CARTHORNE V. U.S. 134SCT.1326(2014), U.S. V. CARTHORNE 878F3D.458(4TH CIR.2017)"

ERROR HAS BEEN DEEMED "STRUCTURAL" WHEN ERROR RESULTS IN A FUNDAMENTAL UNFAIRNESS.

"U.S. V. CRONIC 104SCT.2039(1984)"

BUT FOR COUNSEL ERRORS & ERRONEOUS ADVICE, I WOULD NOT HAVE PLEAD GUILTY & INSISTED ON A TRIAL.

"STRICKLAND V. WASHINGTON 104SCT.2052(1984), HILL V. LOCKHART 106SCT.366(1985)"

"MOUNTS V. BOLES 83SCT.298(1962), STATE V. EX REL BOLES 126SE2D.393(1962)"

"VOL.13. A PRECEPT OR WARNING "SYNONYMS LISTED: "COUNSEL, ADVICE, WARNING, ADMONITION."

HUTCHINSON SHOULD HAVE BEEN TOLD OF RIGHT TO CHALLENGE PRIOR CONVICTIONS BEFORE SENTENCING...

"STATE SMITH 531SE2D.294(2008), SMITH V. U.S. 304A2D.28(D.O.C.1973), SMITH V. U.S. 94.SCT.846(1973)"

"STATE RULINGS SHOULD NOT BE CONTRARY TO SUPREME COURT PRECEDENT"

"PROVISIONS ARE CONSTRUED AND APPLIED BY THE SUPREME COURT OF THE UNITED STATES"

"WILLIAMS V. TAYLOR 120SCT.1495(2000)"

RESPECTFULLY SUBMITTED ON THIS 21st DAY OF Feb 2023 s/ James E. Hutchinson
JAMES EDGAR HUTCHINSON #258003 These are layered claims...

This case is directly related to Counsel Caroline Lawson
ineffectiveness in my current pending PCR-2019-CP-21-2906

"Explanation"

Lower Court #2021-CP-21-1712 Appellate Court #2023-000004
Directly related to FILED case no. 2019-CP-21-250A

Ex. 2

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF FLORENCE) 2021 DEC 15 FOR THE TWELFTH JUDICIAL CIRCUIT

James Edgar Hutchinson, #258003,)
DORIS T. COLLINS CHARRA)
Case No.: 2021-CP-21-1712)
REC'D DISTRICT CLERK)

Applicant)

v.)

CONDITIONAL ORDER OF DISMISSAL

State of South Carolina,)

Respondent.)

This matter is before the Court by way of an application for post-conviction relief (PCR) filed by James Edgar Hutchinson (Applicant) on August 5, 2021. The State made its return and moved to summarily dismiss the action because the circuit court had jurisdiction to accept Applicant's guilty plea, the application was filed after the statute of limitations had expired, and for failure to state a cognizable claim for relief. For the reasons discussed below, this Court grants the State's motion to summarily dismiss the PCR action.

I. PROCEDURAL HISTORY

Applicant is confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Florence County Clerk of Court.¹ Applicant was indicted at the January 1995 term of the Florence County Grand Jury for second degree burglary and grand larceny (1995-GS-21-0110). The charges stem from Applicant's arrest for forgery, where law enforcement found the burglary victim's book of checks, which Applicant had been using fraudulently, and the burglary

¹ Applicant is currently incarcerated due to a third and separate burglary offense (2018-GS-21-1520; -1523). Applicant filed this application because the underlying conviction to this matter was legally used to enhance his current sentence pursuant to 16-11-311(2) of the South Carolina Code. ("the burglary is committed by a person with a prior record of two or more convictions for burglary or housebreaking or a combination of both[.]")

conviction and sentence is Page 1 of 9 Illegal in current sentence
The State did not legally used this prior conviction
to enhance current sentence, as this conviction
is invalid for involuntary guilty plea and the sentence

"Explanation"

Lower Court # 2021-CP-21-1712 Appellate Court # 2023-000004

"CONVICTION IN VIOLATION OF MY S.C. & U.S. CONSTITUTIONAL RIGHTS"

EX#3

MALICIOUS PROSECUTION, INEFFECTIVE COUNSEL, INVALID PLEA, CONVICTION & SENTENCE

STATE OF SOUTH CAROLINA

IN THE Supreme COURT

V.

INVALID CONVICTION CASE NO. 2014-GS-21-1520&1523

JAMES EDGAR HUTCHINSON

POST-CONVICTION CASE NO. 2019-CP-21-2409

The state did not legally use this prior conviction on NO FACTUAL BASIS TO SUPPORT HABITUAL OFFENDER FINDING"

STATE PLACED NOTHING ON RECORD PROOF OF CHRONOLOGY OF COMMISSION OF PRIORS OFFENSES/CONVICTIONS & NO PROOF IDENTITY NOT ESTABLISHED

"THROUGH THE STATES INVITED ERRORS, IT FAILED TO ESTABLISH"

"ESSENTIAL ELEMENT'S OF HABITUAL OFFENDER FINDING"

"NO ATTEMPT WAS MADE TO LINK HUTCHINSON TO PRIOR CONVICTIONS ON PURPORTED RAP-SHEET"

"THE STATE FAILED TO ASK HUTCHINSON IF HE AFFIRMED OR DENIED PRIOR BURGLARY CONVICTIONS."

"STATE FAILED TO CONNECT IDENTITY OF ACCUSED, AN ESSENTIAL ELEMENT OF RECIDIVIST PROOF"

"SHEPARD APPROVED DOCUMENT'S FAIL TO INDICATE PRIORS OCCURRED ON SEPARATE OCCASIONS."

"STATE STRUCTURAL-ERRORS MAKE THE WHOLE TRIAL PROCESS COMPLETELY UNRELIABLE."

"COURT DID NOT ASK HUTCHINSON IF HE HAD ANYTHING TO SAY HELP TO MITIGATE SENTENCE."

WEARY V. STATE (2016) WL 1844633, OUR SUPREME COURT HAS EXPLAINED THAT S.C. CODE 16-11-311(A)(2), ALLOWS THE STATE TO PUNISH DEFENDANT FOR RECIDIVISM TO ENHANCE PUNISHMENT...STATE V. HAMILTON 486SE2D.512(1997), REHEARING DENIED, CERT. GRANTED, HAMILTON V. SOUTH CAROLINA 119SCT.239(1998), ALLOWING DEFENDANT TO STIPULATE TO PRIOR CONVICTIONS ELEMENT, INDEED, CAUSES A SUBSTANTIAL GAP IN THE STATE'S RECITATION OF THE FACTUAL BASIS TO SUPPORT A GUILTY PLEA AS A RECIDIVIST OFFENDER. QUOTING OLD CHIEF 117SCT.644, 654(1997), PEOPLE WHO HEAR A STORY INTERRUPTED BY GAPS OF ABSTRACTION MAY BE PUZZLED AT THE MISSING CHAPTERS, AND ASKED TO REST A MOMENTOUS DECISION ON THE STORY'S TRUTH CAN FEEL PUT UPON AT BEING ASKED TO TAKE RESPONSIBILITY KNOWING THAT MORE COULD BE SAID THAN THEY HAVE HEARD, STATE IS REQUIRED TO PROVE THE SPECIFIC NATURE OF THE PRIOR CONVICTIONS. DEFENDANT'S WILLINGNESS TO STIPULATE TO ALTERNATIVE ELEMENT OF CRIME, DID NOT PRECLUDE STATE FROM OFFERING EVIDENCE OF PRIOR CONVICTIONS. STATE V. BENTON 526SE2D.228(2000), CERT. DENIED 120SCT.220(2000), ALLOWING DEFENDANT TO STIPULATE TO PRIOR CONVICTIONS DILUTES THE STATE'S BURDEN OF PROOF TO FORM A FACTUAL BASIS TO SUPPORT A GUILTY PLEA. BOYLE V. U.S. 129SCT.2237(2009), EVEN IF THE SAME EVIDENCE MAY PROVE TWO SEPARATE ELEMENTS OF A CRIME, DOES NOT MEAN THAT THE TWO ELEMENTS COLLAPSE INTO ONE. STATE V. PAYNE 504SE3D.335(1998), WHEN THE STATE IS PROSECUTING A PERSON FOR AN OFFENSE THAT CARRIES AN ENHANCED PENALTY ON A CONVICTION OF A SECOND OR SUBSEQUENT OFFENSE, IT IS NECESSARY FOR THE STATE TO PROVE THAT A PREVIOUS CONVICTION EXISTS, THAT THE CONVICTION WAS FOR AN OFFENSE WHICH OCCURRED PRIOR TO THE COMMISSION OF THE OFFENSE FOR WHICH HE IS BEING TRIED, AND THAT THE DEFENDANT WAS THE SUBJECT OF THAT PRIOR CONVICTION. ESTELLE V. FRENCH, 103SCT.2108(1983), CHRONOLOGY OF COMMISSION PRIORS; ESSENTIAL ELEMENTS OF ENHANCED SENTENCE STATUTE. LINMAN V. N. M. 100SCT.91(1979), THE AVERMENTS IN THE INDICTMENT MUST BE SUPPORTED BY PROOF HUTCHINSON V. STATE 481SW2D.881(1972). U.S. V. JACKSON 368F3D.599(2NDCIR.2004), DEFENDANT IS NOT DEEMED TO HAVE STIPULATED TO IDENTITY. STATE V. VANCE 262SE2D.425(1980), REITERATING MERE PROOF OF IDENTITY OF NAMES BETWEEN DEFENDANT AND PERSON NAMED IN PRIOR CONVICTION FAILS TO ESTABLISH IDENTITY IN RECIDIVIST HEARING & ENTITLED SAME RIGHT TO NOT BE SUBJECTED TO UNDULY SUGGESTIVE IDENTIFICATION PROCEDURES. STATE V. JESTER 790SE2D.368(2016), LIST OF DEFENDANTS PRIORS ALONE FAILS TO ESTABLISH PROOF.

"TO SAY IN THIS CASE AS IN ANY OTHER CASE; PROponent OF A CLAIM OR CHARGE MUST EVIDENCE IT."

"COURT DID NOT ASK HUTCHINSON IF HE HAD ANYTHING TO SAY HELP TO MITIGATE SENTENCE..."

"COURT DID NOT IF HE FELT WHY THIS SENTENCE SHOULD NOT HAVE BEEN PRONOUNCED..."

"SMITH V. U.S. 304A2D.28(D.O.C.1973), SMITH V. U.S. 94.SCT.846(1973)..."

RESPECTFULLY SUBMITTED ON THIS 21st DAY OF Feb 2023 BY James E. Hutchin

JAMES EDGAR HUTCHINSON #258003 The states invited error by its

claim that the 1995 conviction was legally used to enhance my current sentence is erroneous...

"Explanation"
Lower Court # 2021-CP-1712 Appellate Court # 2023-000004
"AFFIDAVIT OF MERITS"

~~EX#1~~ "INVALID GUILTY PLEA, CONVICTION, ILLEGAL SENTENCE & INEFFECTIVE ASSISTANCE OF COUNSEL"

STATE OF SOUTH CAROLINA THE COURT OF Supreme Court
V. CASE NO. 2018-GS-21-1520 & CASE NO. 2018-GS-21-1523
JAMES EDGAR HUTCHINSON INEFFECTIVE COUNSEL, INVALID PLEA, CONVICTION & SENTENCE

The state did not as it asserts he really use this 1995 conviction to enhance "EXTRAORDINARY CIRCUMSTANCES" my current sentence
"FAILURE TO PERFORM ESSENTIAL DUTIES BEFORE, DURING & AFTER GUILTY PLEA"

"NO FACTUAL BASIS TO SUPPORT GUILTY PLEA AS A RECIDIVIST"

"FAILED TO INFORM OF RIGHT TO WITHDRAW GUILTY PLEA & FILE MOTION IN ARREST OF JUDGMENT" ALTHOUGH A HABITUAL OFFENDER CHARGE DOES NOT STATE A SEPARATE OFFENSE, DETERMINATION OF HABITUAL CRIMINAL STATUS IS ESSENTIALLY INDEPENDENT OF GUILT ON UNDERLYING OFFENSE, OYLER V. BOLES 82SCT.501(1962), WILLIAMS V. TAYLOR 120SCT.1495(2000), MEADOWS V. BOLES 255F.SUPP173(1966), CLASS V. U.S. 138SCT.798(2019), UNITED STATES V. DAVIS 139SCT.2319(2019).

JACKSON V. VIRGINIA 99SCT.2781(1979), UNDER OUR SYSTEM OF CRIMINAL JUSTICE EVEN A PERSON LABELED AS A THIEF IS ENTITLED TO COMPLAIN THAT HE HAS BEEN UNCONSTITUTIONALLY CONVICTED AND IMPRISONED AS A BURGLAR. EUTSEY V. STATE 383SO2D.219(APRIL24TH1980), REYNOLDS V. COCHRAN 81SCT.723(1961), DETERMINATION OF GUILT ON CURRENT UNDERLYING OFFENSE IS A SEPARATE DETERMINATION OF GUILT ON RECIDIVIST CHARGES. "REGARDLESS OF HOW A RECIDIVIST PROCEEDING MAY BE LABELED, AND IRRESPECTIVE OF THE PARTICULAR MODE BY WHICH IT MAY BE INVOKED, IT IS UNCONTESTABLE THAT SUCH A PROCEEDING PRESENTS A "DISTINCT ISSUE", GRAHAM V. W.VA. 32SCT.583(1912), AND WHETHER THE INDIVIDUAL ALLEGED TO BE THE SAME PERSON WHO COMMITTED CERTAIN CRIMES IS, INDEED THAT PERSON, A RECIDIVIST PROCEEDING IS NOT SIMPLY A SENTENCING HEARING, BUT A HEARING WHEREBY A NEW CRIMINAL STATUS, ATTACHES, THAT BEING AN HABITUAL CRIMINAL IS DETERMINED, HART V. COINER 483F2D.136(4THCIR.1973), CERT. DENIED 94SCT.1577(1974), PROOF OF DEFENDANT'S PRIOR CONVICTIONS IS A CONDITION PRECEDENT TO THE IMPOSITION OF INCREASED PUNISHMENT PROVIDED. CURRENT FELONY AND HABITUAL OFFENDER DETERMINATION ARE ESSENTIALLY INDEPENDENT. SINGER V. U.S. 278F.415(JAN.27TH3RDCIR.1922), WHEN INDICTMENT CHARGES A PRIOR CONVICTION UNDER STATUTE PROVIDING HEAVIER PENALTIES FOR A SECOND OFFENSE, QUESTIONS OF FACT ARE PRESENTED AS TO THE PRIOR CONVICTION, AND THE IDENTITY OF THE ACCUSED AS THE SAME PERSON IN EACH PROSECUTION, AND SUCH FACTS MUST BE ESTABLISHED. WEARY V. STATE (2016) WL 916944, S.C. CODE ANN. 56-1-1020.(2006) "HABITUAL OFFENDER" AND "CONVICTION" DEFINED. (D) A PERSON SHALL BE DEEMED TO BE CONVICTED OF AN OFFENSE ON THE DATE OF THE OFFENSE WAS COMMITTED IF HE IS SUBSEQUENTLY CONVICTED OF COMMITTING SUCH OFFENSE. STATE V. PAYNE 504SE2D.335(1998), IDENTITY PROOF, U.S. V. KELLAM 568F3D.125(4THCIR.2009), & ESTELLE V. FRENCH, 103SCT.2108(1983), CHRONOLOGY OF COMMISSION PRIORS; ESSENTIAL ELEMENTS OF ENHANCED SENTENCE STATUTE. LINMAN V. N. M. 100SCT.91(1979), NORTH CAROLINA V. ASHE 99SCT.2416(1979), STATE V. PAYNE 504SE3D.335(1998), DEFENDANT HAS BURDEN OF PROVING PRIOR CONVICTION INVALID OR DEFECTIVE TO PREVENT THE STATE'S USE...

HABITUAL CRIMINAL PROCEEDINGS PROVIDING FOR ADDITIONAL PUNISHMENT UPON PROOF OF ONE OR MORE PRIOR CONVICTIONS ARE WHOLLY STATUTORY. IN SUCH PROCEEDINGS, A COURT HAS NO INHERENT JURISDICTION, COMMON LAW POWER OR JURISDICTION. BEING IN DEROGATION OF COMMON LAW, SUCH STATUTES ARE GENERALLY HELD TO REQUIRE A STRICT CONSTRUCTION IN FAVOR OF THE PRISONER, 24B. C.J.S. CRIMINAL LAW 1959. STAT V. NORWOOD 832SE2D.75(2019)...

RESPECTFULLY SUBMITTED ON THIS 21st DAY OF Feb, 2023 ~~James E. Hutchin~~
JAMES EDGER HUTCHINSON #258003 This is layered claim of the

counsel's failure to file a direct appeal to preserve it.

"Explanation"

Lower court #2021-CP-21-1712 Appellate court #2023-000004

EX#5

"Structural Errors"

Rebuttal to the State's "Invited Error" by its assertion that this prior conviction was legally used to enhance my current sentence under Burglary 1st Degree 16-11-311 a2...

The state did not legally use this prior conviction to support my current sentence also making this current conviction and sentence illegal under the enhancement provisions and Counsel Caroline Lawson is also ineffective in failure to file a motion in the arrest of judgment and inform me that the state failed to provide sufficient evidence to support habitual offender status, failure to inform me that I could file a motion to withdraw guilty plea where there was no factual basis to support guilty plea to support habitual offender status, and the only reason I did not object to having prior convictions is because counsel never informed me that I had the burden of proof to attack prior convictions to prevent the state from using them against me but instead let the court misinform me as to the elements of the offense that I had no burden of proof and that I did not have to do anything, thus counsel allowing me to be misled on a critical aspect of my charges by not having the judge correct his erroneous and wrong instructions as there is an exception to a defendant being sentenced for having prior convictions being used to enhance sentence for a second or subsequent offense. Instead Counsel coerced me along with the prosecutor's "Illusory Threats" with a prior conviction from 2002-GS-21-1670 where he was the same prosecutor who wrongfully convicted me for a nighttime burglary when the offense did not occur at night. There was no factual basis to support the guilty plea. Counsel was ineffective in that case also and the state cannot assert or rely on conviction of two or more convictions as that is considered a hypothetical element and that conviction and sentence is also illegal...

"Explanation"

Lower Court #2021-CP-21-1712 Appellate court #2023-000004

Ex #6

"Structural Errors"

S.C. Code Ann. 17-23-80, manner in which persons who have been indicted may be convicted. *Hollison v. State* 552 290 (2001). Defendant must understand the crucial... elements of the offense and the record reflect a factual basis to support the elements to which he pleads to... citing... *Dewitt v. S.C. Dept. of Hwy. & Public Transportation* 262 S2d, 24 (1980). *State v. Payne* 504 S2d, 335 (1996)...

When the state is prosecuting a person for an offense that carries an enhanced penalty for a second or subsequent offense, it is necessary for the state to "prove" that the previous conviction exists... that the conviction was for an offense which "occurred" prior to the offense for which defendant is being tried, and that the subject was that defendant of that prior conviction... Moreover, had South Carolina General Assembly wished to use prior convictions as merely a sentence enhancer rather than as an element of the offense, it could have done so. People who hear a story interrupted by gaps of abstraction knowing that more could be said than what has been heard. *Hamilton v. S.C.* 119 Sct, 239 (1998)...

The state is still required to prove all elements of burglary beyond a reasonable doubt. *Benton v. S.C.* 120 Sct, 2209 (2000). *State v. Payne* 503 S2d, 335 (1996). The burden of proof is on the defendant to prove prior convictions are invalid. As there is an exception pertaining to a burglary first degree statute 16-11-311(a)(2) two or more prior convictions. See *State v. Attardo* 211 S2d 868 (1995). as I was misinformed as to the crucial elements of the offense that also made my guilty plea involuntary... See *Hicks v. Franklin* 546 f. d. 1279 (10ca 2004) *State v. Daughtry* 18 A3d, 60 (2011), *Miller v. State* 970 A2d, 332 (2009)... *Anderson v. State* 535 S2d, 649 (2000). Instead my counsel let me be coerced with a wrongful conviction with "Illusory Threats" where prosecutor could not have proved that it was a most-serious to support an LWP sentence. See *LaSiter v. Turner* 423 F2d, 497 (4ca 1970) also rendering my plea involuntary. *Phillips v. State* 712 S2d, 457 (2011)...

Adams v. Maryland "Explanation" 91 Sct. 193 (1970) in Ford, Lower Court #2021-CP-21-1412 Appellate Court #2023-00004
EX #7
The 16, S.C. Code ann. § 16-11-311(a)(2) two or more prior convictions Ford v. State 534 A2d. 992 (1998). Burks v. United States 48 Sct 2141 (1998). The Supreme Court has held that state legislature may if it wishes, provide that a defendant "shall" be convicted of the crime of being a recidivist upon proof of prior convictions, State v. Washington 526 S2zd. 709 (2000). Monga v. California 114 Sct. 2246 (1998). The fact of prior conviction and identity of the accused as the person so convicted are necessary elements to be proved. The charge of former convictions must be proved with the same degree of certainty as the charge of the substantive offense. State v. Stout 180 S. E. 443 (1935). State v. Lawson 22 S2zd. 643 (1942). Wainstreet v. Bordenkircher 266 S2zd. 205 (1941). In my guilty plea, the state failed to provide a factual basis to support the Habitual Offender element of burglary 16-11-311(a)(2). No evidence was offered or introduced as part of the record to establish that the "offenses" "occurred" on separate occasions, nor was any effort made to link me to purported prior convictions in rap-sheet that could not be legally converted into sufficient evidence to prove identity, nor was I deemed to have stipulated that I was same person in purported rap sheet. Rule requiring factual basis for guilty plea also applies to prior convictions State v. Johnson 689 P2d. 166 (1984). Norwood v. West Virginia 140 Sct. 1297 (2020). S.C. Code ann. 56-1-10 20. Habitual Offender and conviction undefined. State v. Payne 504 S2zd. 335 (1998). State v. Linman cert. den. Linman v. U.S. 100 Sct. 91 (1979). French v. Estelle 103 Sct. 2104 (1983). U. S. v. Kellam 568 F3d. 125 (4ca 2009) cert. den. Michel v. U. S. 130 Sct. 657 (2009) U. S. v. Jackson 368 F3d. 59 (2ca 2004). cited. in U.S. v. Riley 31 F. sup3d. 540 (4ca 2014) Riley v. U.S. 137 Sct. 257 (2016). Counsel was ineffective and failed to perform essential duty to file motion in the arrest of judgment. State v. Harrington 893 Nw2d. 36 (2017). and failure to file notice of appeal as instructed for preserving the structural error. Harmless Error inapplicable Jordan v. State 256 Sw3d 286 (2008). as Double Jeopardy would attach, Brantley v. State 536 S2zd. 509 (2000). Butler v. State 416 A2d. 313 (1980).

Citations for exhibits #6 & #7 "Explanation"
Lower Court #2021-CP-21-1712 Appellate Court #2023-000004

Ex #8

"Citations"

For State's Structural Errors in Failure to provide a factual basis to support prior convictions element of S.C. Code Ann. 16-11-31(a)(2) Failure to provide proof..

- State v. Payne 504 S.ezd. 335 (1994).
- Dewitt v. S.C. Dept. of Transp. 262 S.ezd. 246 (1980).
- Hamilton v. S.C. 119 Sct. 239 (1998).
- Benton v. S.C. 120 Sct. 2209 (2000).
- State v. Attardo 211 S.ezd 468 (1975).
- Hicks v. Franklin 546 F3d. 1279 (10ca 2008).
- State v. Daughtery 14 Azd. 60 (2011).
- Miller v. State 970 Azd. 332 (2009).
- Lassiter v. Turner 423 Fzd. 497 (4ca 1970).
- Phillips v. State 712 S.ezd. 457 (2011).
- Adams v. Maryland 91 Sct. 193 (1970).
- Ferd. v. State 534 Azd. 992 (1988).
- Burks v. U.S. 94 Sct. 2141 (1979).
- Mongie v. California 114 Sct. 2246 (1998).
- State v. Washington 526 S.ezd. 709 (2000).
- State v. Stout 140 S.E. 443 (1935).
- State v. Lawson 22 S.ezd. 643 (1942).
- Wahstreet v. Bordenkircher 266 S.ezd. 205 (1981).
- State v. Johnson 649 Pzd. 166 (1984).
- Norwood v. West Virginia 140 Sct. 1297 (2020).
- S.C. Code Ann. 56-1-1020.
- Linman v. N.M. 100 Sct. 91 (1979).
- Frunch v. Estelle 103 Sct. 2108 (1983).
- U.S. v. Kellam 568 F3d. 125 (4ca 2009).
- Michel v. U.S. 130 Sct. 657 (2009).
- U.S. v. Jackson 368 F3d. 59 (2ca 2004).
- Riley v. U.S. 137 Sct. 257 (2016).
- U.S. v. Riley 21 F. Supp. 3d. 540 (4ca 2014).
- State v. Harrington 893 Nwzd. 36 (2017).
- Jordan v. State 256 Sw3d. 246 (2008).
- Brantley v. State 536 S.ezd. 509 (2000).
- Butler v. State 416 Azd. 373 (1980).

Lower Court # 2021-CP-21-1712 Appellate Court # 2023-000004

"Explanation"

"AFFIDAVIT OF MERITS"

Ex # 9

"INVALID GUILTY PLEA, CONVICTION, ILLEGAL SENTENCE & INEFFECTIVE ASSISTANCE OF COUNSEL"

STATE OF SOUTH CAROLINA
V.
JAMES EDGAR HUTCHINSON

THE COURT OF Supreme Court
CASE NO. 2018-GS-21-1520 & CASE NO. 2018-GS-21-1523
INEFFECTIVE COUNSEL, INVALID PLEA, CONVICTION & SENTENCE
Pending PCR, 2019-CP-21-2908

Layered Ineffective Counsel Claims directly related to this case. "EXTRAORDINARY CIRCUMSTANCES"

"FAILURE TO PERFORM ESSENTIAL DUTIES BEFORE, DURING & AFTER GUILTY PLEA"

'FAILED TO FILE NOTICE APPEAL OR HAVE COURT INFORM OF RIGHT TO SEEK LEAVE TO PROCEED IN FORMA PAUPERIS & DID NOT KNOWINGLY & INTELLIGENTLY WAIVE RIGHTS' COUNSEL DID NOT PROVIDE EFFECTIVE ASSISTANCE AT THESE CRITICAL-STAGES OF TRIAL IF I HAD BEEN MADE AWARE THAT COUNSEL WAS GOING TO FAIL TO FILE A DIRECT APPEAL ON MY BEHALF, AS INSTRUCTED TO DO SO, THEN I WOULD HAVE RESPECTFULLY ASKED THE JUDGE TO BEFORE LEAVING THE COURTROOM FOR PERMISSION TO SEEK LEAVE TO PROCEED IN FORMA PAUPERIS BY REQUESTING TO THE "CLERK OF COURT" TO FILE A NOTICE OF APPEAL ON MY BEHALF, WHEREAS MY SENTENCE WAS PRONOUNCED, COUNSEL LAWSON JUST GRABBED HER FILES, WALKED OFF, LEFT ME STANDING THERE. NO APPEAL CONVERSATION AND I WAS IMMEDIATELY RUSHED OUT COURTROOM...

Weather's v. State 459 S.2d. 939 (1995)

U.S. V. BERRY 4FED.APPX.159,160(2001). MERELY ASSERTING THAT DEFENDANT'S RAISED CLAIMS WERE CURRENTLY NON-MERITORIOUS WAS INSUFFICIENT TO DEMONSTRATE AN ABSENCE OF PREJUDICE IN DISTRICT COURT'S ALLEGED FAILURE TO ADVISE DEFENDANT OF HIS RIGHT TO APPEAL HIS SENTENCE AND OF HIS RIGHT TO APPLY FOR LEAVE TO PROCEED IN FORMA PAUPERIS, IF HE WAS UNABLE TO PAY FOR COST OF AN APPEAL. COURT MUST ADVISE OF RIGHT TO RIGHT TO SEEK LEAVE TO PROCEED IN FORMA PAUPERIS. MARTIN V. STATE 471SE2D.134(1995), MOTIONS TO PROCEED IN FORMA PAUPERIS MAY BE GRANTED WHEN AUTHORIZED BY STATUTE OR REQUIRED BY CONSTITUTIONAL PROVISIONS. RULES CIV. PROC., RULE 3(C). LAKES V. STATE 510SE2D.228(1988), INMATE WAS ENTITLED TO PROCEED IN FORMA PAUPERIS. MASSARO V. U.S. 123SCT.1690(2003), FAILURE TO RAISE INEFFECTIVE ASSISTANCE OF COUNSEL CLAIM ON DIRECT APPEAL DOES NOT BAR CLAIM FROM BEING BROUGHT IN A LATER APPROPRIATE COLLATERAL PROCEEDING. CHRISTY V. PENNSYLVANIA 116SCT.194(1995), INEFFECTIVE ASSISTANCE OF COUNSEL WILL EXCUSE A WAIVER UNDER THE [PCRA], AS LONG AS THE APPELLANT HAD A CONSTITUTIONAL RIGHT TO COUNSEL IN STATE PROCEEDINGS WHERE COUNSEL'S INEFFECTIVENESS RESULTED IN A WAIVER OF CLAIMS WITH MERIT. CARTHORNE V. U.S. 134SCT.1326(2014), U.S. V. CARTHORNE 878F3D.458(4TH CIR.2017), U.S. V. CRONIC 104SCT.2039(1984), A STRUCTURAL-ERROR MAKES TRIAL PROCESS COMPLETELY UNRELIABLE. STRICKLAND V. WASHINGTON 104SCT.2052(1984), HILL V. LOCKHART 106SCT.366(1985), WILSON V. STATE 559SE2D.581(2002), ROE V. FLORES-ORTEGA 120SCT.1029), COUNSEL'S FAILURE TO FILE NOTICE OF APPEAL, DEPRIVED DEFENDANT AN APPELLATE PROCEEDING ALTOGETHER & PRESUMABLY PREJUDICIAL. DENIAL OF EFFECTIVE COUNSEL ALTOGETHER, ACTUALLY OR CONSTRUCTIVELY IS PREJUDICIAL. WHITE V. STATE 208SE2D.359(1974), WILSON V. STATE 559SE2D.581(2002), U.S. V. POINDEXTER 492F3D.263(4TH CIR.2007), PEGUERO V. UNITED STATES 119SCT.961(1999)..., RULE 32.

RESPECTFULLY SUBMITTED ON THIS 21st DAY OF Feb, 2023 James E. Hutchin
JAMES EDGER HUTCHINSON #258003 Carson v Penn, 129 Sct. 394 (2007)

Counsel Lawson's Ineffectiveness directly related to case in

"Explanation"

Lower Court #2021-CP-21-1712 Appellate Court #2023-000004
Directly related to case 2019-CP-21-2808

Ex. #10

SOUTH CAROLINA RULES OF EVIDENCE
JUDICIAL NOTICE RULE 201. RULE 902 SELF-AUTHENTICATED EVIDENCE
"AFFIDAVIT OF MERITS"

INVALID PRIOR CONVICTION THAT WAS UNLAWFULLY GAINED BY INEFFECTIVE ASSISTANCE OF COUNSEL, INVOLUNTARY, UNINTELLIGENT, AND INVALID GUILTY PLEA, IN VIOLATION THE LAWS AND STATUTES THIS STATE, THUS DENYING ME DUE PROCESS PROTECTED BY THE CONSTITUTION OF SOUTH CAROLINA AND THE UNITED STATES IN THE OF CASE NO. 2019-GS-21-1520 & 1523, THAT IS STILL CAUSING PREJUDICE AND PRESISTENT LINGERING EFFECTS AFFECTING MY SUBSTANTIAL RIGHTS...

Pending case Sent to Counselor,
2019-CP-21-2808 11-18-2022

S.C. RULES OF CIVIL PROCEDURE RULE 77, COURTS AND CLERKS (a) COURTS ALWAYS OPEN.
COURTS OF THIS STATE SHALL BE DEEMED ALWAYS OPEN FOR PURPOSE OF FILING AND PLEADING

To Post-Conviction Counsel Steve Fowler 730 Main St.
Unit #237 N. Myrtle Beach, S.C. 29582 and
Clerk of Court of Florence County Doris Paulas Oltara
Suite 1100 181 N. Irby St, Florence, S.C. 29501

Re: Correction of Issue as to let it be shown
from the record and trial transcript at PCR-hearing
held on October 14th 2022, the issue was raised
that Counsel Lawson failed to file a direct appeal
as I instructed her to do so. Also shown in my 2020
amended PCR-application on April 13th 2020 that was
filed by the Clerk of Court on April 22nd, 2020 on page
4. The State's attorney replaced "file" with "inform"
regarding this issue. Informing Counsel Steve Fowler
to not let this go uncorrected, as the State and the
Counsel Lawson failed to object or rebut this issue I
raised at PCR hearing and has therefore been waived.

STATE V. PAYNE 504 SE2D (1988). THE STATE ASSUMES THAT A PRIOR CONVICTION LEGAL AS WELL AS A LAICAL PRESUMPTION THAT IT WAS JUST, STATE V. MCABEE 67 SE2D, 417 (1951). EVERY ACT OF A COURT IS PRESUMED RIGHTLY DONE 'TILL THE CONTRARY APPEARS, VORHEES V. JACKSON 35 U.S., (10 PET.) 499 (1836). THE STATE RELIES ON THE PRESUMPTION OF REGULARITY ATTACHING TO FINAL JUDGMENTS. THIS DOES NOT MEAN THAT THE PRESUMPTION OF REGULARITY MAY NEVER BE SUSPENDED. PARK V. RALEY 118 S. CT. 517 (1992). THE PRESUMPTION MAY BE SUSPENDED IF THE UNAVAILABILITY OF EVIDENCE TO SUPPORT THE DEFENDENTS ATTACK OF PRIOR CONVICTIONS IS DUE TO GOVERNMENT MISCONDUCT, BY DENYING ACCESS TO DISCOVERY AND DOCUMENTARY EVIDENCE PURSUANT TO THE RULES OF "CIVIL PROCEDURE".

RESPECTFULLY SUBMITTED ON THIS 21st DAY OF Feb 2023 

JAMES EDGAR HUTCHINSON #258003
Evans C.I. Waxhaw-B-238
610. Hwy, 9-west
Bennettsville, S.C. 29512

To: The Supreme Court of South Carolina
to preserve claims for Higher Court if needed.

"Explanation"

Lower Court #2021-CP-21-1712 Appellate court #2023-000004

Dawn B. Pappas Directly related to case 2019-CP-21-2808

From: Newman, Clifton Law Clerk (Gabrielle Williams) <CNewmanLC@sccourts.org>
Sent: Tuesday, October 18, 2022 2:40 PM
To: Dawn B. Pappas
Subject: FW: James Hutchinson

Ex #11

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

From: Danielle Dixon <DanielleDixon@scag.gov>
Sent: Tuesday, October 18, 2022 2:39 PM
To: myfowlerlaw@gmail.com; Newman, Clifton <CNewmanJ@sccourts.org>; Newman, Clifton Law Clerk (Gabrielle Williams) <CNewmanLC@sccourts.org>; Newman, Clifton Secretary (Katherine Sabb) <CNewmanSC@sccourts.org>
Cc: Russ Barlow <RussBarlow@scag.gov>; ppappas@florenceco.or; Steve Fowler <myfowlerlaw@gmail.com>
Subject: James Hutchinson

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

- IAC: failed to move to suppress statements/confession
- Failed to call expert re effect of drugs administered prior to interrogation
- Failed to advise re constitutional rights waived
- Failed to advise re direct appeal
- Failed to review evidence with applicant
- Failed to present mitigating evidence re mental health issues
- Failed to obtain psychological evaluation
- Failed to challenge prior convictions used for enhancement

- Involuntary guilty plea:
- Not informed state has to prove case beyond reasonable doubt
- Not informed state had to prove confession was voluntary
- Facts did not support plea (no enhancement in facts)

→ This is supposed to be "file" not "advise"...

The state's attorney tried to change my claim before the PCR-hearing on 10-14-2022 but it was raised as counsel failed to file direct appeal and I have also informed PCR counsel Steve Fowler to make sure it is preserved.



Danielle Dixon
Assistant Attorney General
Post-Conviction Relief

South Carolina Attorney General's Office
Post Office Box 11549
Columbia, SC 29211
(803) 734-3737
DanielleDixon@scag.gov

"Explanation"

Lower court # 2021-CP-21-1712
Appellate court # 2023-000004
Directly related to case 2019-CP-21-2808

CERTIFIED: A TRUE COPY
Clerk of Court C.P. & G.S.
FLORENCE COUNTY, S.C.
Doris Poulos O'Hara

In The Court Of Common Pleas
In And For The County Of Florence
State Of South Carolina

EX. #12

State Of South Carolina
County Of Florence
Plaintiff

Case No. 2019-CP-2808

v.
James Edgar Hutchinson
Defendant

NOTICE OF INTENT TO AMEND PCR
APPLICATION

Honorable: Court 12th Judicial
Circuit

Now comes the defendant James Edgar Hutchinson acting Pro Se and respectfully submits this Notice Of Intent To Amend PCR Application to include additional issues

pertaining to the above mentioned Case No. 2019-CP-2808
Pursuant to S.C. Rules of Civil Procedure, Rule 15, Amended and supplemental proceedings,
cc: Clerk of Court,
Attorney General,
file.

Respectfully Submitted
on this 13th day of April, 2020.

James E. Hutchinson

James E. Hutchinson #258003
Lee Correctional Institution F6-A-1125
990 Wisacky Highway
Bishopville, South Carolina 29010

Page 1 of 4

2020 APR 22 AM 9:13
DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

FILED

"Explanation"

Lower Court # 2021-CP-21-1712
Appellate Court # 2023-000004
Directly related
to case
2019-CP-21-2808

In The Court Of Common Pleas
In And For The County Of Florence
State Of South Carolina

CERTIFIED: A TRUE COPY
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

Ex. #13

State Of South Carolina
County Of Florence
Plaintiff

Case No. 2019-CP-2808

v.

James Edgar Hutchinson
Defendant

MOTION TO AMEND PCR APPLICATION TO
INCLUDE ADDITIONAL ISSUES TO CONFORM
TO THE EVIDENCE

Honorable: Court 12th Judicial

DRIS POULOS O'HARA
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.
2020 APR 22 AM 9:13A

FILED

May it please the Court, comes now the defendant James Edgar Hutchinson
acting Pro Se and respectfully request to amend PCR Application to contain additional issues to conform
to the evidence pursuant to South Carolina Rules of Civil Procedure Rule 15 (a) amendments and Rule 15
(b) to conform to the evidence, (c) Relation Back of Amendments, and
(d) Supplemental Pleadings. SC RCP-Rule 15,
The basis for this request is as follows:

1. limited access to Law Library from being on Modified Lockdown due to the 2018 riot, and
2. now the Coronavirus Pandemic.

Petitioner now requests to add additional Amendments of new issues since the submitting of the original
PCR Application on the 2nd day of October (2019), (See attached exhibit [A])

cc: Clerk of Court
Attorney General
File

Respectfully Submitted.
on this 13th day of April, 2020

Page
2074

James E Hutchinson

James E. Hutchinson #258003
Lee Correctional Institution F6-A-1125
990 Wisacky Highway
Bishopville, South Carolina 29010

"Explanation"

Lower Court #2021-CP-21-1712 Appellate Court #2023-000024
Directly related to case no. 2019-CP-21-2808

EX #14
cc: Clerk of Court
Attorney General
File

Exhibit A (Facts And Issues)
In Case No. 2019-CP-2808
In The Court Of Common Pleas
In And For The County Of Florence
State Of South Carolina
Pursuant To SCRPC Rule 15 (a) (b)

Issues added to amend original PCR Application:

Issue (1) - Counsel was ineffective for failure to request a bifurcated trial, to stop the prejudicial impact of alleged evidence the State planned to present, to control the mode and order of when and how the evidence was presented.

Facts - Had counsel informed client of this trial strategy, he could have made an informed decision and would have demanded on going to trial.

Issue (2) - Counsel was ineffective for failure to file a motion in limine to have a balancing test, to let a Judge decide whether prior convictions were too remote to offer as evidence, and States failure to get permission from the Court to introduce such evidence.

Facts - Had counsel informed client that the State was offering evidence without Courts approval by not giving the Court a written notice for intent to use prior convictions over ten years old. client would have insisted on going to trial.

Issue (3) - Counsel was ineffective for failure to inform client of the State's failure to present sufficient evidence to convict under 16-11-311 (a) (2), instead let client enter a plea agreement that was unintelligent and unknowingly. confession and invalid priors

Facts - Had counsel informed client of this failure of sufficient evidence to convict beyond a reasonable doubt, he would have insisted on going to trial.

Issue (4) - Counsel was ineffective for having a "conflict of interest" where she allowed client to enter a plea agreement to actions alleged by the State, causing client to enter an unknowing and unintelligent waiver of rights by entering such plea. not informing burden of proof on con. or priors

Facts - Had counsel informed client of this trial strategy, client could have made on informed decision and would have insisted of going to trial. Counsel could have then requested the Court for a direct verdict for automatic acquittal or on a lesser charge because the State would have failed to meet its burden of proof beyond reasonable doubt.

"Explanation"

Lower Court # 2021-CP-21-1712

Appellate Court # 2023-000004

Directly related Exhibit A (Facts And Issues) continued

to case 2019-CP-21-2808

EX # 15

Issue (5) - Counsel was ineffective for failure to enforce the original plea agreement offer from the State. Had counsel enforced original plea offer, client would have ended up with a less severe sentence as opposed to the 26 years received.

Facts -- Counsel failed to enforce original plea offer after client relied on detriment.

Issue (6) -- Novel issue of unconstitutional enhancement of a charge from non-violent offense to a violent offense before Grand Jury. *The statute also contravenes with the well established rule that an accused prior crimes are not admissible in the prosecution of the crime charged.*

Facts - Indictment should have charges offense of 16-11-312 (a). Instead the Prosecution perjured themselves in front of the Grand Jury by enhancing the charge. The Prosecution used an unconstitutional statute of 16-11-311 (a) (2) to convert the actual offense from non-violent to violent. Under the United States Constitution and the South Carolina Constitution, persons accused of a crime are to be charged with the actual offense committed, not what the state wants the charge to be. It is unconstitutional to charge someone for something they did not do.

Addition to Issue (5) of original PCR Application - Counsels failure to file direct appeal.

Facts - Petitioner requested counsel to file a direct appeal just as his counsel Steven Hill did on his 2002 conviction.

Respectfully Submitted
on this 13th day of April, 2020

James E. Hutchinson

James E. Hutchinson #258003
Lee Correctional Institution F6-A-1125
990 Wisacky Highway
Bishopville, South Carolina 29010

Cc: Clerk of Court
Attorney General
File

"Explanation"

Lower court # 2021-CP-21-1712
Appellate court # 2023-000004
Directly related to case 2019-CP-21-
2808
Ex. #16
PROOF OF SERVICE

CERTIFIED: A TRUE COPY
DORIS POULSON O'HARA
CLERK OF COURT, C.P. & G.S.
FLORENCE COUNTY, S.C.

SERVED DATE PLACE
4-17-2020 Lee, Correctional, Bishopville
SERVED ON (PRINT NAME) (Clerk of Court) MANNER OF SERVICE
Florence, S.C. Court of Common Pleas U.S. Postal Serv.
SERVED BY (PRINT NAME) TITLE
James Edgar Hutchinson #258003 Petitioner

DECLARATION OF SERVER

I certify that the following information contained in the Proof of Service is true and correct.

Executed on 4-17-2020 James E. Hutchinson
SIGNATURE OF SERVER

Lee, C.I. FB-A-1125
ADDRESS OF SERVER
990, Wisacky Hwy,
Bishopville, S.C.

SCCA 253 (102011)

Case No: 2019-CP-2808

See Attached Sheets 3-4
containing:

- 1) Notice of Intent (to Amend PCR Application
- 2) Motion to Amend PCR-Application To Include additional issues conform to the evidence Pursuant to-SCRCP Rule 15.
- 3) Additional Issues & Facts to be amended to PCR-Application Exhibit-A(1)
- 4) Continued-Additional Issue & Facts to be Amended to PCR-Application Exhibit-A(2)

DORIS POULSON O'HARA
CLERK OF COURT, C.P. & G.S.
FLORENCE COUNTY, SC

2020 APR 22 AM 9:13

FILED

Ex. # 17

The State of South Carolina
In The Supreme Court

RECEIVED

FEB 24 2023

S.C. SUPREME COURT

"Explanation"

Pursuant to S.C. App. Rule 243(c) ...
In Response to Dennison
Letter received from Counsel
Steven W. Fowler on 2-7-2023

Court of Common Pleas
The Honorable Circuit Court
Judge D. Craig Brown

Case No. 2021-CP-21-1712

App. case no. 2023-000004

James Edgar Hutchinson #258003
Petitioner.

v.

State of South Carolina
Respondent.

Proof of Service

To: The Honorable Clerk of Court
Patricia A. Howard
S.C. Supreme Court
P.O. Box 11330
Columbia, S.C. 29211

Date: 2-21-2023

James Edgar Hutchinson

James Edgar Hutchinson #258003
Evans, CI Waxhaw - B-238
610. Hwy 9, West
Bennettsville, S.C.
29512

U.S. Postal Services
At Evans C.I.,
Please see Exhibits
contained in support.
A-I maps, warrants, etc.
1-16 Proof of issues that
were raised at 2019-CP-21-2508 on 10-18-2022