

Your Honor,

I am writing to appeal my sentences of 27 years for Manslaughter and Armed Robbery. My lawyer (Mr. Breen Stevens) promised me leniency for accepting a plea. I was promised that I would receive 7-10 years with a worst case scenario of 15.45 years. Mr. Stevens promised this to my family as well. I was also told I had to answer "No" when asked if I had been promised anything due to the fact that Mr. Geiger's family could be present in the court room. The basis for the Armed Robbery charge was the fact that Mr. Geiger had a pants pocket pulled out. I voluntarily submitted to a DNA test and it proved that ① My DNA was not present inside of the pocket or on him at all. ② There was a 3rd parties DNA "inside" the out-turned pocket proving someone else was responsible. I expressed to Mr. Stevens that I did not wish to plea guilty to Armed Robbery. At this point the Alfred Plea was poorly explained and I was led to believe that it was not an admittance of guilt on my part. I was told by Mr. Stevens that I had to plea under Alfred v. NC to Armed Robbery have the murder dropped to manslaughter. Mr. Stevens also failed to bring this DNA evidence up to the Judge in court even though he promised to do so. There are several other FACTS Mr. Stevens promised to state to the Judge that would have made a difference in my sentencing and he did not mention them as promised. Some of these FACTS were:

- ① Toxicology report of Mr. Geiger - Alcohol .041%, Methamphetamines 2300g/L, and Amphetamines 80g/L.

- ② Mr. Geiger's extensive criminal history and confirmed reputation in the community for violence and bullying.
- ③ There was a loaded 12 gauge shot-gun less than 24 inches from Mr. Geiger.
- ④ I'm disabled due to a below knee amputation of my right leg.
- ⑤ I suffer from ADHD, PTSD, and anxiety disorders.
- ⑥ My explanation of events and the crime scene reports were sent to a crime scene reconstruction specialist in Georgia by Mr. Stevens and his expert opinion supported my explanation of events and proved that Mr. Geiger was changing in my direction and was indeed the aggressor in this situation. This was not brought up in court.
- ⑦ There were 2 witnesses on my behalf that submitted statements, but all wanted to attend my hearing but Mr. Stevens failed to contact those witnesses.

The solicitor (Mr. Tommy Scott) made a statement during my hearing about a conviction on my record from 2006 for a felony DUI. That made it over 15 years old at the time of my hearing and well over the 10 year limit. I believe this also played a part in my being over-sentenced.

I was never explained the "Change of Venue" rules or rights by Mr. Stevens. In the middle of my hearing the Judge attempted to explain but I did not understand these conditions or meanings either. A copy of my transcript can easily substantiate these facts. My case is a Calhoun County Charge and I was taken to court May 13, 2022 in Orangeburg County Courthouse without my consent or knowledge that I was in that matter.

I also requested to see a copy of my indictment by the Grand Jury with it's True Bill stamp before I signed anything and it was never produced. I was told it existed but was never granted my right to inspect it personally.

I honestly did not comprehend that it was even a possibility I could end up with this much time, or I would have never plead to these charges. I feel as if myself and my family were lied to and manipulated due to our ignorance of the law. I think my disorders were exploited to have me enter into agreements I did not comprehend just to get my case over with. My case was the last on Mr. Stevens's docket as he transitioned to Williams and Williams law firm from the Public defenders office, right after my case was concluded.

I would hope to see my sentence reduced to 7-10 years as promised to my family and myself to get me to accept this plea. All the facts that support my version of events can be substantiated and I sincerely hope and pray that you are able to help me in this situation. I appreciate your time and consideration into this matter.

July 29, 2022

Respectfully Submitted
BY: Jason Peele

Jason H. Peele

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