

DEMETRIUS McCLARY

THE COURTS SHOULD CONSIDER IT.

I MADE IT EASY FOR THE APPELLATE COURTS
ALL THAT THEY WILL HAVE TO DO IS GO BY
THE (HIGHLIGHTED TRANSCRIPT) ON THE RIGHT PAGE #

#1 FACTS, YOU WILL FIND IT INSIDE OF MY
TRANSCRIPTS.

RECEIVED

MAY 17 2023

#2 ERRORS

SC Court of Appeals

#3 DUE PROCESS VIOLATIONS AND S.C. CODES.

ALL YOU HAVE TO DO NOW.. IS
COPY EVERYTHING THAT I WROTE AND PUT IT
INSIDE OF YOUR APPELLATE SYSTEM.. OR
MAYBE YOU COULD FIND ERRORS THAT I DID NOT
SEE

THANKS,
Demetrius McClary

APPEAL

#1 TRANSCRIPT
CASE FINDER
2022-000688

DEMETRIUS L. MCCLARY - MEMORANDUM

LILLIANNA HERNANDEZ IN COURT IDENTIFICATION

TRANSCRIPT
PAGE =
(236)
LINE (16)

BUT AFTER YOUR EYES GOT BETTER AND YOU COULD SEE,
DID ANYONE ASK YOU TO LOOK AT THOSE PICTURES, OR
ANY PICTURES TO IDENTIFY YOUR ATTACKER.
[THE VICTIM ANSWERED NO...]

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SC Court of Appeals

THE STATE ASKED THE VICTIM AN IMPORTANT QUESTION.

TRANSCRIPT
PAGE 216
LINES (18-20)

IS THIS THE SAME PERSON WHO ATTACKED YOU?

THE VICTIM RESPONDED SOME YEARS HAVE GONE BY.

VERY
IMPORTANT
PAGE 109
LINE (12-16)

[YES, IT IS THE SAME PERSON...]

- ACTS:
- 1.) FIRST TIME IN COURT IDENTIFICATION -
 - 2.) FAILURE OF PHOTO-LINE UP PROCEDURE -
 - 3.) LAW ENFORCEMENT FAILED TO DO A FOLLOW UP FOR LILLIANNA - HERNANDEZ

IDENTIFICATION PROCEDURES TO BE VIOLATIVE OF DUE PROCESS:
(FOSTER VS. CALIFORNIA -)
(APRIL 1ST, 1969)
OR:
SEE STOVALL VS. DENNO,
388.U.S 293 (1967)



TRANSCRIPT
PAGE 240
LINE (17-22)

- MS. LILLIANNA HERNANDEZ, AT ANY TIME DID LAW-ENFORCEMENT IN
- THE LAST 4 YEARS TRY TO DO A FOLLOW UP.
- [SHE ANSWERED NO]

DEMETRUS L. MCCLARY

MEMORANDUM

TRANSCRIPT FINDER ERROR

THE STATE OPENS EVIDENCE BAG AND PULLS OUT A CLOWN WIG, WITHOUT ANY OF MY DNA ON IT. THE STATE SHOWS ALL AND EVERYONE.

PAGE 215, LINE 23-25
WITHOUT ANY OBJECTION

THE STATE ASKS THE VICTIM IF SHE RECOGNIZE THE CLOWN WIG, AND WHERE DOES SHE RECOGNIZE IT FROM?

~~PAGE 216, LINE 5-9~~

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THE VICTIM (LILLIANNA HERNANDEZ) RESPONDED FROM THE PERSON THAT ATTACKED ME...

THE TRIAL COURT: WASN'T THERE DNA RECOVERED OFF THE WIG?

~~PAGE 743, LINE 8-13~~

INADMISSABLE

MR. FOX: NO.

THE TRIAL COURT: THERE WAS NO DNA ON THE WIG?

MRS. WALTER: NO, YOUR HONOR, THE OTHER DNA IS FROM HER FINGERNAIL SCRAPINGS

THE POLICE COLLECTED FINGER NAIL SCRAPINGS → HOWEVER MY COUNSEL CALLED AN EXPERT WITNESS THAT DISPUTED THE STATES SLEDS DNA ANALYSIS →

PAGE 328, LINE 11-16
IMPROPER PACKAGING!

~~PAGE 72, 6-78, 20~~



APPEAL
DEMETRUS McCLARY - MEMORANDUM
SELECTING JURORS

PAGE: 25 - LINE 7-16

JUROR NO: 173, ANN CROMLEY James

THE COURT'S CLERK: WHAT SAY THE STATE?

MRS. WALTER: PLEASE PRESENT MS. James

THE COURT'S CLERK: PLEASE BE SEATED IN THE JURY BOX.

BENCH CONFERENCE

PAGE: 27 - LINE 15-18

MR. FOX: Judge, JUROR 173, WHO WERE THE LAST OF THE 12 THAT WERE PICKED, SHE IS THE ONE WHO HAS A SON WHO CURRENTLY WORKS AT J. REUBEN LONG DETENTION CENTER WHICH IS WHERE DEMETRUS McCLARY HAS BEEN HOUSED

§ CODE 1976-14-7-1020

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THE COURT: ALRIGHT. AS FAR AS THE JUROR NO. 173, THAT WAS THE JUROR I RECALL SAYING THAT SHE HAD A FAMILY MEMBER THAT WAS A FORMER CORRECTIONS OFFICER AT J. REUBEN LONG DETENTION CENTER. SHE DIDNT SAY THE YEARS OF THAT PERSONS SERVICE OR ANYTHING ALONG THOSE LINES BUT ALSO DID NOT FOLLOW UP WITH ANY OTHER INFORMATION, CERTAINLY, THERE WAS QUESTIONS ASKED OF THE JURORS, THAT WERE PROBATIVE OF ANY BIAS OR PREJUDICE THAT THEY MAY HAVE, AND SHE DID NOT RESPOND TO ANY OF THOSE!

§ CODE 1976-14-7-1020

PAGE: 135 - LINE 4-12

ON VOIR DIRE: THE TRIAL COURT SAID IT FOR HIMSELF THE JUROR 173: DID NOT RESPOND TO ANY OF THOSE QUESTIONS. ALSO ON PAGE 130 (LINE 1-4) JUROR 173 HAPPENED TO EASE HER WAY IN AS A JUROR.

WOAH! >

THE COURT: WE'LL DO IT AT WHATEVER MAKES THE MOST SENSE, CERTAINLY, ON HOW YOU'RE GOING TO TRY YOUR CASE.

- I MEAN, WE MIGHT TAKE IT UP IF WE'RE
- WAITING ON A JUROR, ARE WE WAITING ON
- A JUROR?
- OH, WE GOT ALL THE JURORS. ALL RIGHT
- IS THERE ANYTHING FURTHER BEFORE WE BRING THE JURY IN
- MS. WALTERS: I DON'T BELIEVE SO.

PAGE 130

(LINE 1-4)

THE STATE
THEY WERE
USING REVERSE
Psychology

THE COURT: AIRIGHT CAN WE HAVE THE JURY PLEASE?

5. (THE JURY ENTERED THE COURT ROOM AT 9:53 A.M.)

THE COURT 7. ALRIGHT GOODMORNING LADIES AND GENTLEMEN.

8. THANK YOU FOR RETURNING AND BEING READY TO GO

9. SO AT THIS TIME WE ARE GOING TO ASK THE CLERK OF
10. COURT TO SWEAR YOU IN, AND WE'RE GOING TO BEGIN
11. THIS TRIAL

12. (JURY DULY SWORN IN)

TRANSCRIPT

PAGE 132

(LINE 5-12)

JUROR: 173

ANN CROMBIE

JAMES

WAS SWORN IN
BUT DID NOT RESPOND
TO VOIR DIRE,
BEING THAT HER
SON WORKS WHERE
I RESIDED,
THE DETENTION
CENTER

DEMETRUS McCLARY 371188
McCORMICK CORRECTIONAL INST
386 REDEMPTION WAY
McCORMICK SC, 29899

AUGUSTA GA 309

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