

Terrance Adams #229116
EVANS

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AUG 18 2023

610 HWY 9 West
Bennettsville, SC 29512

SC Court of Appeals

AUGUST 15, 2023

S.C. COURT OF APPEALS
Post Office Box 11629
COLUMBIA SC 29211

RE: 2023-000292

Dear Mr. Dudek,

Appellant complains that the Law in First Degree Burglary "means" a person is guilty of Burglary in the First Degree, if two facts or two elements are found in section 16-11-311 (A) if no admission, no confession or written statement exists pursuant to S.C. Code Ann. § 17-28-320 (C) MAY I ASK YOU WHAT EVIDENCE IS THE COURT DEPENDING ON FOR THIS TO BE A VALID SENTENCE IN S.C. CODE ANN. § 16-11-311 (B)?
The stipulation the court relying on is incompetent evidence under section 16-11-311. So, please tell me what person statement is the court using?

/s/ Terrance Adams
EVANS
610 HWY 9 West
Bennettsville, SC 29512

Terrence Adams #229165

EVANS

610 HWY 9th West

Bennettsville, SC 29512

AUGUST 14, 2023

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AUG 18 2023

SC Court of Appeals

S.C. SUPREME COURT

Post Office Box 11330

COLUMBIA, South Carolina 29211

RE: Appellate Case Number 2023-000242

Dear Hon. Justice's,

The Appellant Pled not Guilty But the Petit Jurors Find him Guilty on illegal Facts. on Monday, January 30, 2006 Assistant Solicitor Richard C.R. Cathcart Alleged upon going the Computer data record in Preparation of trial, the State realized Appellant has a Prior Conviction --- Both Prior Convictions are For Burglary First degree. He said the state has no choice But to serve Appellant with an illegal Notice of Intent to seek Life Without Parole in front of Judge Manning on January 9th, 2006. However, But Appellant did not waived argument to this objection, It was the State and Court appointed Counsel Lauren H. Mobley stipulated in a written stipulation that the Appellant Terrence Adams was convicted on January 8th, 1997 in Case No. 1993-GS-9506 and in Case No. 1993-GS-40-9530 on July 12, 1995, signed by both Parties. IF the Notice says one thing and the stipulation is for another thing. what was Appellant on Notice for?

Actual innocence is the Absence of Facts enumerate in S.C. Code Ann. § 16-11-312 (A) that is prerequisites for this sentence under Section 16-11-311 (B) or section 17-25-45. The evidence used in during criminal proceeding is illegal "Cause" the Criminal Sentencing sheet Contract (S) is only signed by the judge and clerk of Court is this Contract valid?

who is my Appellate Counsel?

will you assists me for this matter?

LS/ Terrence Adams

EXHIBIT # 14

7

7

1 (MONDAY, JANUARY 30, 2006.)

2 MR. CATHCART: YOUR HONOR, AT THIS TIME THE STATE
3 CALLS THE CASES OF STATE V. TERRANCE ADAMS, SIX COUNTS OF
4 BURGLARY FIRST, LARCENIES THAT ACCOMPANY, I BELIEVE, MANY,
5 TWO GRAND, A POSSESSION OF BURGLARY TOOLS AND RESISTING
6 ARREST. THIS IS IN REFERENCE TO 2004 -- INDICTMENT NOS.
7 05-3478, 3477, 3548, 3945, 3940, 4169, 3547, 3941, 35 --
8 EXCUSE ME, 3475, 3474, 3936 -- 3936, 4170, 3549, AND 3550.

9 HE IS REPRESENTED BY COUNSEL. HE IS COMING INTO THE
10 COURTROOM RIGHT AS WE SPEAK, YOUR HONOR.

11 THIS IS A CASE THAT THE DEFENDANT WAS ARRESTED BACK ON
12 APRIL 2005. UPON GOING THROUGH THE DEFENDANT'S RECORD IN
13 PREPARATION OF TRIAL, THE STATE AT THAT TIME REALIZED HE
14 HAS A PRIOR CONVICTION -- IN FACT, BOTH PRIOR CONVICTIONS
15 FOR BURGLARY FIRST DEGREE. HE IS NOW FACING SIX COUNTS OF
16 BURGLARY IN THE FIRST DEGREE, THESE WOULD BOTH BE MOST
17 SERIOUS OFFENSES. THE STATE HAS NO CHOICE BUT AT THAT TIME
18 TO SERVE HIM WITH NOTICE OF INTENT TO SEEK LIFE WITHOUT
19 PAROLE. THAT NOTICE WAS SERVED UPON HIM JANUARY THE 9TH I
20 BELIEVE IN FRONT OF JUDGE MANNING IF I WAS NOT MISTAKEN --
21 JUDGE JOHNSON.

22 IT WAS ON THE RECORD, YOUR HONOR. DEFENSE COUNSEL WAS
23 PRESENT WHEN WE SERVED HIM WITH OUR NOTICE OF INTENTION TO
24 SEEK LIFE WITHOUT PAROLE.

25 IF I MAY APPROACH AND HAND UP OUR NOTICE.

STATE V. TERRANCE ADAMS

1 THE COURT: ALL RIGHT.

2 (PAUSE.)

3 MR. CATHCART: WE'RE PROCEEDING ON EACH OF THESE
4 CHARGES, YOUR HONOR. EACH BURGLARY, HOWEVER, IS A SEPARATE
5 INDIVIDUAL BURGLARY. THEY ALL OCCURRED AROUND THE SAME
6 PERIOD OF TIME, AT THE SAME FIVE-HOUR PERIOD. HE WAS
7 CAUGHT WITH PROCEEDS FROM ALL OF THE SAME BURGLARIES. THE
8 WITNESSES IN ALL OF THESE BURGLARIES, OTHER THAN THE
9 VICTIMS, SAY THAT THEY WERE NOT -- THEY DID NOT ALLOW THE
10 DEFENDANT INTO THEIR HOME OR ALLOW HIM TO GATHER THEIR
11 ITEMS. ALL THE WITNESSES WILL BE THE SAME.

12 HOWEVER, I JUST WANT TO MAKE CLEAR ON THE RECORD THAT
13 EACH ONE IS A SEPARATE OFFENSE. IF THE JURY FOR SOME
14 REASON FEELS THAT HE IS GUILTY OF ONE AND NOT THE OTHER
15 ONE, FIND HIM GUILTY OF ONLY ONE COUNT OF BURGLARY FIRST AS
16 OPPOSED TO ALL SIX COUNTS OF BURGLARY FIRST, IT'S STILL
17 LIFE WITHOUT PAROLE.

18 (PAUSE.)

19 THE COURT: ALL RIGHT. WE HAVE SOME PRETRIAL MOTIONS,

20 MS. MOBLEY.

21 MS. MOBLEY: THANK YOU. MAY IT PLEASE THE COURT.

22 WOULD YOUR HONOR CARE TO ---

23 THE COURT: LET'S START -- LET'S GO AHEAD WITH THE
24 MOTION TO QUASH, WHICH MUST BE HEARD PRIOR TO HAVING A JURY
25 SELECTED. LET'S GO AHEAD AND DEAL WITH THAT, AND THEN THE

1 GOING BACK TO THE JURY REGARDING CONVICTIONS, I'M NOT
2 SURE ---

3 THE COURT: LET'S GET THOSE AND TAKE A LOOK AT THEM.
4 (PAUSE.)

5 THE COURT: 42 AND 43.

6 MS. MOBLEY: YES, SIR.

7 THE COURT: WHY DON'T YOU ALL LOOK AT THEM, SEE IF YOU
8 CAN AGREE ON SOMETHING. AND IF NOT, THEN I'LL DECIDE.

9 MS. MOBLEY: CERTAINLY, YOUR HONOR.

10 (PAUSE.)

11 MS. MOBLEY: YOUR HONOR, I THINK WE'VE REACHED A
12 REASONABLE CONCLUSION.

13 THE COURT: ALL RIGHT.

14 MS. MOBLEY: YOUR HONOR, I THINK WE'RE GOING TO TYPE
15 UP A STIPULATION THAT WE -- THE DEFENSE AGREES THAT HE DOES
16 HAVE TWO PRIOR CONVICTIONS FOR BURGLARY SECOND ON TWO PRIOR
17 CONVICTION DATES AND THEN SEND THAT BACK, BECAUSE WE'RE
18 HAVING TROUBLE TRYING TO ---

19 THE COURT: REDACT ---

20 MS. MOBLEY: --- REDACT IT.

21 THE COURT: --- WHAT THE OFFICIAL RECORD IS. ALL
22 RIGHT. IF YOU HAVE AGREED TO THAT, I HAVE NO PROBLEM WITH
23 THAT.

24 MR. CATHCART: THAT'S FINE.

25 THE COURT: YOU NEED TO DO IT QUICKLY, BECAUSE I CAN'T

1 SEND THE REST OF IT BACK THERE UNTIL WE GET THAT.

2 MS. FENT: YES, YOUR HONOR.

3 (PAUSE.)

4 THE COURT: IN ENTERING THAT STIPULATION, THE DEFENSE
5 IS NOT IN ANY WAY WAIVING ARGUMENTS PREVIOUSLY MADE AND
6 OBJECTIONS MADE TO THAT. THIS IS SIMPLY A STIPULATION ON
7 HOW THAT WOULD BE PRESENTED TO THE JURY.

8 MR. CATHCART: YES, SIR.

9 MS. MOBLEY: THANK YOU, YOUR HONOR.

10 THE COURT: WHILE SHE'S DOING THAT, DO YOU ALL WANT TO
11 TAKE A LOOK AT THESE VERDICT FORMS, BE SURE YOU ARE OKAY
12 WITH HOW THEY HAVE BEEN PREPARED.

13 (PAUSE.)

14 THE COURT: YOU ALL ARE OKAY WITH THE VERDICT FORMS?

15 MS. MOBLEY: YES, SIR.

16 MR. CATHCART: YES, SIR.

17 THE COURT: ALL RIGHT.

18 (PAUSE.)

19 THE COURT: WAIT A SECOND BEFORE YOU TAKE IT BACK. I
20 NEED TO HEAR SOMETHING ELSE. HERE ARE THE VERDICT FORMS
21 THAT GO WITH IT.

22 ALL RIGHT. MS. MOBLEY.

23 MS. MOBLEY: THANK YOU, YOUR HONOR. IF IT PLEASE THE
24 COURT, YOUR HONOR, I WOULD JUST BRIEFLY ASK, BECAUSE WE
25 WENT STRAIGHT FROM ARGUMENTS INTO CHARGE, I HAD NOT MADE MY

1 MOTION FOR A MISTRIAL BASED UPON MY SAME OBJECTIONS
2 BEGINNING WITH MR. CATHCART'S OPENING.

3 I WOULD SIMPLY ASK THE COURT FOR A RULING, THAT THAT
4 WOULD BE A CONTEMPORANEOUS MOTION FOR MY OBJECTION.

5 THE COURT: ALL RIGHT. IT WAS MADE AND WOULD BE
6 DENIED. YES.

7 MS. MOBLEY: THANK YOU.

8 THE COURT: ALL RIGHT. ANYTHING FURTHER?

9 MS. MOBLEY: I DON'T BELIEVE SO.

10 THE COURT: ALL RIGHT. THOSE CAN BE DELIVERED TO THE
11 JURY AND WE'LL STAND IN RECESS UNTIL WE HEAR FROM THE JURY.

12 MR. CATHCART: WE STILL HAVEN'T GOT THE STIPULATION.

13 THE COURT: OH, WE DO NEED TO -- YES, LET'S WAIT ON
14 THE STIPULATION. LET'S WAIT ON THAT, BE SURE IT GETS
15 SIGNED, AND SENT BACK.

16 (PAUSE.)

17 THE COURT: YOU ALL BOTH SIGNED IT, YOU'RE OKAY WITH
18 IT?

19 MR. CATHCART: YES, SIR.

20 MS. MOBLEY: YES, SIR.

21 THE COURT: ALL RIGHT. LET ME JUST READ INTO THE
22 RECORD THAT THE STATE AND THE DEFENSE HAVE STIPULATED IN A
23 WRITTEN STIPULATION THAT THE DEFENDANT, TERRANCE ADAMS, WAS
24 CONVICTED IN CAUSE NO. 93-GS-40-9516 OF THE OFFENSE OF
25 BURGLARY SECOND DEGREE ON JANUARY THE 8TH, 1997. AND THE

STATE V TERRANCE ADAMS

1 DEFENDANT, TERRANCE ADAMS, WAS CONVICTED IN CAUSE NO. 93-
 2 GS-40-9530 OF THE OFFENSE OF BURGLARY SECOND DEGREE ON JULY
 3 12, 1995, SIGNED BY BOTH PARTIES. THAT STIPULATION IS A
 4 PART OF THE RECORD AND WILL BE PRESENTED WITH THE OTHER
 5 DOCUMENTS.

6 WE NEED TO HAVE THIS MARKED AS A COURT EXHIBIT, BUT IT
 7 WILL GO BACK TO THE JURY. IT'S SORT OF UNUSUAL TO DO THAT,
 8 ~~BUT WE'LL DO THAT.~~

9 MS. MOBLEY: YES, SIR.
 10 (STIPULATION PERTAINING TO STATE'S EXHIBIT NOS. 42 AND
 11 43, 1 PAGE, MARKED FOR IDENTIFICATION AS COURT'S EXHIBIT
 12 NO. 1.)

13 THE COURT: AND THAT'S EVERYTHING ON THE RECORD; IS
 14 THAT RIGHT?
 15 (NO RESPONSE.)

16 THE COURT: ALL RIGHT. WE WILL RECESS UNTIL WE HEAR
 17 FROM THE JURY.

18 (THE VERDICT FORMS AND EXHIBITS WERE SENT TO THE JURY
 19 AT 12:41 P.M.)

20 (THE COURT IS AT EASE AWAITING A VERDICT OF THE JURY.)

21 THE COURT: ~~ALL RIGHT. I'VE BEEN ADVISED THAT THE~~
 22 JURY HAS REACHED A VERDICT. OF COURSE, I HAVE NO IDEA WHA
 23 ~~IT MIGHT BE, BUT I CANNOT TOLERATE ANY EMOTIONAL OUTBURST~~
 24 WHEN THE VERDICT IS READ.

25 LET'S BRING THE JURY IN PLEASE.

EXHIBIT # 14

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

IN THE COURT OF GENERAL SESSIONS

The State)

-vs-)

TERRANCE ADAMS,)

Defendant.)

NOTICE OF INTENTION TO SEEK A SENTENCE OF LIFE WITHOUT PAROLE

Indictment No.: 2005-GS-40-3548 and/or 3940
and/or 3935 and/or 3478 and/or 3477 and/or 4169
Warrant Number: 1971825 and/or 1971883 and/or
1971881 and/or 1971836 and/or 1971837 and/or 1972162

TO: Terrance Adams, Defendant
Lauren Mobley, Esquire, Attorney for the Defendant

PLEASE TAKE NOTICE that upon conviction (trial or guilty plea) of the above-entitled action to be scheduled on a date at least ten (10) days hence, of which you will be timely notified, the State will seek a sentence of life imprisonment without the possibility of parole, pursuant to South Carolina Code of Laws, Section 17-25-45 (1995), as amended. The State intends to rely upon the following prior conviction (s) of the defendant to statutorily enhance his/her punishment: January 8, 1997 conviction for Burglary 1st Degree contained in Indictment number 1993-GS-40-09519 and/or January 8, 1997 conviction for Burglary 1st degree contained in Indictment number 1993-GS-40-9520 and/or January 8, 1997 conviction for Burglary 1st Degree contained in Indictment number 1993-GS-40-09529 and/or January 8, 1997 conviction for Burglary 1st degree contained in Indictment number 1993-GS-40-9528.

W. Barney Giese
W. Barney Giese
Solicitor
Fifth Judicial Circuit
1/9/06

Columbia, South Carolina

This 1st day of January, 2006

NOTED
1 TRUE COPY

[Handwritten signature]

Terrance Adams #229165

EVANS

610 Hwy 9 West

Bennettsville, SC 29512

COLUMBIA SC 290

16 AUG 2023 PM 2 L



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AUG 18 2023

SC Court of Appeals

The S. C. COURT OF APPEALS

Robert Dudek

Post Office Box 11629

Columbia, South Carolina 29211

29211-162929

