

Pro Se Brief

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SEP 08 2023

SC Court of Appeals

To whom it may concern,  
My name is Steven Lee Duncan  
Appellate Case No. 2023-000138  
I feel I was unjustly sentenced to  
a prison term of 10 yrs for a 1<sup>st</sup> offense  
10-28 gr Trafficking charge.

The reason I believe the sentence was  
so high, is because I was tried in my  
absence on Jan 10<sup>th</sup> 2023,

1<sup>st</sup> let me say that I had never previously  
been late or missed a court  
date. As a matter of fact I was taken  
into custody on Jan 12<sup>th</sup> 2023, when  
I showed up to court for a court date  
concerning my GPS ankle monitor.

Now let me say that at my previous  
court appearance, I was offered a 3yr  
plea deal, which I declined out of hand  
because I was never given my motion  
of discovery & still have never been given  
anything concerning my case, except the  
transcripts provided by my appeal  
attorney.

I asked for my motion that day  
in court and was told they did not  
have them, so I declined the 3yr offer.

I was then told my case had been ongoing for too long and was going to have to be put on the trial docket.

Now let me say that months prior to this, at a court appearance for roll call, I changed my address with my attorney when she asked if I had any information that needed updated. (I never once went or called her office to change my address like the prosecutor made it out to the Judge to seem.)

In my transcripts my attorney states on record that I never changed my address with her or her office. The only time was at a court appearance, but the Judge and prosecution paid that no attention.)

Now in between these court dates and months prior to the trial date, I had moved again. Since I had no court date at the time, I did the only thing I knew to do and that was go to the courthouse and change my address with the clerk of court, which is exactly what I did. I changed it to 236 Country Circle. (All this is

on record and in my transcripts) I also changed my address with my GPS monitoring company to 236 Country Circle, (Now let me say that the 236 Country Circle was my correct mailing address and also the address the court never sent anything about me having court appearances to. They were sending them to the wrong address and my attorney states on record that she never thought to check with the courthouse / clerk of court, where she works.

The Judge also let the GPS monitoring company owner testify. (which I know had a huge impact) He testified that if Mr. Duncan would've gave us his correct address, we would've went by there to inform him of his court date. (when asked what address they had, he said 236 country circle.) which is the correct address and the one I gave the clerk of court, but the Judge and prosecution paid that no mind and were happy to just let my fate

rest unjustly in that sealed envelope. Even though I had proven that I had not just missed my court date, I had showed up for another court date 2 days later only to learn that I had been tried, sentenced and given the maximum amount of time a person could receive.

I truly feel my sentencing was unfair, after the facts were shown that I did not knowingly miss my court date and that none of these facts were even considered, let alone, even looked at!

I do not feel that if they were, that anyone that could see all the evidence and statements on record, could still let me be sentenced to what I was sentenced to.

I just ask that this matter be looked at and verified and that my case and lively hood be done fairly!

Thank you,  
Steven Lee Duncan

*Steven Duncan*

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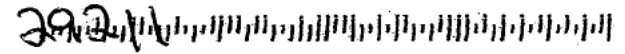
South Carolina Court of Appeals

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