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SC Court of Appeals

From: [Anne Brooks](mailto:Anne.Brooks@scid.sc.gov)
To: [Court Of Appeals Filings](mailto:Court.Of.Appeals.Filings@scid.sc.gov)
Cc: rdudek@scid.sc.gov
Subject: Re: Roland Green
Date: Thursday, November 30, 2023 10:51:10 AM

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

Thank you. Please allow me to send one more short email that should accompany my explanation and reasons for appeal. It is very important that it is also submitted... I've just been sick and someone else's computer and we just couldn't get that attachment completed yesterday. It should be there today or at the latest tomorrow. Thank you very much.

Roland Green

On Thu, Nov 30, 2023, 9:14 AM Court Of Appeals Filings <ctappfilings@sccourts.org> wrote:

The Court has received your filing. A stamped copy is attached for your records.

Thank you.

From: Anne Brooks <2daze4god@gmail.com>
Sent: Wednesday, November 29, 2023 5:41 PM
To: Court Of Appeals Filings <ctappfilings@sccourts.org>
Cc: rdudek@scid.sc.gov
Subject: Roland Green

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To the Court of Appeals
Nov. 28th, 2023

I have no knowledge of how to legally explain why I appealed the decision made in my plea and sentencing. I've already submitted numerous things that took place in the courtroom on February 14, 2023 and also events leading up to that day. The court of Appeals approved the motion for me to be able to get another attorney after looking at the facts. They also referred me to your agency who helps the indigent find legal representation. I will do my best to explain why I am appealing. My whole life is at risk. I was misrepresented, intimidated, lied to, coerced, pressured and taken advantage of by my paid attorney, Lir Patrick Derieg who has a serious and publicly documented problem with alcohol. Lir also lied to and misled the

courts in the Ex-Parte he presented me with on the day of court. I have documentation for everything I am claiming. Also if the court cameras are reviewed you will see I am being truthful as to all the events of Feb. 14, 2023.

None of the list of short facts that will follow this letter were shared with the courts, the solicitor or the sentencing judge. I was also instructed by my attorney when I went before the judge not to speak on my behalf. I was told not to tell him the truth. Rather I was told to admit guilt so that I could start my life over and only receive a short probation. The accuser, Mike Mintz, does not know I have a lot of this information, but I am sharing it with you, as it shows I am innocent and my attorney did not represent me in an ethical manner. I also believe had the solicitor, judge or jury (I was supposed to have) had seen the evidence the case would have been dismissed. Breach of Trust of this vocal agreement just never happened. Below is a summary of events, as best as I can put together. I will attach a short list of facts that clearly show that this was a set up by the accuser, Mike Mintz, to collect money and my so-called attorney, Lir Patrick Dereig, only acted to hurt me, not help me. Perhaps he is angry because I exposed he has alcohol issues, many arrests and was not of sound mind.

*My client-attorney relationship with Lir Patrick Derieg was never anything more than a Facebook messenger representation. Though I paid him a lot of money, Lir only spoke to me one time in person regarding this case. I stressed to him at that time, I was completely innocent of these bogus charges. This was a verbal agreement only and I did exactly as I agreed to do which can easily be tracked. I have Mike Mintz stating that he has On-Star GPS tracking. There was never a reason the vehicle could not be tracked as to its whereabouts on the days in question. Lir Derieg knew this was bogus and he even told me by text this was a BS bogus case that he would get dismissed.

*I got a text message from Lir when we could not locate him for several days. Lir stated he was admitted to the hospital. I believe Lir already had issues with alcohol before this hospital stay because he was not making a lot of sense. But after an extended hospital stay, he began even more consistently losing things, being careless, forgetful, argumentative, and unpredictable in the actions he took. Lir has a very obvious and publicly documented problem with alcohol abuse. And because of his erratic, combative and confusing behaviour (I have no verification of but I suspect maybe a drug issue as well, following his hospital stay).

People in the local court system are aware of Lir's problems. Lir was arrested at least 3 times after his hospital stay. At least 2 of those arrests were just 2 and 3 weeks prior to my court date on Feb. 14, 2023. The Court of Appeals has copies of the actual police reports which discuss Lir's behaviour in more detail. But the basics as I remember, a store employee reported Lir as a suspicious person after he remained seated near her, intoxicated, in a Sprint station for over an hour near the cash register. Officers who came stated he was grossly intoxicated, could barely hold his eyes open, had a blank stare, his keys were taken from his pocket where his truck was still running in the parking lot. The other arrest he was also grossly intoxicated, driving, had entered a store, had been driving. Report states Lir hit a vehicle, but would not give insurance information to the owner of that vehicle, but rather just left the scene of the accident. As I recall the store camera confirmed reports....Police found him at his home, highly intoxicated to the point he had to lean on something to stand straight and his speech was slurred...This is the state of mind Lir was in for months and definitely just weeks prior to my court. I tried to talk to him about my case, but he seemed desperate for more money and I could not reason with him or make any sense out of what he was saying. I had already paid him a lot of money but he was demanding more or threatened that I'd have no one there to help me when I went to court.

* Lir already used scare tactics and intimidation, once before (in a totally different case) pushing me to plead guilty to something I clearly did not do. I was not even the person driving the car in that case, but Lir never checked all that out..yet he still told me I'd be fine.. yet when I went to court and tried to tell the judge I was not the guilty party and explain, Lir nudged me with his elbow when I tried to say I was innocent and Lir refused to let me even speak to the judge, but told me if I didn't plead guilty I could get a very lengthy up to 30 year sentence. Me listening to Lir wrongly cost me 7 long months in jail. He was paid \$5,000 for that plus I had already hired him for this Edgefield case before my being wrongly incarcerated for those 7 months.

That being said, Lir still encouraged me at that time not to even worry about the Edgefield case I am now appealing, as he'd be able to get it thrown out. He stated we'd worry about that at some point after my release.

Fully aware of my release date, within just a few days after my release, and with absolutely NO prior notice... Lir contacted me at work to tell me I'd missed court that morning in Edgefield. With an abrasive and hateful attitude Lir was almost hollering at me on the phone, advising me that if I did not make it to the Edgefield Courthouse nearly 2 hours from me... before noon, I'd be arrested and would go back to jail for missing court. Lir was my attorney on this case so he surely knew prior to the day of court that he should let me know to be in court and also take time to talk about the case.

A reputable attorney takes the time to prepare. With ZERO discussion Lir instructed me to show up before noon (I was some 75 miles away in dirty boots and wearing old work clothes). He said go to the courthouse and to request a jury trial. I had no say so or choice in it. I had no idea there was even a court date. Lir knew exactly how to reach me, and also had a back-up phone number as well. He had no problem reaching me on the day of court, so he should have informed me or postponed that court date. That's how this totally BOGUS case began to go off kilter.

I was trying hard to work and get my life together so I was scared and desperate to make it to the courthouse before noon.

As always, Lir did not show up in court that day. Lir had verbally warned me I would be arrested for missing court earlier that morning, if I wasn't there before noon. So I was desperately trying to make it there in time. When I arrived in court, still in work clothes, I had no representation, so I did as Lir instructed me to do and requested a jury trial. (It was scheduled to be February 21, 2023.. not February 14th) February 14th was to be a roll-call date.

During all the time this case had been going on, Lir never met with me or took the time as I asked him to listen to the truth and facts or to meet with or talk to witnesses I told him I had. Lir never once spoke to any of my witnesses who I stressed to him could verify my innocence and some other very important facts that pretty much show my innocence.. I have sworn affidavits and much other documented evidence Lir never used in my defense.

Other than occasional texting on messenger, Lir rarely would answer his phone and almost always turned his phone off on the weekends. Lir failed to address my questions and my concerns or do anything to help me. At one court date, he tested me to say the courts scheduled him at the same time on 2 different cases, so for me to just go alone. I had no representation.

The only day he did show up, (Feb. 14, 2023) was supposed to be a roll call one week before the jury trial he had forced me into requesting months prior.. Lir harassed me via text for 2 or 3 or 4 weeks prior to Feb. 14th, telling me he needed more money or I would have NO attorney. Lir wrongly demanded thousands more from me and he was very RUDE, making no sense. I told him I had made several payments to him in this case. I asked him to send

me a copy of my receipts and also all the documentation I had sent to him. I never got any of it. When I released him I even asked him for at least a partial refund..

Lir previously stated to me that he had LOST or misplaced much of our communication. Obviously, Lir also lost records of the money I paid him for this case. He refused to provide a record of my account and payments made to resolve this case. Lir had me so stressed out, scared, hopeless and totally confused prior to February 14th... I had actually written out a full statement which I was prepared to read to the judge on February 14th, asking for extra time to find a new attorney prior to my jury trial which was supposed to be Feb. 21, 2023. As I planned to tell the judge Lir was doing nothing more than harrass and intimidate me.... If you pull the court camera you'll see I had a notebook in my hand on Feb. 14, 2023 with my statement on it.. But....

To my surprise, Lir showed up in court on this day, Feb. 14th, 2023. . Lir came into the courtroom, looking really rough, very disoriented, red eyes, with almost a blank yet glaring stare, the same as described in one of the police reports....Lir entered the courtroom from the back room, wearing a medical boot on one foot and he was limping. A court camera will also show this:

Lir immediately approached me and a friend who came with me to court that day and stated he had some very good news. (But while telling me he had good news, first he handed (served) me (as I recall) a folded paper which was the Ex-Parte motion (signed and stamped at 10:06AM Feb. 14 by Lir and the Clerk of Court). He had just taken care of that Ex-Parte moment before entering the courtroom....He didn't say anything about what the paper even was.. just put it in my hand...Lir just was telling me and my friend that the Solicitor was going to drop charges if I had the Enterprise Car Rental dated July 9, 2020 from Mike Mintz with me.

I told him I didn't bring it with me or anything else, as this day was supposed to be only a roll-call for my jury trial Feb. 21. But I had sent that paper to Lir many months ago. I didn't even see that Lir had sent me a text until later that evening after court ended.. He should have asked me to bring that to court the day before I would think. But I could not have a phone on in the courtroom. Lir had texted me just before court time saying to bring that document and we'd possibly get the charges dismissed... .. He also then said in another text, following that one"never mind, I have the document)".

So Lir knew HE had already had the Enterprise where Mike Mintz tried to rent me a vehicle. but still Lir walked up to us and said if WE had that paper with us or could get it to him later today or the next, the Solicitor would dismiss these charges. WE said we didn't bring anything today because we didn't know we needed to. But I was happy, as cameras would show....

Wanting to get it to him today (since he lost his copy?) I went to ask him if we could just get someone to text us a copy and show the Solicitor? Lir, said no but it's okay..just get it to me later today or tomorrow. Charges will all be dismissed.

Lir KNEW this was not supposed to be a sentencing day. I was so happy and said "Are you sure he is going to drop the charges?" Lir said yes.. my friend asked Lir..." so is there anything else we need to do?" He said no..just get me another copy of the Enterprise paper...then he mumbled and said something about..the only other thing is to see if I'm still going to be your attorney? ... then he said it was for sure my lucky day and he hobbled away and sat down alone in a section of seats where he sat by himself.

I never saw him get back up or talk to the Solicitor who was right in front of my seat.. nor did he talk to ANYONE else in that courtroom. .

Lir had that same empty blank yet glaring stare and I fully believe he was seriously intoxicated or on some sort of drug. Then just before the Judge was about to enter, Lir motioned for me to walk over to him again.. I walked over to him and NOW.. just out of

absolutely nowhere? Nothing had changed.. yet Lir now said "Roland, I need you to just listen to me.. take a guilty plea of Breach of Contract and you can start your life fresh. You will have all this mess behind you and if you do this the MOST you'll get is only 12 to a maximum of 18 months probation only. Nothing else. and you will have your life back". I was now just totally very confused..as he'd just 5 or 10 minutes ago bragged to us and seemed to eagerly tell me and the Christian friend with me.... more than once..... the charges were being dropped with a copy of the Enterprise document. Mike Mintz was denied the rental for me only because he didn't have a credit card..

But when Mike Mintz thought about how much extra truck because he needed the money... But I asked Lir, "Lir, what changed? you just told me they are dropping everything." He was mumbling something under his breath but he was telling me to just trust him, and this was what I needed to do at this point or I would be at risk of getting a very long jail sentence? I was now shaky, so scared, totally confused and felt rushed and he was just making no sense to me, but in the moment I said.. "Okay I guess if you are sure that's what I need to do? and I will just get a short probation? He said Yes..just hurry and sign this.. (Looking back, I think he already had this plea deal ready and prepared ahead of time.. and he was rushing me to hurry up and just sign it)

I went back and sat down by my friend and told her what Lir said. But I said to her "I don't want to say I'm guilty of something I did NOT do." I don't want that on my record... I was feeling so pressured and scared and now very confused. I motioned to Lir again and I got up and walked back over to Lir and told him I didn't want to say I am guilty because I am NOT guilty..He kept mumbling and said it was nearly time for court and Lir just gave me that blank stare, mumbling.. and said "Roland.. this is what you need to do.. it's in your best interest and you will be guaranteed to only get a short probation and all this will be over with. It will be fine!"

Not long after that... I went before the judge... I did try to say something to the judge and just like in the past, Lir told me to not say anything to the judge about me being innocent? So I took Lir at his word and I ended up with some crazy sentence and a huge highly inflated restitution or else years in prison for a bogus breach of trust (of a VOCAL agreement)... I kept my vocal agreement and Lir and the accuser knows this to be true.... which the attached bulletin points should verify. But this was just crazy.. I told Lir.. "No, Lir, this is NOT anything close to what you told me..this is not what you said I was agreeing to. Why did you lie to me?" He just mumbled something and walked away., like he got his revenge on me or something. I was devastated.

AND HOW DID LIR EVEN REPRESENT ME ANYHOW WHEN HE SERVED ME THE SIGNED and STAMPED EX-PARTE? before court began??? LIR never gave me anything where he dropped that signed motion. He did not withdraw it.. The Court of Appeals has a copy of the Ex-Parte.. The Ex-Parte has several lies in it also.

I was put under extreme pressure by a paid attorney who I believe either was highly intoxicated or high in the courtroom or ...either he was just vindictive and angry because I did not bring him more money I did not even owe him.. .. The motion ex-parte he served me stated I only paid him one cash app payment of \$400. That is a blatant lie! I have receipts Lir himself signed and noted it was specifically for this case. Yes, I did send a \$400. payment thru' cash app.. but I also sent him \$1500...plus a \$1200 cash app and other payments... (and I paid him \$5,000 for the other case where I got 7 months and was innocent)...

He also falsely stated in his signed Ex_Parte motion that I was arrested on Feb 23, 2021 by Edgefield county for 1 count of breach of trust and 1 count of use of vehicle without permission directly indicted on Feb. 13, 2023.. Firstly, those 2 dates make no sense? How was I indicted on Feb 13, 2023? the day before court? and on the first date in 2021 I was

actually transferred from Aiken county ..I was picked up for a traffic violation..

When the ACCUSER, Mike Mintz found out I was incarcerated in Aiken county8 months AFTER the alleged incident in July 2020,, only then did he decide to try and press charges so he could get his truck paid off....

So Lirs Ex-parte motion to be relieved as counsel is not true at all.. when I filed the appeal on my case, I did not even think Lir was my attorney because he served me a motion to relieve himself as counsel and told me he was not my attorney. But the Court of Appeals had him still listed as my attorney so I had to officially have him served and break our attorney-client relationship as they instructed me to do. They approved it and referred me to you. They were very helpful.

Again, when Lir entered courtroom on Feb. 14, 2023 he said if I had a copy of where the accuser, Mike Mintz, had went to a local Enterprise on July 9, 2020 and attempted to rent me a vehicle (it shows one way and to be dropped off in another state) where I planned to find work.

Attorney Lir Patrick Derieg never had my best interest at heart. It sounded more like he was the prosecutor than MY defense attorney. On Feb. 14th, Lir purposely tried to make me out to be a bad person to the judge. Lir actually told the judge I'd just been released from jail instead of sharing with him the fact that I was trying to work hard and live a good life. The prior case had nothing to even do with this case and I was innocent anyhow. An attorney is supposed to be there to help his client. But again, on February 14, 2023, Lir lied to me and tricked me.. first telling me the case was being dismissed once I got a paper to him (for the third time at least), then pushed me at the last minute into admitting guilt with the promise of only a short probation. I think this was all well thought out in Lir's mind ahead of time, because he wanted more or needed more money. He lied to the judge on a legal document and motion about what I paid him, as well as other untrue statements.. Lir also never even mentioned this was a simple vocal agreement and it was bogus...

I feel Lir had his own legal and personal issues he was struggling with, with 2 or 3 recent arrests, public intoxication, disorderly conduct, leaving the scene, I assume a dui? and other pending charges. I understand Lir went in the hospital with a serious health issue at some point and I am sorry he got sick. But after that Lir completely did not give me fair representation. He became so careless, forgetful, disorganized, angry, unpredictable and always unavailable. Lir was unprofessional and acted in a highly unethical manner. He LOST our text conversations. Lir also lost or forgot about payments I made and got angry when I tried to talk to him or had any concerns.

I certainly do not feel I had a chance as I was not represented as required by the Rules of Professional Conduct. He instructed me to do things that only hurt me and he never allowed me to share the truth. I want my life back. I did nothing wrong. Attached short facts show I am innocent, was misrepresented and this case should have never even been filed. I can provide all documentation and will do so.

My appeal of this case and sentence of Feb. 14, 2023 was served on all parties, including Atty Lir Patrick Derieg, Clerk of Court, Solicitor and Court of Appeals. Lir was very aware of my appeal, so I have no idea why would say otherwise.

A short few facts that are absolutely vital will follow tomorrow. They will be short but VERY important.

Thank you very much.

Roland Green



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