

Joshua B. Phillips #335243
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P.O. Box 205
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Wednesday, July 17th, 2013

The South Carolina Court of Appeals
Jenny Abbott Kitchings
Clerk

P.O. Box 11629
Columbia, S.C.
29211

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SC Court of Appeals

Re: The State v. Joshua Brandon Phillips
Appellate Case No. 2012-213657

Dear Mrs. Kitchings,

I don't know what's going on with my appeal, because nobody took the time and patience to write me to let me know. I didn't even know that Sharon Graham was my Appellate Defense Attorney, because she never wrote me. I had to call to

find out that my case is closed. My Sixth Amendment right to counsel and my Fifth and Fourteenth Amendment right to due process were violated. By me pleading guilty, I didn't forfeit my entire right to appeal. My plea was not voluntary or knowing and my conviction was based entirely upon evidence the prosecutor knew was false.

There is an important exception requirement. If something in the plea allocution shows that I did not understand what I was pleading to, and the court did not ask any questions to make sure, I can argue this on appeal that my plea was not knowing and voluntary, even though I didn't move to withdraw it. Trial court must ask further questions where my remarks "cast significant doubt" on guilt.

My Attorney, Arie D. Bax violated Anders Brief; Anders v. California, 386 U.S. 738, 744. Counsel's brief should be furnished to the defendant and this brief must include an explanation of

why an issue lacked merit; McCoy v. Court of Appeals of Wisconsin, 486 U.S. 429, 444.

I took an Alford Plea; North Carolina v. Alford, 915 S.Ct. 160 (U.S.N.C. 1970). I didn't plea guilty to voluntary manslaughter or armed robbery due to being guilty. I plead guilty under the hand of one the hand of all, because I would be found guilty if I went to trial. Honorable Judge, R. Knox McMahon accepted my plea without asking me further questions to make the plea voluntarily, knowingly and intelligently made. These all are appellate issues that I've brought up pro-se but the State closed my case.

I'm getting the F.B.I's involved to investigate due to Conspiracy to commit fraud and fraud.

If you can please let your office be informed, it will be Honorably appreciated.

Respectfully submitted,
Joshua B. Phillips