

RECEIVED**Dec 12 2023****SC Court of Appeals**

In the Court of Appeals for the State of
South Carolina

Motion to Appeal

Case # 2019A381070084

Indictment #

2019A381070083

2020GS 3500910

I Allen Markae Frazer, moved Prose before The
Orangeburg County Court (general sessions) asking this
said court to allow me to act as my own Attorney in
the above case. I also petition this Court to allow me
to withdraw my guilty plea that was made on November
16, 2023 due to several un-constitutional reasons.

There is reason to believe that allowing such conviction
to stand would result in a clear injustice. There is
also reason to believe and evidence that the defendant is
innocent and did not understand the consequences of the
guilty plea. There are multiple grounds and reasons of
why the motion to withdraw guilty plea should be granted
base off the factors that would be found later in this
response. I contacted the attorney who originally represented
me in the plea bargain and he stated to me I would have
to file a motion because he was no longer active lawyer in
the case and if I wanted to move prose that I would
have to file a motion within the jurisdiction of the County
in which the plea was made.

(1)

The factors of why the motion to withdraw guilty plea should be granted is based off these factors.

(1) Lawyer's ineffective assistance - Failing to investigate case, failing to introduce exonerating evidence, failing to tell defendant about the consequences of pleading guilty to the crime allegedly pleading to.

(2) Manipulation of defendant between lawyer and prosecuting attorney to make or too threaten (pressuring) defendant to plea.

(3) Defendant constitutional rights were violated throughout all and every proceedings.

(4) Bogus bench warrant - for failure to appear in General Session Court, when the Court lied about sending notice to appear in Court to lawyer they said was appointed and on file as my current lawyer about such or any appearances, when the lawyer they said they notified said he had no prior knowledge about me or the case - see attach files.

(5) The strength of defendant case to show innocence.

I have stated the facts to why I would like to withdraw my guilty plea, based off the fact's of being pressured and manipulated into taking the plea after all ready informing my attorney that I was innocent and wanted a very fair trial and not wanting to take any -

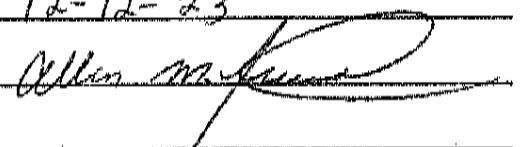
Plea. And having the Prosecutor pressured and threaten me with jail time till such Trial would even exist to Pleading.

Re-lief - I Ask this said Court to allow this filing and Motion to stand because the law requires that a defendant file a motion to appeal or withdraw any Pleas within 10 days after Pleading, And I myself did file such motion within the Jurisdiction of the County in which the Plea was made within 10 days of Pleading to such Plea.

I would further state that my lawyer did not investigate or otherwise work on my case at all, but nevertheless convinced his Client that conviction at trial was automatic. Meanwhile there was exonerating evidence that a competent lawyer would have discovered and that it would have inspired me to continue with trial. And that a motion to lift illegal bench warrant was never heard and was filed in Court.

Allen M. Frasier

12-12-23



THE STATE OF SOUTH CAROLINA BENCH WARRANT THE STATE
FAILURE TO APPEAR VS.

COUNTY OF Orangeburg Allen Markae Frazier

0000GS38 2019A381D700783 Forgery / Forgery, no dollar amount
involved

To all and Singular the Sheriffs Deputy Sheriffs Constables and other Peace Officers of the said State Greeting:

WHEREAS, at the Term of Court of General Sessions County Court for the County aforesaid, it was among other things Ordained

that a Bench Warrant should be issued for the arrest of Allen Markae Frazier

THESE ARE, THEREFORE, to command you and every one of you to make diligent search after the said above named and him to take and safely keep until he be delivered to the keeper of the Common Jail of the County or discharged by due course of law. And this shall be a good and sufficient warrant for you doing so, and for the keeper of said Jail receiving said above named from you and keeping him safely until he be discharged by due course of law.

WITNESS, Winnifa Clark, Clerk of Court of General Sessions and Common Pleas for the County of Orangeburg,

March 8, 2023.

W. Williams
Judge 1st-Judicial-Circuit / Clerk of Court
Deputy

THE STATE

VS.

Allen Markae Frazier

BENCH WARRANT
FAILURE TO APPEAR

THE STATE OF SOUTH CAROLINA

COUNTY OF Orangeburg

Courts / Intimidation of court officials,
jurors, or witnesses (after April 1, 1996)

2019A3810700784

0000GS38

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WITNESS, Winnifa Clark, Clerk of Court of General Sessions and Common Pleas for the County of Orangeburg,

March 8, 2023.


Judge 1st Judicial Circuit / Clerk of Court
Deputy

**THE FARLEY LAW FIRM, LLC
137 EAST BUTLER ST. SUITE 2
LEXINGTON SC 29072**

andrew@afarleylaw.com

Telephone: (803) 359-0428

October 4, 2023

Allen Frazier, Inmate
Orangeburg Detention Center
1534 Ellis Ave
Orangeburg SC 29118

Re: State v. Allen Frazier
Warrant: 2019A3810700783, 784

AB
OCT 04 2023
10:12:25
FARLEY LAW FIRM
LEXINGTON SC

Dear Mr. Frazier,

I am writing to let you know that we have a Bond Hearing scheduled in your case for November 6, 2023 at 10 am in Orangeburg.

Also, please find enclosed a copy of an Order of Appointment dated September 21, 2023 that shows when Mr. Farley was appointed to your case. I have also enclosed a copy of the Orangeburg County First Judicial Circuit Public Index of your case for you to review.

In the meantime, DO NOT DISCUSS YOUR CASE WITH ANYONE.

Mr Andrew Farley was not appointed to represent Mr. Allen Mark Frazier until two days after already being placed under arrest and placed in Orangeburg County Jail
Date of Arrest 9-19-23
Date of Appointment 9-21-23
Two days later!

Sincerely,
Amy Smith
Amy Smith
Paralegal to Andrew Farley

THE UPS STORE
1195 St. Matthews Road
Orangeburg, SC 29115
803.535.2008 Tel
803.535.0701 Fax
Mon-Friday 9-6 Sat. 10-1



Fax Cover

The UPS Store

To: Court of Appeal Fax #: 803 734-1839

Date: 12-12-23 # of Pages (including cover sheet):

From: Allen Frazier Phone #: (803) 614-3859

Subject: Re-lief

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