

Cleveland C Major #355826

Kirkland Reception and Evaluation Center
4344 Broad River Rd.
Columbia SC 29210

Date: 7-22-13
A/W# 1112190
Case# 2012GS1002228

South Carolina Court of Appeals
P.O. Box 11629
Columbia SC 29211

RE: The State v. Cleveland C Major
Appellate Case No. 2013-007443

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JUL 25 2013

SC COURT OF APPEALS

Dear Court of Appeal

I'm writing on my behalf about the evidence to convict me of Arm Robbery. I feel as if there wasn't no evidence of an gun in my case. The only thing that you have is words, and words alone do not make up Arm Robbery. Out of the 3 victims that was at the place of bussiness only 2 is saying they was a gun. How is that so when in the motion Mitchell said he only saw the first guy that came in. He also stated he didn't even know if they was a second guy. The first guy was no less than 6'0 foot tall slim. As they also said the first guy came in demanding them to get down. So the second guy had to play after the fact, maybe strong Arm.

Has officer Byrd asked Mr. Ellington to describe the guns the suspects were carrying? He said they were handguns BUT the barrels were kind of long. Now he gave two different statements. What kind of handgun has a long barrel?

The only reason why he is saying both guys had guns because the officer had asked him. So he said yes what evidence other than his written statement they was a gun? They don't have a video tape of the incident to help provide them saying both man were Armed or if they where?

The only surveillance video recorded according to my motion is from the Village Cleaners. Which they say is next door to the Pizza Hut. IF in the surveillance video it only recorded from the shoulder down has written in the motion. It was recorded

two unknow person walking. One with a stick in his hand and nothing else was seen. There was no sign of any gun on the video.

Also there was a statement given by Fouad M. Bouani. He stated he was standing on the left side of the bussiness behind the threshold of the doorway. He obsered a subject walking with his head down with possible a shirt covering his head. Walked up to the bussiness. When the front door opened he said he back up. When the suspect yelled Get down He said He got down. So he saw the suspect walked all the way up to the place of bussiness.

So how come he never saw a gun? When he observed a subject walking with his head down with possible a shirt covering his head? He saw the front door being open so he looked and saw the subjects full body. He never stated he saw a gun at anytime. He had to be the first to see the subject enter the place of bussiness. He also never stated he saw a second subject. Fouad M. Bovani also didn't say he saw a second subject walking behind the subject that enter the bussiness. He was told to get down by the subject that he saw walking into the place of bussiness. So that means subject #1 had already committed Robbery. Now where is subject #2, when the people in the bussiness is told to get down and to open the safe? He is noway in sight when they were told to open the safe. Fouad M. Bovani stated I also noticed he had on baek pants. The subject then yelled "open the safe". How could he then see if the subject was able to get in the safe or not. Now he saw another employee Mitchell stand up, is when he stood up. He also stated I never saw a second subject. But you was in the thrzshold of the doorway and saw another employee got up and then you got up and never saw another

He said he saw one guy ran to the door and point his gun at them. So why didn't Mr. Bovani saw the subject with a gun. He said he was in the threshold of the door and saw subject walking up with head down. With possible a shirt covering his head. Walk up to the bussiness and when the front door opened he backed up. How was he not able to see if the subject was Armed or Not?

Mr. Ellington said he saw the subject arguing with Fuad in the kitchen. So where is this second subject? Mr. Ellington also saw Fuad point and saying he can get the money. I guess he was pointing towards Mr. Ellington. So doing all of this back and forth arguing where and what is subject #2 doing? It seems like they is not another subject anyway around. It don't appear to be nothing said or forced from surpouse subject #2. Is subject #2 in the place of bussiness? So when did surposely subject #2 came in? No one stated when a second subject came in and what he did.

Mr. Mark A Mitchell stated they numorous a time. Then he also stated The only one I saw was the first that came in. He also go on to say Im not sure if they was a second one. Now remember he gave Detective a statement saying both subjects had guns. In his first statement to Detective Mr. Mitchell said him and his co-worker were stand behind the counter talking. A guy came by from the cleaners side. He opened the door He pointed a gun at them and told them to get down. Now Mr. Bovani didn't see a gun when the subject came in.

So the whole time Mr. Ellington was talking to the guy that came in. Mr. Mitchell stated he didn't know that they was a second guy. Some how Mr. Mitchell said both of them had black handgun. Now Mr. Ellington said they were handguns.

But the barrels were kind of long, they were both black. The situation about how the gun looks don't add up. Plus Mr. Ellington stated But the barrels were kind of long. Some how we got to many different statement on a gun. Now there is no strong evidence to prove the description of a gun. Mr. Murray stated he had a bb gun

and Mr. Major had a 9mm. Now where was Mr. Major with this gun the whole time doing the Robbery? Mr. Major stated he did not have any gun. So how can I be charge with Arm

Robbery when Mr. Mitchell said he saw to guns but did not even know a second person was surpouse to have been they. Some how those guys same to be imaging and controdicting, the Robbery. Mr. Ellington the whole time is screamins he who is he? So how many

gun were there? Could they have been inlosinating, how is it that they saw to guys but not sure? Could Mr. Ellington statement appear to be the same because the same Det. BYRD asked for statements from Mr. Mitchell and Mr. Ellington?

I'm asking for Motion of dismiss of Arm Robbery. I'm seeking After the fact or Strong Arm Robbery on my behalf. Because Of lack of evidence in my case. Also all of the victims in this case has two different sides to they statements. Everyone has words but nothing adds up and there is no other prove that there was any gun. Its my word against his word and where is the evidence?

Charles Murray

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MAIL ROOM

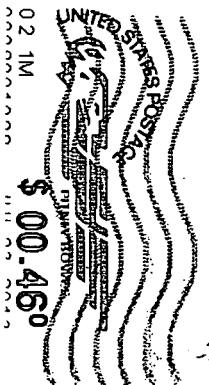
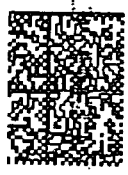
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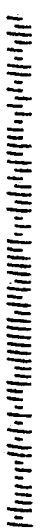
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COLUMBIA SC 290
24 JUL 2013



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