

The State of South Carolina  
IN the court of Appeals

Appeal FROM Greenville County  
Court of General Sessions

Honorable Kristi F. Curtis circuit court judge

Indictment NO. # 2020GS2301866

State of South Carolina ..... Respondent  
v.s.  
Brian Keith NESBITT ..... Appellant

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JAN 05 2024

SC Court of Appeals

Here comes now, BRIAN Keith NESBITT, Appellant's  
his conviction and sentence imposed in this case.  
The sentence was imposed by the Honorable KRISTI  
F. CURTIS, on November 13-14, 2023. This Appeal IS  
taken from the Appellant's conviction on November,  
13-14, 2023

There was not a rule 203(d)(1)(B) enclosed  
in Attorney Rodney Richey Filing of Appeal  
where there are multiple valid Appellate issues  
to be presented before this court of Appeals.

Dated Jan. 01, 2024

1 of 4

This case was before the court for trial and guilty Plea in which Defendant was forced to represent himself at the Greenville county courthouse on November 13-14, 2023.

Defendant was forced to represent himself.

The state was Represented by Ryan Holloway Esquire and Kathryn Harper McCall Esquire.

This case is a gross miscarriage of Justice.

State of South Carolina vs. Brian Keith Nesbitt

Case # 2020 GS 2301866

This following the trial and the defendant's guilty Plea that was coerced by the promise of 10 years

by Rodney Richey, co counsel that Defendant

tried to get relieved from his case because of indiffernt, and the fact that Rodney Richey

was not a criminal Attorney. Defendant was sentence to confinement in the Stat Department

of corrections for a determinate term of 22 years.

Dated Jan, 01, 2024

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Dated Jan, 01, 2024

# DISCUSSION

The defendant raises ground of 6<sup>th</sup> Amendment Rights to a competent attorney, the record will include criminal records that was fabricated and false. violation of defendant's due process rights under the fourteenth amendment (2) Malicious Prosecution, (3) Deprived defendant of his rights to a fair trial, (4) his right not to be wrongfully convicted (5) and right to be free of involuntary confinement and servitude in violation of the thirteenth and fourteenth amendment. (6) Competency to stand trial, and the voluntariness of the plea and waiver the validity, ineffectiveness of counsel and co-counsel. (7) Denied to call witnesses and subpoena witnesses (8) biased judicial discretion, (9) Judge's impartiality after complaints to the disciplinary counsel office of the supreme court of south carolina. (10) Prosecutorial misconduct (11) Confidentiality is explicit in the code sections there are also penalties for disclosure. These along undermines defendant's constitutional right to a fair trial, along with these unethical misbehaviors (11) Prosecutorial vindictiveness (12) inadequate counsel (Faretta v. California) without a psychiatric evaluation a judge may not be able to make that call.

evidence did not show requisite state of mind  
Defendant does contest the sufficiency of the  
evidence to support the charges of murder of  
malice and with premeditation.

There is no significant changes of progress  
in the judicial system on extending equality  
and opportunity to all echoes of a segregated  
and hateful past remain.

## EXPLANATION FOR APPEAL

Dated January, 01, 2024

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ENCLOSURE

cc: please check stamp and  
send copy please.

Respectfully Submitted  
By Brian Keith Nesbitt  
Brian Keith Nesbitt

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
The Court of Appeals  
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