

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Terrence Adams #229165,

Appellant,

v.

STATE OF SOUTH CAROLINA,

Respondent,

IN S.C. SUPREME COURT

Appellant Case No. 2623-00292

RULE 243(C) SCACR.

This matter comes before the court by way of a Rule 243(C) providing an explaining as to why the determination by the Lower Court was improper.

1. That the Appellant have a right to appeal as provided by Law, Rule 201 SCACR. Explains a judgment from any final judgment, order, or decision. Rule 43(a) SCRPC. Explains in all trial the testimony of witnesses shall be taken orally in open court, in any case, the statute or rule which favors the reception of evidence governs and the evidence shall be presented according to the most convenient method prescribed in any of the statutes or rules to which reference is herein made.
2. Appellant is competent to show the admissible evidence is not admissible under this S.C. Code Ann. § 16-11-311(B) Contract Burglary First Degree, Rule 403. SCRE. Explains the court may exclude evidence on the grounds of unfair prejudice, confusing the issues, misleading the jury or other reasons.
3. An Attorney in this case is Appellant Rule 403 SCACR. Explains trial experience and Rule 421 SCACR. Certification of Attorney PA 22 - Death Penalty Case.

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See, S.C. Code Ann. §17-27-160 (B). Appellant Point to Statutes Burglary in the First Degree in S.C. Code Ann. §16-11-311(B) is Punishable by Life Imprisonment. "Life" means until death.

4. That the Appellant event on April 19, 2005 was "shocking" during the Daylight hours, While talking on the Phone a Undercover Man, or Unidentified man in Video evidence Just Physically attacked him with other Law Enforcement Officer's. Appellant have to be transported BY EMS in the name Jason Allen ROSIO 901365 RMR 012595914 EMS EMS 11-23-67 to Richland Memorial Hospital for treatment for injuries from attack, later discharged then immediately Arrested for a Violent Offense, Burglary First Degree in S.C. Code Ann. §16-11-311 Explains A Person is Guilty of Burglary in the First Degree IF the Person enters a dwelling without consent and with Intent to Commit a Crime in the dwelling and either any Violent Circumstances under section 16-11-311(A). Rule 803. SCRE Explains A Statement of the declarant's then existing state of mind describing or explaining the Affidavit distinctly displayed the Appellant was Seen by Declarant Shawnetta Belton in Document #1972162, Declarant Dechantal Lofield in Document #1971883, Declarant Dorothy Nelson in Document #1971881, Declarant Coquieta Dwyton in Document #1971837, Declarant Kee Chung in Document #1971836, Declarant Charles Nottingham in Document #1971825 and positively identified him leaving the crime scene carry the stolen Property from all burglarized homes. The Affidavit is signed by three separate witnesses who did not testify in any trial or proceedings. S.C. Code Ann. §17-23-60 Explains

The rights of accused to be heard by himself
or by counsel to produce proof with witnesses.
S.C. Const. Art. 1 § 14

In Criminal Procedure reverse Jencks material is
discoverable statements include a witness's signed
or adopted written statement and transcripts of
recordings of witnesses oral statement including
grand jury testimony. U.S. v. Nobles 422 U.S. 225, 231-34,
95 S.Ct. 2160-2161-68 Fed. R. Crim P. 26.2

At the preliminary hearing on June 23, 2005 the Declarant
that did not signed Affidavit gives testimony that no
statement from Declarant exists except the Affidavit
to arrest. Rule 2(c) SCR Crim P. Explains if there be a
lack of probable cause the defendant shall be
discharged. The Declarant testimony to court, the
Crime Lab technician are testing the prints lifted
at crime scene. The statement was unfair prejudice,
confusing the issues and misleading the jury. Trial
counsel was ineffective in failure to motion court
for continuance to determine whether the prints
found related to appellant? The Magistrate Judge
bound him over because of inadmissible evidence
put in electronic computer system. See, Rule 403 SCRE

5. Between January 30 - February 1, 2006 The Lower Court
error in ruling tainted evidence is admissible to
prove this specific fact in S.C. Code Ann. § 16-11-311(A)(2)(B)
Rule 809 SCRE. Explains a statement when made, it was
so contrary to the declarant's proprietary or pecuniary
interest or to expose the declarant to civil or criminal
liability.

6. That the Appellant have Proof that he have a Cervical Artery dissection Condition, Rule 803(4) SCRE. Explains a statement that is reasonably Pertinent to medical diagnosis or treatment.
7. That the Appellant have Proof that the Statement in Document Life Without Parole Notice Filed January 4th, 2006 is tainted evidence. Rule 403 SCRE Explains Ground For Relief. See, S.C. Code Ann. § 17-27-90
8. That the Appellant evidence Point to Transcript of Records is False misrepresentation. Rule 8.4, RPC, Rule 407, SCACR. Explains It is Professional Misconduct For a Lawyer to engage in conduct involving dishonesty, Fraud, deceit, or misrepresentation
9. That the Appellant Point to Proof the entire Complete Transcript is False misrepresentation between January 30 - 1 February 2006. Rule 8.4, RPC, Rule 407 SCACR Explains It is Professional Misconduct For a Lawyer to knowingly assist a Judge or Judicial Officer in conduct that is a violation of applicable rules of Judicial Conduct or other law.
10. That the Appellant Point to error by the Lower Court in accepting or using tainted evidence (see, Tr. P. 12, Tr. P. 200) to make this Case Burglary First Degree. Rule 103 (a)(1) SCRE.
11. That trial Counsel noblely was ineffective in agreeing with Solicitor Cathcart that her client was convicted in case Document #1993-GS-40-9530 in July 12, 1995 and in case Document #1993-GS-40-9516 The court read ~~this~~ specific offense into record Tr. P. 298, Tr. P. 299

For a stipulation. The Court put into record in that stipulation the Defense is not any waiving Argument or Objections. Tr.P. 297 Appellant to Points Rule 803 SCRE The Following are not excluded by the Hearsay Rule, Rule 803 (16) The statements in Ancient Documents in existence twenty years or more the Authenticity of which is established. Thus, is grounds for Hearsay to Prove Proof the Judge error, At the moment, we know the electronic computer system is confusing the issues. IF STATEMENT IN DOCUMENT Number # 993-GS-40-9536 is the one A trial by ~~that~~ Juror between July 10-12, 1995 with Appellant, The Honorable Judge Joseph A. Wilson, II, sentence Appellant 12 yrs suspended to 10 yrs, Five years Probation. Counsel in his case did Appeal to Prove Facts the Supreme Court stamped Filed JULY 14th, 1995. Any subsequently conviction is tainted evidence or Inadmissible evidence under the United States Constitution.

12. The Lower Court in error, in Code § 15-21-100 Burglary First Degree Jury Charge Instruction in Section 16-11-311 (A) (2). See, Tr.P. 269, Tr.P. 286 The ~~JURY~~ issue ruling A statement and Document that must exist in an Act of Violence or Crime of Violence under S.C. Code Ann. § 16-1-60. S.C. Code Ann. § 17-13-10 Explains Upon view of a Felony committed, on November 30, 2022 the Solicitor and Custodian of Evidence testimony the Declarant statement and signed Document never exist. The three witnesses who signed Affidavit for Arrest ~~was not~~ presence in Preliminary hearing. Appellant Prayed for Relief under Rule 60(CB), Rule 403 SCRE and S.C. Code Ann. § 17-28-80

13. The Sixth Amendment to the United States Constitution guarantees Appellant the right to effective Assistance Counsel. U.S. CONST. Amend. VI Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 2052 Appellant points to Tr. P. 7, Tr. P. 8 THE NOTICE OF INTENTION TO SEEK A SENTENCE OF LIFE WITHOUT PAROLE Filed Jan. 9th, 2006 It is Mandatory that a witness be Permitted to Admit or deny the statement, the time and place it was Allegedly made against him, and the person to whom it was made and in given the opportunity to ~~Explain~~ explain or deny the statement. Rule 613. SCRE. Prior statement of witnesses is subject to the provisions of S.C. Code Ann. §§ 19-1-80, 19-1-90 and 19-1-100.
14. That the Trial Counsel was ineffective in Argument requesting For New Trial in the Matter regarding Potential Sentence on the grounds that the statement in Document #1993-GS-40-9530 and Document #1993-GS-40-9516 is Un Fair Prejudice, CONFUSION OF ISSUE and Misleading the Jury pursuant to Rule 403 FRE. All offense's enumerated in S.C. Code Ann. § 16-1-70 and section 16-11-312(A) is Specific In admissible evidence Under section 16-1-60 and Section 17-25-45.
15. The trial Counsel was ineffective in Argument on the Direct Verdict the Court put on the record there is no Direct evidence of anyone actually seeing any one going into Declarant homes. The Court submitted the action to the Jury subject a later determination of the legal Question raised by the motion. Tr. P. 248 Appellant ASKS For a Directed Verdict and For Judgment notwithstanding Verdict and Prayed for New Trial on grounds irrelevant evidence. See, Rule 50(b) SCRCP. Rule 403 SCRE or False Misrepresentation.



16. Trial Counsel was ineffective in objection to Video tape Foundation. Tr. P. 120 The Video tape Footage is evidence testified to after viewing video. Appellant was not upon view of a Felony Committed in S.C. Code Ann, § 17-13-10 seq. Appellant Motion for a New trial on the grounds of Unfair Prejudice, Confusing the issues, Misleading the Jury or other reasons. Rule 403 FRE.
17. Appellant Points to the F. Form Criminal sentence sheets. ~~that~~ Form is binding between deceased Honorable Judge James W. Johnson and deceased clerk of Court Barbara A. Scott. Rule 43 (K) Appellant Prayed For relief on the Account of signed agreement.
18. Appellant Points to False misrepresentation the Attorneys of Record Fail to signed F. Form sentence sheet on February 1, 2006 Rule 11 (c) SCRCP. Rule 11. SCR Crim P.
19. Trial Counsel Ms. Mobley Failed to appear at his PCR hearing in November 2009 Counsel was ineffective when she told me Appellant has no violent record of any crime. Come trial day the Lawyer's engage in conduct involving dishonesty, fraud, deceit or misrepresentation. Rule 8.4 RPC. 407 SCLLR. Rule 60 (B) FRE. See MAY 18, 2005 Document signed Douglas Strudler.
20. Lower Court error in Appellant right Pursuant to Rule 32 (i) (4) (A) (ii) Allocation.

Dated: 23 JANUARY 2024

By Tennant Adams
 EVANS
 610 HWY 9 WEST
 Bennettsville, SC 29512

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RICHLAND COUNTY PUBLIC DEFENDER
RICHLAND COUNTY JUDICIAL CENTER

PHONE (803) 765-2592
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May 18, 2005

LM

Ms. Gladys L. Brown
City Recorder's Court
Post Office Box 644
811 Washington Street
Columbia, South Carolina 29202

In Re: State v. Terrance Gilbert Adams - *no record*
Arrested: 5/12/2005
Charged: Petit or Simple Larceny I972164, Burglary, 1st degree I972162

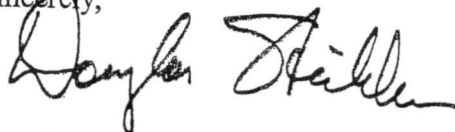
Dear Ms. Brown:

Please be so kind as to arrange a Preliminary Hearing for the above-captioned individual on the charge(s) indicated and for any other charges, if any, of which the accused may not currently be apprised in accordance with South Carolina Criminal Practice Rule 2.

Please also be on notice that on the date which the Preliminary Hearing is set, or as soon thereafter as counsel is permitted to appear on behalf of the above-captioned individual, the Public Defender's Office will move for a reduction in the Defendant's bond pursuant to South Carolina Code Section 17-15-10.

Thank you in advance for your cooperation and assistance in this matter.

Sincerely,



Douglas S. Strickler
Chief Public Defender

DSS/mbs

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MUNICIPAL COURT
Columbia, S.C.

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