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APR 09 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Horry County

Honorable H. Steven DeBemy IV, Circuit Court Judge

THE STATE

RESPONDENT

V.

TRONAHZ J.S. WHITTINGTON

APPELLANT

APPELLATE CASE NO. 2023-000535

ANDERS BRIEF OF APPELLANT

BREEN RICHARD STEVENS ATT

Appellate Defender

South Carolina Commission on Indigent Defense ATT
Division of Appellate Defense
PO Box 11589

Columbia, SC 29211-1589

(803) 734-1330

ATTORNEY FOR APPELLANT

Facts:

On Saturday, September the twelfth, around 7-7:15, I Tronahz was getting a ride home. The car was occupied by five others: Shamontae Graham, Mikki McLeod, Che Ransom, Travantae Mitchell, and Don Brown. As we arrived into my neighborhood, the car began to speed up approaching a Tahoe. The State prosecution alleged that Whittington passed out guns to five others with plans to rob Jamie Johnson. Prosecution said that I had an AR15, S. Graham (Mac 11), T. Mitchell and McLeod both had (9mm), and Ransom had both a 9mm and a Glock 45.

Prosecution states that Whittington did not pass out any guns or planned anything and that Whittington was only getting a ride home.

Once we were located and looked up two out of the five; S. Graham and McLeod turned State and implicated me. (T. Whittington) In the planning of a robbery and murder all to protect S. Graham little brother T. Mitchell which was the first one out the car and the first to shoot. I Tronahz Whittington did not testify at the time of the trial nor did I participate in the crime.

Both McLeod and S. Graham both negotiates a plea bargain for a lesser sentencing so they teamed up with the prosecutors Chris Herms and Nancy Livesay Framing me for murder which resulted in McLeod and S. Graham to receive three years probation for testifying against me...

This case was based off the hands of one the hands of all so I was singled out to stand court alone while the others continue to wait for trial which resulted in prosecutorial misconduct. Prosecutors presented false witness statement, swaying of the jury, withholding evidence that should have been presented at the time of trial, All witnesses and expert all gave false testimony during cross examination with Mr. Ralph Wilson.

Issues: prosecutorial misconduct: (1) Swaying of the jury, (2) withholding evidence (3) false witness testimony (4) engaging in plea bargaining (5) Brady violation. Due process: Improper arguments to the jury such as name calling and calling the defendant (3) Not giving a lawyer when asked.

Conclusion: The people failed to meet their burden that I Tronahz Whittington did not fire the fatal shot. The evidence provided by the people and the experts that I (Tronahz Whittington) did not shoot and kill the victim. There was no guns, no bullets, and no shell casings. Therefore, there was no evidence to support a finding that Whittington was actual shooter.

I (Tronahz Whittington)
Kindly ask the people to over turn and reverse judgement.

Sincerely Tronahz Whittington

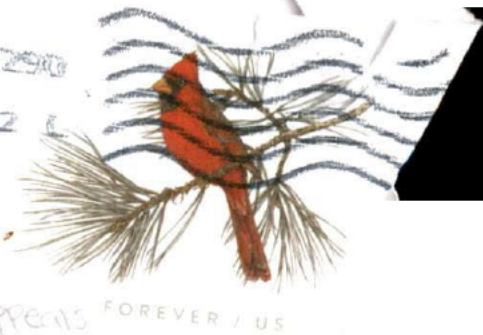
Tronahz Whittington, #390410 F4A2105
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