IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS
FROM LAURENS COUNTY COURT OF COMMON PLEAS
EIGHTH JUDICIAL CIRCUIT

Honorable: Eugene Griffith Jr. Presided.

2013-CP-30-0243 DAVID V. STATE

LYNN W LANCASTER
2013 AUG -9 A 9: 11
LAURENS COUNTY
CLERK OF COURT

Russell Leon DAVID sr. Appllant

VS.

STATE OF SOUTH Carolina . . . . Respondent

NOTICE OF APPEAL

Rule 203. (A), (ii). Rule 29 (a), S.C.R, crim P.

Russell Leon DAVID sr. #240689, Will Appeal The Honorable; Judge, Eugene Griffith Jr.
ON THe 27th day of June Judge Griffith Orderd A Dismissal of Application For Post Conviction Relief (P.C.R) Filed March 22, 2013 With Prejudice,.

Appllant now Serve's THis NoTice OF APPEAL.

THis FINAL ORDER OF DISMISSAL: WAS ORDERd ON The 27th day of June and was Served on the 3RD, day of JULY 2013 at Laurens County Court of Common Pleas. ON The 8Th day of JulY 2013 Appllant Recided NOTICE OF Appeal ON THe 11Th day of JulY 2013.

THis DAY OF AuG. 5th, 2013.

Sincerely,

Russell Leon David sr.

Russell Leon DAVID sr.
Pro-Se

THIS NOTICE OF APPEAL come before This court by of AN Application for Post Conviction Relief Filed March 22 2013 The State Fied a Return and a motion For A Conditional Dismissal ORDER. Appellant Argues if Strickland vs Washington, 466 U.S. 668, 104 S.ct. 2052, 80 L.Ed.2d 674. Provides The proper frame work for evaluating a claim that Counsel was Constitutionally ineffective for Failing To File a Notice for direct Appeal When This Appellant Asked For One in 1997 see AMENDMENT to P.C.R. #3 on page 2 line 11-17. The Base[s] of Appellant Issue's. Trial Counsel's in the Murder Case was ineffective for failing to Object to The improper Conduct of the court, When The Judge and, Solicitor did not Object to The plea itself, but The Judge Tried AND Convicted and Sentence Mr. DAVID sr. on the murder Charge ANYWay it Would or is a little Short of Judicial murder. it cannot doubted and Would be a Gross Violation of The State and Fedearl due-Proceec of LAW and Constitution of The State and united States. And We Venture to Think That NO Appellate Court in State or fedearl Would hesitat eso to dicide see Johnson vs. State, 480 S.E.2d 733 (S.C.) 1997. and in State vs. Baccus, 362 S.C. 41. 48. 625 S.E.2d 829 (2001). "This Court is bound by the Court's Factual Finding's unless they are Clearly erroneou's" Id. (citing) State vs. Quattlebaum, 338 S.C. 441, 452, 527 S.E.2d 105, 111 (2001). AN Abuse of discretion occur's when The TRIAL COURT's Ruling is based on an "error" of LAW or When grounded IN Factual Conclusion's, State vs. Jenning's, 394 S.C. 473, 477-78 S.E.2d 91-93 (2011). IN determining Whether The length of Time for a Post-Conviction Relief Application is Reasonable. For apporpriate Constitutional inquiry is Whether The detention lasted longer than Was Necessary Given Mr. Davidsr. Circumstances and its Purpose that Appellant was Not Allowed his Fair opportunity Required by The Constitution of This State and the united States that He Was Allowed a effective not one (1) but Two (2) Counsel's. Appellant Had No assistance For a Collaterally Attacked of his Conviction's, First in State Court then in the First Post-Conviction Relief Application and Now in his First Appeal From His P.C.R. Appellant did Not have but a Sixth 6th grad Teaching To do his on litigateing and Should be allowed A Bite at the Apple because of his P.C.R. Application was dismissed. 17-27-20A(5) and (6). 17-27-100 and 17-27-60. Appellant has The Right To AN Appellate Counsel's Assistance in Seeking Review of The denial of P.C.R. Rules Civ. Pro. Rule 71.1 (9) under The P.C.R. Rules a Court

Will Appoint AN Attorney to a P.C.R. Applicant if HE/ShE is INdigent and Wants to File A Appeal. Rules Civ. Proc. Rule 71.1 (d), (g) Appellant Argues P.C.R. Judge are Required to Advise Pro-Se Appellant's of both their Right to Appeal and their Right to Appellate Counsel When Their P.C.R. Application's are Summarily Dismissed, Rules Civ. Pro. Rule 71.1 (d, g). Additionally, the Appellant argues Counsel was INeffective for Not Objecting to The Conviction and Sentencing When Appellant Did Not Pleaed to The murder "IN OPen Court" This Protection of Law is lacking Where a Appellant with funds, appealing as of Right From a Conviction, enjoys Benefit of Counsel, While an indigent Appellant if he Chooses to carry out Such AN Appeal following a Preliminary Appellate Court determination That Appointment of Counsel Would be for himself. S.C. Pen. Code §§ 1-23-10-60 and 1-23-310 to 410 - 1-23-500-600, to approach The present Problem in Terms of The Equal Protection Clause is I Submit, but to Subtitute Resounding Phrases for analy(sis). IN The Approuch in Griffin vs. Ilhinois, 351 U.S. 12, 29, 34-36, 76 S.Ct. 585, 595-97, 100 L.Ed. 891. The majority in Griffin Appeared To Rely, as here on a blend of The eoual protection and Due-process in Arriving at the Result, SO for as the Result in That case Rested on Due-process Ground's, you Can fully Accept the authority of Griffin with Mr. David sr. Case To The Murder Conviction see RUSSELL LEON DAVID VS. STATE OF South Carolina 2013-CP-30-0243 Page 2 line's 16-17-18. AND The First is that Mr. David sr. Was Afraid that if he Went to Trial He Might get the "Death Penlty" This was A Real possibility He was Charged with AN OFFense Carruing That penlty. Mr. DAVID sr. Lack of Skill in drafting his allegations it is At least arguable That more than mere Disappointment in Volved. A Flat misrepresentation by his Two Attomeys Is Asserted. IF The Judge of the P.C.R. Court had held a hearing ON These Charges. if This were a Federal Conviction the case Would Fall Within the Rule in Machibroda vs. U.S., 1962. 368 U.S. 487, 489, 493, 82 S.ct. 510. 7 L.ED.2d 473 This Court can see we ENtertain Some doubt, as the Trial Did. That Mr. David sr. Charges are true But the Murder. The Trial did not and we Do Not have the Record's of What Took Place at Mr. David sr. Sentencing and in ANY event, it probably Would not Fully Answer the Charge Which Appears To Allegate Matters Occurring outSide the Record. This Court can Conclude That The PCR. Judge Should have held A hearing Limited To Those Allegtions That Relate The Voluntary Character of Mr. DAVID Plea. See

ZAFFARAND VS. UNITED STATE, 9cit., 1962 306 F.2d 707; ibid, 9 ciR. F.2d 114. The mainstay of A Plea of Guilty to Murder with Reommendation of mercy the Plea Would Result in a mandatory life Sentence. But Mr. DAVID sr. Thought The Evidence was bette he Would have TAKE The hold case to the Jury Not Just the Murder. ANd He KNEW that if he was Found Guilty he Would get the death Sentence and The Reommendation of mercy would be out The Door. Mr. DAVID sr. in his Original Plea on the Stand was He Would Pleaed To all Other Charge's in the Indictment but the murder Charge. Mr. DAVID sr. Would have Withdrew his Original Plea and Pleaded not Guilty TO The Hold Thing in the Indictment on March 26th 1997 if Not For his Counsel Being ineffective To That Failure to Consider That Mr. DAVID sr. Would Want to Appeal The Claim, Will Result in a Fundamental Miscarriage of Justice Whered Appellant Claiming ineffect Assistance of CounsEl see Mc Coy vs. State, (OPinino 27214. Fed. 2013) The S.C. Supreme Court Reversed and Remanded For hearing The dismissal of The petitioner's P.C.R. Application. IN Appellant's P.C.R. Amendment #3 line 17-32 ON Page 3 and on page 4 line 1-31 and Page 5 line 1-12. Mr. DAVID sr. Knew He was not Guilty on the murder but he was Sentence to life + 65 years imprisonment That's Just as bad as The death Sentence itSelf NO ONE Mentioned to him that the murder was not going To be Taking out of The Plea and he Was going to be tried For the murder Along With t Rest of his Charges. When the Judge Sentenced Mr. David sr. To Life + 65 imprisonment He Raises Several questions about Pleas. He does not urge The practice in itSelf. because it is unconstitutional He does Claim the Plea is IN Voluntary For The murder and That his Arraignment was Constitutionally defective. A Conviction based open Such a Plea is open to Collateral Attack. see Walker vs. Johnson, 312 U.S. 275, 615 S. Ct. 574, 85 L.Ed 830; Waley vs. Johnston, 316 U.S. 101, 62 S.ct. 964, 86 L.Ed. 1302. Shelton vs. U.S. 26, 78 S. ct. 563, 2 L.Ed.2d. 579, Reversing 5 cir., 246 F.2d 571." The Voluntariness of Mr. DAVID sr. Plea Does depend upon Whether he Was The Victim of a Fake Judgement even if Fulilled indce The plea and deprive it of The "Character" of A Voluntary Act Whether Mr. David sr. Plea Was Voluntary Raises issues of Fact upon Which the State Court differed. Mr DAVID sr. Contends he was denied Due-process of Law because Court at TRIAL Level did not Advise Him of The Consequences of his plea.

"A Plea Of Guilty differs in purpose and effect From a mere Admission or an extrajudicial Confession; It is itself a Conviction. like a Verdict of a Jury, it is Conclusive. more is not Requied; The Court Has Nothing to do but give Judgement and Sentence. Out of Just Consideration For Persons Accused of Crime, Court are Careful That A Plea of guilty Shall not be accepted unless Made Voluntarily After proper Advice and With Full understanding of The Consequeces." No Particular Form or Ritual is Required, But it must Appear That A defendant UnderStand or UnderStood The Consequences of his plea. The defect in Mr. David sr. arraignment lies in the fact That no one — Court or Counsel — ascertained That David sr. Under Stood The Conequeses of his plea. Neverthe less, if Mr. David sr. in fact understood The error was harmless, Gundlach V. U.S. 262 F.2d 72 (4th Cir. 1958). cert. denied 360 U.S. 904, 79 S. ct. 1283, 3 L.Ed.2d 1255 (1959). The State, however, has The burden of proving HARMless error cf Muich vs. U.S. 337 F.2d 356, 360 (9th cir. 1964). The Result does not deped upon this Prisoner's Subjective testimony alone. The issue is one of Fact. Which must be Resolved by an examination of "Reasonable inferences to be drawn from all The Surrounding Facts AND Cirumstances. Under Familiar Principles of due-process. a Guilty Plea Cannot be accepted unless the defendant understand its Consequences. When Mr. DAVID sr. side He was to Plead to The Charge's of Conspiracy, Lynching, Strong Armed Robbery, Kidnapping, Grand Larceny of A Motor Vehicle. He Side in open Court he was not going to Plea To The Murder Charge. That When the Murder Charge and Counsel Preudice Mr. David sr. The Court made no effORT to Ascertain What Mr. DAVID sr. Under Stood. Either Through it's OWN efforts or Through Counsel, And the State has Failed to Show This error was harmless. Mr. David sr. When His Two Counsel's did not Obiect to the Conviction or Sentenceing. Rule 52.(b). Plain error merely Restate's existing Law and was INtended to afford a means For the promot Rederess of Miscarriages of Justice. The Fed. Rule cri. Proc. Rule 52.(b). 18 U.S.C.A Power Granted by the plain error Rule is to be used Sparingly Solely in those Cirumstances in Which a misscarriages of Justice would Otherwise Result From This error.

The Sixth Amendment Embodies a Realistic Recognitor of The Obvious truth That The Average defendant does not have The Professional Legal Skill to protect himself When brought before a Tribunal With Power to Take his life or liberty, Wherein the prosecution is presented By experienced and learned Counsel. That Which is Simple, Orderly and Necessary to The lawyer, to The untrained Laymen may apper intricats. Complex and mysterious, it is True The accused's Case was Tred before The Case of Similar Cases Were decided, but The Same Constitutional Right existed Then, and while Retractive Correction Should be made only in Cases Where great Wrongs Have been Done, I Think This is Such a Case. [He] Commited a Crime For Which punishment is decreed in The law, Society is entitled to That to That Protection, but this Now 53 year's of Age now has Given The Best Years of **his life** in payment of his debt to Society, "Must He [Give 13 More years] of an Already broken Life and 65 year's Would Border on cruel and unusal Punishment, and Certainly The Appellant of due-process and equal Protection of The LAW. The United States Supreme Court's decisions establish that a State Crminal trial, a proceeding initated and Conducted by The State itself, is an action of the State Within The Meaning of U.S. Const. Amend. **XIV**. A defendant who must Face Felony Charges in State Court Without The experienced and learned in Capital Case Assistance of Counsel Guaranteed by U.S. Const. Amend. **VI**. has been deined due process of LAW, Unless a defenant Charged With a Serious offense has Counsel able to invoke The procedural and Substantive Safeguards that distinguish The American System of Justice, a serious Risk of injustice infects the Trial itself. When a State Obtins a Criminal Conviction Through such a TRIAL, it is The State That unconstitutionally deprives The defendant of his liberty. **Mr. DAVID sr.** raise Claims of ineffective assistance of Trial Counsel's only Where, under State Law, ineffective-assistance-of-Trial-CounsEL's not ONE but TWO Counsel's in this were Ineffective given That The precise question here is Whether ineffective assistance in an initial-review Collateral proceeding

A Procedural default will not bar a federal Court From hearing Those Claims State Court Shoud resolve The question left open in Russell Leon DAVID sr. #240689 VS. State of South Carolina 2013-CP-30-0243. Application and Amendement's to his Claim All Three 3 time's all 68 Page's. Mr. DAVID sr. is doing his best To Let The Court know about What This ineffective assistance of Counsel's Never Gave The assistance necessary to establish a Cause for a Appeal from his Trial Court Sentenceing "The Attorney's is The prisoner's agent". and "The principal bears The risk of" his agent negligent Conduct. no other Court has addressed the Claim and defendants "are generally ill equipped To represent Themselves" Where They have no brief from Counsel and no court Opinion addressing their Claim. Without adequate Representation in an initial Appeal Request Form defendant A Prisoner's inability to present an ineffective-assistance Claim is of particlar Conern because The Right to effective trial Counsel is a bedrock priciple in this Nation's Justice System. Mr. DAVID sr. has demonstrated That the TWO Underlying ineffective-assistance Claims. DAVID sr Claimed his TRIAL Counsel's had been ineffective For Failing to Challenge the Prosecution's doing's With Mr David sr. Pleaed To The Murder When He did not Pleaed To it at all. With This Mr. DAVID sr. Ask The Court of Appeal's To look at His Cry For A fundamental Fairness at his ISSUES. because A bad Lawyer or bad Lawyering and how it can cast Someone Their life. March 25 2009 in Davie v. State, Counsel has Constitutionally-imposed dutut To Consuty With defendant adout Appeal When There is Reason to think either (1) That Rational defendant Would Want to APPEAL, OR (2) That This prat-icalar defendant Reasonably demonstate To Counsel That he Was interested in either actually or Constructively. Is presumably Prejudicial of Counsel's alleged Failure To File NotIceofAppeal, depriving defendant of Appellate Proceeding Altogether, was presumably prejudicial all in Light of The (6)Sixth U.S.C.A. Const. Amend: 6.Six.

1. Strick land vs. Washington, 466 U.S. 668. 104 S. Ct. 2052, 80 L. Ed. 2d 674. provides The proper framework for evaluation a Claim That Counsel Was Constitutionally ineffective for failing to File a notice of Appeal Under Strickland, a defendant must Show That Counsel's Representation "fell below an objective Standard of Reasonablenes," id., at 688. 104 S. Ct. 2052, and (2) That Counsel's defient Performance prejudiced the defendant. id., at 694. 104 S. Ct. 2052. Pp. 1034-1040.

(A) Courts must "Judge the Reasonableness of Counsel's Conduct on The facts of The particlar Case. Viewed as of The Time of Counsel's Conduct," 466 U.S. at 690, 104 S. Ct. 2052. A lawyer Who disregards a defendant's Specific instructions to File a Notice of Appeal acts in a professionally unreasonable manner; see Rodriquez V. United States, 395 U.S. 327, 89 S. Ct. 1715, 23 L. Ed. 2d 340, While a defendant Who explicitly tells his Attorney not to File an appeal Plainly cannot later Complain That, by following those instructions, his Counsel performed deficiently; see Jones V. Barnes, 463 U.S. 745, 751, 103 S. Ct. 3308, 77 L. Ed. 2d 987. The Ninth Circuit adopted a bright-line rule for Cases Where the defendant has not Clearly Conveyed his Wishes ONE Way or The Other: in it's View, Failing to File a Notice of Appeal With out The defendant's Consent is Per Se Rule as inconsistent with Strickland's Circumstance-Specific Reasonableness Requirement. The Question Whether Counsel has performed deficiently in Such Cases is best answered by First asking Whether Counsel in fact consulted with 1471 The defendant about and Appeal. By "Consult, The Court means advising the defendant about an appeals advantages and disadvantages of taking an Appeal and making a Reasonable effort to discover the defendant Wishes. (b) Second part of The Strickland Test Requires The defendant to Show prejudice from Counsel's deficent performance. Where an ineffective assistance of Counsel Claim involves Counsel's performace during The Course of a legal proceeding. The Court normally applies a Strong PResumption of Reliability To The presumption

of Reliability to The proceeding. Requiring a defendant To overcome That proceeding, requiring demonstrating that Attorney errore actually had an adverse effect on the defnse. The complete denial of counsel during a Critical Stage of a Judicial Proceding, however Mandates a Presumption of preJudice because "The adversary process itself" has been rendered "presumtively unreliable" united States V. Cronic, 466 U.S. 648, 659, 104 S.Ct. 2039, 80 L.Ed.2d 657. The even more serious denial of the entire Judicial Proceeding also demands a presumption of PreJudice because no presumption of Reliability can be accorded to Judicial proceeding that never took place. If Respondent Claims that his Counsel's deficient performance led to The Forfeiture of his Appeal. if That is so, perJudice must be presumed. It's Clear That Mr. DAVID sr. had little or no understanding of What the Process was, What The appeal process was, or What Appeal Meant at that Stage of The game. The Supreme Court have long held That a lawyer who disregards specific instructions from the defendant to File a Notice of Appeal acts in a manner that is professionally unreasonable. See Rodriquez V U.S. 395 U.S. 327, 89 S.Ct. 1715, 23 L.Ed.2d 340 (1969). cf. Peguero V. U.S., 526 U.S. 23, 28, 119 S.Ct. 961, 143 L.Ed.2d 18 (1999). ("When Counsel Fails to File a Requested appeal, a defendant is entitled to [a New] Appeal Without Showing That his appeal would likely have had Merit"). This is so because a defendant who instructs Counsel to initiate an appeal reasonably relies upon Counsel to file the necessary Notice. Counsel's Failure to Failure to do so Cannot be Considered a Strategic decision; Filing a notice of Appeal is a purely ministerial Task, and the failure to File Reflects inattention to the defendant's Wishes. The Courts of Appeals for The First AND Ninth Circuits have answered That Question with a bright-line Rule: Counsel must File a notIce of Appeal unless The defendant Specifically instructs Them otherwise; failing to do so is Per se deficient.

7.)
IN Title 17- Criminal Procedures Chapter 27. Of The UNIFORM POST-CONVICTION Procedure ACT. SECTION 17-27-20 (a) (4)(6) Reads as, (a.) Any person Who has been Convicted of or Sentenced for a crime and who Claims: (4), That There exists evidence of material facts, not Previsusly Presented and Heard, that Requires Vacation of The Conviction or Sentence in the interest of Justice;
If South Carolina Law is going To put Forth Such a Law Must be Responsible For The one's Who impose's it. (6) The Conviction or Sentence is Otherwise Subject of Collateral Attack upon any ground of alleged error heretofore available Under and Common law, Statutory or Other Writ, Motion Petition, proceeding or Remedy; may institute, without paying a filling fee a proceeding under this Chapter To Secure Relief. Of his Equal Protection Clause and Due Process of Law of law in every Step, The erroneou's error The Court Itself Conduct in Was When The Judge, Solicitor did not Object or Stop The Pleaing itself because The defendant Said in Open Court on the Stand With not 13 but 16 Sixteen Jury. The Court erred in accepting his Plea To The Count Charging him with Murder This Activity in Violatvity of due Proceec of Law and Constitution of The State and United States And They Venture To Think That know Appeal Court in State or Fedear Would Hesitate so To dicide. as State vs. Quattlebaum, 338 S.C. 441, 452, 527 S. Ed. 2d 105, 111 (2001) An Abuse of discretion Occur's When The Trial Court Ruling and denial of his Fundamental Justice This Misscarriages of Justice in This Case Of Mr. David sr. is The Result from An Familiar Principle of due-process, a Guilty Plea cannot be Accepted unless The defendant Understand its Consequences of The Plead and Conviction. From and Result of This Misscarriage of Justice and The Abuse of due Procees of Law and erroneou's ERROR of The proceeding itself is

As in The Sixth Amendment embodies a Realistic Recognitan of The Obvious Truth That The Average defendant does not have The ProfessionAl Legal Skill to Protect him Self When brought before a Tribunal with Power to Take his life and liberty. Where in the Prosecution is presented by Experienced AND Learned Counsel.
That Wich is Simple, Orderly and Necessary to The Lawyer[s], to The untrained LAYMEN May apper intricats.
8). Mr. DAVId sr. Ask's This Court of Appeal's to Look At all Constitution and Law of This State and United State's and Grant A evidentiary hereing.

CONCLUSION A PRAYER For Relief

WHEREFore, Appellant RESpectfully Pray's That This Appeal AND This Court ENter Judgment;

1. <u>GrANting Appellant</u>; hey A declaraiton that The acts, acts and Omissions describedherein Violate his Rights under the Constitution and Law of The United States and State of South Carolina, and

2. <u>GrANting Appellant Judgment AS;</u>
Individual is entitled to Rulings on the baseIsof an error of law or, When grounded in Factual Conclusions, <u>State VS. Jenning's</u>, 394 S.C. 473, 477-78, 716 S.E.2d 91, 93 (2011). IN determining Whether The length OF time For a Post Conviction Relief Application is Reasonable For appor-priate Constitutional inquiry is Whether the detention lasted longer Than was Necessary given His Circumstances.

3. Granting: AppEllant Right to AN Appellate Counsel Assitance in Seeking Review of the denial of P.C.R. iN litght of Rule 71.1(g) and 71.1 (d.g).

4. <u>Granting AppEllants Right to his Equal Protection Clause</u>; and Due process of law IN EVERY Step IN This Appeal.

5. <u>GrANting A Hearing</u>: ON The All ISSUES Raised in His P.C.R. Application.

6. TO Reversal and Remande For A Hearing.

Today's heARing in this Court provides a mode For The Redee-Mable of denial's of Due Process of Law. Vindication of Due Process of Law is Precisely it's Historic. A Variant of This Argument is That if the State Court declines to entertain because of A Proceduraf default, is a Miscarriage of Justice Then The Prisoner Custady is Actually due To The default and The Miscarriage of Justice Rether Than to The Under-luing Constitutional Infringement.

Russell Leon DAVId

CERTIFICATE OF SERVICE

I CERtify That on 08/5/2013. I served A Copy of This APPEAl NOTICE ON All parties Addressed as Shown.
TO Mis LYNN W. LANCASTER at LAURENS COUNTY COURT With The Electronic Case Filing System To The Court of APPEAl, Judge Eugene Griffith Jr. and Assis. Attorney General J. Rutledge Johnson and a Certify copy back Applicat For His File's

Russell Leon David sr.
Russell Leon DAVID sr. #240689
Pro Se Attorney

RLD File pro se

LAURENS COUNTY
CLERK OF COURT
2013 AUG -9 A 9:11
LYNN W. LANCASTER

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SC Court of Appeals

LAURENS COUNTY
CLERK OF COURT

Russell Leon David sr.
PRO SE/ATTORNEY

2013 AUG -9 A 9:11

August. 5TH, 2013

LYNN W. LANCASTER

THE Honorable Lynn W. Lancaster
Clerk of Court. Laurens County
Post Office Box 287
LAURENS, South. Carolina.
29010

RE: Russell Leon DAVID sr. #240689 2013-CP-30-0243. State of South Carolina
NOTICE OF Appeal
A Rule 203(A)(ii) Rule 29(a) S.C.R.Crim.P.

DEAR. Ms. LANCASter;

Enclosed please find AN Original NOTICE OF Appeal. IN Connection with The Above Referenced Case. Please Make (2). Two Copys of The Original and Return a Copy to The Addressed's below. AND (1) one Copy To my This Addresse Here is For Myself.

RECEIVED
AUG 12 2013
SC Court of Appeals

South Carolina Court of Appeals / Assistant Attorney General J. Rutledge Johnson

Russell Leon David sr. #240689

[signature]

Russell Leon DAVID sr. #240689
Lee. Corr. Inst.
990 Wisacky Highway
Bishopville, SC, 29010

cc:
R.L.D. File;

S.C.C.A., A.A.G. R.L.D. For Copys