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S.C. SUPREME COURT

June 17, 2024

Sterling Maybin, 302360
Tyger River Correctional Institution
200 Prison road, Upper yard
Enoree, SC 29335-9308

South Carolina Supreme Court
Clerk of Court
Post Office Box 11330
Columbia, SC 29211

Re: Pro se response to Johnson Brief

Dear Honorable Clerk:

Please be advised that I have already submitted pro-se brief during the PCR stage that was not considered by that court, but is in the record on pages 241-248 of the APPENDIX. The pro-se action is titled 'APPLICANT'S DEFINITIVE STATEMENT AND AMENDED POST CONVICTION RELIEF APPLICATION'; The issues raised were:

TRIAL COUNSEL RENDERED CONSTITUTIONALLY INEFFECTIVE ASSISTANCE WHEN COUNSEL FAILED TO OBJECT TO THE SOLICITOR'S IMPROPER STATEMENTS DURING CLOSING SUMMATATION.

TRIAL COUNSEL WAS INEFFECTIVE FOR FAILING TO OBJECT WHEN THE SOLICITOR ASKED THE JURY TO CONVICT APPLICANT ON A DIFFERENT STANDARD THAN 'THE STATE PROVING EACH ELEMENT OF THE OFFENSES NECESSARY TO SUSTAIN A CONVICTION'.

TRIAL COUNSEL WAS INEFFECTIVE WHEN COUNSEL FAILED TO OBJECT TO THE COURT'S RULING THAT THE OPEN AIR CAR PORT WAS A BUILDING UNDER THE BURGLARY STATUTE, AND THAT COUNSEL ERRONEOUSLY RELIED UPON THE 'MIDDLETON' CASE IN SUPPORT OF APPELLANT'S POSITION.

These issues have been fully briefed, therefore Appellant need not repeat those arguments since they are already included on the record in the APPENDIX pages 241-248. Also on pages 235 - 239 of the APPENDIX are additional arguments and case law supporting the pro-se issues.

WHEREFORE, Appellant respectfully request that this Honorable court considers these pro-se issues which are already on the record since they have not already been ruled on and are essentially Appellant's pro-se issues.

Respectfully submitted,

/s/ Sterling Maybin
Sterling Maybin
pro-se Appellant

Dated: JUNE 17, 2024

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