

The State Of South Carolina Supreme
Court

Appeal From Horry County Fifteenth
Circuit Court, Judge Bentley Price

Ronald L. Legg
Appellant

✓

State Of South Carolina
Respondent

Case No: 2016-CP-26-06592

Now comes Ronald L. Legg Appellant
Pro Se before this Court to Appeal
the Circuit Court Judges ruling for
Denying Appellant's Motion Pursuant
to Rule 59(e) SCRPC.

pg. 1 of 10

RECEIVED

JUN 25 2024

S.C. SUPREME COURT

Appellant filed Rule 59(e) SCRPC Motion on August 21, 2019 requesting the Court to Rule on All issues raised in the PCR Complaint, as Appellant raised the issues that the Court's ruling denying Applicant's relief was arbitrary, too attenuated, and subjected to erroneous findings based upon Trial Attorney (Issac Diggs) mental state and veracity during testimony in PCR hearing.

(1) On April 12, 2024 Respondent filed Motion For Order Denying Applicant's Motion Pursuant To Rule 59(e), SCRPC. This has been approximately four years, eight months, (1,715) days after Appellant (Applicant's) Motion was filed. An unusual

delay that unfairly prejudiced Applicant, Appellant.

(A) Notice of Respondents Motion was delivered to the wrong address, and thereby causing a delay for timeliness of Appellant's response for purpose of addressing reply to State's Motion.

(B). Appellant presently resides in Akron, Ohio, an out of state residence which makes it harder to find an attorney in South Carolina in short notice.

(c) Present medical conditions which restricted travel. Enclosed Medical information (Exhibit (c)).

Appellant was not able to meet the deadline for filing an objection to the State's Motion.

State filed its Motion For Order Denying Appellant (Applicant's) Motion For Rule 59(e) SCRCP on April 12, 2024.

Appellant did not receive notice of State's Motion until April 26, 2024.

Appellant filed Motion For Extension of Time To File response on May 2, 2024

Applicant filed Motion For Reconsideration of Order Denying Applicant's Motion Pursuant to Rule 59(e) SCRCP, on May 20, 2024

In the interest of Justice it is important for the Court to more effectively rule on all issues raised because they address important principles of law,

whereby the Court surrendered its opinion to the assessment of the State, thereby leaving issues of controversy, which failed to address the proven harms by the State calling Appellant's issues too attenuated, which is unfair to the material facts which required rulings on the principles of law raised.

According to PCR Trial Transcript trial attorney (Issac Diggs) admitted that during his representation of Applicant, Appealant, Diggs said his behavior was out of control while he was committing multiple felonies. PCR Tr. Transcript Pg 43 (1-7): "I take responsibility. I should have stopped

that. I should have gone to the Bar, explained that I've got to retire. I've got things going on that are out of control." PCR Trial Transcript Pg. 40 (11-12): "It was a train that was out of control from my perspective in terms of my practice."

At issue was the mental state of trial attorney Diggs according to Strickland v. Washington, whereby Diggs illustrated on PCR Tr. Transcript on several occasions that his mental state lacked the control necessary to function in the practice of Law for reasonable normal standard, and inadequate performance while he also admitted the lack of due diligence for

investigating the case as revealed on several occasions in PER Trial Transcript. On one occasion the State asked Diggs: Pg. 128 (3-7), Q: Did you conduct any sort of independent investigation, either personally or through a private investigator?" A: "I did it personally. I didn't hire an investigator in this case, but I went to the area and observed, tried to get a handle on where this occurred"

The State made the suggestion for Diggs that if he was committing multiple felonies, then it would be good for him to continue to practice law to relieve the stress even if he was out of control. PER Trial Transcript Pg. 134 (23-25): Q: Would you agree that

from time to time the practice of law provides you with an escape from some of the other stresses of life.

At issue was the mental state of trial attorney Diggs during his representation of Appellant. Fact is, Diggs proved his incompetence for the practice of law by also failing to notify Appellant Counsel Dudek who argued Appellant's case before the South Carolina Supreme Court that Diggs was disbarred while committing criminal acts while representing Appellant in his criminal trial. The South Carolina Disbarment narrative describes Diggs's psychological state during the time of his representation of Appellant showing Diggs

proved to be unfit to practice law during the time of Diggs's representation of Appellant and beyond that time.

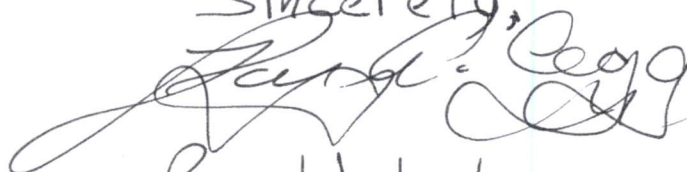
The Supreme Court's Disbarment of Issac Diggs validates every issue Appellant raised in PCR complaint proving Diggs was not a competent practicing attorney whereby, the S.C. Supreme Court's profile of Diggs and the incompetence of Diggs as illustrated in the PCR Trial Transcript clearly shows Appellant did not receive a fair trial.

↯ Ronald L. Legg, Appellant request of this South Carolina Supreme Court to reverse the lower court's Order

Denying Appellant's Motion Pursuant
to Rule 59 (e), SCRPC in the interest
of Justice

Appellant received notice of the Order
Denying Applicant's Motion pursuant to
Rule 59 (e) on May 29, 2024 with
notice from D. Russell Barlow II,
Assistant Attorney General dated May
23, 2024.

Sincerely,



June 17, 2024

Ronald W. Hegg
88 Vesper St.
Akron, Oh. 44310

cc D. Russell Barlow II