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SC Court of Appeals

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STATE OF SOUTH CAROLINA

2022A1010202600

VS

MARGIE BROWN

The order was signed on July 31/2024. The order was not docketed in. The system until August 5/2024. Charleston Country Clerk of Court will be closed on August 7/2024 and August 8/2024. Due to Tropical storm Debbie. The Defendant Margie Brown is unable to serve a copy if the Appeal due to the fact the Courts are closed.

#1. The Defendant Margie Brown is appealing the order by Judge Jefferson of Charleston County Courts to withdraw the Speedy Trail Motion. Judge Jefferson order states that the Defendant advise the Court at the time if the Hearing she wanted to withdraw the Motion. The Defendant attended the Motion to Relive Counsel the Hearing on July 22/2024. The Defendant never asked, or stated she wanted the Motion withdrawn. During the Hearing Judge Jefferson asked Attorney Kevin Hales about the Speedy Trail Motion filed on March 22/2024. Mr. Hales acknowledged the Motion, Judge Jefferson said she was withdrawing the Motion. The Defendant stated that she was not in agreement with withdrawing the Motion. The Defendant made the demand fora Speedy Trial on May 18/2022. Judge Jefferson said she was withdrawing Motion because the Defendant Margie Brown. Was not in Jail. Judge Jefferson stated the Defendant Margie Brown had to be in Jail for Speedy Trial. The Defendant stated she was not in agreement with withdrawing the Motion. The Defendant stated the Sixth Amendment stated that a person could be out on bond while awaiting a Speedy Trial. Judge Jefferson said that was incorrect. The Defendant informed the Judge that the Solicitor made false Declaration to the Grand Jury Judge Jefferson said that was incorrect and was not the grounds for a Speedy Trial Violation.

#2. The Defendant informed Judge Jefferson that she was denied her Second Appearance. Judge Jefferson stated that the Defendant should've received a Second Appearance, Judge Jefferson Asked Attorney Kevin Hales about the Second Appearance. Kevin Hales agreed the Defendant should have received a Second Appearance. Judge Jefferson said that Defendant didn't receive a Second Appearance because the Charleston County courts were not having them due to COVID-19. Judge Jefferson didn't quote a South Carolina Supreme Court Executive order stating that fact. During the Hearing Judge Jefferson continued to refer to the Defendants case in the year 2023. Attorney Kevin Hales never Objected or clarified that the Defendant case originated in May 2022. The Defendant had to inform the Judge of that fact.

#3. Judge Jefferson asked Solicitor Liane Kozik if the Defendant case was on the Docket for Trial. The Solicitor said no. Judge Jefferson asked if the State would except a lesser charge Solicitor said no. The state is negligent. The State didn't request the video footage of the alleged incident. Judge Jefferson asked if the State had any witnesses. The Solicitor said yes, Judge Jefferson asked how many the Solicitor said two or three. The Defendant stated that she was not aware of these alleged witness. That Attorney Kevin Hales never informed her of these witnesses. Judge Jefferson stated the Defendant should find that information in the Motion of Discovery. The Defendant said she did. There was only one witness, an African male, there was no phone number or address listed in the Motion of Discovery. The Defendant stated the State had no evidence and witness stated in the Motion of Discovery. The alleged victim was in possession of the alleged weapon.

#.4 The Defendant filed a Amended Motion to Relive Counsel on September 29/2024 on the grounds of Deprivation of Rights negligence, abuse, prejudice Conspiracy , Conspiracy to Interfere with Civil Rights and Concealment of evidence. Deformation 28.USC.4102 42 US 2983,42 7S.2985#342.US.1986.SC Criminal Rule#109(C)#1SC Criminal Rule#112,SC Criminal Rule 130(A)(C) SC Criminal Rule#122(A) 122,18 US.1623Section 26-9-300. Attorney Kevin Hales is a racist. The Defendant addressed that Charleston County Detention Center Bound Court Employee Conspired to conceal the Defendants

request for a Preliminary Hearing. The Defendant signed the document after Bond Court on May 18/2022. As is procedure the Defendant gave, Charleston County Detention Center Bond Court Employees the documents. The Defendant made the demand for a Speedy Trial and Preliminary Hearing on May 18/2024 after Bond Court. On the Kiosk in the Female dorm. The Defendant requested a Preliminary Hearing when she applied for a Public Defender. The Defendant never received a Court date for the Preliminary Hearing. Charleston Detention Center had no record of the Defendant request for a Preliminary Hearing. Charleston County Magistrate Court has no record of the request of the Preliminary Hearing. The Defendant addressed the fact that her case was never put on track(a)(b)(c) as is procedure with the State and General Sessions Court. The Defendant addressed the fact that she never received her Second Appearance. The Second Appearance should have been six months after the arrest date in September of 2022. The Defendant addressed the fact that the Clerk of Court Docket Sheet doesn't reflect Attorney Kevin Hales excusing the Defendant for the Second Appearance the Docket Sheet only reflects the first Appearance. Kevin Hales never notified the Defendant of the Second Appearance, Kevin Hales never asked the Defendant if she wanted to be excused. Kevin Hales never consulted with the Defendant asking if she wanted to Plea to a lesser charge or enter a guilty Plea. The Defendant was never notified of the Second Appearance by the State.

#5. On or around July 31/2023 the Defendant called Mr. Hales asking about the status of her case. Mr. Hales said there was no court date. The Defendant asked about pleading to a lesser charge. Mr. Hales said he would get back with the defendant. The Defendant asked if she could visit and discuss her options in person. Mr. Hales said yes. On or around August 3/2023 the Defendant had an in person meeting with Attorney Hales. Mr. Hales said the Solicitor wouldn't accept a lesser charge , the Defendant asked to see the body cam footage Mr. Hales blew it off as if it was of no importance. He said the video wouldn't play on his computer. Mr. Hales stated the Defendant needed not to worry the alleged victim had minor bruises on her left arm. Attorney Hales Stated in the Motion of the Discovery. The State had one witnesses an African male, Mr. Hales stated the witness said the alleged victim was in possession of the weapon.

#.6 The Defendant inquired about Charleston County Detention Center Employees Concealing her Preliminary Hearing documents and being deprived of her Preliminary Hearing. Mr. Hales blew it off as if it was of no importance. The Defendant stated that she wanted to take her case to trial. The Defendant asked about her request for Speedy Trail, that she filed on May 18,/20222 after bond Court on the Kiosk in the female

dorm in Charleston County Detention Center. Mr. Hales said the Defendant didn't qualify for a Speedy Trial because she wasn't in jail. Attorney Hales stated the Defendant Margie Brown would have to be in jail to get a Speedy Trial.

#7. After meeting with Mr. Hales in August 2023. The Defendant filed complaints to Lead Public Defender, and the Deputy Public Defender by emails, and phone calls about Attorney Kevin Hales ethics. Ted Smith returned the Defendant phone call, the Defendant explained what happened, the Defendant stated that she was not able to see or hear the body cam evidence, the Defendant explained that she sent emails and left voicemail asking for copies of the Motion of Discovery Mr. Hales wasn't returning phone calls or emails. Ted Smith said Give Mr. Hales a few days or so to see if he would reply to the phone calls or email. If that didn't work Mr. Smith suggested the Defendant file Motion to Relieve Mr. Hales as her Attorney.

#8. Mr. Hales never replied to the Defendant's request for copies of Motion of Discovery. Or documentation stating the State wouldn't accept a lesser charge. The Defendant also emailed asking for any and all documentation of her Second Appearance. Mr. Hales never replied. On or around September 11 2024 the Plaintiff had an in person meeting with Deputy Ted Smith. The Defendant stated that the Solicitor Cannon filed the Indictment on August 8/29/2024 a year after the Defendant arrest. Not within the 90 day time frame. South Carolina Criminal Law 109(c)#1 states the States within 90 days of the arrest warrant from the Clerk of Court. The State shall take action#1prepari g an Indictment. South Carolina Criminal Law #D The Solicitor may petition the Chief Judge for an extension of time. Solicitor Cannon didn't file for an extension of time as is pursuant The South Carolina Criminal Law (D).

#9. Ted Smith said there was no time frame for the Solicitor to file an Indictment, the Solicitor could file an Indictment at any time. The Defendant asked about a Speedy Trial. Ted Smith said the Defendant had to be in jail to get a Speedy Trial. The Defendant addressed that Ted Smith couldn't provide the Defendant, with any Federal Law or Federal Code, or SC State Law or Code of the alleged statements. Ted Smith couldn't provide the Defendant with any case log of the alleged statement. Attorney Kevin Hales couldn't provide the Defendant with any Federal Law Code or SC State Law Code if the alleged statement. That the Defendant had to be in jail for a Speedy Trial.

#10. At all times relevant The Defendant was unable to find suitable employment due to the pending charge on her record. On Dec 19/2024 after exhausting all administrative avenues. A letter to the Judge, Complaints to the Lead Public Defender, Complaints to the Deputy Public Defender. The Defendant took Attorney Hales advice and turned herself into Charleston County Detention Center. On or around Dec 20/2023 the Defendant requested a Speedy Trial. On Jan 16/ Mr. Hales visited the Defendant he refused to file the Motion for a Speedy Trial. The Defendant expressed that she couldn't find suitable employment due to the pending charge on her record. The Defendant explained that was evicted and homeless. Mr. Hales Stated well now that your here I can file the Motion. Not because it was his job. Mr. Hales stated the Solicitor wouldn't accept a plea of a lesser charge. The Defendant asked Mr. Hales when was the last time he spoke with the Solicitor, he stated some time ago. The Defendant explained that the Solicitor made false Declaration to the Grand Jury. The Solicitor led the Grand Jury to believe the alleged victim was touched no consensually. Nonconsensual touching Nonconsensual consist of touching of the private parts. The breast, buttocks, vagina underneath the clothing or on above. The North Charleston Police report stated the alleged victim had light bruises on ger left arm. The Police report doesn't state the alleged victim was sexual touched or assaulted. Assault in the 2 Degree consist of substantial injuries broken bones, a concussion, an overnight stay in the Hospital, or a length stay in the hospital. Assault in the 1st Degree consist of minor cuts and bruises, and a visit to the ER The alleged victim had minor bruises on her left arm, and a visit to the ER. The Solicitor led the Grand Jury to believe the Defendant Margie Brown was sexual deviant. Mr. Hales still refused to file a Motion to Dismiss for a Speedy Trial Violation.

#11. The Defendant was released on or around Jan 21/2024. The Defendant met with Mr. Hales in person on or around Jan 26/2024. Mr. Hales stated that Solicitor Cannon viewed the alleged victim medical records and the State would except a lesser plea. However the decision was not up to The State. The alleged victim had to make the decisions. The Defendant excused herself from the meeting. The Defendant emailed Mr. Hales stating he was negligent the Solicitor had the Alleged victims medical records for 21 months. The State knew the alleged victim didn't have extensive injuries and Mr. Hales was negligent for not investigating the medical records as well. Mr. Hale so stated on or around August 3/2023 during the Defendant in person meeting the alleged victim had minor injuries on her left arm. Mr. Hales had the

Motion of Discovery in his possession for 21 months. Mr. Hales is a racist and used malicious intent to deprive the Defendant of her Civil Rights. The Defendant stated that she wouldn't Plea to a lesser charge and to move forward with the Motion to Relieve Counsel. For two Months after the visit The Defendant continued to make the demand for a Motion Speedy Trial Violation. By email and phone calls. Mr. Hales continued to refuse. Mr. Hales didn't file the Motion for a Speedy Trial until March 22/2024. Twenty two months after the Plaintiff arrest