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RE: MAURICE Anthony Odom V. State

Appellate Case No. 2024-000517

S.C. SUPREME COURT

Pro SE Response to the Petition filed by
Counsel Mrs. Sarah E. Shipe

NOTE: When I received the letter from attorney Sarah Shipe, stating that she's filing a Johnson brief, I immediately called on the jail phone that I'm certain has been recorded. I asked her of all these issues I have on this case, you mean to tell me, there's not one, you could use, then in my opinion, my many issues are very strong. She said those issues has already been raised in other lower courts, and basically denied or turned down. My question is, that sounds like a person that doesn't want to do her job and gave up, on the fight way before the fight got started, which I'm not certain why she feels like that if it's personal or what, but definitely very unprofessional being that she should know this the purpose of going to higher courts where a lower court doesn't agree. It happens all the time of cases that got denied,

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End up being heard and reversed in higher courts, remanded or thrown out in favor of the inmate. She should Mrs. Sarah Shipley, should have way more experience than this. Judges are human and make mistakes everyday, that are corrected by higher courts. All I ask and request is a fair hearing by the judges to be reviewed of all my issues considering I have claimed and maintain my innocence from day one of my nonviolent burglary 2nd degree charge, that all of a sudden turned violent, putting me in a 3-strike status illegally, which took a 15 year charge, changing to giving me a life sentence without parole over allegedly stolen cigarettes. Well, I now present my issues starting with the 1st one below.

(A) I was giving a life sentence under the 3 strike statute 17-25-45 but it also says that you have to have 2 or more prior convictions from the time of the crime starting from November 2007, the alleged crime took place. Before the trial sitting judge handed the sentence of LWOP →

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the judge stated on record that he doesn't think that he could do this but he's going to go with the recommendation of the state. Now the alleged crime happened in 2007 and prior convictions means before 2007, it of the law speaks in plain clear language of prior, but they went out and used and used a 2014 conviction to enhance the 2007 burglary charge. That's clearly after and not prior, which is prosecutorial misconduct. My burglary charge bears the CDR # code of [#]0080 which is nonviolent and which my warrant states nonviolent ~~and~~ and my indictment bears the code #0080. I had a preliminary hearing, on this exact same charge and my charges got dropped and dismissed because they're were no evidence that I committed any crime, no more than word of mouth of a person that got caught in many lies, which helped get my charges dismissed but picked back up months later being that they said new evidence, which it wasn't new evidence, it was the exact same evidence that was used the 1st time, which helped get the charges dropped at preliminary hearing. When they picked the charges back up, well →

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before they picked the charges back up, my arresting officer whom has been now forced off the force "Lamaz Robinson" for having sexual relations with a young male high school kid, that was under investigation by SLED. Lamaz Robinson, also told Brandon Donaldson, that ~~my~~^I told him that Brandon committed this crime, which was a lie and out of anger when Brandon thought I said that about him, he ~~was~~^{was} angry, with me and decided to tell them I was involved. When I asked Lamaz Robinson why he lied on me, he replied I did what I had to do, to get answers. Lamaz told me if I didn't do this crime then I know who did, and he would make me pay for getting those charges dropped, me and my fast talking lawyer. And he did just that, even having me arrested again on the exact same charge twice. I told them from day one it was my 2 half brothers that committed these crimes, the night they dropped me off in my car, to my daughters mother house in Aiken, S.C. I had 2 jury trials but before that

(A)

1st jury trial, my charges were once again dismissed, then picked back up a 2nd time. I took a jury trial on a 2nd degree burglary nonviolent, that resulted in a mistrial. Two years later, they tried me again but this time, my charges changed to a violent burglary from nonviolent. How did that happen and why, when it was it done in the 1st jury trial and the CDR code still bears the #0080 which is nonviolent. Plus on the 3 strikes they convicted me on, using a criminal sexual conduct that, ^{was minor} happened back in 1995 and got overturned in 2002 and the 3 strike rule says that they can't use that on me if its proven or on record that it was consensual sex, which it was and on record, plus she admitted to them that she lied about her age that she was eighteen (18) and I was like 21 at the time. That shouldn't be used against me and the law favors me on that. (Holman v. State 674 S.E. -2d 171 (2009))

(B) The prosecutor vouched for Bragdon by stating he has no reason to lie. That's against the rules of vouching to manip →

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-pulate the jury, to favor his way.

(c) The prosecutor committed misconduct in office in many ways. It even shows that Prosecutor Irvin Maye, was unfit and mentally unstable, after many complaints of his bad negative actions, all due respect to the family, but he Irvin Maye, committed suicide and had a note attached to him which should have been an investigation opened after that because even I filed several complaints with the disciplinary council. He even told me that he liked my alleged co-conspirator, which shows personal feelings and went and had all of Brandon-Donaldson charges dropped, even after Brandon told him he did it. So why did Brandon charges ~~stick~~^{dropped} and mine's stick. He expressed so much personal feelings that he took my non-violent charges changing it to violent just to put me on the 3 strike law. He even waited until I got the ~~2014~~²⁰¹⁴ conviction in Laurens county to use as a bad tactic to enhance my charge that happened in 2014. The solicitor even

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knew that Brandon had mental health problems his whole life, even were admitted in a ~~psych~~ psychiatric ward, several times, and once for attempting to kill his kids. The solicitor even knew Brandon had a charge in Barnwell, S.C. for Burglary and his charges got dropped there, being that he was considered not competent to stand trial there. So why was he able to stand trial as a witness in Edgefield County against me? Solicitor even said during trial and in transcript, that even though Brandon is a bit slow, so if he believes that, then why get him on stand used to prosecute me. How did his charges get dropped and mines ~~to~~ stick, when him and Nicholas actually committed this ~~burglary~~ burglary. I was no where near that place. Then they used clothes in my car that they found that had nothing to do with a burglary. They found a black baseball cap, a black and white stripe button up shirt, that was in my back seat of my car, that was my belongings in my car, that had my D.W.A. on them items, and thats because it was mines.

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but it has nothing to do with the burglary. In fact the clothes used according to video camera, were all black clothing, of Black head hat with holes that opened at the eyes and mouth, long sleeve all black shirt, black pants, 2 gloves, 2 pair of boots and socks, that was clearly used in the store burglary by video, but they conducted a DNA test 3 times that didn't come back to match me. I should have been excluded completely. So why would they say my DNA were on the clothes but didn't tell the jury that those weren't the clothes used in the burglary. So I believe that led the jury into believing I was guilty by saying that at trial, instead it should have been said that the clothing used in the burglary did not have my D.N.A. on them. I feel the attorney should have objected as well but he didn't, which left me to be convicted of a crime I did not commit. The solicitor also told the jury that I'm from Barrow, Sic, and came all the way to their town to commit a crime to the stores their kids got

(9.)

to go to school to, that's also misconduct and manipulation. Solicitor Maye, told my then attorney that he agreed to drop all charges, until he found out that I launched an investigation on him at the Disciplinary Council, and he changed his mind after that, so my ~~then~~^{then} attorney Jerry Screen of Columbia, S.C. were very angry then because Mr. Irvin Maye went against his word of agreement. Plus solicitor Irvin Maye contacted solicitor Dale Scott of Newberry County and told him to let me know if I plead guilty to 15 years there in Newberry that he would drop all charges in Edgefield. So I did plead guilty in Newberry but once again Irvin Maye went against his word. There's no sufficient evidence that says I committed any crime, no more than a mental health man, Brandon Donaldson that got all his charges dropped in exchange to say that against me and he walks free after admitting he done the crime.

(c) I wanted to testify on my ~~the~~ behalf, but the solicitor said if I do that he would bring up my past history to make me look bad, when I found out later that he couldn't do that or bring up my past if I chose to ~~testify~~ testify on my behalf because my ^{charges} ~~was~~ happened over 7 years before that, if I would have known they couldn't have done that, I would have testified in my defence. If I could get a retrial I would do just that, that I feel would prove my innocence to help me. I even tried to get another private attorney on my 2nd trial vs. an attorney for the state, but the solicitor Irvin Maye blocked that, and that's on record as well, they stated they're ready now, so I had to deal with a public defender. If I would have known I could have gotten a life sentence before trial, I would never have went through with a jury trial. I would have plead to no contestant, then fought it later. They waited until after the trial until to see if they were able to do just that.

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(D) They violated the double jeopardy clause. They dropped my charges like 2 or 3 times then a mistrial followed by charges dismissed by a judge at a preliminary hearing, or to try me again after a full 7 years of the trauma.

(E) I was violated my speedy trial rights, that I had the attorney filed for and requested. Considering that they didn't honor my request, in the process one of my witnesses end up dying on me years later, now I had my trial but if they would have honored it, then I would have had a reliable witness that was going to confess to the crime with Brandon, then get me in trouble for something I didn't do or had anything to do with.

(12.)

(F.) They solicitor Irvin Maye had me rearrested with 2 bench warrants, knowing I was hospitalized, being that the hospital contacted them and confirmed it but they yet still had me arrested, then only for me to get the evidence together, for them to lift both bench warrants, and they stated that they couldn't lift the bench warrants til then but I produced all the evidence then the judge order them to lift it, then they agreed to drop all charges but they couldn't find out where I was but to turn out, they already knew I was in the hospital but then went against yet another agreement.

(G.) Due Process - Excessive pretrial Delay
5th Amendment - due process clause and 6th amendment, right to a speedy trial... state vs. Langford the cite 400 S.C. 421 supports my speedy trial rights, keeps me from putting up an adequate defense. The clock starts running when the defendant is arrested, indicted and or accused. These are grounds of dismissal along with the double jeopardy. My charges were dropped at least 3 or 4 times

(13.)

On the prosecutorial misconduct, the solicitor Mr. Maye gave false and misleading information to the jury to convict as in pg. 81 on trial transcript dealing with the clothing knowing my D.N.A. wasn't on the burglary clothing. I ever told them about the guy by the name of Robert Broadwater that was on my jury trial sent message to a family member of his in jail telling me to call him and ~~██████~~, to see what he wanted, not knowing he was a jury but he wanted to charge me not to convict me if I paid him \$5,000 dollars I believe but I ~~██████~~ told his family member no, I don't have that type of money. I told the lawyer and he said that's a PCR matter. Even a member read the newspaper that was put out on me that concerned me and the jury admitted to reading it. The solicitors wasn't trying to give me a life sentence in my 1st jury trial that resulted in a mistrial, so what changed in my circumstances to not only go after me in the 2nd jury trial with a life sentence that they didn't do in the 1st jury ~~trial~~ trial but change my non-violent crime to violent on 2nd trial but why? Misconduct.

on pg. 390 of transcript shows manipu-
-lating evidence by saying their kids are the
victim and local people work there, kids
getting there start there are all improp-
-er statements. pg. 404 telling the jury
I think I'm smarter than them. He ~~stated~~
stated I likely been wearing the clothes
for the burglary but yet my D.N.A. is on
none of them pg. 408 line 28, then on
pg. 409. line 9 and 10 saying I'm not
smarter than the jury of 12 of you and
line 16 where he's saying you're all from
Edgefield, I'm confident ~~in~~ you will come
back with a verdict that does justice.

Also Mr. Maye done an order that stop-
-ped me from going around my father
or family or I will be sent back to jail.
This happened for years, and I was living
with my father at one point but couldn't
go back. Every court term I had to be to
court every single day all day long from
9 a.m. - 5 or 6 p.m. for two weeks every
court term. He said he gotta be there then
so do I, and I lost my job behind
that. I had to reach out to Downie
Myers "Head Solicitor" to get him to

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stop, the nonsense. It stopped temporarily but he went back doing it again.

Now of all this plus more I could add, there is no way on heavens Earth Mrs. Sarah Shipe filed a Johnson Brief. I understand her case load may possibly be full but please don't sacrifice me because one would think my case is less important or to help lower your case load, this is wrong unethical, unprofessional and inappropriate in many ways, I'm no attorney but I know better and can see something is wrong with this case. I pray before God the judge sees this and give me the opportunity to fight and proceed. I have a life sentence without parole over cigarettes allegedly, so I have to fight.

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