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SC Court of Appeals

From: Kitchings, Jenny
To: [Court Of Appeals Filings](#)
Subject: FW: Conflict of Interest, Incomplete Appendix and Erroneous PCR Order of Dismissal
Date: Thursday, December 12, 2024 4:36:43 PM

From: Aquarius Jones <aquariusjones83@gmail.com>
Sent: Tuesday, December 10, 2024 4:28 PM
To: Williams, H. Bruce <hwilliams@sccourts.org>
Subject: Conflict of Interest, Incomplete Appendix and Erroneous PCR Order of Dismissal

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

To The Honorable Chief Justice H. Bruce Williams in reference to Nathaniel A. Hunter #372378 appellate case number 2023-001611. My name is Aaron Jones and Mr. Hunter is my younger brother. I am sending you this email because it's a grave concern of mine that my brother is blatantly being forced to be represented by Ashley A. McMahan, Esquire with an existing conflict of interest. My brother even has a complaint with the Office of Disciplinary Counsel that was filed in April of this year. Ms. McMahan is currently under investigation due to my brother's complaint against her. Ms. McMahan demonstrated incompetent, inadequate and misrepresentation of my brother in his PCR proceedings. He was appointed Joanna K. Delaney for his Writ of Certiorari appeal in which he filed a motion to relieve counsel due to a conflict of interest that was granted by the Supreme Court of South Carolina, see Supreme Court's public index. The Office of Indigent Defense appointed Ashley McMahan to represent my brother in his writ of certiorari appeal after she sabotaged my brother's PCR proceedings. My brother filed multiple motions with the Supreme Court of South Carolina to relieve Ms. McMahan as his counsel which was denied by the supreme court. However, Ms. McMahan did display incompetent representation of him in his PCR proceedings such as failing to do a proposed order and raising frivolous issues. One of my brother's issues in his PCR application was that his appellate counsel was ineffective for failing to raise my brother's continuance request at his Schmerber Hearing so he could obtain an expert witness on his behalf to determine if there was probable cause that my brother committed the crime. My brother's appellate counsel failed to raise that issue on direct appeal. My brother's PCR counsel Ms. McMahan failed to submit the Schmerber Hearing Transcript into evidence at the PCR hearing. The Schmerber Hearing Transcript is not even in the appendix either. The problem is that my brother raised it at the PCR hearing and the PCR Court denied him relief on that claim in the PCR Court's Order of Dismissal on pages 1381 and 1382 of the appendix. The record reflects that it was impossible for the PCR Court to make a decision on that claim because the Schmerber Hearing Transcript was needed so the PCR Court could review the transcript to determine if there was probable cause that my brother committed the crime as well as to give my brother his substantial right to present expert testimony on his behalf. This clearly shows that the PCR Court erred by ruling on a claim that was not sufficient for appellate review due to my brother's PCR counsel not submitting the transcript into evidence so it could be apart of the record. That was a grave error and it renders the PCR Court's Order of Dismissal's judgment void according to the South Carolina Rules of Civil Procedure. My brother is very intelligent and has been studying the law for the last 7 years so he knows exactly what has been going on with his case. We love my brother very much and he's always maintained his innocence. We need him home, everyone who

knows him knows he turned his life around and went to college for computer programming. The things that have took place goes against the fundamental fairness of our judicial system in this country and our Constitution forbids representation of defendants with an existing conflict of interest. My brother has been complaining about how much his constitutional rights have been being blatantly violated and I feel like I should reach out to you because I don't know who else could correct this. I apologize and please forgive me for that but it seems as if my brother's motions have not been heard by the supreme court because I know that Court nor this Court would blatantly allow my brother's constitutional rights to be constantly violated. I thank you for your time and patience and I ask that you please let me know that you received this message. Feel free to email me with a response as well. Thank you and have a blessed day.