

State of South Carolina (Page 1 of 3) In the Court of General Sessions 2022A2330206  
County of Greenville } 521, 522, 523, 524, 525 &  
The state of South Carolina } 2022A2330206556

VS

Saria Brennan Dazinana Walker,  
Defendant.

Motion for Relief  
**RECEIVED**

FEB 07 2025

I am asking for relief from my <sup>SC Court of Appeals</sup> imposed Active Sentence be dismissed due to violation of Due Process the Court held my trial and Sentence in my absence while I was incompetent and the State failed to conduct a "Fitness to stand trial" exam I was found incompetent 8/10/22 30 mins after signing PR bond and 3 more times after trial at SCDC and admitted to Prison mental facility MSCU Lancaster Hospital and the Judge also conducted the sentence outside of Jurisdiction Aug 19-Sept 26 when Appeals Court had Jurisdiction Aug 1<sup>st</sup>- Oct 29<sup>th</sup> the Judge Perry Gravely and Marcus Lynn Smith Acted outside of their Jurisdiction So I move to suspend my active Sentence and dismiss this case based on the grounds listed above

I Need relief my active Sentence needs to be suspended and I need to be released In accordance to Section 44-23-220 - Admissions of Persons In Jail I am currently at MSCU Lancaster due to being Incomptent I have been admitted here multiple times I Need to be released I Should Not be Sent back to Prision I Wasn't Comptent durning trial that was held in my Absence I had been In and Out of Pycosis Since May 30 my Grandmother died Im still in and out of Pycosis Currently I Should have been sent to a mental Hospital NOT Prision I Need relief I was Hospitalized From 8/10/22 - 8/22/22 12 days Added to my Sentence  
X Suzan Warr - 1/27/25  
@ Lancaster Hospital  
MSCU

Proof of Service

I Saria Walker Certify that A  
Copy of "motion for relief"  
was sent to Greenville County Clerk  
with the correct postage on  
1/27/25 at the address 305 E  
North St Suite 202 Greenville SC  
29601

**RECEIVED**

FEB 07 2025

SC Court of Appeals

X Saria Walker 1/27/25  
@ Lancaster Hospital  
MSCU

X Active Sentencing Sheet  
Attached For Direct Appeal

STATE VS: Saria Brrenna Daizhiana Walker

INDICTMENT/CASE#: 2023 - GS - 23 - 01983

STATE OF SOUTH CAROLINA )

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville )

STATE )

VS. )

INDICTMENT/CASE#: 2023 - GS - 23 - 01983

Saria Brrenna Daizhiana Walker )

A/W#: 2022A233020657

AKA: )

Date of Offense: 8/8/2022

Race: BLACK Sex: F Age: 26 )

S.C. Code § 16-09-0320(B)

DOB: SS#: )

CDR Code #: 0256

Address: )

City, State, Zip: )

DL#: SID#: )

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

Defendant Pro Se

In disposition of the above indictment comes now the Defendant who  WAS CONVICTED OF or  PLEADS

TO: Resisting / Assault, Beat, Or Wound Poli

in violation of § 16-09-0320(B) of the S.C. Code of Laws, bearing CDR Code # 0256

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45  
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury.

The State's Position is:

None

Negotiated and Agreed Upon Sentence \_\_\_\_\_ Years, \_\_\_\_\_ Months, Probation for \_\_\_\_\_ Years, \_\_\_\_\_ Months

Negotiated and Agreed as to Charges Only

Recommended and Agreed Upon Sentence: \_\_\_\_\_ Years, \_\_\_\_\_ Months, Probation for \_\_\_\_\_ Years, \_\_\_\_\_ Months

ATTEST:

Smith, Marcus

11832  
SC Bar #

PRO SE

9999  
SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Correction,  County Detention Center,

for a determinate term of 8 Hours/ Days/ Months Years  Time Served

Home Detention Program(HIP)  MH Evaluation and Compliance  Batterer's Treatment

Domestic Abuse Counseling  Drug Court  Drug Program  Alcohol Program  Inpatient Facility

Hold Until Bed Space Available  Mental Health Court  Balance Suspended with Drug Court

Other:

Judicial Review \_\_\_\_\_ Days/Months

Youthful Offender Act not to exceed \_\_\_\_\_ Days/Months/Years

And/ Or to pay a fine of \$ \_\_\_\_\_ ;

**RECEIVED**  
**FEB 07 2025**  
**SC COURT of Appeals**  
*Trial in absence*

STATE VS. Saria Brrenna Daizhiana Walker INDICTMENT/CASE# 2023 - GS - 23 - 01983  
provided that upon the service of 42 Hours/ Days/ Months prob Time Served

- Home Detention Program(HIP)  MH Evaluation and Compliance  Batterer's Treatment
- Domestic Abuse Counseling  Drug Court  Drug Program  Alcohol Program  Inpatient Facility
- Hold Until Bed Space Available  Mental Health Court  Balance Suspended with Drug Court
- Suspended To Batterer's Treatment
- Other: \_\_\_\_\_

And/ Or a payment of \$ \_\_\_\_\_ ; plus costs and assessments as applicable\*

- the balance is suspended with **probation** for 30 prob Months/Years
- Suspended During Probation  Suspended During Drug Court  Suspended During Batterer's Treatment
- Other: \_\_\_\_\_

and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run  
 CONCURRENT or  CONSECUTIVE to sentence on: 7/30/24

- The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 14 Days/months including 12 days for MV commitment
- To include time spent on monitored house arrest prior to trial and sentencing.
- The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. Section 922 and §16-25-30 it is unlawful for a person convicted of a violation of Section §16-25-20 or §16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

Defendant has 10 days to apply for Home Detention Program or this will convert to an active sentence.

**SPECIAL CONDITIONS:**

- PTUP** after \_\_\_\_\_ months/years
- And Other Terms Listed Below:**
- Conditional Discharge.
- Substance Abuse Counseling  Completion of GED  Random Drug/Alcohol Testing
- Attend Voc. Rehab. or Job Corp  No Contact with Victim  Domestic Violence Intervention Program
- Mental Health Counseling  May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430  Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

STATE VS. Saria Brrenna Daizhiana Walker INDICTMENT/CASE#: 2023 - GS - 23 - 01983

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered

See Attached Restitution Order

Total: \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

\*Fine:

	\$	Beginning	\$
Fine may be pd. in equal, consecutive weekly/monthly pmts. of	\$ _____		
§14-1-206 (Assessments 107.5 %)			\$ _____
§14-1-211(A)(1) (Conv. Surcharge)		\$100	\$ <u>100.00</u>
§14-1-211(A)(2) (DUI Surcharge)		\$100	\$ _____
§56-5-2995 (DUI Assessment)		\$12	\$ _____
§56-1-286 (DUI Breath Test)		\$25	\$ _____
§14-1-212 (Law Enforce. Funding)		\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)		\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41	\$ _____
§50-21-114(BUI Breath Test Fee)		\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea	\$ _____
3% to County (if paid in installments)		TBD	\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.		\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD	\$ _____
		<b>TOTAL</b>	\$ <u>129.75</u>

Clerk of Court/ Deputy Clerk: Bruce Bennett  
Court Reporter: Jenkins

Presiding Judge: Wm H. King  
Judge Code: 8755  
Sentence Date: 7-20-24

Specify Other Costs\*

Cost Code	Cost Description	Amount
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____

*prob begins upon comp of any early rel. pray.*



STATE VS. Saria Brrenna Daizhiana Walker INDICTMENT/CASE#: 2023 - GS - 23 - 01971  
provided that upon the service of \_\_\_\_\_ Hours/ Days/ Months/ Years  Time Served

- Home Detention Program(HIP)  MH Evaluation and Compliance  Batterer's Treatment
- Domestic Abuse Counseling  Drug Court  Drug Program  Alcohol Program  Inpatient Facility
- Hold Until Bed Space Available  Mental Health Court  Balance Suspended with Drug Court
- Suspended To Batterer's Treatment
- Other: \_\_\_\_\_

And/ Or a payment of \$ \_\_\_\_\_ ; plus costs and assessments as applicable\*

- the balance is suspended with **probation** for \_\_\_\_\_ Months/ Years
- Suspended During Probation  Suspended During Drug Court  Suspended During Batterer's Treatment
- Other: \_\_\_\_\_

and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: 7/30/24

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 14 days/months *includes 12 day for involuntary commitment*

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

**Pursuant to 18 U.S.C. Section 922 and §16-25-30 it is unlawful for a person convicted of a violation of Section §16-25-20 or §16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.**

**Defendant has 10 days to apply for Home Detention Program or this will convert to an active sentence.**

**SPECIAL CONDITIONS:**

**PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- Conditional Discharge
- Substance Abuse Counseling  Completion of GED  Random Drug/Alcohol Testing
- Attend Voc. Rehab. or Job Corp  No Contact with Victim  Domestic Violence Intervention Program
- Mental Health Counseling  May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430  Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

STATE VS. Saria Brrenna Daizhiana Walker INDICTMENT/CASE#: 2023 - GS - 23 - 01971

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered

See Attached Restitution Order

Total: \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

\*Fine:

Fine may be pd. in equal, consecutive weekly/monthly pmts. of	\$	Beginning	\$
§14-1-206 (Assessments 107.5 %)			\$
§14-1-211(A)(1) (Conv. Surcharge)		\$100	\$ <u>100.00</u>
§14-1-211(A)(2) (DUI Surcharge)		\$100	\$
§56-5-2995 (DUI Assessment)		\$12	\$
§56-1-286 (DUI Breath Test)		\$25	\$
§14-1-212 (Law Enforce. Funding)		\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)		\$150	\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41	\$
§50-21-114(BUI Breath Test Fee)		\$50	\$
§56-5-2942(J) (Vehicle Assessment)		\$40/ea	\$
3% to County (if paid in installments)		TBD	\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.		\$500	\$
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD	\$
<b>TOTAL</b>			\$ <u>128.75</u>

Clerk of Court/ Deputy Clerk: Bruce Elliott  
Court Reporter: Jenkins

Presiding Judge: [Signature]  
Judge Code: 2758  
Sentence Date: 7-30-24

Specify Other Costs\*

Cost Code	Cost Description	Amount
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____

Sarla Brenna Dazihana Walker 00395358

BRB1

Camille-Graham

4450 Broad River Rd

Columbia SC 29210

**RECEIVED**

FEB 07 2025

SC Court of Appeals

INDigent

Legal Mail ★

South Carolina Court of Appeals

Jenny Abbott Kitchings

P.O. Box 11629

Columbia SC 29211

