

State of South Carolina
In The Supreme Court

Randall Loyis Simpson
Plaintiff,

vs.

State of South Carolina
Defendant,

In The South Carolina
Supreme Court:

Appellate Case No: 2024-001349

Notice of Appeal and
Response to Petition

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S.C. SUPREME COURT

SC Court of Appeals

I Randall Loyis Simpson am bringing forth the legal issues that I believe the Courts should consider since legal documents were filed against Public Official, Public Defender Elizabeth H. Neyle while (she) Elizabeth H. Neyle was representing (me) Randall Loyis Simpson as her Client and her as my Attorney.

1.) Violation of Sixth Amendment Constitutional Rights:

- Constitutional Right to Speedy Trial;
- Confrontation Clause (1913) The Sixth Amendment provision generally guaranteeing a criminal defendants right to confront an accusing witness face-to-face and to cross examine that witness.

- Defendants who are represented by appointed counsel are entitled to adequate representation. (Cuyler v. Sullivan, U.S. Sup. Ct. 1980)

Whereas, I Randall Loris Simpson asked and told Public Defender Elizabeth H. Neyle to file a Motion for Fast & Speedy Trial in 2019. Elizabeth H. Neyle refused and would not. She told me she was not going to file such Motion. Therefore, I filed my own Motion for Fast & Speedy Trial in 2019.

Elizabeth H. Neyle wrote me a letter in July 2019 and told me if I was going to file Motions in my case she would relieve herself of Counsel. Upon information and belief she got very mad. "Ineffective Assistance of Counsel"

Whereas, I was getting ready for trial, when witnesses contacted me and brought forth that this alleged victim had a compulsive lying habit to the Police Officials under the same and similar pretenses and circumstances alleged.

Therefore, I investigated for myself and brought this information to Public Defender Elizabeth H. Neyle's attention and asked her to check this out and check into it.

I filed Under Freedom of Information Act with the 911 Dispatch Center and requested to go back 15 years on how many times 911 was called from the 950 South Castua Drive address, which is the address of the alleged victim in the case.

I got legal documents back stating the victim had made approximately 400 plus calls from this 950 South Castua Drive address within a 15 year period and lived at this address for 40 plus years. Therefore, the information that I recieved from witnesses was true and correct.

I spoke to Public Defender Elizabeth H. Neyle concerning the information from witnesses. She said she would check on it. While I was up at the Florence County Complex, I asked her what she found out. She stated while we was in a empty Court Room that she checked the County and City records and the only 911 call that was ever made from the 950 South Castua Drive address was on the night of the incident, I knew then she was favoring the Prosecution side. "Ineffective Assistance of Counsel"
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I told Elizabeth H. Neyle that she was lying and told her of the 911 Dispatch Center documents I received and she got fire mail and told me that I am not suppose to be investigating my case, that was her job as my Attorney. "Conflict of Interest between Attorney and Client"

I brought that point forth to show and prove I have had Ineffective Assistance of Counsel and Conflict of Interest from the beginning of Elizabeth H. Neyle representing me. I wanted to go to Trial and I was working hard and doing my own investigation on my case.

On March 16, 2020 I was scheduled to go to Trial. On March 11, 2020 Covid-19 shut all Courts down. Therefore, my trial was scheduled next when the Courts opened back up.

On August 23, 2020 Elizabeth H. Neyle came to see me. She said, Mr. Simpson do you want to go home tomorrow. I said what do you mean, she said, I got you 5 years Probation and if you sign it, you will go home tomorrow. I will get you in front of the Judge first thing in the morning. I said, what about my Trial. She said oh, they are not

having no trials no time soon, it will be years before they start doing any trials, She said, you will have to sit here for a long time.

Elizabeth H. Neyle said, the only way you are going to get out and go home to your wife and kids is to take the Probation, and you can go home tomorrow.

So I Randall Loyis Simpson plead guilty on August 24, 2020 and took the Probation so I could get out and go back home to my wife and kids, because Elizabeth H. Neyle said, they were not having trials for years.

I Randall Loyis Simpson got locked up for another charge in 2021. While I was in Florence County, I seen some of the same guys I left there, they never got out yet. They told me that Florence County had a trial the following week after I went to court and plead guilty. I confirmed that they did have a Trial by Florence County Officials. They said they specifically remember because the guy got 30 years.

Whereas, I Randall Loyis Simpson was lied to, Coerced, and manipulated by Public Defender Elizabeth H. Neyle to plea guilty to alleged charges, so Florence County could get a conviction.

Therefore, Elizabeth H. Neyle railroaded me and worked with the Prosecution to have me plea guilty, so they could get a conviction.

I wanted a trial and still want a trial, I wanted a Trial when the victim was alive, nothing changed on my behalf. I am still entitled to a trial.

I would not have plead guilty if my Public Defender was truthful with me about when the Trials were. She lied and manipulated me by saying it was going to be years before the courts started Trials back up, because of Covid-19, but they had a Trial the following week.

At this point, I have been in Florence County for 600 days and I did not want to spend another 600 days in Florence County. Elizabeth H Neyle told me the only way I was going to go home to my family was to plea guilty to Probation.

2) Conflict of Interest:

I did not state concisley the ground of Conflict of Interest when filing my "PCR". But as I bring forth evidence, there are grounds of Conflict of Intrest that need to be addressed and brought forth before the Courts.

- I filed Motions pro-se without Elizabeth H. Neyle's permission, and she wrote a letter stating she would relieve herself of Counsel:
- I caught Elizabeth H. Neyle in lies and brought legal documents to prove she was lying to her face in my case.
- I wrote Judge Brown about the issues I was having with Public Defender Elizabeth H. Neyle, Me and Elizabeth H. Neyle was brought forth before Judge Brown January 2020 on the issues I brought forth about her Ineffective Assistance of Counsel.
- I wrote the South Carolina Bar Association on Elizabeth H. Neyle: "Ineffective Assistance of Counsel"
- I refered Elizabeth H. Neyle to the Office of Disciplinary Counsel and went as far as the Panel Board, favoring Prosecution and Ineffective Assistance of Counsel":

- I filed a Habeas Claim w/ United States District Court CASE No: 4:19-CV-03095-JMC

- I filed a Writ Habeas Corpus pursuant to 28 U.S.C. § 2241 w/ United States District Court

Whereas, with the legal issues I brought forth against Public Defender Elizabeth H. Neyle, there was and is a Conflict of Interest between Attorney and Client.

Therefore, I do believe these issues need to be brought before the Courts to be recognized, considered and investigated.

I declare under penalty and perjury that the foregoing is true and correct. Executed on January 30, 2024 in Enoree, South Carolina,

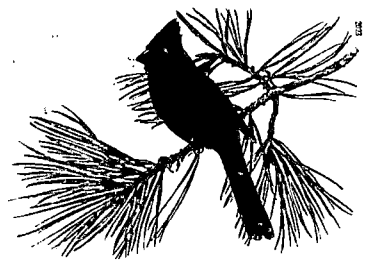
January 30, 2024
Enoree, South Carolina

Respectfully Submitted,
Randall Loy's Simpson
Randall Loy's Simpson

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SC Court of Appeals

The Supreme Court of South Carolina
Patricia A. Howard, Clerk of Court
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