

STATE OF South Carolina
IN THE SUPREME COURT

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S.C. SUPREME COURT

Darrell Green

Petitioner

✓

State of South Carolina

Respondent

Appellate Case No. 2024-001863

Pro, SE, Brief responding To Johnson

① Argument

October 10, 2019, I, Darrell Green Attended Post-Conviction Hearing and was represented by Faulk law firm. In that hearing I challenged my conviction with regards to

- ① Ineffective Assistance of counsel by Alexander Law Firm
- (2) 4th Amendment violation
- (3) Brady vs. Maryland violation.

On the grounds of ineffective assistance of counsel, counsel Leon Parrot advise me, Darrell Green, to plea guilty without full disclose of my Brady material, which he admits to first time reviewing it (GPS warrant) was the day of (PCR) hearing.

second we come to the 4th Amendment violation, which normally can not be challenged in a guilty plea, unless there is a question in discovery process. I amended my PCR application with ~~the~~ Faulk Law Firm but it was never successfully amended with the court which at some point lead to a second PCR and I was granted a Austin review which still hasn't been determined as of current date:

Due Process

A guilty plea is a ~~contract~~ government contract that is signed by the government and the defendant in a criminal procedure.

The Supreme Court of South Carolina held that in Gibson vs. State 1999 334 S.C. 515 14 S.E. 2nd 320. that a guilty plea can not be knowingly and voluntary if state withhold exculpatory evidence from defense. (plea cannot be legally binding). Prosecution commits misconduct in failing to reveal exculpatory Brady material regardless of negligence or intentional.

We should also hold in to questioning that the GPS warrant was never given to the defense until date of PCR hearing and also crucial and damaging is the fact that it was never filed and no court of record recognized its existance. I am requesting the court to view South Carolina rule of court 49.01(B)(3) and (4) and also (B)(1). And pursuant to Rule 44 documents must have a stamped by the judge labeling Sealed. I am asking the court to question the validity of exhibit one in PCR.

For apparent reasons as the validity of the warrant is in question.

- ① The question can be raised as to when the date was changed from March to July. (No one is in the month of July thinking that it's March)
- ② No court/clerk has recognized this document and it took the Attorney general office from 2016 til 2019 to even find its existence.
- ③ The question can be raised that it never existed until 2019 because it was not filed, nor was it a "motion to seal" filed, and it was missing from discovery for (4) hold years after arrest.

And in conclusion, giving rise to the "Taint" of this warrant, any and all things deriving from the 2008 Dodge charger in the case of Trevor Howlett and sled is Fruit of The poisonous Tree.

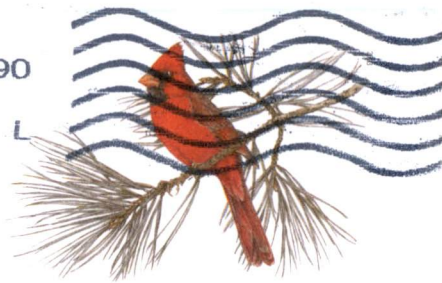
Leon Parrot was under distress at the time of my Plea agreement because he was also on the criminal court docket at that time in Horry County for sexual misconduct; which he was disbarred just a few months after advising me to plea.

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