

Re: Appellate Case No. 2024-001487  
Charles Winston V. South Carolina

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DEC 01 2025

SC Court of Appeals

Your Honors:

I am writing to inquire on the status of my case, because my voice being heard I realize is the key to justice being upheld. I do not understand how the violations of my constitutional rights are not being corrected. No matter how the state feels, a defendant's decision on whether or not exercise his rights can not be made in surrogate by his counsel. That was clearly done in my case when my counsel waived my presence to agree to a bench trial violating my 6th amendment right. There was no colloquy with me or in my presence about that right as there was for my right to testify or not. And if I was "onboard" with the bench trial, then why would a change of venue even have been requested. Counsel even states that a change of venue with a jury from another community was what I wanted. And why was that decision even attempted to be asserted while I was sitting in the county jail. Secondly, the failure of counsel to suppress the involuntary statement is a clear violation of my 14th amendment right. Trial counsel does not deny that he advised at trial, that the Jackson V. Denno hearing was nothing and not to worry about it. He stated to trial court ~~that~~ the conversation never came up, but if he had taken the time out to have the conversation then he would have found out that the Lt. refused to take me to the county jail, and told me atleast twice that I had to go to the sheriff's department and give a statement. That it would only take a little while and then he would take me to jail. I never offered to give a statement nor was I allowed to avoid going to the sheriff's department. And even though I have never been given an opportunity to be heard on this issue as to what happened, it was given an opportunity to be

handled correctly by the trial court suggesting the hearing. It was like they were on a fast break, and the trial court threw the perfect alley-oop, but instead of stemming it down, trial counsel just watched the ball sail over his head out of bounds. I could go through every issue I listed and prove that I am right in instance, but I know the two constitutional violations I've spoke on is enough to warrant a remand for a new trial. And with the way the case has been previously handled, a fair trial with a change of venue which was wanted all along, I just hope I am being heard unlike the last judge I was in front of, who just played with his microphone and per the majority of the hearing.

Respectfully,  
Charles Windsor

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