

To: SUPREME COURT of South CAROLINA

State of S.C.  
County of Richland  
vs.

Lewis Addis,  
DEFENDANT

I RECEIVED A LETTER FROM DANIEL E SHEAROUSE, CLERK OF COURT, STATING THAT MY APPOINTED COUNSEL, ROBERT M. DUDERK submitted a petition for writ of CERTIORARI indicating that my APPEAL is without MERIT. THATS NOT VERY SURPRISING CONSIDING THE JUSTICE SYSTEM IN PLACE IN Richland County, WHERE POLICE OFFICERS, public DEFENDERS AND EVEN LAWYERS THAT YOU PAY ARE ALLOWED to commit PREJURY. I SENT MR DUDERK COURT TRANSCRIPTS THAT CLEARLY SHOWS Ms. DAVIS lied ON STAND AT my P.C.R. HEARING, I ALSO SENT him A COPY OF A REPORT FROM INFO, INC. INVESTIGATIONS, IN THE REPORT DATED 4-13-11 INVESTAGATOR CONNELLY INTERVIEWS CHERYL GADJAHAR ABOUT WHAT SHE THINKS SHOULD BE DONE TO THE TWO

MEN (myself and CASEY CHAVIOS) IN THE REPORT Ms. GADJAHAR WHEN ASKED SAYS TO JUST LET THEM GO. AFTER HEARING THAT Ms. DAVIS GETS ON THE PHONE AND TALKS Ms. GADJAHAR INTO SOMEWHAT BEING A VICTIM IN THE CASE. HOW CAN Ms. DAVIS CLAIM TO BE AN EFFECTIVE ATTORNEY FOR ME IN THIS CASE WHEN SHE'S CLEARLY WORKING FOR THE STATE. Ms. DAVIS TOLD ME THAT I WOULD BE GOING TO PASTOR BREEM'S PROGRAM IF I PLEAD GUILTY. AS EVIDENT IN SENTENCING ORDER I WAS SHOWN I HAVE HAD DEALINGS WITH PUBLIC DEFENDERS OFFICE IN RICHLAND CO. BEFORE, AND BOTH TIMES I PLEAD GUILTY TO A CRIME I DID NOT COMMIT, THATS THE WAY IT WORKS IN RICHLAND, THEY DRAG YOU TILL YOU PLEA TO SOMETHING YOU CAN LIVE WITH. ONE TIME I PLEAD GUILTY TO RESISTING ARREST WITH A DEADLY WEAPON, WHEN ALL I WAS REALLY GUILTY OF WAS HIDING UNDER MY MOTHER IN LAWS HOUSE. ANOTHER TIME MY EX WIFE REBECCA ADDIS

HAD ME ARRESTED FOR HARASSMENT  
AFTER A FAMILY COURT HEARING, SHE  
WAS AFFAID I WOULD GET COUSTDY  
OF KIDS, SHE LATER TOLD THE TRUTH  
AND I WAS ALLOWED TO PLEAD TO  
C.D.V. TIME SERVED AFTER SEVEN  
MONTHS FOR A CRIME THAT I DID  
NOT COMMIT OR STAY IN JAIL  
ANOTHER YEAR WAITING ON JURY  
TRIAL. SO LIKE I SAID I KNOW  
THE KIND OF JUSTICE YOU CAN  
EXPECT FROM P.D.O. IN RICHLAND  
CO. BUT I WAS ALWAYS SENTENCED  
TO WHAT MY SO CALLED ATTORNEY  
TOLD I WOULD BE, BUT DEFINELY NOT  
THIS TIME. FROM THE START WITH  
RENEE LIPSON WHO EVEN TOLD JUDGE  
COOPER AT MOTION TO DISMISS  
HEARING THAT SHE HADNT WROTE ME,  
BEEN TO SEE ME OR DONE ANYTHING  
FOR ME AS FAR AS THAT GOES, THAT  
SHE DID NOT HAVE TIME FOR ME.  
I STILL HAVENT HEARD HIS DISCION,  
HE TOLD ME HE WOULD THINK ABOUT  
IT AND LET ME KNOW IN TWO WEEKS,  
WELL ABOUT A MONTH LATER MS.  
LIPSON SHOWS BACK UP AT JAIL

AND informs me that she is still my ATTORNEY, I tell her that I am dissapointed to hear that, I go straight to my cell and write Judge COOPER a letter telling him how disApointed I am in what must have been his decision, I remind him that Ms. Lipson stated that she didnt have time for my case. I tell him about a front page NEWS story in THE STATE NEWSPAPER about how the state of S.C. is TAKING MONEY out of the indigent fund to HIRE PRIVATE ATTORNEYS to defend the state of S.C. AGAINST lawsuits. I ASK him how could he NOT appoint me SOMEONE outside the P.D.O. About TEN days AFTER I RECIEVE a copy of a letter to Ms. Lipson from Judge COOPER telling her to tell me to NEVER write him AGAIN AND for her to do whatever she SAW fit CONCERNING this MATTER. WELL I NEVER SAW OR HEARD form her AGAIN. How DOES A JUDGE tell A P.D. to MAKE A decision ON A motion filed in his COURT to

START WITH? MORE importantly, when the decision has to do with removing herself and P.D.O. from my case. After the first of the year 2011, Ms. Jennifer Davis shows up at the jail and informs me that she is my new attorney, well she tells me the offer is still 15 yrs and I tell her the same thing that I've always told Ms. Lipson, that there is no way I would ever plea to that. She tells me that this would be my second violent crime and thus makes me eligible for life without parole, the first one she says is Attempted Armed Robbery in 1985, well I made supervised furlough 1986 on that charge because it was non violent. It is evident that the state or Richland Co. decides if it is or if its not according to they're wants or needs at the time. I told Ms. Davis this and she's says its violent now, no matter what it was in 85 or 86. I also tell her that the only time I have been convicted of breaking and entering

WAS IN 1978. THERE WAS MORE THAN ONE CHARGE BUT IT CLEARLY STATES ONE DISPOSITION ON ALL CHARGES, SO AS I UNDERSTAND, THAT'S ONE CONVICTION, THEY PASSED A LAW IN JUNE 1985 CONCERNING REPEAT OFFENDERS SO IF WHEN I WAS TRIED IN 1978 WAS MY FIRST OFFENSE FOR ANY SORT OF BURGLARY OFFENSE, THIS OFFENSE THIRTY TWO YEARS LATER WOULD BE MY SECOND OFFENSE AND THUS THE CHARGE FROM THE START SHOULD HAVE BEEN BURGLARY SECOND NOT FIRST. AT THE START WHEN JOE CLARK CAME TO INTERROGATE ME, AND I TOLD HIM OVER AND OVER AGAIN THAT I DID NOT GO INTO CAROLYN FANT HOUSE. WELL AFTER A COUPLE OF HOURS OF HOWLING AND TELLING ME ALL KINDA THINGS THAT I MUST HAVE DONE. HE KEPT ASKING ME WHY I WAS SHAKING, I TOLD HIM I WAS DETOXING AND WAS MEDICATED, WELL AFTER A COUPLE HOURS OF THIS HE SAYS SIGN

this AND you CAN go lay back down, I didn't EVEN READ it I just WANTED the howling to stop. At this time I only weighted 117 lbs. AND WAS IN REALLY bad shape. I told all this to Ms. Davis AND ASKED HER ABOUT filing a motion to throw statement out, she told me that wouldn't do ANY good, I'd BE BETTER off just to TAKE the PROGRAM. CAROLYN FAUNT told victims' advocate that she had NOT BEEN the victim of ANY CRIME AND would NOT PRESS CHARGES AGAINST ANYONE, AND I'm SURE she told detectives the SAME, SINCE THERE ISN'T ANY REPORT FROM HER AT ALL IN DISCOVERY. So they CHANGED victim to REBECCA Addis, AS Luck CAMPBELL states AT bond HEARING. So when I tell JENNIFER DAVIS that Ms. Addis will NOT testify for the state, THAT they HAVE NO victim AND thus NO CASE, she SENDS Ms. CONNELLY of INFO. INC. to find SOMEONE TO BE A victim IN

CASE, AND WHEN Ms. GADJAHAR TELLS HER TO JUST LET THEM GO Ms. DAVIS THEN TRIES TO PERSUADE HER TO TAKE THE ROLE OF THE VICTIM. I WAS UNDER THE IMPRESSION THAT Ms. DAVIS WAS SUSPECT TO LOOK OUT FOR MY BEST INTEREST. I DID NOT KNOW WHEN I PLEADED ABOUT WHAT THE REPORT FROM Ms. GADJAHAR. IF I HAD, THERE'S NO WAY I PLEA. REPORT CLEARLY SHOWS Ms. DAVIS THREW ME UNDER THE BUS. ALL I KNEW AT THAT TIME IS THAT SHE HAD LIED TO ME ABOUT THE SENTENCE I WOULD RECEIVE. I HIRE TOMMY A. THOMAS TO REPRESENT ME AT P.C.R. HEARING, HE IS LATE GETTING TO HEARING, DOES NOT BRING ONE SINGLE LEGAL DOCUMENT CONCERNING MY CASE TO COURT WITH HIM, NOT EVEN A BRIEF CASE SO HE COULD MAYBE FAKE IT, JUST A BLANK LEGAL PAD. HE PUTS ME ON STAND, I TELL ABOUT DEAL WITH PASTOR BREEM'S PROGRAM. HE PUTS Ms. DAVIS ON STAND, SHE LIES ABOUT EVERY SINGLE THING BUT OF COURSE

I get turned down. I'm in a fee dispute with Mr. Thomas now with S.C. BAR. Assco. I started trying to work on my case myself, that's when I found out that Mr. Thomas had either sold me out or just to lazy or didn't care since he had already been paid. I've been trying to get transcripts from my bond hearing and motion to dismiss P.D.O. from S.C. Court Administration for 8 months and have been trying to get copy of Victims Advocate report for two years with nothing but the runaround from either agency. I feel like my case would have been overruled if Tommy Thomas would have did his job. Investigator's report clearly shows Ms. Davis working for the other team. When ask why she would plea me guilty to burglary first when my only conviction for breaking and entering was thirty two years ago, she has the gall to say that there was a gun taken so I

WAS ELIGIBLE FOR FIRST. SHE KNEW THAT THERE WAS NEVER ANY EVIDENCE OF A GUN. SHE EVEN TELLS THE COURT THIS AT MY PLEA HEARING. IF I'D HAD ANY DECENT ATTORNEY FROM THE START, I WOULD NOT BE SPENDING THIRTEEN YEARS FOR SOMETHING THAT THE HOMEOWNER DID NOT WANT TO PRESS ANY CHARGES. CHANGED VICTIM THREE TIMES. IF YOU'RE CHARGED WITH A CRIME IN RICHLAND COUNTY AND YOU HAVE THE PUBLIC DEFENDERS OFFICE YOU'RE GOING TO BE CONVICTED PERIOD. IF AN ATTORNEY LIES ON THE STAND SHOULD THEY NOT BE CHARGED WITH PERJURY? WHEN WILL JENNIFER DAVIS BE CHARGED? I'M SENDING COURT TRANSCRIPTS AS EVIDENCE OF HER PERJURY AND INFO. INC. REPORT AS EVIDENCE OF MS DAVIS BACK STABING. COPY OF SENTENCING ORDER AS EVIDENCE AS TO DEAL I WAS PROMISED. ALSO SENDING A PAGE OF LETTER I SENT TO JUDGE COOPER, I WASN'T SENT THE SECOND PAGE, DON'T KNOW WHY. PLEASE CAN I BE TREATED FAIRLY AND SHOWN SOME KIND OF

Justice. I don't know a lot about  
the law but the way I was  
treated has to be criminal.  
Please grant me some kind of  
relief.

Sincerely

Lewis O'Quinn Jr.

**INFO, INC.**  
**Investigations**

**Post Office Box 5415**  
**Columbia, SC 29250**  
**phone (803) 331-1968**  
**fax (803) 781-8597**

**Report—Lewis Addis**

April 13, 2011

Cheryl Gadjahar  
3830 Davies Drive  
Columbia, South Carolina  
(803) 754-6764

This afternoon, I met with Cheryl Gadjahar at her residence in Columbia. She informed me that she and Carolyn Fant had been neighbors for about 20 years. When Ms. Fant fell and went into the hospital a day or so before the alleged incident, a social worker became involved because Ms. Fant's closest relative was in Texas and was not well enough to come to South Carolina to handle Ms. Fant's affairs. Ms. Fant was unable to continue living by herself and since Cheryl lived across the street, the social worker asked her to be Ms. Fant's power of attorney. Cheryl agreed to do so and, in order to pay for Ms. Fant's continuing care, Cheryl had to sell Ms. Fant's house...to pay for the nursing home.

According to Cheryl, Ms. Fant suffers from dementia and alzheimer's. Although she was suffering from those, Ms. Fant became increasingly worse around April or May of 2010. Cheryl informed me that Ms. Fant can carry on a conversation, but it's like she (Ms. Fant) thinks that it's 1970... she thinks that she still works and she sometimes confuses people. She has called Cheryl Rosa (Cheryl is a black woman, not Hispanic). At times, Ms. Fant can be vulgar. She has never really taken kindly to strangers and does not work well with new people and situations. At the nursing home, Ms. Fant is specially monitored and on medication. At times, the medication causes her to become hyper and she hurts herself.

When the alleged incident occurred, Ms. Fant lived by herself. She wouldn't let anyone in her house. Consequently, it was filthy and when she went into the hospital, the house was flea infested because of the 4 dogs that she had. Everyone in the neighborhood knew that Ms. Fant lived alone.

Cheryl indicated that Rosa, who would feed Ms. Fant's dogs, had found Ms. Fant in the house after she had fallen. Some of the neighbors called 911. It was about 2 days later that the house was broken into. A couple of days later, Cheryl and her daughter went over to Ms. Fant's house to check on things and discovered that some of Ms. Fant's friends were there basically looting the place. The place was a mess...it was torn up like crazy. You could tell that someone had been looking for something because little trinket boxes were strewn about. Cheryl called the police, but because the place was always in such disarray, Cheryl could not tell the police what was taken.

Cheryl indicated that initially they had thought that the break-in was done by 2 teens. Then, she heard it was an older man and a teen. She also heard that Becky's ex-husband actually called authorities and turned himself in. This afternoon, an attorney called Cheryl and asked her what sentence she felt was appropriate. Cheryl informed me that she said that Ms. Fant would never be able to leave the nursing home, there was nothing to be gained (money) by the prosecution so she thought, "just let 'um go." It did not matter to her. It has been 2 years since the alleged incident and Cheryl knows that the guys responsible have been in jail ever since their arrest. The attorney then told Cheryl about the 2 men's criminal records. After hearing that, Cheryl said that she was fine with whatever the men got. Knowing they were older and that they had been in trouble before, they would be unlikely to learn from their mistakes. I asked Cheryl if she thought the crime warranted Becky's ex-husband serving 13 years for Burglary 1<sup>st</sup> and asked if she thought that Burglary 2<sup>nd</sup> and him serving between 8-9 years would be appropriate. Cheryl said that that is "okay by me" and that he should get the "lesser of the charge."

**\*\*Special Notes\*\***

- Ms. Fant is 91 years old.
- Cheryl believes that Ms. Fant's so-called friends were taking advantage of Ms. Fant...stealing her money/writing checks off Ms. Fant's accounts and getting into all of Ms. Fant's business.
- Becky's mother and Ms. Fant had been friends. Cheryl had met Becky before. Although Becky claims to have cleaned Ms. Fant's house, Cheryl says that's a lie. Ms. Fant wouldn't let anyone do that.
- Within a month of Ms. Fant falling, the social worker asked Cheryl to become the power of attorney (around October of 2009). When Becky found out about it, she came to Cheryl's house and said that she (Becky) wanted to take care of Ms. Fant and said that she would be the power of attorney and asked that Cheryl let her do that. Cheryl refused.
- Cheryl indicated that Ms. Fant had lots of purses, but her main purse Rosa had after she went to the hospital. When Cheryl became power of attorney, Rosa returned the purse.
- When asked if Ms. Fant ever misplaced things around her house because of the dementia, Cheryl indicated that Ms. Fant knew where everything of hers was.

RECEIVED

NOV 16 2010

11-14-10

Memorandum: Thomas Campbell

md

I'm writing to you, your Honor because frankly I do not know where else to turn. I APPEARED before you two months ago on a motion to RELIEF KENNE LIPSON AS MY 1st ATTORNEY. You told AT that time that you would think on it and let me know. To my disappointment Ms. LIPSON comes to the jail and informs me that she is still my attorney but that you had appointed me another lawyer to act as second chair. She said that he would be to see me soon. I have yet to see him. When I was before you, I remember you asking Ms. Lipson had I already been thru first and second appearances, she indicated to you that I had. Well unless bond hearing counts as one and motion to relieve as the second. I have not been thru 1st and 2nd appearances, because that's the only 2 times I have been in court since. There is more that they just moved in this court and he asks me did I take deal that Mr. Campbell had offered me (thru Ms. Lipson) I ask him how he knew about that, well how he knew was that Ms. Lipson pulled me out of little room or out of court room and told me what Mr. Campbell was offering. There were 4 or 5 other inmates in room and could hear us talking right outside of door. Shouldn't Ms. Lipson have known better than that. I have no trust in her at all. She hasn't done anything for me but hurt me. I'm better off with no attorney. The first time I talked to her was when I worked bond hearing in front of you on Feb 11th. I told her at that time to get transcripts of bond hearing at jail, that when judge ask had victims advocate been in touch with victim, they said that they had heard victim told them she had not been the victim of any crime. Well she didn't get around to asking for it until you told her to go to court, but by that time they had done away with transcripts. She says and that we can't get them from victim advocate's that that's against rules or laws.

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

IN THE COURT OF GENERAL SESSIONS  
Warrant Numbers: I918424, I918425

The State of South Carolina, )  
)  
)

vs. )  
)  
)

Lewis Addis, )  
)  
)  
Defendant. )

SENTENCING ORDER

**IT APPEARS THAT:** On April 14, 2011, the above-named Defendant came before the Honorable Judge James R. Barber III and pled guilty to one count of Burglary 1<sup>st</sup> degree and one count of Petit Larceny. The sentence was deferred that day and imposed on May 24, 2011.

Prior to pleading guilty, and while incarcerated at the Alvin S. Glenn Detention Center, Defendant was accepted into the Christ Central Bethel House Program, an inpatient drug and alcohol treatment program in Richland County. The program is run by Pastor Kerry Breen, who is the chaplain of the Columbia Police Department (CPD). Other counselors involved in treating participants of the program are also officers of CPD. Pastor Breen accepted Defendant into Christ Central Bethel House Program on the condition that Defendant remain in the program for one (1) full year.

Central Bethel House Program is a rigorous program designed to rehabilitate participants into independent, positive, and substance-free members of the community of Richland County. Participants are required to work and attend group and individual drug/alcohol/lifestyle therapy sessions, as well as religious services, 7 days a week. Participants are also subject to random drug and alcohol testing, and are restricted in their communications with individuals outside of the program. Any violations of the program's conditions will be reported to the violating participant's attorney and/or the Assistant Solicitor assigned to the case. Depending on the particular needs of individual participants, the Central Bethel House Program program can

last for up to 2 years.

This Court deemed it appropriate to sentence Defendant to \_\_\_\_\_ years in the South Carolina Department of Corrections, that sentence being suspended to successful completion of one (1) full year at Central Bethel House Program. There is currently bed-space available for Defendant at the program, and Pastor Breen is prepared to pick Defendant up from the jail and transport him there.

**NOW THEREFORE IT IS ORDERED** that Defendant is sentenced to \_\_\_\_\_ years in the South Carolina Department of Corrections, that sentence being suspended to successful completion of one (1) full year at the Central Bethel House Program recovery program located at 711 Arrowwood Road in Richland County. Defendant must abide by any and all conditions of Central Bethel House Program to the satisfaction of Pastor Kerry Breen, and Pastor Breen is to report any potential violations of the program to Assistant Public Defender Jennifer Central Bethel House Program, a bench warrant will be issued for his arrest and he will be brought before the Court for contempt of this order and will be resentenced.

**IT IS FURTHER ORDERED THAT** Defendant is to remain in jail until picked up by Pastor Kerry Breen or any other agent of Victorious Overcomers. The arrival of Pastor Breen or an agent of Central Bethel House Program at the Alvin S. Glenn Detention Center is sufficient notice that Defendant is to be released.

**AND IT IS SO ORDERED.**

**HONORABLE JAMES R. BARBER III**  
Court of General Sessions  
Fifth Judicial Circuit

Columbia, South Carolina  
This \_\_\_\_ day of May, 2011.

1 THE COURT: He doesn't have enough life to be  
2 rehabilitated.

3 Now, on the -- when did he go to jail?

4 MS. DAVIS: On this charge, Your Honor, on February 4,  
5 2010.

6 He has an immense alcohol problem. He has been an  
7 alcoholic for 25 plus years. He -- actually when he was  
8 arrested one time in Lexington County he actually suffered  
9 DTs so bad he was in a coma for almost two weeks because of  
10 his withdrawal symptoms. So I have no doubt that the  
11 alcohol played a role in all of his criminal history, but  
12 certainly it did play a role on this date.

13 I do not believe that any weapon was taken and the  
14 warrant certainly alleges that there was a gun taken. I  
15 don't know anywhere in the discovery where that information  
16 came from. When he was later indicted, he was indicted  
17 based on the fact that he does have prior burglaries, which  
18 would enhance it, to the burglary first, but there's no  
19 mention of a weapon being taken.

20 I believe her family, Ms. Fant's closes relatives were,  
21 unfortunately, in Texas, so they had a hard time, I think,  
22 describing what was taken. By the time they got there, one  
23 of the neighbors that we interviewed actually said that  
24 friends of Ms. Fant has come in the house and basically  
25 ransacked the place.

“threatened” him by saying he would receive a life sentence at trial if he did not enter a guilty plea and that, but for those threats, he would not have pled. Applicant also alleged his charge for Burglary – First Degree was premised upon a criminal history of two prior housebreaking convictions, but stated the rap sheet setting forth those convictions was incorrect as he only had one prior housebreaking conviction. The others, Applicant alleged, were merely his release to parole and subsequent probation revocation for the same housebreaking conviction. Applicant said he tried to explain this to counsel, but was unsuccessful in doing so. Applicant finished by saying he pled guilty under the impression he was going before Judge Barber to receive a fifteen (15) year term of imprisonment suspended to some sort of probationary term, as he believed Judge Barber was the only judge who would suspend the mandatory minimum fifteen year sentence for Burglary – First.

Counsel testified she took over Applicant’s representation from former public defender Renee Lipson when the office was restructured. She stated she met with Applicant about six (6) times during which she reviewed the indictments outlining the charges with Applicant, as well as the facts giving rise to the charges. She recalled there was a weapon stolen from the house during the incident so the “first degree” classification was proper even if Applicant was correct in stating he did not have two prior housebreaking convictions. Counsel stated she did recall Applicant alleging the additional “housebreaking” convictions on his rap sheet were actually just probation revocations for the same charge, but reiterated that the state was able to premise the first degree charge on the weapon stolen anyway.

Counsel testified she reviewed the potential sentencing range for the charges with Applicant including the potential life sentence for the Burglary, and noted Applicant had rejected a plea offer from the state for fifteen (15) years imprisonment as he said he did not want it.