

pro'se brief

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SEP 30 2024

To whom this may concern this SC Court of Appeals
first Notice of counsel David Alexander
wanting to be Relieved as counsel from this
case. I still have not received Anders brief.

however the issues of this case are
Relevant and Important as follows.:

Error 1 Page 13, Line 4 of, Transcript of Record
"fortune versus State in Regards to the test
for prosecutorial misconduct, being the misstatement
of the Law, The insufficient narrative copied with
the Statements of the Jurors. Solicitor Didn't
cure the misstatement of the Law of the 3rd Element
When she stated it was my duty to Retreat. pg 41b,
line 1 - 12] Simmons vs. State

↑ South Carolina is An Stand Your ground State
State vs Scott: A person who is not engaged in an
unlawful activity and who is Attacked in another place
where he has a right to be... has No duty to Retreat
and has the right to stand his ground and meet force
with force, Including Deadly force. If he Reasonably
believes it is necessary to prevent death or great bodily
Injury to himself or another.

Error 2 [Juror tampering] page 259, 258;

Juror 168 Lived in close Proximity of crime scene And Didn't speak up until after the trial started. to be exact he stated "one street over"; and after Juror 168 heard testimony and statements from witnesses, the Judge Erred in Not Removing Said Juror from Duty. This is an conflict of Interest As to If I'd known the Juror Stayed So close to the Incident Location I'd asked he be Removed before trial started, During Jury selection

Error 3 page 41, beginning at Line 16; Where the State Says: "And the third Element, the one that he would never be able to prove in anything you heard this week is that he had No other way to Avoid Danger, He has a Duty to Retreat."

Page 42 the State was ordered to cure the misstatement of Law, the State Says: "Thank you; I misspoke Just now when i said the third Element is no other way to Avoid Danger. The State then Says, ~~So~~ So let's look at the Defendants actions, and the State proceeds in their closing arguments." Misstatement of Law was not cured

Error 4 the protections of the castle doctrine wasn't
Extended to Defendant [to other places]
Where he has a right to be. Glenn, 429 S.C.
at 118-19, 838 S.E. 2d at 496 / section 16-11-440(c)

Error 5 page 480 the Jury came out 3 times
to question the Duty to Retreat on the
Elements of Self-Defense, ~~when~~ ~~the~~ ~~the~~ When
the Solicitor misspoke the Law the Judge
Erred in not properly charging the Jury with
the correct term of Law

Error 6 Ineffective ~~and~~ assistance of counsel
Failure to Investigate on the Grounds
"Of Stand your ground Law" the Lawyer
was Ineffective in assisting Defendant at
trial by Not Raising there was an Stand
your ground Law issue due to the Evidence
on Record presented at trial. Counsel himself
acknowledged on Record that this case was an
Self-defense ^{case} And he failed below Standards
by not properly stating this was an Stand your
ground case.

Error #7 "2nd pre-Judice prong" If counsel would have Addressed the Stand your ground Law the outcome of the trial would have been different because the State/Jury would have known the Reason for the incident happening.

Error #8 The Judge Erred in Refusing to Retroactively apply "the Stand your ground" Law to this case based upon Evidence and testimony present at trial, Identified in South Carolina code as the "protection of persons and property act; SC Code Ann. 16-11-410.

Error #9 The Judge Erred by Letting Solicitor Question witness with a Note from victims family, and Allowing it in as Evidence - "it's an violation of motion of Discovery"!

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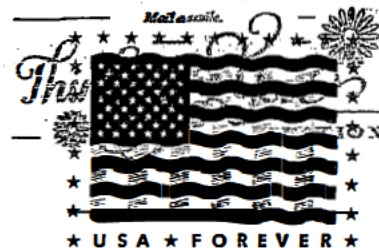
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