

IN THE SOUTH CAROLINA
COURT OF APPEALS

APPELLATE CASE No 2026-000968

FROM THE GENERAL SESSIONS
COURT - CHESTERFIELD COUNTY

HONORABLE JUDGE BRIAN M. GIBBONS

TRIAL COURT CASE No 2024GS1301213

RECEIVED

MAY 29 2026

SC Court of Appeals

THE STATE - RESPONDENT

VS
TY REEK NASIR GUINYARD - APPELLANT

APPELLANT'S REQUEST FOR RE-INSTATEMENT
OR OUT OF TIME APPEALS

~~TO THE HON. COURT OF APPEALS,~~

COMES NOW TY REEK NASIR GUINYARD, APPELLANT, IN THE ABOVE-
-STYLED AND NUMBERED CAUSE AND INFORMS THE COURT OF APPEALS THAT,

- 1) THAT APPELLANT'S COURT-APPOINTED COUNSEL HAS ABANDONED HIM ON HIS APPEAL, APPELLANT HAS A RIGHT TO HAVE EFFECTIVE ASSISTANCE OF COUNSEL ON HIS APPEAL STRICKLAND VS WASHINGTON 384 U.S. SUP. CT. (1984),

ARGUMENT

IF THIS COURT OF APPEALS WILL VIEW EXHIBIT (A) PAGE (1) ATTACHED, AND PAGE (2), THESE ARE APPELLANT'S ISSUES ON APPEAL, PAGE (1) # (1), THE DENIAL OF EFFECTIVE ASSISTANCE COUNSEL, IS THE MAIN REASON, COUNSEL STUCKS KNEW HE TOLD ME WRONG WHEN HE COACHED APPELLANT, INTO A UNWANTED PLEA BARGAIN.

COUNSEL STUCKS ALLOWED APPELLANT TO SIT IN JAIL FOR NEARLY 2 YEARS, AND ONLY VISITED APPELLANT MAYBE 3

TIMES DURING THAT PERIOD, AND EACH TIME, TRIED TO TALK APPELLANT INTO A PLEA-BARGAIN, ALSO ON EXHIBIT B ATTACHED, HE STATES "COUNSEL KNOWS OF NO ISSUE THAT CAN BE REVIEWED ON APPEAL," THAT WAS SIGNED ON APRIL 8TH 2026, RIGHT THEN COUNSEL ATTEMPTED TO THROW APPELLANT UNDER THE BUS CAUSE THAT IS NOT WHAT WE DISCUSSED,

COUNSEL DID NOT WANT APPELLANT TO HAVE AN APPEAL, NOW IF THE COURT PLEASE, SEE EXHIBIT (A) PAGE (2) AT THE DATE APPELLANT SIGNED, APRIL 30TH 2026, 20 DAYS FROM THAT DATE WOULD WELL BE BEYOND THIS COURT OF APPEALS DEADLINE, ALSO EXHIBIT A (PAGE 1 + 2) WAS NOT EVEN FILED, NO FILE STAMP, ONLY APPELLANT'S SIGNATURE & DATE.

STRICKLAND VS WASHINGTON (SUPRA) 1984, CLEARLY DEMANDS APPELLANT HAS EFFECTIVE ASSISTANCE OF COUNSEL ALL THE WAY THROUGH THE APPEALS PROCESS, NOT A MERE FILING A NOTICE OF APPEAL, AS COUNSEL HAS DONE HEREIN THIS CASE, THEN LEFT APPELLANT ALONE TO FILE RESPONSES.

APPELLANT ARGUES, HE'S NOT A LAWYER, AND KNOWS ABSOLUTELY NOTHING ABOUT THE LAW OR LEGAL ISSUES.

APPELLANT IS 20 YEARS OLD, WAS ARRESTED AT 18 YEARS OLD ON THIS CHARGE, IS POVERTY STRICKEN, AND UNEDUCATED, KNOWS NOTHING ABOUT COURTS / APPEALS E.T.C., BUT KNOWS HE IS ENTITLED TO AN ATTORNEY AT TRIAL AND ON APPEAL;

FURTHERMORE, DEFENSE COUNSEL'S KNOWS THERE ARE ISSUES THAT INVOLVED HIM, AND HIS FAILURE TO PROVIDE EFFECTIVE ASSISTANCE OF COUNSEL, TRIAL COUNSEL DOES NOT WANT REVEALED CAUSE HE'S TO BLAME, AND HIS NAME IS ALL OVER EXHIBIT (A) PAGES (1) AND (2), COUNSEL WAS NOTHING MORE THAN AN ACTIONER FOR THE STATE, AND HE GAVE APPELLANT FALSE INFORMATION, WHICH NOT ONLY WILL SHOW ON APPEAL, IT WOULD SHOW ITS

HIS FAULT, TO CONTINUOUSLY FEED APPELLANT WRONG INFORMATION THAT LEAD TO AN UNWANTED GUILTY PLEA, AND COUNSEL KNOWS IT, ALSO APPELLANT WAS NOT GIVEN CREDIT FOR TIME SERVED, IN JAIL

IN STRICKLAND VS WASHINGTON, SUPRA, APPELLANT IS SURELY ENTITLED TO EFFECTIVE ASSISTANCE OF COUNSEL, AND NOT MERELY FILE A NOTICE OF APPEAL, AND THEN TURN OVER THE APPEAL TO APPELLANT, THIS IS EXACTLY WHAT THE U.S. SUPREME COURT MEANT, IN STRICKLAND VS WASHINGTON IN ITS BREAKDOWN AND DISCUSSION, AND THEY WERE CORRECT, IT VIOLATES APPELLANT'S DUE PROCESS UNDER BOTH THE U.S. CONSTITUTION'S 14TH AMENDMENT, AND SOUTH CAROLINA'S ARTICLE I CONSTITUTION. COUNSEL DID NOT PERFECT APPELLANT'S APPEAL, WHICH STRICKLAND DEMANDS.

THEREFORE PREMISES CONSIDERED, APPELLANT PRAYS THIS HON. COURT OF APPEALS WILL RECONSIDER APPELLANT'S APPEAL, WITHDRAW THE REMITTOR AND RE-INSTATE HIS APPEAL AND GIVE APPELLANT HIS (1) CHANCE TO APPEAL HIS UNWANTED AND UNKNOWING PLEA, AND SINCE TRIAL APPOINTED COUNSEL IS THE REASON THEN ABANDONED APPELLANT, BECAUSE HE DOES NOT WANT TO IMPLICATE HIMSELF WITH THE REASONS, AS IN APPELLANT'S STATEMENT, SEE EXHIBIT (A) PAGES (1) + (2) ALSO EXHIBIT (B), AND RESPECTFULLY REQUEST NOW THAT TRIAL APPOINTED COUNSEL HAS PREJUDICED HIS APPEAL AND ITS PROCESS, BECAUSE HE PREJUDICED APPELLANT'S PURSUIT OF SUCH, THAT THE COURT ORDER NEW APPEAL COUNSEL.

Respectfully Requested
x THOMAS GUMMAD
APPELLANT

IN THE SOUTH CAROLINA COURT OF APPEALS

APPELLATE CASE NO 2026-000868

TRIAL CASE NO 2024GS1301213

THE STATE - Respondent

VS.

TY'REEK N. GUINYARD - APPELLANT

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APPELLANT'S AFFIDAVIT OF INDIGENCY

Comes now APPELLANT, TY'REEK WASIR GUINYARD, AND UNDER PENALTY OF PERJURY, THAT I AM TOO POOR, HAVE NO MONEY TO PAY FOR COUNSEL FOR APPEAL, SAME AS TRIAL, MY FAMILY IS TOO POOR TO PAY AND I HAVE NO OTHER MEANS TO ACQUIRE MONEY FOR APPELLATE COUNSEL, I HUMBLY ASKS THIS HON. COURT OF APPEALS TO ORDER THAT COUNSEL BE APPOINTED, IF THE COURT RE-INSTATES MY RIGHTS TO APPEAL.

Respectfully Requested,

X Tyreek Guinyard
PLAINTIFF

STATE OF SOUTH CAROLINA
IN THE COURT OF GENERAL SESSIONS
COUNTY OF CHESTERFIELD

EXHIBIT (A)
PAGE 1

STATE OF SOUTH CAROLINA,)

)

v.) STATEMENT OF ISSUES ON APPEAL

)

TYREEK NASIR GUINYARD,)

The Appellant respectfully submits the following issues for appellate review:

- 1) Whether the guilty plea was entered knowingly, voluntarily, and intelligently. Whether the Appellant was denied effective assistance of counsel under Strickland v. Washington, including:
 - 2) a. Failure to adequately investigate the case prior to advising a plea;
 - 3) b. Failure to fully explain the evidence, potential defenses, and consequences of the plea;
 - 4) c. Rushing the Appellant into entering a guilty plea without sufficient time, preparation, or informed decision-making.
- 5) Whether the Appellant was prejudiced by counsel's actions, in that the Appellant would have chosen to proceed differently had proper advice and preparation been provided.
- 6) Whether there existed a conflict of interest or failure to investigate material facts and witnesses surrounding the incident, including the presence and involvement of a responding law enforcement officer who had been at the scene prior to the incident and whose actions and conduct were not disclosed or fully addressed in court proceedings.

EXHIBIT (A) PAGE 2

7) Whether the facts and circumstances of the case support the offense to which the Appellant pled guilty, or whether a lesser-included offense, including voluntary manslaughter under a heat of passion theory, would have been more appropriate under the circumstances.

8) Whether improper considerations influenced the proceedings, including references to sealed juvenile matters during bond hearings.

9) Whether external pressures, including alleged threats and surrounding circumstances, impacted the Appellant's ability to make a voluntary and informed decision.

10) Whether the plea proceedings complied with constitutional requirements ensuring a knowing and voluntary waiver of rights.

11) The Appellant respectfully requests appropriate relief, including reconsideration of the plea and sentence in light of the issues raised. The Appellant reserves the right to raise additional issues upon review of the record and transcripts.

Appellant figured this would explain his unwanted guilty plea that's what this was intended to sustain reason for guilty plea, now no appeal so far.

Respectfully submitted,

Tyreek Nasir Guinyard

Tyreek Nasir Guinyard

Date:

4-30-210

BY APPELLANT APPEALING THESE ISSUES ON PAGE 1 & PAGE 2 OF EXHIBIT (A), APPOINTED COUNSEL STUCKS WOULD HAVE CONTINUOUSLY IMPLICATED HIMSELF, AND HE KNOWS I KNOW THAT, SO DOES HE, HE WAS NOT ABOUT TO DO THAT, THAT'S WHY HE BAILED OUT AND LEFT ME HANGING, "EVERYONE" OF THE AFOREMENTIONED 1-11 ON PAGE (1) & (2) OF EXHIBIT A, AN NEVER FILED EX.(A).

EXHIBIT
B

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHESTERFIELD COUNTY
Court of General Sessions

Brian M. Gibbons, Circuit Court Judge

Case No(s): 2024-GS-13-01213

2026 APR - 8 P 4: 21
Daniel F. Gaddy
CLERK OF COURT
CHESTERFIELD COUNTY, S.C.

The State of South Carolina,

Respondent,

v.

Ty'Reek Nasir Guinyard,

Appellant.

STATEMENT PURSUANT TO RULE 203(d)(1)(B)(iv)

Appellant pled guilty on March 30, 2026. Undersigned counsel files this appeal at the request of Appellant and pursuant to In re Anonymous Member of the Bar, 303 S.C. 306, 400 S.E.2d 483 (1991), as well as Weathers v. State, 319 S.C. 59 (1995). Counsel knows of no issue that can be reviewed on appeal.

Date: April 8, 2026



Robert L. Stucks
The Law Office of Robert Stucks, LLC
401 Syracuse Street
Darlington, South Carolina 29532

Other Counsel of Record:
John Baxley
Assistant Solicitor for the Fourth Judicial Circuit
207 West Main Street
Chesterfield, South Carolina
johnbaxley@solicitor4.com

A True Copy Attest
Christy S. Gassett
CLERK OF COURT C.R. & G.S.
CHESTERFIELD COUNTY, SC

Appellant spent 18 to 24 months in County Jail

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Chesterfield

) INDICTMENT/CASE#: 2024-GS-13-1213

) AV#: 2024A1320100083

) Date of Offense: 08/18/2024

) S.C. Code §: 16-3-10

) CDR Code #: 0116

) Range of Offense: 30-Life

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SC Court of Appeals

STATE

VS.

Tyreek Nasir Guinard

30 P 12:37

Defendant who was CONVICTED OF or PLEADS

Range of Offense Pled: 30-Life

In violation of § 16-3-10

CHESTERFIELD COUNTY, S.C.

of the S.C. Code of Laws, bearing CDR Code # 0116

NON-VIOLENT VIOLENT

SERIOUS MOST SERIOUS

Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted,

Lesser Included Offense,

Defendant Waives Presentment to Grand Jury.

The plea is: w/o Rec/Negotiations

Negotiated Cap of 43 years

Recommendation

John Baxley
Solicitor

106265
SC Bar #

Robert Lee Stucks
Attorney For Defendant

81741
SC Bar #

The Defendant is committed to the SCDC County Detention Center Home Incarceration Program
for a determinate term of 40 days/months/years/Time Served YOANTE ___ years and/or shall pay a fine

of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____ months/years and subject to SCDPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.

_____ days/month

To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

PTUP

No Contact with Victim

Domestic Violence Intervention Program

Hold for Inpatient Treatment

Sex Offender Registry pursuant to S.C. Code § 23-3-430

SAC/MHC if necessary

Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135

Other: _____

RESTITUTION See Separate Order (20% per S.C. Code § 24-21-490 (B))

§14-1-208 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-285 (DUI Breath Test)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees

§ 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

Restitution \$ _____

FINE: \$ _____

\$ _____

\$100 \$100.00

\$100 \$ _____

\$12 \$ _____

\$25 \$ _____

\$25 \$25.00

\$150 \$ _____

\$41 \$ _____

\$50 \$ _____

\$40/ea \$ _____

TBD \$ _____

TBD \$3.75

\$500 \$ _____

TBD \$ _____

\$ _____

TOTAL \$128.75

\$ _____

SCCA217B

01/27/2025.

Fine/Costs and Assessments are to be paid to the Clerk of Court within _____ days/months

Incorrect Date for plea - To Big OF A HURRY!

Christy S. Haddy
Clerk of Court/Deputy Clerk
Brenda S. Jones
Court Reporter

2108 3/30/26
Judge Code Sentence Date

Presiding Judge

APPOINTED COUNSEL DID NOT PUT MY JAIL TIME

CHECK IT BUT DIDN'T FILL IT IN EITHER.

PROOF OF SERVICE

I TY'REEK NASIR GUINYARD, do CERTIFY THAT I HANDED-OVER MY REQUEST TO Re-INSTATE OR GRANT-me-AN OUT-OF-TIME APPEAL TO PRISON OFFICIALS, TO Be MAILED, VIA U.S. POSTAL SERVICE TO THE HON. CLERK, OF THE S.C. COURT OF APPEALS LOCATED AT 1220 SENATE ST., COLUMBIA, S.C. 29211 ON THIS 24TH DAY, OF MAY, 2026, WITH EXHIBITS.

Respectfully,

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SC Court of Appeals

X Tyreek Guinyard
PLAINTIFF

5-24-2026

COURT OF APPEALS
MS. JENNY KITCHENS - CLERK
1220 SENATE STREET
COLUMBIA, S.C. 29211

RE: APPELLATE # 2026-000868

STATE VS. TYREEK N. GUINYARD
Request To Re-INSTATE/OUT-OF-TIME APPEAL

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MAY 29 2026

SC Court of Appeals

DEAR CLERK,

Would you please file my request herein, with
the papers in my case # above. Your attention in
this matter is appreciated.

PLEASE SEND me a
Filed stamped copy
Please SEE NOTE below

Respectfully,

x Tyreek Guinyard
APPELLANT

PLEASE NOTE:

THIS UNIT (KIRKLAND) WILL NOT ALLOW AN INMATE (R+E)
TO ATTEND ANY LAW LIBRARY, WITHOUT PROOF THAT YOU
HAVE YOU HAVE A CASE PENDING IN A COURT, WHEREIN
YOUR PROCEEDING PRO SE, ALSO ANOTHER RULE IS THEY
WILL NOT ALLOW AN (R+E INMATE) NO COPIES OF
HANDWRITTEN MATERIALS, ANSWERS OR RESPONSES TO
ANY COURT. THEY MAKE IT IMPOSSIBLE TO DO ANY
LEGAL, THE COURT APPOINTED COUNSELS KNOW THIS AND
THAT'S EASY FOR THEM TO ABANDON AN UNKNOWING CLIENT.

COLUMBIA SC 290

27 MAY 2026 PM 4:1



US POSTAGE PITNEY BOWES



ZIP 29210 \$001.03⁰

02 4W
000037357 MAY 27 2026

TY' REEK NASIR GUINYARD 400 616
KIRKLAND R+E CENTER - F3B-236A
4344 BROAD RIVER Rd.
COLUMBIA, S.C. 29210

LEC MAIL

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MAY 29 2026

SC Court of Appeals

MRS. JENNY KITCHINS - CLERK
S.C. COURT OF APPEALS
1220 SENATE STREET
COLUMBIA, S.C. 29211

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MAY 26 2026

Kirkland R&E Center
Mailroom

29201-376999

