

State of South Carolina
Solicitor, Thirteenth Judicial Circuit

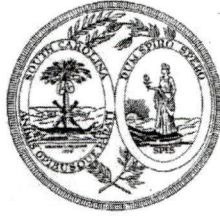
RECEIVED

OCT 01 2026

S.C. SUPREME COURT

Greenville County Courthouse
305 E. North Street, Suite 325
Greenville, SC 29601-2185

Telephone: 864-467-8647
Telefax: 864-467-8610



Solicitor
Cindy S. Crick

July 29, 2026

RECEIVED

Oct 05 2026

SC Court of Appeals

Denardis J. Kilgo
SCDC # 359897
Lieber Correctional Institution
Post Office Box 205
Ridgeville, SC 29442

Re: Subpeona duces tecum
State v. Amanda Scott

Dear Mr. Kilgo:

Our office is in receipt of a subpoena from you that was recently delivered. The subpoena does not contain any case number, does not appear to be connected to any pending or ongoing case, and therefore does not appear to be enforceable. Therefore, our office will not produce any of the requested documents.

Respectfully,

M. Kyle Thompson
General Counsel
Thirteenth Judicial Circuit

MKT/kmt



Greenville County Sheriff's Office

Civil Division

AFFIDAVIT OF SERVICE

Case: 2024-000567	Court: In The Court of General Sessions	County: Greenville, SC	Job: 16351874 (12952)
Plaintiff / Petitioner: Denardis J. Kilgo		Defendant / Respondent: The State of South Carolina	
Received by: Greenville County Sheriff's Office		For: Denardis J. Kilgo #359897	
To be served upon: Cindy S. Crick, Solicitor		Court Date: Aug 05, 2026	

I, Deborah Hoffman, being duly sworn, depose and say: I am over the age of 21 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: Karen Looper, 305 East North Street Suite 325, Greenville, SC 29601

Manner of Service: Substitute Service - Personal, Jul 14, 2026, 2:19 pm EDT

Documents: Subpoena in a Civil Case, Exhibit A (Received Jul 10, 2026 at 1:44pm EDT)

Additional Comments:

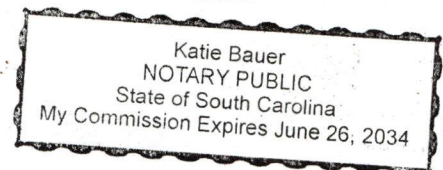
1) Successful Attempt: Jul 14, 2026, 2:19 pm EDT at 305 East North Street Suite 325, Greenville, SC 29601 received by Karen Looper. Age: 62; Ethnicity: Caucasian; Gender: Female; Hair: Brown; Relationship: Receptionist; Other: Receptionist was seated so I could not determine height or weight.;
Attempted service at the address provided. I made contact with Karen Looper, Receptionist for the Solicitors Office. She accepted service on behalf of Cindy S. Crick, Solicitor.

Deborah Hoffman 7-16-26
Deborah Hoffman Date

Greenville County Sheriff's Office
1530 Buncombe Road
Greenville, SC 29609
864-875-0697

Subscribed and sworn to before me by the affiant who is personally known to me.

Katie Bauer
Notary Public
7-16-26 6-26-34
Date Commission Expires



PAH

Greenville County Sheriff's Office1530 Buncombe Road
Greenville, SC 29609**INVOICE: 16351874**

Issued: Jul 13, 2026

Denardis J. Kilgo #359897

*

P.O. Box 205
Ridgeville, SC 29472**PAID****PAY TO:****Greenville County Sheriff's Office**
1530 Buncombe Road
Greenville, SC 29609

Case: 2024-000567	Plaintiff / Petitioner: Denardis J. Kilgo
Job: 16351874 (12952)	Defendant / Respondent: The State of South Carolina

Item	Description	Cost	Quantity	Total
1 - Service Options	Routine Sheriff Office Service - Attempts completed within 30 days from receipt of service assignment	\$0.00	1	\$0.00
2C - In State Actions - Non Revenue	No charge papers per GCSO	\$0.00	1	\$0.00

Payment	Description	Amount Paid
Jul 13, 2026		(\$0.00)

Thanks for your business. Please pay the "Balance Due" within 21 days.

Total: \$0.00

Amount Paid: (\$0.00)

Balance Due: \$0.00

Greenville County Sheriff's Office • 1530 Buncombe Road, Greenville, SC 29609

Call: (864) 875-0697 • Email: gcso@whitesellpi.com

p12

Denardo J. Kilgo
SEC# 3548 92
Lieber Correctional Institute
Post Office Box 205
Columbia, SC 29172

August 05, 2026

Gary H. Johnson, Esquire
Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, SC 29201-3332

Jenny Kilgo, Deputy Clerk
South Carolina Court of Appeals
1225 Senate Street
Columbia, SC 29201

Re: The State v. Denardo Termon Kilgo
Appellate Case No.: 2024-000367
File Motion To Compel

Dear Mr. Johnson:

ENCLOSED PLEASE FIND. You FIND one (1) Motion To Compel, with specificity to Solicitor- Cindy S. Cook legal handling of Amanda Scott case file that is sought by Subpoena duces tecum but to not initially being made available and accessible through Rule 5, S.C. CrimP and not a open file through a public record. S.C. Code Ann. 30-4-30. Please file this motion to S.C. Court of Appeals.

There exist a discovery dispute that you should be made aware of and why this file in particular is sought for. If you are aware of my actual innocence claim, I believe the Amanda Scott case file is relevant in accordance to South Carolina Rules of Evidence and has potential legal documents to exonerate me from the crime, conviction and sentence of murder.

Yours truly,

Denardo J. Kilgo.

FOR LEGAL USE ONLY

STATE OF SOUTH CAROLINA
In S.C. Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Honorable Bruce C. Kiser, Circuit Judicial Judge
Appellate Case No. 2024-000567

The State of South Carolina,

Respondent,

v.

In re Denardis J. Kilgo,

Petitioner.

MOTION TO COMPEL

Comes now Petitioner Denardis J. Kilgo, appearing in propria
personae before this Honorable Court asking for a(n) Order to enforce a legal
right to compel a response or disclosure, after in good faith conferred
or attempted to confer with Solicitor Cheryl Crick, of the Thirteenth
Judicial Circuit, a party of the respondent.

The basis for this motion is to be furnished a copy of Co-Defendant
Amade Scott case file that is in the sole possession and custody of the
Solicitor's Office of the Thirteenth Judicial Circuit. This case file
in particular is sought to obtain information and evidence to support
or corroborate Petitioner's innocence. The amount of evidence excluded and
absent during Petitioner's trial was preserved in Co-Defendant's case file that
implicated Co-Defendant with confessions the Petitioner's defense should examine.
p14

with confessions the Petitioner's defense Prior Benjamin.

Petitioner sought this case file in particular and subpoenaed Solicitor Cindy Crick to turn over the file where the discovery dispute arose after failing to make the disclosure by Petitioner's effort to secure the disclosure or response without court action. During this effort Petitioner received an unlikely response by Solicitor's Office upon two (2) admissions of deceiving Petitioner to excuse themselves of a (a) duty to disclose. See *U.S. v. Bagley*, 473 U.S. 667, 87 L. Ed. 2d 481, 105 S. Ct. 3375 (1985).

Petitioner aver that the prosecutor failed to disclose evidence that could have been used effectively to impeach important government witnesses. When the prosecution did not undisclosed evidence which is material that was suppressed without a Court order that might have affected the outcome of Petitioner's trial to include undermining the trial jury verdict; thus, the disclosure was absent at trial and excluded where such facts were fraudulently concealed denying Petitioner of his due process rights, Fourteenth (14th) Amendment, U.S. Constitution. This file and the requested files specifically named is favorable to the Petitioner and if suppressed the Petitioner would be denied fairness and prejudiced by not advancing his issues on appeal or perfecting the appeal.

WHEREUPON, the above legal premise the Petitioner ask that the Court with reasonable discretion enforce the release of Co-defendant Case file

to be inspected, furnished to defense counsel a copy, and be made
a part of the Appellate Record.

Done this 1st day of August 2026.
Respectfully Submitted,



Denardis J. Kitz
Fed # 359892
Litch Conn. Tech
Post Office Box 205
Ridgely, Pa 29872
Appellant



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1346

Wanda H. Carter, Chief Appellate Defender

February 10, 2026

Mr. Denardis Jamon Kilgo, 359897
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

Re: Your Case

Dear Mr. Kilgo:

Attached please find a copy of all briefs filed in connection with your direct appeal as well as the record on appeal (the briefs cite to the record and not other transcripts). The record on appeal would not include matters during trial that are not raised or addressed in the briefs, an example would be jury selection when there has been no objection related to the jury.

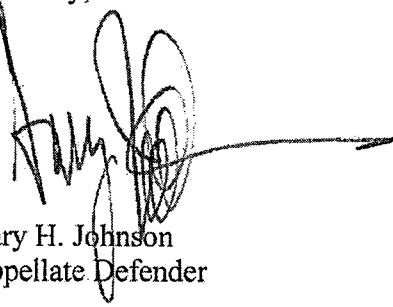
You have asked me to become involved in obtaining the material from your trial counsel related to their file in anticipation of initiating PCR in the future. That is not my role. Your trial counsel will maintain copies of your Rule 5 and Brady material as well as their file material in case you do seek relief under PCR. In fact, you will waive the attorney-client privilege for that material and it will be made available to an attorney representing you through PCR as well as the attorney general's office who will contest any PCR action.

I am happy to provide you information related to your direct appeal and discuss those matters with you. At the close of the case, if a new trial is not ordered, I will provide you information on proceeding with PCR. At that stage, I will be happy to provide you some thoughts on matters you can assert based upon claims of ineffective assistance of counsel that you have raised preliminarily in the brief you forwarded to me in December (a copy of which is attached for your records). As you will have every right to assert that I was also ineffective in handling your direct appeal during any PCR matter you may file, PCR is an issue you will need to seek legal advice and direction from another lawyer. During your future PCR action (if needed), the Court will appoint counsel for you (if you are indigent and do not retain private counsel). I do not fault you for preparing in advance of the need for PCR, but my role and representation of you involves

plb

your direct appeal. We can address and discuss potential PCR options in the future, but your focus now should be on the matters that occurred during trial as raised in the briefs.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary H. Johnson", with a long horizontal flourish extending to the right.

Gary H. Johnson
Appellate Defender

GHJ/sl

Enclosure



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1345

Wanda H. Carter, Chief Appellate Defender

February 25, 2026

Mr. Denardis Jamon Kilgo, 359897
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

Re: Your Case

Dear Mr. Kilgo:

I am in receipt of your letter received on February 20, 2026. Again, some of the points addressed in your letter I answered in my letter to you on February 10, 2026. The Rule 5 material and other potential discovery that may be relevant to a future PCR application is outside my role and would not be material necessary to complete your present appeal. As I indicated, there will be a time and place for you to obtain that material in the future if it is ever needed.

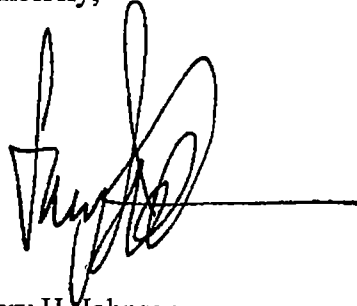
I have previously sent you the briefs and record. I assume the brief you are referring to here is the draft PCR application. Again, the time to start PCR does not begin until after your direct appeal has been completed. That process takes time. You, of course, have the right to abandon a direct appeal and move into PCR. However, doing so will forever bar any further action on the matters preserved for review during your trial, including the matters raised in the brief we filed on your behalf. Since you have requested a return copy of the document, I am enclosing that with this letter.

Since you have asked about the content of your proposed PCR action, I will provide you some thoughts to consider. You mention your cell phone records; have you obtained those records? Simply saying "my cell phone records" would establish an alibi does you no good at PCR without providing those records and showing those records demonstrate alibi. It is not enough at PCR to say a witness would have cleared my name or the cell phone records would have shown I was out of town, you actually have the burden at PCR to produce those witnesses and those records.

plb

As to how your trial lawyer handled factual issues as they arose during trial, that is all fair game at PCR (co-defendant's statements and plea offers, the QT video issue, etc.). There may be some issue with the matters we did raise in the brief that have not been properly preserved, which would allow you to add that material as well. You should be thinking (as you are doing) about potential PCR issues, but if the direct appeal is successful PCR would become a moot point.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary H. Johnson", followed by a horizontal line.

Gary H. Johnson
Appellate Defender

GHJ/sl

Enclosure



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1345

Wanda H. Carter, Chief Appellate Defender

June 26, 2026

Mr. Denardis Jamon Kilgo, 359897
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

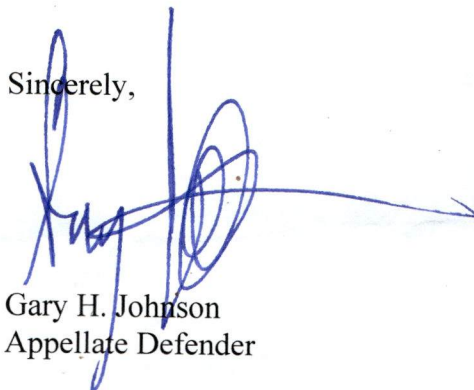
Re: Your Case

Dear Mr. Kilgo:

I am in receipt of your returned filing from the Court of Appeals. I did want to inform you that any allegations against me (as your appellate counsel) in the way I presented issues that were preserved during your trial for appellate review, can be addressed during any future PCR action you may file. As we have discussed several times, at PCR you can refer to matters outside the trial transcript as a basis for ineffective assistance of trial counsel. You can also look inside the transcript for mistakes your trial counsel may have made during trial.

In the same manner, you can assert I was ineffective in dealing with preserved issues that could have been raised on your behalf on direct appeal (contained in the record of your trial, objected to or otherwise addressed by your trial counsel, and ruled upon by the trial court). I understand your desire to address those types of matters (ineffective counsel both during trial and for your appeal), but those types of concerns are properly preserved for PCR and not direct appeal. PCR will only be needed if your direct appeal fails. Please review the brief we have filed on your behalf to better understand the arguments we have presented to the Court that would justify granting you a new trial. •

Sincerely,



Gary H. Johnson
Appellate Defender

GHJ/sl



Greenville County Sheriff's Office

Civil Division

AFFIDAVIT OF SERVICE

Case: 2024-000567	Court: Greenville County Court of Common Pleas	County: Greenville, SC	Job: 16139582 (12616)
Plaintiff / Petitioner: Denardis J. Kilgo		Defendant / Respondent: The State of South Carolina	
Received by: Greenville County Sheriff's Office		For: Denardis J. Kilgo #359897	
To be served upon: Aaron Debruin, Esquire		Court Date: Jun 20, 2026	

I, Deborah Hoffman, being duly sworn, depose and say: I am over the age of 21 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: Brynn Bodman, 16 Wellington Avenue, Greenville, SC 29609

Manner of Service: Substitute Service - Personal, Jun 17, 2026, 10:19 am EDT

Documents: Subpoena in a Civil Case, Attachment, Exhibit A (Received Jun 12, 2026 at 3:49pm EDT)

Additional Comments:

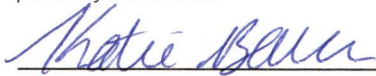
1) Successful Attempt: Jun 17, 2026, 10:19 am EDT at 16 Wellington Avenue, Greenville, SC 29609 received by Brynn Bodman. Age: 21; Ethnicity: Caucasian; Gender: Female; Weight: 120; Hair: Blond; Relationship: Paralegal; Other: Ms. Bodman was seated so I could not determine her height;

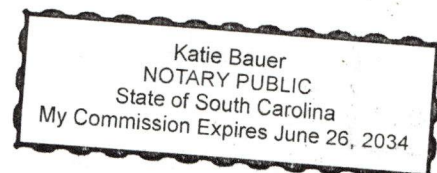
Attempted service at the address provided. I made contact with Brynn Bodman, Paralegal for Aaron Debruin. She accepted service on his behalf at the law firm.


Deborah Hoffman
Date 6-17-26

Greenville County Sheriff's Office
1530 Buncombe Road
Greenville, SC 29609
864-875-0697

Subscribed and sworn to before me by the affiant who is personally known to me.


Katie Bauer
Notary Public
6-17-26 6-26-34
Date Commission Expires



Greenville County Sheriff's Office
1530 Buncombe Road
Greenville, SC 29609

INVOICE: 16139582
Issued: Jun 15, 2026

Denardis J. Kilgo #359897
*
P.O. Box 205
Ridgeville, SC 29472

PAID

PAY TO:
Greenville County Sheriff's Office
1530 Buncombe Road
Greenville, SC 29609

Case: 2024-000567 Job: 16139582 (12616)	Plaintiff / Petitioner: Denardis J. Kilgo Defendant / Respondent: The State of South Carolina
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Item	Description	Cost	Quantity	Total
1 - Service Options	Routine Sheriff Office Service - Attempts completed within 30 days from receipt of service assignment	\$0.00	1	\$0.00
2C - In State Actions - Non Revenue	No charge papers per GCSO	\$0.00	1	\$0.00

Payment	Description	Amount Paid
Jun 15, 2026		(\$0.00)

Thanks for your business. Please pay the "Balance Due" within 21 days.	Total: \$0.00
	Amount Paid: (\$0.00)
	Balance Due: \$0.00

Greenville County Sheriff's Office • 1530 Buncombe Road, Greenville, SC 29609

Call: (864) 875-0697 • Email: gcso@whitesellpi.com

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Greenville County Sheriff's Office

Civil Division

AFFIDAVIT OF SERVICE

Case: 2024-000567	Court: In The Court of General Sessions	County: Greenville, SC	Job: 16351443 (12902)
Plaintiff / Petitioner: Denardis J. Kilgo		Defendant / Respondent: The State of South Carolina	
Received by: Greenville County Sheriff's Office		For: Denardis J. Kilgo #359897	
To be served upon: Aaron DeBruin, Attorney at Law		Court Date: Jul 28, 2026	

I, Deborah Hoffman, being duly sworn, depose and say: I am over the age of 21 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: Nicholas Brausch, 16 Wellington Avenue, Greenville, SC 29609

Manner of Service: Substitute Service - Business, Jul 14, 2026, 3:52 pm EDT

Documents: Subpoena in a Civil Case, Exhibit A (Received Jul 8, 2026 at 4:00pm EDT)

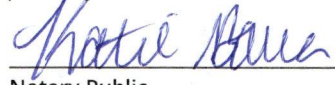
Additional Comments:

1) Successful Attempt: Jul 14, 2026, 3:52 pm EDT at 16 Wellington Avenue, Greenville, SC 29609 received by Nicholas Brausch. Age: 32; Ethnicity: Caucasian; Gender: Male; Weight: 140; Height: 5'7"; Hair: Bald; Relationship: Attorney; Attempted service at the address provided. I made contact with Nicholas Brausch, Attorney at this Firm. He accepted service on his behalf without incident.


Deborah Hoffman
Date

Greenville County Sheriff's Office
1530 Buncombe Road
Greenville, SC 29609
864-875-0697

Subscribed and sworn to before me by the affiant who is personally known to me.


Katie Bauer
Notary Public
Date 7-16-26 Commission Expires 6-26-34

Katie Bauer
NOTARY PUBLIC
State of South Carolina
Commission Expires June 26, 2034

Greenville County Sheriff's Office1530 Buncombe Road
Greenville, SC 29609**INVOICE: 16351443**

Issued: Jul 13, 2026

Denardis J. Kilgo #359897

*

P.O. Box 205
Ridgeville, SC 29472**PAID****PAY TO:****Greenville County Sheriff's Office**
1530 Buncombe Road
Greenville, SC 29609

Case: 2024-000567	Plaintiff / Petitioner: Denardis J. Kilgo
Job: 16351443 (12902)	Defendant / Respondent: The State of South Carolina

Item	Description	Cost	Quantity	Total
1 - Service Options	Routine Sheriff Office Service - Attempts completed within 30 days from receipt of service assignment	\$0.00	1	\$0.00
2C - In State Actions - Non Revenue	No charge papers per GCSO	\$0.00	1	\$0.00

Payment	Description	Amount Paid
Jul 13, 2026		(\$0.00)

Thanks for your business. Please pay the "Balance Due" within 21 days.

Total: \$0.00
Amount Paid: (\$0.00)
Balance Due: \$0.00

Greenville County Sheriff's Office • 1530 Buncombe Road, Greenville, SC 29609

Call: (864) 875-0697 • Email: gcso@whitesellpi.com

P24



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332

Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1345

Wanda H. Carter, Chief Appellate Defender

April 30, 2026

Mr. Denardis Jamon Kilgo, 359897
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

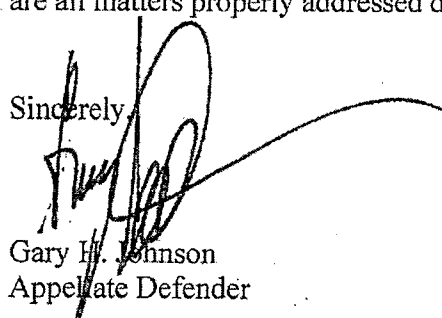
Re: Your Case

Dear Mr. Kilgo:

I am in receipt of a copy of the Brief you have forwarded to the Court of Appeals along with the Court's notice back to you that hybrid representation is not permitted. Keep in mind, many of the allegations you placed in the brief are more appropriately raised during PCR than on direct appeal. As such, you will be free to assert many of these same allegations if PCR becomes necessary. In addition, at PCR, if I as your appellate counsel have not briefed an issue that was properly presented and preserved during your trial, you can assert that I was ineffective in so waiving that issue.

You and I have had several discussions regarding future PCR matters. Please keep a copy of your pro se brief as a guide for any later PCR application you may need to file. As I have explained several times, to be an issue that can be raised on direct appeal, the matter had to be addressed during trial through objection and/or argument of your trial counsel that was rejected by the trial court. By contrast, at PCR, you can raise any number of matters related to what should have happened during your trial – actions your trial lawyer should have taken, evidence that should have been presented, objections that should have been made. A direct appeal does not concern itself with what should have happened during your trial, but by what did happen on the record. We are, therefore, stuck with the record we have. Allegations of misconduct and additional investigative steps that should have been taken are all matters properly addressed during PCR and not on direct appeal.

Sincerely,


Gary H. Johnson
Appellate Defender

GHJ/sl

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

OCT 01 2026

FILE No.: 2024-000567

S.C. SUPREME COURT

THE STATE

RESPONDENT,

v.

IN RE
DENARDIS J. KILGO

APPELLANT.

WRIT OF HABEAS CORPUS

Denardis J. Kilgo
SCB# 359897
Lieber Carr. Bldg
Post Office Box 205
Ridgewood, SC 29472
APPELLANT.

Cindy S. Creek, Solicitor
13th Judicial Circuit
305 E. North Street, Suite 305
Greenville, SC 29601
PART FOR RESPONDENT.

Melody J. Brown, A.A.G.
S.C. Attorney General's Office
Rembert C. Dennis Building
Post Office Box 1599
Columbia, SC 29211

RESPONDENT.

FOR LEGAL USE ONLY

DOES A CRIMINAL DEFENDANT HAVE A LEGAL RIGHT
TO OBTAIN CO-DEFENDANT CASE FILES TO
PROFER PROOF OF FACTS THAT A WRONGFULLY
CONVICTED PERSON WAS CONVICTED AND EXCLUDED
OF EXTRINSIC EVIDENCE?

Appellant Denardis L. Kilgo appears in propria persona
after careful consideration to proceed to this High Court requesting
relief to a discovery dispute. That Appellate Counsel of Record show
a disregard upon having ultimately authority to make certain fundamental
decisions regarding Appellant's case including the decision to take an appeal,
with some limitations, but to show a disregard and have a conscious
avoidance in a discovery dispute between Appellant and his defense
and the Thirteenth (13th) Judicial Circuit Solicitor Cindy S. Cook does
not settle legal rights and due process structures when tasked to advance
Appellant's claims on appeal and enhance his claims to perfect the appeal
in fairness. There is also a dispute to obtain Private Investigative files not disclosed.

BACKGROUND

The Thirteenth Judicial Circuit Solicitors Office prosecuted Appellant
for felony murder and kidnap and sentence to life imprisonment and thirty (30)
years for a concurrent sentence. Appellant pleaded not guilty to the indictments
and selected a jury trial raising Actual Innocence and Third Party Guilt.

FOR LEGAL USE ONLY Page 2

Appellant has been participating in the litigation of his appeal to ensure that his rights are not ~~completely~~ abandoned though he has given appellate counsel of record notification and opportunities to demonstrate Appellant is vigilant not given to slumber upon perceptible rights. The Appellant understands the sensible aspects of the rule of law governing hybrid representation and have dispense with counsel in this matter in reliance solely to the writ of mandamus. The Appellant uses this writ as a basic tool to be used to a detriment to the case files of his Co-defendant in support of his defense of Actual Innocence.

STANDARD OF REVIEW

Mandamus is somewhat of a hybrid proceeding. It is not a writ in tort, nor is it a writ in contract; it is not strictly a law case, nor is it one in equity. It is based on the theory that an officer charged with a purely ministerial duty can be compelled to perform that duty in case of refusal. *Charles County School Dist. v. Charles County Election Com'n*, 336 S.C. 144, 519 S.E.2d 567, 1999 WL 365301; see also, *Linton v. Gaillard*, the overwhelming weight of authority is to the effect that the writ of mandamus is not a writ of right, but whether or not the writ be designated as one of right, its allowance or refusal in almost all jurisdictions is invariably held to be a matter of discretion with the Court; *Pete v. Lowe*, 86 S.C. 344, 68 S.E.2d 629, Ann. Cas 1912A, 1117; *Pete v. Turner*, 32 S.C. 348, 350, 11 S.E. 99.

FOR LEGAL USE ONLY page 3

ARGUMENT

On July 29, 2026, M. Kyle Thompson, general counsel for the Thirteenth Judicial Circuit responded on behalf of Solicitor Cindy S. Crick to Subpoena served by Greenville County Sheriff's Office on July 14, 2026. The Appellant sought Co-defendant Amanda Scott case files to present extrinsic evidence to contradict the agreements between Co-defendant Amanda Scott and the Thirteenth Judicial Circuit Sheriff's Office.

Whether rooted in the Due process Clause of the Fifth Amendment, Fourteenth Amendment or in the Compulsory Process Clause of the Sixth Amendment, the Constitution guarantees criminal defendants the right to present a defense, but right must be balanced against Court's leave to set reasonable limits on admission of evidence and thus, judges are accorded wide latitude in excluding evidence that poses undue risk of harassment, prejudice or confusion of issues, or evidence that is repetitive or only marginally relevant. See *Chambers v. Mississippi*, 410 U.S. 284, 302, 93 S.Ct. 1038, 1049, 35 L.Ed. 2d 292 (1973); see also *U.S. v. Blum*, 62 F.3d 63, 41 ERG 1379 (2nd Cir. 1995); *Delaware v. Van Arsdall*, 475 U.S. at 679, 106 S.Ct. 1431, 1435.

In *Leed*, "[T]he main and essential purpose of confrontation is to secure for the opponent the opportunity of cross-examination." *Davis v.*

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page 4

Alaska, 94 S.Ct. 1105, at 375-376, 94 S.Ct., at 1110 (quoting
5 J. Wigmore, Evidence § 1393, p. 123 (3d ed. 1940)) The Court
granted certiorari limited to the question whether petitioner was denied
his right under the Confrontation Clause to adequately cross-examine.

DISCUSSION

I., (1) The Sixth Amendment to the Constitution guarantees the right
of an accused in a criminal prosecution 'to be confronted with the witnesses
against him.' This right is secured for defendants in state, as well as
federal criminal proceedings under *Pointer v. Texas*, 380 U.S. 400, 85 S.Ct.
1065, 13 L.Ed. 2d 923 (1965). Confrontation means more than being allowed
to confront the witness physically. 'Our cases construing the Confrontation
Clause hold that a primary interest secured by it is the right of
cross-examination.' *Douglas v. Alabama*, 380 U.S. 415, 418, 85 S.Ct. 1074,
1076, 13 L.Ed. 2d 934 (1965).

The Appellate order that the lower Court had determined to
~~intended~~ trial counsel of record Aaron DeBach, from confronting Amanda Scott
perjured testimonials to the deal or agreement with the Solicitor's Office
to implicate Appellant. The Case Files of Amanda Scott preserved the evidence
destroyed in Appellant's case where the evidence was stray to pursue a(n)

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criminal investigation that led to the indictment of prosecuting Amenda Scott. The lower court decision is not before the court but the discovery into the case file of Amenda Scott is. The discretionary concept to exclude evidence is one thing but to ~~deprive~~ evidence is one's trial using the same evidence to strike a deal in another, proper proof of facts of a fundamental miscarriage of justice does exist.

It is apparent Appellant had a legal right and the Solicitor had a reasonable duty to disclose the real facts to change course of wrongfully convicting a(n) innocent man. The writ of Mandamus is sought to compel the ministerial duty and oblige the Thirteenth Judicial Solicitor's Office to perform that duty where the refusal of the Solicitor's Office were to deprive Appellant of why the Solicitor should be excused not to perform that ministerial duty.

The Appellant show the Court that he can defend his own cause, see S.C. Code Ann. § 40-5-80; see also 28 U.S.C. § 1654, in all courts of the United States the parties may plead and conduct their own cases personally or by counsel as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein. Demonstrating the Court has power to entertain the merits and adjudicate the law as the facts are found.

II. [2] The Appellant has waived the attorney-client privilege against Aaron DeBruin and has alleged ineffective assistance of trial counsel that has been preserved. The Appellant seeks his former ~~Counsel~~ of Record Aaron DeBruin private investigative files that has not been turned over upon Request. Pursuant to Rule 602(c), SEAC, trial counsel shall continue represented including any proceedings on direct appeal for assisting Appellant to properly perfect the appeal or as otherwise requested by the Office of Appellate Defense, Rule 602(c)(1)(B)(3), SEAC.

The Appellant confer with Aaron DeBruin twice to which was non-responsive until the service of subpoena. The Appellant was further misadvised by Appellant Counsel of Record Gary H. Johnson. See Attach. The Appellant contends is according to the retention and disposition of exhibits in the circuit court for the preservation of Evidence Act was not discussed with the Appellant under 606(c)(1)(B), when Counsel Johnson knew deadlines to file for evidence, exhibits, case files, and interalia has a retention expiration period, yet does not disclose these facts. The Appellant further contends that when there is a substantial injury mootness does not apply especially to which there is a case pending before the direct appeal stage and a controversy over evidence being requested and Appellant being refused. Appellate Counsel Gary Johnson clearly misadvised Appellant about the Appellate procedure and processes for Appellant to abandon, forfeit and waive intelligently, unknowingly, and involuntarily made, Rule 606(c)(1)(B), SEAC,

Legal Rights Conferred by rule of law.

The Appellant does not waive any right to obtain and be furnished and provided a copy of case files not presented to him or his defense prior to trial, during trial, and after trial, post trial. These requests are not intended to disseminate, circumvent, nor harass anyone. The Appellant seeks the truth in the material that will help aid the Court in a decisional process without influence whatsoever. The Appellant demands that he be granted five (5) days to eighteen (18) months to request the Court exhibits; two (2) years for evidence within the South Carolina Attorney General's Office; up to six (6) years for case files. The Appellant has made several requests and have been either refused, denied, ignored, and partially given a portion of discovery, so forth, does not lie in the presence of this Court.

The Appellant has been misinformed but made aware of certain rights. First, Counsel Johnson informed Appellant, he can abandoned his direct appeal and pursue a(n) PCH and in the light of this, he can hold his case in abeyance and pursue a Rule 29 motion for a(n) new trial. See Rule 29, SCL Crim. P. Although it is a post-trial motion, the ramifications are found on the pictures on after-discovered evidence and due diligence constitutes a legal right under the Fourteenth (14th) Amendment and South Carolina Constitution of 1895, Article 7 §3, that is safeguarded and which this Honorable Court does uphold and protect. See also 4 Criminal Procedure §156(c) (4th ed.)

Secondly, Appellant has sought a writ which may move to transfer case and hold case in abeyance whereas, this too, is open to Appellant and not advised by Counsel Johnson. The Appellant gives the Court a full synopsis to abstract reasonable inferences that may be considered or reasonably drawn therefrom. Therefore, the Appellant asks for relief this Court has inherent power to grant and instruct the lower courts to follow such the Court defines and renders, upon instructions.

WHEREFORE UPON, the Appellant asks the Court to grant Writ of Mandamus on the above premise, in favor of Appellant against Respondent.

Done this 22 Day of September, 2026.
Respectfully Submitted,

By [Signature]
Demetrius J. Lieber #359897
Lieber Corr. Zvt.
Ridgerville
PO Box 28 or 29472
Appellant.

STATE OF SOUTH CAROLINA
In The Court of Appeals

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S.C. SUPREME COURT

APPEAL FROM GREENVILLE COUNTY
Honorable, C. Grace G. Knie, Presiding Circuit Judicial Judge
Appellate Case No.: 2024-000567

The State of South Carolina,

Respondent,

v.

In re Denardis J. Kilgo,

Appellant.

PROOF OF SERVICE

I, Denardis J. Kilgo, certify that on this 27 day of September, 2026, has served the foregoing instrument "Writ of Mandamus" upon Alekody J. Brown, Assistant Attorney General on behalf of the respondents at South Carolina Attorney General's Office, Lemuel C. Dennis, Building, Post Office Box 1549, Columbia, SC 29211, by depositing a true copy of the same in the internal mailing system of Lieber Correctional Institution.

Denardis J. Kilgo #358897
Lieber Corr. Inst.
Ridgeville
PO Box 205, SC 29472
Appellant.

Denardis J. Kigo
SCDC # 359897
Lieber Correctional Institution
Post Office Box 205
Ridgely, SC 29472

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S.C. SUPREME COURT

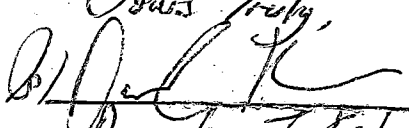
August 08, 2026

Clerk Patricia A. Howard
South Carolina Supreme Court
Office of the Clerk
Post Office Box 11330
Columbia, SC 29211

Re: The State of South Carolina v. Denardis J. Kigo
Appellate Case No.: 2024-000567
Writ of Mandamus

Dear Madam Clerk:

ENCLOSED PLEASE WILL YOU FIND One (1) WRIT OF
MANDAMUS. Please would you and the Clerk's Office file this
Case/Correspondence within this Office and Court. Also, would you
please provide me a checked Stamp Slip for this correspondence
and docket number.

Yours Truly,

Denardis J. Kigo.

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Donald F. Kelly, #35-8897
Lieber, Criminal Justice
Roseville
OS BEX 245 JC 29472



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