

I ask that IF these papers were to end up in the wrong hands or the wrong department, that you please forward them to the clerk office, for the Court of Appeal.

I thank you very much for assisting in this delivery..

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SC Court of Appeals

STATE OF NEW YORK)
) SS.:
COUNTY OF CLINTON)

Darrell Birch, Being first duly sworn, deposes and says, that I am the APPELLANT herein, and that on the date of notarization indicated below, I have placed in a sealed postpaid wrapper a true and exact copy of the enclosed papers identified as MOTION TO FILE [PRO-SE SUPP. BRIEF] by depositing same in a mail box here at the [CLINTON CORR. FACILITY] for delivery to the United States mail address to the parties below:

ORIGINAL COPY TO:

South Carolina Court of
Appeal
1015 Sumter Street
Columbia, SC 29201

CARBON COPY TO:

personal file

x Reggie Allen / AKA

x DARRELL LEE BIRCH
[signature]

Sworn to before me this 22
day of Jan 2014

[NOTARY PUBLIC]

Harry D. Durgan
Notary Public, State of New York
No. 01DU6008379
Qualified in Clinton County
Commission Expires

2014

STATE OF SOUTH CAROLINA

COURT OF APPEALS

THE STATE OF SOUTH CAROLINA,

-VS-

NOTICE OF MOTION TO

FILE A PRO-SE, SUPPLEMENTAL
BRIEF.

APPELLATE CASE NO. 2012-213215

DARRELL LEE BIRCH,

APPELLANT.

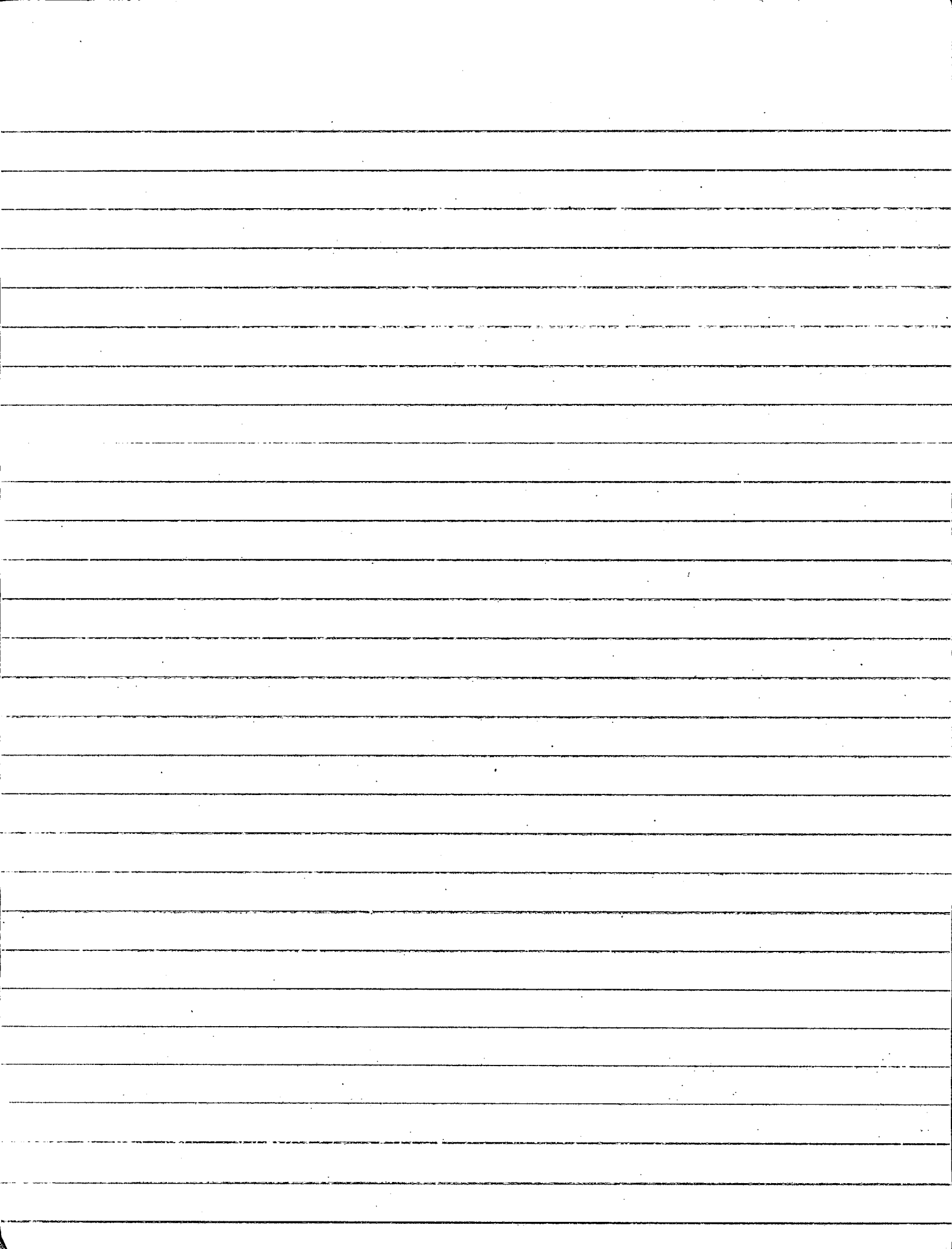
PLEASE TAKE NOTICE, that upon annexed affidavit of DARRELL LEE BIRCH, SWORN TO ON THE 20th day of January, 2014, and upon the proceedings had herein, the undersigned will move this court, at a Special Term thereof, THE SOUTH CAROLINA COURT OF APPEALS, located at 1015 SUMNER STREET COLUMBIA, SOUTH CAROLINA, 29211, on the day of FEBRUARY, 6TH, 2014, at 10:00-01 clock in the forenoon of that day or as soon thereafter as counsel can be heard for an order granting him permission to file and serve a Supplemental Brief, an Enlargement of time to perfect said Supplemental Brief, and to furnish him with a copy of the Transcripts of the proceedings had below to facilitate in in the preparation of the aforementioned Supplemental Brief, Pro-Se, and for such other relief this court deems just and proper.

Dated: January 22, 2014

RESPECTFULLY SUBMITTED,

DARRELL LEE BIRCH,

APPELLANT PRO-SE



STATE OF SOUTH CAROLINA

COURT OF APPEALS

THE STATE OF SOUTH CAROLINA

AFFIDAVIT IN SUPPORT OF
MOTION TO FILE A PROSE.

-VS-

SUPPLEMENTAL BRIEF.

APPELLATE CASE NO. 2012-213215

DARBELL LEE BIRCH,

APPELLANT.

STATE OF NEW YORK,

SS. :

COUNTY OF CLINTON)

I, DARBELL LEE BIRCH, having been duly sworn,
deposes and says:

1.) I am the Appellant in the above titled action,
am 18 years of age or older, and currently incarcerated in the
Clinton Correctional Facility, Post Office Box 2001, Dannemora, New York
12929.

2.) I make this affidavit in support of my motion
to file a Supplemental Brief, Pro-se, on appeal from a judgment
of conviction rendered on the 30TH day of November, 2011, in
the Circuit Court of Marion County, South Carolina.

3.) Subsequent to the judgment of conviction,
Appellant filed a timely Notice of Appeal and request to proceed as
a Poor Person, and said request to proceed as a Poor Person was
granted and the South Carolina Commission On Indigent Defense
(SCCID), was appointed to perfect instant appeal.

4.) Since, Ms. Carmen V. Ganjehsani, Esq., has been appointed, Appellant has contacted counsel and has been informed of the substantive and procedural issues that will be presented in the brief prepared by counsel on behalf of Appellant.

5.) Appellant has advised counsel that he wishes to raise substantive issues of Federal Constitutional magnitude. Appellant is prepared to present said issues in a Supplemental Pro-se Brief. In order to perfect said appeal, it is necessary for Appellant to be furnished with a copy of the transcripts from the proceedings had in the Court below. Further, in as much as Appellant is perfecting said Supplemental Brief on his own behalf, it is necessary that a reasonable enlargement of time be afforded to Appellant.

6.) Appellant has been incarcerated in a New York State Correctional Facility for the duration of this appeal process and has submitted two (2), prior requests to file a Supplemental Brief in this matter dated, 11-12-13 and 1-5-2014, respectively.

7.) Appellant having had no direct contact with this Appellate Court did forward said prior requests to one Ms. Salley W. Elliot, Esq., at Bembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, which is the self same person Ms. Ganjehsani of the SCCID sent brief prepared by her on Appellants behalf to.

8.) Thus, Appellant prays that this motion be heard and given due consideration and that any lapse of time

be excused based upon above mitigating factors.

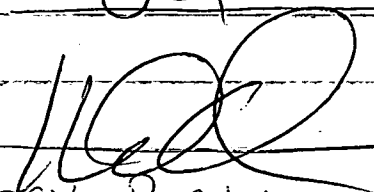
WHEREFORE, it is respectfully prayed that this Court grant Appellant's motion to permit him to file a pro-se Supplemental Brief, an enlargement of time to perfect said Supplemental Brief and a copy of the transcripts from the proceedings had in the below court and for such further relief this Court deems just and proper.

Respectfully Submitted,
Reggie Allen A.k.A.

DARRELL LEE BIRCH

Appellant Pro-se

Sworn to before me this 22
day of Jan, 2017


NOTARY PUBLIC
Harry D. Dorgan
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Qualified in Clinton County
Commission Expires

