

Colin J. Broughton, #337151
Perry Correctional Institution Q1B-205
430 Oaklawn Rd.
Pelzer, SC 29669

February 24, 2014

RECEIVED

FEB 27 2014

S.C. SUPREME COURT

The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk
P.O. Box 11330
Columbia, S.C. 29211

Re: Colin J. Broughton v. State of South Carolina
Appellate Case no. 2014-000202
Lower court case no. 2010-CP-08-03238

Petitioner (Colin J. Broughton) recently received in the mail an order from this honorable court dated February 10, 2014, dismissing his pro se notice of appeal concerning his application for post conviction relief. (PCR)

Petitioner is enclosing two letters he sent to his PCR Counsel requesting they file for a rehearing and file a notice of appeal on his behalf.

Petitioner does not have legal skills in drafting a rehearing, and requests the court to review the following documents here ~~which~~ to determine if petitioner has standing for an appeal:

- 1). Petitioner was forced to file complaints against both of his appointed PCR counsel (Jessie Glenn -13-DE-L-1372 & Sharon Bernice Capers -13-DE-L-1371). Said complaints were docketed October 15, 2013.
- 2). Petitioner's PCR order of dismissal is dated November 19, 2013. He did not receive this order until January 15, 2014. In spite of when petitioner received the PCR order of dismissal, he forwarded an "Affidavit and Motion to withdraw Waiver of Post Conviction Relief Application" to the court, which was filed January 6, 2014 (see attached). The clerk's office returned petitioner's documents to him unfiled with a note counsel had to submit the documents.

Both of Petitioner's counsel were uncooperative in assisting petitioner with his PCR case, as seen by the above disciplinary counsel complaints that were filed and were the cause of the Affidavit and Motion to withdraw waiver of Post Conviction Relief Application.

- 3). On January 23, 2014 Petitioner forwarded a Pro se 59(e) motion to alter/amend judgement; motion for appointment of counsel, affidavit in support of motion, and motion for PCR hearing to the clerk of court; which was received January 30, 2014 and filed, then returned with a note that PCR counsel had to submit the papers.
- 4). By letter of petitioner dated January 6, 2014 sent to this honorable court concerning both PCR counsel conduct in this case, Petitioner received an order back from this court dated February 5, 2014 dismissing his concerns (Appellate case no. 2014-000041).

This is not a situation where petitioner has sat back and not made every attempt he could to invoke his right to a full bite at the PCR apple. The lawyers appointed to assist him with his PCR have stood in the way of him being able to exercise his right to challenge his criminal case through PCR.

Petitioner's withdrawal of his Post Conviction Relief Application was not done, freely, voluntarily, or intelligently. Petitioner was coerced and intimidated into withdrawing his PCR, and it was done under duress. Both of Petitioner's PCR counsel are the ones who did coerce and intimidate him, and created a situation of duress in order to get petitioner to withdraw.

I want to appeal my PCR being dismissed with prejudice and I want my PCR Counsel to file for a rehearing on my behalf to get my appeal rights reinstated.

Petitioner prays for the courts assistance in this matter,
Thanking you in advance.

Dated: February 24, 2014

S/ Colin J. Broughton
Colin J. Broughton #337151

I Colin J. Broughton (Petitioner) certify that I have this day served a letter (i.e., Request for rehearing) with several exhibits; upon The Supreme Court of South Carolina; by depositing one original and one copy of the same in the United States Mail (by and through the Perry Correctional Institutions legal mail system).

The following was served at the below addresses:

- 1). The Supreme Court of South Carolina
Daniel Shearouse, Clerk
P.O. Box 11330
Columbia, SC 29211
- 2). South Carolina Attorney General
P.O. Box 11549
Columbia, S.C. 29211
- 3). Jessie Glenn
6656 Rivers Ave.
N. Charleston, S.C. 29406
- 4). Sharon Capers
P.O. Box 42240
Charleston, SC 29413

Sworn to and subscribed before me

This 24 day of February, 2014

Notary: Jamaica Conwell

Exp: September 25, 2023
My Commission Expires

S/ Colin J. Broughton
Colin J. Broughton # 337151
Perry C.I. Q1B-205
430 Oaklawn Rd.
Pelzer, SC 29669

Colin J. Broughton # 337151
Perry Correctional Institution A1B-205
430 Oaklawn Rd.
Pelzer, SC 29669

February 24, 2014

Jessie Glenn
6650 Rivers Ave.
N. Charleston, SC 29406

Re: Colin J. Broughton v. State of South Carolina
Appellate Case No. 2014-000202
Lower Court Case No. 2010-CP-08-03238

Dear Mr. Glenn:

I am officially requesting you to file for a rehearing on my behalf and to explain to the Supreme Court of South Carolina I want to appeal my PCR being dismissed with prejudice.

I feel you and Attorney Capers coerced and intimidated me into withdrawing my PCR, and you purposely created a situation which made me feel I was under duress and had no choice but to dismiss my PCR application. I did not agree freely, voluntarily, and intelligently to dismiss my PCR, and I want to appeal. Please file the necessary papers.

I am also aware that the court has informed you of my attempts to file a pro se notice of appeal and that under Rule 71.1 of the South Carolina Rules of Civil Procedure and Rule 264, SCACR you are still my counsel of record.

Thanking you in advance

s/ Colin J. Broughton
Colin Broughton #337151

Cc: The Supreme Court of South Carolina

Colin J. Broughton # 337151
Perry Correctional Institution Q1B-205
430 Oaklawn Rd
Pelzer, SC 29669

February 24, 2014

Sharon B. Capers
Attorney at Law
P.O. Box 42240
Charleston, SC 29413

Re: Colin J. Broughton V. State of South Carolina
Appellate Case No. 2014-000202
Lower Court Case No. 2010-CP-08-03238

Dear Attorney Capers:

Recently I attempted to file a Notice of Appeal against my PCR being dismissed with prejudice. By Order of The Supreme Court of South Carolina dated February 10, 2014, it was dismissed. The court informed me my counsel of record would have to file for Rehearing in order for me to appeal.

I am requesting you to file a Rehearing so I can appeal my PCR being dismissed with prejudice.

The court's order also informed me pursuant to Rule 71.1 of the South Carolina Rules of Civil Procedure and Rule 264 SCACR, you and Mr. Glenn are still my counsel of record. So please file for a rehearing on my behalf so I can appeal.

My reasons for wanting to appeal:

I feel you and Attorney Glenn coerced and intimidated me into withdrawing my PCR. You purposely created a situation which made me feel I was under duress, and had no choice but to dismiss my

