

Antwan Gaddist # 297546

To: The Honorable S.C. Court of Appeals

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MAR 07 2014

SC Court of Appeals

I, Antwan Gaddist have several issues for Direct Appeals. The trial court erred in Homicide By Child Abuse Prosecution by whatever the issue is:

- ① The trial court erred in Homicide by child Abuse in sentencing me to the A(1) Article of the 16-3-85 title, instead of A(2) I, have no prior bad acts of any child related abuse or neglect, showed no extreme indifference to human life, I called 911 administered CPR.
- ② The trial judge egregiously erred by adding through a lesser-include offense charge a theory of prosecution ("shaking") that was not supported by the indictment.
- ③ Witness testimony regarding evidence of prior abuse admissible to establish a common scheme or plan, intent, absence of mistake or accident, and identity.
- ④ Evidence of defendant's prior abuse of victim was admissible was under res gestae theory.
- ⑤ Defendant's custodial statement were voluntary under totality of circumstances.
- ⑥ Defense counsels deficient performance in failing to object to erroneous supplemental jury instruction prejudiced defendant.
- ⑦ If a suspect's will is overborne and his capacity for self-determination critically impaired, use of the resulting confession offends due process, U.S.C.A. Const. Amend. 14.
- ⑧ Determination of the voluntariness of a statement must be made on the basis of the totality of the circumstances including the background, experience and conduct of the accused.
- ⑨ The trial court abused its discretion in admitting phone calls recording.
- ⑩ The trial judge egregiously erred by A Theory of prosecution ("shaking") that was not supported by the indictment.

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PUBLIC DEFENDER  
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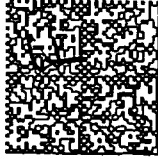
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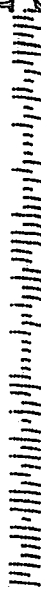
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