

S.C. Supreme Court  
P.O. Box 11330  
Columbia, S.C. 29211

Dear Sir/Ma'am:

Please allow me to introduce myself. My name is Sebastian J. Hepburn resident of 1650 N.W. 4<sup>th</sup> Ave., Miami, Florida. Upon receipt of work here in the State of South Carolina, I semi-relocated. As a result of my relocation shortly there after I found myself faced with such legal matters.

I'm not well versed in the legal system therefore I'm at the crossroad of in need of legal help. I have reasons to believe I will need proper legal representation.

In closing, I'm asking if there is anyway that your organization can assist me, it will be gladly appreciated. Enclosed you will find a brief in detail as to my legal situation. In advance thank you!

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MAR 13 2014

S.C. Supreme Court

Sebastian J. Hepburn  
Sebastian J. Hepburn

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MAR 13 2014

SC Court of Appeals

S.C. Supreme Court  
P.O. Box 11330  
Columbia, S.C. 29211

Date: March 11, 2014

Re: U.S.C.A. Const. Amend. I v § 11; Unlawfully Confined by state prison.

To Whom This May Concern,

Greetings and Salutations. My name is Sebastian James Hepburn, I am currently incarcerated in the South Carolina Department of Corrections (S.C.D.C.). My incarceration stem from a case held in the Court of General Sessions of Greenville County, S.C. before the Honorable Larry B. Hyman Jr., Circuit Court Judge on November 08, 2012 (Case No. 2012GS2302699). Counsel for the State was Lisa A. Bently, Esquire, and I was represented by Robert Ray, Esquire, Greenville County.

Upon closing at the bench trial, I, nor my attorney ever signed or even seen the sentencing sheet, I did not receive my Sentencing sheet until after I was incarcerated for some time in S.C.D.C. I received later my Trial Transcript (T.T.) along with a letter sent to my now state appointed appellate counsel, from the stenographer of my trial stating that "there was an unretrievable error" in my T.T. I will do my best to be short, conscience, and to the point.

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Exhibit # 1  
"Missing Parts of Trial Transcript"

Missing parts of the T.T. consist of post-trial motions; closing arguments; pronouncement of the verdict; and the sentencing by the court. All of this was deemed unretrievable according to trial stenographer, due to equipment malfunction that occurred after the conclusion of the proceedings.

Exhibit # 2  
"Sentencing Sheet (Errors)"

At the conclusion of the bench trial, I, nor my Counsel signed or even saw the sentencing sheet. Upon request sometime later I received a sentencing sheet while in custody of S.C.D.C. The errors where, the address was not anywhere I had ever lived and, a city I have never heard of; neither box in the sentenced (Convicted or Plead To) section was notated; neither my signature nor my attorney's is on the sheet; and the Solicitor, Clerk of court, Stenographer, and Judge's signatures have similar characteristics; there is a notation at the bottom of the sheet that where a scratch mark was put through, the initials match no signature or name anywhere on the sentencing sheet or any other document concerning my case.

Argument

Based on the totality and severity of errors that are now

fifteen (15) months old, I feel that I am being deprived as a United States citizen to my fourth, fifth, sixth, eighth, and fourteenth Amendments rights. I feel that when this error is addressed by the State of South Carolina I will not receive impartiality or fairness. Because of the lack of evidence, i.e.; verdict and sentencing I am unlawfully confined. U.S.C.A. Const. Amend. IV § 11. I have not been treated fairly and proper procedures were not and have not been followed in my Fifth Amendment right of trial due process. U.S.C.A. Const. Amend. V.

I also feel like that by my attorney basically abandoning me the way he did and allowing the courts to have their way in doing me as they feel with no foundation of law to back it up, is no less than mal-practice on my counsels behalf. U.S.C.A. Const. Amend. VI § IX. Jury Trial Generally; § XXX. Effective Assistance of Counsel; § XXV. Assistance of Counsel; § XXVI. Proceedings Requiring Assistance of Counsel.

Due to the lack of evidence on the State's part, by not having factual proof of a proper proceeding, conviction, and sentencing; along with a partial sentencing sheet that is questionable, to say the least is punishing me without proving me guilty beyond a reasonable doubt. U.S.C.A. Const. Amend. VIII. Excessive, Cruel, and Unusual Punishment. South Carolina Declaration of Rights; Art. 1 § 15. Excessive, Cruel, and unusual punishment.

By this action brought about by the State, I am not the only one made to suffer, my family even moreso than myself are suffering. My one year old grand-daughter who have been forced into not having her grandfather, my wife who has added burdens of a one parent home, supplementing the main income from me, and my seventy year old mother who was relying on me for help and daily needs.

The state, by a wrongful conviction and confinement have deprived me of life, liberty, and property. U.S.C.A. Const. Amend. XIV. A. Due process of Law;  
B. Equal Protection of Law.

The "Gross Neglegence" brought on by the state of South Carolina, has deprived me of my civil rights afforded me by the U.S. Constitution. 42 U.S.C.A 1983. Civil Rights; § XI. Deprivation of Constitutional or Statutory Rights; XIII. Deprivation of Employment Rights; XXXIII. Clearly Established Right; XXXIV. Objective Reasonableness Requirement, Cruel and unusual punishment § 3848- A), Proper proceeding or redress.

It is my view that having representation provided by the same party that had an opportunity to try me and failed to do so properly, will not give me a fair hearing. I fear that I will not receive impartiality, fairness by this State based upon their grossly neglegent proceeding. I also fear retaliation and vendictiveness. I am not well educated and have no education in Law proceedings, I don't know what to do! I just know that I am incarcerated without a verdict and a sentence, and I and my family need your help, Please. I very much appreciate you taking time to help.

C.C.

ACLU, Columbia, S.C.

ACLU, New York, N.Y.

ACLU, Washington D.C.

S.C. NAACP Complaints, Columbia, S.C.

Human Rights Watch, New York, N.Y.

Southern Center for Human Rights

Atlanta, GA.

U.S. Dept of Justice "Civil Rights"  
Washington, D.C.

Respectfully Submitted,

Sebastian J. Hepburn

Sebastian James Hepburn<sup>S00C</sup> #353163

Turbeville Correctional Institution

P.O. Box 252

Turbeville, S.C. 29162-0252

Sworn to and Subscribed before me  
this 12<sup>th</sup> day of March, 2014

Emily Haly

Notary Public for South Carolina

My Commission Expires 4-27-2016

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Sebastian J. Hepburn, SCDC #353163-TB-289-B  
Turbeville Correctional Institution

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Turbeville, S.C. 29162-0252

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Columbia, S.C. 29211

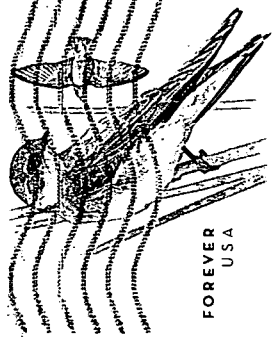
SCDC

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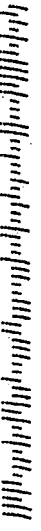
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