

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

RE:Petition for Response to Writ of Certiorari for Consideration.

Attention: Honorable Clerk of Court:

Enclosed is a petition for Response To Writ Of Certiorari For Consideration in which my past counsel served on your office and I'm responding to the petition with the 45 days period which is the requirement by law.

Respectfully submitted:

Juanito Martinez
Pro Se Juanito Martinez-Castenada
Allendale Correctional Institution
P.O. Box 1151
Fairfax, South Carolina 29827

Allendale County
Date: April 21,2014

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APR 24 2014

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA)
COUNTY OF ALLENDALE)

IN THE SUPREME COURT OF SOUTH CAROLINA

Juanito Martinez-Castenada)
Petitioner,)

Appeal Case No. 2013-001791

vs.)

State of South Carolina)
Respondent.)

RESPONSE TO WRIT OF CERTIORARI FOR
CONSIDERATION

Now comes Petitioner Jaubinto Martinez-Castenada #349061 located in the South Carolina Department of Corrections housed at Allendale Correctional Institution P.O. Box 1151, Fairfax, South Carolina 29827 invokes the extreme sanction for a Response To Writ Of Certiorari For Consideration.

Facts

A PCR hearing was held on April 1, 2013, at the Spartanburg County Courthouse before Judge J. Mark Hayes II. Petitioner was present at the hearing and represented by Howard R. Kinard. Assistant Attorney General Suzanne H. White appeared on behalf of the State during the PCR hearing.

On July 24, 2013, Judge Hayes issued an Order of Dismissal therein denying petitioner's allegation of ineffective assistance of the trial counsel in the case.

Petitioner appealed Judge Hayes' Order of dismissal.

Petitioner states: The PCR judge erred in denying petitioner's allegation that his plea was involuntarily at the time of the plea was given in court the petitioner was unable to communicate effectively with the Spanish-speaking interpreters due to the different dialects of Spanish-speaking interpreters because of the different area of different countries and therefore the petitioner did not uphold (1) to ensure that the proceeding in English reflect precisely what was said by non-English speaking person and (2) to place the non-English speaking person on an equal footing with those who understand English. This creates an obligation to conserve every element of information contained in a source language. Therefore, interpreters are obligated to apply their best skill and judgment to preserve faithfully the meaning of what is said in court, including the style or register of speech.

WHEREFORE THE PETITIONER PRAYS:

- (1) That this Honorable Court will grant this consideration of the petition.
- (2) Whatever this Honorable Court deems just, proper and fair.

SO THAT THE ENDS OF JUSTICE SHALL BE MET...

Respectfully submitted:

Juanito Martinez

Pro Se Juanito Martinez-Castenada
Allendale Correctional Institution
P.O. Box 1151
Fairfax, South Carolina 29827

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IN THE SUPREME COURT OF SOUTH CAROLINA
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CERTIFICATE OF SERVICE

I certify that a true copy of the Response To The Writ Of Certiorari in this case has been served on Honorable Clerk of Court, Daniel E. Shearouse of The Supreme Court Of South Carolina, P.O. Box 11330, Columbia, South Carolina 29211

Respectfully submitted:

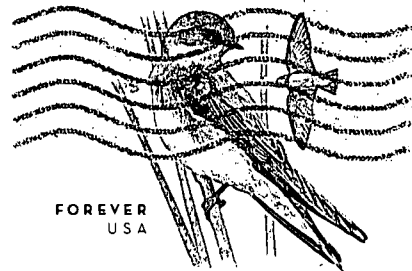
Juanito Martinez
Pro Se Juanito Martinez-Castaneda
Allendale Correctional Institution
P.O. Box 1151
Fairfax, South Carolina 29827

Allendale County
Date: April 21, 2014

Juanito Martinez-Castenada #349061
Allendale Correctional Institution
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