

Vincent A. Bratton, #313854
Lieber Corr. Inst.
Post Office Box 205, WD-270
Ridgeville, S.C. 29472

April 21, 2014

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia, S.C. 29211

RE: Vincent A. Bratton v. State of South Carolina,
Appellate Case No. 2014-000450

Dear Clerk:

The Appellate is writing this letter to the South Carolina Court of Appeals in reference to the most recent letter that the Appellate received from his trial attorney, Mr. Nathan Sheldon, Esquire, dated on April 1, 2014. The Appellate will show this honorable Court the arguable basis that present issues to be preserved on appeal of his Guilty Plea and Sentence(s) imposed by the Honorable Paul M. Burch, General Sessions Court of York County, on February 27, 2014.

The Appellate was sentenced to forty (40) years on Indictment #2013-GS-46-01213 (Murder); thirty (30) years on Indictment #2013-GS-46-01214 (Burglary 1st Degree); twenty-five (25) years on Indictment #2013-GS-46-01216 (Armed Robbery); five (5) years on Indictment #2013-GS-46-01213 (AA) (Possession of a Weapon During the Commission of a Violent Crime); and five (5) years on Indictment #2013-GS-46-01217 (Criminal Conspiracy).

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SC Court of Appeals

The Appellate, Vincent A. Bratton, pro se, would like to present the following issues on a direct appeal before the South Carolina Court of Appeals. Please review the following:

ISSUE I

The Appellate's Counsel failed to spend enough time on the Appellate's case prior to proceeding to trial on a Guilty Plea. Counsel's lack of preparation and not allowing himself time to reflect with the Co-defenders, nor did he keep the Appellate informed to the line of defense, nor to the changes in the Prosecution of the charges that he faced within the State's case. Therefore, the Appellate's Counsel could not have properly or professionally advise the Appellate to enter a Guilty Plea to each of the charges.

ISSUE II

While during a pretrial conference between the Prosecutor, Appellate and his Counsel, an agreement was reached and made between the parties, that the Appellate would receive a concurrent sentence for a lesser offense in exchange for the Appellate to plea guilty to all charges pending against him. However, during this conference, the Prosecutor threaten the Appellate with other charges, and mentioned the use of his prior record, if the Appellant did not plea guilty to the above mentioned charges.

ISSUE III

The Appellate was denied his right to the assistance of counsel at his Guilty Plea. The Appellate's Counsel failed to conduct a proper investigation on both factual and legal to determine if any possible lines of defense were available for the Appellate, before Counsel advised the Appellate to enter a guilty plea.

The Appellate meet with the Counsel for the first time in the first week of January, 2014, and the Appellate plead guilty to five (5) serious charges on February 27, 2014. This is clearly a violation of the Appellate's Sixth Amendment Right of the United States Constitution, and the Fourteenth Amendment Right of the South Carolina Constitution.

ISSUE IV

The Appellate was denied his Sixth and Fourteenth Amendment Rights of the United States Constitution and Article I, Sections III, XIV, of the South Carolina Constitution, because Appellate's Counsel failed to spend a sufficient amount of time on the Appellate's case before Counsel wrongly advised the Appellate to plea guilty to all charges for a lenient and a concurrent sentence. This was a violation of the Appellate's right to a fair trial by jury and denying Appellate's rights to an effective assistance of counsel at his Guilty Plea Hearing.

Respectfully submitted,

s/ 

Vincent A. Bratton, #313854

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Vincent A. Bratton, #313854,)
Appellant,)
v.)
The State of South Carolina,)
Respondent.)

Case No.: 2013-GS-46-01213, 01213(A),
01214, 01216, 01217;

MOTION FOR
APPOINTMENT OF COUNSEL

NOW COMES, Vincent A. Bratton, the Appellant, requests this honorable Court of Appeals to appoint counsel to represent him in this case for the following reasons:

1. The Appellant is not able to afford a private attorney.
2. The Appellant has a limited knowledge of the law.
3. The issues involved in this case are complex.
4. The Appellant's institution limits the hours that the Appellant may have access to the Law Library and the law materials there are very limited.
5. The ends of justice would best be served in this case if an attorney was appointed to represent the Appellant.

WHEREFORE, the Appellant, Vincent A. Bratton, prays that this honorable Court will appoint counsel to represent him in the above-captioned matter.

Respectfully submitted,

Subscribed and Sworn to before me
this 25 day of APRIL, 2014.

Lise M. Cross

Notary Public For South Carolina

My Commission Expires: JAN. 26, 2024

S/ Vincent Bratton
Vincent A. Bratton, prose

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Vincent A. Bratton, #313854,)
Appellant,)
v.)
The State of South Carolina,)
Respondent.)

Case No.: 2013-GS-46-01213, 01213(A),
01214, 01216, 01217;

CERTIFICATE OF SERVICE

The Appellant, Vincent A. Bratton, pro se, certifies that the Appellant served a Cover Letter, Motion For Appointment of Counsel, Motion For Extension of Time, and Certificate of Service have been served upon the Respondents via United States Mail, addressed as follows:

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia, S.C. 29211

Office of Attorney General
Alan M. Wilson, Attorney General
Post Office Box 11549
Columbia, S.C. 29211

Vincent A. Bratton
Vincent A. Bratton, pro se

Subscribed and Sworn to before me
this 25 day of APRIL, 2014.

Sise M. Cross
Notary Public For South Carolina

My Commission Expires: JAN. 26, 2024

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SC Court of Appeals

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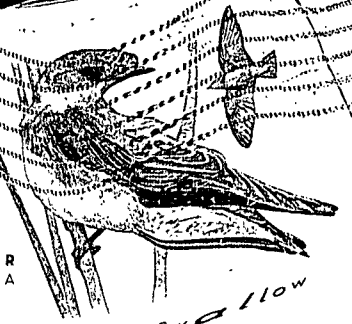


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FOR ITS CONTENTS.

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S.C. DEPARTMENT OF CORRECTIONS



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