

Dear Mr. Shearouse,

Sir, my appellate defense counsel filed a Johnson brief on my issues and half raised the argument she did raise. Here is a copy of a letter I sent her about my issues that show she frivolously filed a Johnson brief. I object to her being relieved as my counsel and object to her stating that my issues have no merit. I sent her a copy of my pro se argument on the same issue she raised on her Johnson brief because she didn't even establish how the chain was actually broken to the full extent. I didn't send you a copy of my pro se brief yet because I am still in the process of finishing my pro se brief with my final arguments I wish to raise pro se. I just sent you a copy of this letter I sent her so you can compare it to the brief she filed. If she is still going to be relieved as my counsel, I ask to withdraw her argument and file my own argument as to this issue. Her argument is so slack and half states the facts when everything in this letter is all in the record and had she half paid attention to the trial transcript, and PCR transcript, she would have seen all this evidence proves the chain of custody was egregiously broken. In her argument she only speaks of Alex Teachey not stating in her chain of custody form what exactly it was she delivered to SLED. She failed to speak on the identity of each individual in the chain having not been established by chain of custody forms or testimony. Everything I speak of in this letter is in the record. She still failed to raise this in her brief. I will however have my pro se brief and issues filed by the deadline but I request the court to investigate her ineffectiveness in her frivolous Johnson petition and ask that she be admonished and the courts force her to either withdraw her argument and raise the argument correctly and to its full extent or I be able to withdraw hers and file mine or I amend my pro se argument on the chain of custody to her argument to fully establish the argument. I submit with the utmost respect I submit.

Respectfully,

Mr. Donovan Murray

MAY 08 2014

S.C. SUPREME COURT

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Ms. Carmen Ganjehsani
P.O. Box 11589
Columbia, S.C. 29201

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dated

S.C. CIVIL COURT

Dear Ms. Carmen,

I'm writing you in regards to your Johnson brief saying none of my issues have merit. Here is a copy of my pro se brief and it shows the egregious break in the chain of custody from the initial confiscation of the evidence to the final analysis. In your Johnson brief, you failed to completely establish all of the breaks in the chain. I truly feel that you misunderstood my argument. I didn't get to fully elaborate at my PCR on my issues because of the hinderance from the judge but I did state that I believed the chain of custody was broke in several places in which you will see in my brief how the chain was egregiously broken from the very beginning to the very end. Patricia Jordan who collected the evidence initially wasn't called to testify and her chain of custody was not correct to begin with because she never established her placement of the drugs. She documented on her chain of custody form that she delivered the evidence to the "evidence room" but failed to document "who" she gave the evidence to in the evidence room. In the stipulation to the chain of custody, the solicitor told the courts that the chain after Jordan picks up with Alex Teachey who states in her chain of custody form she retrieved the evidence from the evidence locker. Jordan didn't state in her chain of custody form that she delivered the evidence to the "evidence locker." She stated she delivered it to the evidence "room." And since she wasn't called to testify, it can't be proven that she actually put the evidence in the "evidence locker." Its possible she gave the evidence to a evidence technician in the evidence room who then placed the evidence in the evidence locker. Since the chain of custody form states the evidence room which is a distinct location rather than the evidence locker, the chain has not proved sufficient, then Alex Teachey never says in her testimony what she actually received from the evidence locker nor did she state the condition the evidence was in. She just testified the evidence was in the same condition as when she received it. But what condition was that? We don't know because she never told us. Then she didn't even state what she delivered to SLED or the condition. She doesn't state "who" she delivered the evidence to at SLED. She only testified she gave the evidence to a SLED evidence Technician. We don't know who that SLED evidence technician was or what she delivered to the technician or the condition of the evidence when she delivered it. We also don't know because this mysterious person was never called to testify that Alex Teachey delivered it. There is no chain of custody form to establish chain of custody. We don't know how many people handled the evidence or where the evidence was stored but mysteriously somehow 48 days after Alex Teachey says she delivered the evidence to a mysterious SLED evidence technician, Amy Stevens ends up in possession of the evidence. We don't know how, what, when, or the condition of the evidence upon her receipt of the evidence or who she got the evidence from because she also was not called to testify. All we know is that Jill Clark testified that she received the evidence from Amy Stevens although there is no proof of that because Amy Stevens never testified that she delivered the evidence to Jill Clark or what she delivered or the condition of the evidence when she delivered it. Also we don't know Jill Clark received the evidence from Amy Stevens because there is no chain of Custody Rule 6(b) form for Amy Stevens or Jill Clark. Therefore, from the initial collection of the evidence to the final analysis, the chain of custody of the evidence must only be left to conjecture. This is way stronger than the issue you raised on the chain of custody and had you paid attention to the record, you would have saw all this. So how can you say this argument has no merit? Also the judge denied me to raise my prosecutorial

Misconduct issues stating that its not an issue for PCR but rather a direct appeal issue, How can I raise prosecutorial misconduct on direct appeal if there was no objection. Riddle v. Ozmint 369 S.C. 39, 631 S.E.2d 70 (2006) is a PCR case of prosecutorial misconduct that says, "when a PCR court finds that prosecutorial misconduct renders a defendants trial fundamentally unfair, the defendant is entitled to a new trial. How can you not raise with merit that the PCR Judge was incorrect in his ruling that I can't raise prosecutorial misconduct on PCR? The prosecutor committed misconduct in mistating facts to the court and jury that the chain of custody, the drug evidence would have been suppressed and I wouldn't be in prison today. The out come would have been different. The solicitor presented to the judge this stipulation even though he had all the evidence and testimony showing this egregious break in the chain of custody. Yet he still flat out Lied to the court and jury that it was a proper function. The prosecutor also portrayed to the jury that my codefendant was only a cocaine user and only in possession of cocaine when he knew my codefendant/states witness was actually in possession of crack in the pill bottle. The Solicitor argued in opening that Ickes was in possession of a little over a gram of powder cocaine when all alone he knew crack was in the pill bottle also. My lawyer failed to catch it, yet the solicitor portrayed a false vision to the jury from the start. He committed prosecutorial misconduct and the judge failed to let me raise my issues when its proven by Riddle v. Ozmint that prosecutorial misconduct can be raised on PCR. These issues have merit and I refuse your being relieved as my counsel due to your ~~frivolous~~ frivolous Johnson brief. I request you with draw your initial argument on the chain of custody and file it properly as well as error of PCR judge on the ruling of prosecutorial misconduct not being a issue for PCR and I request you to raise this prosecutorial misconduct claim. I request you to properly raise my issues. If you don't want to with draw your Johnson brief, please with draw your argument on the chain of custody and file my prose brief or so that I can.

Sworn to before me this
 _____ day of _____, 2014
 _____ (L.S)

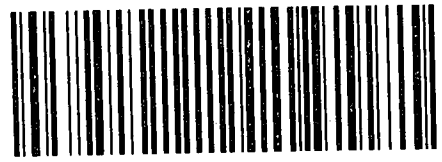
Respectfully,

x. Mr. Donovan Murray

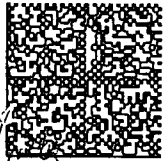
My Commission Expires: _____

- cc/ Carmen Granjehsani
- cc/ Daniel Shereause
- cc/ Ashliegh Wilson
- cc/ file

Mr. Donovan Murray 304604
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Columbia, S.C. 29210



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

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MAY 06 2014
BRIEF
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LEGAL MAIL

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