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Anthony Taylor #287163

Lee Correction Institution

990 Wisacky H. Highway / DN1107

Bishopville, S.C. 29010

S.C. Supreme Court

July 28th, 2014

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Chief Clerk of Court

State Supreme Court

AUG 01 2014

S.C. SUPREME COURT

Hon. Chief Clerk

Please find enclosed my Pro Se brief, and ask this court to file it and return a stamped filed copy to me.

With kind regards
Anthony Taylor
Anthony Taylor, Pro Se

cc: file

encls.

The State Of South Carolina

State Supreme Court

Sumter County Courthouse

Ralph F. Cochran, Judge

Anthony Taylor,

Petitioner

~against~

State Of South Carolina,

Respondent.

Petitioner Pro Se Brief

Question Presented

Whether Armed Robbery of Store Con-
stitutes As A Person Within South Carolina
Code Ann. Sec. 16-11-330(A)?

Under South Carolina Code Ann. Sec. 16-11-330(A) (2010 Supp. 12) and (APP. PG 83, 85) where these two documents read as follows:

"... did take and carry away Goods
and/or monies from the Person or immec-
diate Presence of store clerk, Fatima
Singleton, with the intent to Permanently
deprive the victim of Possession thereof..."

APP. PG 83

According to State v. Frazier, 689 S.E.2d 610 (2010) at no
time could the state sustain its burden that I took any-
thing from victim. Whereas, it can be shown that crime is
against store and not Ms. Singleton, because state during
Plea said that:

While at the counter Pulled out a silver
in color handgun and demanded money.

APP. PG 17, lines 1-3

The money or said Property does not belong to victim, as a
consequence then it is hard to be Guilty of armed robb-
ery when money and or Property belonged too Young's Mar-
ket. Since as indictment reads "Did take and carry away

Goods and/or monies from the Person" it can be shown by the record nothing was taken from victim. As a store clerk, it is clear she does not have dominion and control over anything in this store. However, the court and respondent will argue the argument lacks merits, since he took money or property in presence is sufficient to constitute as armed robbery and is not relevant as argued herein. Moreover, it likewise must be noted that court will be inclined to say this argument renders sec. 16-11-330(A) superfluous. However, court and respondent would be misconstruing argument. Where legislature deemed robbery as crime against person, not against property and in doing so the legislature did not intend for me to be charged with violation of sec. 16-11-330(A) in situations where property taken belongs to Young's Market. When clerk gave money from cash register belonging to Young's Market, it is reasonable to say such actions will be against property and despite argument of it being taken in his/her presence. The law requires proof of taking such belongings which belong to her. Thus, the plain language of this reveals my interpretation is correct when legislature is presumed to have spoken that such property taken must as a matter of law "Must Belong To Victim". Moreover, likewise as our state supreme court has ruled, the one retrieving property belonging to him by force while armed is not armed robbery. Therewith, the law encompasses a wide area of dominion and control which she/victim did not

have when this crime took place.

Question Presented

Whether Counsel Failure To Investigate Deal With Prosecution Was Ineffective?

Under *Hill v. Lockhart*, 474 U.S. 52 (1985), the lower court ruling counsel did not render inadequate representation is error. Because while counsel testified he reviewed file and said

"...and the other witnesses don't actually see him. You know with a gun. Or Robbing at least they didn't say that in their statements."

App. PG. 64, lines 22-25

How could counsel allow a Guilty Plea when I was never identified by victims and as counsel says never saw a weapon during this incident. Accordingly, coupled in this context me and counsel discussed this

"And, you know, we had discussions about asking for what a credible sentence would be. And I advised him that I didn't think 10 was all that credible given that he had served a prior -- since had a prior armed robbery. And I suggested in the neighborhood

of around 20. as I recall. And we kind
of agreed to 15."

App. PG 63, lines 14-20

What is missing, is counsel actually relating this to the
state and is supported by his testimony (App. PG 63, lines
20-25; PG 64, lines 1-3) at no time was the state asked or
spoke to them. Hence, under Hill counsel failure to do so is
below standards, when certain facts of case reveals the
only evidence was circumstantial because none of these
individuals who ident. fired my clothing was inside of the
store. Consequently, counsel said victims statement do
not say anything about a gun and video likewise says
and shows no such thing. Therefore, how could this be a
armed robbery without a gun and counsel should at
a minimum have argued for 15 years as we talked about
before Guilty Plea.

Wherefore, it is Prayed court Grant writ.

Date: 28th day of July

2014

Respectfully Submitted

St Anthony Taylor

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

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