

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

certiorari to Lancaster County
Clifton Newman, Circuit Court Judge

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AUG - 7 2014

S.C. Supreme Court

MORRIS C. HARRIS,

PETITIONER,

v.
STATE OF SOUTH CAROLINA,

RESPONDENT,

APPELLATE CASE NO. 2013-002757
PETITIONER RESPONSE FOR WRIT OF CERTIORARI

MORRIS C. HARRIS
DEFENDER

McCormick Correctional Institution
386 Redemption Way
McCormick S.C. 29899

PETITIONER

LEGAL MAIL

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1971

275 NORTH ST. #12

PETITIONER WAS ARRESTED FOR ASSAULT AND BATT. DURING THE ARREST PETITIONER WAS TAKEN TO DETECTIVE. AT THAT TIME PETITIONER DID NOT ANSWER ANY QUESTIONS. DURING THE HOURS PETITIONER WAS HELD WITH THE OFFICERS AND DETECTIVE. PETITIONER SAID MR. MOORE SHOT HIMSELF. OFFICER CATOE STATED HE DID NOT GIVE A D... ABOUT MR. MOORE.

THE THIRD DAY THAT PETITIONER WAS QUESTIONED, BY OFFICER AND DETECTIVE, ONE OFFICER ASK PETITIONER, WHY WAS HE THROWING HIS LIFE AWAY. ALONG WITH SOME DEGRADING REMARKS TO THE DECEASED. AT THAT TIME OFFICER TOLD PETITIONER HE WAS FACING 10 TO 15 YEARS. ASK PETITIONER IF HE WAS FAMILIAR WITH THE CASE OF JOHNNY TWITTY... PETITIONER TOLD THEM HE KNEW MR. TWITTY, YET HE WAS NOT FAMILIAR WITH THE CASE.

AT THAT TIME OFFICER AND DETECTIVE TOLD PETITIONER HE WOULD NOT FACE THE DEATH PENALTY BECAUSE THE CASE WAS FORM, SIMILAR TO MR. TWITTY. THEY TOLD PETITIONER THAT HE WOULD RECEIVE 10 TO 15 YEARS. A STATEMENT IS MADE INVOLUNTARY WHEN IT IS INDUCED BY PROMISE OF LENIENCY, STATE V. PEAKE 291 S.C. 138, 352 S.E. 2d 487.

AS YOU CAN SEE IN THE JACKSON V. DENNO HEARING. APP 67 LINE 7-9 PETITIONER TOLD COUNSEL THAT OFFICER AND DETECTIVE HAD OFFERED HIM 10 TO 15 YEARS. BEING THAT HIS CASE IS SIMILAR TO THAT OF MR. TWITTY. ACCORDING TO THEM ANYWAY.

PETITIONER DOES NOT HAVE RIGHT TO REPRESENT HIMSELF AND BE REPRESENTED BY COUNSEL.

LEGAL MAIL

A lawyer, shall not, without just cause to pretriment to his client, willfully Abandon or Disregard A legal MATTER that his been In trusted to him. Had HE stated this to the Court, Petitioner would not have stop his trail. This Prejuduce Petitioner BECAUSE IT LEAD TO A PLEA, TO KEEP HIS HEAD FROM going to the AXER FOR SLAUGHTER.

[Ct.] Tutan v. Burnswick

CONSTRUCTING Must SQUARE with common SENSE And sound REASONING. Had counsel (Mr. Frick) for Petitioner put this on Record for Petitioner AS ASK. Probable outcome of trail may have BEEN DIFFERENT. Johnson v. State 325 S.C. 182, 186; 480 S.E. 2d 733, 735 (1997) [Ct.] Strickland.

Counsel should have Subpoea videA OR TAPE RECORDING OF THE ALLEGED STATEMENT.

Petitioner WAS Preduced by Counsel DEFICIENT PERFORMANCE. Strickland v. Wash - ington 466 U.S. 668, 104 S.Ct 2052

LEGAL MAIL

DUE to law enforcement officials
obtaining EVIDENCE by OVER BEARING THE
Will of the Petitioner.

Colorado v. Connelly

when petitioner Attempt to READ
Alleged waiver. OFFICER told Petitioner to
Just sign the paper, told him HE WAS NOT
giving up Any rights. So THEREFORE Pet-
itioner took him for his word, And
Petitioner may have sign waiver invol-
untarily.

App 17

This is A violation of my sixth
Amendment AND DUE PROCESS claus of the
FOURTEENTH Amendment. State v. McCoy 274
S.C., 70; 261 S.E. 2d 159.

App 18

There were no photographs in the
Discovery that Counsel give Petitioner.
Counsel should have VIEWED photographs or
BEFORE the JUDGE OR HE should have MADE
An objection to the photo being submis-
sion.

LEGAL MAIL

PETITIONER FEELS HE WAS PREJUDICE BY THE PHOTOS DUE TO SENTENCING. APP 31 LINE 17-20. THIS IS WHY OBJECTION SHOULD HAVE BEEN MADE. FROM PETITIONER UNDERSTANDING, THIS IS NOT HOW THE SCENE WAS AT TIME OF INCIDENT. THIS SHOULD HAVE BEEN SUPPRESS AT SENTENCING. IT WAS MISLEADING AND PREJUDICE PETITIONER. AS YOU CAN SEE BE THE QUESTION THAT WAS ASK. WE CAN ONLY CONCLUDE WHAT THE JUDGE WAS THINKING. BY THE REFLECTION ON HIS FACE IT WAS NOT GOOD.

AFTER THE CLIENT IS CONVICTED AND SENTENCE COUNSEL IN ALL CASES HAS A DUTY TO MAKE CERTAIN THAT THE PETITIONER IS FULLY AWARE OF THE RIGHT TO APPEAL.

IN RE ANONYMOUS MEMBERS OF THE BAR 303 S.C. 306, 307, 400 S.E. 2D 453 (1991) ANDRES V. CAL. 386 U.S. 738, 87 S.Ct 1936 18 L.Ed 2d 493, (1967)

FAILURE TO DO SO PREJUDICE PETITIONER FROM RECEIVING A TIMELY APPEAL. WHITE V. STATE [CIT.] AUSTIN

LEGAL MAIL



PETITIONER RESPECTFULLY REQUEST THAT THE
COURT CONSIDER THESE ISSUES ON APPEAL.

Respectfully submitted,

Mr. Morris C. Harris
Mr. Morris C. Harris

This 5th Day of August.

LEGAL MAIL

Robertson v. State

COUNSEL TOLD PETITIONER HE FACE 40 YEARS
WHEN PETITIONER WAS ACTUALLY FACING 60
YEARS.

COUNSEL TOLD PETITIONER HE WAS FACING 40
YEARS WHEN THE RECORD SHOW, THAT PETITIONER
WITH FACING LIFE.

STATE FAILED TO GIVE PETITIONER LESS -
INCLUDED OFFENSE OF VOLUNTARY MANSLAUGHTER
STRAIGHT UP WITH-OUT NEGOTIATION OR RECOMMEND
RECOMMENDATION. APP 24 APP 23 LINE 9-11

DID JUDGE ERR IN ACCEPTING PLEA NC V. A170nd?
DID JUDGE ERR IN ACCEPTING PHOTOGRAPHS DUE
TO SENTENCING, THAT HAD NOT BEEN IN DISCOVERY?
BRADY V. US 23 L.ED 2d 747 (1970)

SHOULD STATEMENT WHICH WAS USED FOR
SENTENCING BEEN ALLOWED BY JUDGE GOODE
BEING THAT ALLEGED AFFIDAVIT WAS FOR APRIL
2007, AND THE ALLEGED STATEMENT WAS FOR
2006 OF APRIL. AND STATE DID NOT PROVIDE
VIDEO OR RECORDING TO DISPUTE SUCH?!
DID JUDGE ERR?

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v.
STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

I CERTIFY that A TRUE COPY of the PETITIONER Response for WRIT of CERTIORARI in this case have been served on DANIEL E. SHEAROUSE, CLERK OF COURT, FOR THE SUPREME COURT OF SOUTH CAROLINA, at POST OFFICE BOX 11330, COLUMBIA, SOUTH CAROLINA 29211, this 5th day of August 2014.

Mr. Morris C. Harris
Mr. Morris C. Harris
DEFENDER
PETITIONER

SWORN TO ME BEFORE ME
this 5th day of August, 2014

Franklin (L.S.)
Notary Public For South Carolina
My Commission Expires 12-16-2019

LEGAL MAIL

CHRYSTIE ST

1911

THIRD EMBROIDERED

M. J. HARRIS 00393040
MEDI
386 Redemption Unit
Meerwick S.C. 29849

Confidential
Legal mail

THE SUPREME COURT OF SOUTH CAROLINA
DANIEL E. SHEAROUSE CLERK OF COURT
POST OFFICE BOX 11330
Columbia, South Carolina 29211