

Mr. Sherouse,

8-7-14

Sir, How are you?

I'm Chad Everette Williams # 303225. I'm currently waiting on an Appeal process from my Post Conviction Relief hearing held on Jan. 21st, 2014. I was denied on April 9th, 2014. Case # 2011-CP-02-00729.

I asking that you file this letter of request for an Collateral Estoppel with the attachments in your Court. I do not have a lawyer at this time, this is a serious matter for me that I am bringing to the Courts attention.

The Order of Dismissal for P.C.R. is not correct, is a misapplication of the facts that needs corrected. For the record is replete with erroneous statements and judgements thereby the allegations are not properly preserved for the Courts review. I asked my P.C.R. Counsel Attorney Brett Lancer to file a SRETS Motion in my behalf, he failed to do it.

All I'm asking is that the Order of Dismissal be sent back to Hon. Judge Edgar W. Dickson, to the Attorney Generals office for a correction of the facts and a lawful ruling as to the Finding Facts and Conclusion of law. Thereby having the record corrected, properly preserved for both State and Federal Review.

Enclosed is a copy from the date I received the Order of Dismissal, DNA Results, US Exhibits - Tr. pgs. that was admeend on at the P.C.R. hearing and mentioned. Also I'm asking that you send me a copy of receipt, notice of filing my request.

Thank You,

RECEIVED

AUG 13 2014

S.C. SUPREME COURT

Respectfully Submitted
By Chad E. Williams

8-7-2014

RECEIVED

AUG 13 2014

South Carolina Supreme Court

S.C. SUPREME COURT

Daniel E. Sherouse Clerk of Court

Case Number

P.O. box 11330

2011-CP-02-00729

Columbia, SC 29211

RE: Collateral Estoppel on Appeal process, and to send P.C.R. Order of Dismissal back to Lower Court for correction, a ruling as to the facts.

Honorable Court:

I'm asking for an Collateral Estoppel on an Appeal process from my Post Conviction Relief Hearing held on Jan. 21st, 2014. Due to erroneous and a misapplication of the facts that needs to be corrected Pursuant to Rule 52 of the Rules of Civil Procedure... The Allegations and Issues have not been properly preserved and ruled upon by the Finding Facts and Conclusion of Law by the Hon. Judge Edgar W. Dickson in The Order of Dismissal published by the Attorney General's Attorney Daniel Gourley II esq. on April 9th, 2014, as required by the S.C. Code Ann. 17-27-80 (1985).

During the P.C.B. hearing I asked and stated for the record that a 59(E) to be done too properly preserve my allegations for review, P.C.B. Counsel Brett Lancer failed to do a 59(E) Motion upon my request in my behalf. I recieved the Order of Dismissal by P.C.B. Counsel June 6, 2014 (See attached). AS I was reading I found discrepancies in the order that are detrimental to my case. There are Misinterpretations and

Misrepresentations to what I said, presented at the P.C.B hearing. By this action its denying me rights to have all Issues/Allegations properly preserved for Appellant Review and Stops the State, Federal Courts from hearing my case and Claim which is extremely prejudicial against me.

I raised on P.C.B Ineffective Assistance of Counsel, "Counsel failed to object to testimony of State Witnesses and failed to effectively Cross Examine the State Witnesses" (see attached pg. 2 Allegation(H)). This argument was not ruled upon by the Finding Facts and Conclusion of Law, nor is it mentioned in the Order. I presented D.N.A results as exhibits supporting this Claim and stated for the record "Why Counsel David Miller Should have objected to Lilly Gallman's testimony because she lied about the D.N.A that was found on a sock matching me with the Victim Mr. Ellis" When in fact in her report it says "Mr. Ellis is excluded as a possible contributor to this mixture. (see results Marked Socks. 65.3-Tr. pg. 223, 224).

Counsel Miller should have objected to her testimony, or at least corrected it. I cited Jepheth Barnes vs. Spartanburg County Sheriff's Office 2007 WL 1377564 against Lilly Gallman for lying concerning D.N.A evidence.

Counsel Miller failed to ask State Witness Crystal Jackson "Why is her DNA on the sock with the blood from the Victim?" (see results. Marked 65.2).

Counsel Miller failed to ask Kathy Young "Why is her blood on the shoe matching the blood from the Victim?" (see results. Marked Shoes. 49.1-Tr. pg. 229)

On pg. 3 (see attached). I stated that the blood on the alleged Murder Weapon does not match the blood from the Victim Mr. Ellis but from an unidentified female individual (see results. Marked 28.1-Tr. pg. 224). I stated for the record why Counsel David Miller should have objected to the Jury Instruction on the Inferred Malice From The Use of A Deadly Weapon?

By judge Edgar Dickson failed to make a ruling on my allegations, Attorney Daniel Gourley II failed to state the facts ~~to~~ my allegations, preserving them for the record in the Order of Dismissal is denying my rights, for review and the relief of judgement which I seek. For the record is replete and incorrect, to proceed any further without correction is a gross miscarriage of justice which prejudices me.

So I'm asking for an Collateral Estoppel, to send The Order of Dismissal back to the lower Court to Judge Edgar W. Dickson for a correction of the Facts and a lawful Ruling on my Issues, to have them put on the record in the Order. Thereby "All" Claims/Allegations will be properly preserved and ruled upon as to the Finding Facts and Conclusion of Law, for Appellant Review.

I am,

Perry Correctional Inst.
430 Oaklawn rd.
Pelzer, SC. 29669

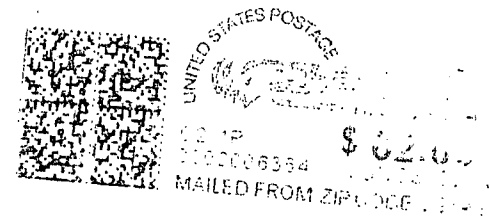
Respectfully Submitted
By Chad E. Williams
Chad E. Williams

Sworn or affirmed to and subscribed
before me this 7th of August, 2014

Gary Mueckel

My Commission Expires: 1-23-2023

AUG 07 2014
P.C.I. MAILROOM



Law Offices
Johnson, Johnson, Whittle and Lancer
Attorneys P. A.
P. O. Box 2619
117 Pendleton Street, N. W.
Aiken, South Carolina 29802-2619

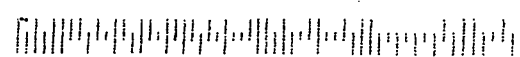
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JUN 06 2014
PCI Mailroom

Chad Everett Williams, 303225
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

4B209

1:52 pm



THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Honorable Edgar W. Dickson, Circuit Court Judge

Case No.: 2011-CP-02-00729

Chad Everette Williams, #303225,Petitioner,

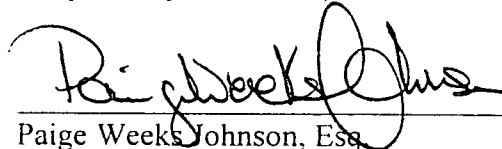
v.

State of South Carolina,Respondent.

NOTICE OF APPEAL

The Petitioner, Chad Everette Williams, appeals the Honorable Edgar W. Dickson's April 9, 2014 Order of Dismissal denying post-conviction relief to the Petitioner. Undersigned counsel received notice of entry of the order on April 14, 2014. A copy of the Order of Dismissal on appeal is attached to this notice.

Respectfully Submitted,



Paige Weeks Johnson, Esq.
P.O. Box 2619
117 Pendleton Street, NW
Aiken, SC 29802
(803) 649-5338

Date: April 15, 2014

Other counsel of record:

Daniel Francis Gourley, II, Esq.
SC Attorney General's Office
P.O. Box 11549
Columbia, SC 29211-1549

A timely Notice of Appeal was filed on Applicant's behalf and an Anders brief was perfected by Joseph L. Savitz, III, Esquire. The Applicant submitted a Brief of Appellant on December 4, 2009. The South Carolina Court of Appeals dismissed the Applicant's appeal. State v. Williams, Op. No. 2010-UP-505 (S.C. Ct. App. filed November 12, 2010). The Remittitur was sent on December 23, 2010.

ALLEGATIONS

In his application for post-conviction relief, Applicant alleges he is being held in custody unlawfully based on the following allegations:

1. Ineffective Assistance of Counsel.
 - a. "Counsel failed to object to the introduction of certain pieces of evidence that should have been objected to and therefore prejudiced the applicant."
 - b. "Counsel failed to object to the jury charge instructing that malice may be inferred from the use of a deadly weapon."
 - c. "Counsel failed to properly object to the introduction of the confession during the Jackson v. Denno hearing."
 - d. "Counsel was ineffective of advising application to confess to the crimes of Murder and Burglary as the confession was used to convict applicant at trial."
 - e. "Counsel failed to request the jury instruction of accessory after the fact."
 - f. "Counsel failed to adequately prepare for trial and develop a trial strategy."
 - g. "Brady violations."
 - h. "Counsel failed to object to testimony of state witnesses and failed to object to testimony of state witnesses and failed to effectively cross examine the state witnesses."

SUMMARY OF TESTIMONY PRESENTED

At the evidentiary hearing, Applicant testified on his own behalf. The State presented testimony from trial counsel, David Miller, Esquire (Counsel). This Court also had before it a copy of trial transcript, the Aiken County Clerk of Court records, Appellate Records, the Applicant's South Carolina Department of Corrections records, the PCR application, and the

1 Q. Ma'am, I might have to jump back and forth a little
2 bit because I'm kind of putting a couple of different
3 reports back. SLED item number 49, you identified that as
4 a swab from the white shoe in the fire; is that correct?

5 A. That's --

6 Q. That's what you were told it was?

7 A. Yes.

8 Q. Whose blood was on that -- whose DNA was identified
9 from that?

10 A. The DNA profile developed from item 49 was -- 49.1
11 matched the DNA profile of Katherine Young.

12 Q. Does it have a probability there of how certain y'all
13 are of that?

14 A. Well, the frequency of that particular DNA profile is
15 one in one quadrillion (1,000,000,000,000).

16 Q. So Katherine Young's blood was on the shoe that was in
17 the hole. And on several occasions here we have
18 Mr. Ellis, the victim's blood, but there were no DNA from
19 Chad Williams on the shoes, was there?

20 A. Not from the swabs that I was given.

21 Q. Okay. You testified previously that there was a
22 wrench that was submitted for analysis and that there was
23 DNA, a DNA profile of an unidentified female on that
24 wrench; is that correct?

25 A. That's correct.

1 Q. Explain how it would be possible that a fire could
2 destroy the DNA evidence of one person without destroying
3 the DNA evidence of the other on the same item?

4 A. Well, if you have -- if this is item, the DNA of the
5 person that's being destroyed is on this side and the
6 other person is here, the fire hits here, it doesn't hit
7 there. That's the only way I can think it happens.

8 Q. Do you have any idea where on the wrench the swab was
9 taken from?

10 A. No, I do not.

11 Q. But, again, Chad Williams's DNA was not on it?

12 A. Not on swab that was given to me.

13 Q. Okay. And in fact item -- the black T-shirt that
14 we've been talking about, item 66, there was one -- there
15 was one partial DNA profile developed from item 66-1 which
16 was the first cutting, and who was that from?

17 A. Item 66.1, as I stated, was a mixture and I could draw
18 no conclusive statement from that item, the DNA profile
19 developed from that because the amount of DNA there was
20 limited.

21 Q. Okay. And then item 66.2, and 66.3 was -- I'm sorry,
22 let's just go to 66.2 because I think it's a little bit
23 different. You got a mixture of two individuals on that
24 one, too; didn't you?

25 A. Yes.

1 A. That's correct.

2 Q. Was -- were you submitted a known blood sample from
3 the Defendant, Chad Williams?

4 A. Yes, I was.

5 Q. Were you able to make any comparisons as to his DNA
6 profile to items submitted to you?

7 A. Yes, I was.

8 Q. Could you tell us what those were?

9 A. Besides receiving his blood, I also received
10 fingernail clippings from his right and left hand. Of
11 course they matched him without any minor contributor
12 being a mixture. And item number 41.1, which was a hair
13 also matched him. ? On what item?

14 Item number 35, which is a swab from the shower knob
15 of suspect's bathroom was a mixture. And Chad Williams
16 and Katherine Young, who is another standard I received,
17 could not be excluded as possible contributors to that
18 mixture. So it was a mixture, and they could not be
19 excluded as contributors.

20 The next item where I found Mr. Williams was item
21 number 36, which is a swab from suspect's bathroom sink
22 counter. There Crystal Jackson which is another standard
23 I received and Mr. Williams could not be excluded as a
24 contributors to that sample.

25 Okay. Item 65.3 which is a swab from a pair of

Brady
Victorian
Papers

1 socks, I believe from the same sock as I got the cutting
2 with Mr. Ellis on. The DNA profile developed, it was a
3 mixture. And the major contributor to this mixture
4 matched the DNA profile of Chad Williams.

5 Q. So you got Chad Williams's DNA and Mr. Ellis's off of
6 a pair of socks or off of the socks?

7 A. Yes, yes. That's correct. I think that's all of the
8 items. This is a ten-page report, so I hope I'm not
9 excluding any.

10 Q. Lilly, were you submitted or was SLED submitted a
11 wrench and a sledgehammer in this case?

12 A. Yes. Item number 28.1 is a swab from a (wrench)

13 Q. Were you able to make any comparisons from those
14 items?

15 A. Yes, I was. The DNA profile available from item 28.1
16 is from an unidentified female individual. So I did not
17 have -- it did not match any of the standards that were
18 submitted to me.

19 Q. That was off of the wrench. Did you get anything off
20 the hammer?

21 A. I was not submitted any swabs from the hammer.

22 Q. Let me ask you this before we go on a little further:
23 How long can DNA stay on an item?

24 A. If it's not touched, washed, any changes done to it,
25 it could just stay forever.

SLED LAB No. L07-06500

September 17, 2008

Allyson
Patterson
9/17/08

The DNA profile developed from item 15 matches the DNA profile of Chad Williams. The probability of randomly selecting an unrelated individual having a DNA profile matching these items is approximately 1 in 120 quadrillion.

How

The partial DNA profiles developed from items 16 and 41.1 also match the DNA profile of Chad Williams.

Wrench

The DNA profile developed from item 28.1 is from an unidentified female individual. This DNA profile has been entered into CODIS (Combined DNA Index System) for comparison purposes.

The DNA obtained from item 35 is a mixture of at least two individuals. Chad Williams and Katherine Young cannot be excluded as possible contributors to this mixture. Herbert Ellis, Joshua Mace, David Quarles and Crystal Jackson can be excluded as contributors to this mixture. No conclusive statement can be made concerning the inclusion or exclusion of Patricia Quarles to this mixture.

The DNA obtained from item 36 is a mixture of at least three individuals. Crystal Jackson and Chad Williams cannot be excluded as possible contributors to this mixture. Herbert Ellis, Joshua Mace, David Quarles, Katherine Young, and Patricia Quarles can be excluded as contributors to this mixture.

The DNA obtained from item 37 is a mixture of at least three individuals. Joshua Mace cannot be excluded as a possible contributor to this mixture. Herbert Ellis, David Quarles, Patricia Quarles, and Katherine Young can be excluded as contributors to this mixture. No conclusive statement can be made concerning the inclusion or exclusion of Crystal Jackson and Chad Williams to this mixture.

The DNA obtained from item 48 is a mixture of at least three individuals. Joshua Mace cannot be excluded as possible contributors to this mixture. No conclusive statement can be made as to the inclusion or exclusion of Chad Williams, Patricia Quarles, David Quarles, Crystal Jackson, Katherine Young and Herbert Ellis are excluded as contributors to this mixture.

No DNA profile was developed from items 30.6 and 34.

Shoes

The DNA profile developed from items 44.1 and 49 matches the DNA profile of Katherine Young. The probability of randomly selecting an unrelated individual having a DNA profile matching these items is approximately 1 in 1 quadrillion.

socks

~~The DNA obtained from item 65.2 is a mixture of at least two individuals. The DNA profile developed from the major contributor to this mixture also matches Herbert Ellis. No conclusive statement can be made as to the inclusion or exclusion of Crystal Jackson to this mixture. Chad Williams, Patricia Quarles, Katherine Young, Joshua Mace and David Quarles are excluded as possible contributors to this mixture.~~

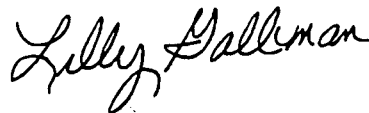


Sick
The DNA obtained from item 65.3 is a mixture of at least two individuals. The DNA profile developed from the major contributor to this mixture also matches Chad Williams. Crystal Jackson cannot be excluded as a possible minor contributor to this mixture. Herbert Ellis, Patricia Quarles, Katherine Young, Joshua Mace and David Quarles are excluded as possible contributors to this mixture.

The partial DNA profile developed from item 66.1 is a mixture of at least two individuals. No conclusive statement can be made as to the inclusion or exclusion of Herbert Ellis, Chad Williams, Crystal Jackson, Patricia Quarles, Katherine Young, Joshua Mace and David Quarles to this mixture.

The DNA obtained from item 66.2 is a mixture of at least two individuals. The DNA profile developed from the major contributor to this mixture also matches Herbert Ellis. The DNA profile developed from the minor contributor to this mixture is insufficient for reliable interpretation.

Note: Any remaining evidence and/or packaging will be returned to the requesting agency.



Lilly S. Gallman
Forensic Scientist

cc: Aiken County Solicitor's Office



Chad E. Williams 303225

Q4B-209-PCI

430 Oaklawn rd.

Pelzer, SC. 29669

ANS

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

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AUG 07 2014
P.C.I. MAILROOM