

KEVIN CHOICE, 257223
LEE CORR. INST.
990 WISACKY HWY.
BISHOPVILLE, S.C 29010

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AUG 25 2014

AUGUST 08, 2014

S.C. Supreme Court

HON: DANIEL E. SHEAROUSE
S.C. SUPREME COURT, CLERK
PO BOX 11330
COLUMBIA, S.C 29211

RE: THE STATE V. KEVIN CHOICE, 2014-001661, etc.
SEE ENCLOSURES, @ PETITIONER'S REPLY AND PROOF OF SERVICE.

DEAR MR. SHEAROUSE:

PLEASE SEE THE FOLLOWING ENCLOSURES AS THE PETITIONER'S REPLY AND THE PROOF OF SERVICE SHOWING THE RESPONDENT WAS SERVED SAME AS IS REQUIRED BY THE COURT RULES, etc. THE THE PETITIONER'S REPLY IS FILED TO THE COURT ACCORDINGLY TO THE RULES OF THE APPELLATE COURT AND IT IS SHOWN.

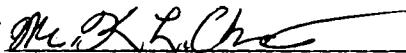
THE COURT IS REQUESTED TO RETURN A COPY OF THE REPLY TO THE ABOVE NAMED PETITIONER ONCE THE TIME IS AVAILABLE AND IT IS PRACTICAL TO DO SO.

THANKING YOU IN THE ADVANCE FOR YOUR TIME AND HELP GIVEN TO ME IN THIS CRUX MATTERS AND I LOOK FORWARD IN HEARING FROM YOU IN THIS VERY NEAR FUTURE.

AGAIN THANK YOU!!!

RESPECTFULLY SUBMITTED,

AUGUST 08, 2014

S/ 
KEVIN CHOICE,
LEE C.I.
990 WISACKY HWY.
BISHOPVILLE, S.C.. 29010
pro se PETITIONER

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STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM SUMTER COUNTY
GEORGE C. JAMES, Jr., Cir. Ct. Judge

S.C. Supreme Court

APPELLATE CASE #2014-001661(SUPREME COURT)
APPELLATE CASE #2013-002735(Ct. OF Apps.)

THE STATE,....., RESPONDENT.

v.

KEVIN CHOICE,....., PETITIONER.

PETITIONER'S REPLY TO THE
RESPONDENT'S RETURN AND MOTION
TO DISMISS pro se WRIT OF CERTIORARI

KEVIN CHOICE, 257223
LEE CORR. INST.
990 WISACKY HWY.
BISHOPVILLE, S.C 29010
pro se PETITIONER

DONALD J. ZELENKA,
Sr. ASST. ATTY. GEN.
PO BOX 11549
COLUMBIA, S.C. 29211-1549
RESPONDENT

PETITIONER'S REPLY

THE RESPONDENT HAS FILED A RETURN TO THE PETITIONER'S PETITION FOR CERTIORARI, THIS RETURN IS DATED AUGUST 08, 2014, THE PETITIONER NOW FILES HIS REPLIES TO THE RETURN AS FOLLOWS:

THE PETITIONER MAKES EXPLICITLY STATING THE FACTUAL IN REGARDS TO THE COURT APPLYING THE WRONG CASE LAWS AND MANDATES TO HIS CASE TO DENY HIM ASSISTANCE FROM AN APPOINTED COUNSEL TO ASSIST HIM IN PERFECTING HIS APPEAL THAT IS IN THE COURT OF APPEALS, THE PETITIONER ALSO STATE THE EVIDENCE OF THE COURT RECORDS THAT IS EVIDENCE OF THE PROCEDURE HISTORY OF THE PETITIONER'S CASE AS IT WAS WITH COUNSELS OF THE RECORDS IN EVERY STAGES THAT THE CASE WAS REPRESENTED IN, THE PETITIONER COMENOW COMPELLING THE COURT THAT IT MUST NOT DISMISS THE PETITIONER'S PETITION FOR CERTIORARI BASED UPON THE RESPONDENT'S ERRONEOUS CONSTRUING OF THE CASE STATE V. CLINKSCALES, supra., THE RESPONDENT MISUNDERSTANDINGS OF THE CASE IS ASLIKE THE COURT, HERE IS WHY; THE COURT FAILED TO SEE THAT THE PETITIONER HAD LEGAL REPRESENTATION DURING EVERY STAGES OF THE CASE

~~THE PETITIONER ALSO HAD HIS CASE FILED IN THE SUPREME COURT, AND THIS WAS DONE BY THE SUPREME COURT DUE TO THE FACTS THAT THE SUPREME COURT FELT THAT THE CASE COULD NOT BE HEARD IN ITS ORIGINAL JURISDICTION, ETC.~~

THE PETITIONER IS ENTITLED TO LEGAL REPRESENTATION BASED UPON HIS 6th AMEND CONST. RIGHTS OF U.S. CONSTITUTIONS, THE PETITIONER FILED A MOTION FOR A NEW TRIAL BASED UPON AFTER TRIAL DISCOVERED EVIDENCE, AND THE COURT HELD A HEARING TO THIS MOTION THAT OF WHICH WAS REPRESENTED BY COUNSEL AND THIS FACTS IS STATED THROUGH THE FACT THAT THE APPEAL NOTICE WAS FILED TO THE APPELLATE COURT BY THE COUNSEL WHO REPRESENTED THE PETITIONER. THE RESPONDENT ACKNOWLEDGED THE FACTS THAT THE PETITIONER WAS REPRESENTED BY LEGAL COUNSEL DURING THE RULE 29(b), MOTION AND THE RESPONDENT EVENMORESO ACKNOWLEDGED THAT THE PETITIONER HAD VIOLATIONS DONE TO HIS APPEAL RIGHTS BY THE COUNSEL WHEREAS, THE COUNSEL DID NOT REQUEST FOR THE HEARING TRANSCRIPT ACCORDINGLY TO THE APPELLATE COURT RULES, AS RULE 207,

SCACR, SEE RESPONDENT'S RETURN ON PAGE 5, NOTE #1., THE RESPONDENT WILL HAVE THIS COURT TO BELIEVE THAT THE PETITIONER COULD PREPARE HIS CASE WITHOUT A GUIDING HAND OF THE COUNSEL TO PERFECT HIS APPEAL TO TO THE COURT AND BY THE RULINGS OF THE COURT THE COURT THE PETITIONER IS LEFT TO DEFEND FOR HIMSELF BECAUSE HE CAN NOT AFFORD AN ATTORNEY TO ASSIST HIM, THIS IS TOTALLY A VIOLATION TO THE PETITIONER'S CONSTITUTIONAL RIGHTS TO COUNSEL AND A VIOLATIONS TO THE U.S. SUPREME COURT PRESIDENTS OF STRICKLAND V. WASHINFGTON, supra. THE PETITIONER DOES NOT HAVE A LICENSE THAT HE IS SKILLED IN LAW AS TO HAVE A PRACTICE OF LAW, AND PETITIONER MOST NOT HAVE THE LEGAL RESOURCES TO PREPARE HIS CASE BY TO PERFORM BY THE STANDARDS TO SUBMIT HIS CASE ON APPEAL BECAUSE THE PETITIONER IS INCARCERATED AND DOES NOT HAVE NO RESOURCES TO DO IT BY . THE PETITIONER IS INDIGENT AND IS UNABLE TO AFFORD AN ATTORNEY BY THIS GIVEN TIME, THE COURT DID NOT ACKNOWLEDGED THAT THE PETITIONER IS ATTEMPTING TO HAVE FAMILY MEMBERS TO ASSIST HIM IN GETTING A LAWYER TO HELP HIM WITH HIS CASE BUT TO NO AVAIL THAT HE WAS SUCCESSFUL TO THIS POSITION IN GETTING HELP, THE PETITIONER TAKES THE POSITIONS THAT THE COURT MUST GIVE HIM AN OUTSIDE APPOINTED COUNSEL TO HIS CASE ON APPEAL AND HAVE HIS APPEAL PERFECTED ACCORDINGLY TO HIS CONSTITUTIONAL RIGHTS.

CONCLUSION

PETITIONER REQUEST THAT THE COURT DENY THE RESPONDENT MOTION TO DISMISS AND GRANT CERTIORARI AND ISSUE ORDER FOR THE COURT TO APPOINT OUTSIDE COUNSEL TO HIS CASE ON APPEAL AND PREPARE HIS APPEAL TO BE SUBMITTED TO THE COURT FOR APPELLATE REVIEWS.

SUBMITTED IN THIS 8 DAY OF AUGUST 2014.

RESPECTFULLY SUBMITTED,

s/ Mr. K. L. Choice

KEVIN CHOICE, 257223

LEE CORR. INST.

990 WISACKY HWY.

BISHOPVILLE, S.C 29010

pro se PETITIONER

AUGUST 08, 2014

SWORN TO AND BEFORE ME ON

THIS 08 DAY OF AUGUST 2014


Anthony Floyd
NOTARY PUBLIC, S.C.

MY COMMISSION EXP.: 5/18/2018

PROOF OF SERVICE BY MAIL

I, KEVIN CHOICE, 257223, CERTIFY THAT I HAVE SERVED TRUE COPY OF THE PETITIONER'S REPLY TO THE RESPONDENT BY WAY OF UNITED STATED MAIL, POSTAGES PREPAID, ON THIS 8 DAY OF AUGUST 2014, BY MAILING IT TO THIS OFFICE ADDRESS AT PO BOX 11549, COLUMBIA, S.C., 29211, DONALD J. ZELENKA, Esq., ASSIST. ATTY. GEN., BY PERSONALLY DELIVERING IT TO THE PRISON MAILROOM ON THIS 8 DAY OF AUGUST 2014, ALL BEING VERIFIED BY THE POSTAL DIRECTOR.

AUGUST 8, 2014

s/ 
KEVIN CHOICE, 257223
LEE CORR. INST.
990 WISACKY HWY.
BISHOPVILLE, S.C. 29010
pro se PETITIONER

COUNSEL SERVED:
DONALD ZELNKA, Esq.
Sr. DEPUTY ASST. ATTY. GEN.
PO BOX 11549
COLUMBIA, S.C. 29211-1549
RESPONDENT

Mr. Kevin L. Choice, #257223
Lee Correctional Inst.
[990 Wiscaky Hwy]
Bishopville, SC 29010

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

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