

Aug 29, 2014

John Julius Smith #246646
T.C.I. T-B-155(A)
P.O. Box 252
Turbeville, S.C 29162

The Supreme Courts of South Carolina
Daniel E. Shearous, Clerk of Court
Post office Box 11330
Columbia, South-CAROLINA, 29211

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SEP 03 2014

S.C. SUPREME COURT

RE: To An Appeal That was filed on my
behalf After a Denying order on a Rule 29(B)
motion, after Discovered evidence / New-Trial
In General Session, Now In the Courts of Appeals.

Dear Mr. Shearouse,

I am writing once again, Regarding an Appeal That was filed to the Courts of Appeals after a Judgment of Denying from General Session Courts of the Honorable Robert E. Hood. Here find date a copy of Notice of Appeal that was filed June 24, 2014, by Attorney Ms. Tynika Claxton and a Proof of Service on where she is trying to be Relieved as counsel, Because she said she does not handle Appellate cases. Here find enclosed a copy of her letter stated the Defense (Appellate) Does not handle cases of Motions for New Trial. Also find enclosed a copy of Judge order of him Prohibit me from having copy's of the medical exams what I could Review on my defense and what he stated must be destroy. Now, The Attorney Ms. Claxton, is Asking for Relieved of this case and the Appellate Defense does not handle these matters so how am I about to go on with this case without Represented of a Attorney. who will do my brief and order ~~Transcript~~ Transcript or do I have to do this Pro-se. The Appeal was filed 10 days on Timely According to Court Rules, and I received a appeal Appellate case No. 2014-001366, ~~but~~ never heard anything Back from Attorney. I Thank-you for your Time and I am looking forward on hearing from you.

P.S. I am Requesting a Attorney
In this matter. I have Issue also
that needs to be heard or Preserved
in the Courts of Appeal.

Very Truly yours
John J. Smith #246646
John J. Smith

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AUG 29 2014

MAILROOM
TURBEVILLE CI

THE CLAXTON LAW FIRM, LLC
7008 SHAKESPEARE ROAD
COLUMBIA, SC 29223
803-400-1195 (P)
803-675-0259 (F)

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S.C. SUPREME COURT

July 10, 2014

John Julius Smith #246646
Turbeville C.I.
Highway 378
Turbeville, SC 29162

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SEP 04 2014

SC Court of Appeals

Re: New Trial Motion

Dear John:

I am filing a Motion to Be Relieved as Counsel in your case as I do not handle appellate cases. I have attempted to send your case to Appellate Defense and they do not handle appeals from Motions for New Trials. I will keep you posted as to the outcome of this Motion.

Should you have any questions from me, please do not hesitate to contact my office.

Sincerely,


Tynika Claxton

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

HONORABLE ROBERT E. HOOD, CIRCUIT COURT JUDGE

Appellate Case No. 2014-001366

John Julius Smith, # 00246646,

APPELLANT,

vs.

State of South Carolina,


RESPONDENT.

PROOF OF SERVICE

I certify that I have served the Motion to Be Relieved as Counsel on the State of South Carolina by depositing copy of it in the United States Mail, postage prepaid, on July 10, 2014, addressed to their attorney of record, Daniel Goldberg, Richland County Judicial Center, P.O. Box 2766 Columbia, SC 29202-2766.

Dated: July 10, 2014

THE CLAXTON LAW FIRM, L.L.C.


Tynika Claxton
Attorneys for the Appellant
7008 Shakespeare Road
Columbia, South Carolina 29016
(803) 400-1195

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

HONORABLE ROBERT E. HOOD, CIRCUIT COURT JUDGE

2008-GS-40-4539

John Julius Smith, # 00246646,

APPELLANT,

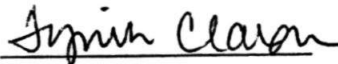
vs.

State of South Carolina,

RESPONDENT.

NOTICE OF APPEAL

John Julius Smith appeals the denial of his Motion for New Trial. The New Trial Motion was heard and denied by the Honorable, Robert Hood, Circuit Court Judge on April 3, 2014. The Appellant received notice of the judgment on June 16, 2014.



Tynika Claxton
Attorney for the Appellant
7008 Shakespeare Road
Columbia, South Carolina 29223
(803) 400-1195

Other Counsel of Record:
Daniel Goldberg, Deputy Solicitor
Richland County Judicial Center
P.O. Box 2766
Columbia, SC 29202-2766

STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS

COUNTY OF RICHLAND)

Indictment No.: 2008-GS-40-4539

The State of South Carolina,)

Vs.)

**ORDER TO PRODUCE
MEDICAL RECORDS**

John Julius Smith,)

Defendant.)

This matter is before me for by motion of Defendant, John Julius Smith, who has requested medical records for his alleged victim, Kanyah King-Smith (DOB: 2-11-08). These records are currently held by the University of South Carolina School of Medicine Department of Pediatric Neurology. This Court finds the following:

1. The Court is currently reviewing his Motion for a New Trial Based on After Discovered Evidence.
2. The Court will need access to all records concerning Ms. King-Smith's treatment that are held by the Department of Pediatric Neurology to fully examine the evidence in this case.
3. To comply with the Health Insurance Portability and Accountability Act (HIPAA), Defendant has sought a qualified protective order as defined by 45 C.F.R. 164.512 (e)(1)(v).

THEREFORE, IT IS ORDERED:

- A. That upon receipt of this order, the University of South Carolina School of Medicine Department of Pediatric Neurology is required to produce a copy of any and all records concerning the treatment of Kanyah King-Smith (DOB: 2/11/08) at the Department of Pediatric Neurology. These records shall be furnished to Defendant's Attorney Tristan Shaffer or his designee.
- B. Upon receipt of these records, Mr. Shaffer will provide copies to the Court and the Solicitor's Office.

C. Parties are prohibited from disclosing the protected health information for any purpose other than for this proceeding or any appeal from this proceeding.

D. Parties are required to destroy the protected health information at the end of this proceeding.

AND IT IS SO ORDERED.

Re Hood

Robert E. Hood
Fifth Judicial Circuit

Columbia, South Carolina

April 21, 2014

John J. Smith # 246646
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MAIL ROOM
BOX 252
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COLUMBIA SC 292

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