

IN THE SOUTH CAROLINA Supreme Court
FOR THE STATE OF SOUTH CAROLINA

TO: DANIEL SHAROUSE
CLERK OF COURT
P.O. Box 11330
Columbia, South Carolina 29201

RECEIVED

OCT 20 2014

S.C. SUPREME COURT

RE: NOTICE OF APPEAL

DEAR CLERK OF COURT

I am writing to seek permission to file
out of time Appeal of South Carolina Supreme
Court no Appointment of Counsel. I Am not
watal competent to perform litigation. I asked my
appointed attorney to file Direct Appeal. He did not I
had someone to assist me to overend a Reconsideration
motion to a Criminal Sentence. Counsel did not
do as I asked nor did he perfect my Direct Appeal
I Am ~~now~~ ill. Counsel did not produce records
of Seck Blain Heming. I need help to file Appeal
and Out of Time Appeal.

THIS 9 day OCT. month
2014 year

Sincerely,
Charles Lee Hinton
Charles Lee Hinton

LEGAL

IN THE SOUTH CAROLINA SUPREME COURT
FOR THE STATE OF SOUTH CAROLINA

STATE

CASE # UNASSIGNED

INDEXED # 2014 GS 400 2080, 81, & 82
2013 GS 400 4719, 21 & 25

RECEIVED

OCT 20 2014

S.C. Supreme Court

LAWIN LEE HINTON
Appellant, Pro-se

MOTION'S
TO FILE OUT OF TIME
APPEAL
PURSUANT TO SCALC
203(d)(1) B(i)

COMES NOW, LAWIN LEE HINTON, Appellant, Pro-se
[HEREINAFTER] Appellant. Appellant respectfully moves to NOTICE
OF APPEAL to FILE OUT OF TIME APPEAL FROM
COURT OF GENERAL SESSIONS, 5th Judicial Circuit, County
OF RICHMOND Honorable JUDGE D. GARRISON HILL
DECISION MARCH 14th, 2014. Case # 2014 GS 400 2080,
81, and 82 2013 GS 400 4719, 21, and 25.

LEGAL

Appellant seeks to File Out of Time
Appeal Pursuant to SCAER

Issues to Raise:

- I. a) Ineffective Assistance of Counsel
to Perfect Appeal Upon Appellate Brief.
- b) Failure to Advise Appellant of Appellate
Rights
- c) Failure to Advise RE-consideration Motion

II Blaz J. South Carolina
275 S.L. 529, 273 S.E. 2d 536
5C Lexis 293 (1981)

In furtherance Appellant seeks Appointment
of Counsel to Represent Appellant in these
Matters to File Out of Time Appeal. Where
Counsel Christopher Shepard, Assistant Public Defender
Abandoned the Case & Did not Perfect Appeal Upon
Appellant Instructions. Appellant needs to exercise
the exclusivity right of Direct Appeal. Even in-
spite Appellant is Mental Incompetent. Sentenced
Without a Hearing on Mental Health Records. **LEGAL**

Counsel fell below standards of
Strickland v. Washington ~~##~~ (LIFE LIMITED)
NOT Perfectly. Address ~~Edward~~ J. LUCEY (LIFE
LIMITED).

For the foregoing reasons Appellant moves
to GRANT APPOINTMENT OF Counsel to PERMIT
OUT OF TIME FILED APPEAL Pursuant to
SCAAR 203(d)(1) B(i)

RECEIVED
OCT 20 2014

This 9 day OCT month
RECEIVED 2014 year

OCT 20 2014

Submitted: S.C. Supreme Court
511 Cal. Horton #200298
LAWN LEE HORTON
Pro-Se. Appellant

S.C. SUPREME COURT

CERTIFICATE OF SERVICE

I CERTIFY I have deposited in U.S. MAIL
deposition pre-paid postage (1) OFFICIAL MAILBOX TO FILE
out time Address In SC Supreme Court, P.O. Box 11320
Columbia, South Carolina 29201. (1) CC: STATE ATTORNEY
GENERAL below.

This 9 day OCT month
2014 year

Sincerely,
511 Cal Horton
LAWN LEE HORTON

Mr. L. Arund Wilson, Esquire
Sally E. Wilson, Esquire
P.O. Box 11549
Columbia, S.C. 29211

LEGAL

1701 MAIN STREET
POST OFFICE BOX 192
COLUMBIA, SC 29201

**RICHLAND COUNTY PUBLIC DEFENDER
RICHLAND COUNTY JUDICIAL CENTER**

PHONE (803) 765-2592
FAX (803) 929-6156

September 2, 2014

Mr. Calvin L. Hinton (SCDC Inmate No.: 00200298)
4848 Goldmine Highway
P.O. Box 518
Kershaw, SC 29067

RECEIVED

OCT 20 2014

Mr. Hinton;

S.C. SUPREME COURT

I am writing to inform you that Judge Hill has denied your motion to reconsider sentence without a hearing. I am enclosing a copy of the order.

Sincerely,

John C. Shipman
Assistant Public Defender

jc

14
2014

BOOK 255 OF 0721

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
State of South Carolina,)
)
v.)
)
Calvin Lee Hinton)
)
)
)
Defendant.)

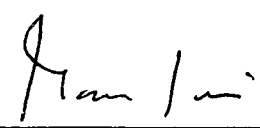
IN THE COURT OF GENERAL SESSIONS
FIFTH JUDICIAL CIRCUIT

Indictment Numbers:
2014GS4002080, 81, 82
2013GS4004719, 21, 25

ORDER

Defendant's Motion to Reconsider the Sentence imposed by this Court on March 14, 2014, is respectfully denied.

IT IS SO ORDERED.



D. Garrison Hill
Circuit Judge

April 21, 2014
Greenville, South Carolina

CERTIFIED TRUE COPY
OF ORIGINAL FILED,
Jeanette W. McBride
C.C.C.P.&G.S.
RICHLAND COUNTY
SOUTH CAROLINA

JEANETTE W. McBRIDE
C.C.P. & G.S.

2014 APR 29 PM 3:03

RICHLAND COUNTY
FILED

28

Guilty But Mentally Ill

Criminal defendant's failure to request competency hearing did not waive right to such hearing where defendant's sanity was crucial issue through trial. Code 1976, §§ 44-23-410; 44-23-440

State providing that, upon receiving report of designated examiner, "the court shall" set date, for competency hearing is designated to protect accused's right to a fair trial by due process determination of his competency and fitness to stand trial. Code 1976, § 44-23-430; U.S.C.A. Const.

The word "shall" may be construed as permissive to effect legislative intent, particularly when statute directs court to determine certain matters. Code 1976, § 44-23-430.

At hearing on Motion for Sentence Reconsideration, upon completion of mental health evaluation.

Your asking the judge to reconsider your sentence base on the finds of your mental health evaluation, and to reconsider the length of time of incarceration. And you request that the court order that you should be place in the Dept. of Correction's Mental Health Treatment Program and not to be given just, "medication treatment."

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF GENERAL SESSIONS
Indictment Numbers: 2014GS4002080, 81, 82
2013GS4004719, 21, 25

The State of South Carolina,)

MOTION TO RECONSIDER SENTENCE

vs.)
Calvin Lee Hinton,)
Defendant.)

2014 APR - 7 PM 12:10
JEANETTE W. MORRIS
CLERK OF DISTRICT COURT
RICHLAND COUNTY
FILED

TO: The Honorable D. Garrison Hill, Presiding Circuit Court Judge
The Honorable Robert E. Hood, Chief Judge for Administrative Purposes
cc: Vance Eaton, Assistant Solicitor

This matter comes before me on motion of Assistant Public Defender J. Christopher Shipman, Attorney for the Defendant, requesting this Court to reconsider the sentence imposed against the Defendant, Calvin Lee Hinton, on the above referenced indictments on March 14, 2014 for Grand Larceny, Malicious Injury to Personal Property, and Receiving Stolen Goods.

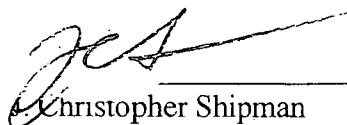
It appears that the Defendant was arrested on or about January 17, 2014 and charged with Grand Larceny, Malicious Injury to Personal Property, and Receiving Stolen Goods.

It further appears that the Defendant pled guilty before this Court on March 14, 2014 to two counts of Grand Larceny, Malicious Injury to Personal Property, Receiving Stolen Goods, and two counts of Shoplifting. He received concurrent sentences of 5 years, 7 years, and 7 years respectively, with credit for time served.

The Defendant sent a letter dated (03/23/14) to the Public Defender's Office within the required ten days.

The Defendant respectfully requests this Court to reconsider the sentence imposed in the above-referenced case on March 14, 2014.

Respectfully submitted,



Christopher Shipman

Assistant Public Defender
Attorney for the Defendant

Columbia, South Carolina

This 7 day of April, 2014

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF GENERAL SESSIONS
Indictment Number: 2014GS4002080, 81, 82
2013GS4004719, 21, 25

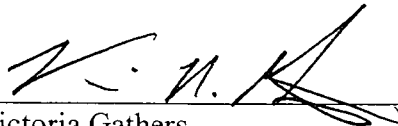
The State of South Carolina,)
)
)
)

vs.)
)
)
)

CERTIFICATE OF SERVICE

Calvin Lee Hinton,)
Defendant.)

I certify that on this date I served the Motion to Reconsider Sentence in this case on The State of South Carolina by delivering a copy of this motion to the State's attorney of record, Assistant Solicitor Vance Eaton, by delivering said copy to The Office of the Solicitor, Fifth Judicial Circuit, Richland County Judicial Center, 1701 Main Street, Columbia, South Carolina 29201, and leaving it with a clerk or other person of authority at said office.



Victoria Gathers
Paralegal

Richland County Public Defender's Office
P.O. Box 192
Columbia, South Carolina 29202
(803) 765-2592

Columbia, South Carolina

This 7th day of April, 2014

RICHLAND COUNTY
FILED
2014 APR -7 PM 1:10
JEANETTE W. McBRIDE
C.C.P. & G.S.

IN THE COURT OF General Sessions
For The State of South Carolina

Calvin Hinton
Pro-Sel Defendant

CASE #: 2014A401060033,
35, AND 37...

VS.

Pursuant: S.C. Gen. STAT. Applicable
S.C. Crim. P. Applicable

STATE OF South Carolina
Respondents

Constitutional Rights: Due Process

Motions To Amend
RECONSIDERATION

2014 APR - 8 AM 10:07
FILED
RICHLAND COUNTY
JEANETTE W. MORRISON
C.C.P. & S.S.

Comes Now, Calvin Hinton; Pro-Sel; through ^{of} ~~through~~ ^{attorney} ~~attorney~~
means and with Assistance of A PRISONER

Moves this said Honorable Court to Reduce, Modify
and Reconsider Sentence Imposed 7 yrs.

Calvin Hinton, hereinafter, Petitioner. Mover to Amend
Initial Motion Marked March 31st, 2014. Clerk stamped
11:28 as Filed.

Petitioner Amends Pursuant to American Disability Act -
12. U.S.C.A. 12101 182 ALR Claiming Ineffective Assistance
of Counsel Failure to Advise defendant Adequately,
of defendant's Rights to Appeal, Consequence of Plea
Agreement As well outcome. Counsel fell below standards

of Strickland v. Washington 453 So. 2d 389 (1984)
Failure to Investigate Prepare and Present A
Mental Health History or Prior Records to the courts
For the purpose of Any and All mitigating facts
and factors. Nor requesting A Expert Psychiatric
Evaluations thus violating, Blair v. South Carolina.
275 S.C. 529; 273 S.E. 2d 536; S.C. Lexis 293 (1981)...

Addendum

Petitioner moves to addendum amended Re-
consideration motion Pursuant SERCP (41) (a) Petitioner
moves to Modify, Current Sentence, based upon
Mental Health Prior Records and findings counsel
ineffectiveness to not advise follow Petitioner
instructions, and investigate to advantage Present
mitigating circumstances to the court for a
more probable lesser conducive viable Mental Health
setting sentence oppose to A Lengthy Prison...

2014 APR - 8 AM 10:07
JENNIFER W. McBRIDE
C.C.P. & C.S.
RICHMOND COUNTY
FILED

Evidentiary Hearing

Petitioner moves for evidentiary hearing to the allegations alledged. Sentence vacated reconsiderations inacted modifying Sentence. However until the outcome of this matter, Petitioner moves to be appointed counsel to be returned to court for the sole purpose of evidentiary hearing to call counsel to witness stand for cross examination on the grounds of ineffectiveness assistance of counsel claim of not presenting MENTAL HEALTH RECORDS NOR REQUESTING MENTAL COMPLEMENTARY EVALUATION. THUS VIOLATING S.C. Supreme Court Rule Black v. South Carolina 275 US 529; 1981 S.L. LEXIS 293

This 1 day 4 month
2014 year

Sincerely,

Calvin Hinton

Calvin Hinton, Pro-se
S.C. D.C # 200298

RICHLAND COUNTY
FILED
2014 APR - 8 AM 10:07
ANETTE W. MORRIS
C.C.P. & G.S.

LAWAN LEE HANSON #200298
KENTON CORRECTIONAL INSTITUTION OAK B # 6
4843 ~~Lowndes~~ Highway
KORLAN, SOUTH CAROLINA 29067

CLERK OF COURT
DANIEL SHERROUSE
SOUTH CAROLINA SUPREME COURT
PO Box 11330
Columbia, South Carolina 29201

RECEIVED
OCT 1 1964
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

The Department of Justice has received your letter of September 22, 1964, regarding the case of [redacted] and is sorry that the Department cannot advise you of the results of its investigation at this time.

WHEREN
KETCHAN CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS

