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10-27-2014

To whom it may concern, I'm writing in regard to me getting in court for my appeal in which im currently in the Department of Corrections and as soon as I got to prison I put in for my Appeal within the 10 days that they give you. Then as I sit in prison they transfered me back to Spartanburg County jail to go to court in which I never made it to court, I sat in Spartanburg County jail for two weeks and then they sent me back to SCDC. I never talked to my lawyer or anybody. Now I just recieved two letters from my lawyer Mr James Cheek one stating that he knows of no grounds for this appeal and the other one is for me to write the S.C Court of Appeals within twenty (20) days of any arguable basis that there are issues preserved for appeal. First and fore most My lawyer Mr Cheek, hardly ever talked to me about my case, and then when he finally came to the County jail on September 9, 2014 the day befor I went to court on the 10th of September, he told me that he had talked to the solicitor and that I could plea to 1 year time served. On September 10, 2014 when I went to court I never even spoke to my lawyer about my plea bargin and every time when I did try to question him he just told me everything is okay and to take the plea, so when I Spoke to the Judge and he asked me if I take my plea I said yes, and when the Judge sentenced me instead of getting the one year time served I ended up with 2½ years in prison, 5 years probation, a \$7,500 fine, 180 hours public service, 30 day AA classes all for a DUI 3rd. Now here is the really big catch in my case what should also be looked into. My Warrant is from May 1, 2012 and it states: DUI/Driving under the influence, less than .10 3rd offense case NO. 2010GS4204459, Now my sentencing sheet on the other hand states: DUI/Driving under the influence, .16 or more, 3rd offense case NO. 2011GS4202182.

In my eyes and on government documentation, I've been charged for a crime other than mine on my warrant. True it's DUI but not the same alcohol level or the same CASE NO. Could you please look into this matter because it's no justice in charging me for a crime that's not mine and my CASE NO should be the same on my sentence sheet as it is on my Warrant for my charge. My charge should be for DUI less than .10 3rd offence not DUI .16 or more 3rd offence. Thank You

Respectfull



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SC Court of Appeals