

Oct 30, 2014

Shelton L. Butler Jr.
Lieber. corr. Inst
P.O. Box 205
Pridgenville Sc 29476

Elizabeth Brooks Hurts, Esquire
Query Sautter Forsythe, LLC
147 Wappoo Creek Drive, Suite 202
Charleston Sc, 29412

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NOV 03 2014

SC Court of Appeals

Dear Ms. Hurts

Most recently I discovered that a conviction MUST be overturned which was "in part" on the knowing use of false testimony IF there IS any reasonable likelihood that the false testimony could have affected the judgment of the jury. See U.S. v. Agurs, 427 U.S. 97 96 S. Ct. 2393 49 L. Ed. 2d 342 (1976). See (R.P. 93, lines 14-18); See also (R.P. 111, lines 1-11, P. 133, lines 14-18); now see (R.P. 467, lines 20-21) where respondent is unequivocally seen capitalizing on the perjured testimony which reinforced the deception of the use of false testimony and thereby contributed to the deprivation of appellants 5TH and 14TH amendment due process rights. See Piddle v. Oz Mint, 631 S.E. 2d 70 (S.C. 2006) and U.S. v. Lewis, 10 F.3d 1086 (4TH Cir. 1993)

The issue is not why "the witness failed" to tell the truth rather, it is why the solicitor who knew the testimony to be false, failed to correct it Id. at 25 "Instead of improperly vouching for its own witness."

Appellant asserts that reversal should be required because the failure to correct false evidence is as reprehensible as its presentation and that this error effects appellant's constitutional rights substantially pursuant to United States v. Olano, 113 S.Ct. 1770 and Johnson v. United States, 117 S.Ct. 1544 and or Fed. R. Crim. P. Rule 52(b) Plain error.

With the kindest regards I am...

Very truly yours
Shelton L. Butler Jr.
Shelton L. Butler Jr.
Appellant

IN THE COURT OF APPEALS

THE STATE OF SOUTH CAROLINA

Respondent

Appellant Case No. 2014-001274

v

CERTIFICATE OF SERVICE

Shelton L. Butler Jr.

Appellant

I, Shelton L. Butler Jr. hereby certify, that on the 31ST day of Oct. 2014 I, caused a true and correct copy of this writ in the above captioned matter to be served via United States Mail, postage prepaid, addressed as follows:

Elizabeth Brooke Harts, Esquire
c/o Shelton Forestry, LLC
147 Wagon Creek Drive, Suite 100
Charleston SC 29416

Shelton L. Butler Jr.

Shelton L. Butler Jr.
Appellant

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Court of Appeals

Oct 31, 2014

Shelton W. Butler, Jr. #155705

Deputy Counsel

Robert Lee

10100 W. 10th St.

South Carolina Court of Appeals

James A. Lott, Jr. Miching S. Clerk

PO Box 11279

Columbia, South Carolina 29211

Dear Clerk

Please find enclosed for your attention two copies of
two copy of Appellant's letter as well as a copy of service.
would you please be kind to be courteous by notifying
Appellant via letter when the filing is done. Thank you and
good day.

Sincerely
Shelton W. Butler, Jr.

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SC Court of Appeals

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Columbia, SC 29201
Number 100
Hillside Village

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