

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

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Appeal from Court of General Sessions  
County of York

Honorable Circuit Court Judge Paul Burch

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Appellate Case No. 2014-002344

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Akeem Alim-Nafi Abdullch-Malik, Petitioner, Pro-Se

- US -

**RECEIVED**  
DEC 15 2014  
S.C. Supreme Court

The State of South Carolina, Respondant(s)

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REPLY / RESPONSE  
TO

RESPONDANT'S RETURN TO PETITIONER'S  
"APPEAL BAR"

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Akeem Alim-Nafi Abdullch-Malik, Petitioner,  
Pro-Se. [HEREINAFTER] Petitioner, LCMES  
Now respectfully as COUNSEL OF RECORD, and

I

**LEGAL**

Respectfully moving THIS HONORABLE  
SOUTH CAROLINA SUPREME COURT replying  
responding to RESPONDANT(S) RETURN TO  
PETITIONER'S REQUEST RELEASE FROM  
CUSTODY ON APPEAL BOND, would respectfully  
MOVE TO SHOW THIS HONORABLE SOUTH  
CAROLINA SUPREME COURT CONTINGENT  
LITIGABLE REASONING through preponderance  
reasons to nullify RESPONDANT(S) claims  
IN RESPONDANT(S) RETURN TO APPEAL BAIL  
RESPONDANT(S) seeking to abate Petitioner's  
surreptitiousness CONCISE PETITION  
for BAIL RESUBMITTED AS PETITIONER  
respectfully awaits bail PURSUANT TO SCACR  
246 (A) (B) STAY PENDING APPEAL, STEMMING  
FROM A TIMELY FILED AND SERVED APPEAL, PURSUANT  
SCACR 203 (A) & (B), SCACR 201 (A) & (B).  
S. L. Code Ann §§ 18-1-80 and 18-1-90 18-1-70.  
D Petitioner succinctly and RESPECT FOR THE  
DECLARATION OF HUMAN RIGHTS, CIVIL RIGHTS  
and CONSTITUTIONAL RIGHTS OF THE, IN THE

UNITED STATES, and states in United States to include THE State of South Carolina affirmative concerns to Petitioner APPEAL BAIL FILED IN THIS HONORABLE SOUTH CAROLINA SUPREME COURT. PURSUANT TO HOUSTON V. LACIE 487 US 266.

2) RESPONDANTS WITHIN their respective filings page (3) paragraph (1) line 3. States pursuant to Rule 246(a) SCACR. Appellant must make the motion for appeal bond to the circuit court and not the appellate court in view of the fact that his sentence is less than ten (10) years. IN LIEU OF RESPONDANTS citing SCACR 246(a) to be a factor. Petitioner in averments not to the SCACR OR to Circumvent rules Ask respectfully in the event that matter of procedure is before the court consideration. That SCACR 204 IS initiated for the purpose of cure if warranted. However Petitioner assert in retrospect of Petitioner Appeal Bail that THE Petition ON PAGE 9 OF 12 TITLED LEGAL AUTHORITY CASE ANALOGY SUPPORTING [GRANTING] BAIL THAT ALL CASES LISTED ARE CONSIDERED IN DECIDING THIS MATTER

As so respectfully listed STATE v Whitner  
225 SC 244, 81 S.E. 2d 984 SC 1954, IN re  
MICHAEL H. (SC 2004) 360 SC 540, 632 SE 2d 729,  
125 S.E. 1644, 544 US 943, 161 L.Ed. 511 but -44  
(3.1), State v Gibbs 353 SC 226 (SC 2013), State  
1) Whickman 263 S.E. 2d 865 SC 1980, 8 C.I.S  
BAIL 565 P. 19., Being in adverse to Respondents  
Position. of Served Time. Petitioner asserts that  
all parties, "all respondents" were served pursuant  
SCAR 262 (b). Therefore ADRAC BAIL would  
Rightfully applicable with the aforesaid & forthwith  
addins State v. Aiken SC 570 (SC 1910) 67 SE 908.

Moreover Declaration of Human Rights CIVIL RIGHTS &  
both U.S. and S.C. CONSTITUTION entitles not to be subjected  
to cruel & unusual punishment & excessive bail....  
In re MICHAEL H. (SC 2004) Appeal Bail was set  
at \$1,000 dollars with remand to family court to set  
conditions.

3) In retrospect of Respondents Return. to Petitioner  
ADRAC Bail Resubmitted with Petitioner's Petition  
WRIT OF HABEAS CORPUS IN STATE v. Whitner  
above listed now overr moves respondents to  
recede its Return for the aforesaid. Respondents  
in its Return Page 1. Paragraph (1) Correctly  
concedes Petitioner was sentenced to 15 Years @ (3 1/2) years.

CONSECUTIVE FOR A SHOPLIFTING TITLE; PETIT LADDER  
THE BASE OFFENSE OF THE CASE SHOPLIFTING  
MERCHANDISE FROM A STORE PER-SE BLACK'S LAW  
DICTIONARY DEFINING SHOPLIFTER AND UNLIKE GREENY.

PARAGRAPH (2) PETITIONER FORWARDED A PRO-SE  
NOTICE OF APPEAL RESPONDENTS CLEARING THE  
RECORD HERE THAT NOTICE OF APPEAL WAS FILED  
IN THE COURT OF GENERAL SESSIONS YERLIN COUNTY  
MARCH 11<sup>TH</sup>, 2014. STAMPED MARCH 11<sup>TH</sup>, 2014.  
WHAT THE RESPONDENTS' OFFICES DO NOT SAY IS  
PETITIONER UNDER DURESS AFTER SUCH A EGRESSIVE  
SENTENCE WAS SERVED UPON PETITIONER MARCH 10<sup>TH</sup>, 2014.  
PETITIONER DID FILE & SERVE NOTICE OF APPEAL  
ON "ALL RESPONDENTS" PURSUANT TO SLACK 262(B)  
PETITIONER GUILTY AT THAT INTERIM. AS THE GREAT WRIT  
WAS WRITTEN ON TISSUE PAPER PETITIONER UNDER  
ABNORMAL CIRCUMSTANCES NO MATERIAL, NO SUPPLIES,  
INABILITY TO COPY OR DUPLICATE, PENDING TRANSFER  
TO SCLC WAS TRANSFERRED THE MORNING OF MARCH  
11<sup>TH</sup>, 2014. TO SCLC. PETITIONER PRIOR TO TRANSFER  
FILED NOTICE & SERVED "ALL RESPONDENTS" BY LEAVING  
NOTICE WITH LT. OF SHIFT AND DETENTION OFFICER  
WHO IN TURN PLACED IN DETENTION FACILITY MAIL

PROCESS of York County Detention Center  
Addressed TO THE CLERK OF COURT, seeking  
respectfully to ask & request THE CLERK TO  
FILE & SERVE Appropriate Appellate Courts,  
and THE STATE, SOLICITOR, & Lower Courts.  
Petitioner WAS has been PRO-se throughout  
his proceedings. BEING at time of arrest petitioner  
WAS respectfully section to complete community  
college, transfer to 4 year college, prepare for the  
LSAT, & and apply to LAW School. Petitioner  
a 54 year old FATHER OF 5 & 3 Level DAUGHTERS  
appointed to him due to deceased fiancée & 8  
grandchildren. Also full of remorseful poignant  
personal conditions surely doesn't pose a threat  
to society, or community overments to respondents  
claims. In furtherance to confuse the courts  
further. Respondents state on MAY 19th, 2014 Petitioner  
moved South Carolina Court of Appeal to file a  
OUT OF TIME NOTICE OF APPEAL. WHAT THE  
respondents do not reveal is the OUT OF TIME  
NOTICE OF APPEAL WAS FILED ONLY BECAUSE  
AS OF THAT DATE & NOTICE FROM THE COURT  
OF APPEALS, & SOUTH CAROLINA COURT ADMIN-  
ISTRATORS, THIS HONORABLE SUPREME COURT

CLERK Mr. DANIEL SHEARHOUSE YORK  
COUNTY CLERK OF COURT HAS NOT  
FORWARDED THE APPROPRIATE APPELLATE  
COURT, NOR THE STATE PETITIONER'S  
TIMELY FILED NOTICE OF APPEAL & SERVED  
NOTICE OF APPEAL PURSUANT TO SCAR  
262(B). PETITIONER IN 2<sup>ND</sup> NOTICE OF  
APPEAL & EXPLANATION. CLEARLY DEFINED THE  
ISSUE NOW BEFORE THE HONORABLE SOUTH  
CAROLINA SUPREME COURT. ASIC HAVE RESPONDENT'S  
POSITION IS NOT HONORED BASED UPON THE FACTS  
& EVIDENCE BEFORE THE COURT WHERE  
PETITIONER PETITIONER'S WRIT OF HABEAS.

Akeem Alim-Nafi Abdulhach-Malik, Petitioner, Pro-Se  
V. THE State of South Carolina 2014-002344

Petitioner reiterate he is Pro-se, INCARCERATED  
the rule of lenity would be a service to justice  
to HARVEY V. KERRER 401 U.S. 1008, 91 S.Ct 981  
(1971). Petitioner isn't in a office, with warranted means  
to perform ATTORNEY Duties, Under the limits  
OF SURVE OF PRISON. YORK COUNTY COPY ARE NOT

applicable for a self-represented, pro-se litigant to the extent NO LAW LIBRARY AT THE JAIL, OR ADEQUATE MEANS TO PERFORM AN ATTORNEY'S DUTIES. BEING A PRO-SE LITIGANT NOT A ATTORNEY AT LAW, ATTORNEY IN LAW, OR STUDENT AT LAW. WITH MORE THAN UNWARRANTED RESTRICTION...

4) Respondant in furtherance fails to state to the "COURTS" THAT after being sentenced March 10th, 2014. Filed timely NOTICE OF APPEAL and SERVED "all respondents" under Courts Petitioner transferred same day at Filings SERVED March 11th, 2014. STAMPED March 14th, 2014. Petitioner's arrival at SDC ALL Petitioner's LEGAL MATTERS WAS CONFISCATED WITHHELD till after March 24th, 2014. WHICH IN THE PAST UNLIKE Petitioner surreptitiousness, had not Petitioner Filed & SERVED NOTICE. (10) DAYS would have lapsed. Petitioner ask the Court allow TRANSPARENCY to proceed. SEEING THE LOWER Courts did not Forward UNTIL AFTER HIGHER COURT THIS SAID COURT  PROSEED EXPLANATION

In addition "SIDE" takes all legal books & material & do not release until after all APPEAL RIGHTS would have been suspended. D12 being uphill swam by Petitioner IN HIS EFFORT TO EXERCISE THE RIGHT TO APPEAL THAT HAS THE CONTINGENCY TO PREVAIL WHERE Circuit Court Honorable Judge BROWN VIOLATED CONSTITUTIONAL RIGHTS TO DUE PROCESS & EQUAL PROTECTION RESTRAINT Upon Liberty, Subjected Petitioner to Equal & UNUSUAL Punishment ETC. NSR HONORING SL. CODE of LAWS §§ GOVERNING MENTAL HEALTH AMERICAN DISABILITY ACT, VETERANS DISABILITY, EDUCATION & REHABILITATION OPPOSE TO EGREGIOUS INCARCERATION. CANNOTING BLAIR V. SOUTH CAROLINA & LANGFORD V. SOUTH CAROLINA (Cites omitted)

5) Respondents elude these matters moving to seek THIS Honorable Court OF PARAMOUNT SOUTH CAROLINA Supreme Court to evade petitioner rights to Appeal by Pseudo that Petitioner did not file and serve the state. CONTRARY TO SCACR 262(b) and Petitioner availability at that interim under duress.

6) Petitioner asks this Honorable Source  
Carolina Supreme Court can & will see  
the force invoked at all levels and to  
evolve transparency, authority, seeing the forest  
beyond the trees & respondents enter to confuse  
the courts, & deny credible claims that  
have the contingency to prevail.

7) Moving forward the ~~response~~ paragraph  
§. displaces Petitioner position claiming the  
petitioner decorum warrants dismissal by  
the Court of Appeals. Petitioner over through  
Reply to Respondents Return Filed December  
8<sup>th</sup>. 2014. Pursuant to Houston v. Luce 487 US  
266 (1988)

8) In paragraph 6 page 2. Petitioner  
Here is correction #6 of page 2 of respond-  
ants RETURN TO PETITIONER APPEAL BAIL  
Petitioner concedes in part. Moving the Courts  
to review Petitioner Appeal Bail Petition. Where  
Petitioner is GOOD FAITH provides ACCURATE

and precise history supporting the  
Petitioner history to warrant that if  
released. Petitioner is not a flight risk,  
has strong community ties to support the  
Petitioner release. Biological mother, step father,  
Siblings, Nephews & Nieces. Whom would welcome  
Petitioner residence. IN THE EVENT THIS COURT  
WULD NOT HAVE JOINT JURISDICTION TO MECKLENBURG  
COUNTY, CHARLOTTE, NORTH CAROLINA A BOUNDARY  
OF YORK COUNTY, BORDERING ONE ANOTHER  
TO THE EXTENT Petitioner is still welcomed  
AT THE VETERAN'S ADMINISTRATION WHOM ALSO  
PROVIDE HOMELESS LIVING FOR ITS VETERANS, THAT  
ENTAIL CURFEWS, DRUG TESTS, JOB PLACEMENT, ALSO  
VETERAN RETRAINING ASSISTANCE PROGRAMS. THAT THE  
PETITIONER AT TIME OF ARREST WAS PARTICIPATING IN  
AND AS SAID STANDARDS. AS SO THE RESPONDENTS IN  
CONNOTE PETITIONER WAS SECTED TO "LEGALLY SUPPORT  
HIMSELF AS A PARALEL INVESTIGATOR, OR POST-CONVICTION  
ATTORNEY SUPPORT PERSONNEL EMPLOYEE. IN FURTHERANCE  
PETITIONER IN SUPPORT NOW KNOWS THREE AT THE  
HONORABLE SOUTH CAROLINA SUPREME COURT. SAY O

Petitioner is honest, trustworthy to his words  
How else would a Pro-se Litigant up against  
all odds from Arrest TO Present has made  
effort to exercise these skills he says he strives  
to reach to legally support himself, children & grandchildren.

See: Akeem Alim-Nafi Abdullah Malik LITIGATING  
IN U.S. Supreme Court, 4th Circuit Court of Appeals,  
U.S. DISTRICT Courts, & New South Carolina Supreme  
Court, S.C. Court of Appeals, York County General  
Sessions, & S.C. Administrative Law Court.

9) Petitioner offers to return to the care of  
the Veterans Administration, Counselors, School,  
& Gainful Employment. Even to extent Outpatient  
CRIC Clinical Appointments IN THE EVENT THEY  
"Honorable Court" [Grant] Bail. That have Programs  
TO assist Veterans AS THE Petitioner. Oppose to  
"SCDC" THAT the petitioner under care OF THE  
VETERANS Administration WILL MONITOR AND INSURE  
Petitioner's adherence to Courts STIPULATION.....

10) Petitioner CONTENDS a over responsibility  
CLAIM Item # 8 THAT Petitioner ask THE Honorable  
South Carolina Supreme Court to Exercise ITS DISCRETION

In FAUSE OF THE PETITION TO GRANT BAIL, GRANT WRIT OF HABEAS CORPUS. (1) THE CONTINGENT ASPECTS OF PREJUDICE ON APPEAL (2) THE PROPERT VALUE OF LESS THAN \$2,000. ALL RETURNED TO THE STORE UNDAUNED. NO VICTIMS HARMED OR HARM TO PATRON OF THE STORE OR DAMESE TO THE STORE FOR SHOPLIFTERS. (3) THE PETITIONER PUSES NO DANGER TO THE COMMUNITY OR PROPERTY. IF WARRANTED WILL PERFORM COMMUNITY SERVICE TO GIVE BACK TO COMMUNITRES VIA PETITIONER EXPERIENCES & EXPOSURE IN LIFE WHERE IN THE EVENT PROPERTY NURTURED CAN & WILL BE A PLUS FACTOR TO THE COMMUNITY, & COUNSELING, MENTORING. (ETC) (4) PETITIONER SHARES A DARK SIDE LIKE ALL WHOM HAVE SKELETONS IN THEIR CLOSET. THE DIFFERENCE IS THE PETITIONER FACED HIS & ACCEPTED HE NEEDED TO CHANGE OPTED TO CHANGE. MADE A ERROR IS VERY REMORSEFUL TO THE STORE CHAIN. FEAR SHOPLIFTERS. DUE TO PETITIONER WENT INTO A DIMINISH CAPACITY STATUS. NOT TAKING MEDICINE THAT WAS PRESCRIBED. PETITIONER AT THIS AGE & RESPONSORLITIC KNOWS HE CAN NOT BREAK THE LAW NO MATTER HOW DIMINUTIVE ALSO KNOWS HE HAS CHILDREN & GRANDCHILDREN WHOM ARE IN DIRE NEED OF HIS SUPPORT SPIRITUALLY, MENTALLY, & PHYSICALLY. -

1) Petitioner over ITEM 9. Respondents have to be reviewing petitioner in a paradigm that is not contribution to S.C. CODE OF LAWS, Petitioner is a PTSD DIAGNOSIS AXIS III US Army Veteran. THAT WAS TO BE PROTECTED BY THE DECLARATION OF HUMAN RIGHTS, CIVIL RIGHTS, & BOTH U.S. & S.C. CONSTITUTIONAL RIGHTS THE Petitioner Served THIS COURT 3-TIME. ALL HONORABLE DISCHARGES, A FORMER FEDERAL LEVEL SERVICE WORKER. HAS INCREASING SKILLS SOLVABLE HAS A VETERANS ADMINISTRATION OPTION TO INTERVENTION PROGRAM TO ASSIST THE EX-EG P. SGT. Petitioner IN DISTRACTION TO THE DENIAL OF DUE PROCESS, EQUAL PROTECTION OF LAWS, VINDICTIVE PROSECUTION, & WANTS OF PROSECUTION BY PROCEDURAL DEFAULTS SITS IN "SCLC" ON A 8 1/2 YEAR SENTENCE 5 YEARS AND 3 1/2 YEAR CONFINEMENT. WHERE HAS THE HONORABLE JUDGE CONTINUED THE TRIAL DATE, ISSUED SUBPOENA ORDER Petitioner Submitted. DISMISSES FOR PROCEDURAL DEFAULTS, DUE PROCESS CONCERN, NOT FAIRING PROSECUTION SEEING

Prosecutorial Misconduct. WE TODAY  
MAY NOT HAVE PETITIONER CO-DEFENDANT  
TIME SERVED WHOM PLEAD GUILT AS WELL  
YET PETITIONER PLEAD GUILTY BUT MENTALLY  
ILL. NOT WILLING BY STANARDY COUNSEL, OR  
KNOWLEDGE, OPPOSE TO PETITIONER REQUESTED TO NEGOTIATE  
A VETERANS ADMINISTRATION CLINICAL APPROACH  
DUE TO THE MITIGATING CIRCUMSTANCES HE WOULD  
HAVE PRESENTED AT TRIAL had due process been  
afforded. The rules are only applicable when IN  
FAVOR of state. Which expresses SEPARATION OF  
POWERS DOCTRINE IS IN JEOPARDY. WHEN THE  
EXECUTIVE BRANCH CONTROLS LEGISLATIVE  
& JUDICIAL POWER. BY CONTROLLING "THE COURTS"  
AS IT SEES HERE IN DISCORD BY RESPONDANTS. . . .

(2) Petitioner IS OVERMENT TO ITEM #10. PAGE  
4. Petitioner over that the communities ties IN York  
County IS his biological mother, step father, siblings,  
niece & nephews. WHOM WILL PERMIT THE PETITIONER  
TO STAY WITH EITHER OF THEM. Also the Petitioner  
OFFERS RETURN TO Veterans Administration Medical CENTER  
CARE. Unlike has Programs THAT CO-EXIST WITH  
JUDICIAL AUTHORITY TO MONITOR & INSURE VETERAN  
RETURN TO COURT. PAGE 14 OF 15

**LEGAL**

(3) Petitioner in reply to ITEM # 11. ASSETS PREPONDERANCE SWINGS THE PENDULUM IN PETITIONER'S FAVOR. THROUGH RETRANCE FACTS, ACCURATE ACCOUNT. IN toto re respecta

(4) Petitioner for foregoing, [PRAYS] that THIS "Honorable Court" [GRANT] Petitioner's request respectfully For Reasonable Appeal Bail CONSISTENT WITH PETITIONER'S PETITION Appeal Bail. Or to REMAND WITH INSTRUCTIONS TO THE APPROPRIATE COURTS TRANSFERRING WITH INSTRUCTIONS OUTLINED TO APPROPRIATE COURT. THIS Honorable South Carolina Supreme COURT. DISCRETION.

WHEREFORE, PETITIONER MOVES this Honorable South Carolina Supreme Court to GRANT the Petitioner Release on Appeal Bond. Or to release Petitioner to SELF-REPORT TO CARE OF Veterans Administration Till OUTCOME OF Appeal OR FINAL Disposition OF Case.

THIS said 10<sup>th</sup> day DECEMBER month  
Twenty Thousand & Fourteenth year

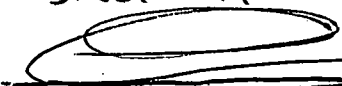
Respectfully submitted

# PROOF OF SERVICE

I AM Akeem Alim-Nafi Abdullah-Malik, Petitioner, certify that I have deposited (1) ORIGINAL & duplicate same copies in the United States mail, prepaid postage addressed to IN THE South Carolina Supreme Court, Post Office Box 11330 Columbia, South Carolina 29211, and CC: Listed below. Reply to Returns by Respondents "Appeal Bar"

This said 10<sup>th</sup> day December with Sincerely,

Twenty Thousand & Fourteenth year

  
Akeem Alim-Nafi Abdullah-Malik  
Petitioner, Pro-Se

I further certify that all parties required by Rule to be served have been served.

CC: STATE ATTORNEY GENERAL  
ALAN MCCOY WILSON, Esquire  
P.O. Box 11549  
Columbia, South Carolina 29211

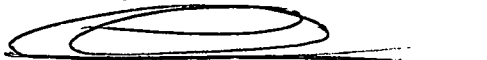
CC: 16<sup>th</sup> JUDICIAL CIRCUIT, SOLICITOR  
KEVIN S. BRACKETT, SOLICITOR  
1675 1A YORK HIGHWAY  
YORK, South Carolina 29745

SUPPORTING VETERAN PROGRAMS AVAILABLE

PETITIONER MOVES THAT BOTH THESE LETTERS ARE PLACED UNDER SEAL PURCHASE ONLY FOR COURT'S CONSIDERATION IN APPEAL & APPEAL BAIL FOR JUDICIAL AUTHORITY IN SUPPORTING PETITIONER CLAIM FOR WRIT OF HABEAS AND APPEAL BAIL IN THESE CRIMINAL PROCEEDING. CASE NO: 2014-002344

HIS 10<sup>th</sup> th December with  
Tuesday For the year

Truly

  
 Hamid Ali M. Ali Abdulwahid  
 Advocate, P.O.-Se

EXHIBITS I

No longer @ YCDC  
3/14/14 to

DONOR CLERK OF COURT

FILED-RECEIVED

2014 MAR 14 PM 1:23

I WAS sentenced March 10<sup>th</sup> 2014  
Before Judge Paul Rount I  
to APPEAR THE MATTER. ASK NOTICE OF  
SERVICES & NOTICE TO THE Appellate DC  
Appellate Court Fee REVIEWED

DAVID HAMILTON  
C.C.P. & G.S.  
XORR COUNTY SC

IN ADDITION AS ~~THE~~ <sup>THE</sup> ~~SE~~ <sup>SE</sup> Counsel  
I AM ASKING ORDERS BE FORWARDED TO  
ME TO WHERE I AM BE ST I AM  
STILL HERE PENDING TRANSFER TO S.C  
DEPT OF CORRECTIONS.

Sincerely,  
M. H. L. Hamilton  
M. H. L. Hamilton

PS: I AM UNABLE TO MAKE COPIES TO  
SERVE ON THE Solicitor AS WELL THE  
Appellate Appoint Court. ASK Respectfully  
Court Will Copy & Transfer TO S.C Appellate  
Courts:

IN THE COURT OF GENERAL SESSIONS  
FOR THE STATE OF SOUTH CAROLINA  
County of York

Akeem A-N Abdul-Malik

Expert / Prose / Attorney

CONVICT CASE No: 2013 GG 46 0430  
04370, 04371...

- US -

THE STATE OF SOUTH CAROLINA  
Respondent.

FILED-RECEIVED  
2014 MAR 14 PM 1:28  
DAVID HAMILTON  
C.O.C.P. & G.S.  
YORK COUNTY, SC

### NOTICE OF APPEAL

COMER NOW PURSUANT TO S.C. Criminal Appellate  
PROCEDURES. CONVICT Akeem A-N Abdul-Malik  
HEREINAFTER PETITIONER

MOVES THE SAID COURT NOTICE OF APPEAL  
RIGHT TO DIRECT APPEAL PURSUANT TO S.C. Appellate  
PROCEDURES.

PETITIONER IS REQUESTING TRANSFER TO S.C. District  
OF COMMERCE. MOVES JUDICIAL NOTICE BE SENT  
IN THE STATE OF SOUTH CAROLINA TO WHOM NOTICE  
BE SENT TO THE APPELLATE COURT \*S.C. DISTRICT  
AND APPELLATE COURTS.

Mr. [unclear] 11-15  
March [unclear]

Respectfully signed  
[unclear signature]  
Mr. Akeem Abdul-Malik

CERTIFICATE OF SERVICE

I am duly deposing. On said date 11<sup>th</sup> day month  
March, Tuesday the 11<sup>th</sup> day of March year I am deposing  
into detention office had present to Howard S. Lurie  
1 - Copy Notice of Appeal to the Clerk of the  
Court of Sessions for the State of South Carolina  
County of York

Signed

This said 11<sup>th</sup> day March 2014 by David Hamilton  
and James Hamilton and R. E. E. Attest David Hamilton

FILED-RECEIVED  
2014 MAR 14 PM 1:23  
DAVID HAMILTON  
C.C.P. & G.S.  
YORK COUNTY, SC

EXHIBIT II

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS**

**Office of General Counsel**

**RESPONSE TO INMATE CORRESPONDENCE**

**INMATE:** Akeem Abdullah Malik, SCDC #359150  
**INSTITUTION:** Turbeville Correctional Institution  
**FROM:** Shanika Johnson, Staff Attorney  
**SUBJECT:** Legal Documents Review  
**DATE:** April 30, 2014

**RECEIVED**  
JUN 04 2014  
SC COURT OF APPEALS

Mr. Abdullah-Malik,

I was forwarded your Request to Staff requesting the date I met with you and Lt. Story at Kirkland Reception and Evaluation Center to review/approve your legal documents. The date of the review was March 24, 2014. It is my understanding that you did not have access to your legal materials until after that review meeting.

s/ Shanika Johnson  
Shanika Johnson

**"All Rights Reserved"**  
**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS**  
**REQUEST TO STAFF MEMBER**

TO: NAME: <b>GENERAL COUNSEL</b>	TITLE:	DATE: <b>3-13-14</b>
INMATE'S NAME: <b>Akeem A-N Abdulhach-Malik</b>	SCDC #: <b>359150</b>	
INSTITUTION: <b>KIRKLAND R&amp;E</b>	LIVING QUARTERS: <b>F3 150</b>	

TO WHOM THIS MATTER CONCERN: PER SEC DIRECTOR  
 & PROPER Lt. STURDY VIA WARDEN Melkie

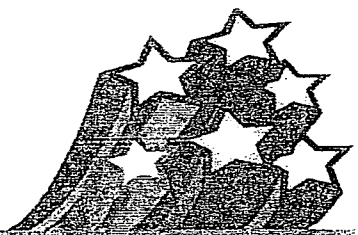
I Am stipulating that the documents entered  
 your facility is a part of AMERICAN'S Disability Act  
 & VETERANS Rehabilitation Act Am Jur vol 5 & 2 In  
 Part Civil & Pending Criminal Appellant Procedures  
 FOR Sole Purposes. **Print of RECORD IN ALLEGATIONS &**  
**EXPRESSIVE MATERIAL FACTS FAMILY CORRESPONDANCE &**  
**ESTABLISHMENT OF RECORDS CASE # 1:14-00109-RBH-SUH**  
 & Appealing Awaiting From **Case # 2013-C.S.-46-04270-71**  
 #1 - CIVIL } I AM respectfully requesting release of all  
 #2 - CRIMINAL } my legal work to be held in my possession &  
 ACCESS TO your LAW LIBRARY during my tenure here

**DISPOSITION BY STAFF MEMBER:**  
 I have reviewed the requested material and confirmed  
 it consists of legal materials

DATE:	SIGNATURE: <b>Shante Johnson</b>
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## FAMILY FORUM

3501 E. INDEPENDENCE BLVD • CHARLOTTE, NORTH CAROLINA 28205  
PHONE: 980.819.9340 ext 226 • FAX: 980.819.9343



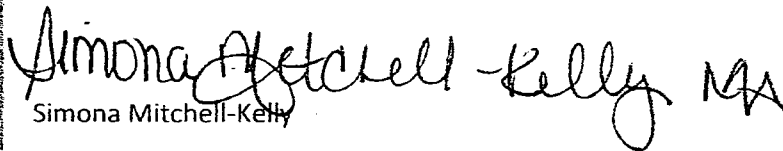
July 31, 2011

To Whom it May Concern,

This letter is to inform you that Akeem Malik was admitted in the Family Forum program on July 12, 2011. Family Forum is a homeless grant program through Veteran Affairs. We work on assisting homeless Veterans getting back on their feet and leading to permanent housing. In order to maintain stay in this program, every Veteran is assigned a case manager whom he meets with at least once every week, sometimes more if needed. The program also requires once a week random drug screen and breathalyzer test every night. There is a curfew Sun – Thurs at 10pm and Friday- Saturday 11pm. Other requirements of the program are that you must work on looking for a job or identifying an educational program that will lead into employment. There is also a requirement of attending AA/NA meetings 7 days per week if you are not employed.

Since Mr. Malik has been a part of the program he has complied with all rules and regulations. He meets with his case manager on a weekly basis in accordance and turns in all meeting sheets on a regular basis. Mr. Malik has shown that he is determined to stay on the right track and through his actions he has been doing such. Mr. Malik continues to address and identify areas of weakness so that he can become strong in those areas. Mr. Malik has had no incidents, write ups, or warnings since being in this program. If you have any further questions on the Program or Mr. Malik's behaviors in the program please call me at 980.918.9340 ext 226 or 704.724.9995.

Thank You,

A handwritten signature in black ink that reads "Simona Mitchell-Kelly NA". The signature is written in a cursive, flowing style.

Simona Mitchell-Kelly  
Case Manager, Family Forum

"CHARACTER LETTER"

WRITTEN TO HONORABLE JUDGE JOHN HAYES III  
 PER SE PETITIONER'S STATEMENT IN REPLY TO  
 RETURN BY RESPONDENT PETITIONER WRIT  
 OF CERTIORARI STATEMENT OF CASE THAT  
 PETITIONER WAX TO GO BEFORE JUDGE  
 JOHN HAYES III FOR PRE-TRIAL CONSIDERATION  
 RELATIVE TO VETERAN'S CASE CONSIDERATION  
 AT THAT INTERIM. WHEREFORE HONORABLE  
 JUDGE STATES ON RECORD MOTION HAVING  
 HE WOULD HEAR & CONSIDER AFTER THE  
 THEN CHRISTMAS NEW YEAR HOLIDAY YEAR  
 OF 2012. PETITIONER'S UNCLE FORWARDED LETTER  
 TO JUDGE HAYES III & TO PETITIONER

PETITIONER ABSENT THE SLAR  
 BOOK. MOVE TO APPLY RULE APPLICABLE  
 TO PLACE THIS LETTER & LETTER FROM  
 FAMILY FORUM JULY 31, 2011 UNDER SEAL  
 ONLY RESOLVE BY COURT'S WARRANTED  
 NECESSARY PARTIES TO BE HELD IN CONFIDENCE  
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Touhy  
 Council of Records  
 Aileen Hernandez M. Lopez  
 Director, 200-5  
**LEGAL**

2901 Norman Drive  
District Heights, MD 20747

December 26, 2013

The Honorable Judge John C. Hayes, III  
Moss Justice Center  
York, SC 29745

Subj: Character reference for Akeem Abdullah-Malik

Dear Judge Hayes,

My name is Charles Graham; Akeem Abdullah-Malik is my nephew. I have been closely associated with Akeem since his birth and have tried to be a positive role model in his life.

In August of 2007, Akeem lost his 94 year old Grandfather. His grandfather and grandmother were his rock and the persons who raised Akeem through elementary and high school. His grandfather was the first Black policemen in the city of Salisbury NC. His grandfather provided moral and spiritual support during his years of incarceration. In 2008 Akeem lost his paternal father.

In September 2011 family members moved forward to transfer ownership of a house and property to Akeem. The house was previously owned and occupied by his grandfather and is where Akeem was reared as a child. The property is located at 716 Wilson Road in Salisbury, N.C. He paid taxes on the property and has plans to rehab and upgrade the structure.

Since his prior release Akeem has strived to make amends and move forward with his life. Recently the VA afforded him an opportunity to transition to the community through their Homeless Veterans program. I believe this was a big step in the right direction.

At the time of his arrest, Akeem attended Charlotte Community College under the Veterans Education Assistance program. He is moving toward an associate degree in criminal justice. Akeem was doing well in school and brought a new hope of change to those family members in doubt.

Akeem is currently being treated for PTSD disorders at the Salisbury and Charlotte NC Community Based Outpatient Clinics. If afforded the opportunity to continue in his treatment program, I feel Akeem can move forward to complete his education and achieve his goals and objectives.

Whatever the outcome of his trial, I believe a clinical solution would be in his best interest. I humbly ask that the court look favorably on his case.

Charles E Graham

Home: 301 568-6046

Email: grahamdynamics@verizon.net

EXHIBIT 1

VETERAN ADMINISTRATION DATA

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# Bureau of Justice Statistics Special Report

January 2000, NCJ 178888

## Veterans in Prison or Jail

By Christopher J. Mumola  
BJS Policy Analyst

In 1998 there were an estimated 25,062,400 veterans in the United States population, including 225,700 veterans held in the Nation's prisons and jails. Males comprised 95% of all veterans and 99% of those veterans in prison and jail. Among adult males in 1998, there were 937 incarcerated veterans per 100,000 veteran residents, up from 571 per 100,000 in 1985. Despite the increase, male veterans were incarcerated at less than half the rate of adult male nonveterans (1,971 per 100,000) in 1998.

Since 1985 the number of U.S. veterans has declined by nearly 3 million, an average decline of 1% per year. The number of male veterans dropped from 26,962,000 in 1985 to 23,834,100 in 1998, while the number of female veterans rose from 1,044,700 to 1,228,300. The number in prison or jail rose from 154,600 in 1985 to 225,700 in 1998, an increase of 46%. However, during this period the number of nonveteran inmates rose 172%. Veterans accounted for 12% of all inmates in 1998, down from 21% in 1985.

These data are based on interviews with national samples of inmates. In responses to the 1997 Survey of Inmates in State and Federal Correctional Facilities and the 1996 Survey of Inmates in Local Jails, inmates provided information on their military service, as well as their criminal history and personal background.

### Highlights

#### Over 225,000 veterans held in Nation's prisons or jails in 1998

	Estimated number of veteran inmates	
	1985	1998
Prison	100,200	156,400
Local jail	54,400	69,300

	Percent of inmates reporting military service	
	1986	1997
Prison	24.9%	14.5%
Federal State	20.2	12.5

	1983	1996
	Local jail	21.2%

\$ 1 in every 6 incarcerated veterans were not honorably discharged from the military.

\$ About 20% of veterans in prison or jail reported seeing combat duty during their military service.

\$ In 1998, an estimated 56,500 Vietnam War-era veterans and 18,500 Persian Gulf War-era veterans were held in State and Federal prisons.

#### Veterans more likely than others to be in prison for a violent offense but less likely to be serving a sentence for drugs

Offense	State prisoners, 1997	
	Veterans	Nonveterans
Violent	55.1%	46.1%
Property	20.3	22.2
Drug	14.4	21.5
Public-order	10.2	9.8

	Average maximum sentence	
	Veterans	Nonveterans
Violent	264 mo	214 mo
Property	123	116
Drug	118	107
Public-order	86	79

\$ About 35% of veterans in State prison, compared to 20% of nonveterans, were convicted of homicide or sexual assault.

\$ Veterans (30%) were more likely than other State prisoners (23%) to be first-time offenders.

\$ Among violent State prisoners, the average sentence of veterans was 50 months longer than the average of nonveterans.

#### Veterans in State prison reported higher levels of alcohol abuse, lower levels of drug abuse, than other prisoners

	State prisoners, 1997	
	Veterans	Nonveterans
Drug use in month before offense	45.4%	58.1%
Alcohol dependent	30.6%	23.6%
Identified as mentally ill	19.3%	15.8%
Homeless at some time in 12 months before arrest	12.4%	10.3%

\$ Veterans in State prison (26%) were less likely than other State prisoners (34%) to report having used drugs at the time of their offense.

\$ Nearly 60% of veterans in State prison had driven drunk in the past, compared to 45% of other inmates.

\$ About 70% of veterans, compared to 54% of other State prisoners, had been working full-time before arrest.

12/28/2013

Find Law Knowledgebase Published: 2012-12-21

South Carolina using veterans' courts to address drug crimes Article provided by William Monckton - Monckton Law Firm, P.A. In the years since the wars in Iraq and Afghanistan began, there has been a lot of discussion about the issue of post-traumatic stress disorder and substance abuse among returning service members. While this increased visibility is certainly helpful, PTSD and addiction are by no means new problems in the military community. Because of the stress they have experienced, combat veterans are more likely to experience issues with mental health or illegal drugs. The unique mindset that service members have also means that they are often more unlikely to ask for help if problems arise. All too often, this leads veterans to get in trouble with the law. Recently, South Carolina officials have followed the lead of other states in creating special courts for veterans facing criminal charges. The courts work much like more traditional "drug courts." Participants are given a reprieve from jail time so long as they are getting treatment for their underlying addiction or mental health issues and are complying with the other terms of their sentence. ~~In addition, participants get support from mentors and other participants, all of whom are veterans themselves.~~ The courts work because they frame recovery in a way that makes sense to someone with a military mindset. South Carolina veterans' courts aren't just reserved for recent Iraq and Afghanistan veterans. Nearly all veterans are eligible, regardless of when they served or whether they had been deployed to a combat zone. The only restrictions are that the underlying offense must be non-violent and that the veteran has a diagnosed mental health or substance abuse disorder. It is not necessary for the disorder to be directly connected to a service-related injury or traumatic event. South Carolina's program is relatively new, so there is not yet good data about how successful veterans' court participants have been. Still, with over 400,000 veterans in South Carolina, anything the state can do to help struggling service members is bound to have a positive impact. South Carolina drug crimes Veterans' court is just one of the many alternative sentencing options available to people charged with drug crimes and other non-violent offenses in South Carolina. Most drug crimes are rooted in addiction, and it is often more beneficial to treat the underlying problem than to simply lock the person up. If you or a loved one is struggling with addiction or mental health issues and facing criminal charges, it is a good idea to talk to an experienced South Carolina criminal defense attorney. In most cases, alternative sentencing options must be explored early on in the process. The attorney can help you identify alternatives to –

See more at: <http://knowledgebase.findlaw.com/kb/2012/Dec/902137.html#sthash.FRtpoxOp.dpuf>

## Veterans Treatment Courts Offer Alternative to Prison

For military veterans who find themselves afoul of the law due to substance abuse or mental health issues, a system called veterans treatment courts is giving them an alternative to prison time.

The courts are modeled on the drug treatment or mental health treatment courts first established two decades ago.

"Words cannot describe the second chance that you guys gave me but if I had to, it would be that I am in a lifelong debt of gratitude," former Marine corporal Eric Gonzales said Monday as he addressed the audience at the Veterans Treatment Court Conference being held in Washington D.C.

Organized by Justice for Veterans Treatment Courts Vets, the conference aims to broaden the reach of veterans treatment courts to help military vets, particularly those who served in the wars in Iraq and Afghanistan.

Justice for Vets estimates that since 2004 the number of veterans being treated for mental illness and substance abuse has increased by 38 percent, most of them among the 2.5 million American military service members who served in Iraq and Afghanistan.

Gonzales, who served in Afghanistan, said he has gotten his life back in order after he faced serious prison time for a high-speed pursuit fueled by substance abuse. He told the conference that the "court gave me the chance of a lifetime to work on my mental health rather than throwing me in prison where I would still be battling with my issues."

"Someday in the not-so-distant future when there is a vet treatment court in reach of every vet in need, we will look back on today as the moment we turned the corner," said Judge Robert Russell, who established the first veterans treatment court in Buffalo, N.Y., in 2008.

Working with the local Veterans Affairs office, Russell set up the veterans-focused court after he noticed an increase in the number of veterans appearing before his Drug Court and Mental Health Court.

Retired Army general and drug czar Gen. Robert McCaffrey told the gathering that the main reason for the conference was "to train each other, to learn how to institutionalize and maintain this spectacular concept."

McCaffrey is the chairman of the Veterans Treatment Court Committee of the National Association of Drug Court Professionals.

At the conference's opening session, Veterans Affairs Secretary Eric Shinseki told the audience that when he visited Judge Russell's courtroom in 2009 "the power of the veteran's court concept was clear, undeniable and compelling."

"Since that visit, VA has been your full partner, agreeing to bring all of its capabilities to bear, wherever a judge is willing to establish a veterans court," said Shinseki, who praised the work of the veterans courts and highlighted his department's "Veterans Justice Outreach" program.

The program's 172 specialists work with courts to help veterans entering the justice system to get mental health or substance abuse care from the VA.

Statistics show the program is having a positive effect — two thirds of veterans who appear before treatment courts successfully complete their treatment, Shinseki noted.

Gen. Martin Dempsey, chairman of the Joint Chiefs of Staff, is scheduled to address the conference on Wednesday.

\*\* I found NO VTC. s in South Carolina



U.S. Department of Veterans Affairs



Search

SITE MAP [A-Z]

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- Business
- About VA
- Media Room
- Locations
- Contact Us

I AM A...

VA » Locations » PTSD Program Locator » North Carolina

Select One

# Locations

Search in Facility Directory:

Locations Home

VHA Facilities

VBA Facilities

NCA Facilities

VA Central Office Listing

Vet Centers

PTSD Program Locator

SUD Program Locator

Gravesite Locator

## North Carolina

### PTSD Program

Descriptions of VA PTSD Programs | Learn more about PTSD: VA National Center for PTSD

**NOTE:** The contacts provided for the PTSD Programs are for information inquiries and are not continuously monitored.

**All VA Medical Centers offer PTSD treatment, even if there is no specific PTSD program. Contact your local VA Medical Center and ask for the Mental Health clinic. Many Vet Centers and VA Community Based Outpatient Clinics also offer PTSD treatment.**

**If you need immediate assistance, call 911 or 1-800-273-TALK/8255, press 1.**

Facilities by State

Interactive US Map

Facility Listing

#### Asheville VA Medical Center

1100 Tunnel Road  
Asheville, NC 28805  
Phone: 828-298-7911

#### PTSD Clinical Team (PCT) Outpatient

Bruce L. Purvis (828) 299-2519

#### Durham Clinic

1824 Hillandale Road  
Durham, NC 27705  
Phone: 919-383-6107

#### PTSD Clinical Team (PCT) Outpatient

Josephine Allen (919) 286-0411 X 7977

#### Fayetteville VA Medical Center

2300 Ramsey Street  
Fayetteville, NC 28301  
Phone: 910-488-2120 Or 910-488-2120

#### PTSD Clinical Team (PCT) Outpatient

Dana Foster, AO, MHSL (910) 488-2120 X 5828

#### Salisbury - W.G. (Bill) Hefner VA Medical Center

1601 Brenner Avenue  
Salisbury, NC 28144  
Phone: 704-638-9000 Or 704-638-9000

#### PTSD Clinical Team (PCT) Outpatient

Kristin Humphrey, PhD (704) 638-9000 X 3175

#### Specialized Inpatient PTSD Unit (SIPU) Inpatient

Kristin Humphrey, PhD (704) 638-9000 X 3175

*Handwritten notes:*  
 VAA Asheville 1160.03  
 38 U.S.C. 1710  
 38 CFR 17.46 and 17.47  
 906-Idland Dr.

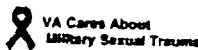


EXHIBIT IV

VETERAN ADMINISTRATION DATA

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**LEGAL**

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PROGRAMS FOR VETERANS WITH POST-TRAUMATIC STRESS  
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AKEEM ALIM-NAFI ABDULLAH-MALIK  
COUNSEL OF RECORD

KERSHAW CORRECTIONAL INSTITUTION

4848 GOLDMINE HIGHWAY

**RECEIVED** KERSHAW, SOUTH CAROLINA [29067]

DEC 15 2014

DECEMBER 10<sup>th</sup>, 2014

S.C. SUPREME COURT

THE HONORABLE DANIEL E. SHEAROUSE  
CLERK, IN THE SOUTH CAROLINA SUPREME COURT  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: Akeem Alim-Nafi Abdullah-Malik  
- vs -

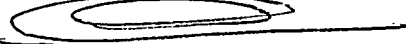
THE STATE OF SOUTH CAROLINA

Appellate Case No: 2014-002344

DEAR Mr. Shearouse:

Enclosed please find original of the Reply/Response  
to Respondent's Return to Petitioner "Appeal Brief" along  
with proof of service, attachments, supporting documents by the  
petitioner, and (2) Letters Petitioner Move to Place Under  
Seal Only Reservable by Judicial Authority for this case  
purpose - Separate Motion to be heard by the Court.

Sincerely,

  
Akeem Alim-Nafi Abdullah-Malik  
Petitioner, Pro-Se

cc: Alan McCann Wilford, Esquire  
Sally W. Elzick, Esquire  
cc: Kevin S. Brinklett, Esquire

LEGAL

DECEMBER 15 2014  
**RECEIVED**

DEAR SIR, Honorable Daniel E. Shearouse

DEC 15 2014

**S.C. SUPREME COURT**


SIR I AM enclosing two copies

ask respectfully (1) copy can be stamped  
filed & return to me for my records please

SIR. DF (2) Separation motion (1) a Petition/Response

(1) TO BE HEARD ON BAL Sir. & Proof of Service.

Sincerely



Mr. Alex Alimkh

PG. SIR I AM INDIGENT Without Funds TO  
PAY FOR Return Postage ALL THE Courts  
Courtesy TO Please Forward Every Stamp Filed  
Back TO ME. IN ADDITION MY PENMANSHIP  
IS getting worse year by year. I apologize  
SIR Ask (2) LETTERS OF CHARACTER  
& Support AT End OF Petition. From  
Family Forum, & MR. Charles Graham. TO  
BE PLACED under same Only renewable  
by "the court" please.

~~Respectfully requested~~

Mr. Alex Alimkh