

I'm writing the S.C. court of Appeals because of the violations that took place in my plea sentencing on DEC. 2nd 2014. Frist was the search warrant for my phone. In my motion the warrant says "Any and all text messages, phone calls, pictures, videos or any other cell phone data pertaining to the homicide of Odell Fields." The information took from my phone and used against me in court had nothing to do with this incident the text and pictures they brought up were from 2 or 3 weeks prior to this incident taking place. Me and a guy exchanged text with one another in a negative manner which he started by calling and threatening me, and my kids the texting started and yes we both threatened each other and yes a few hours later it did become physical between he and I. I did go to the hospital because of a cut under my eye and I took pictures of my eye before and after stitches. All of those text and pictures were used against me in my sentencing none of those text or pictures had anything to do with the incident between Mr. Fields and I. The Solicitor used those text and pictures to make me out to be a violent person who looks for trouble and clouded the judges view of me but most importantly the search warrant was violated because they used information against me that had nothing to do with the situation at hand. The solicitor also violated the discovery motion by going into phone calls after I signed my plea my lawyers came and informed me of this and also informed me that the solicitor wouldn't be able to use those calls in my sentencing because it would be a violation of the discovery motion but the solicitor still brought them up in court and again clouding the judges view of me by making me seem as if I had no remorse for what happened to Mr. Fields which is not true because there are at least a dozen or more phone calls I made asking my father if anyone has heard about Mr. Fields family hoping their handling everythin well and in meetings with my lawyers I asked them many times if they had heard anything about the family because I just wanted to know if they were doing OK. The day of my sentencing the solicitor pulled a phone call from the night before and only played 5 or 10 seconds of it and in those short seconds I said "One already learned the hard way" a comment that had nothing to do with the incident between Mr. Fields and I, the comment was made about a situation that took place while I was in the county jail but the Solicitor twisted it around like I was talking about Mr. Fields that didn't violate the discovery motion but it did once again cloud the judges view of me.

The solicitor then went on to say and paint the picture that with a single punch I fractured Mr. Fields skull in the autopsy it does say. The decedent appears to have been struck by a single blow to the side of the head and then rapidly fell to the ground, becoming unresponsive no where does it say that the one single blow fractured Mr. Fields skull the autopsy picture of a skull shows a 5in fracture on the back of his skull which came from him falling back and hitting his head not my single blow I struck Mr. Fields in the lower part of his face between his jaw and ear area not the top of or back of his head but the solicitor painted the picture that with one single blow I fractured Mr. Fields skull and meant to kill him: which is not the case I never intended for that happen. For 8moy. I sat in YCDC and over that time my family and I asked for my motion of discovery I asked my lawyers four times my father and my fiancé both told them I wanted my motion and I never got it until the day before my sentencing by that time I had already signed my plea. Once I went through my motion I realized that 40 pages were missing pages 65-105 were not in there all of the cell phone information and police interviews are missing and I don't know what else is missing I requested the missing 40 pages and still haven't got them. I do feel that my counsel was ineffective because my last 3 months in YCDC they came and seen me 3 or 4 times and we talked about how they were going to go at the case and their plans of defending the case we even talked numbers how much time I was looking at and they always said between 2 and 5 years which I was OK with they talked me into taking a 2 to 30 open plea which I was not comfortable with but they told me not to worry that they believed the number wouldn't go over 5. still I wasn't comfortable because it was a open plea and I knew it could end bad they then met with my Father and told him the same thing that they knew I wouldn't get more than 5 years their game plan for defending me sounded good to me and my father so I agreed to the 2 to 30 open plea the day of my sentencing the game plan they went over my Father and I with is not what happened in court they made pointless arguments and didn't counter anything the solicitor said which left me standing in front of that judge looking like a cold blooded killer who had no remorse for what he did which is completely untrue and when it was all said and done the judge gave me 15 years and I believe the reason for such a large number is because the way the solicitor clouded the judges view of me with information that had nothing to do with the situation at hand. What I did was wrong and I'm sorry for what I did what I did was poor judgment and a poor reaction to a group of people who were in a sense bullying me never did I instigate the problem that night and I wasn't the only person involved I did try to stop everything that was going on but things got out of hand and yes I did hit Mr. Fields but I never meant for him to die I'm not 100% innocent and never claimed to be I do believe that I deserve some time for what I did but 15 years for a single punch is to much. My murder charge was lowered to Voluntary Manslaughter but I was still sentenced like my charge was still murder I'm not asking to walk away from this with nothing I'm just asking for my time to be reduced down to the 5 years my lawyers talked about.

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DEC 31 2014

SC Court of Appeals

Thank you,

Eric Coll

Eric P. Cobb 297611

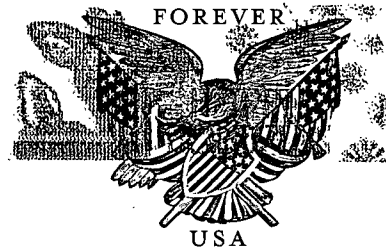
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