

MNH

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

PRO SE APPELLATE BRIEF

RECEIVED

FEB 27 2015

S.C. Supreme Court

MICHAEL HENDERSON,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2014-001254

Michael Wayne Henderson #348971
MacDougall Correctional Institution
1516 Old Gilliard Road
Ridgeville, SC 29472

February 24, 2015

Daniel E. Shearouse
Clerk Of Court
Post Office Box 11330
Columbia, South Carolina
29211

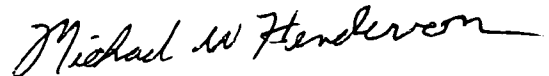
Re: Pro Se Brief concerning Appellant Case No. 2014-001254

Dear Mr. Shearouse:

Please file the enclosed brief/memorandum in the case of:
Michael W. Henderson v. State of South Carolina.
Appellate case No. 2014-001254.
To the hearing court.

Thank you very much,

Sincerely,


Michael W. Henderson.

M W H

Dear Honorable Supreme Court Judges:

My name is Michael Henderson. I, at this time, would like to submit my Pro Se brief regarding Appellant Case no.2014-001254

First I would like to say, I agree with my attorney in the following Anders brief pursuant to White v. State submitted by appellant defender Mr. Benjamin John Tripp, and filed in the Supreme Court on February 4, 2015. With attachments.(Letters explaining that portion of the Anders brief pertaining to relief of counsel being standard.) Further to look to that of Anders v. California 386 U.S. 738 S.Ct. 1396 (1967). Briefed an arguable legal issue which arose during the course of the trial.[Page 9-3 of brief for relief of counsel.] That for which would bring the issues of an improper handling of my case concerning the right of an instant appeal following a jury trial: Attorney H. Chase Harbin failed to file the forms, therefore, being ineffective in that aspect, which later, four year now, no way can a non prejudiced belated ten day appeal be heard. For which appears on page 535 of volume two of the appendix (appeal bottom of the page)(rights violations).

The basis for P.C.R. and that at the time I was not informed by attorney Chase Harbin to answer "yes" to all questions concerning guilt put forth by the court in order to receive the benefit of the plea deal.

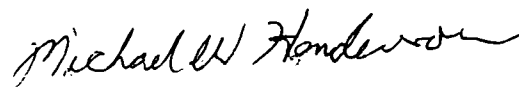
I have never manufactured methamphetamine, and that I thought was the question asked by the Judge.(Transcript of trial page 104 line 1 - 25: page 105 line 1-16.) and furthermore, was in fact found not guilty of that charge.(sentencing phase of trial transcripts, page 475 line 1-16.)

Dear Honorable Supreme Court Judges:

I pray for relief in this matter. As my counsel Mr. Benjamin J. Tripp has pointed to the fourth Amendment and for the reasons pointed out in the suppression hearing, I do believe whole heartedly that my and my wife's rights were violated under the United States Supreme Court created, exclusionary rule to safeguard fourth amendment rights. United States v. Calandra 414 U.S. 338(1974). The exclusionary rule provides that evidence seized in violation of the fourth amendment must be excluded from trial, also, the Fourteenth Amendment is an issue directly related to this case as fruits of the poisonous tree doctrine. See: Wong Sun v. United States, 371 U.S. 471, 484(1963).

Thank you for your time and consideration in this matter.

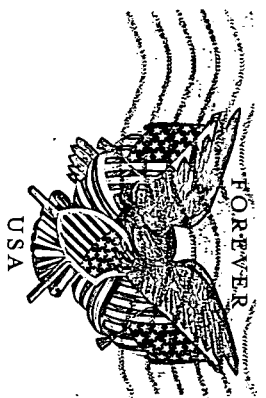
Sincerely,



Michael W. Henderson

Michael Henderson #348971
M.C.I. Birch 1
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Ridgeville, SC 29472

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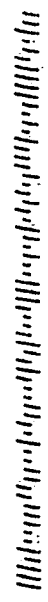
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FEB 24 2015

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The Department of Corrections has not considered this item, therefore, the Department does not assume responsibility for its written contents - MacDougall Correctional Institution.