

THE STATE OF SOUTH CAROLINA IN  
THE SUPREME COURT

LADUAN D. COLLIER #260292

V.

STATE, SOUTH CAROLINA

CASE No. 2015-000426

MOTION IN OPPOSITION

**RECEIVED**

MAR 26 2015

S.C. Supreme Court

THIS WRITTEN EXPLANATION IS PURSUANT TO RULE  
(CO)B 5. OF SOUTH CAROLINA RULES OF COURT

IN STATE V. DANIEL D'ANGELO JACKSON CASE NO. 2011-KR266  
S.E. 2d, 2014 WL 5654283 S.C. APP. 2014 SHOW THAT JUDEMENT  
HAS BEEN SATISFIED, RELEASED, OR OTHER WISE VALATED SO  
THEREFORE APPLICANT SIXTH AMEND. OF THE <sup>U.S. CONSTITUTION</sup> ~~SOUTH CAROLINA~~  
HAS BEEN VIOLATED IN JACKSON THE STATE ARGUES. HOW-  
EVER THAT THE STATEMENTS DO NOT INCRIMINATE  
JACKSON ON THEIR FACE. IT CONTENDS A JUROR HEARING  
ONLY THE STATEMENTS WOULD NOT BE ABLE TO IDENTIFY  
JACKSON AS THE PERSON HIS CO-DEFENDANT DESCRIBES, AND  
INSTEAD WOULD HAVE TO LINK OTHER EVIDENCE SUCH AS THE  
SURVEILLANCE VIDEO AND TESTIMONY OF OTHER CRIMES AND  
FROM THAT LINKAGE DRAW AN INFERENCE THAT "ANOTHER  
PERSON" WAS JACKSON.

THE STATES ARGUMENT IS BASED ON PASSAGES FROM THE DECISIONS OF THE SUPREME COURT, SUCH AS 'THE RULE ANNOUNCED IN BRUTON IS A 'NARROW' ONE THAT APPLIES ONLY WHEN THE STATEMENT IMPLICATES THE DEFENDANT ON ITS FACE. 'HOLDER', 382 S.C. AT 284, 676, S.E. 2d 207-08, 107 S.C.T. AT 1707 .2d AT 185-86" IN COLLIER'S CASE NO 2014-CP-46-1458 STATES THAT THE SAME IN COLLIER'S IT HAS BEEN AGREED UPON THAT, BECAUSE THE STATE REDACTED COKLY'S STATEMENT TO REMOVE COLLIER'S NAME, A JUROR HEARING THE STATEMENTS WOULD HAVE TO CONSIDER EVIDENCE OUTSIDE THE FOUR CORNERS OF THE STATEMENTS. AND DRAW AN INFERANCE FROM THE STATEMENTS IN COMBINATION WITH THE OTHER EVIDENCE. THAT COKLY WAS REFERRING TO COLLIER AS OUR SUPREME COURT EXPLAINED IN HENSON, HOWEVER, "RICHARDSON DID NOT TURN ON WHETHER THE CONFESSION ADMITTED REQUIRED AN INFERANCE IN ORDER TO INCRIMINATE THE DEFENDANT, BUT ON THE KIND OF INFERANCE ~~REQUIRED~~ <sup>REQUIRED</sup> 407 ~~407~~ S.C. AT 164,754, S.E. 2d AT 513 (EMPHASIS ADDED) IN GRAY THE SUPREME COURT DEFINED THE KIND OF INFERANCE REQUIRED FOR A BRUTON VIOLATION, HOLDING THE ADMISSION OF A CODEFENDANTS STATEMENT VIOLATES BRUTON WHEN THE 'STATEMENT' DESPITE REDACTION OBVIOUSLY REFERS DIRECTLY TO SOMEONE, OFTEN OBVIOUSLY THE DEFENDANT, AND WHICH INVOLVE INFERENCES THAT A JURY ORDINARILY COULD MAKE IMMEDIATELY." 525 U.S. AT 196, 118 S.C.T. AT 1157, 140 C.E. d 2d AT 303. SO IN JACKSON AND COLLIER'S CASE THE ISSUE OR THE SAME JACKSON CASE HAS BEEN OVERTURN ON THE SAME GROUNDS COLLIER IS <sup>BEING</sup> ~~BEEN~~ DENIED ON.

MOREOVER COLLIER DID IN FACT TIMELY FILE AND ARGUED  
ALL AND ANY MOTION TO THE LOWER COURTS CORRECTLY  
IT WAS THE INST MAIL ROOM WHO DELAYED AND  
HELD BACK COLLIER TIMELY FILED NOTICE OF  
APPEAL AS YOU CAN SEE ENCLOSED IS A TIMELY  
FILED DEBIT FORM SHOWING DATES WHEN COLLIER  
SENT OFF HIS NOTICE OF APPEAL TO LOWER  
COURT OF YORK, S.C 29745 SO THEREFORE THE  
DETERMINATION BY THE LOWER COURT IS  
IMPROPER AN PETITIONER SHOULD BE GRANTED  
HIS APPEAL

MARCH 24, 2015

LAQUAN D. COLLIER  
PETITIONER #280292

LAQUAN D. COLLIER #260292  
APPLICANT

2015-000426  
CASE NO. ~~2014-CR-46-1158~~

AFFIDAVIT OF SERVICE  
BY MAIL

v

THE STATE OF SOUTH CAROLINA  
RESPONDENT

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MAR 26 2015

S.C. Supreme Court

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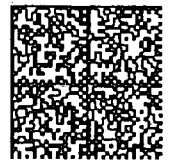
THE ATTORNEY GENERAL  
ATTN: J. RUTLEDGE JOHNSON, ESQUIRE  
P.O. BOX 11549  
COLUMBIA, S.C. 29211

THE SUPREME COURT OF S.C.  
CLERK OF COURT  
P.O. BOX 11330  
COLUMBIA, S.C. 29211

DATED THIS 24, DAY OF MARCH OF 2015

MR. ANQUAN D. COLLIER #260292  
B.R.C.F #CDA 167  
4460 BROAD RIVER RD  
COLUMBIA S.C 29210

COLUMBIA  
SC 290  
25 MAR '85  
PM 11



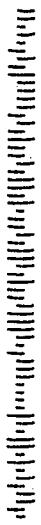
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