

STATE OF SOUTH CAROLINA
IN THE SUPREME COURTS
WRIT'S CERTIORARI (TO) MOTION TO (BRIEF)

THE HONORABLE FRANK R. ADDY JR. Judge

State of South Carolina
County of Greenwood.

DARELL ANTHONY MERRITT
PROSECUTOR

- V - S -

Defendant's E.t.

STATE OF SOUTH CAROLINA

PETITIONER CASE:
2014-CP-24-1123

[Notice of Appeals]

TO THE GREENWOOD COUNTY
CLERK OF COURT'S
PROSE BRIEF

Respondent

Petitioner has due process of Rights, Request pursuant, Exhaust: All,
STATE Remedies. 28. U.S.C.A. § 1997(E)(A).

(SEE) OWENS - V. OKURE 488. U.S. 235, 236 (1989) Statute of Limitation

To Appeal post conviction - Relief Order, petitioner has grounds.

With Merits, of AN UN-INTELLIGENCE plea. That his Counsel's was

* ineffective of ASSISTANCE OF COUNSEL, that was [Constitutional Violation]

To investigate ALL CIRCUMSTANCE OF CRIME, FOR PROPER (PSYCHOLOGICAL)

(EVALUATION) OF MENTAL ILL PERSON. - Test - Explaining ALL ELEMENT TO HIS

(GUILT plea) OF THE BOYKIN - V - ALABAMA RULE. CONTROLLING CASE.

OF THE INTELLECT - KNOWLEDGE - petitioner, was under doctor CARE.

Before CRIME COMMITTED, that petitioner, has due process of Equal Rights

To Appeal, Ground (1) Below OF - PROSE Litigation - Ground Appeal Rights.

(SEE → *** PRIMA FACIE - FACTS FOR STRICKLAND * TEST *

THERE, NO PRIMA FACIE RECORDS, PRESENTED, AT PLACE, plea (WAS) INTELLECTUAL

TAKING KNOWING, THE COMPLETE PSYCHOLOGICAL EVALUATION RECORD, doctor

Explaining Mentally ill, THE UNBALANCED, PROVING PLAINTIFF MIND SET, before

THE, moment before incident occurred. ~~the~~ being doctor had took, his

physiognomy medication from plaintiff, that went - cold - turkey. Why?

"made" SEE HIGH - V - LOCKHART 474. U.S. 52, 1985

(2) Doctor never PRIMA FACIE FACTS, AND (FAILED) prove (burden - PERSONALITY -)

INVENTORY PROOF, PLAINTIFF MIND SET, Mentally ill, of (both individual) MIND

SET, one day incident occurred, Counsel should made full discovery - process.

(3) All these possibility, could, had raised by (COURTS (Counsel) OF (Plaintiff's

Rights under different's out come plea, under STRICKLAND - V - WASHINGTON

TEST.

[CONTINUED]

[NEXT PAGE]

Ground 3rd ~~ON~~ ON THE INEFFECTIVE ASSISTANCE COUNSEL CLAIM ~~ON~~

~~** NO FEDERAL WAIVER CONTRACT [SIGNED] RIGHTS AWAY~~

do, TO THE FACTS, OF AHH [CIRCUMSTANCE] Counsel SHOULD ASK, FOR [REQUEST]

Voluntary Manslaughter plea. THE DOCTOR'S NEVER PROVE THE BURDEN PROOF.
OF EACH INDIVIDUAL MIND'S ON: 29th DAY OF NOVEMBER 2012.

PLAINTIFF EXPLAINING, THE MEDICATION, FOR HIS MENTAL ILL PROBLEMS, BY (PLAINTIFF)
BEEN ON * DEPRESSION * MEDICATION * (SEE) PLEA TRANSCRIPTS PAGE (7) PARAGRAPH
16, PARAGRAPHS 19th PLAINTIFF WAS TAKING (BUNCH OF MEDICINE) BEFORE THE,
DOCTOR, JERKED OFF, [LORTAB], [VALIUM], [XANAX], [OXYCODONE]

do TO, THIS FACTS (AND) CIRCUMSTANCE, COULD [REDACTED], HAD MADE. ISSUE CRIME.

FOR, Voluntary Manslaughter OFFENSE, lesser plea. PLAINTIFF, [TOOK] STRAIGHT
OFF, THIS PSYCHIATRIC MEDICINE, (COUNSEL) FOR PLAINTIFF, INVESTIGATED REASONS
WHY, HE WAS CUT - [COLD-TURKEY] PROBABLY, NOTHER ERRO. FOR THE
STRICKLAND V. WASHINGTON TEST 466 U.S. 668, 104 S.Ct. 2052, 1984.

(SEE) HENDERSON V. MORGAN 96 S.Ct. 2253, * 28 U.S.C. 2254 CASE *

NATURE OF AHH (CIRCUMSTANCE), OF THIS CASE PLAINTIFF, [BEING COLD-TURKEY]
TRIED, COMMIT SUICIDE, [DEPRESSION] LEGALLY BLIND IN ONE EYE,
[REDACTED] MENTALLY, ISSUE INVOLVED, TIME INCIDENT OCCURRED, BRING SOME [QUESTION]
ON COUNSEL (CONDUCT) UNDERMINED, TO MAKE PROPER FUNCTIONING
INVESTIGATION, (WHY) HIS CLIENT, TOOK OFF (COLD-TURKEY) [REDACTED]

PLAINTIFF HAS HAD, SERIOUS MENTAL ISSUE, SHOULD HAD, BETTER FULLER
[PSYCHOLOGICAL EVALUATION], COUNSEL'S WAS INDEED INEFFECTIVE WITH ASSISTANCE.
FOR NOT MAKING INVESTIGATION INTO PLAINTIFF [UNBALANCED] CHARACTER, & WHY

DOCTOR TOOK, OFF HIS STRANGE MEDICATION, PLAINTIFF EXPLAINED, AT GUILTY PLEA
PHASE, HIS LOVE FOR HIS WIFE, (ASLO) MOTHER OF [REDACTED] VICTIM EXPRESS, HER
LOVE FOR (HER) SON: HAW MR DARELL ANTHONY MERRITT, EVER MOTHER
THOUGHT, WAS, NOT [HATE] CRIME, TRAIL JUDGE, COULD HAS SHOWN MORE

"MERCY". COUNSEL PERFORMANCE [REDACTED] WAS POOR (DEFECTIVE). TO BUILD AND
VOLUNTARY MANSLAUGHTER DEFENSE, THIS WAS PLAINTIFF WIFE, THAT WAS TOOK OFF
MEDICATION, RAISE GOOD QUESTION. UNDER STRICKLAND-WASHINGTON * TEST *

Specially, [NO FEDERAL WAIVER CONTRACT] SIGNING HIS UNITED STATE
CONSTITUTIONAL RIGHTS, WITH HIS COMPLETE - INTELLECTUALISM, KNOWLEDGE -

WHAT, GIVING AWAY, BY THIS PLEA. [LANGUAGE]. TO (INTERPRET)
(TERMS) OF (LAW) - STATUTE - CONSTITUTIONAL - RIGHTS AT

(STAKE) FROM DOUBLE JEOPARDY CLAUSE. [PROTECTION] OF EQUAL *

* RIGHT. CONVICTED - AND - NOT YET CONVICTED RIGHT ARE [NOT] STRIP AWAY.

FOR FAIRNESS, OF DUE PROCESS CLAUSE RIGHTS VIOLATION.

Ground 4th * Continue [Counsel defectiveness] assistance
FOR STRICKLAND V- WASHINGTON CLAIM TEST. STANDARD RE-VIEW.

* PICA Hearing & post-conviction-RELIEF ERROR. WITH MERIT'S
SEE: Hill-v-LOCKHART 474 U.S. 52, 1985.

STATE FAILED PROOF OF BURDEN OF MENTAL ILLNESS, OF MIND
SET, BEFORE CRIME OCCURRED. SEE. BURK-V-UNITED 98 S.Ct 2141 (1978)
MENTAL ILLNESS CONDITION TIME OF CRIME OCCURRED, GOVERNMENT,
NEVER PROVE BURDEN OF MIND SET, BEFORE OR AFTER CRIME
WITH PHYSICALISM ELEMENT COMMITMENTS BY WITNESS, OF CRIME
STATE FAILED PROVE BURDEN OF PROOF, OF POSSIBILISM - VOLUNTARY
MANSLAUGHTER CASE. UNDER Hill-v-LOCKHART 474 U.S. 52, 1985
possibility. CIRCUMSTANCE THAT JURY, WOULD REQUEST MANSLAUGHTER
CASE: PETITIONER EXPRESSION HIS LOVE, FOR HIS WIFE, ~~THAT~~ THAT WAS
UNDER MENTAL ILLNESS CONDITION, TIME OF CRIME OCCURRED,
BEING GONE COLD TURKEY. OF WITHDRAWN, SYMPTOM, THAT MOST
DRUGS USER-DRINKER, HAVE AFTER EFFECT'S. THEIR AND GREAT POSSIBLE,
MATTER, FOR INEFFECTIVE ASSISTANCE CLAIM, FOR FEDERAL RE-VIEW, DE NOVO
STANDARD RE-VIEW, HABEAS ~~CORPUS~~ FEDERAL CORPUS, CASE. "STUDY".

UNDER: STRICKLAND TEST. STATE OF SOUTH CAROLINA COURTS (NOT)
(HONORING) ON STATE HABEAS CORPUS COMMON PLEAS COURT CASE.

UNDER: Hill-v-LOCKHART 474 U.S. 52, 1985, OUTCOME.

OF CASE: FOR ~~IN~~ VOLUNTARY MANSLAUGHTER DEFENSE: THAT 45 YEARS
MAY BE CRUEL-AND-USUAL- PUNISHMENT. UNDER FEDERAL HABEAS
CORPUS 28. U.S.C. § 2254.(b) [STATE REMEDIE EXHAUSTED] CONCLUSION
POST-CONVICTION-RELIEF ORDER, FOR STATUTE LIMITATION ISSUE.

BRING CLAIMS TO FEDERAL COURTS JURISDICTION, CHALLENGE 45 YEARS
SEEMS (HARASS), PETITIONER, BEING COLD TURKEY MENTAL ILLNESS.

CONDITION, STATE GOVERNMENT HAS ~~NOT~~ PROVE, BURDEN (PHYSICAL MIND)
(SET) PHANTASMA GORIA EVIDENCE'S OF CRIME, ELEMENTS

FORM STATE OFFICIAL DONE EVALUATION, MOST TIME TESTIFY
IN STATE [FAVOR] POSSIBILITY. (NO) PHYSICAL DOCUMENTATION
HOW MANY HOURS STATE PSYCHIATRIC'S SPENT WITH
PETITIONER... ABOUT HIS MIND SET, OF DAY OF CRIME.

BEING COLD (TURKEY) WITHDRAWS, SYMPTOM, OF MENDICATION.

CONTINUE OF GROUND'S AT "DISPUTE"

* Grounds 5[#] ERROR'S OF INEFFECTIVE ASSISTANCE COUNSEL
Found in plea TRANSCRIPT'S. PARADOX - PARAGRAPH[#] Exhibit

SEE page 7[#] 1[#] through 25[#]

SEE page[#] 8[#] 5-23. Through

SEE page[#] 9[#] 8-12 Through

SEE page[#] 10[#] 14-25 Shot gun, Shoot's (pellet's) Not (BULLET'S)

SEE page[#] 11 - 1-12.

SEE page 12[#] 10, 11, NO PROOF WHO DONE IT

SEE page 12[#] 18, 19 22-25 possibility double Jeopardy
CLAUSe, Counsel Should had made Objection.

SEE page (13) 1-7[#] possibility INCREASED Sentence's
iniquity - THE HARSE - PUNISHMENT Counsel Should. made AND
Objection (CRIME), had NOTHING do with NOVEMBER 29, 2012.

PETITIONER EXPRESS: Stated his love for wife. 18-20, for
Voluntary MANSlaughter defense, possibility AGE (FACTOR)

SEE page 14[#] 7, 8, -9-. NO FEDERAL Showing WAIVER Signing
OF Voluntary INtellegence, KNOWING FEDERAL Right's ALWAY.

UNDER Boykin - v - ALAMBA MANDATE Rule Accepting guilty, pleas
Precedent. 395. U.S. 238. (1969), Still CONTROLLING

SEE PARAGRAPH 17-18, page 14[#] possibility being illiterate, Tenth
Grade hearing. do (petitioner) UNDERSTAND LACK OF SUBJECT

MATTER JURISDICTION, OF CRIME COMMITTED Greenwood County. did,
petitioner. OF IN PARAGRAPH 17, -18- 21, 22, OF his illiteratESS,

Tenth grade Education UNDER. HIGH - v - LOCKHARD, U.S PRECEDENT.

Did Counsel Explain, OFFER ASSISTANCE option AND Voluntary
MANSlaughter defense

SEE page[#] 15[#] PARAGRAPH 2, 5, did Counsel Explain. This

VENUE, Waiving his Right's FOR LACK OF SUBJECT MATTER JURISDICTION

dispute. OF LAURENS County WERE CRIME WAS ~~CRIME~~ ??? NOT ??

IN PARAGRAPH 7, 8, 9, 10, 11, 12, 13, Where THE EVIDENCE OF UNDERSTANDING

OF MAN WITH ONLY Tenth GRADE Education, depressed - (Cold Turkey)

OFF medication HAS COMMITMENT Suicide before,

SEE page 16[#] PARAGRAPH. 1-Through 23, did Counsel Explain

These ISSUE, to PLAINTIFF:

(SEE) WOOD - v - ZAHRADNICK 611. F.2d 1383. 1980

PSYCHIATRIC EVALUATION MENTAL ILLNESS ISSUE OF Cold

'TURKEY' WITH DRAWS. THE UNBALANCED - MIND (Set) before & AFTER

CRIME.

CONTINUE dispute OF INEFFECTIVE ASSISTANCE OF COUNSEL.

1 **THE COURT:** I'm told that he wants to plead guilty
2 to two offenses; the offense of murder and the offense
3 of arson. Is that correct?

4 **MS. NELSON:** Yes, sir.

5 **THE COURT:** The murder charge carries 30 years to
6 life and it's arson and to what degree?

7 **MS. NELSON:** Third, Your Honor, I believe, which
8 is up to fifteen.

9 **THE COURT:** Up to fifteen. (You've explained) to
10 Mr. -- you and Mr. Adducci then have explained to
11 Mr. Merritt the (nature of these penalties) the elements
12 involved with these offenses and all his constitutional
13 rights?

14 **MS. NELSON:** We have, Your Honor.

15 **THE COURT:** Do you agree with his decision to
16 plead?

17 **MS. NELSON:** I do, Your Honor. I respect that he's
18 taking responsibility for what happened and I agree with
19 his decision to plead.

20 **THE COURT:** Okay. From your (investigation) of the
21 facts and the (allegations involved) in this incident, do
22 you believe that the State possesses sufficient credible
23 evidence to prove Mr. Merritt's guilt at trial beyond a
24 reasonable doubt and that if you were to proceed to
25 trial his conviction would be likely?

1 MS. NELSON: Yes, Your Honor.

2 THE COURT: Mr. Merritt, if you would just raise
3 your right hand as best you can.

4 (Whereupon, Darell Anthony Merritt was duly sworn by
5 the Court.)

6 THE COURT: You are Darell Anthony Merritt?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Mr. Merritt, how old are you, sir?

9 THE DEFENDANT: 55.

10 THE COURT: And how far did you go in school?

11 THE DEFENDANT: (Tenth grade.)

12 THE COURT: Did you ever get your GED or pursue --

13 THE DEFENDANT: No, sir.

14 THE COURT: (No) technical (education?)

15 THE DEFENDANT: (Shakes head.)

16 THE COURT: What kind of work have you done in the
17 past?

18 THE DEFENDANT: I've done landscaping just about
19 all my life. I draw disability now.

20 THE COURT: And what's the nature of your

21 (disability?)

22 THE DEFENDANT: My back and being blind.

23 THE COURT: All right. Are you blind in both eyes?

24 THE DEFENDANT: I'm blind in my left and I got a
25 cataract on my right.

1 THE COURT: Okay. So I assume you're legally
2 blind?

3 THE DEFENDANT: (Legally blind)

4 THE COURT: Mr. Merritt, you can (read) and (write)?

5 THE DEFENDANT: (NO) I'm (illiterate.)

6 THE COURT: All right. Mr. Merritt, have you ever
7 been treated for any (mental illness issues) or any (mental)
8 (problems) of any kind that you're aware of?

9 THE DEFENDANT: I went to the (hospital a couple) of
10 (times.)

11 THE COURT: For what?

12 THE DEFENDANT: (Trying to commit suicide.)

13 THE COURT: Okay. Was there a diagnosis made by
14 the doctors? Did they give you any sort of diagnosis
15 or was it simply depression?

16 THE DEFENDANT: (It was depression.)

17 THE COURT: All right. And were you taking any
18 medication -- are you taking any medication now?

19 THE DEFENDANT: I was taking a (bunch of medicine).
20 The doctors (jerked me off) it; (Lortab) (Valium) (Xanax) and
21 (Oxycodone) (they cut me cold-turkey off,) and I still
22 (believe that's what (caused) me to do (something) of this
23 (nature).)

24 THE COURT: All right. But that was back around
25 November 29th of 2012?

1 THE DEFENDANT: (Nods head.)

2 THE COURT: I need you to answer out loud because
3 she has to write down everything.

4 THE DEFENDANT: Yes, sir. Yes, sir.

5 THE COURT: Are you on any medication today?

6 THE DEFENDANT: I am.

7 THE COURT: What medication?

8 THE DEFENDANT: I'm taking Celexa, 30 milligrams,
9 for depression.

10 THE COURT: Does the Celexa dope you out or --

11 THE DEFENDANT: It mellows me -- it mellows me out.

12 THE COURT: It mellows you out, but it doesn't
13 cause you to be sedated or anything?

14 THE DEFENDANT: No.

15 THE COURT: You understand what's going on here
16 today?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Ms. (Nelson) no concerns about mental
19 health issues or anything?)

20 MS. NELSON: Your Honor, we've -- I've had him
21 evaluated. I (believe) that he is competent based on --
22 based on (Dr. Schwartz-Watt's (opinion,?) and I can go (into)
23 that more when we talk to you in mitigation. ?

24 THE COURT: Very good. Mr. Merritt, again, I'm
25 told that you want to plead guilty to the offense of

1 murder and the offense of arson; is that correct?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: The murder charge carries a minimum of
4 30 years, a maximum of life. Do you understand that,
5 sir?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Additionally, you have to serve that

8 (day for day) It's classified as a violent and most
9 serious offense. Do you understand?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: If I gave you the minimum, you're

12 looking at 30 years; do you understand?

13 THE DEFENDANT: Yes, sir. ? whs

14 ? THE COURT: There are (no negotiations) or
15 (recommendations) in this case, so I could give you
16 30 years, I could give you life on that charge or I
17 could do anything in between; 40 years, 45 years. It's
18 entirely up to me. Do you understand, sir?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: On the arson charge, third degree
21 carries up to 15 years. Do you understand that, sir?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Now, Mr. Merritt, how do you want to
24 plead to these charges?

25 THE DEFENDANT: Guilty.

1 THE COURT: What I'm gonna do is I'm gonna ask the
2 Solicitor to give me the facts, okay? When he's done
3 speaking, I'm gonna ask if you agree that that's what
4 happened, so please pay very close attention to what
5 he's saying, okay, sir?

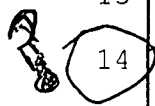
6 THE DEFENDANT: Yes, sir.

7 THE COURT: Go ahead.

8 MR. STUMBO: Your Honor, Assistant Solicitor White
9 has worked this case from the beginning. I'm gonna let
10 her give Your Honor the facts in this case.

11 THE COURT: Sure. Ms. White?

12 MS. WHITE: Thank you, Your Honor. Your Honor,
13 this incident occurred on or about (November 29) (2012)



14 at [REDACTED] which is in

15 Greenwood County. It originally came in as an ADT
16 fire alarm call to dispatch. They dispatched the
17 fire department. The fire department arrived, found
18 a trailer that was on fire. They were able to
19 extinguish the fire and upon looking around the
20 residence found a white female deceased behind the
21 bed in the bedroom.

22 They withdrew from the residence and called law
23 enforcement in. Law enforcement arrived, EMS arrived.
24 They found that she was deceased and that she had
25 sustained two what appeared to be (bullet) wounds. The

* Shot Gun don't shoot-pettie's

① victim in the case is Lisa Merritt. She was 46 years
 ② old at the time. She lived at the residence with (her
 ③ husband) Mr. Merritt.

4 Just a little bit of background on Ms. Merritt.
 5 She operated on about a (ten) or (eleven-year)-old (mental)
 ⑥ level. She was (receiving services) from the (Burton)
 ⑦ (Center). She was also hearing impaired. She couldn't
 8 -- I think was legally deaf, Your Honor. She was taken
 9 for an (autopsy). The pathologist found that the cause
 *⑩ of death were two potentially fatal wounds. I'm not
 *⑪ (sure which one ³ (caused her death)). The first was a wound
 *⑫ to her chest, a (shotgun blast) to the chest, and then
 13 one in the head, Your Honor. ↳ PELLET'S NOT BULLET'S

14 Around the same time that officers were on the
 15 scene investigating this, a call came in from -- again,
 16 from Greenwood Dispatch. Mr. Merritt had gone to his
 17 brother's residence, Michael Merritt, who's with him
 18 here today, and told Mr. Michael Merritt and his
 19 girlfriend, Ms. Paratano (ph.), that he had killed his
 20 wife. And at first they didn't believe him, but he
 21 told them that he had shot her twice and then thrown
 22 the shotgun into a river.

23 They called Greenwood Dispatch and arranged to
 24 bring Mr. Merritt back and met with law enforcement
 25 in Honea Path. Mr. Merritt was turned over to law

1 enforcement officers there and he did give a confession
 2 to law enforcement; said that he had shot his wife
 3 twice in the bedroom as she was getting ready for bed
 4 and then he took a match and lit the bedding on fire.

5 Your Honor, shortly after the residence was turned
 6 back over to the family. Her family -- Ms. Merritt had
 7 had a dog, a small dog, and they were looking around
 8 for the dog and couldn't find him. Eventually her
 9 uncle was able to find the dog. He was wrapped in a
 10 towel and stuffed behind a toilet where his skull had
 11 been crushed, which is the basis for the cruelty to
 12 animals charge that's being dismissed. (objection should made)

13 Your Honor, he does have a (criminal history) that I
 14 can share with the Court at the (appropriate time). Also,
 15 I do believe the victim's family wishes to address the
 16 court at the appropriate time.

17 THE COURT: All right. I'll be happy to hear from
 18 the victim's family after I've (accepted the plea) if I
 19 could, but would you go ahead and share with me the
 20 criminal history involved here, please.

21 MS. WHITE: Yes, sir. In 1976, he has a public
 22 disorderly conduct, 1979 a disorderly conduct, 1983
 23 malicious injury to real property, 1983 a stealing
 24 conviction. He received a probationary sentence for
 25 that, Your Honor. In 1983, attempted arson; received a

Objection should have been MADE?

① concurrent probationary sentence on that charge. In
 ② 1985, an attempted arson. Excuse me, Your Honor. I
 ③ think that's a -- he was revoked on his probation in
 ④ 1985. He has a DUI from 1993 and another arson
 ⑤ conviction from 1993 where he received ten years
 ⑥ suspended to five active with five years probation,
 ⑦ and another public disorderly conduct in 1999.

8 **THE COURT:** All right. But nothing since 1999?

9 **MS. WHITE:** No, sir.

10 **THE COURT:** All right. Mr. Merritt, you've heard
 11 what the State alleges happened out at -- I presume this
 12 was your house in Bradley, on November 29th of 2012. Is
 13 that what happened, sir?

14 **THE DEFENDANT:** Yes, sir. Sort of.

⑮ **THE COURT:** All right. What do you disagree with?

16 **THE DEFENDANT:** (I don't agree with)-- I know I shot
 17 her and I know I've got to be punished for it, but it
 ⑱ wasn't meant to be. It never crossed my mind to hurt
 ⑲ my wife. I loved her as well with my heart and I
 ⑳ worshipped that woman.

21 **THE COURT:** All right. Well, I understand your
 22 position, Mr. Merritt, but the State on the charge
 23 involving your wife basically alleges that you did
 ⑳ willfully, with (malice² aforethought) kill Lisa by means
 25 of shooting her and that she did die as a proximate

1 result thereof. Is it your desire to plead guilty to
2 this charge?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: All right. You don't dispute the fire
5 or the cause of the fire, do you, sir?

6 THE DEFENDANT: No.

7 THE COURT: Now, Mr. Merritt, I need to (review)
8 with you (certain rights) that you're giving up by
9 pleading guilty. At any time you have a question
10 about anything I say, I want you to stop me, okay?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Stop me and I'll give you as much
13 time as you want to to talk to either Mr. Adducci or
14 Ms. Nelson, okay, sir?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Now, first of all, Mr. Merritt, (you do
17 (understand) that obviously we are in (Laurens County)

18 today, we're not in (Greenwood) ?? LACK OF SUBJECT
19 THE DEFENDANT: Yes, sir. ? *MATTER PERSONAL
? JURISDICTION JURISTION

20 THE COURT: You have the right to have this matter
21 heard in (Greenwood County because) that's where the (crime)
22 is alleged to have (taken place). You can go forward with
23 your plea today, but you have to (waive venue) and allow
24 it to be heard here in (Laurens). Are you okay to do
25 that, sir?

Lack of SUBJECT MATTER JURISDICTION
did Counsel Explain VENUE ???

1 THE DEFENDANT: Yes, sir.

2 THE COURT: All right. Additionally, Mr. Merritt,
3 you realize you do not have to plead guilty, you could
4 have a jury trial in this case. Do you understand that,
5 sir? [?]

6 THE DEFENDANT: Yes, sir.

where CRIME WAS COMMITTED

7 THE COURT: The jury trial would take place in
8 Greenwood. During the course of that trial, you and
9 your attorneys would help pick twelve people from
10 Greenwood County who would be the jury. They would sit
11 in the jury box and the State would have the burden of
12 proving your guilt beyond a reasonable doubt to all
13 twelve of their satisfaction. Do you understand?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: All twelve of them would have to agree
16 that you were guilty of this before you could be
17 convicted in any way. Eleven to one, that won't work.
18 All twelve have to agree that you're guilty of this.
19 Do you understand, sir?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: The way the State would try to go
22 about meeting this burden is they would call their
23 witnesses to testify against you. One by one they
24 would come forward, they'd take the witness stand,
25 they'd be placed under oath and you and your attorneys

① would have a chance to see, confront and cross-examine
② those witnesses. You could ask them any question that's
③ relevant to any issue involved in this case. Do you
④ understand, sir?

⑤ **THE DEFENDANT:** Yes, sir.

⑥ **THE COURT:** And at trial you have no burden of
⑦ proof. The burden of proof always is on the State of
⑧ South Carolina to prove your guilt beyond a reasonable
⑨ doubt. If you wanted to, however, you could call your
⑩ own witnesses to testify. If those witnesses did not
⑪ want to come to court, you could subpoena them and force
⑫ them to come to court. Do you understand, Mr. Merritt?

⑬ **THE DEFENDANT:** Yes, sir.

⑭ **THE COURT:** Additionally, if you wanted to testify,
⑮ you would be free to do that. Understand that nobody
⑯ could force you to testify in any case where you're a
⑰ criminal defendant. Do you understand?

⑱ **THE DEFENDANT:** Yes, sir.

⑲ **THE COURT:** That's your Fifth Amendment right
⑳ against self-incrimination. That means that I couldn't
㉑ force you to take the stand, your attorneys couldn't,
㉒ the State couldn't. That would be a personal right that
㉓ only you can waive. Do you understand?

㉔ **THE DEFENDANT:** Yes, sir.

㉕ **THE COURT:** But if you wanted to, you would

[before plea phase]
did? Counsel Explain 14-21

1 certainly be entitled to testify. You'd be subject to
2 the same rules of cross-examination as pretty much any
3 other witness. So if you decided you didn't want to
4 testify, I would instruct the jury that they couldn't
5 hold that against you, they couldn't even talk about
6 it in the jury room. Do you understand, Mr. Merritt?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Mr. Merritt, that's your Fifth
9 Amendment right against self-incrimination. By
10 pleading guilty, obviously you waive that right
11 because you're admitting to me that you did commit
12 these crimes. Do you understand, sir?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Additionally, at trial you would be
15 presumed innocent. The way a presumption of innocence
16 works is very simple, Mr. Merritt. Right now in the
17 eyes of the law you're not guilty of these crimes
18 because I haven't accepted your plea yet and you still
19 have not been convicted at trial obviously, so right
20 now in the eyes of the law you're innocent of these
21 charges. Do you understand, sir?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: If you plead guilty though, you waive
24 your presumption of innocence. Additionally,
25 Mr. Merritt, by pleading guilty you're (waiving) your

Where's - FEDERAL
WAIVER

1 right to present any defenses you might have to this
 2 charge. (I've got no way of knowing) if you have any
 3 defenses or not. I'm sure that's (something) that (y'all)
 4 discussed with your attorneys; is that right? }

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Although it's not a defense, I mean,
 7 one thing that your attorney could try to do at trial
 8 is (convince) the jury this is a (voluntary manslaughter)
 9 case; that you killed Lisa in a [sudden heat of passion]
 10 because of some argument or some fight. Do you
 11 understand that?

12 THE DEFENDANT: Yes, sir, but I wasn't -- can I say
 13 something?

14 THE COURT: Sure.

15 THE DEFENDANT: It wasn't -- it wasn't an argument.
 16 We never (hardly ever fussed) I (never abused) her or
 17 nothing.

18 THE COURT: All right. ?

19 ? (MS. NELSON:) We have (talked about this) If there
 20 had been something like that, that that would -- we've
 21 had several discussions about the (difference) between
 22 murder and (voluntary manslaughter) Your Honor. ?

23 (THE COURT:) And while we're on that topic, I'm
 24 assuming that you've (explored the possibility) of ?
 25 (voluntary intoxication) or (involuntary intoxication) or

?
 ?
 ?
 ?
 ?
 ?
 ?

1 something along those lines?

2 MS. NELSON: Yes, Your Honor, and I can tell you
3 more about that. did SHE ?? ?

4 THE COURT: All right. You understand though,
5 Mr. Merritt, the important thing is, is whatever
6 (defense) you (might have) to these (charges), if you have
7 one, (you understand that you're (waiving) your (right) to
8 (present) that defense by pleading guilty. Do you
9 understand?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: (Finally,) I (really (don't know) what
12 (evidence the (State) has against you.) They've given me
13 a (brief) recitation of the facts. I don't know if you
14 gave a (confession) to the police, I don't know if they
15 searched your person or your property, I don't know
16 if they had a (warrant for that search), I don't know if
17 your (Miranda rights) were read to you if you gave a
18 confession, if you gave a confession. You understand
19 though if you plead guilty you (waive your right) to
20 (contest) any of the (evidence) that the (State has against)
21 (you) Do you understand, sir? WHERE THE FEDERAL
WAIVER

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Finally, Mr. Merritt, you understand
24 that this is classified as a most serious offense.
25 What that means is that after you get done serving the

WHERE WAIVER
PRESENTMENT

1 time that you're gonna have to serve on this if you
 2 get out, or when you get out, if you're convicted
 3 of another most serious offense like murder or
 4 manslaughter, kidnapping, criminal sexual conduct,
 5 things of that nature, if you're convicted of another
 6 one of those crimes the State could seek life without
 7 the possibility of parole against you. Do you
 8 understand, sir?

9 THE DEFENDANT: Yes, sir.?

Where's FEDERAL
 WAIVER

10 THE COURT: I've (discussed) with you a number of
 11 very important (constitutional rights) Are you sure you
 12 want to give those rights up and plead guilty?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: And you're happy with the State's
 15 discovery response?

? STRICKLAND test?

16 MS. NELSON: Yes, Your Honor.

17 THE COURT: (Have you shared) that (with Mr. Merritt)
 18 to the (extent) he's (wanted) or (needed) to (see it?)

19 MS. NELSON: I have, Your Honor.?

20 THE COURT: Mr. Merritt, I've got a couple of
 21 questions about how your attorneys have represented
 22 you and how you feel about their representation, okay?
 23 Are you satisfied with the help that Mr. Adducci and
 24 Ms. Nelson have given you?

25 THE DEFENDANT: Yes, I am, sir.

CONTINUE OF GROUND OF ERROR'S Guilty pleas TRANSCRIPT'S
SEE PAGE 17" PARAGRAPH 14, - 21, did petitioner, ???
TRULY UNDER WITHOUT WAIVER PRESENTMENT OF FEDERAL LAW
CONSTITUTIONAL ALL HIS RIGHT OF THE UNITED STATE CONSTITUTIONAL
UNDER BOYKIN-V-ALABAMA RULE MANDATE CONTROLLING GUILTY PLEAS.
IS, IT POSSIBLE FOR ERROR'S COUNSEL WAS INEFFECTIVE WITH COUNSEL MOT,
BY OBJECTION, BEEN MADE OF EXPLAINING ALL CONSTITUTIONAL, RIGHT
PETITIONER GIVING UP OF ALL FEDERAL CONSTITUTIONAL RIGHTS WITHOUT
(AND) MANDATE RULE ACCEPTING GUILTY PLEAS UNDER BOYKIN-V-ALABAMA.
RULE. 395. U.S. 238 1964. STILL CONTROLLING U.S. PRECEDENT.
OF WRITING FEDERAL LAW RIGHTS. WAIVER, INTELLIGENT KNOWING MADE
CONTINUE GROUND 5" AT DISPUTE, INEFFECTIVE ASSISTANCE COUNSEL
(SEE) PAGE 18, 1- THROUGH 2, 3, 4, - 6, 7, 8, 9, did Counsel ??
PROVE HIS EXPLANATION - BURDEN OF 6th AMENDMENT'S TO, PETITIONER
OF EXPLORE, EXPLORATORY - PETITIONER UNDERSTOOD, OUTCOME OF
HIS FOR VOLUNTARY MANSLAUGHTER & IF, PETITIONER TOOK JURY TRIAL.
POSSIBILITY THE OUTCOME UNDER HILL-V-LOCKHART. 474. U.S. 52 (1985)
CAUSE OF CIRCUMSTANCE, DEFENSE, BEING COLD-TURKEY JERK OFF
PSYCHIATRIC MEDICATION, WITH AFTER FEET'S WITH DRAWS ~~SYMPTOMS~~
(SYMPTOMS) THERE POSSIBILITY FOR FEDERAL HABEAS CORPUS
28. U.S.C. 2254(b) UNDER THE PRONG TEST, GUILTY PLEAS
UNDER STRICKLAND-V-WASHINGTON 466 U.S. 668 1984.
CONTROLLING GUILTY PLEA INTELLIGENCE TIME OF GUILTY PLEAS CASE.
WAS (COUNSEL) NOT INEFFECTIVE FOR (NOT DISPUTED) FOR
VOLUNTARY MANSLAUGHTER DEFENSE, COUNSEL PERFORMANCE WAS DEFICIENT,
OF ALL CIRCUMSTANCE AND INQUIRE AND REASONABLE PROBABILITY. ERROR'S
FOR NOT MAKING OBJECTION, FOR ARGUMENTUM FOR VOLUNTARY MANSLAUGHTER
CASE. PETITIONER ADMITTED, HIS LOVE OF HIS WIFE, NEVER HURT HER IN PAST.
(SEE) HILL-V-LOCKHART 474. U.S. 52, 1985 POSSIBILITY FOR AND
DUTY OF DISPUTE, DIFFERENCE OUTCOME. VOLUNTARY MANSLAUGHTER PLEA.
CIRCUMSTANCES, MENTALLY ILLNESS CONDITION COLD-TURKEY - JERK OF
MEDICATION, BEFORE, CRIME, OCCURRED. (SEE) BURK-V-UNITED STATE
98 S.Ct. 2141 (1978) MENTAL ILLNESS CONDITION.
(ALSO) (SEE) WOOD-V-ZAHRADNICK 611 Fed 1383, 1980.
PSYCHIATRIC - MENTALLY ILLNESS. WITHDRAW SYMPTOM'S

CONCLUSION OF GROUNDS AT DISPUTE.
NEXT PAGE

(CONTINUE) CONCLUSION MEMORANDUM OF LAW

OF PROSE, petition FOR WRIT OF CERTIORARI, BRIEF.

FOR SPECIAL APPEAL WITH CASE WITH MERITS AT DISPUTE.

THAT LAURA MC CAH SAUNDERS. WAS NEGLIGENCE OF (ERROR'S) STATE TAXES DOLLAR PAY. FOR ~~THE~~ JOB, REVIEW, TRIAL GUILTY PLEAS TRANSCRIPTS, THAT WAS NEGLECTED, FOR (NOT) INVESTIGATION. THESE ERROR'S, WITH MERIT OF PARAGRAPH BY PROSE LITIGANT RESEARCH.

SHE, AS HIS POST-CONVICTION COUNSEL WAS NEGLECTED... THEREFORE PETITIONER, SEEKS FEDERAL HABEAS CORPUS. 28. U.S.C. 2254. (b)

OF MERITS LAURA MC CAH SAUNDERS, POOR JOB FOR NOT PREPARING FOR INFORMA PAUPERIS. STATE INMATE. THAT ONLY HAD TENTH GRADE EDUCATION SHE FORCE, INFLUENCE PETITIONER, HE HAD (NO) GROUND'S FOR RELIEF, OF THE STRICKLAND WASHINGTON TEST. OF GUILTY PLEAS.

THAT PROVE NEGLIGENCE OF UNINTELLIGENT - UNDER - UNEDUCATED MAN WITH ONLY TENTH GRADE LEARNING LEVEL (BUT SHE GOT) PAID FOR NOTHING

THIS CASE HAS MERITS TAKE FEDERAL LAW CONSTITUTION JURISDICTION, FOR POOR DUTY & EXPLICITLY OF ERROR'S FOR POSSIBILITY FOR AND

VOLUNTARILY MANSLAUGHTER, DEFENSE, THAT PLEA 45 YEARS DAY-OR-FOR-DAY SEEM UNCONSTITUTIONAL IN THIS CASE. PETITIONER WAS (COLD TURKEY)

WITHDRAW "SYMPTOMS" DEPRESSION - SUFFERABLE, HAD TRIED

SUICIDE ATTEMPS. DEPRESSION HAD BEEN ON BUNCH MEDICATION

SEE OWENS - V - OKURE 488 U.S. 235, 336, 1989.

PETITIONER HAS STATUTES OF LIMITATION'S MET (CAUSE) FOR

CAUSATION PURSUANT HIS (COLLATERAL ATTACK) OF HIS

EXTRAORDINARY CLAIM. STRICKLAND - V - WASHINGTON

466 U.S. 688 1984, INEFFECTIVE ASSISTANCE CLAIM. PETITIONER,

(WAS) NEGLECTED BY HIS SIX AMENDMENT RIGHT, BEING

UNDER IN-FORMA - PAUPERIS, TENTH GRADE EDUCATION.

AFFIDAVIT SERVICE

ON ALL PARTY IN CAPTION:

SWORN AND SUBSCRIBED ON THIS DATE OF BEFORE ME,

March 17, 2015.

Luchean Bryant

Notary public for South Carolina.

My Commission Expires May 26, 2020

Darrell K. Merritt

DARRELL ANTHONY MERRITT

LIEBER CORRECTIONAL

P.O. Box 205 Ridgeway SC

29472

*Opening MEMORANDUM OF-LAW CAUSE- CAUSATION

To: South CAROLINA SUPREME COURT'S

Post Offices Box 11330

COLUMBIA SOUTH CAROLINA S.C. 29211

PROSE petition, FOR (WRIT'S CERTIORARI) CASE NO. 2014-C.P.-24-1123.

STATE INMATE DARRELL-A. MERRITT PRAYS, UNDER EXTRAORDINARY COLORABLE CLAIM, ON ISSUES OF INEFFECTIVE ASSISTANCE PLEA, & OF (GUILTY)

OF, (COMPETENCE) (ILLITERATENESS) (PSYCHIATRIC) OF (INTELLIGENTLY)

(KNOWINGLY) MADE OF ALL (FEDERAL CONSTITUTIONAL LAWS) VOLUNTARILY - RIGHTS

(WAIVING) UNDER BOYKIN-V-ALABAMA 395 U.S. 238 (1969)

RULE MANDATE, CONTROLLING PRECEDENT IS (POSSIBILITY OF ACTUALITY)

(PREJUDICED) - (CAUSE) FOR COLORABLE CLAIM. PETITIONER HAS (FIFTH GRADE) ?!

EDUCATION, KNOWINGLY (ALL) CIRCUMSTANCE OF PLEA BARGAIN ENTERING.

VOLUNTARILY - KNOWINGLY - INTELLIGENTLY. ACCEPTANCE - OF GUILTY PLEA. *

OF FUNDAMENTAL FAIRNESS, (OR) UNFAIRNESS OF DUE PROCESS, ENSURE

OF EQUAL RIGHTS, MAKING OF INTELLIGENTLY - MADE BY (COUNSEL) AT GUILTY

(PHASE) EXPLAINED, EXPLAINING - (COMPETENCE), (WAIVING) ALL (RIGHTS) AWAY.

OF (CIRCUMSTANCES) OF PLEA. (SURROUNDING PLEA BARGAIN OF (POSSIBILITY))

* VOLUNTARY MANSLAUGHTER * DEFENSE, (STATE) HAS NO EVIDENCE OF (BOTH)

INDUCE - OF INDIVIDUAL - (MIND) - (SET) BOTH HAD (MENTALLY ILLNESS) ISSUES

(PHYSICKING) - (PHYSICAL) CHEMISTRY, (PHYSICIST) BEFORE (CRIME)

OCCURRED, OF (MENTAL ILLNESS) (COLD TURKEY) WITHDRAWS,

(SEE) WOOD-V-ZAHADNICK 611 F.2d 1383, 1980, [EVALUATION.]

(STATE) NEVER (PROVE) BURDEN PROOF OF (MIND) (NATURE) (BEFORE) ARE

AFTER: CRIME OF FULL-PSYCHOLOGICAL PERSONALITY- INVENTORY.

X COUNSEL - X INFLUENCE X ~~PA~~ PLAINTIFF February 17, 2015, (NO) MERIT'S

X FOR RELIEF, (BECAME- (NEGLECTED)) OF (STATE COUNSEL) FOR (NOT)

* REVIEWING - GUILTY PLEA (TRANSCRIPT) FOR (ERROR'S) OF INEFFECTIVE,

ASSISTANCE. CLAIM UNDER COLOR OF STATE LAWS. (NEGLECTANCE)

(FAILURE) OF (DUTY) BY LAURA - MCALH SAUNDERS X PROTECT *

X FOR, 28 U.S.C. 2254. (b) OR TITLE 42 U.S.C. 1983

TO THE SOUTH CAROLINA SUPREME COURT'S

MEMORANDUM OF LAW PREJUDICE

OPENING STATEMENTS - MOTION CAUSE.

FOR PROSE WRITS OF CERTIORARI

* EXTRAORDINARY REASONS OF CIRCUMSTANCE *

* ILLITERACY, TENTH GRADE - ~~THE~~ QUESTION?

OF INTELLIGENT OF INTERPRETATION OF ALL CONSTITUTIONAL RIGHTS LAWS.

* FEDERAL CONSTITUTION LAW, OF UNITED STATE CONSTITUTION. *

BRING QUESTION? INTO CREDIBILITY OF DEGRAVED CONDITION OF (MERITS) UNDER PRECEDENT BELOW.

* STRICKLAND - V - WASHINGTON 466 U.S. 668, 1984. GUILTY PLEAS

* HILL - V - LOCKHART 474 U.S. 52, 1985, INTERPRETATION OF LAWS

* BOYKIN - V - ALABAMA 395 U.S. ~~395~~ MANDATE RULE 238 1969

DEPRIVING, FEDERAL WAIVER, INTELLIGENT - KNOWINGLY MADE. (CONTEST)

FEBRUARY 11 - 2015, COLLATERAL ATTACK, WHAT (RIGHTS) GIVING UP??

OF UNITED STATE CONSTITUTIONAL BILL'S OF RIGHTS * EQUAL OPPORTUNITY *

APPOINTED STATE COUNSEL MRS LAURA MCCOIL SAUNDERS

INFORMATION, PETITIONER, THERE'S NOTHING I CAN DO FOR YOU???

NO, MERITS GET YOU RELIEF. STATE PAID COUNSEL TO PROTECT PETITIONER'S FROM DEPRIVING OF LIBERTY OF INTEREST. BRING QUESTION? RINGS

A, BEH, UNDER COLOR OF STATE LAW NEGLIGENCE OF DUTY

FOR (NOT) READING (INVESTIGATION (GUILTY PLEAS TRANSCRIPT) (ERROR'S),

PREPARE, BRING RELIEF OF STATE HABEAS CORPUS POST-CONVICTION RELIEF.

STATE TAXES PAYER DOLLAR \$ WAS COMPENSATED - FOR NEGLIGENCE OF JOB DUTY: RAISE QUESTION: COUNSEL NEGLECT DUTY. PAID FOR???

* 28 U.S.C. § 2254 (b) FEDERAL HABEAS CORPUS REVIEW DENIED.

* TITLE 42, U.S.C. § 1983 CAUSATION, DEPRIVING ONE RIGHT'S LIBERTY OF INTEREST AT STATE CUSTODY AT STAKE.

UNDER BOYKIN - V - ALABAMA RULE MANDATE STILL CONTROLLING INTELLIGENCE KNOWINGLY FEDERAL LAW. WAIVER OF ALL RIGHTS.

(A)

STATE OF SOUTH CAROLINA COURT
COUNTY OF GREENWOOD
IN THE EIGHTH JUDICIAL CIRCUIT
TO THE HONORABLE DONALD B. HOCKER

DARRELL A. MERRITT, 201444

- VS. PROSE PETITIONER

STATE OF SOUTH CAROLINA

DEFENDANT'S E.T.

MEMORANDUM LAW (NOTICE APPEAL)

PROSE BRIEF, FOR MOTION

PETITION FOR WRITS OF CERTIORARI

TO SOUTH CAROLINA SUPREME COURT

POST OFFICES BOX 11330

COLUMBIA SOUTH CAROLINA

29211

~~EX~~ EXTRAORDINARY CIRCUMSTANCES

MENTALLY ILLITERATENESS*

PRAY. PETITION OF WRITS OF CERTIORARI

PROSE DARRELL MERRITT 201444. ASK THIS (MOTION): (PETITION GRANTED)

FOR REASON BLAS, GROUND FOR [STRICKLAND WASHINGTON *TEST] **

PETITIONER HAS ADMITTED HIS TENTH GRADE EDUCATION, GUILTY PLEA TRANSCRIPT

BRING QUESTION? UNDER STRICKLAND TEST, OF INTELLIGENCE KNOWINGLY QUESTION

WAS, ALL RIGHTS AT (PLEA) EXPLAINED BY COUNSEL OF HIS JOB DUTY, UNDER

6th AMENDMENT OF CONST, THEREFORE PETITIONER WITH ONLY TENTH GRADE EDUCATION, MENTAL

ILLNESS, IS POSSIBLY UNDER INEFFECTIVE ASSISTANCE OF COUNSEL RINGIER (BEH)

(ALSO) UNDER HILL-V-LOCKHARD 474 U.S. 52, 1985, BRING STRANGE POSSIBILITY

OF, OUTCOME, IN ALL CIRCUMSTANCES OF GUILTY PLEA. ALSO) UNDER U.S. PRECEDENT

BOYKIN V. ALABAMA. RULE MANDATE 395 (1969) FEDERAL RIGHT LAW CONSTITUTIONAL

BEING WAIVED, FOR FEDERAL HABEAS REVIEW OF [STRICKLAND WASHINGTON] TEST. FOR ?

*INTELLIGENCE KNOWINGLY EXPLAINED (VENUE, CRIME COMMITTED) IN GREENWOOD, HEARING

IN (LAURENS COUNTY) POSSIBILITY OF LACK OF SUBJECT JURISDICTION OF ACCEPTING

GUILTY PLEA. OF DOUBLE JEOPARDY CLAUSE. CHARGE OF VENUE, EXPLAINED.

2d) POST-CONVICTION-RELIEF COUNSEL (NEGLECTED) DUTY FOR (NOT) STUDY (PREPARE)

BEFORE, GIVING DISCOURAGE (INFORMATION) PETITIONER, HAD NO MERITS FOR RELIEF

THERE'S NOTHING CAN DO, BRING QUESTION? UNDER COLOR OF STATE LAW ISSUE. ??

STATE PAID, COUNSEL BE SURE, PETITIONER WAS (NOT) DEPRIVATED OF ANY RIGHTS

OF, UNITED STATE CONSTITUTIONAL OF BILLS OF RIGHTS, PETITIONER (WAS)

GIVING (UP) FEBRUARY 17, 2015. EXHAUSTING HIS REMEDY, OF HIS COLLATERAL

*ATTACK STATE HABEAS CORPUS/ 28 U.S.C. 2254(b). FEDERAL COURT'S

UNDER STRICKLAND-V-WASHINGTON 466 U.S. 688, 1984. (ALSO) QUESTION? ???

*UNDER HILL-V-LOCKHARD 474 U.S. 52, 1985, THE INTERPRETABILITY??

PETITIONER, MENTALLY CONDITION, ILLITERACY. KNOWINGLY MADE INTELLIGENCE

(AND) UNITED STATE CONSTITUTIONAL OF BILLS OF RIGHTS BEING WAIVED-S? 2-17-15

*UNDER BOYKIN-V-ALABAMA. RULE MANDATE, STILL CONTROLLING CASE

GUILTY PLEAS. FEDERAL LAW CONSTITUTIONAL WAIVER- INTELLIGENCE MADE DONE?

=====

MR. DARRELL MERRITT S.C. DC 201999

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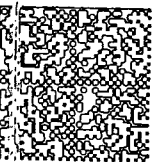
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