

4-18-2015

Jeffrey Doyle Gilliland #335786

F4 254 A-side McCormick CE

386 REDEMPTION WAY, McCormick SC.

29899

RECEIVED

APR 27 2015

S.C. Supreme Court

Daniel E. Shearhouse Clerk of Court

THE Supreme Court of South Carolina

Po. Box 11330 Columbia, Sc. 29211

2014-001859

Re: Original Pro-Se Petition for Writ of Certiorari

Dear Mr. Shearhouse,

Please find enclosed for filing the original Pro-Se  
Petition for Writ of Certiorari for the Courts

Consideration. Please clock-stamp and forward me a  
copy of it at your earliest possible CONVENIENCE.

Due to my indigent status, I was unable to make  
a copy for myself to have in my files therefore  
your assistance in this matter will be greatly appreciated

Thank you for your time and help,

With warm regards, I am

Jeffrey Doyle Gilliland #335786

Pro-Se Petitioner.

STATE OF South Carolina

IN THE Supreme Court

Certiorari to Greenville County

ROBERT B. Stilwell, Circuit Court Judge

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APR 27 2015

S.C. Supreme Court

Jeffrey D. Gilliland - Petitioner

- VS -

STATE OF South Carolina -- Respondent

PETITIONERS PRO-SE JOHNSON

PETITION FOR WRIT OF CERTIORARI

JEFFREY D. GILLILAND  
SCDC# 335786  
MCCORMECK CORR. INST.  
386 REDEMPTION WAY  
FH-254-A SIDE.  
MCCORMECK SC. 29899

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Letter OF ISSUES Presented

To Be Considered By THE COURT.

4-18-2015

To Supreme Court,

First I would ASK THE COURT to please forgive my LACK OF KNOWLEDGE OF THE LEGAL SYSTEM.

I understand that WANDA H. Carter HAS Filed ON MY behalf ON ONE ISSUE, AND AT Her Advice. I AM writing And asking THE Court to please take my ISSUES into Consideration. I AM Indigent And Can NOT AFFORD A Hired ATTORNEY TO HELD ME IN THIS matter. Therefore ALL I know to do IS write This and ask that my issues in this CASE Be Considered. Thankyou ALL IN ADVANCE FOR your Time and Consideration. Begging your patience, this will Be in letter form.

My Main Issue is with the already Filed WRIT OF CERTIORARI by WANDA. H. CARTER IN REFERENCE TO THE TWO Plea Bargins that MR. FARNSWORTH TURNED DOWN BEFORE Discussing with ME FIRST.

MR. FARNSWORTH TURNED DOWN TWO Plea BARGAINS, ONE FOR 15 years violent, THEN ANOTHER FOR 10 years violent, BEFORE Discussing these with me. MR. FARNSWORTH Claims HE Did this Because I had "Told Him I didnt want A violent Plea, OR Registry. That was NOT our Discussion. I HAD ALREADY BEEN Before The laurens County Court For these EXACT SAME Charges, AND RECEIVED A Negotiated Sentence of 10 years Non violent, THE Judge Tommy Houston HAD REVIEWED THE CASE AND ALSO Decided BASED on what was known, to Drop two more additional years from that 10 to 8 years Non Violent.

From the Beginning Mr. FARNSWORTH HAD Expressed to me that A Judge did not usually override another Judge's Decision. That he wanted to take me before the Judge on an open plea, that I did not want to go to trial, that it would probably not be a good idea. MR. FARNSWORTH Told me that most likely I would get the same time and it would be run concurrent, But that they would most likely not drop below the 10 years. LATER I WAS PACKED UP FROM Ridgeland C.I. And Brought To The Greenville County Courthouse to meet with Mr. FARNSWORTH. He informed me that the Solicitor had offered me 15 years violent, He said I turned her down And then she came back with an offer of 10 years violent to be run consecutive; And He turned that one down as well, I said OK, So what do you think, He said well you dont want that do you? I told him that I didnt know? That I didnt know what to do, that I did not want to go into court and get my head knocked off.

MR. FARNSWORTH Said: "LOOK, I'm going to take you before the Judge on an open plea, let me do what I do, I got this. I NEVER TOLD MR. FARNSWORTH what I wanted as for AS Sentencing. I trusted him to do what was in my Best Interest. That WAS MY Biggest mistake. MR. FARNSWORTH Turned Down Two Plea Bargains without Consulting me First.

Strickland 466 U.S. at 690 104 S.Ct at 2066 States The Courts presume Counsel, "rendered adequate assistance And made all significant decisions in the exercise of Reasonable professional Judgement. MR. FARNSWORTH Turned Down Two Plea Bargains without discussing them in detail with me first and fore most.

THAT DOES NOT SOUND LIKE Reasonable Professional Judgment. ANOTHER ISSUE WAS THE CHANGE OF VENUE. My Victim HAD A GRANDMOTHER, GRANDFATHER, AND AN AUNT THAT WERE ON THE POLICE FORCE. THE GRANDPARENTS BOTH WORKED FOR THE GREENVILLE County P.O. AND AN AUNT, ROBIN SCOTT, THAT WORKED FOR THE F.B.I.. A GUN THAT I WAS CHARGED WITH POSSESSION OF BELONGED TO MY MOTHER'S BOYFRIEND WHO IS A GREENVILLE County Detective. I TOOK THAT GUN FROM MY MOTHERS HOME, HER BOYFRIEND HAD LEFT THE WEAPON THERE AND IT WAS HIS POLICE REGISTERED FIREARM. I WAS AT THE POINT OF SUICIDE AND I ENDED UP IN A 6 HOUR STANDOFF WITH POLICE AND SWAT TEAM. I KNOW I CAUSED THE County OF GREENVILLE ALOT OF GRIEF AND MR. FARNSWORTH KNEW ALL OF THIS. THAT'S WHY I ASK HIM ABOUT A CHANGE OF VENUE BECAUSE I FELT THERE WAS NO WAY FOR ME TO BE TREATED FAIRLY UNDER THOSE CIRCUMSTANCES. MR. FARNSWORTH INFORMED ME THAT A CHANGE OF VENUE WOULD NOT HELP OR CHANGE ANYTHING. DURING MY PCR. MR. FARNSWORTH BLATANTLY LIED, SAYING I HAD NEVER MENTIONED THE CHANGE OF VENUE, AND THAT EVEN IF I HAD, THAT HE DID NOT THINK THAT THOSE REASONS I JUST STATED, WOULD HAVE MERITORIOUS? HE AGAIN PUSHED THE ISSUE THAT THE OPEN PLEA WAS IN MY BEST INTEREST. MR. FARNSWORTH HAD ME BROUGHT TO THE GREENVILLE County Courthouse ABOUT 5 TIMES TO DISCUSS MY CASE. ONE SUCH TIME HE ASKED ME; WELL, WHERE ARE WE? I TOLD HIM WHAT WE HAD LAST TALKED ABOUT THE PREVIOUS MEETING, BUT HE SEEMED DISTRACTED AND AT THIS TIME TOOK OUT A CIGARETTE AND STARTED TO LIGHT IT UP.. I SAID MR. FARNSWORTH, YOU CANT SMOKE IN HERE, HE REPLIED OH YEAH, AND PUT IT BACK IN HIS POCKET.

THAT STRUCK ME AS ODD, I WAS INFORMED LATER THAT VERY SHORTLY AFTER MY COURT DATE MR. FARNSWORTH HAD SUFFERED A STROKE. I DON'T KNOW IF MAYBE HE WAS ALREADY BUT HE HAD SEEMED TO NOT BE ALL TOGETHER AT TIMES, LIKE NOT BEING ABLE TO RECALL OUR PREVIOUS CONVERSATIONS. BUT IN THE PCR HE CLAIMS THAT HE REMEMBERS EVERYTHING? ON THE DAY OF THE OPEN PLEA WE MET BEFORE COURT. HE HAD ME GO AHEAD AND SIGN A BLANK SENTENCING SHEET. THEN HE SAID HE WAS READY AND FELT GOOD ABOUT IT AND TOLD ME TO RELAX. HE SAID THE JUDGE IS GOING TO ASK YOU SEVERAL QUESTIONS AND TO JUST SAY YES AND GO ALONG WITH THE QUESTIONS. HE SEEMED STILL VERY CONFIDENT.

DURING THE OPEN PLEA MS. SUSTAKOVITCH PRESENTED A LETTER THAT SHE STATED I HAD WRITTEN. I DID NOT WRITE THAT LETTER AND HAD NO AFOREKNOWLEDGE OF THAT LETTER BEFORE SHE READ IT IN COURT. I TOLD MR. FARNSWORTH THIS IMMEDIATELY. I WHISPERED TO HIM - I DID NOT WRITE THAT, AND HE NODDED AND BUSHED ME. BUT DID NOT OBJECT? IN THE PCR HE CLAIMS THAT WE DISCUSSED THE "LETTERS", WE NEVER DISCUSSED THIS. I HAD AS EVIDENCE, JOURNALS, DEARY, AND LETTERS WRITTEN TO ME, THERE NEVER WAS ANY LETTERS FROM ME: ALSO STATEMENTS WERE ALLOWED TO BE READ, (THAT I HAD DNA PROOF THAT WOULD SHOW THAT THESE WERE FALSE STATEMENTS) BEFORE THE JUDGE. THE JUDGE SENTENCED ME THAT DAY HAVING JUST HEARD FALSE EVIDENCE.

IN THE PCR MR. FARNSWORTH CLAIMS HE DID ABSOLUTELY NO WRONG. HE LIED AND DENIED - UNDER OATH, ABOUT THINGS HE HAD DONE AND SAID. THERE WERE A LOT OF LIES AND FALSE ALLEGATIONS THAT THE JUDGE HEARD RIGHT BEFORE HE SENTENCED ME. IN 1990 I WAS ARRESTED FOR HAVING POSSESSION OF AN OPEN BEER, I WAS A MINOR AND WAS CHARGED WITH THAT AND DISORDERLY CONDUCT.

I HAVE NEVER BEEN IN ANY TROUBLE AT ALL SINCE THEN UP UNTIL THIS INCIDENT. I HAD NO IDEA OF WHAT TO DO OR WHAT TO EXPECT. I HAD NO MEANS OR MONEY TO HIRE A PAID ATTORNEY. I DEPENDED ON MR. FARNSWORTH TO REPRESENT ME TO THE BEST OF HIS ABILITY. I LISTENED TO HIM AND TOOK THE OPEN PLEA THAT MR. FARNSWORTH SO STRONGLY SUGGESTED WAS IN MY BEST INTEREST.

THE SOLICITOR STRONGLY WANTED A GUILTY VERDICT, MR. FARNSWORTH STRONGLY SUGGESTED I TAKE THE OPEN GUILTY PLEA. NO ONE EVER SEEMED TO BE INTERESTED IN FINDING OUT THE REAL TRUTH. I MADE MANY THAT I NEVER DENIED. BUT I FEEL THAT MY SENTENCE WAS DECIDED BASED ON LIES AND FALSE EVIDENCE.

MY CASE WAS ONE BIG MISTAKE ON THE ACTIONS THAT I TOOK, IT WAS A CRIME COMMITTED ALL ONE EVENT, I WAS SENTENCED IN LAURENS COUNTY. GREENVILLE WAITED YEARS BEFORE EVEN HAVING ME ARRESTED, I HAVE BEEN SENTENCED TWICE, FOR THE SAME THING JUST DIFFERENT LABELS. I BEG THE COURT TO PLEASE LOOK AT MY ENTIRE CASE. ALL I ASK FOR IS A FAIR JUDGEMENT BASED ON THE TRUTH. I HAVE NEVER ONCE TOLD MY SIDE OF WHAT HAPPENED. AGAIN I BEG THE COURTS FORGIVENESS FOR NOT SUBMITTING A MORE FORMAL PETITION.

THANK YOU.

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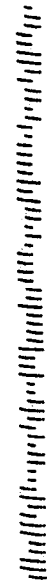
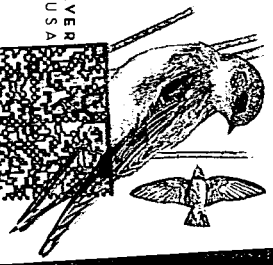
Respectfully Submitted  
15/ Mr. Jeffrey D. Gilliland

JEFFREY GILLILAND 335786  
McCormick Ct. F4 254 A.  
3386 Redemption Way  
McCormick SC. 29849

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