

THE HONORABLE JENNY ABBOTT KITCHINGS  
Clerk of Court For Court of Appeals

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APR 21 2015

SC Court of Appeals

I'm writing this motion, to appeal my guilty plea sentence, on charges 2014-GS-32-2357, 2014-GS-32-2358. I feel I was misled into the plea deal by my attorney and my solicitor threatened me. She said, she would get me in front of the worst two judges Lexington County had, because I, (KENO L. TOLIN), told her, (J. ANGELA GARRICK), that I wanted to take it to trial, due to I felt it was self-defense on my behalf on charge 2014-GS-32-2357. On my other charge, 2014-GS-32-2358, I was NEVER provided with ANY audio or video recording OR ANY physical evidence stating that I did, IN FACT commit that CRIME. IN COURT, the solicitor AND CHIEF OF POLICE (OSWALD), FROM Batesburg-Leculle, stated, "I WAS picked up at AN<sup>2</sup> HOTEL, IN A DRUG INFESTED AREA, WHICH IS NOT TRUE." IN MY DISCOVERY AND INCIDENT REPORT IT NEVER states ANY of that. IN FACT, IT DOES STATE, (TYRELL BRANDON) WAS the ONE who got ARRESTED AT the HOTEL, NOT ME. I FEEL the solicitor, ALREADY KNOWING this judge doesn't like DRUGS users, sellers, OR ANYTHING of that NATURE, Tried to paint A FALSE picture OF ME to the judge, KNOWING she did NOT HAVE ANY PROOF AND MY ATTORNEY (Tommy Shelly) knew this as WELL. IN FACT, I WAS AN HOUR away FROM the HOTEL in question, AS (TYRELL BRANDON) who was caught AT the HOTEL, told authorities WHERE I WAS AT. This charge was presented to me A year later, after the CRIME WAS committed. MY ATTORNEY NEVER really did investigate on the case, 2014-GS-32-2358, he just wanted ME to take the plea deal, because he felt like I would LOSE IN trial. He kept ON SAYING I would get life in prison, IN ORDER to pressure me into taking the plea deal AND that I had to take it the LAST WEEK IN Feb. OR the plea deal was OFF. I didn't even get a chance to talk it over with my family, because I was in court the next day ON Feb 27. 2015.

I REALLY FEEL, I WAS COERCED BY MY ATTORNEY + SOLICITOR INTO this deal. How could I GET FAIR REPRESENTATION, WHEN MY OWN ATTORNEY IS ON the solicitor side. I say this, because I informed him of the witnesses ON the Attempt of

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MURDER CHARGE, THAT SEEN the whole INCIDENT FROM START TO FINISH AND NOT CATCH the  
TAIL END of THE INCIDENT, Like the OWNER of the GAME ROOM DID, WHEN He GAVE A  
STATEMENT. IF He WOULD HAVE TAKEN their STATEMENTS, IT WOULD PROVE I did NOT INTENT-  
tionally shoot him, BUT RATHER I was defending myself, in trying to get him to stop hitting  
ME. I AM Handi-capped IN my right hand, MISSING FINGER AND CRUSTED BONES, which LIMIT  
my HAND USAGE. I ALSO have BRAIN + SKULL damage FROM A CAR WRECK, which MEANS, IF  
I WERE to TAKE ANY kind of HARD blow to my HEAD, IT could RESULT in my instant  
death. During the ALTERCATION with Mr. Andrew West, he WAS constantly + repeatedly  
hitting + ATTACKING ME. I THEN showed him the FIRE ARM AND stood still FOR a FEW  
seconds to Regroup, BECAUSE I felt Like I WAS going to pass out. He THEN came AT  
ME, AGAIN hitting ME, THEN I raised the GUN up AND fired ONCE, NOT REALLY AIMING,  
just waiting + hoping he would Leave me alone, BUT I SEEN he WAS injured. I told  
my ATTORNEY this AND He still CHOOSE NOT to CONTACT the EYE witnesses that SEEN  
EVERYTHING happen FROM the START. He CHOOSE NOT to investigate ANYTHING I told  
him ABOUT this tragic INCIDENT. He FAILED to CONTACT my doctor ABOUT my hand, BRAIN,  
AND SKULL INJURY, that WOULD PROVE my INABILITY to USE my RIGHT HAND AS  
NORMAL, AND PROVE IF I took blows to my head, I could die, NOR did he LOOK  
INTO my other charge with ALL the INCONSISTENCIES, LACK of EVIDENCE, AND FALSE  
INFORMATION provided by the STATE. IN CONCLUSION, I FEEL, IF my ATTORNEY Mr. Stealy  
would have EFFECTIVELY WORKED my CASES AND GOT TOGETHER ALL INFORMATION, that  
was told to him, I could have WENT to TRIAL AND BEEN SUCCESSFUL. INSTEAD, He  
OVERLOOKED the facts, CHOOSE to go along with the SOLICITOR to COERCE me INTO A deal,  
that IN the end, COST ME 15 yrs of my LIFE. I REGRET the situation that happened,  
BUT AT the same time I WAS protecting myself FROM bodily harm, INJURY, AND death.

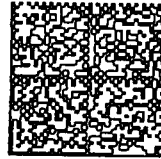
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