

SOUTH CAROLINA COURT OF APPEALS
TYRONE LORENZA ROBINSON
VS.
STATE OF SOUTH CAROLINA

APPELLATE
CASE NO. _____
2014-002138

RECEIVED

APR 15 2015

SC Court of Appeals

MOTION
FOR THIS COURT
OF APPEALS TO
APPOINT
INDIGENT
DEFENDANT A
ATTORNEY FROM
THE SOUTH CAROL-
-INA DIVISION
OF APPELLATE
DEFENSE

FACT

I TYRONE LORENZA ROBINSON WAS REPRESENTED BY THE BEAUFORT COUNTY PUBLIC DEFENDER OFFICE BY PUBLIC DEFENDER ATTORNEY ARIE DAVID BAX AT MY TRIAL. BECAUSE OF MY POVERTY I WAS UNABLE TO HIRE A ATTORNEY TO REPRESENT ME ON THIS CASE. MY CURRENT STATUS OF POVERTY IS STILL THE SAME AS THEN. I AM UNABLE TO AFFORD OR HIRE A ATTORNEY TO REPRESENT ME. HOWEVER BECAUSE I WAS ALREADY REPRESENTED BY THE PUBLIC DEFENDER OFFICE FOR INDIGENT DEFENDANTS AT TRIAL ON THIS CASE. PURSUANT TO S.C. SUPREME COURT RULE FOR INDIGENT DEFENDANTS, I TYRONE LORENZA ROBINSON AM BY LAW ENTITLED TO HAVE THE DIVISION OF APPELLATE DEFENSE, FOR INDIGENT APPELLANTS, WHO HAVE BEEN REPRESENTED AT TRIAL BY THE PUBLIC DEFENDERS OFFICE AT TRIAL. REPRESENT ME ON THIS APPEAL, THROUGH MY FEDERAL 14TH AMENDMENT RIGHT TO FAIR AND EQUAL TREATMENT AND FAIR AND EQUAL PROTECTION OF S.C. LAWS FOR INDIGENT DEFENDANTS. THATS AFFORDED TO ME

2,

IN THE WRITTEN WRITE UP OF SOUTH CAROLINA CODE OF LAWS 17-3-360 (A)(B)(C)(2)(3) AND (4) WHICH STATES,

SECTION 17-3-360 DIVISION OF APPELLATE DEFENSE CREATED. ADMINISTRATION AND STAFFING DUTIES AND RESPONSIBILITIES.

(A) THERE IS CREATED WITHIN THE OFFICE OF INDIGENT DEFENSE THE DIVISION OF APPELLATE DEFENSE. ALL OF THE ALLIED, ADVISORY, AFFILIATED, OR RELATED ENTITIES AS WELL AS THE EMPLOYEES, FUNDS, PROPERTY AND ALL CONTRACTUAL RIGHTS AND OBLIGATIONS ASSOCIATED WITH THE COMMISSION AND OFFICE OF APPELLATE DEFENSE FORMERLY PROVIDED IN CHAPTER 4, TITLE 17 ARE TRANSFERRED TO AND INCORPORATED IN AND MUST BE ADMINISTERED AS PART OF THE OFFICE OF INDIGENT DEFENSE.

(B) THE DIVISION MUST BE ADMINISTERED BY A CHIEF ATTORNEY. THE STAFF OF THE DIVISION SHALL CONSIST OF ADDITIONAL ATTORNEYS AND ADMINISTRATIVE, INVESTIGATIVE, SECRETERIAL, AND CLERICAL EMPLOYEES NECESSARY TO DISCHARGE THE DUTIES OF THE DIVISION. NO PERSON MAY BE HIRED TO SERVE AS AN ATTORNEY WHO IS NOT LICENSED TO PRACTICE LAW IN THIS STATE. ATTORNEYS EMPLOYED BY THE DIVISION SHALL DEVOTE FULL TIME TO THEIR DUTIES AND MAY NOT ENGAGE IN THE PRIVATE PRACTICE OF LAW.

(C) THE DIVISION SHALL CARRY OUT THE FOLLOWING DUTIES AND RESPONSIBILITIES.

(1) IT SHALL REPRESENT A PERSON WHO THE OFFICE DETERMINES, SUBJECT TO COURT REVIEW, FALLS WITHIN THE GUIDELINES

promulgated pursuant to section 17-3-
 - 360 (6) (2) who files notice of intention
 to appeal or desires to appeal a
 conviction in a trial court, or
 decision of a proceeding in civil
 commitment or other voluntary
 placement in a state, county, or municipal
 facility. A person desiring represe-
 ntation by the division shall request
 a determination of his indigency
 status in writing from the Supreme
 Court, the Court of Appeals, the Circ-
 -uit or Family Court, or the division.
 A court receiving a request for ind-
 -igent appellate representation
 shall forward the request to the
 office who within ten days of
 the receipt of the request for repre-
 sentation, shall notify the person
 requesting representation and the
 court in which the appeal will be
 effected of its decision

THIS COURT SHOULD TAKE NOTICE THAT I
 SENT AT LEAST THREE REQUESTS TO BE
 APPOINTED COUNSEL TO REPRESENT ME ON
 APPEAL, TO CHIEF ATTORNEY ROBERT M.
 OUDEK ALONG WITH MERITORIOUS ARGUE-
 -MENT, INVOLVING 5TH AMENDMENT
 CONSTITUTIONAL VIOLATION BECAUSE I AM
 CURRENTLY BEING HELD IMPRISONED ON

9.
a UNINDICTED THEORY AND CRIME THAT THE GRAND JURY DID NOT ISSUE AN INDICTMENT AGAINST ME FOR IN VIOLATION OF S.C. CODE OF LAWS 17-9-10 AND IN VIOLATION OF MY FEDERAL 5TH AMENDMENT RIGHTS OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA. ALSO I HAVE SENT THREE REQUESTS TO BE APPOINTED COUNSEL TO REPRESENT ME ON APPEAL TO THIS SOUTH CAROLINA COURT OF APPEALS AND I HAVE SENT ONE REQUEST TO BE APPOINTED COUNSEL TO SOUTH CAROLINA SUPREME COURT. HOWEVER I HAVE NOT BEEN APPOINTED AN ATTORNEY TO REPRESENT ME ON THIS APPEAL YET AND I HAVE NOT RECEIVED A RESPONSE FROM CHIEF ATTORNEY ROBERT M. DUDEK OR ANY OTHER ATTORNEY TO REPRESENT ME ON THIS APPEAL CASE NO: 2014-002138 IN

VIOLATION OF SOUTH CAROLINA CODE OF LAWS 17-3-360(C)(2) WHICH STATES "QUOTE"
A COURT RECEIVING A REQUEST FOR INDIGENT APPELLATE REPRESENTATION SHALL FORWARD THE REQUEST TO THE OFFICE WHO WITHIN TEN DAYS OF THE RECEIPT OF THE REQUEST FOR REPRESENTATION, SHALL NOTIFY THE PERSON REQUESTING REPRESENTATION AND THE COURT IN WHICH THE APPEAL WILL BE EFFECTED OF ITS DECISION.

THE SOUTH CAROLINA COURT OF APPEALS AND THE DIVISION OF APPELLATE DEFENSE NON COMPLIANCE TO APPOINT INDIGENT APPELLATE TYRONE LORENZA ROBINSON. A QUALIFIED ATTORNEY TO REPRESENT ME ON THIS APPEAL CASE NO: 2014-002138.

has prejudiced me by causing me to suffer and endure longer unconstitutional incarceration on a unindicted theory and crime. of common law murder by the unindicted theory of the doctrine of transferred intent. That the Grand Jury did not issue an indictment against me for and that the Grand Jury did not issue an indictment charging me with that I was unconstitutionally convicted in violation of my federal 5th Amendment rights which states "quote"

no person shall be held to answer for a capital or otherwise infamous crime, except upon presentment or indictment of Grand Jury

I have also been prejudiced by being deprived out of effective assistance of counsel to obtain my trial transcript, investigate my unconstitutional false imprisonment on a unindicted theory and crime and have to endure a longer wait for this appeal court to decide on my unconstitutional conviction as a result of causing me to have to endure longer unconstitutional imprisonment at a level 3 yard around violent offenders which I am in jeopardy of harsh punishment, of lock down and others that go on on level 3 prison institutions. Also I have been prejudiced in violation of the written commands of South Carolina code of laws 17-3-360(C)(2). Therefore if this court do not supply me with the name, address and telephone number of the appellate attorney

6.
who has been appointed to represent me
on this APPEAL IF ANY. TO SHOW AND
PROVE THAT THIS COURT HAVE APPOINTED
me COUNSEL AS I REQUESTED THREE TIMES
ALREADY, AND OR IF ATTORNEY ROBERT
M. DUDEK DOES NOT RESPOND TO ME
WITHIN TEN DAYS OF RECEIVING THIS
MOTION TO APPOINT COUNSEL. IN COMPLI-
-ANCE WITH SOUTH CAROLINA CODE OF
LAWS 17-3-360(C)(2), THEN I RESPECTF-
-ULLY MOTION THIS SOUTH CAROLINA APPEALS
COURT TO LOCATE MY CONVICTION AND
PRISON SENTENCE FOR VIOLATION OF
SOUTH CAROLINA CODE OF LAWS 17-3-360
(C)(2) AND FOR PREJUDICING ME FOR ALL
REASONS EXPLAINED IN THIS MOTION. TO
BE APPOINTED COUNSEL.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 9th day of April
my commission expires September 25, 2023
Tamara Conwell

Signature: Tyrone L. Robinson
PRINT: TYRONE L. ROBINSON
Date: 4/9/2015

CERTIFICATE OF SERVICE

ON MARCH 6TH 2015 I SERVED MOTION
TO APPOINT COUNSEL AND MOTION TO PROCEED
ON APPEAL INFORMA PAUPERIS, BY DEPOSITING
IT IN THE U.S. POSTAL SERVICE ADDRESSED TO THE
S.C. ATTORNEY GENERAL ADDRESSED AS FOLLOWS.

ATTORNEY GENERAL
REMBERT DENNIS BUILDING
ROOM 519
1000 ASSEMBLY STREET
COLUMBIA, S.C. 29201

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SIGNATURE: TYRONE J ROBINSON
PRINT: TYRONE WREAZA ROBINSON
DATE: MARCH 9TH / 2015

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TO PROCEED
ON APPEAL
IN FORMA
PAUPERIS

FACT
I TYRONE LORENZA ROBINSON being
duly sworn state that I am the APPEL-
-late and that I do not have the funds
available to pay the cost of filing
fee do to my poverty and do to the
fact that I am unable to earn
income because I am being held
imprisoned UNCONSTITUTIONALLY,
illegally, and UNLAWFULLY.

sworn to and subscribed before
me this 9th day of April 2015

my commission expires _____

My Commission Expires
September 25, 2023

Tamara Conwell

Signature: Tyrone L. Robinson

Print: TYRONE L. ROBINSON

Date: 4/9/15

TYRONE L. ROBINSON # 235104
Q2B-117
PERRY CORRECTIONAL INSTITUTION
430 OAKLAWN ROAD
PELZER, S.C. 29669

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SC Court of Appeals OF APPEALS

SOUTH CAROLINA COURT
JENNY ABBOTT KITCHINGS
CLERK OF COURT
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

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PCI Mailroom

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