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STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

SC SUPREME COURT

Certiorari to Charleston County
Stephanie P. McDonald, Circuit Court Judge

DANIEL E. DICKSON,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-002030

PETITION FOR WRIT OF CERTIORARI
Johnson vs STATE SOUTH CAROLINA 294 SC
310, 364 S.E. EASTERNER 2nd dd 201 1988

(INMATE) SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
DANIEL EDWARD DICKSON #105841 A-X-16
PERRY CORRECTIONAL INSTITUTION
430 OAKLAWN ROAD
PELZER, SOUTH CAROLINA 29669

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ISSUES PRESENTED.

- (1) Did the Petitioner detrimentally rely on the plea offer made for his statements and cooperation "Verbally" given by the Charleston County Solicitors Office in the State of South Carolina in the murder prosecution of Joseph Samuel Whit? As public defender Rodney Davis points out as a gentlemen's agreement.
- (2) Was the public defender appointed by the state ineffective in his representation of the Petitioner? Rodney Davis the public defender, admits in his statement that he knew it was wrong to allow the Petitioner to meet with solicitor Peter McCoy and Burnsweatman also to talk with investigators and detectives sent by Peter McCoy without him being present. That he could of been there, should of been there. If he could turn back the clock he would be at every meeting. The whole times he's telling the judge this he admits to coming to just one meeting the very first meeting and at that meeting he states he stay 15-20 minutes and had to step out, And did not return till they were leaving. Where as I had to tell

what was said and what we talked about. The Samuel Joseph W.A. murder. & another murder case he bragged of doing. And my charges and my case where Peter McCoy send charges could be dismissed & others broke down so I could plea to probation ~~AO~~ more than 10-years, And get medical help.

Then I tell Rodney Davis that he wants to send solicitors, Detectives and investigators to talk with me concerning the Whit murders. And he tells me that Peter McCoy is a

stand up man and if he says he will do something for you! You can count on his word and trust in him, ^{MR. DAVIS} He says, I have 2 murder cases coming up so I may not be able to be at every meeting. "But I will try" Just tell them the truth and if Peter McCoy sends them they can be trusted. I ask him Peter McCoy about that to. He said who ever he sent spoke for him personally and I could trust them! I told him Peter McCoy said I was on his team now. Rodney Davis stands by anything Peter McCoy says or any one he sends to talk to with me. Has my lawyer saying this

Then on the stand at P.L.R. again he

tells the judge following his buddy Peter
McClay when asked about the can you
define what you thought to be a
gentlemen's agreement in that case, He
answers "I'm going to use something
from your questioning of Mr. McClay. I
think you all tried to handle a better term
than what "I used back then". I think
rather than a gentlemen's agreement and
implied understanding is probably better.
"No it's not, we had a gentlemen's agreement."
You can call a cat, a pig, a cow, a horse
or even a dog. But no matter what you
call it, "It's still a cat" we had a
gentlemen's agreement, "I counted on his
word and my public defenders". But finally
after this real estate attorney who's never
prosecuted or represented anyone at a criminal
case, "who admits he's a real estate attorney
and doesn't do any criminal work. But civil
matters, they use the term equitable estoppel
and Rodney Davis looks like a fool on the stand.
"I looked that up and it said as to estoppel
(e-stop-al) n.1. A bar that prevent one from
asserting a claim or right that contradicts
what one has said or done before or what has been
legally established as true. 2. bar that prevents
the relitigation of issues. 3. An affirmative defense
alleging good-faith reliance on a misleading
(4)

representation and an injury or detrimental change in position resulting from that reliance.

Equitable estoppel 1. A defensive doctrine preventing one party from taking unfair advantage of another when, through false language or conduct that person to be estopped has induced another person to act in a certain way, with the result that the other person has been injured in some way. "I was, L.W.O.P."

Then Rodney Davis still on the stand says when you were talking to Peter McCoy, did you have a reasonable belief that he was going to help you? At that time without parole was not something that he was going to be facing? (Yes) But those are two separate issues if I may. Again Peter McCoy just testified. He had no direct control over Mr. Dickson's prosecution. He was an asst. solicitor handling other cases

So now we have Rodney Davis admitting that Peter McCoy didn't have any right to make any promises to drop charges or reduce charges for my information, testimony, statements, or any other deals.

That for him to say Peter McCoy

was honest or if he says he will do something you can count on him. That he'd known Peter McCoy since he first joining the solicitors office and always had a good working relationship with him." was telling me his client a lie!"

If by this statement he means he would lie for him tell his clients that Mr McCoy could do it if he said it and you could trust him or anyone he sent to talk with me. Then that's a lie for McCoy. My PRR attorney Mr. J. Howard Yates JR. makes Rodney Davis on stand say I used a lot of double negatives there. Yes he did, but these are not the only double negative Rodney Davis uses throughout my trial or my Post Conviction Relief hearing.

I filed most all of the motions and brief as soon as I was hit with a Life without Parole notice. (out of the blue) Never EVER was I told they were seeking Life without parole on me. Never even hinted at it!!!

If so I would not have put my life in danger by becoming a snitch for the Charleston County Solicitors office (Not for Nothing)

and that's just what they did to me, Peter McCay's own words the first time ^{what time} he saw me where so "I know you judges want! But I don't want any of you to forget the only meeting Rodney Davis attended and admits to staying 15.20 minutes. I take a lie detectors test now, that it was less than 10 minutes! If that? Before he admits to stepping out of the booth.

Anyway Peter McCay states that in almost 100% sure it was him that says IM on there team now! But it might of could of been one of the other solicitors or investigators who said, it? That as soon as I leave I have to turn over your statement to whitts attorney! I say fine But, I pulled open my jumpsuit to show them I had staples from my Chest all the way down around my belly button. From the operation I'd just had at M.U.S.C. My intestines collapsed in jail. And I state, Im in no shape to fight whitt... You do know he is in my block with me??

"Peter McCay" states you do not have to worry about that. Im going to have him mated as soon as I leave.

And he dose... Just to point out I must be on someones team He admits to having him moved...

Well my block is right next door to the visitation booths and Peter McCay dose because Whitt sees his attorney T.O. Sanders 2 day later and as soon as Whitt leaves the visitation block he comes next door to my block and beats on the glass inmates are out, my door is open Well someone comes to my cell and says whitts out there beating on the glass and showing people statements he says you wrote on him! "I stand by that"

I said whitts full of _____ they finally run whitt back to his block I come out my cell and go out on the rec field. I figure if its going to happen, I might as well face anyone whos going to say something there. No one dose. Im lucky. Im all stitched up and couldnt beat a fly.

But that doesnt stop there a correctional officer at the jail light skin baldhead blackman, I say this only because his name is Mr Johnson and there maybe more than

one working at the jail. I call this one Mr Johnson we both like Alabama's Football team. Well he's working my block and tells meriwitt showed him my statement and said he was going to have me killed in the jail; if not as soon as I get to prison I write and tell Rodney Davis + Peter McCoy

I have to be moved to a protective custody block because of this. I wrote Rodney Davis + Peter McCoy IM BEING PUNISHED FOR HELPING Y'all! And telling the truth!! Its Not Right.

I do not want to take up the courts time on a bunch of frivilageless stuff. I am indigent and I had a public defender who was once the head solicitor but some how, now was a public defender. How you go from Head solicitor to public defender I do not know?

Then at my P.C.R. hearing Im given a real estate lawyer who says he dose no criminal work'. I Filled the PCR But Im no lawyer and I do not want the court to misunderstand and think that because Im filing my own appeal that Im smarter. Because like I said I never passed the 7th grade. If anything Im dumber!

I taught myself to read & write as well as I do while in lock-up for years in prison. I read a lot of John Grisham books, and some Nelson DeMille.

Then my lawyer Mr. Yates the real estate attorney files that I want to appeal. I'm indigent so the S.C. Commission on Indigent Defense appoints me a attorney & Mrs LARA M. Caudy at the time I'm going through the radiation and chemo treatments for cancer. I have 2 spots on my lung. But they also found some kind of rare cancer growing behind the valves of my heart! I went through treatments for 2 years. Then comes a doctor and said I was dying a specialist at Lexington hospital ran a lot of tests on me and he told me, I'm sorry son that cancer that's around my heart it is progressing there is nothing they can do. And again he says I'm sorry, and walks out the office.

"Well I tell her the truth!" Mrs Caudy I don't know how? But I know you ^{don't} get to your state's biggest court you do not lie to them! Mrs Caudy 'files' a writ on my behalf that I do not

and will not abide with. First off in the first page it starts with a lie. She says that the petitioner filed an application for Post Conviction Relief (P.C.R.) which is true June 27, 2011 and the state filed a return to this P.C.R. application dated Dec. 16, 2011. And I was took to a evidentiary hearing on July 25th 2012 Before the Honorable Stephanie P. McDonald.

Now the lie By order dated July 23rd 2013 Judge McDonald denied the petitioner's Relief App 442-452

* For some reason she wants the judges to think that Judge McDonald made her ruling in about 9 months No in some 1-year... I've read S.C. 1 year books cases where inmates file Post Conviction Relief and most are turned down the same day.

When in Fact it took the Honorable Judge McDonald 2 years and 1 month to make her ruling!!! I wrote her about this and she said 'its a harmless error?' There are no harmless errors when you are dealing with the biggest court in our state. (The S.C. Supreme Court!) What she filed was a lie! (iii) And I told her

I do not want my case to our supreme court to start out with a lie! That my case is filled with all kinds of lies and deceptions, I told her I would fire her and try my best to file my own, And before I let someone lie to the court and you Honorable Judges I would fire her. And I meant that. I also filed a letter with the disciplinary board against her. I even wrote them about Rodney Davis and him not coming to see me. They said there was nothing they could do about him as I hadn't been to trial yet or pleaded or anything. I thought to myself that I was seeing all these people that he should be at at least some of the meetings? Now I find out he should of been at every meeting!!! He was ineffective as counsel! and I'm sure if you Honorable Judges just read the P.C.R hearing, He admits he's wrong.

I admit I was wrong but I'm in prison for it.

I filed a long post conviction Relief the very first thing the attorney general's lawyer for the state says is Ashleigh Wilson for the state the next case is Daniel Dickson vs state Docket Number

2011-CP-10-4505 then says a few lines
she says applicant was found guilty of
all charges and he was sentenced to life with
out the possibility of parole

* Your Honor, the applicant has put forth
a very lengthy application. So I would
just ask that Mr Yates enumerate the
allegations that the applicant is going to go
forward with today. She is intimidating my
real estate lawyer and trying to dictate how
or what is said or done. I thought the post
conviction relief was to get to the truth? And
if my constitutional rights had been violated
in anyway then the court was suppose to help
people? "Mine where!" Again I'm not very
educated and Mr Yates told me he was
a real estate attorney and not familiar
with Criminal law. I knew I wanted to
yell out I object at least 15 times But
I'm not sure when to do it or I think my
attorney must be going to object at some
point or maybe at the end of the trial?

But, I'm going to be honest with
the court. I felt Mr Yates EVEN with
his being a real estate attorney that
he did a better job for me than my
public Defender Rodney Davis did. And
he stayed on him while he

was on the stand hammering at him
ON Redirect Examination By MR Yates
against Rodney Davis.

Q. Mr. Davis, we were talking -- Your
Honor was talking about detrimental
reliance, And in a real estate lawyer
I don't do criminal work But we use
the term equitable estoppel in a lot of
civil matters And since we are under the
civil realm when someone is estopped
would you describe what that means?

A. Well Mr Yates it's exactly opposite for
me in a criminal lawyer. My firm now
~~is in private practice since the end of~~
~~last year.~~ My partners do some personal injury
work now. But I'm unfamiliar (But He
does forget how to tell his client a lie or two
or three.) He spoke earlier about equitable estoppel
Mr Rodney Davis's answer was so jokeable at
least when his answer was compared to my
case and my situation. But Mr Yates
Kept Hammering at him and this

Q Mr Davis Yes or No answer do you
think Mr Dickson is the victim of detrimental
reliance?

A. Yes...

MR Yates No further questions Your Honor

Now buy his own mouth close my public
defender admit he should of been there.
could of been there. And I like he said if he
could turn back to clock He'd be at every
meeting. "He come to one meeting." He says
this himself and admits to stepping out of that
meeting till they all were leaving and he
steps back in the booth to ask me what did he
say??? I said it earlier I'd take a
lie detector test any day when Mr Davis
says how many times he came to see me
to talk with me I'd bet 6 and 3 of those
where video conference and that includes the
time with McCoy. Tell him to show you where
they sign on at the jail and who they can go to
see. I'd bet 3 times and I was with McCoy.

Now he lets the Attorney General send
one of his lawyers to speak with me Jennifer
Evans. Well my attorneys a no-show again!
But I agree to speak with her without him
being there "that time" Because she said she
was now in charge of the Whitt case. I told
her everything whitt bragged at doing including
the other murder. She said she was there to see
someone else, But would get back to me! Well
I sat there in the visitation booth 10 minutes
I guess maybe longer

I see her standing outside my visitation booth door, I tapped on the glass. I waved her in. I say Mrs Evans IM sick! The jail told me its hepatitis "C" I believe I have cancer something feels like its eating or growing inside me.

I said just like Whitt when he found out how much time Id done... I also got plenty of respect in prison from everyone look, I know something about guns being stole, and bought all or most bought illegally by gangs who took them up north and traded for drugs. I know gangs that with a call can have a hit squared down here in S.C. in less than 24 hours

She sits down and says this is my specialty. I deal with alot of gang activity, drugs ect. ect. You say hit men I said one word "a name" she said I want him!!! I know just who your talking about... I say just telling you that name will most likely get me killed. Shes like hes not that strong, I say lady I just told you he can have a hit squared in Charleston in less than 24 hours... Yes he is thats really strong to me. But I in more worried about my Family this

Person who we know will have my
Family Killed! She is like I got
to go but I will be back. Do you
mind me using what you told me on
whitt? I didnt understand? But
said sure its the truth!!! But
Mrs Evans there is a difference
between Joseph Whitt Crack herd
and this person who supplies a lot of
cocaine in Charleston S.C. & GA. &
FL & N.C. with pulls up North.

Shes like write me? I do but
about whitt and everything I know
still no name or paper And I give
her who she wants (details) And tell
her I can ^{on her next visit} also put someone in undercover
for her. She comes and sees me a
couple times. At first shes whitt & this
other killing if they decide to charge
him and this person (10 years) I say
no! I'll be killed in prison. But my
Family. My Dad whitt might not care
about his Dad to kill him. But I
love mine and my Family safety
is more important to me than
anything even my Freedom. At P&R Ashleigh
Wilson for the state is smart very smart
Q Okay and do you remember getting any
statements from Jennifer Evans that you spoke
(17)

to from the Attorney General's office saying the state would provide some benefit for your statements

A. No name. she said she would be back to see me, she was real interested in what I had to say. she was more interested in what I could do with the gang activity down on the street. I told her I could help people get into the situation where they could You know? Undercover work.

Then she changed on me? Mrs. Evans like Peter McCoy "used me". I had a gentleman's agreement with Peter McCoy and my conversation with Peter McCoy And Mrs Evans where verbal. she wanted me to plead to no more than 10 years and wanted my testimony in whitt's father's killing the other murder if she got him charged "No problem"

But then she says she wants this person! Your Honor's she said she could put me on the street. I got no reason to lie to the court. I'm dying and if y'all let me go I couldn't afford the medication I'm getting now in prison. this is about the truth.

The Honorable Judge Stephanie P. McDonald says it all at P.L.R hearing what happen between here & here where he's served the Life without parole.
(14)

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(14)

Thats what happen! I said no!!! I will not have my Father killed so I can go free! And its not just my Father I got other Family in Charleston My Aunt Louise who I love alot is my Dads sister plus all her Kids + one works for a lawyers office they may Kill her. So I said No.

Jennifer Evens used me told Whitt if he didnt plead to Killings Father shed try him for murder. use me and charge him with thos other murder and put him on death Row so whitt pleaded. Agreed to plea He told people in prizon this...

"Next thing" I know Im hit with a Life without parole notice! And I dont know how or why But as soon as I said no Ben L.W.D.P.

But another judge called Whitts attorney Mr. T.O. Sanders and tells him to be a my PCR hearing? I have Whitt listed as a hostile witness. Well T.O. Sanders shows up like I got a fax from Judge Jefferson who has nothing to do with my case or Whitts that I know of? I cant understand that?

But I know this is wrong! T.O. Sanders said when Whitt agreed to plead his job was done. said he hadnt talked with him since then. Well the Judge has Whitt called in prizon + puts him on a speaker phone

T.O. Sanders says I'm not going to give him any free legal advice But that's just what he dose. And that's unconstitutional and not fair to my case. Or to Mr Yates who is fighting hard for me. The judge swears whitt in, to tell the truth, the whole truth and nothing but the truth this morning so help you GOD.

But right before this the judge makes this statement

But I don't want him to say anything that might incriminate him in any way
*And we are not going to go into that
O-Kay Mr. Whitt!

Mr. Whitt Thank You Ma'am.

Come on this is a convicted murder who pleaded to killing his father to smoke crack. And he bragged about another murder friend of his father he was seen arguing with him in a club right before he died, to steal weed to smoke more crack. I don't understand it. I forgot before I got there the judge had called the prison to set up the talk with Whitt via phone to me it sounds like they talked before I or my attorney was there First off your Honor's he's on lock-up in prison already for breaking some rules And in the county jail he was the biggest racist I've ever met Bragged about

the money his family has that they where ~~the~~ one of the first families in Charleston (Charles Town) that they owned slaves! He is garbage and showed no remorse for killing his father or this other man. But yes his family comes from money hired him a private teacher sent him to County Day private school Because all he'd where were clothes with pictures of the Generals of the Confederacy. He got beat up at the Raulter schools for the clothes he'd wear the school said no he couldn't wear them. All I know and you can read it your self is that T.O. Sanders gives him free legal advice when he says, Sam if you undertake to answer a question you need to be sure to tell the truth. If you choose not to answer a question you need to tell them that, that's free legal advice. The judge just read him his rights come on ???

Mr. Yates: Did you know that Daniel Dickson had offered to testify against you in your trial?

Mr. Whitt: Yes

Mr. Yates: Did you know what he was going to say
Mr. Whitt: I mean, I read I think it was five to seven three to five page statements that the man wrote to the Charleston County Solicitor Bruce Durrent. My lawyer showed it
(Gave M.M. copies)

of course Mr Whitt is not going to say nothing to help me in anyway. It doesn't take a rocket scientist to figure that out.

Mr Yates: and did that the fact that he was going to testify against you impact your decision in anyway in the slightest way to plead guilty...

Mr Whitt: No

Mr Yates: Why?

Mr. Whitt: What do you mean why? Because what he said was a bunch of false statements.

Bingo! Peter McCoy already testified said my information was true, that I even knew the murder weapon. (A pipe bending tool) and that from the blood spilt (patterns) There was did he or didn't he kill his father in bed while he slept. That my information confirmed that Whitt killed his Dad while he layed in bed asleep.

So Whitt lies! then T.O. Sanders and I'm going to cut this short because I said it earlier, T.O. tells Whitt that what my lawyer is trying to do is get him to help get me out of this life without parole. That makes it impossible for my attorney to ask the questions I had wrote down for him to ask Whitt anything that

(23)

That Jennifer Evans said or threaten him with to get him to plead guilty. But I thought it was the judges Duty to say something when something isn't right or un-fair or to stop or say that's not right you cant do that???

She did it for a convicted murder but did nothing to stop and I now believe she + Judge Jefferson got together to put T.O. Sanders there, at my P.R. hearing. I find that to be unfair and unconstitutional. Then since we bring in hired private lawyers for convicted murders who plead (no trial) admitted to killing his Father gets a good Criminal lawyer why? Don't I get one ^{KNOWS} who's about Criminal law? Instead I get a real estate attorney

* Please don't get me wrong? I'm very proud of Mr Yates and I know he did the best job he could do for me. He was alot better than Rodney Davis! I went that in the Record! That man fought for me. Yes he was intimidated by the lawyer for the state Ashleigh R. Wilson assistant attorney General, I don't think he understand that what T.O. Sanders was doing was wrong or Rodney Davis I didn't. All I read a few cases, But T.O. Sanders free legal advice made it impossible for us to ask whitt anything about what Jennifer Evans another assistant attorney general. She should at know not to talk to me without my attorney being present.

I love my family and I wouldn't be here now in prison if I would of put there lifes on the line. My Mom lives in Florida. So close my sister and her kids this gang is strong in a few states My brother live in New York that is one of the states the h.i.t teams come from there and Chicago and Detroit

But the offer was my freedom whitt no problem the other murder, no problem But my family I love them and my freedom the price was too high! Then T.O Sanders puts a stop to us getting the truth out of whitt I could of pro se and asked him myself and got him to tell the truth. I know he hates me + what buttons to push. But whitts a little crack head punk! He's no leader of a gang that runs things in S.C. but also other states This gang just had one inmate in S.C. stabbed and using cell phones from prison as soon as he walked on another yard in S.C. in 2 days he was stabed again. They would kill my family so thats why the Life without parole notice was served The Attorney Generals office retaliating for me saying no. I told Jennifer Evans this gang could have a h.i.t team in S.C. in 24 hours!!!

They just got a inmate stabbed at 2 different S.C. prisons. Come on my family means more to me than that. My moms brother now lives in S.C. He was a green beret

in Nam after the service 2 years He got married settled in lumber town had a pretty little daughter well she graduated from North Carolina Chapel Hill in law she married a federal judge. This gang from prison in North Carolina with a cell phone had the prosecutors father kidnapped and took to Georgia luckally he was found safe and the people arrested! My Mom would disown me if I let something happen to my uncles daughter or her husband Hes a federal judge But the gang is that strong! I dont care about me, but my family is innocent people good law bidding people. She wouldnt promise my family protection said that he wasnt that strong! See how wrong she was! These gangs will kill a baby to stop someone from test-fing against a high member. And they strong in S.C. N.C. FLA. Ga. N.Y. ILL + Mich. And thats just states I heard about. The price was too high I said no! so in h.t with a life without parole notice, as soon as Mrs Evans gets whitt to agree to plea. Thinking I'd give my family up then? no I wouldn't! They used a charge I got in prison ABK for stabbing another inmate I was young CC- that was our states oldest prison it was a ruff place. I was stabbed 3 different

times myself; by 3 different inmates. That's what and I just want the truth to come out. No more big shot lawyers who want to tell tails and put there spin on this or that. It's like this Your Honors, And there is my case Rodney Davis. He never showed up at any meetings to be able to tell anyone what was said or promised or done.

He had to rely on me, I did not trust him. I wrote the Disciplinary Council on him for not seeing his client enough. I felt I needed him. he got a check to be my lawyer. and the code of ethics I do believe was broken by the New Deceased assistant solicitor Jennifer Evens and I'm not going to sling mud on her any more than I have to for the truth to come out. She used me to make Whitt plead and if the judges would or not stuck there noses into my PCR it's not Whitt's PCR by calling in a professional private lawyer I'd of got the truth out of him. But with a lawyer telling him we just trying to get me out of a life without parole sentence. Whitt's going to clean up, then in my mind, what was said because the judge seems to have talked to him before I got there "we are not going into that". and him, Thank you men. Someone talked to him before me & my lawyer got our chance is what her statement at the PCR

(27)

means, My intestines collapsed in the county jail... well they also collapsed on me in 2006 or the end of 2005 beginning of 2006 (I think) well I'm in the hospital room at Hardeeville Regional Hospital and in walks my Doctor he says I took a lot of X-Rays of you Mr. Dickson. Do you smoke? I said No why? He says I see something that looks like 2 spots on your lung I'm no specialist you need to have them looked at they look like they could be cancerous. I saw well this is a hospital look at them? He says I'm sorry Mr. Dickson but it doesn't work that way. Unless if we don't operate you'll die tomorrow or the next day S.C.D.C. will not pay. Unless your sick from it. And they have a doctor look to make sure you are sick and not faking or lying to them before they will allow anything done (I'm sorry) But I got it checked out if I was you,

I got out March 2007 and went to work working in banks in S.C. My boss did all the electric work on every First Federal Bank in S.C. plus every Heritage Trust Credit Union Banks. I had a monitor put on my leg I was on supervise for a while. I had to show up every week at the probation + parole office pay 20 dollars supervision fees plus 20 dollars monitoring fees every week. plus have my check to show the agent I was one of the first 5 to 10 in each week so I'd see my agent and I could get to work. The fees totaled to about 900 dollars. Well I payed it all off in 90 days I was only out about 100
(28)

days I started feeling weak + sick But I was
free Dose that sound like someone wanting to
come back to prison? I sure wouldn't just give
up 900 dollars It felt like something was
growing in me I know something was wrong
then I remembered what the doctor said about the
spots and I got scared, I'd get sick lose my job
and be put back in prison. But then maybe I should
go back make S.C.D.C pay for the treatment. The
only way my father could pay he was living on
a fixed income plus he'd had prostate cancer but
he had the VA hospital and insurance S.C.D.C. Kicked
me out after all those years I was going to be
the one to prove to show everyone it could be done
I wasn't going to be the next one to walk out only
to walk back in. I really wanted to prove show the
Youngsters it can be done. I do know this if
I told my Dad I was sick with no insurance
He'd put the house up my grandma left him. I
was not going to let that happen I do know that.
I love my Dad but I wouldn't let him lose his
home over me. Then something happens A man
pulls up points a gun at me and says he will
kill me. I peek in his wife's window again.
He has a big dog barking at me I'm backing up
saying you got the wrong man I turn and I
start running I'm sick I don't got no
energy I run till I see black spot I'd
drank 2 pints of gin that morning to cover
(29)

up the pain, all I know is I come to.
this truck almost runs into me. There is
cars stopped on each side of the road. I
dont know why but I walk around the
truck the lady is rolling down her window
talking to me. Im like 'its a big dog and
she says oh its a nice dog all I know
is I rough her in her face and try to
crawl in her window her door is open But
Im trying to crawl in a window with cars
stopped in both lanes because of me. I
finally make it in the truck and say
drive. This poor lady is so scared people
are pointing getting out of there cars + trucks
and Im like drive but she dont move I
crawl back over put my arm around her
shoulders I was pointing pants to work I
like the pocket they got a pocket on the leg +
it holds my screw driver I see all these
people coming at me I threaten this nice
lady and again say drive she still dose
nothing so I step on the gas and the
truck takes off she grabs the steering
wheel and says go where? right Next door
is a Ruby Tuesday and 2 other stores I
say pull in there she dose we drive
behind down behind all 3 stores and it
comes to a dead end + I say stop I
remember asking if she had money Id just saw

my agent the day before with my check
I'm going to offer her money to drive me to
the police station to report the man with
the gun I'm fixing to say (relax) the
police will be here in a minute I don't
need to go there and there's a tap on the
window it's a cop. I get out I'm like
asking about the big dog and I'm put
in handcuffs & placed in the police car
it had pulled in right behind us. I'm like
you just messed up bad Eddie really bad.
I try to explain about the man and the
dog the cop don't want to hear it I'm took
right to jail

Now before I go any further And I
told Rodney Davis this at my trial! I meant
it then, and I mean it now what ever she
says I did, "then I did it". There is
only one innocent person here and it's
Mrs Pearl Jones. No matter what happen
to me, I had no right to invade her space
to seize her like I did. Again she is
the only innocent person in this case. I
am so sorry! I wish there was some way
I could make it up to her and her family!!!
For what I put her through, But I can't.
I can't even explain but to say I was in
prison so long in my mind all I wanted
to do is get away I've never had a drivers
(31)

Experiences in my life I do not know how to drive I've been in prison my whole life I was never taught how to drive. But that doesn't give me the right to just jump in someones truck I'm lucky she didn't have a gun & blow my brains out. Everything happens so fast Next thing I know I wake up in the holding cell at the County Jail

Yes what the Charleston County Solicitors office and the S.C. Attorney Generals office did to me was wrong and unconstitutional. But Mrs Jones and her family are the only innocent ones in this case. I know she said I ask for money I remember asking did she have money I didn't need to rob her my agent Mrs Freeman can tell the court that But if that's what she says I did then I did it. She is Right whatever she said I just want that pointed out for the record Again In so soon so very soon!

But this is what gets me I'm sitting there in jail looking at the news and the West Ashley coach is arrested for peeping in womens windows well he makes bond & he's caught again the next day only this time the news says he made it to his car and it's a high speed car chase while he crashes his car and dies on the spot. They show his

picture we look almost just alike some bald
thead some goatee, I tell Peter McCoy +
everyone that at the first meeting and they
like O-yas I remember that, I also tell
Rodney Davis he dose nothing. At the trial
he's l.k this was never about a trial, But
with the serving of the L.W.O.P notice it made
it one, so I'm served, he's admitting this
was never a trial, He never did anything it
was always going to be a plea. Is what he
says, the best lawyer in S.C. cannot prepare
for a case in 60 days (Not L.W.O.P)

A lawyer with his own team would have
trouble I know a public defender didnt do
nothing he didnt look in the west Ashley coach
they served this armed robbery warrant to
to wrong person Eric Dickerson I told him
I never received a warrant he gives me a
copy says it dose not matter. I need a
case yes it dose you cant serve a warrant
on the wrong person. But it was a plea?
so in 60 days he dosent have time to do
nothing I know I'm being set-up and why
I just cant put my Family life on the
line like that. I wouldn't do it, All I
know is I have 2 judges Judge Dennis +
Judge McDonald who both say they dont
like how my case was handled that by
getting all that information from me and

waiting t. ll its used to get Whitt to
plead then to serve me with the Life
without parole notice is wrong and makes
it look. . . Thats Judge Dennis saying
this. He is preturbed. "Why would anyone
come forward if he knows he going to get
Life without parole. He wouldnt He has nothing
to gain by coming forward!" Its all in the
trial, & my P.C.F hearing And it dont take
any judge 2 years and 1 month to rule on a
case unless somethings wrong!

Yes, I relied on what I was promised,
and the judge Honorable Judge Dennis lets
them know it. God Bless H.M. And the
Honorable Judge McDonald. I couldnt
wasnt sick enough yet for S.C.D.C. to pay
for the Cancer treatments. And I wasnt
going to get trapped off where I put my
Family's life in danger where Im asked
to name names "no thank you". My Family
they cut me off when I got locked up I
cant blame them Id just got out and here
I am back in jail But I cant say Im
not going to let my Dad put his home on
the line so I can get treatments But I
did not plan this it just happen and the fool I
am just being released from prison had only one
thing on my mind and that was to escape &
to report it. But to many years in prison
(34)

my first day home from work I go to get in the shower I'm standing there how good life is, And I look down I'm standing in the shower with my flip-flops on.... I hadn't been in a real tub or shower for so long I didn't know any better.

But like I said Mrs Jones and her family are the innocent ones in my brief I'm only writing the court because I'm sick of all the lies! he did this he promised that no I didn't they did yap yap yap.

I hope I did O.K with this, It's the best I can do. I was done wrong, and, I believe the court will see this in the transcripts. But this is the truth, no lies, no deceptions. And it's what the court deserves our states biggest court deserves the truth.

I thank you all for the time you take in reading my brief I know you are all very busy people with a lot on your hands I'm sorry it's so long but it's the truth.

Sincerely
Daniel E. Dickson

- ARGUMENTS

- (1) What ever Mrs Jones said I did I must have done. I will not or do not want in any way to slander this good ladys name. She did nothing wrong. All the blame Falls on me, I take full responsibility. Even though my actions where caused by this peeking in windows incident I was in the wrong! Not Mrs Jones!
- (2) Jennifer Evans assistant solicitor for the Attorney General makes verbal promises also just like Peter McCoy + all the investigators + Detectives + other solicitors. Peter McCoy had come see me, ^{without Rodney Davis} when the price got to high I was hit with Lifewith out parole Because I refuse to have my Family Killed to help the A.G's office get some convictions out of some ^{big time} gang members.
- (3) Rodney Davis was ineffective in his representation he knows he should have by his own words been at every meeting plus the fact that he told his client a lie to talk and to

tell what he knew that what ever Peter McCoy said he'd do he was a stand up guy and could be trusted, which is not true by both parties words on the stand at the P.C.R hearing. He should of been at every meeting with assistant solicitor Jennifer Evans, And Mrs Evans who being a solicitor for the A.G's office should have got a waiver signed by the petitioner giving her permission to talk in the absence of the petitioners lawyer public defender Rodney Davis.

(4) That the Honorable Judge Jefferson was wrong in calling in a private attorney for a convicted murder who gave free legal advice stopping my lawyer from getting to the truth of what she Jennifer Evans said that made Whitt plead to killing his father Whitt says petitioners statements where a bunch of lies yet solicitor Peter McCoy contradicted this statement by stating the petitioners information was right, all the way down to the murder weapon,

to the fact that he killed his father while he slept in bed.

(5) Attorney general assistant solicitor Ashleigh Wilson for the state at the opening of the petitioner's P.C.R. states that the petitioner put a lengthy application together and she would ask my lawyer real estate attorney Mr Yates to enumerate to what is being brought before the court today. The petitioner argues that this was a straight shot at putting intimidating tactics on the petitioner's lawyer. If it would of took 2 weeks to do the P.C.R. the the petitioner states he has the right to bring forth any & all information that he can at the time of his P.C.R. hearing.

(6) The Petitioner also states and argues that he had a right to withhold information that in his eyes at that time would have lead to the death of his family members. So for there protection and the fact the the solicitor god bless her soul had passed away he need or felt the need to protect his family in any way.

Possible. That the defendant is now with terminal cancer and is dying he still will not put his family's life on the line for his freedom.

(17) petitioner states that Judge Dennis states it at trial why would anyone come forth with information if they are facing Lifewithout parole they wouldn't they have nothing to gain by doing so. And the state by waiting all that time gives the impression of it.

(18) Even the Honorable Judge McDonald knows that the petitioner was made promises that he relied on states promises to help to reduce and to see the petitioner get medical treatment. the petitioner was in fact detrimentally relied on the plea offer when he cooperated with the state in the murder of Joseph Samuel Whitt.

Conclusion

Petitioner respectfully requests this Court grant the petitioner's writ of certiorari and permit full briefing on the issues presented that under Johnson vs. State of South Carolina 294 SC 310, 364 S.E. 2d 2d d.d. 201 1988 that the petitioner be allowed to file this as a pro-se writ for certiorari.

Respectfully submitted

Daniel Edward Dickson
pro-se inmate in the
S.C.D.C.

Daniel E. Dickson #105841 A-X-16
Perry Correctional Institution
430 Oaklawn Road
Pelzer, South Carolina
29669

Dear Mr. Shearouse

This is the writ of certiorari
brief in filing on my behalf Pro-se
Dated 5-22-2015 along with copies
to all parties Assistant Attorney
General Ms. Ashleigh R. Wilson at
the Attorney General's office plus a
copy to the clerk of court at the
Charleston County Court House Ms
Julie J. Armstrong

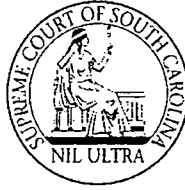
Thank You + God Bless

Daniel E. Dickson

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MAY 28 2015

SC SUPREME COURT



The Supreme Court of South Carolina

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May 13, 2015

Daniel E. Dickson, #105841
Perry Correctional Institution
430 Oaklawn Road
Pelzer SC 29669

Re: Daniel E. Dickson v. State
Appellate Case No. 2014-002030

Dear Mr. Dickson:

This will acknowledge receipt of your correspondence which we have interpreted as a *pro se* Motion to Relieve Counsel & Proceed Pro Se. By copy of this letter, opposing counsel and Ms. Caudy are requested to file an original return to this motion no later than ten (10) days from the date of this letter.

The time limits for perfecting the appeal will be held in abeyance pending the Court's decision.

Very truly yours,

CLERK

cc: Lara Mary Caudy, Esquire
Justin James Hunter, Esquire

Daniel E. Dickson # 105841 A-X-16
PERU Correctional Institution
430 OAKLAND ROAD
Pelzer, South Carolina 29669

AMS

The Supreme Court of South Carolina
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