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The State of South Carolina
In the Court of Appeals

MAILED
JUL 13 2015

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Appeal from Spartanburg County
Court of General Sessions
The Honorable J. Derham Cole
Seventh Judicial Circuit Court Judge

JUL 13 2015

SC Court of Appeals

Case Numbers: 2015-GS-42-02737, 2015-GS-42-02738, 2015-GS-42-02739,
2015-GS-42-02740, 2015-GS-42-02741, M759171, N157889, N157890, N158585, N158587

The State of South Carolina Respondent
James Dimsdale v. Appellant

Legal Brief

To inform the South Carolina Court of Appeals of arguable basis that there exist issues preserved for appeal, appellant prays that the following issues be recognized as basis for appeal to be granted in the above listed cases:

1. Appellant asserts ineffective counsel on his behalf by Candace Lapham; Ms. Lapham did knowingly withhold exculpatory evidence in court;
 2. Appellant asserts malicious and reckless prosecution by Seventh Circuit Solicitor Barry Barnette and Assistant Solicitor Jennifer A. Jordan in violation of Berger v. United States;
 - A) Mr. Barnette did knowingly prosecute appellant using an investigator of no integrity,
 - B) Mr. Barnette did knowingly allow prosecutorial testimony of a witness of no integrity,
 - C) Mr. Barnette did commit abuse of discretion and negligent, willful lack of objectivity,
 - D) Mr. Barnette did coerce and induce appellant to plead guilty by malicious means,
 - a) Mr. Barnette brought five new charges after three years, weeks before trial,
 - b) Mr. Barnette attempted to add new charges as soon as three days before trial,
 - c) Mr. Barnette solicited the U.S. attorney to charge appellant if appellant did not accept a plea,
 - E) Mr. Barnette did knowingly support his investigator's intimidation of a witness,
 - F) Mr. Barnette and Ms. Jordan did conduct a "mock trial" on May 25, 2015 at which prosecutorial witnesses were coached, coerced, and collusion did occur.
 3. Appellant has remitted this information to the proper office in the proper timeframe.
- For these reasons, and others to come to light in appeal, appellant prays appeal be granted on grounds of ineffective counsel, prosecutorial misconduct, and pursuant to Weather's v. State and State v. Thrift.

Sworn this 7th day of July, 2015 by:
James Dimsdale
SCDC # 364188, F3-209
Kirland Correctional Institution
4344 Broad River Road
Columbia, SC 29210

State of South Carolina; }
Respondent }
vs. }
James Dimsdale }
Appellant }

The State of South Carolina
In the Court of Appeals
Motion for appointment of Counsel
Case Numbers: 2015-65-42-02737, 2015-65-42-02738,
2015-65-42-02739, 2015-65-42-02740,
2015-65-42-02741, M759171, N157889, N157890,
N158585, N158587

The above appellant does respectfully request this motion for appointment of counsel be filed and granted, as appellant is indigent. Appellant further prays that certified copies of this motion be forwarded to the following relevant parties:

1. Candice K. Lapham, 184 N. Daniel Morgan Av. Spartanburg SC 29306
2. Barry Barrette, 180 Magnolia St. Spartanburg SC 29306
3. Jennifer Jordan, 180 Magnolia St. Spartanburg SC 29306
4. James Dimsdale, SCDC #364188, F3-209 Kirkland Correctional Institution
4344 Broad River Rd. Columbia SC 29210

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SC Court of Appeals

Respectfully submitted,

James Dimsdale
July 7, 2015

