

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

Appeal from Pickens County

JUL 29 2015

James R. Barber, III Circuit Judge

SC Court of Appeals

The STATE,

RESPONDENT,

v.

Vincent Missouri,

Appellant,

APPELLATE CASE No. 2014-001176

PRO-SE REQUEST FOR ADDEMDUM OR TO
ENLARGE THE PENDING ISSUES FOR APPEAL
PURSUANT TO ANDERS V. CALIFORNIA.

By: Vincent Missouri, #197996
Broadriver Corr. Inst.
4460 Broadriver Road
Columbia, S.C. 29210

STATEMENT OF THE FACTS

The pro-se appellant in a highly unusual situation, would respectfully request leave for this Honorable Court to pay close attention to the denial of the lower court to change venue prior to the May 19, 2014 trial of appellant in Pickens County.

As this Court may be able to ascertain, the appellant filed his pro-se motion to change venue (which was stamped and filed at the Pickens County Clerk of Court) on June 26, 2012. Just eight (8) days after his arrest.

The motion to change venue was premised on Officer Scott Ticknor's racially insensitive statements of how Pickens would normally hang "niggers" for what the appellant was accused of doing.

Based on the above "overt demonstration of what the appellant could look forward to", if the case proceeded to trial in Pickens County. It is clear as early as June 26, 2012. The appellant has a justified and rational basis for concluding "he would not and could not receive a fair trial in Pickens South Carolina".

Such has been subsequently determined the insight displayed by the arresting officer Ticknor, concerning the environment of heated racism in Pickens County was not then, nor have been since, a isolated event. Police Chief Tommy Ellenburg, was suspended in May of 2011, for using racially derogatory remarks (i.e. "the N-Word") often in the line of duty. Chief Ellenburg was given a final warning to which he failed to heed. And was subsequently fired.

The subsequent Sheriff of Pickens County, Sheriff Rick Clark, refused to comply with an executive order by the President of the United States, to lower its flag in honor of Nelson Mandela's demise. In a public arena, Sheriff Clark made clear, "there is no penalty for not complying with the President's order", and made clear in no uncertain terms, he would not be told what to do by African-Americans, in honor of another African-American. This occurred in December of 2013.

The appellant had no confusion concerning whether or not he would receive a fair trial. As evident in this appeal, the motion for change of venue was denied "leaving out the very reasons for instituting the motion". This concern "relates back" to the first page of the initially filed pro-se appellate brief, already pending in this honorable court.

On February 27, 2015, a Pickens County Deputy tazed a 65 year old unarmed black man confined to a wheelchair. And during appellant's filing about the racial antics by Pickens officials, "he could not have been aware of subsequent abuse by public officials all across the United States".

Mainly however, is the focus of how appellant's criminal matters unfolded in Pickens County. Appellant, as a reminder to this court, "was figuratively hung" in Pickens County. Just as the Officer had warned. With these motions stamped and filed only eight days after the June 18, 2012 arrest; (i.e. motion to change venue and motion to represent one self), counsel was arbitrarily assign-

ned as a strategic maneuver to prevent the appellant from conducting and managing his own defense. Through the calling of witnesses and the compulsory process in general.

Never could Appellant have imagined in the subsequent years right here in South Carolina, he would see on national television a unarmed black man being shot to death while fleeing away from a white cop. And then witness the white cop attempting to set the scene up as if the victim was packing a weapon.

Never could Appellant have imagined a barely legal 21 year old white male walk into a prodomanately black church, and kill nine (9) black people without provocation. Which clearly exposes the irrefutable fact; "there does exist a facet a racism deeply rooted here in South Carolina". For which is being taught, promoted and acted upon.

Mainly however, is the result of the motion appellant filed in 2012, that received absolutely no attention. Which is tantamount to being subordinate or tolerant of the facts supporting the motion. Or "such was a usual thing for Pickens County". In otherwords, Officer Scott Ticnor "knew from the onset, appellant absolutely would not receive a fair trial (but instead a hanging) in Pickens County, South Carolina. Where trial transcript has been intentionally altered. Discussions ommitted and replaced with "----". The judge even threaten to try the case in my absence if I continued to assertively argue my rights. Such however is mysteriously missing from the transcript.

In closing, the appellant respectfully wanted to include this additional information. To permit this Honorable Court to render a fair and impartial decision. In State v. Manning, 495 S.E.2d 191 (S.C. 1997), the question is whether the community remembered the case and whether jurors had such a fixed opinion that they could not judge impartially the guilt of the defendant.

And according to officer Scott Ticknor, "Pickens County, South Carolina", as a whole would not be willing to even extend the rights under the constitution, to a African-American accused of a crime in "their county".

For every attempt to secure the appellant rights, he was met with arbitrary opposition. Even the judges that were not from Pickens County, abided by their historical record of dealing with African-Americans when presiding in that County. For these and the reasons argued within the originally filed pro-se brief, the appellant respectfully request that his conviction and sentence, out of Pickens County, South Carolina, be reversed.

Respectfully Submitted,

/s/ Vincent Missouri
Vincent Missouri, #197996
Broadriver Corr. Inst.
4460 Broadriver Road
Columbia, S.C. 29210

cc: Att. gen.
filed
7/27/2015

Clerk of Court
214 E. MAIN Street
Pickens, S.C. 29671

6/25/2012

CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

2012 JUN 26 2:22

In re: Vincent Missouri v. State

Dear Clerk;

I am being held in the Pickens Jail charged with Bank Robbery. On June 22, 2012, I recieved A letter from the Pickens County Public Defender's Office, stating they would not be able to represent me (blessings come in all forms). I however, will be representing myself, and could use some assistance in getting to a "law library" or a laptop computer with Nexis Lexis capabilities.

In addition, please file and forward a copy of these (3) motions included herein. Only because the jail could not assist me with copying them. In Conclusion, please forward me "A docketing sheet" to verify my motion have been filed on the active court docket.

I Appreciate your time and attention in this matter and if you have any questions please contact me at the Pickens Jail.

P.S. "Forward to solicitor's office"
6/25/2012

Sincerely
Vincent Missouri

State of South Carolina
County of Pickens

2012 JUL -6 PM 1:31

13th Jud. Circuit
General Sessions Court

13th Circuit
Solicitors Office

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JUL 29 2015

SC Court of Appeals

Vincent Missouri,
Defendant,

Case No. 2012A391060001; I-336638;
I-336639

vs.

State of South Carolina
Respondent

2012 JUN 26 P 2:22
CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

Motion For Change of Venue

Comes Now, the defendant Vincent Missouri, appearing in Pro-Se Capacity, under a more liberal standard as noted in Haines v. Kerner, 404 U.S. 519 (1972), to move this Honorable Court for a "Change of Venue", for reasons not limited to the very "racist remarks" made by the arresting law enforcement personnel, concerning how Pickens County used to "hang niggers for what the defendant is accused of".

In addition, because of the media attention surrounding this case and what's been leaked to the public, the defendant has no confidence that he could receive "A fair trial".

As described by the Fourteenth Amendment of Due Process, under South Carolina's Constitution, or under the Fifth and Sixth Amendment of the United States Constitution.

Wherefore, it is respectfully requested that a immediate pre-trial hearing be held to determine if a venue change would be in the best interest of this case. Especially to afford the accused a right "to a jury of ones peers".

Respectfully Submitted,
~~1st Vincent Missouri~~
Vincent Missouri
216 LEC Road
Pickens, S.C. 29671


cc: CLK of Ct
13th Sol. office
Ce/25/2012

2012 JUN 26 P 2:22
CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

Mr. Vincent Missouri #197996
Broad River Correc. Institution
4460 Broadriver Rd.
Columbia, S.C. 29210

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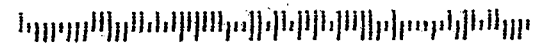
SC Court of Appeals

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