

App. No - 2015 - 000595

Aug 3, 2015

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Att Chief Justice

AUG 11 2015

S.C. Supreme Court

PETITIONER, submit this letter to the court to show how appellate counsel allowed court of Appeals to violate not only petition fourth Amendment also petition fourteenth Amendment. When she was notified by trial lawyer in petition to brief issue. The fourth and fourteenth Amendments require that it demonstrate, that the consent was in fact voluntarily given. Voluntariness is a question of fact to be determined from all the circumstances; *Johnson v. State*. But *Monte* Supreme and while the subject's knowledge of a right to refuse is a factor to be taken into account petitioner knew he had this right transcript page 353-354. IN light of the totality of the circumstances had the court ~~applied~~ ^{applied} it there would have been evidence to grant relief. After having the luxury of time to research and reflect, the state cannot now profit from the trial court's failure to rule for the prosecutor when she, Ms. Monte withdrew consent TR. page, 370-372 IN its initial trial the

SEAL spills pages of ink speculating.
This is simply ipse dixit McDonald vs.
U.S. supra is a NEARLY thing and history
shows that the police acting on their own
CANNOT BE TRUSTED. PETITIONER BELIEVES
COURT OF APPEALS ~~AND~~ ^{MIS} APPLIED THE FOURTH
AND FOURTEENTH AMENDMENTS AND SHOULD
BE REVERSED ^{IES} PRO-SE JUDGEMENTS
AND REMAND THE ^F
CASE FOR FURTHER
APPROPRIATE PROCEEDINGS.

Mr ERICK HEWINS #297728
McCORMICK INSP. I.
386 REDEMPTION WAY
McCORMICK, S.C. 29899

Appellate, NO. 2015-00595

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November 27, 2013

VIA UNITED STATES MAIL

Mr. Erick Hewins -- 00297728
Lee Correctional Institute
990 Wisacky Hwy.
Bishopville SC, 29010

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AUG 11 2015

S.C. SUPREME COURT

RE: *State v. Hewins*
Appellate Case No. 2013-000224

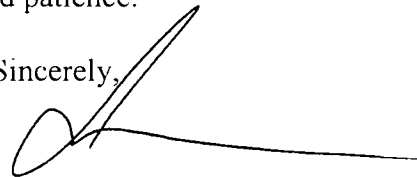
Erick:

I'm glad you received my correspondence, with the Order. As you and I have discussed, through correspondence, the first issue I am going to argue on appeal is that the Court erred by finding that there was sufficient evidence to justify an investigatory detention, and then sufficient evidence to conduct a *Terry* frisk. I also want to argue that the *Terry* frisk was conducted improperly, because it was not performed contemporaneous with your removal from the vehicle. Instead, Officer Gardner allowed for an unreasonable lapse in time between when he removed you from your vehicle and when he conducted the *Terry* frisk.

I was able to speak with your trial counsel for your January 2013 trial. He pointed out another issue that I think we should appeal, specifically, that the Judge erred by determining the truthfulness of the testifying officers' testimony, instead of allowing the jury to determine what weight and credibility to assign to these witnesses.

The motion for extension was granted. This will allow until January 2 for me to file our initial brief. I thank you in advance for your continued patience.

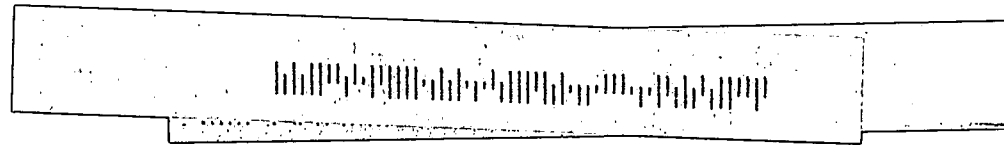
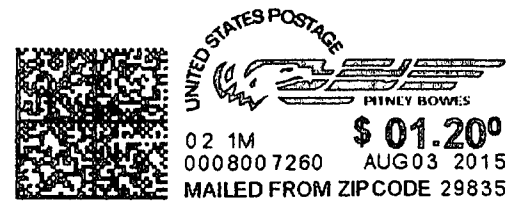
Sincerely,



Jessica H. Lerer
STROM LAW FIRM, LLC

JHL

Mr Frick Hewins #297728
McCormick Corr. Inst.
386 Redemption Way
McCormick, S.C.
29899



SUPREME Court of South Carolina
DANIEL F. SHEAROUSE Clerk of court
P.O. Box 11330
Columbia, S.C.
29211



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AUG 03 2015

**MCCI
MAIL ROOM**

MCCORMICK CORRECTIONAL INST
S.C. DEPARTMENT OF CORRECTIONS

THE DEPARTMENT OF CORRECTIONS HAS NOT
INSPECTED OR CENSORED THIS ITEM, THEREFORE,
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENTS.