

August 25, 2015

THE HONORABLE Daniel E. Shearouse  
Clerk, SOUTH CAROLINA SUPREME COURT  
POST OFFICE BOX 11330  
Columbia, S.C. 29211

**RECEIVED**

AUG 31 2015

**S.C. SUPREME COURT**  
Re: Donnie Woods, #272800 vs. State of South Carolina  
Appellate Case No. 2015-000131

Dear Mr. Shearouse:

I ASK that you file the enclosed motion with this Court in response to the motion filed by Counsel Ray Chandler on the 20th day of this month of August. I thank you for your meticulous handling of hand generated documents over the years. Truly your services are graciously appreciated.

Lord's Blessings,  
x Donnie Woods  
Donnie Woods #272800

CC. Ray E. Chandler  
Coffey, Chandler & McKenzie  
POST OFFICE BOX 1292  
MANNING, S.C. 29102-1292

Lee Corr. Inst. F40 1261  
990 WISACKY HWY  
Bishopville, S.C. 29010

THE STATE OF SOUTH CAROLINA -  
IN THE SUPREME COURT

APPEAL FROM CLARENDOON COUNTY  
COURT OF COMMON PLEAS

R. KNOX McMAHON, Circuit Court Judge

Case No. 2012-CP-14-0210

Appellate case No. 2015-000131

**RECEIVED**

Donniel Woods #272800,

Appellant,  
AUG 31 2015

VS.

**S.C. SUPREME COURT**

STATE OF SOUTH CAROLINA,

Respondent.

MOTION TO be Present AT  
Evidentiary Hearing to Rebut  
Claims in Counsel's Motion to be Relieved

Comes now the Appellant "PRO-Se  
litigant: Donniel Woods" who would move  
this Court to conduct AN Evidentiary  
hearing to establish the record in  
the aforementioned Motion.

The foregoing MOTION is based  
upon the following:

Counsel RAY Chandler and his office was retained by The Appellant's father in March of 2012 for an agreed amount of \$7,500.00. An additional Fee of \$2,000.00 was requested and paid in December of the same year for the service of Expert Testimony. See Exhibits-A, B, C

In Mr. Chandler's motion, he states that the negotiated fee for his representation was \$12,000.00. Enclosed you will find documents that will not only contradict what Mr. Chandler has presented to the court but also assist in the question of Mr. Chandler's representation as it concerns my Trust issues. I have difficulty understanding how a reasonably effective Post Conviction Attorney could file a Post Conviction Relief Application stating a Brady Claim/Prosecutorial Misconduct and also subpoenaing the same witness only to have them dismissed at the Evidentiary Hearings before hearing their testimony.

In Conclusion, the

Appellant would like to point to the enclosed exhibits. The breakdown of the monies will prove to the Court the initial agreement. As the Court will observe in the enclosed documents, Counsel Ray Chandler refunded my father \$1,200.00. Those are not the actions of an Attorney with a Client in the arrears.

August 25, 2015

Respectfully,

~~Donnie~~ Donnie Woods

Enclosure - Documents - A, B, C

Donnie Woods #272800

Lee Corr. Inst. F401261

990 Wisacky Hwy

Bishopville, S.C. 29010

CC: David Spencer, Assistant Attorney General  
South Carolina Office of Attorney General  
Post Office Box 11549  
Columbia, S.C. 29211-1549

CC: Blair C. Jennings  
Chandler & Jennings LAW OFFICE  
4969 Centre Pointe Drive Suite 102 (29418)  
Post Office Box 40459  
North Charleston, S.C. 29423-0459

COFFEY, CHANDLER & MCKENZIE, P.A.

Attorneys At Law

WILLIAM C. COFFEY, JR.  
RAY E. CHANDLER\*  
STEVEN S. MCKENZIE  
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\*OF COUNSEL

April 20, 2015

Mr. Donneil Woods, #272800  
Lee Correctional Institution  
990 Wisacky Highway  
Bishopville, SC 29010

Re: Donneil Woods - Post Conviction Relief Process

Dear Donneil:

Pursuant to the last meeting that Mr. Jennings and I had with you, I am enclosing herewith a break-down of the fees paid to us by your family on behalf of you for our work during the post conviction relief process.

When first contacted by your family, a fee of \$12,000 - \$15,000 was quoted to handle the PCR. This fee did not include an appeal should one be necessary. As you can see from the break-down enclosed, we were never fully paid for the PCR process.

Upon receipt of the Judge's Order which denied the PCR, a quote of an additional fee of \$5,000 was given to your father. Several attempts have been made by us to collect the fee; all attempts have been unsuccessful.

As you are aware the Notice of Appeal has been filed. The transcript has been ordered. As soon as the Court Reporter provides me with the estimated cost of the transcript, I will notify you accordingly.

I trust that the enclosed breakdown and letter have been responsive to your requests.

Sincerely,

Ray E. Chandler

REC/cnt  
Enclosure

Document-A

**RE: DONNEIL WOODS (PCR)**

AMOUNTS PAID TO ATTORNEYS RAY E. CHANDLER AND BLAIR C. JENNINGS FOR REPRESENTATION:

03/07/2012	\$6,000.00
03/13/2012	\$1,500.00
12/05/2012	\$1,000.00
12/06/2012	<u>\$1,000.00</u>
TOTAL PAID	\$9,500.00
12/17/2012 Partial Fee/Cost Refunded to Woodrow Woods	- <u>\$1,200.00</u>
<b>AMENDED TOTAL RECEIVED AND APPLIED</b>	<b>\$8,300.00</b>

*Document - B*

# Man will present arguments in March during post-conviction relief hearing

BY ROBERT J. BAKER  
bbaker@theitem.com

Donniel Woods thinks he is being held by the state Department of Corrections "unlawfully" for the sexual assault and kidnapping of a Clarendon County woman in 2006.

He will have to wait now until March to present his arguments against his sentencing in 2008 to 30 years in prison for those offenses after 3rd Circuit Judge R. Ferrell Cothran continued Woods' post-conviction relief hearing on Dec. 14. Sumter Clerk of Court Jamie Campbell said the next term for such hearings will be in March.

A jury found Woods guilty in October 2008 of first-degree criminal sexual conduct, kidnapping and strong arm robbery. He filed his current motion in April, alleging that ineffective representation by Camden attorney Deborah Butcher during his original trial denied him the due process guaranteed by the 6th and 14th amendment.

"(Woods) was denied the due process of law ... by counsel's failure to complete the most basic pre-trial discovery and investigation ... failing to adequately prepare (Woods') case for trial; failing to cross-examine witnesses to elicit favorable facts and to highlight contradictory evidence ... and circumstances in (Woods') defense," according to part of Woods' motion, which he filed without an attorney. Woods further claims that the 3rd Circuit Solicitor's Office failed to provide Butcher with discovery in the case until the eve of the trial.

Woods was served with warrants for the of-

fenses on June 29, 2007, a little more than a year after a Clarendon County woman told police Woods held her against her will and forced her to perform oral sex on him in his car near the area of Tearcoat and Brogdon roads in Alcolu. The Clarendon County Sheriff's Department reported at the time that Woods also raped the woman after she attempted to flee from the vehicle, and that he took personal belongings and money from her during the incident.

Alleging that the only evidence implicating him in the incident was the victim's identification of him, Woods says in his motion that Butcher was ineffective in not requesting medical records relating to the woman's treatment at Clarendon Memorial Hospital on the night of the incident.

"These records contain facts and disclosures that contradict statements the alleged victim provided to law enforcement and medical personnel on the night of the incident," the motion reads. "Specifically, no DNA evidence was recovered, nor was there any physi-

cal evidence or bruising present that corroborated the victim's statement or implicated (Woods), (who) only became aware of the existence of this evidence after his trial was complete."

Woods' previous application to the state Court of Appeals, in which he also cited Butcher's alleged misrepresentation of him during the criminal trial, was denied in January. Post-conviction relief proceedings are typically heard by a judge in the county or circuit where the original trial occurred. Defendants use the proceeding to collaterally attack their criminal convictions by attempting to prove their original trial lawyers were incompetent in handling their cases. State law requires Woods to do two things to prevail in such a motion.

"(Woods) must prove that counsel's performance was deficient ... (by) a standard of reasonableness under professional norms," according to the state Supreme Court. "(And he must prove) that counsel's deficient performance must have prejudiced (him such) that

there is reasonable probability that, but for unprofessional errors, the result of the proceedings would have been different."

Bypassing Woods' argument about his original trial lawyer, state Assistant Attorney General Megan Harrigan argued in a reply to Woods' motion on Aug. 31 that even if Woods is able to show that discovery was withheld, he must ultimately show that the withheld evidence would "have been favorable to (Woods) and (that the suppressed) evidence is material (to the case)."

Harrigan asked for an evidentiary hearing on the matter in her response, saying that Woods' allegations could not be conclusively refuted by the trial record.

Reach Robert J. Baker at (803) 774-1211.

Document - C

Donniel Woods #272800  
Lee Corr. Inst. F4B 1261  
990 Wisacky Hwy  
Bishopville, S.C. 29010

THE Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, S.C. 29211

SC

SEP 17 2015

MAIL ROOM

LEGAL MAIL