

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Colleton County

Perry M. Buckner, Circuit Court Judge

RECEIVED

APR 26 2012

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

George Brown

APPELLANT

PRO SE APPELLANT BRIEF

GEORGE BROWN

Pro Se Appellant

Lieber C.I. SA-57

P.O. Box 205

Ridgeville, SC 29472-0205

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STATEMENT OF ISSUE OF APPEAL

- I. Did the Trial Court err in permitting the Solicitor to change the original charge of Strong-Arm Robbery to Armed Robbery?
- II. Was the Appellant's Fifth, Sixth and Fourteenth Amendment Rights of United States Constitution and his Rights of Due Process violated by the defect in the indictment for failure of State to establish probable cause for kidnapping, as recognized by law?
- III. Did the Trial Court lack Subject Matter Jurisdiction due to the "procedural defect" in that there was no Order of Continuance issued to continue the case?
- IV. Was the Appellant's Fifth, Sixth and Fourteenth Amendment Rights of the United States Constitution and his Rights of Due Process violated by the State unlawfully impaneled the Grand Jury?

STATEMENT OF THE CASE

Appellant George Brown was indicted by the Colleton County Grand Jury on January 24, 2011, for kidnapping and armed robbery. R.323 (Indictment). His case was called for trial on January 25, 2011, before the Honorable Perry Buckner, and a jury. Brown was represented by Harris Beach, and the State was represented by Ben Shelton. R.1.

The jury found Brown guilty as charged, and the trial court imposed concurrent sentences of twenty years incarceration for each offense. R.302, 11.5-14; R.320, In.19-R 321, In.12.

I. ARGUMENT

Did the trial court err in permitting the Solicitor to change the original charge of Strong-Arm Robbery to Armed Robbery?

The Appellant humbly contends that his Constitutional Rights and Rights of Due Process were violated for the charge of Armed Robbery because the Solicitor lack Subject Matter Jurisdiction to change the original to Armed Robbery. Specifically, the Fourth Amendment makes probable cause the key term in the arrest process. The Police need probable cause to make an arrest, whether they are asking a judge to issue an arrest warrant or justifying an arrest after it has been made. Therefore, to establish probable cause, Police Officers must be able to point to objective factual circumstances that lead them to believe that a suspect committed a crime. A Police Officer can't establish probable cause by saying something like, "I just had a hunch that the defendant was a Robbery."

Here, judges, not Police Officers, have the last word on whether probable cause exists. A Police Officer may be sincere in believing that enough factual information to constitute probable cause exists. But if a judge examines that same information and disagrees, than probable cause does not exist (or did not exist if the question is being decided after the arrest occurred?). There will,, of course, be instances where " it is plainly evident that a Solicitor ha[s] no business changing the original charge of **Strong-Arm Robbery to Armed Robbery.**" Illinois v. Gates, 462 U.S. 213,264 (1983).

This legal framework and foundation being firmly in place, the Solicitor lack subject matter jurisdiction to enhance the **Strong-Arm Robbery** ocharge to **Armed Robbery** because the State failed to establish probable cause

on the amended charge of **Armed Robbery**. Specifically, the Appellant asserted that there was no arrest warrant issued for **Armed Robbery** and the State conceded there was no arrest warrant for **Armed Robbery**. Tr.p.47 lines 1 thru.3:

Mr.Shelton: He was originally arrested, Your Honor, under a warrant for strong-arm robbery, not armed robbery.

Kurt Wallace-Direct Examination by Mr.Shelton:

Q. Now-- and what did you-- because I think it's fair for everyone to know-- what did you initially charge them with? Once you had the evidence at the scene, what did you charge them with?

A. After I gathered all the evidence that I could have gathered that night, I charged them with strong-arm robbery.

Q. You charged them with strong-arm robbery initially?

A. Initially, yes.

(Tr.p.177 lines 24 thru.25-p.178 1 thru.7).

Q. Now, this is still within-- Sargent Wallace, I apologize. It takes a long time. I apologize because it takes a long time to get where we're going. And what fact did you base that decision on?

A. The fact that I based the decision on to charge them with strong-arm robbery is where it was previously thought that a weapon was used, due to the fact that a weapon was not found and it was concluded that a weapon was not found and it was concluded that a weapon was not involved, that's the reason why I charged them with strong-arm robbery.

(Tr.p. lines 8 thru.17).

In the instant case, there was no mitigating circumstance to upgrade the original charge from **Strong-Arm Robbery** to **Armed Robbery**. Specifically, **Strong-Arm Robbery** is a lesser-included offense of **Armed Robbery**. Here, an Officer shall not alter a warrant after it has been issued in an attempt to-

particularize it. See Brown v. Byer, 870 F.2d 975,978-79 (5th Cir.1989)(the State violated arrestee's 4th Amendment Rights by changing the original of Strong-Arm Robbery to Armed Robbery.

The Court: Very well.

Thank you very much. Now, as I understand it, Solicitor -- I want to know this. First of all, when this Defendant was arrested the day after this occurrence, according to Mr. Beach, Number 28th, he was ultimately served with an arrest warrant. Is there any information in this indictment different from the arrest warrant?

(Tr.p.46 lines 18 thru.25).

Mr. Shelton: He was originally arrested, Your Honor, under a warrant for Strong-arm Robbery, not Armed Robbery.

(Tr.p.47 lines 1 thru.3).

In the view of these legal principles, the indictment clearly alleges Brown committed a Robbery while armed with a pistol. The indictment against Brown read as follows:

Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

That on or about November 27,2010, in Colleton County, South Carolina, the Defendant, George Brown, at 16273 Ace Basin Pkwy., by use of force, threats or intimidation and while armed with a deadly weapon, or while alleging either by action or words, he was armed while using a representation of a deadly weapon or other object which a person present during the commission of the robbery reasonably believed to be a deadly weapon, did take and carry away goods and/or monies from the person or immediate presence of Sanquentti Blocker with the intent to permanently deprive the victim of possession thereof, in violation of Section 16-11-330(A) of the South Carolina Code of Laws, (1976), as amended.

The fact pertaining to this issue is taken sub-justice from the official record. Defense Counsel question Blocker:

Q. Did he ever represent to you that he had a gun?

A. Not to me, no.

Q. Did he ever present a gun? Did he ever show you any type of weapon?

A. No, he didn't.

(Tr.p.124 lines 17 thru.21).

It is more than clear the evidence is consistent and there is another more reasonable hypothesis. That being the Appellant was not armed thus such takes this issue outside of the realm of armed robbery, driving from the evidence produced, that which substantiates the presence of the **Mens Rea** related to the charge. (citing) State v. Jones, 342 S.C.248, 536 S.E.2d 396 (Ct. App.2000), in Jones the Court of Appeal held that the reference between an indictment charging a defendant with armed robbery while possessing a pistol and evidence that the victim did not actually see a gun, but believed the defendant had a gun was fatal. Although the issue of amending the indictment was not before this Court in Jones the Amendment here was also impermissible. Which analyzed in Jones the victim saw no weapon, this case is very similar to the involved here. Because the victim admitted that the Appellant had no weapon. **Warrant clause.** The Clause of the **Fourth Amendment** to the **U.S.Constitution** requiring that warrant be issued only on probable cause.

Specifically, it is well established by the United States Constitution, the Fifth, Sixth and Fourteenth Amendments and the Bill of Rights, that when an individual is brought a Court of Jurisprudence upon accusation, that individual alleged thereupon is innocent until proven by a Jury of one's Peer guilty of the aforesaid accusation being brought before the Court. This is the Defendant's most basic and Fundamental Right by Federal and State Law pertaining to Due Process and the United State Constitution. The indictment(s) of South Carolina are a violation of Federal and State Laws related to Due Process because they possess a Constitutional structural error in that the language and/or charge-

contained therein is constructed to produce conclusive presumption(s) that immediately shift the burden of persuasion upon the Defendant in regards the crucial elements of the offense(s) and take away the Appellant's presumption of innocence. In the present case, the [store surveillance cameras] will prove beyond a reasonable doubt that the Appellant's did not possess a pistol.

Sanquetta Blocker Cross Examination By Mr. Beach:

Q. Did the other fellow, Mr. Brown, the Defendant did he have a mask on?

A. No, he did not.

Q. Did he ever put a mask on?

A. No.

(Tr.p. 124 lines 12 thru.16).

Both Due Process and common sense dictate if the Appellant was involved with allege crime, he would have put a mask over his face to conceal his identity. In the present case, mere presence of scene of crime is not evidence of guilt. Hicks v. United States, 150 U.S. 442,447,448,14 S.Ct.144,34 L.Ed. 1137 (1803), one cannot be both a principal and an accomplice to the commission of the same offense. See United States v. Cook, 745 F.2d 1311 (1984).

To further elaborate on and bolster this proposition if the Honorable Court would please take notice of the warrant(s) pertaining to the offense(s) as it is for every warrant issued in the State. In the body of the Warrant it states: "I further state there is probable cause to believe that the Defendant named above did, etc"

This is the language explains the Constitutionally infirm language and/or charge. This is the language that aids in maintaining the presumption of inn-

ocence and also which confirm the specific job of the Grand Jury; that being to determine if there is sufficient probable cause to bring a Defendant to trial. Yet by the structural constitutional error, defect, language and/or charge of the indictment(s) the Grand Jury adjudicated not only guilt of the offense(s) charged, but also the "Mena Rea" related thereto. If such or similar language as aforementioned is not embodied in the body of the charging instrument of the indictment(s), then the indictment are not constitutionally sound and they violate Due Process. The evil that has developed from this far out weigh the good it intended.

Any indictment whether it be in the smallest of detail, whether it be in the smallest of towns, or the largest of cities, within the boundaries of any County of State, whether it be intentional or unintentional, that is construed in a fashion where it automatically shift the burden of persuasion from the state to the Defendant, takes away one's presumption of innocence and give off an unconstitutional impression of his/her rights by law, contrary to the United States Constitution shall not stand. They violate the Appellants as well as every single member of the commonwealth's Constitutional Rights under the Fifth, Sixth and Fourteenth Amendments and seeks to unjustly deprive one of life, liberty and property. It is for the reason that the New Jersey and Maine Supreme Courts overthrew such similar actions in those States and on this premise; the same should be done to the State of South Carolina. Yes, under these circumstances it may be far more difficult for the prosecution to obtain said conviction or guilty plea, but it is far better that they endure the difficult, than the greater degree or likelihood for innocent men and women to be subject to an erroneous conviction or guilty plea that is not freely, knowingly, voluntarily or intelligently given because it prejudice the individuals subject to these-

Indictment(s). Prosecutors must know and understand that such is the nature of the beast. The burden is theirs and it goes with the professional territory and job at hand.

South Carolina Rules of Criminal Procedure Rule 3 (c) states: Disposition on arrest Warrants, the Solicitor shall take action on the Warrant within ninety (90) days by preparing an "indictment" for presentment to the Grand Jury. The existence of probable cause is a fundamental requirement for issuance of an arrest warrant, a warrant may be issue only by an officer authorized by law to do so, and the magistrate issuing it must be neutral and detached.

II. ARGUMENT

Was the Appellant's Fifth, Sixth, and Fourteenth Amendment Rights of the United States Constitution and his Rights of Due Process violated by the defect in the indictment for failure of State to establish Probable Cause for Kidnapping, as recognized by law?

The Appellant humbly contends that his Constitutional Rights and Rights of Due Process were violated for the charge of **Kidnapping** because the charging instrument does not state that an arrest warrant was issue for Kidnapping. Generally, a warrant is necessary for the commencement of a criminal prosecution unless the presence of the accused is lawfully acquired in some other way. For example in Technical Ordnance, Inc. v. US, 244 F.3d 641 (8th Cir. 2001), warrant issued on the basis of an affidavit that shows probable cause only, because it contains a deliberate or reckless falsehood or omissin violates the Fourth Amendment. In the present case, the Solicitor failed to obtain -

an arrest warrant for Kidnapping. Here, the complaint or affidavit is the initial step in the prosecution, and it is the pleading which shows the charge against accused. The instrument performing this function is also known as an information.

Mr.Selton: Yes. It was a decision obviously made by our office working in consult with law enforcement to change the charges to Kidnapping and armed robbery after reviewing all the evidence in the case.

(Tr.p.47 lines 10 thru.13).

In the present case the State violated the State of South Carolina Constitution Art. I § 8 of [Separation of Power]. How do the Police obtain an arrest warrant? To obtain a warrant, a Police Officer typically submits a written affidavit, given under oath, must recite sufficient factual information to establish probable cause that a crime was committed it. **Warrant Clause.** The **Clause** of the **Fourth Amendment** to the **U.S.Constitution** requiring that warrant be issued only on probable cause.

These necessary elements of kidnapping must not only be proven before a person could be lawfully convicted, but they must be alleged in the Affidavit. Here, the Appellant did not block the door because the victims was free to leave the store, there was no weapon held on the victim.

Sanguenetta Blocker-Direct Examination by Mr.Shelton:

Q. And will you please tell the jury, now that you just exited the door on the video, what do you do next?

A. Run.

Q. Why did you run?

A. I was getting out of there.

Q. Because you wanted to get out?

A. Yes.

(Tr.p.119 lines 23 thru.25,p.120 L.1 thru.4.)

It is perspicuous by the testimony of the witness **Sanquetta Blocker** will corroborate on the video that **Ms. Blocker** was running out of the store.

ELEMENTS OF KIDNAPPING

In order for transportation of a victim to constitute a substantial distance necessary to charge kidnapping the moment must be more isolation must be one where the victim's ability to communicate with others is inhibited. The most recognized form of kidnapping is where a victim, often a young child, is taken away and held so that the perpetrators can collect ransom. Kidnapping can also be charged when employees/hostages in a bank robbery are locked in a vault, or which a victim is locked in a room and sexually assaulted.

KIDNAPPING VS. OTHER SIMILAR CRIMES

Kidnapping differs from unlawfull restraint that a necessary element for the latter is the victim's forced restraint under circumstances exposing him to serious bodily injury; but unlawful restraint does not require that the additional elements of transporting the victim, holding him in isolation or the specific intent elements discussed above (e.g. ransom).

Kidnapping differs from false imprisonment in that the latter only requires that the victim's liberty be substantially affected.

Although, the Appellant did not object to the indictment defect(s) and/or errors without probable cause and the lack of probable cause, then it violat the **Fourth Amendment**, in the present case, where probable cause for kidnapping was lacking. That is, where the State should have known that the facts recited in the indictment did not constitute probable cause. The complaint, affidavit, or information is the initial step in the prosecution, and it is the pleading which shows the charge against accused. The function is also known as an information.

There will, of course, be instances where "it is plainly evident that a Solicitor ha[s] no business issuing an indictment without a arrest warrant upon probable cause.

The Appellant contends it is well established by the probative value would point out that in this case, the criminal acts committed by State clearly establish the essential of fraud on the Court. In addressing a case involving fraud on the Court, the United States Supreme Court explained that to be granted relief under the provisions of Rule 60 (b)(3), Fed R.Civil Pro., the issue turns on whether the alleged misconduct "harms" the integrity of the judicial system.

"Tampering with the administration of justice in the manner undisputedly shown here involves far more than injury to a single litigant. It is a wrong against the institution set up to protect and safeguard the public institution in which fraud cannot complacently be tolerated consistently with the good order of society. Surely it cannot be that preservation of the integrity of the judicial process must always wait upon the diligence of litigants. The public welfare demands that the agencies of public justice be not so impotent that they must always be mute and helpless victims of deception and fraud." Hazel-Atlas Glass CO. v. Hartford Empire Co., 322 US 238, 246, 64 S.Ct. 997, 1001, 88 L.Ed 1250 (1949).

Accordingly, fraud on the Court is misconduct by an officer of the Court that is directed at the judicial machinery itself. Thus, fraud on the Court is very evident here.

In my view, it is the role of magistrate to make a determination of probable cause and not the Solicitor. Judicial evaluation of probable cause by a magistrate is the essential "checkpoint between the Government and the citizen." Steagald v. United States, 442 U.S. 753, 759 (1979).

III. ARGUMENT

Did the Trial Court lack Subject Matter Jurisdiction, due to the "precedural defect" in that there was no order of continuance issued to continue the case?

The Appellant contends in pursuant to Article V Section 4 of the South Carolina Shall be disposed of within (180) days from the date of the Defendant's arrest provided however, that the Circuit Court may continue a criminal case beyond (180) days by Written Order if the Court determines that exceptional circumstance exist in the case.

This order does not creat or define a Right of Defendant to a speedy Trial.

S.C.Code Ann. Section 1-7-730 and 17-13-150 require that the prosecution fulfill and see that all duties, requirements and Rules of Criminal Procedure related to Due Process and the South Carolina Constitution are adhered to any completed within the Court.

Mr,Beach: Thank you Your Honor
Your Honor, I do have a motion. And it is a **Motion to Continue** this case. And it's based on two grounds. The first ground is the rapodity to which this thing has occurred. This incident happened on November the 27th. The actual arrest was right after midnight on the 28th. We are less than sixth days away from when the incident happened. And I would assert to the Court that we have not had adequate time to investigate the case and to come -- and to really put it together for the Defendant. In fact, my investigator at my behest was interviewing potential witnesss this morning as we were in court dealing with the Grand Jury.

The Grand Jury has just indicted this case this morning and direct indicted on the grounds that were not in the original warrant. He has just been arraigned just a few moments ago. I got the actual indictments at two o'clock when I returned back from lunch. But the basis of this is that we didn't have time for a sight of the indictment.

I know that under the statute it is allowed in a criminal case. We think it should be allowed -- in a -

Capital case also. Maybe not even the whole three days sight of indictment, but at least a partial siting so that we can prepare this thing. But the main basis on this ground is that we just haven't had enough time to prepare this case and present it to the jury and present it to Your Honor. And that would be our first basis.

(Tr.p.37 lines 11 thru.25, p.38 lines 1 thru.14).

Therefore, it can be factually stated that not only the Appellant's Fourteenth Amendment Rights of Due Process, but also by the provision of Article V. Section 4 of the South Carolina Constitution, it is mandatory that the Defendant's Due Process matters be disposed of before the Criminal Court within (180) days after his arrest. The Appellant was arrested on or about November 27,2010. This means that the Appellant's Due Process matter should have been disposed of by May of 2011 yet the State disposed of the case the same day of Grand Jury convened on January 24,2011, the procedural timeline without an **Order of Continuance** creates a "procedural defect" which deprives the Trial Court of Subject Matter Jurisdiction and/or the Right and/or power to enact its Subject Matter Judiciary powers to adjudicate the Appellant Trial. Subject Matter Jurisdiction is the Power to hear and determine cases of a general class to which the proceeding in question belong. **Bell v. Monsanto Corp.**, 579 S.E.2d 325 (S.C. 2003). Subject Matter Jurisdiction does not only cover and/or involve whether or not the mater resides in a proper Court of Jurisdiction to hear it. The Court Power to hear and determine a case is also defined as the Court's ability to hear and determine a case. Thus Subject Matter Jurisdiction also involved any issue that may affect and/or hinder that power and/or ability to act in accordance to Rules of Court and Due Process law, such matters can be raised at anytime and the Court-

shall not fail to take notice Brown v. State, 343 S.C. 342, 540 S.E.2d 846 (2001); State v. Browing, 320 S.C. At 368, 465 S.E.2d 461 (S.C.1987); citing State v. Munn, 357 S.E.2d 461 (S.C.1987).

The Appellant avers in LILJERBERG v. HEALTH SERV. CORP, 486 US 847, 100 L.Ed 2d 855, 108 S.Ct. 2194 (1988), Right to a fair trial is basic requirement of due process and includes right of unbiased judge.

Without an Order of Continuance being issued the parties were prohibited from continuing the cause. Such deprived the Criminal Court of Subject Matter Jurisdiction and/or Right to enact and/or invoke its Subject Matter Judiciary Powers to adjudicate the Appellant's Trial and violated his Due Process Rights. Therefore, the sentence and conviction must be vacated.

IV. ARGUMENT

Was the Appellant's Fifth, Sixth and Fourteenth Amendment Rights of the United States Constitution and his Rights of Due Process violated by the State unlawfully impaneled its Grand Jury?

The Appellant contends it is well established by S.C.Code Ann. § 14-5-800 Section (3). - The courts of general sessions for Colleton County shall be held at Walterboro on the second Monday in January for one week, on the first in April for two days, on the second Monday in June for one week and on the third Monday in September for one week. However, here, evidence will establish that State unlawfully impaneled its grand jury outside the jurisdiction of the court of General Sessions, and then willfully printed and published false and misleading information in its indictment in order to deep secret its violation of statutory law.

The Court: All Right.

Apparently, Mr. Beach, I'm being told that the Grand Jury did meet in December, but it was -- they looked at offenses that occurred prior to November 27th, 2010. So I stand corrected. This is the first meeting of the Grand Jury for offenses that occurred after -- that date or after in Colleton County.

(Tr.p.56 lines 4 thru.9)


Therefore, recognizing the jurisdictional requirements set forth in section 14-9-210, mandating the only process allowed for impaneling a lawful grand jury, and often consideration of the facts and evidence presented above, it becomes apparent that the Appellant was indicted outside the jurisdiction of the Court of General Sessions and by a mode of procedure that State had no lawful authority to adopt.

As presented above, instead of discharging his responsibilities in conformity with State law, the Solicitor broke his oath of office. The Solicitor intentionally violated the provisions of section 14-9-210 by unlawfully processing the indictment, outside the jurisdiction of the Court of General Sessions, and then by willfully printing false and misleading information in the indictment incorrectly stating that it had been returned at a true bill indictment, Court of General Sessions (see subsection A above). Thus, he committed the offense of perjury and must be punished accordingly.

CONCLUSION

For the foregoing reasons, George Brown respectfully requests reversal of his conviction, and remand for a new trial.

Respectfully submitted,



George Brown, #301460

PRO SE APPELLANT

This 24th day of April, 2012

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM COLLETON COUNTY
PERRY M. BUCKNER, CIRCUIT COURT JUDGE

RECEIVED

APR 26 2012

SC Court of Appeals

THE STATE,

Respondent

v.

GEORGE BROWN,

APPELLANT

MOTION TO WITHDRAW COUNSEL PETITION TO BE RELIEVED AS COUNSEL

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PRO SE APPELLANT

Salley W. Elliot
Senior Assistant Attorney General
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Columbia, South Carolina 29211-1549

Counsel for Respondent State of S.C.

Pursuant to **Sixth Amendment** give the Appellant a Constitution Rights to a lawyer's help etc., the undersigned respectfully requests for a **Motion to Withdraw Counsel Petition To Be Relieved As Counsel** in this matter. After a conscientions examination of this case, the Appellant's has determind the law does support this appeal because the Court violated the Appellant's substantive due process as set forth in the **Pro Se Appellant Brief**. Counsel has filed **Ander Brief** which deprived the Appellant of his due process. In **Robbins v. Smith Supra**, the U.S.Supreme Court Ruled that **Robbins** had a constitutional Rights to have each issues on the Record of Appeal to be heard.

Pursuant to **Rule 608** of the **SCRCP Appointment of Lawyer for Indigents**. Under **Gieon v. Wainwright**, (372 U.S. 335), the 1963 U.S.Supreme Court decision that gave criminal defendant in State felony trials the right to counsel.




George Brown, #301460
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April 24,2012

CERTIFICATE OF COUNSEL

The undersigned certifies that to the best of my ability this Pro Se Appellant Brief complies with Rule 211 (b), SCACR, and the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filing."

April 24th, 2012


George Brown, #301460

Pro Se Appellant
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SC Court of Appeals

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Perry M. Bucknes, Circuit Court Judge

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SC Court of Appeals

THE STATE,

RESPONDENT,

v.

GEORGE BROWN,

APPELLANT

CERTIFICATE OF SERVICE

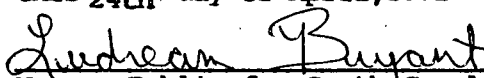
The undersigned pro se hereby certifies that a true copy of the Pro Se Appellant Brief in the above referenced case has been served upon Salley W. Elliott, Esquire, at Rembert Dennis Building, 1000 Assenby Street, Room 519, Columbia, SC 29201; and a true copy of the Pro Se Appellant Brief on Breen Richard Stevens, Appellate Defender, South Carolina Commission on Indigent Defense Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211-1589, this 24th day of March, 2012.



George Brown, #301460

PRO SE APPELLANT

SUBSCRIBED AND SWORN TO BEFORE ME
this 24th day of April, 2012

 (L.S.)
Notary Public for South Carolina
My Commission Expires: May 26, 2020

April 24, 2012

George Brown, #301460
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APR 26 2012

SC Court of Appeals

The Honorable Jenny Abbott Kitchings, Clerk
1015 Sumter Street
Columbia, South Carolina 29201

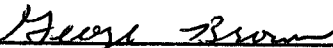
RE: The State v. Brown, George

Dear Ms. Kitchings:

Please find enclosed the **Pro Se Appellant's Brief** in the above-referenced matter.

Thank you for your consideration in this matter. Please feel free to contact me if you have any question or concerns.

With best personal regards,


George Brown, #301460

cc: Salley W. Elliott, Esq.,
Senior Assistant Attorney General

Breen Richard Stevens, Appellate Defenfer