

• Jenny ABBOTT Kitchings,

I have NOTHING more To file with This COURT a PRO SE brief → addressing any issues I believe The COURT should consider in This appeal OTHER Than what hasbeen already filed, The TRIal Judge ERred by failing To direct a VERdict of acquittal on the charge of CDVITAN, where The Knife That Appellant allegedly used was NOT INTROduced → into evidence and There was NO medical evidence presented That Page's injuries were serious. I appealed my conviction and Sentence, That There is NOT any evidence in The Record as To the actual introduction of a Knife OR a photograph of it, because no Knife was entered into → evidence, Appellant should havebeen acquitted of Criminal domestic Violence, high and aggravated. The TRIal Judge ERred by failing To direct a VERdict of acquittal as To the charge of CDVITAN. A criminal defendant is entitled To a directed VERdict When The State fails To present evidence of the offense charged. STATE V McCOMBS 368 S.C. 489, 493, 629 S.E.2d 361, 362-63 2006; STATE V CHERRY, 361 S.C. 588, 593, 606 S.E.2d 475, 478 2004. STATE V McHONEY, 344 S.C. 85, 97, 544 S.E.2d 30, 36 2001. Without The Knife That officers Recovered and → evidence describing Page's injuries as serious, The other evidence presented at TRIal raises a suspicion That Appellant committed Criminal domestic violence, high and aggravated. therefore, The TRIal Judge → should have granted a directed VERdict of acquittal on That charge. Appellant JAMES PATRICK SMITH #292985 Respectfully Requests This → COURT To direct a VERdict of acquittal as To CDVITAN. Respectfully → Submitted, Sincerely James Patrick Smith 3-12-2015

MAR 17 2015

SC Court of Appeals

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