

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
Post office Box 11629  
Columbia, S.C. 29211

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MAR 26 2015

**SC Court of Appeals**

Re: Mack Washington pro se brief  
2014-000667

Dear Mrs. Kitchings,

I would like to address two (2) issues while my case is on Direct Appeal. The first issue would be a Motion For Continuance. This motion was filed by trial attorney on March 10, 2014 to be heard by trial Judge one week prior to trial. The motion was held at the Hampton County Courthouse. The basis and grounds for the continuance motion is that attorney for the defendant just recently received all of the discovery from the state and has not had adequate time to prepare for trial or to go over the discovery with the defendant. This was brought up during trial, had the continuance been granted I would have been given the time to view the state's evidence and built a defense. The denying of said motion hindered me from having a fair trial.  
State v. Patterson, 273 S.C. 361, 256 S.E. 2d 417 (1979).

The other issue I would like to address is not being able to show "Third Party Guilt" Holmes v. South Carolina, 126 S.Ct. 1727  
Enclosed is a copy of a sworn affidavit.

Conclusion: new trial

Mack Washington, JR # 314550

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## SC Court of Appeals

## Affidavit

on January 7 2012 I was standing at the head of my driveway in white hall waiting on a ride to come through. Cars passed by but only one stopped, it was a white car with an out of state license plate. the car backed up to where I was standing & the window rolled down, two guys I know by the name ty & trill were in the car Stephen young (trill) was driving & tykeem Lewis (ty) was in the passenger seat. they asked if I needed a ride & I said yeah I wanted to get some newspapers, we left my driveway & our next stop was white hall boat landing. they both got out of the car & started taking stuff out the trunk & back seat putting it on the side of the woods, we left & got the newspapers & returned back to my house. before I got out Stephen asked me did I know anybody looking for a stu-10 (stolen car) or some rifles? I told him no so they left, I heard bout the rice planters robbery 4 days after wards, I heard ty got arrested for his involvement in the robbery but didnt know mack washington was also arrested & sentenced for the crime. I found out after hearing a conversation on the rec field here at the lieber prison between mack & another inmate that his name got tied in the robbery. I didnt know that I needed to come forward with this info until I realized that wint's no way mack could have been involved unless he got out before ~~my~~ ~~it~~ it stopped to my drive way, this was around 12:00 A.M. I was here at prison when mack went to trial, had I known of the trial I would have attest to this factual statement!!

Joshua Graham

Sworn before me  
this 19<sup>th</sup> day of December 2014

Lucretia Bryant  
notary public for South Carolina

my commission expires May 26, 2020

Magic Washing fun #314550  
Lieber Corr. Inst. MA-217  
P.O. Box 205  
Ridgeville, S.C. 29472

inter-agency

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