

**RECEIVED**

DEC 31 2015

12-26-15

MS. Allen,

SC Court of Appeals

My name is Annie Wilson, SCDC#1309157. I'm writing in reference to my Appellate Case, No. 2015-002028. I received a letter, dated 12-18-15. It said I failed to provide a sufficient explanation as required by Rule 203(d)(1)(B)(iv) of the SCACR. ~~The~~ The Appellate court dismissed my Appeal, and the letter states the remittitur will be sent as required by Rule 221(b), SCACR.

For starters, I mailed the Appellate Court a response, within 20 days, as stated, in a letter I received from my supposedly Public Defender, dated Oct. 7, 2015. I was at R&E, in Columbia, when I mailed my response to the Appellate Ct. My response letter was mailed to you, dated Oct. 19, 2015, twelve (12) days from the date of Mr. McMillian's letter. I am ~~re~~ resending a handwritten copy of the letter I sent to your court and Mr. Millian both, dated 10-19-15. I was at R&E as I stated, during the Flood, when this letter was mailed out to both of you.

Because of the flood, with no one able to get to R&E to work, I had a hard time getting the legal envelopes from anyone, to respond to, the reason why I feel I need an Appeal. Lt. Dillard was unable to get to work, the only one who could supply me with the envelope. By the Grace of GOD, she worked on the day I mailed my response to you, as I had to receive the envelope from her. So yes, I mailed a letter to the Appellate Ct. on 10-19-15. My Pub. Defender will not correspond with me pertaining to this matter, pertaining to anything to do with my V.O.P. charge. I have repeatedly wrote to him about this Appeal and what needs to be done, for the Appeal to be accepted, but no response. I do not know why my Appeal has been dismissed - MR. Bradley McMillian will not correspond with me, or my husband, Randy Toole (803) 508-4396, pertaining to my case. I don't know what all these 'Rules' are, that you are referring to. If I am being turned down

For an Appeal on my case, then that's telling me that you did not receive my letter, mailed from R&E, dated 10-19-15, I feel as if I ~~was~~ <sup>didn't have</sup>, and still don't have any counsel on my 5 yr. Viol. of Probation sentence. ~~Can~~ <sup>How</sup> can I receive some counsel on this matter? Is what he's doing, not corresponding with me about my case (before or after sentencing) proper protocol, for an Attorney at Law? The only letter he has mailed me pertaining to this case is the one dated Oct. 7, 2015 asking me to write to the Appellate Ct., an explanation as to why I feel I need an Appeal. If you can not grant me an Appeal, how can I request a new hearing with a new Public Defender? MR. McMillian did absolutely nothing to defend me in my case. How can I handle this matter? I can't afford to hire a 'real' Attorney. How can I receive a new trial, if you dismissed my Appeal? I'm resending the response letter back to your court, in case this is the reason for the dismissal. If my Appeal is still dismissed,

after reading and considering my reasons for Appeal, can you send to me the Rules of Court, to which you based your decision? I work the Litter Crew at Heath Corr. Inst. and it's hard for me to get an afternoon appt. into the Law Library. Can you assist me with this matter please?

Sincerely,  
Annie Wilson  
SADC #135957

Appellate Case No. 2015-002028  
12-26-15

P.S.

What is a remittitur and who does it go to? Can you also correspond back as to whether this 2<sup>nd</sup> letter I'm sending to you can or will make a difference in the Appeals decision. I am enclosing a SASE for your response back to me. What is the time frame also, for the CTS. response, this 2<sup>nd</sup> time?

On the Appellate Ct. decision I just received, that says 'dismissed', what is the difference between 'dismissed' and 'denied'? How can I get another hearing? With another Atty.?

orig. date  
10-19-15

- ① While I was at ACDC, prior to court, the Prob. Supervisor Marie Bolton told my mother, Joan Wilson, over the telephone that I needed Rehab. I had previously tried to get into Rehab. 3X in 2015. Twice it was Voc. Rehab's fault I didn't go, 1 time my fault. The Bond Court Judge, Patrick Sullivan said Probation told him not to give me a bond, so they can get me into Rehab. Denied Probation bond b/c of this.
- ② While Incarcerated at ACDC I wrote Probation and Judge Early a letter asking for another chance at Rehab.
- ③ I saw Mr. McMillian at ACDC in August, gave him permission to speak to my mom and husband. I asked him to talk to the prob. Supervisor, and ask for another chance at Rehab. He said for me to call him at the end of the week and he will have talked to her (Mrs. Bolton) to see what their recommendation was.
- ④ Mr. McMillian wanted me to wait in ACDC, go to court for VOP, at the same time as my pending burglary II/ Non-violent charge. The burglary charge was originally a trespassing, upgraded to burglary. But since I didn't commit a burglary, I felt the charge would eventually go back to trespassing. So I told him I wanted to go ahead with the VOP GS charge on Sept. 8, 2015, and he didn't agree. I felt since I didn't agree with what he wanted, he didn't want to help me.

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⑤ For the next 4 wks. I called his office almost every day asking him to help me, to come see me so we can discuss my case. I gave him permission, over the phone, again, and asked him to call my mom and talk to her about my case. My mother called him multiple times also, and left message after message for him to return her call. He never called her, or came back to see me as requested. All we wanted to know was what probation was recommending - we had the assumption of rehab. If MR. McMillian was doing his job properly, he would have let me know what probation said, what they were recommending. I felt as if I had no Attorney at this time, I even asked the Secretary at the Pub. Def. office if I could fire MR. McMillian, and request another Pub. Def. I was told I couldn't.

⑥ If MR. McMillian was trying to help me, as my Atty, he would have looked further into why probation was violating me, to start off with, the money situation that was spoken of in my warrant was wrong, I only owed restitution a total of \$460.00, which \$200.00 was paid in Dec. 2014, leaving a balance of \$260.00, which could have been taken care of before court, if MR. McMillian would have spoken to prob. on my behalf, the warrant also said something else about my fines. If he would have checked into the matter

orig. date  
10-19-15

the whole money amount is wrong on the warrant.

I reported to the Prob. office on 6-12-15, when released.

From ACDC. I am the one that made the suggestion to prob.  
for me to return on 6-17-15, to discuss what to do  
about my violations. I had already signed my viol.  
papers on 5-29-15. I didn't even have to report  
on 6-12-15; I was already in violation, I chose

to stop by the prob. office when I left ACDC. I was  
not told I had to report back to them, when arrested  
by Burnetdown, S.C., in the prob. office on 5-29-15,

⑦ MR. McMillian came to see me on Sept. 7, 2015 and I asked ~~him~~  
him did he speak to MS. Bolton at the Prob office, to still  
see what their recommendation was. At this time, he  
still hadn't spoken to her. He said he would see me  
in the morning, before CT, he would find out then, and  
talk to me.

⑧ On the morning of Sept. 8, 2015 I still didn't talk  
to MR. McMillian. I saw MR. Finch, my prob. officer at  
the time. I asked him what their recommendation was.  
He told me "MR. McMillian has all that information".  
I asked an ACDC officer at the courthouse to tell  
MR. McMillian I would like to speak with him before  
court. I never spoke to him. When they called my  
name to see the Judge I still didn't know the Prob.  
recommendation. I asked him in the courtroom,

over  
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orig. date  
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and he still didn't know. I felt I handled my case by myself, I spoke more words to the Judge than he did. I asked the Judge if I could ~~pay~~ pay the remaining balance on my restitution, which was \$260.00. The Judge said "how" and I said my mother had the money with her in the courtroom. I basically stood up for myself without an Atty. on this case. I felt I did more work to try to help myself than he did.

- ⑥ After sentencing, I tried to speak to Judge Early on my behalf, ask for another chance. I told MR. McMillian I had a letter I wanted to read to the Judge. As I requested of him, he did not ask if I could read it. It was an apology letter to probation, and the court for not doing what I was supposed to do, and asking for another chance - to go to rehab. and pay my fines. I did not agree with the 5 yr. prison sentence. I also asked MR. McMillian to ask for a partial revocation, since I had already served 4 yrs. on probation, and only had 1 yr. left. He didn't ask the Judge anything, or try to help me while in front of the Judge. I never saw MR. McMillian after Judge Early sentenced me. I asked to see him, but to no avail, I didn't have a chance to disagree with

my 5 yr sentence, I was rushed out of the court-room, to never see MR. McMillian again. NO, I didn't agree with the sentence but was not given an opportunity to tell him or the Judge. Also, as I said before, I never spoke with MR. McMillian after sentencing. I wasn't told about a 'Motion to Reconsider' the sentence. He didn't tell me that I could file for a motion. He never spoke to me before or after court!

(10) my mother and husband saw MR. McMillian after court, in the courthouse lobby, and asked him if he could file an Appeal on my behalf. He told them that my ~~my~~ sentence wasn't appealable. My family told me the next day when I called home, what he said to them.

(11) I called the Pub. Def. office and told the secretary I wanted to file an Appeal, within 5 days of sentencing. She told me I only had 10 days to do it in, so I left a message on MR. McMillian's ans. machine, to file an Appeal for me. As usual, I never heard back from him until I received his letter, dated Oct. 7, 2015 - stating he filed the Appeal, but I have no grounds for it. I feel as if I have plenty to appeal my sentence on. I had no Attorney to help me on my case, he may have said he was my Atty. but he did not help me at all. I still have not recvd. a copy of my sentencing papers I requested on his

answering machine after sentencing.

(12) I asked my mother to call Wallis Alves, who used to be my Pub. Def., who helped me get on this prob. She was my Atty. in the past, and to ask her, in fact, if my sentence was Appealable, She dropped me as her client (She was my original Atty. on this case), to move to the Barnwell Co. Pub Def. office. I needed advise and MR. McMillian was never available, I had no where to turn, no one to get advice from,

(13) These are the grounds I feel I need an Appeal, on my 5 yr. VOP. charge. I had no Attys. help with my case. So in conclusion, I would like to fire MR. McMillian and have another Atty. represent me, preferably Wallis Alves, since she is familiar with my case. I wasn't represented with proper Counsel. I'm asking for another Court hearing with another Atty., one who will work for me, not against me.

Sincerely,  
Annie Wilson  
#130957

Rewrote and resubmitted

12-26-15

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RECEIVED

DEC 21 2015

SC Court of Appeals

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Appellate  
Case NO.

2015-002028

My name is Annie Wilson, SCDC# 130957, and I'm being housed at Leath Corr. Inst. in Greenwood, S.C. on a 5 yr. Viol. of Probation sentence. My Pub. Defender (Aiken Co.) appealed my case for me, but in my response to what he requested ~~is~~ <sup>on</sup> my Appeal, I'm requesting another Attorney and another hearing. I'm wanting to be appointed another Attorney and also apply for an Appeals Bond Hearing until my Appeal goes back to court, I'm requesting the Rules of Court, because I don't know the requirements of the Appeals Bond, ~~if~~ if I'm even eligible to apply for one, and who do I ask for one, and how long a hearing takes to acquire. I'm also requesting an Appellate time frame: how long before I receive a yes or no, as to whether my Appeal Response gets accepted, and I be granted a new hearing. Do I have to wait on your court to respond back to me before I request an Appeals Bond Hearing? How do I receive a new Attorney to help me with this case? I had no proper counsel for my probation

Violation charge. I'm sending a self-addressed stamped envelope so you can respond back to my requests. Thanks for addressing this matter for me, and trying to help me. I don't know who else to write, except to you, pertaining to my Appellate Case No. 2015-002028.

P.S.

Do I need to address your court pertaining to this case or Bradley McMillian, the Public Defender whom I'm seeking to replace, for a new hearing? Will I be appointed another Attorney to handle this Appeal through your court system? Thanks Can your court appoint me an Appeals Attorney to help me?

Sincerely,  
Annie Wilson  
130957  
12-17-15

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DEC 16 2015

To whom it may concern, SC Court of Appeals 2-13-15

My name is Annie Wilson #130957, currently at Leath Correctional Institution doing a 5 yr. sentence, as of Sept. 8, 2015 for Violation of Probation. My Public Defender, Bradley McMillian, with the Aiken County Public Defenders office filed an Appeal on my behalf, on Sept. 18, 2015. He then wrote to me and said my Appeal was filed. I have wrote to you, on my behalf, stating why I feel I need ~~an~~ my sentence Appealed. It was dated Oct. 19, 2015, as I had 20 days from Sept. 18, 2015 to respond. With that done, I haven't heard anything back from Mr. McMillian pertaining to my Appeal. I wrote to him on 11-30-15 and again on 12-7-15 requesting that he put in for me an Appeals Bond hearing on my behalf. I do not know if this has been done, as he doesn't correspond with me as I'd like. I asked him to write to me and let me know if he asked the courts for an Appeals Bond hearing and I haven't received a response to

12-13-15

my request. So on my own behalf, I'm asking that I be granted an emergency ~~B~~ Appeals Bond hearing. Either in Sept, or Oct. of 2015, I wrote to him and told him eventually I was going to ask for an Appeals Bond to be granted, to go to court about it. (the Appeals Bond) after we filed the Appeal. I was told recently by someone that I could ask for the hearing myself. So I'm writing to you on my own, requesting as stated, an emergency Appeals Bond hearing, to be held as soon as possible, since I've been asking my Pub Def., Bradley McMillian to file for the hearing, to no avail. I am sending Mr. McMillian a copy of this letter also. I am requesting of him to file the <sup>Emergency</sup> Appeals Bond hearing one more time, and if he doesn't, can I request one on my own, as I'm doing now? Thanks for considering my request at this time. I need counsel on this matter, and feel as if I have no help. Can you assist me, and grant me an Emergency Appeals Bond hearing?

Sincerely,  
Annie Wilson 130957