

Kendall Baccus, A Mentally ill person, diagnosed as Border-line retarded with A.D., A.D. under the duress of Facing up to 30 years of his life in prison for an ATTEMPTED murder his Counsel felt he was over charged. with claims to have been lulled by Counsel into accepting ~~the~~ guilty plea of 0-20 years as Counsel assured him that the Court would only be considering his crystal clear rap sheet as mitigating circumstances in the Hearing, and as such created an illusory promise that he would receive less than the 20 years cap based on this information. However, Counsel failed to advise me on the entire guilty plea proceedings. Specifically, Counsel did NOT advise me Baccus that the Court could take into consideration my Juvenile record of 2 previous assault and Batteries during the Sentencing phase of my plea. The Court did just this, AT. P.C.R. Baccus implied that Counsel gave was informed by His Honor that he had in fact considered the Juvenile record during Sentencing. The State did not argue these allegations at P.C.R. And as such should be cleared to be truthful. IT is basic Criminal Knowledge to know ~~what~~ a Judge, Solicitor, lawyer, and evidence IS. However, As the courts are very familiar with the facts of the inner workings of its proceedings and the wheels that turn the Justice systems, your basic person does NOT. Especially those with mental deficiencies themselves. The record will reflect Baccus desire to have a Mental evaluation performed on himself. Counsel assured Baccus had been told to ask for this evaluation by other inmates in the Jail. He then gave Baccus what he felt was the equivalent to a Blair exam. And was satisfied that Baccus understood the ~~Trial~~ settings. However, Counsel did NOT ask Baccus if he understood the guilty plea process and how IT works in its entirety. This is Baccus argument

* I would like for my "Florence Sic 29501" PEE-DEE Mental Health records be looked up. I recently was receiving SSI checks 2011. I would like these Arguments Filed for relief.

"Pro-se"

more →

1.

2015-001280

Baccus claims that he feels his Counsel Ignored his pleas for a mental evaluation by denying him the opportunity to speak with a trained Psychologist in an attempt to better understand (NOT- only the proceedings to be held.) But also himself. Counsel is not a certified clinical Psychologist, and as such should be Barred from making psychological evaluations on behalf of one. IT is apparent that Baccus has Mental deficiencies from his P.C.R application alone! These deficiencies should not be taken lightly and the act of ignoring them should be frowned upon in our judicial system anyone who says a Mentally Ill person(s) is fit to stand Trial or understands completely how our Justice System works without a proper examination should be Barred from practicing Law. However, Counsel did just that to a client whom he know was mentally ill on the Border line of retardation with A.D.H.D. This is an very serious illnesses in which Mr. Baccus deals with not only then, but still to this day. Mr. Baccus feels that if he'd of been given the evaluation and he was found to be incompetent the State would've been more lenient in its charge and possibly given him mental Health Treatments in a mental Health Facility until he was more able to function as a normal person, possibly on Medications designed to help him, However, Counsel denied him ~~of~~ this evaluation and, as such Mr. Baccus is now serving a 20 year Sentence in the South Carolina Department of Corrections for his first criminal act as an adult. enhanced by his Juvenile behavior soure 5 years prior. was counsel ineffective for not fully informing Mr. Baccus of the entirely guilty plea inner workings that would allow the court to use his Juvenile record against him in his guilty plea as an adult. was counsel ineffective for failing to have Mr. Baccus evaluated for Mental illnesses in which could've been presented to the State as mitigating circumstances as to the charges against him. Both will be argued together as one encompasses the others!

Kendall Baccus, a Border Line Retarded person with ADHD, claims that his counsel created for him a Illusory promise of less than 20 years upon his plea of guilty to an attempted Murder charge with the sentencing having been based on his prior criminal record.

William E. Grove (counsel) admits at P.C.R that he does not doubt that he said to his client that he thinks its a likely outcome that he got less than the cap. When asked if he was promised Baccus he 'less than 20 years. Mr. Baccus claims that his understanding was exactly that because counsel lulled him by assuring him that his honor was going to take into consideration nothing more than his crystal clean record as mitigating circumstances. Baccus argues that counsel never once informed him to the courts ability to use juvenile records in the sentencing stage of his adult guilty plea. that is exactly what occurred.

As such, Baccus asserts that counsel was ineffective for failing to ensure that he understood the entire guilty plea process. This prevented Mr. Baccus from making a decision to plea guilty with a full understanding of the courts processes. ~~██████████~~ Kendall Baccus has been diagnosed as a Border Line Retarded person with ADHD! as such he stated he desired to be evaluated by a Mental Health Physician: To his counsel, (William E. Grove). Instead of sharing to his client's concerns of his mental competency. Counsel (an attorney at law) instead gave a cursory psychological exam that satisfied counsel that his client understood what a trial setting was as well as the parties involved, but Kendall argues that he did not know how the entire systems worked. Counsel did not explain that his honor could take into consideration Kendall's juvenile record. at sentencing as counsel himself was not aware of this record! Kendall Baccus felt as if counsel created an Illusory type promise in which he is now free of because of the nonpromise of less than 20 years counsel soothed him ~~with~~. Into taking the plea. This is in no way appropriate behavior by counsel. especially when dealing with a Mentally Ill Client.

3. Ending →

Illusory promise let the transcript reflect that Mr. Baccus
Committed pass Jury when the Court ask Baccus (Q.) "All Right".
Has anybody promised you any type of reward or gift to get you to
Plea guilty. A.) No, sir, your Honor. App. pg. 7, 16-18 this is Evidence
as Counsel states the following; This plea has been a long time
coming". I think he signed the sentencing sheet several weeks
ago and its just been an issue as to when we could get in
front of a Judge. App. pg. 11, 21-24.
Kendall Baccus is so diagnosed as a Border Line retarded person.
His mental illness was not taken seriously by Counsel as
Counsel testified at P.C.R. that he's (an attorney at law)
gave his client what equals a psychological examination.
App. pg. 59-60; 10-4.

Kendall Baccus has been diagnosed as a Border line retarded
person. with ADHD... Baccus claims that all though he knows
what a trial setting is and who the parties involved are, he
did not know how the entire system worked. As such Counsel
erred when he failed to investigate the possibilities of
The State's using his Juvenile record as weight to
move the sentencing scale from anywhere between the
0-20 years Counsel gave the Illusory promise of the
Full 20 years. Baccus recieved.

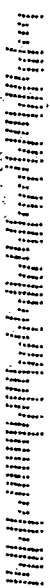
* Here is an clear Arugement in attached as 1
MAIN FACT that during and before hearing my
Counsel was ineffective upon my behalf which lead
me into pleading Guilty April. 19. 2015 to 0-20 years CAP.
Im asking that this matter be look into with
A. Relief on I Petitioner Kendall Baccus.

Kendall Baccus # 355137
Lieber CI - PHU - 206 - A
PO Box 205
Ridgeville SC, 29472



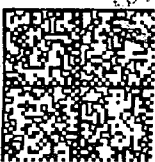
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