

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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MAR 07 2016

SC Court of Appeals

APPEAL FROM PICKENS COUNTY

JOHN C. HAYES, III, CIRCUIT -
COURT JUDGE

APPELLATE CASE No: 2015-001147

SEE ATTACHED LETTER OF 5/29th/2015 by Court of appeals
Clerk, J. Hutching's, explaining this case caption's-revisions &
return to both the Attorney General's & Office Of Indigent
Defense returns pertaining to this case.

THE STATE,

Respondent,,

Vs,

BRENT CHRISTOPHER McLAUREN

Appellant's

Return to both: 1. J. Benjamin Aplin Esq office of the
attorney General (February 5, 2016 return to appellant's Pro Se
motion to relieve counsel and proceed Pro Se. of (February 3rd,
2016 by SCCID attorney, Robert M, Dudek, Esquire, received by
appellant on 2/11th.2016.

RETURN TO ATTORNEY GENERAL'S 2/5/16-

RETURN ALLEGING APPELLANT LACKS STANDING TO REPRESENT HIMSELF
(by J. Benjamin Aplin, Esq - Office Of The District Attorney)

The state, via the RETURN OF 2/5/2016, submitted by the attorney General's office, as may be seen by their return to this appellant's pro se motion seeking to relieve all counsel and to proceed pro se, clearly contends this Appellant lacks standing to represent himself on direct appeal, citing; STATE V. ROBERTS, 364 S.C. 583, 614 S.C. 2nd (2005)(citing; Martinez vs, Court Of Appeals Of California, as well as Reed vs. Ozmint, 374 S.C, 19 n. 4, 647 S.E.2nd 209 n.4 (2007). (note; Respondent additionally informs this Court that the office of Appellate defense is still NOT IN POSSESSION OF ALL APPELLANT'S MAY 18th and 19th, 2016/2015 TRIAL TRANSCRIPT'S AND RELATED TRANSCRIPT'S/videos, etc, among other thing's we must have to perfect appeal, COVERING THE TENURE OF MORE THAN SIXTEEN (16) months spent by this appellant in the Pickens Detention Center Jail). (WHICH OFFICE OF APPELLATE DEFENSE ORDERED FROM PICKENS COUNTY BACK IN JUNE 2016). (note; no one from the office of appellants defense ever contacted appellant requesting any information whatsoever, thus, how would any member of their office even have a clue what transcript's, etc, we may require to perfect an appeal). MOREOVER, THEY HAVE YET TO ORDER ADDITIONAL records & videos, etc, etc. All of which is ESSENTIAL FOR AFFORDING APPELLANT A FAIR OPPORTUNITY TO PERFECT HIS DIRECT APPEAL. i.e.; appellate would need an original copy of his entire preliminary hearing transcript. (note; contact John W. DeJong, esq, Pickens County Public Defender, phone (864) 898-5577, he remains in possession of all applicant's pre & jury trial documents/evidence, etc, including the prelim-transcript; the police interrogations of the two young men (to wit; Skyler Harris and Christopher Jared Bearden) and he should also be able to obtain the other missing transcripts such as the official ORDER FOR APPOINTMENT OF ATTORNEY, Indictment NO 2014AGS3900498/497/498 signed by Thirteenth Circuit Court Judge Robin Stilwell on the 25th, of June 2014. Also, where is the

re: TRANSCRIPT

FEBRUARY 17th, 2015 before Judge Strouse (newly appointed to the circuit bench and assigned, appellant was told, by Judge Garrison, to hear this pre-trial matter involving fact this applicant, who had no legal counsel, desired to proceed pro se. (Pickens County was making it look like appellant had already been represented by John Dejong and simply wanted to represent himself, and that was the beginning of a substantial fraud being perpetrated upon our states judicial system as it involved so very many supposedly ethical officials.

We additionally require the transcript of record before Judge Alexander S. Macaulay, of both March 27th, 2015 and also April 23, 2015 (COURT OF GENERAL SESSIONS RECUSAL ORDER) and the pre-trial hearing before Judge Verdeen relative to appellants bail reduction from the \$150.000 to the 'reasonable' sum of bail assured by Judge Macaulay on April 23, 2015. We clearly require all these pre-trial transcripts and pre-trial motions before we can even entertain the thought of perfecting a logical, accurate

appeal which even remotely comes close to the 14th amendment requirements, inasmuch as the county of pickens has deliberately contributed to such substantive damage to applicants case, particularly in the areas of appellants choice of legal counsel and all the deliberate fraud which was committed to make it appear the appellate had legal counsel during very lengthy periods when appellant had no legal counsel. Thus, we need not wonder why it would possibly take the county of Pickens over nine months to produce court records which should be forthwith available regarding this applicant's very lengthy incarceration in their county detention facility.

Note: Under the tenants of Britt v. North Carolina, this appellate hereby states it is impossible for the Court of Appeals, or any other court to ascertain the plethora of deliberately unconstitutional act(s) perpetrated against this appellant during his incarceration in the Pickens County Detentioncenter, and given the authority of Britt, appellant seeks the protection of this Court in ordering Respondents to comply via providing all the transcripts and other court records they prefer not to make available, such as the transcript of the illegal preliminary hearing.

ATTORNEY GENERAL'S 2/5/16 RETURN
CONTINUED FROM PAGE TWO (2) HEREOF

There can be no question but that some of the attorney general's contentions are in error. Perhaps Mr. Benjamin Aplin received bad data from the county of Picken's pertaining to appellants conviction. To wit:

1. Appellant has never been represented by either John DeJong or a Steven Alexander, Esq; NOT EVER, and all the instances where we note these two (2) public defender's names appearing, sometimes with thier signatures upon official appearing documents submitted, purporting to 'represent' (sic) appellant are mere scams/fraud; devious tricks to make it appear appellant had legal counsel during periods when appellant was represented by no attorney. Can we prove this allegation? (A); Absolutely, 'yes'.
2. The respondent also states appellant is convicted of 'robbery' (sic); note, the undersigned was convicted of two misdemeanor offenses, specifically, (a). Entering a bank with intent to steal, and (b). Grand Larceny with an enhancement. These are non-violent offenses.
3. And while a Steven Alexander, Esq did, over appellaant's vigorous objections and in-person-directions that the said Steven Alexander did not represent this appellaant and appellant's clear explanation that he represented himself, which he announced in a phone conversation with Teal Johnsen of the office of the public defender, who this appellant specifically requested be assigned by the Hon. Judge Robin Stilwell, granted, only to be messed up by John DeJong's being upset that Judge Stilwell assigned her. (DeJong's contention is that falls under Mr. DeJong's job title, not Judges) and thus, Dejong fired her after just five (5) days. Appellant phoned to express fact he was quite upset and decided to represent himself.
4. In any event. the attorney generals supporting case authority appears far from on point for purposes of prevailing in this matter.
5. And lastly, respondent contends appellant has failed to show

Carolina; (defendant has the constitutional right to represent himself under both the federal and state constitution). again, see Gonzales vs. United States, (Lopez) 548, u.s. 126, S.C.

Prior to his departure from this world, the late United States Supreme Court Justice, the Honorable A. Scalia stated (held) that where the defendants right under the 6th amendment to counsel of ones own choice was violated, the fact entitled the appellant to a reversal of his conviction, as a matter of law. This appellant argues that his choice of counsel is himself, who else can appellant trust not to deliberately 'throw the case'? See Arizona v. Fulminahre, 499, U.S. 279, 1. S.C. 1246, 173, LE2n, 302 (1991) ((Supra)). and see Gonzales vs. United States, (Supra) again, (Lopez) @ 548, U.S. 140, 126, S.ct 2557, 1657, U.S. 2006 key 140, r6, s.c. 2557, 165 LE2n 409 C.1 206), etc, here, appellant has no choice considering the plethora of multiple frauds and deviously highly prejudicial conducts deliberately created to deprive appellate of his 6th, and other state and federal rights, as a matter of law, and appellant does not concur that our courts possess discretion in the matter of whether or not appellants' may choose to proceed Pro se, as the constitution and the U.S. Supreme Court has long ago decided this question.

W H E R E F O R E, having made this return, appellant respectfully requests that this Court grant Appellant's motion to relieve counsel and proceed Pro se.

Respectfully submitted,

BRENT CHRISTOPHER McLAUREN, JR

LCI - 166894 - WANDO D-182
PO Box 205
Ridgeville, SC 29472

Appellant Pro se

February 22, 2016

STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM PICKENS COUNTY
John C. Hayes, III, Circuit Court Judge

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SC Court of Appeals

Appellate Case No. 2015-0001147

THE STATE,

Respondent,

Respondent,
BRENT CHRISTOPHER McLAUREN,

Appellant.

proof Of Service

I, BRENT CHRISTOPHER McLAUREN, certify that I have served the appellant's return to the motion to relieve counsel and proceed Pro se on all parties by depositing three copies of the same in the United States mail, prepaid-postage as required, addressed to Robert M. Dudek, Esq, S.C. Commission on - Indigent Defense, Post Office Box 11629, Columbia, SC 29211, and to the state Interim Senior Assistant Deputy Attorney General, J. Benjamin Aplin, PO Box - 11549, Columbia, SC 29211-1549 and to The Honorable Jenny Abbott Kitchings, Clerk Of The S.C. Court Of Appeals, @ PO Box 11629, Columbia, SC 29211.

I further certify that all parties required by rule to be served, have been served.

Respectfully submitted,

This _____ day of March 2016

SWORN TO BEFORE ME THIS _____ DAY OF
MARCH 2016.

BRENT CHRISTOPHER McLAUREN, JR
LCI - 166894 - WANDO D 1-8 182 182
136 Wilburn Drive. PO Box 205
Ridgville, SC 29672-0205

My commission expires on; _____.

NOTARY PUBLIC OF S.C.



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SC Court of Appeals

State of South Carolina
The Circuit Court of the Tenth Judicial Circuit

Vivian H Cross
Circuit Court Reporter

PO Box 704
Belton, SC 29627

December 22, 2015

Mr. Brent C. McLauren, Jr.
LCI-166894-Wando B-227
PO Box 205
136 Welborn Dr.
Ridgeville, SC 29427-0205

REFERENCE: Case Name: State v. Brent C. McLauren, Jr.
Case Number: Not provided
Hearing date(s): May 18-19, 2015

Dear Mr. McLauren:

On November 29, 2015, following Thanksgiving travel, I received your letter dated November 22, 2015 and postmarked November 23, 2015. While your letter is rather long, convoluted and in some portions difficult to read, I will do my best to answer your questions that pertain to me.

Question 1: A copy of the transcript will cost \$369.75 (493 pages x \$.75/page plus postage of \$12.95) for a total of \$382.70. A copy can be obtained by sending a certified check or money order payable to Vivian H. Cross to my postal address.

Question 2: Yes, the transcript was previously ordered by SC Indigent Defense. The original was provided to them on August 8, 2015.

Question 3: The trial transcript includes everything that was placed on record May 18 through 19, 2015 only. I do not know what you mean by 'preliminary hearing' and no, no matters from any other dates are included. I do not believe I was the Court Reporter for any days other than the May 18 through 19 trial.

As to your question on bench conferences, no they are not on record. Judges generally announce on record what was discussed during a bench conference if it is to be a part of the record.

I have no idea who told you the transcript record could not be found, but it has never been lost.

Beyond these answers, and as far as I can tell, the balance of your letter merely is narrative.

Sincerely,

Vivian H Cross, Court Reporter



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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MAR 07 2016

SC Court of Appeals

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

August 17, 2015

Mr. Brent McLaurin, #166894
Lieber Correctional Institution
PO Box 205
Ridgeville, SC 29472

Re: your recent letter

Dear Mr. McLaurin,

We have received your letter dated July 15, 2015.

The transcript has been requested. Your case will not be assigned to an attorney until we receive the transcript. Upon receipt of the transcript the attorney will then write you a letter explaining the appellate process and how he or she may assist in handling your appeal. You will receive a copy of your transcript and all documents filed in connection with your case.

We look forward to representing you and hope for a favorable result.

Sincerely,

Paula Murdoch
Administrative Coordinator

/mpm



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MAR 07 2016

SC Court of Appeals

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 28, 2016

Mr. Robert Michael Dudek, Esquire
PO Box 11589
Columbia SC 29211

Mr. John Benjamin Aplin, Esquire
PO Box 11549
Columbia SC 29211

Re: The State v. Brent McLaurin
Appellate Case No. 2015-001147

Dear Counsel:

This Court has received a motion to relieve counsel. By copy of this letter, counsel for the State and Appellate Defense are requested to file a return to this motion no later than ten (10) days from the date of this letter. The time limits for perfecting the appeal will be held in abeyance until the motion is decided.

Very truly yours,

V. Claire Allen, Deputy
CLERK

cc: Brent Christopher McLaurin, 166894
Brandi Batson Hinton, Esquire
Alan McCrory Wilson, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
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www.sccourts.org

May 29, 2015

Mr. John W. DeJong, Esquire
214 E. Main St., Ste. B240
Pickens SC 29671

Re: The State v. Brent McLaurin
Appellate Case No. 2015-001147

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2014-04-15-02.htm. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

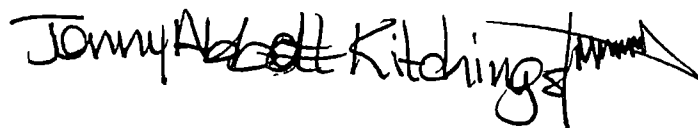
The State, Respondent,

v.

Brent Christopher McLaurin, Appellant.

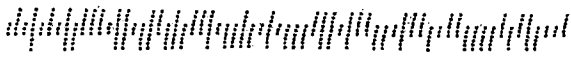
All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Handwritten signature of Jonny Abbott Kitchings in black ink. The signature is written in a cursive style and includes a large, sweeping flourish at the end.

CLERK

cc: Robert Michael Dudek, Esquire
Brandi Batson Hinton, Esquire
Alan McCrory Wilson, Esquire
Salley W. Elliott, Esquire



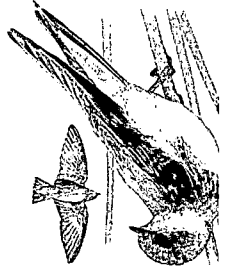
2921161629 8012

SC Court of Appeals
Columbia, SC 29211
Post Office Box 11629
MAR 07 2016
CLERK THE SOUTH CAROLINA COURT OF APPEALS

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HON. JENNY ARBERT
MAR 07 2016

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MAR 02 2016
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BRENT CHRISTOPHER MCLAUREN JR
LCI - 166894 - WYAND D-182
136 WILBORN DRIVE - PO BOX 206
RIDGEVILLE, SC, 29472-0205