THE STATE OF SOUTH CAROLINA
In the South Carolina Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Ralph Cothran, Circuit Court Judge

Case No. 2014-CP-42-0506

Kevin Wayne McDaniels,#254398.....Applicant,

v.

State of South Carolina,.....Respondent.

NOTICE OF APPEAL AND
Rule 59(e) Motion

MAY IT PLEASE THIS COURT, ABOVE SAID Applicant Kevin W. McDaniels, acting Pro-Se by and through Counsel Brandt Rucker-522 North Church Street-Greenville, S.C. 29601-Tel# 864/271-9925, hereby filed **this "NOTICE OF APPEAL AND RULE 59(e) MOTION** based upon the below listed facts and supporting case law.

Factual and Procedural Background.

Applicant challenges convictions in the Spartanburg County Court of General Sessions, on August 26, 2008, for the offenses of burglary, first degree, burglary second degree, and two counts of grand Larceny.Applicant entered an Alford plea,a state judge sentenced Applicant to fifteen years for each burglary offenses and five years for each grand larceny, to be served concurrent with Applicant's Federal Sentence of 200 months.Applicant's Federal release date is 9/11/2020- and state release date 4/6/2021.

Online records reflect applicant filed his first PCR application,case No. 2009-CP-42-3350, on June 16, 2009, and his second PCR,Case No.2010-CP-42-2188,on april 22, 2010. The state merged the two PCR cases on September 8, 2010, and an ORDER dismissing Applicant's PCR Action without prejudice on November 5, 2010,**ORDERING THAT BECAUSE MCDANIELS IS IN FEDERAL CUSTODY HE HAD TO WAIT UNTIL 9/11/2020- THEN HE COULD FILE ANOTHER PCR.** Applicant filed another PCR Action, case No.2014-CP-42-0506,on February 10, 2014, **in which on January 11, 2016 a TELECONFERENCE commenced.** At the Teleconference Applicant was on the Phone here in NEW YORK, with Court being held in spartanburg, Presiding was Judge "Ralph Cothran" S.C. Atty General Alicia Olive" Brandt Rucker, and Atty "Robert Hall" who originally represented Applicant.

The Honorable "Ralph Cothran" dismissed the appeal, in which Applicant **"Kevin McDaniels files this Pro-Se Pleading by and through Atty Brandt Rucker, making sure mr. McDaniels arguments are preserved for review.**

ARGUMENT

The Honorable Ralph Cothran failed to review the record in it's entirety which **includes "NEWLY DISCOVERED EVIDENCE" of 16 affidavits of Alibi witnesses that were in florida with Kevin McDaniels during December 27, 2005 & January 14, 2006-when the burglaries took place in spartanburg.** Judge Cothran did not make pure findings of fact and conclusion of law pursuant to **S.C. Code Ann § 17-27-80(2003). Mr. McDaniels sent Judge Cothran photo's of Kevin McDaniels in florida during these events, photo's of mcdaniels with his father and two sisters, along with his brother, Completely FACTUAL INNOCENT.** Judge Cothran was presented with the **ORDER OF DISMISSAL BY CIRCUIT JUDGE DERHAM COLE, TELLING MCDANIELS HE HAD TO WAIT UNTIL 9/11/2020-THEN HE COULD FILE AN APPEAL, DENYING MCDANIELS ACCESS TO THE COURTS, MENTALLY AND PHYSICALLY TORTURING MCDANIELS , Judge Cothran Abusing his discretion, ,a Miscarriage of Justice.**

ARGUMENT

INEFFECTIVE ASSISTANCE OF COUNSEL

Mr. McDaniels asserts that **counsel ROBERT HALL Was Ineffective at all times while representing McDaniels** and on January 11, 2016 during the TELECONFERENCE **"Robert Hall " admitted he did not ask for a One Hour continuance, as ask by McDaniels "Robert Hall knowing McDaniels alibi witnesses, Father and Step mother drove 10 straight hours from florida to sptg. to testify that McDaniels was in Florida not sputh carolina, This is preserved on the January 11, 2016 transcripts. Robert Hall failed to render reasonably effective assistance under prevailing professional norms, and McDaniels was prejudiced by Robert Hall's Ineffectiveness performance.** See, Strickland v. Washington,104 S.Ct. 2052(1984); Porter v. State, 368 S.C. 378,383,629 S.E. 353,356(2006).

Mr. McDaniels asserts that there is a reasonable probability that but for Robert Halls unprofessional errors, the result of the proceedings would have been different. See, Cherry v. State, 300 S.C. 115-117-18, 386 S.E. 2d 624, 625(1989).

Mr. McDaniels has continously presented Alibi Witness statements and Photo's of him being in florida, and still he was denied access top the courts, **by Judge Derham Cole, McDaniels presenting additional "NEWLY DISCOVERED EVIDENCE" Affidavits from alibi witnesses in florida, STILL JUDGE DERHAM COLE WOULD NODEN JANUARY 11, 2COURTS EXPECT FOR ALL OF MCDANIELS ALIBI WITNESS TO APPEAR AFTER SIX YEARS LATER -MCDANIELS IS FACTUALLY INNOCENT, EVEN THE FBI-ATF-U.S. MARSHALS CAN TESTIFY THAT KEVIN WAYNE MCDANIELS WAS IN FLORIDA ON JANUARY 14, 2006 and december 27, 2005 THEY HAVE MCDANIELS ON VIDEO SURVEILLANCE-IT DOES NOT GET ANY CLEARER THAN THIS THE FEDERAL GOVERNMENT CAN PRESENT AT LEAST 50 PHOTOGRAPHS OF KEVIN MCDANIELS IN FLORIDA DURING THIS TIME, WHY IS THE STATE OF SOUTH CAROLINA AND THE JUDGES AND PROSECUTORS MENTALLY AND PHYSICALLY TORTURING MCDANIELS AND HIS FAMILY WHY? WHY?**

Mr. McDaniels has been mentally and physically tortured since March 11, 2006-day of arrest. On April 2006-he presented numerous affidavits from alibi witnessess, to RICHLAND COUNTY AND SPARTANBURG COUNTY PROSECUTORS OFFICE, BECAUSE MCDANIELS WAS IN FLORIDEDERAL OFFENSE, FROM AUGUST 2005 until January 20, 2006_THEN CAME TO Spartanburg, he wanted to make it clear that he was in florda, .and McDaniels DEMANDED A JURY TRIAL AND ON AUGUST 26, 2008 HE ALONG WITH HIS MOTHER WAS IN THE COURTROOM AWAITING TRIAL, MCDANIELS MOTHER WENT DOWNSTAIRS AND SHE RECEIVED A CALL FROM MCDANIELS FATHER & STEP MOTHER WHO WERE STRANDED IN WOODRUFF AFTER DRIVING 10 STRIGHT HOURS TO PROVE MCDANIELS WAS IN FLORIDA, THIS WAS TOLD TO ATTY "ROBERT HALL" AND MCDANIELS ASK ROBERT HALL FOR A CONTINUANCE FOR ONE HOUR, HE REFUSED TO ASK FOR A ONE HOUR CONTINUANCE, THIS IS PRESERVED ON THE JANUARY 11, 2016 TRANSCRIPTS, INEFFECTIVE ASSISTANCE OF COUNSEL, CLEAR AS DAY.

Mr. McDaniels family has suffered enough, his step fathers leg was recently amputated, McDaniels mother continues to fall, she fell and broke both legs,has plates and screws in them, how much more mental and physical torturing does a Factually Innocent man and his family has to go through, The LEXIS NEXUS shows , McDaniels has filed numerous pleadings, lawsuits begging for help, providing affidavits and photo's of him in florida, the FBI /ATF/SECRET SERVICE/U.S.MARSHALS CAN PRESENT PHOTOS OF KEVIN MCDANIELS IN FLORIDA ON DECEMBERR 27, 2005 & January 14, 2006- ENOUGH IS ENOUGH, COME ON YOUR HONOR, DONT LET MY FAMILY DIE ON ME, I AM FACTUALLY INNOCENT, I HAVE MENTALLY TORTURED SINCE MARCH 11, 2006_OVER TEN YEARS OF LISTENING ON THE PHONE WHILE FAMILY MEMBERS DIE ON ME,ROBERT HALL ADMITTED ON JANUARY 11, 2016 THAT HE DID NOT ASK FOR A ONE HOUR CONTINUANCE, LONG ENOUGH FOR ALIBI WITNESSES TO SHOW UP, FORCING MCDANIELS TO PLEA.

RELIEF REQUESTED

MR. MCDANIELS MOVES THIS COURT TO GRANT THIS PLEADING, ORDER THAT MCDANIELS BE IMMEDIATELY RELEASED BASED UPON FACTUALLY INNOCENT OF THE CRIME ITSELF. Dated on:_____-2016 /S/_____

I declare under penalty of perjury Kevin McDaniels

"DENIED ACCESS TO COURTS"

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	SEVENTH JUDICIAL CIRCUIT
COUNTY OF SPARTANBURG	)	
Kevin Wayne McDaniels,	)	2009-CP-42-3350
Applicant,	)	ORDER OF DISMISSAL WITHOUT PREJUDICE
v.	)	
State of South Carolina,	)	
Respondent.	)	

This matter comes before the Court by way of the Applicant's application for post-conviction relief filed June 16, 2009, and Applicant's amendment filed April 22, 2010. The Respondent filed a Return on or about October 30, 2009, and an Amended Return and Motion to Dismiss Without Prejudice on or about October 20, 2010.

I

This Court finds that the Applicant is currently incarcerated outside the State of South Carolina. This Court finds that the Respondent (State) has "no duty or authority to compel [the Applicant's] presence at the scheduled hearing" while he is incarcerated out of state. Clayton v. State, 278 S.C. 555, 558-301 S.E.2d 133, 134 (1981). Therefore, this Court dismisses the application without prejudice to the Applicant's right to file another application when he returns to state custody.[1]

AND IT IS SO ORDERED this 5 day of November, 2010.

J. Derham Cole
Chief Judge for Administrative Purposes
Seventh Judicial Circuit

Kevin W. McDaniels
Reg#14256-171
F.C.I. Otisville
P.O. Box 1000
Otisville, N.Y. 10963
Tel# 845-386-6700

RE:**HELD FALSE IMPRISONMENT/MENTALLY & PHYSICALLY TORTURED.**

I, Kevin W. McDaniels hereby request your assistance in the below listed facts:

I have been held False Imprisonment since March 11, 2006,I filed numerous Pleadings and PCR's IN THE COURT OF COMMON PLEASE SPARTANBURG COUNTY since June 16, 2009.Only to be told by Judge Derham Cole and the S.C. Atty General that I have to wait until 9/11/2020-when my federal sentence expires & I am back in state custody, then I can file another PCR. I filed another PCR-Case No: 2014-CP-42-0506,and on January 11, 2016, I was finally given an Evidentiary hearing in spartanburg While I was on TELECONFERENCE IN NEW YORK. Atty Brandt Rucker represented me and the Honorable "Ralph Cothran" presided over the case, also present was original Trial Atty"Robert Hall" & S.C. Atty General "Alicia Olive".My Atty Cross-Examined "Robert Hall" who admitted he did not pursue a One-Hour Continuance while in the courtroom day of trial 8/26/2008, long enough for my mother to drive ten minutes away to pick up Alibi witnesses who drove 10 hours from florida-to sptg, to testify that I was in florida on 12/27/2005 & 1/14/2006, factually Innocent.

Robert Hall, admitted he was Ineffective during the Evidentiary hearing on January 11, 2016, regardless of Judge "Ralph Cothrans" ruling I should Compensated for spending over Ten Years in prison factually Innocent on Sptg. Case # 2008-GS-42-1743,1744,1745,1746.

I filed numerous Lawsuits in the federal courts charged filings fee's and the court not entertain my case because "Failure to Exhaust my state remedies"**Judge Derham Cole & S.C. Atty Generals Office denied me access to the courts,they should be held liable.**

Again, I file another PCR February 10, 2014, and finally receive a "Evidentiary Hearing" on 1/11/2016, and "Robert Hall" admits he failed to move for a continuance on day of trial while I along with my mother & Step Father were in the Courtroom awaiting for my father and step mother to appear with 16 affidavits & Photo's of me proving Factual Innocence. I should not have to continue to go through anymore litigation, regardless of "Judge Ralph Cothrans" fact findings, **I should be Immediately released and the State of South Carolina shall REIMBURSE me all filing fees paid** in the Lawsuits I've filed in State & Federal Courts arguing "Factual Innocent" and Ineffective Assistance of counsel. Especially when I have been denied **ACCESS TO THE COURTS in original PCR-Case No. 2009-CP-42-3350, file June 16, 2009.**Once I was given a **TELECONFERENCE** ON **1/11/2016-**me being in NEW YORK & Court being held in spartanburg South Carolina, that proves I have been denied access to the courts-I should have been given a **TELECONFERENCE in 2009, in which all 16 Alibi witnesses could have been present.**I am asking that you please Act on this, I have been Mentally & Physically Tortured since March 11, 2006,by the **State & Judge Derham Cole.**

I declare under penalty of perjury:March 8, 2016. Kevin Wayne McDaniels

please ACT ON THIS BY CALLING ME 845-386-6700...Thank You.

Kevin Wayne McDaniels
Reg#14256-171
Federal Correctional Institution
Post Office Box 1000
Otisville, N.Y. 10963
Tel# 845/386-6700

RE:FACTUALLY INNOCENT/MENTALLY TORTURED SINCE MARCH 11, 2006-, OVER TEN YEARS OF MENTAL TORTURE BY JUDGE DERHAM COLE# 864)596-2685 E-MAIL-jcolej@sccourts.org.

I, Kevin Wayne McDaniels **am asking All Newsreporters-Media-Congressman-Senators-to plea act upon these facts.**
I HAVE BEEN UNLAFULLY INCARCERATED SINCE MARCH 11, 2006-OVER TEN YEARS-I WAS IN FLORIDA ON DEC 27, 2005 & JANUARY 14, 2006,WHEN TWO BURGLARIES WERE COMMITTED IN SPARTANBURG. ON AUGUST 26,2008-I WAS IN COURT FOR TRIAL-REPRESENTED BY "ROBERT HALL"-SPTG. PUBLIC DEFENDERS OFFICE-**BARRY BARNETTE** PROSECUTOR-I WAS AWAITING FOR ALIBI WITNESSES TO APPEAR TO TESTIFY THAT I WAS IN FLORIDA-**AND MY MOTHER WHO WAS DOWNSATIRS AT THE COURTROOM** RECEIVED A PHONE CALL FROM ALIBI WITNESSES[Father & Step mother], **THEY WERE CALLING FROM WOODRUFF S.C. [10 minutes away from courtroom]**,THEY TOLD MY MOTHER TO ASK COUNSEL ROBERT **HALL** FOR A **ONE HOUR CONTINUANCE** JUST LONG ENOUGH FOR MY MOTHER TO PICK THEM UP-**THEY ALSO HAD 16 ALIBI WITNESS AFFIDAVITYS AND PHOTOS OF ME IN FLORIDA.** ATTY ROBERT HALL REFUSED TO ASK FOR ONE HOUR CONTINUANCE-CONTINUSLY TELLING ME TO PLEA-I WAS COERCED BY ROBERT HALL TO PLEA TO 15 YEARS.**I MADE SURE IT WAS AN ALFORD PLEA-MAINTAINING MY INNOCENCE.** I filed an Appeal in 2009-**only to be denied by Judge Derham Cole** [864)596-2685]TELLING ME SINCE I AM IN FEDERAL CUSTODY-I MUST WAIT UNTIL SEPTEMBER 11,2020-WHEN I AM BACK IN STATE CUSTODY THEN I CAN FILE ANOTHER PCR-**DENYING ME ACCESS TO THE COURTS.**AND THEN ON JANUARY 11, 2016-**I AM GIVEN A TELECONFERENCE-PCR-EXIDENTIARY HEARING AND SURE ENOUGH "ROBERT HALL" ADMITS THAT HE FAILED TO ASK FOR A ONE HOUR CONTINUANCE ON DAY OF TRIAL AUGUST 26, 2008-COMPLETELY ABANDONING ME..** BECAUSE OF COUNSELS **INEFFECTIVENESS** I HAVE BEEN HELD FALSE IMPRISONMENT-**I HAVE TO LIVE ON A BREATHING MACHINE-MY HEALTH WAS FINE BEFORE MARCH 11, 2006-DAY OF ARREST.**
I AM PLEADING TO YOU TO PRESENT THIS MATTER TO **THE PUBLIC/THE PRESS/NEWSPAPERS etc. "KEVIN WAYNE MCDANIELS " HAS BEEN FALSELY IMPRISONED OVER TEN YEARS, FACTUALLY INNOCENT..HE WAS IN FLORIDA ON DECEMBER 27, 2005 & JANUARY 14, 2006**-MR. MCDANIELS HAS PRESENTED NUMEROUS ALIBI WITNESS AFFIDAVITS SINCE 2006[April 2006],PHOTOGRAPHS OF MR. MCDANIELS IN FLORIDA,SINCE THE SPARTANBURG COUNTY PUBLIC DEFENDERS OFFICE**"ATTY ROBERT HALL"ABANDONED MCDANIELS ON DAY OF TRIAL[8/26/08],AND JUDGE DERHAM COLE DENIED MCDANIELS ACCESS TO THE COURTS-MCDANIELS HAS BEEN MENTALLY AND PHYSICALLY TORTURED BY THE JUDICIAL SYSTEM-OVER TEN YEARS-**MR. MCDANIELS FATHERS LEG HAS BEEN RECENTLY AMPUTATED/MCDANIELS MOTHER HAS PLATES AND SCREWS IN HER LEGS FROM FALLING AND BREAKING THEM,**KEVIN MCDANIELS IS FACTUALLY INNOCENT, HE HAS BEEN TORTURED LONG ENOUGH, HE SHALL BE FINACIALLY COMPENSATED FOR HIS FALSE IMPRISONMENT/INEFFECTIVE COUNSEL Robert Hall/DENIED ACCESS TO THE COURTDS-Judge Derham Cole.**
I declare under penalty of perjury:March 11, 2016.

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Kevin Wayne McDaniels
Reg # 14256-171]
Federal Correctional Institution
P.O. Box 1000
Otisville, N.Y. 10963
Tel# 845-386-6700

RE: FACTUAL INNOCENT/MENTALLY AND PHYSICALLY TORTURED BY THE STATE OF SOUTH CAROLINA/CIRCUIT JUDGE DERHAM COLE/GOVERNOR NIKKI HALEY/SPARTANBURG COUNTY SHERIFFS DEPT/PROSECUTOR BARRY BARNETTE/ATTORNEY ROBERT HALL/ S.C. Attorney General ALAN WILSON.

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I Kevin Wayne McDaniels hereby pray for your help, **I** have been Mentally and Physically tortured since March 11, 2006.My Attorney [Robert Hall], on day of trial August 26, 2008 abandoned me, by not asking the court for a One Hour continuance,just long enough for stranded alibi witnesses who drove from florida to appear and testify that I was in fla on december 27, 2005 & also January 11, 2006,forcing me to enter an alford plea to 15 years. On January 11, 2016-I received a TELECONFERENCE ON a PCR filed, My Atty-Brandt Rucker-represented me, and the S.C. Atty General Alicia Glover was present along with Judge Ralph Cothran,**my Atty for trial** "Robert Hall" admitted that he was Ineffective on August 26, 2008-which has caused me to be held false Imprisonment. My Father recently has his leg amputated/my mother fell and broke both legs, **I have been mentally and physically** tortured since day of arrest March 11, 2006. Regardless of the outcome of the January 11, 2016-PCR EVIDENTIARY HEARING, when Judge Derham Cole ISSUED AN ORDER in 2009 that I HAD TO WAIT UNTIL 9/11/2020-when I am back in state custody to finish Factual Innocent case then I can file a PCr, yes ORDERED THAT I MUST WAIT. **Denying me access to the courts until 9/11/2020-=**the Denial of **ACCESS TO THE COURTS WAS PROVEN WHEN I WAS FINALLY GIVEN A TELECONFERENCE ON 1/11/2016-WHEN ATTY ROBERT HALL CLEARLY ADMITTED HE DID NOT ASK FOR A ONE HOUR CONTINUANCE AND DID NOT PROPERLY PLACE THE PROSECUTORS OFFICE ON NOTICE OF ALIBI DEFENSE. ect Ineffective Assistance of counsel..**The bottom line is, regardless of Judge Ralph Cothrans decision on the Latest January 11, 2016-PCR Hearing the damages are done I have been held false Imprisonment since march 11, 2006, my Fathers Leg is amputated, my mothers legs have plates and screws in them from falling and breaking them, **their son, Kevin Wayne McDaniels could be home taking care of his family,**no the above parties want Kevin McDaniels and his family to mentally and physically suffer, McDaniels is in **IMMINENT DANGER OF HIS HEALTH ISSUES, HE HAS GALLSTONES/HIATAL HERNIA-RECENT SURGERY DONE ON NASAL PASSAGES AND THEIR CLOSING BACK UP,** HE HAS BEEN HELD FALSE IMPRISONMENT LONG ENOUGH,His family has suffered enough, please **have mercy on me and my family,contact the proper parties and ORDER THAT I BE IMMEDIATELY RELEASED AND COMPENSATED for TEN YEARS OF MENTAL AND Physical torture.**

I declare under penalty of perjury:_____2016. /S/_____
SS# 589-03-2274/D.O.B 8/19/69
kevin Wayne McDaniels

Kevin W. McDaniels
Reg# 14256-171
Federal Correctional Institution
Post Office Box 1000
Otisville, N.Y. 10963
Tel # 845-386-6700

RE: FACTUALLY INNOCENT.

I, Hereby respectfully ask for your assistance in the below listed constitutional violations in which I have been "Falsely Imprisoned" since March 11, 2006.

Factual and Procedural Background.

I was Indicted in August 2008, in the Spartanburg County Court of General Sessions, for the offenses of Burglary and Grand Larceny. I demanded a Jury Trial, and on August 26, 2008, I was in Court for trial, with Robert Hall representing me,awaiting for Alibi witnesses to appear-in which they drove 10 straight hours from fla-arrived in woodruff S.C[ten minutes from courtroom],and broke down,they called my mother who was downstairs at courtroom,telling her to tell the Atty,asking for a One-Hour continuance,Atty Robert Hall was notified while in the courtroom,**he refused to move for one hour continuance,-Ineffective Assistance of counsel.**which has caused me to be held **False Imprisonment.**I filed three Post Conviction Applications,first-PCR-June 16, 2009[2009-CP-42-3350]denied based upon the COURTS ORDER STATING Because I am in federal Custody **I must wait until 9/11/2020** when I am back in **State** custody-which denies me ACCESS TO THE COURTS. Second PCR-filed April 22, 2010-PCR# 2010-Cp-42-2188],Denied,Third PCr February 10, 2014,**I was appointed "Brandt Rucker" Tel # 864-271-9925],**and Evidentiary hearing was held on **January 11, 2016-finally,I was given a TELECONFERENCE" by phone here in NEW YORK, while counsel was in court in spartanburg South Carolina.finally able to be heard in 2016, after being denied ACCESS TO THE COURTS by Circuit Judge Derham Cole# 864)596-2685-E-Mail- jcolej@sccourts.org.**/In the 1/11/2016-Evidentiary hearing Counsel **"Brandt Rucker" cross examined "Robert Hall" asking him: did McDaniels ask you for a One Hour continuance** while in the courtroom on day of Trial August 26, 2008,**"Robert Hall " answered YES HE DID BUT I DID NOT PURSUE IT:** Clearly admitting he was Ineefective on day of trial august 26, 2008.**In which Mr. McDaniels Original PCR should have been heard[filed june 16, 2009-PCR# 2009-CP-42-3350],which Mr. McDaniels has been arguing** factual Innocence since day of arrest March 11, 2006,**and presented 16 alibi witness affidavits from witnessess who were with McDaniels in florida not S.C. on 12/27/05 & 1/14/06, Once "Robert Hall" admitted on January 11, 2016, that he did not ask for a ONE HOUR Continuance-abandoning McDaniels** this has caused Mr. McDaniels to be held **False Imprisonment" regardless of Judge Ralph Cothrans" fact finding on the 1/11/2016 PCR Evidentiary hearing,** I was denied ACCESS TO THE COURTS SINCE 2009, by the State of South Carolina and Circuit Judge Derham Cole,and charged numerous filing fee's. **Please I am asking that you please act on this,by contacting the S.C. Atty General requesting Case#2008-GS-42-1743, 1744,1745,1746[Sptg],charges to be dismissed and I be compensated for being held False Imprisonment since 3/11/2006-over TEN YEARS.**

I declare under penalty of perjury. March 10, 2016. Kevin Wayne McDaniels

On 1/11/2016-I proved Ineffective Assistance-Denied Access to the courts.

K. McDaniels

I AM FACTUALLY INNOCENT!

I HAVE BEEN MENTALLY TORTURED OVER TEN YEARS FALSE IMPRISONMENT

Kevin Wayne McDaniels
Reg # 14256-171
F.C.I. Otisville
P.O. Box 1000
Otisville, NY 10963

RECEIVED
APR 15 2016
SC Court of Appeals

****
CERTIFICATE OF MAILING
****

I, Kevin Wayne McDaniels , certify that I have mailed the enclosed NOTICE OF APPEAL AND Rule 59(e) MOTION, * to the below listed address on this 11th day of april, 2016.

TO: South Carolina Court of Apeals
Clerk of court
1224 Sumter Street.
Columbia, S.C. 29211

TO: S.C. Supreme Court
Clerk of Court
P.O. Box 12159
Columbia, S.C. 29211

TO: ATTORNEY BRANDT RUCKER,esq
522 NORTH CHURCH STREET
GREENVILLE, S.C. 29601

* I AM FACTUALLY INNOCENT I WAS IN FLORIDA THE FBI-ATF-SECRET SEREVICE-U.S. MARSHALS CAN TESTIFY TO THIS, WHY AM I BEING MENTALL AND PHYSICALLY TORTURED SINCE MARCH 11, 2006 OVER TEN YEARS....

I HAVE PROVED INEFFECTIVE ASSISTANCE OF COUNSEL, IT IS PRESERVED ON THE JANUARY 11, 2016 TRANSCRIPTS ROBERT HALL ADMITTED HE DID NOT MOVE FOR A ONE HOUR CONTINUANCE ETC. WHAY AM I STILL BEING MENTALLY TORTORED ??WHY WHY??

/S/
kevin McDaniels

NAME Kevin McDaniels
REGISTER NO. 14256171
FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 1000
OTISVILLE, NY 10963

RECEIVED
APR 15 2016
SC Court of Appeals

⇔14256-171⇔
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Columbia, SC 29211
United States

LEGAL MAIL

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