

MENTALLY TORTURED OVER TEN YEARS

Kevin W. McDaniels

Reg #14256-171

F.C.I. Otisville

P.O. Box 1000

Otisville, N.Y. 10963

TORTURED
HELP!

TORTURED
HELP!

CERTIFICATE OF MAILING

I, Kevin W. McDaniels certify that I've mailed the enclosed EMERGENCY MOTION OF BEING MENTALLY TORTURED WITHOUT LEGAL OR JUSTIFICATION WHEN KEVIN MCDANIELS IS FACTUALLY INNOCENT AND HAVE PROVEN INEFFECTIVE ASSISTANCE OF COUNSEL/DUE PROCESS VIOLATION BY JUDGE DERHAM COLE/FACTUALLY INNOCENT., mailing the Pleadings to the below listed address on this 25 day of April 2016.

TO: S.S. Supreme Court.
Clerk of Court

PO Box 12159
Columbia St. 29211

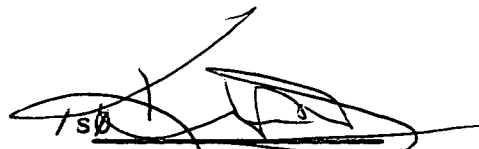
TO; S.C. Court of Appeals
Clerk of court

1024 Sumner St
Columbia SC 29201

RECEIVED

APR 28 2016

OFFICE OF
DISCIPLINARY COUNSEL *JSC*


Kevin W. McDaniels

[Pro-Se]

RECEIVED

MAY 03 2016

S.C. SUPREME COURT

MENTALLY
TORTURED
OVER TEN YEAR
HELP.
FACTUALLY INNOCENT!



RE: Case PCR# 2014-CP-42-0506 / RICHMOND Co.# 2014-CP-40-4030
LAWSUIT

RECEIVED

MAY 03 2016

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

April 23, 2016

S.C. SUPREME COURT

RE: FACTUAL INNOCENT/MALICIOUS PROSECUTION/INEFFECTIVE ASSISTANCE OF COUNSEL/FALSE IMPRISONMENT/DENIED ACCESS TO THE COURTS.
I, Kevin Wayne McDaniels D.O.B. 8/19/1969--SS#589-03-2274, hereby ask for your assistance in the following matter: I have been falsely Imprisoned since March 11, 2006. On August 26, 2008-I was standing in Court[day of Trial], for charges of 2 Burglaries- Case No; 2008-GS-42-1743,1744,1745,1746, 2 Grand Larceny charges. Atty Robert Hall represented me. I was waiting for alibi witnesses to appear which drove ten straight hours from Fla-they arrived in Woodruff S.C.[ten minutes from Sptg.Courthouse], their truck broke down they called my mother[Nancy Griffin-Tel# 864-574-9597], told her to tell the Lawyer and ask for a One Hour continuance, Mother came upstairs told Robert Hall-he disregarded this-and told me If I do not ple I will receive Life,coercing me to plea to 15 years. I file PCR#2009-42-3350-June 16,2009-Judge Derham Cole-Tel#864)596- 2685 E-Mail jcolej@sccourts.org- and S.C. Atty General ISSUE AN ORDER TELLING ME BECAUSE I AM IN FEDERAL CUSTODY-I HAVE TO WAIT UNTIL 9/11/2020- then I can file an appeal. Denying me ACCESS TO THE COURTS-Due Process violation. I file another PCR#2014-CP-42-0506-Feb,14 2015, FINALLY I RECEIVE A TELECONFERENCE-ME IN NEW YORK WHILE COURT HELD IN SPARTANBUR[Tel# 864)596-2591], ATTY BRANDT RUCKER-864)271-9925, represented me[Court appointed], ROBERT HALL WAS ASK: DID MR. MCDANIELS ASK YOU FOR A ONE HOUR CONTINUANCE ON DAY OF TRIAL- so his alibi witnessess could appear and testify that Kevin McDaniels was in florida December 27, 2005 & January 14, 2006-YES HE DID BUT I DID NOT REQUEST ONE-INEFFECTIVE ASSISANCE OF COUNSEL ADMITTED ON JANUARY 11, 2016 AT THE TELECONFERENCEE ALSO ASK: DID YOU ROBERT HALL SERVE THE PROSECUTOR WITH ALIBI WITNESS NOTICE#? NO I DID NOT, THEN JUDGE RALPH COTHRAN-Tel# 803)435-2450-PRESIDED OVER THIS PCR HEARING AND APRIL 2016 DENIED THE PCR..A COMPLETE MISCARRIAGE OF JUSTICE-ESPECIALLY ME BEING FACTUALLY INNOCENT.PRIOR BEFORE THIS I FILED NUMEROUS LAWSUITS IN STATE/FEDERAL COURTS ARGUING INEFFECTIVE ASSISTANCE OF COUNSEL/DENIED ACCESS TO THE COURTS ONLY TO BE CHARGED FILING FEES AND DISMISSED. I KEVIN WAYNE MCDANIELS HAVE PROVIDED 16 ALIBI WITNESS AFFIDAVITS OF FAMILY MEMBERS WHO WERE WITH ME IN FLORIDA & PROVIDED PHOTOGRAPHS OF ME IN FLORIDA-I GUARANTEE YOU 100% I WAS IN FLORIDA I AM NEEDING YOU TO PICK UP MY CASE ON A CONTINGENCY BASIS-FACTUALLY INNOCENT- SEVERAL CONSTITUTIONAL VIOLATIONS-I HAVE BEEN INCARCERATED OVER TEN YEARS.GO TO LEXIS NEXUS/WESTLAW-SEE MY CASES-NUMEROUS[25 cases] A FACTUALLY INNOCENT MAN,JUDGES/PROSECUTORS/ATTYS HAVE JOINTLY CONSPØIRED TO MENTALLY TORTURE ME AND MY FAMILY, CALL MY MOTHER TO VERIFY FACTUAL INNOCENT-Nancy Griffin-864)574-9597--we have OVERWHELMING EVIDENCE OF ME BEING IN FLA NOT S.C.FACTUALLY INNOCENT. PLEASE DONT LET AN INNOCENT MAN DIE IN PRISON.

MENTALLY TORTURED OVER 10 YEARS HELP!

SOUTH CAROLINA SUPREME COURT

Case No: _____

RECEIVED

Kevin Wayne McDaniels

-vs-

MAY 03 2016

State of South Carolina

S.C. SUPREME COURT

ON APPEAL FROM SPARTANBURG/RICHLAND COUNTY

COURT OF COMMON PLEAS

Sptg # 2014-CP-42-0506/Richland # 2014-CP-40-4030

EMERGENCY MOTION OF BEING MENTALLY TORTURED WITHOUT
LEGAL PROCESS OR JUSTIFICATION WHEN KEVIN MCDANIELS HAS
PROVEN INEFFECTIVE ASSISTANCE OF COUNSEL ON 1/11/2016
DENIED DUE PROCESS BY JUDGE DERHAM COLE SINCE 2009
AND FACTUALLY INNOCENT

Mr. McDaniels has been mentally tortured since March 11, 2006-day of arrest..He has been denied access to the Courts by Judge Derham Cole-denied Effective Assistance of counsel by **Brandt Rucker/Robert Hall/Kevin Owen/Leah Moody**.McDaniels has filed **Ligation** since 2006.He has presented 16 Alibi witnesses Affidavit-Photo's of him in florida on 12/27/2005 & 1/14/2006-Factually Innocent..Depositions from FBI/ATF/U.S. MARSHALS/SECRET SERVICE-Stating Kevin McDaniels was in florida factually Innocent of the Sptg. Burglaries. Still mentally tortured over TEN YEARS..On January 11, 2016-McDaniels is Finally given an evidentiary hearing on PCR -**Brandt Rucker**- Cross exams "Robert Hall"and Robert Hall admits he did not do his Job and still Judge Ralph Cothran dismisses his PCR even after ROBERT HALL BASICALLY ADMITS HE WAS INEFFECTIVE. Brandt Rucker abandons McDaniels during the Process. McDaniels has been mentally tortured over ten years, he was not even in the state when the crime was committed in south carolina, the Government knows this.

Mr. McDaniels files this EMERGENCY MOTION to all S.C. Supreme Court Judges/All Senators/Congressman how can the Government allow an Innocent man, who has presented Affidavits and photographs of himself and family in florida and the Government/FBI/ATF/U.S. MARSHALS/SECRET SERVICE present depositions that prove kevin wayne McDaniels was in Florida-and furthermore, Circuit Judge Derham Cole deny McDaniels ACCESS TYO THE COURTS SINCE 2009 because he is in federal Custody, then all of a sudden, McDaniels finally gets access to the courts in 2016, and the courts want McDaniels to have all his Alibi Witnesses present..The Constitutional Violations have already been committed and the Court has failed to cure them, the Ineffective Assistance of Counsel claim by Robert Hall/Kevin Owen/Leah Moody/Brandt Rucker--all regarding this instant casee of Factual Innocent. McDaniels has filed numeropus Lawsuits-etc he was not even in the state, whereby basically now the Judges are jointly conspiring with Judge Derham Cole, to keep McDaniels falsey Imprisoned...HOW CAN ANY JUDGE WITH CLEAN HANDS AND ALLEGEDLY A PURE RELIGIOUS HEART ALLOW A FACTUALLY INNOCENT MAN SUCH AS I KEVIN MCDANIELS TO SIT IN PRISON OVER TEN YEARS WHILE HIS MOTHER AND FATHER SUFFER. FATHERS LEG AMPUTATED, MOTHER FELL BROKE BOTH LEGS-MENTAL TORTURE, AND THE JUDGES ALLOW THIS,,This is absolutely crazy.

RELIEF REQUESTED

KEVIN WAYNE MCDANIELS IS MOVING ALL JUDGES IN THE SOUTH CAROLINA SUPREME COURT/S.C. COURT OF APPEALS/ TO ACT ON THIS PLEADING AND REVIEW KEVINMCDANIES CASE IN ITS ENTIRETY..HE HAS SHOWN CONSTITUTIONAL VIOLATIONS OF SIXTH AMENDMENT/FOURTEENTH AMENDMENT DUE PROCESS VIOLATIONS/FACTUALLY INNOCENT. ORDER THAT HE BE IMMEDIATELY RELEASED HE IS FACTUALLY INNOCENT, AND REIMBURSED ALL THE FUNDS HE HAS PAID IN PRIOR LITIGATION ARGUING THIS MATTER.

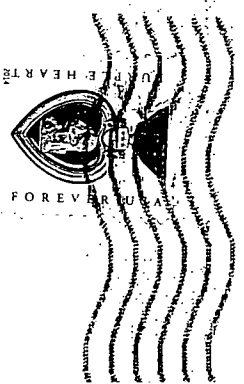
I declare under penalty of perjury the above is true and correct.

Prayed for on this 23 day of Aug /2016.


Kevin McDaniels

NAME Richard M. Davis
REGISTER NUMBER 19850171
FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 1000
OTISVILLE, NY 10963

CHESTER NY 405
25 APR 2006 PM 2 L



↔ 14256-171 ↔
Sc Supreme Court
PO BOX 12159
Columbia, SC 29211
United States

LEGAL MAIL

NON PERMISSIBILE

