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RECEIVED

MAR 21 2016

SC Court of Appeals

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 PLEAS 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 be 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.

March 9, 2016

K.W. McDaniels

pg 1 of 2

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RE: REIMBURSEMENT OF FILING FEES BASED UPON FACTUALLY INNOCENT.

I, Kevin Wayne McDaniels am respectfully asking that I be **REIMBURSED ALL FILING FEES**-paid in regards to criminal case Number: [2008-GS-42-1743,1744,1745,1746-Spartanburg South Carolina] and **ALL FILING FEES PAID IN STATE COURT OF COMMON PLEAS/FEDERAL COURTS-** which concerns Nikki Haley-Judge Derham Cole-Robert Hall-Barry Barnette-Chuck Wright-Alan Wilson-Det. Tim Tucker & det Easler- in which I have argued "Actual Innocent". I have been held False Imprisonment over ten years-since March 11, 2008. My Atty "Robert Hall" abandoned me on day of trial 8/26/2008-I filed several Appeals-PCR'S Denied ACCESS TO THE COURTS by Judge Derham Cole & the State, I filed several Lawsuits/2256's only to be told I have to Exhaust state remedies, charged filing fees and the case dismissed for failure to exhaust state remedies, again Judge "Derham Cole" denied me access to the courts, in PCR Case#2009-CP-42-3350-Filed June 16, 2009, because of me being in federal custody, in which on 1/11/2016 I was finally given a Evidentiary Hearing-with Atty Brandt Rucker representing me, "Judge Ralph Cothran presiding"and Trial Atty "Robert hall" & Atty General Alicia Olive present. My Atty-Cross examined "Robert Hall" in which "Robert Hall" admitted he failed to pursue a One-Hour continuance on day of trial 8/26/2008-while I "Kevin McDaniels & Mother & Step father was present in the courtroom, my alibi Witnesses drove 10 straight hours from Florida to testify that kevin McDaniels was in florida-their Truck broke down in woodruff-10 minutes from courtroom, Robert Hall did not ask for a one hour continuance day of trial-as ask by Kevin McDaniels, and because of this Mr. McDaniels has been held "False Imprisonment, has suffered mentally and physically he now lives on a breathing machine, his Step fathers leg was recently amputated because of diabetes & my mother has one lung-oxygen-plates and screws in both legs from falling etc. They have sent me funds to call home and the courts have taken all of it. I cant even call home. Again, on 1/11/2016-an Evidentiary Hearing was held finally, and I was given an Evidentiary hearing, and my atty "Brandt Rucker" cross examined "Robert Hall" and "Robert Hall" admitted he failed to move for a continuance just long enough for alibi wit nesses to show up and testify that Kevin Wayne McDaniels was in florida december 27, 2005 and January 14, 2006, The State of South Carolina shall be ORDERED TO REIMBURSE Kevin McDaniels all filing fees paid in state and fedcourts, and also compensate McDaniels for ten years of False Imprisonment. Especially when Judge Derham Cole denied me access to the courts since 2009, because I am in federal custody, that alone is a Due Process violation, then the Ineffective Assistance of Counsel by "Robert Hall" Please ORDER I BE REIMBURSED ALL FILING FEES PAID REGARDING THIS MATTER IN STATE/FEDERAL COURTS.

I declare under Perjury: 3/9 2016. Kevin Wayne McDaniels
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