

Mr. John Brannon
209650, McCl-F4B, 142
386 Redemption Way
McCormick, SC 29899

October 1, 2012

Clerk,
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211-1629

RE: 2011-GS-42-4694

Dear Clerk:

Please file the enclosed letter, for the record,
with the other documents pertaining to my case.
I have already sent an original to Atty. Hudgins.
Thank you.

Respectfully,

John Brannon
John Brannon

cc
file

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Mr. John Brannon
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386 Redemption Way
McCormick, SC 29899

October 1, 2012

Attorney Kathrine Hudgins
S.C. Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

RE: 2011-GS-42-4694

Dear Attorney Hudgins:

It is my belief and understanding that Judge Couch abused his discretion in enhancing ABHAN - a nonviolent offense - to a Life Without Parole sentence.

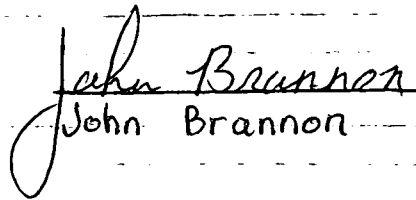
It is my belief and understanding that if he intended to enhance to LWOP, he would have needed to start with a conviction for a "violent" offense like, for instance, ABWIK.

Please provide clarity on "this" issue, and the issue of using past convictions beyond 10 years for enhancement. Please include the law to support your conclusions.

It is necessary that I hear from you before finalizing my Appeal Brief. I do not want you to file my Direct Appeal Brief until we have talked and this issue is settled in my mind. I do not want to lose the right to raise this or a related issue on Direct Appeal.

Thank you.

Respectfully,


John Brannon

cc
Clerk, SC Court of Appeals
Clerk of Court, Spartanburg County
file

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