

James D. Tinsley, Sr  
1004 South Welcome Road  
Greenville, SC 29611

October 23, 2012

Honorable Daniel E. Shearhouse  
Clerk of Court  
South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

**RECEIVED**  
OCT 25 2012  
S.C. SUPREME COURT

RE: State v. James Douglas Tinsley, II

Dear Mr. Shearhouse,

I am in receipt of a letter from Mr. David Spencer, Assistant Attorney General, objecting to my petition for permission to file an amicus curiae brief. Mr. Spencer is correct in his belief that I am not a member of the bar. It is my understanding as a layman that amicus curiae means "friend of the court" and not "officer of the court" as all attorneys would be. Therefore, I felt it was not improper to ask for permission to file as a friend of the court.

Mr. Spencer goes on to state that the basis of the brief I wish to file appears to be about issues outside those briefed by petitioner Tinsley, II. With all respect to Mr. Spencer, he can not possibly know what I saw, heard or experienced relevant to this case or what information I would impart for the court's consideration.

It is this petitioner's belief that the information I wish to brief ties in exactly with the issues already briefed by Tinsley, II and may further clarify the issues and aid this Honorable Court in gaining a clearer understanding of exactly how this case evolved. And the necessity which drove it.

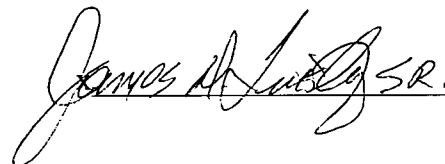
The petitioner feels strongly that "Justice does not prevail by convicting a person of a crime for which he is innocent, even if he is guilty of some other crime". Jackson v Virginia 443 U.S.307.

This petitioner has read and does understand Rule 213, SCACR as cited by Mr. Spencer and does hereby assure this Honorable Court that it is not my intention to go outside the rule.

For these reasons, petitioner would renew his request for permission to file an amicus curiae brief in this case.

Please accept this letter in lieu of a formal return in this case.

Respectfully submitted,



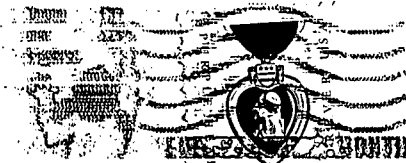
CC

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Mr. David Spencer

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