

Robert M Watkins
Pro-Se Appellate

In the SC Court of Appeals

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Appellate Case #
2016-000966

The State of South Carolina

v
V Claire Allen of SC Court of Appeals
Respondent

JUL 07 2016
SC Court of Appeals

Robert Watkins v State

Date: June 30 2016

Dear V Claire Allen Deputy Clerk

I received both of your letters Dated June 27 2016 on June 30, 2016 from the P.C.I. mailroom. Concerning Appellate Case no 2016-000966. Informing me that ~~you~~ The S.C. Court of Appeals Records reflect that the time for ordering the transcript has expired; and that within ten days of the date of the letter (Dated June 27, 2016), I must file a copy of the letter showing that I have ordered the transcript directly from the court reporter, along with a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207 of South Carolina Appellate Court Rules. and that please be advised, all parties, including the court, must be copied on all correspondence regarding the transcript. You also state in another letter also date June 27, 2016 address to Mr. James Whitford Barrister that upon closer review of the orders on appeal and the records available on the lower court index, that you'll have ascertained that Mr. Watkins (I) represented myself before the trial court on my motion for a new trial based on after discovered evidence; accordingly, and that the court has removed his name from the case as counsel of record. and that you'll proceed with Mr. Watkins representing himself pro-se. Apparently Ma'am you have been forwarding all court correspondences concerning ~~my~~ this ~~case~~ Appellate Case

~~2016~~ 2016-000966 to Mr. James Wolford Bannister, because you mistakenly, though he was my counsel on Record, and you fail to provide me a copy of these correspondences to him, in which he is not my counsel on Record concerning this case. As a result you this Court has prejudice me of meeting the time frame for ordering the transcript in which, I do not believe exists, because no such hearing was held. The Motion for a new trial Based on after discovered evidence is Based on just that, a Motion in which was represent and ruled upon by Judge Garrison Hill expert. Apparently Judge Garrison Hill, reviewed the ~~not~~ Pro-se Motion based on the paper work and exhibits and sworn affidavit presented, there was no oral argument or evidentiary hearing held, or Record made by a court Reporter that I am aware of. This is why I requested that the S.E. Court of Appeals clerk of Court Jenny Abbott Kikheas provide me a copy of all the records document I filed in reference to Appellate Case 2016-000966. This way I can see who the Court Reporter was; to ~~date~~ write that person and see if such a transcript exists, and also so that I will know to apply for appointment of counsel from the SCZO Division of Appellate defense to perfect the appeal of appellate Case #2016-000966. My aim by you ~~see~~ sending Mr Bannister all correspondence in which he is not my counsel on Record as you mistakenly thought. ~~to~~

I did not know the status of the appeal. Mr Bannister never corresponded with me about anything the SC Court of Appeals sent to him. This is your second time you've misappropriated my case concerning criminal case # 2002-6523-1063 on appeal... You did this in appellate Case 2011-198272, sending all Court correspondences to Assistant Deputy Attorney General Sabley W. Elliott instead of assist. atty General William M. Blitch; which dealt with the April 21 2011 order denying rehearing. That deal to assist atty General William M. Blitch Jr filing an expedited Motion to Recall the remittitur ~~on June~~ date June 15, 2011 which at was recalled on June 30, 2011 by SC Court of Appeals; Danheill was recalled based upon fraud upon the court and misrepresentation of the adverse party. Mr William M. Blitch Jr. Based on his June 15 2011 mail log. You did nothing to correct this once I provided proof, a copy of Assist Atty General William M. Blitch Jr mail log; to prevent the petition for writ of certiorari from ~~being~~ being heard by SC Supreme Court; Instead my motion pro-se motion was received by S.C. Court of Appeals and I never heard anything more about it. Now you're doing the same thing with this my Appellate Case # 2016-000966; in which I'm being prejudice against my legal issue that has ~~merits~~ merits if I present it Prose.

If there is no transcript, how long do I have to file my brief; because basically the issue is whether or not Judge Garrison will abuse his discretion in not granting my Motion for a new trial, Pursuant to Brady v. Maryland 373 US 83 (1963) Based on after discovered evidence

I am due to your error, requesting and extension of time, to order
the transcript if one exists, and to obtain presentation from the
SCCDO division of Appellate Defense. . . you sending all court
Correspondence to Mr Barrister prejudice me of my right to the
appellate process pro-se; because you ~~you~~ sent all correspondences
to him instead of me. . . Please send me a copy of all the
Courts Correspondences you send to Mr Barrister, instead of me
pertaining to Appellate Case 2016-000966, that is a part of the
S.C Court of Appeals Record under that case number. . .
Pursuant to SC R 60(b)(3). Because this error, mistake, or inadvertence
is due to the SC Court of Appeals employee; I ask that the
time frame be started anew, on which to litigate this issue on
appeal under appellate Case 2016-000966, and that this court
from them on unless advised by SCCDO division of indigent
defense or other wise to accept pro-se filings from me.
I understand and see how you can get confused, because ~~case~~
Criminal Case # 2002 GS-23-1063 has been on appeal under two
Appellate Case numbers. . . Appellate Case number # 2004-UP-~~467~~ # 8 118, 406
and ~~2004~~ 2011-UP-091; and now 2016-000966. . .

I also I want to readdress whether or not an hearing was
held on this Motion for a new trial Based on after discovered
evidence. ~~is that~~ If such hearing was held and there is a transcript
this would mean James W. Barrister would have had to appear
As my counsel, when he knew he was not my counsel. He
did not file that Motion, plus wouldn't he be brought before the court?

I wasn't. And since apparently the circuit Courts were still allowing
the circuit Solicitors to schedule the motions on the general
session dockets pursuant to the unconstitutional provisions of
SC 1976 Code of Law § 1-7-330 I believe this motion was heard
ex parte by Judge Edward Garrison & it was dismissed, based on
the paperwork before him: so these ^{probably is} isn't a transcript, this
is why I don't understand your letter dated June 27 2016
about me ordering the transcript from the court reporter: what I
believe you fail to acknowledge is that the circuit Courts don't
Judges, Solicitor's, lawyer, public defenders doesn't always follow the
rules of Court. They conspire to do what they want, in violation of the Due
Process clause, & prejudice a defendant of any relief sought after a
conviction, ~~and~~ with the assumption that a defendant, lack of knowledge
of the law and his constitutional rights, they want be able to represent themselves;
with enough legal knowledge to beat the system designed to convict them, where
it's just business to them; another way to profit off of crime, poverty
in human bodies - is a product. This is why I can't understand
how the SC Court of Appeals records still reflect James W Barrister
as my counsel of record, when the record reflect lately that James
represented by Elizabeth Hankler Best and David Alexander, and now
Laura R. Baer. But now you know. So it's not my fault,
that I missed ~~and~~ any deal lines, it's your fault, you mis
appropriated the correspondence of my case to James W Barrister
instead of me.

Respectfully Submitted by
Pro-Appellant
Robert M. Watkins 24380302B108
Perry Corcoran Inst
430 Oaklawn Rd, Pelzer SC 29669

cc: S.C. Court Administration
cc: SC Bar Association
cc: SC office of Disciplinary Counsel
cc: SC Supreme Court. Justice Beatty
cc: Gladys L. Catkins
cc: Sandra Carl Allen

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JUL 07 2016

SC Court of Appeals

Proof of Service

I Robert M. Watkins, on July 1st 2016 placed in the PCR
mailroom, my letter to deputy clerk of Court
v. Claire Allen, of S.C. Court of Appeals, dated June 30 2016.
Concerning appellate case # 2016-000966. (6 pages).

Witness by:

Robert Watkins ✓
Petitioner
Signature

Sworn to before me
on this 1st day of July month 2016 year
SC Notary Nancy C. Merchant Exp. Date: 1-23-2023

South Carolina Courts of Appeals

v. Claire Allen .

Post Office Box 11629

Columbia SC 29211.

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Robert Watkins 2438030208

P.C.I.
430 Oaklawn Rd
Pelzer SC 29669

S.C. Court of Appeals
Deputy Clerk vs Claire Allen
P.O. Box 11629
Columbia SC, 29211

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JUL 01 2016

P.C.I. MAILROOM

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JUL 07 2016

Esc.
SC Court of Appeals

AM
LEGAL MAIL