

Petition

For

Rehearing

August, 26

2016

Dear Mr. Jenny Abbott Kitchings

I'm writing you once again on the behalf of my Case
the I've Filed with you on the Month of June 2016. My
Appellate Case No. 2016-001202. I've Received a Letter From
you on August 11, 2016, Stating that "Appellant has Failed
to provide a sufficient explanation as required by Rule 203
(d)(1)(B) of (SCACR). Well my concern with you is, why
was my Case dismissed because I have been sufficient
with my explanation, Not only that Sir. I'm not familiar
with the Law, that's why I've been appointed to Counsel
Ms. Wallis April Alves, an Assistant Public Defender that
was told by the Court of South Carolina Court of Appeals
to Forward All explanation, along with a Statement in
writing of any arguable basis that there are issues preserved
for appeal. Because I'm entitled to the Assistance of Appellate
Counsel on appeal, and because you must craft a remedy to
correct the unfairness which has occurred. Please Find my
allegation that Counsel Failed to seek reviewed in my Case
sufficiently states a claim of ineffective Assistance. Therefore
remand for an evidentiary hearing on the issue of whether
in fact the petitioner requested and was denied an
opportunity to seek Appellate review. I've Filed my motion
with The South Carolina Court of Appeals because my Appointed
Lawyer Jason M Price, showed "Ineffective Assistance of
Counsel"

• Involuntary guilty Plea

• Due Process of Law

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SC Court of Appeals

(A) Failed to investigate the documents that [were] for my defense.

(B) Failed to defend my Rights.

(C) Failed to advise me of all my rights or to take any of the actions that were necessary to protect or preserve them knowing I was not versed in the law.

I did not waive my right to a direct appeal because I had an direct Counsel that was suppose to forward my rights. I've alleges that I requested an appeal from original conviction, but my lawyer failed to timely file the appeal. Viewed in the light most favorable to me, it will be evidence suggesting that I did not voluntarily waive my direct appeal.

If I've known that I would not have any contact with my Attorney after Court, I would not have pleaded guilty. Also, I'm Fighting For the State vs. Green, 539 SE, 2d 469, 343 SC. 207 CASE.

A defendant cannot be convicted of a crime for a crime for which he is not indicted if it is not a lesser included offense that charged in the indictment.