

RECEIVED

NOV 18 2016

S.C. SUPREME COURT

November 14, 2016

The Honorable Daniel E. Shearouse
Clerk of Court, Supreme Court of South Carolina
PO Box 11330
Columbia, SC 29211

RE: Trey Williams, # 341036 v. State of South Carolina
Appellate case No. 2016-001553
Lower Court case No. 2013-CP-46-1797

Dear Mr. Shearouse:

Enclosed for filing is a Relief of Counsel / Conflict of Interest / Ineffective
Assistant of Counsel on Appeal in Collateral Attack Phases, a memorandum
with citation of authorities in support of motion and a letter addressing
extraordinary circumstances, intress of Justice, miscarriage of Justice, mockery of
Court and actual Innocence. ~~Trey Williams~~

Trey A. Williams

In the Supreme Court
Letter And Reply to Attorney General Justin J. Hunter Return

Dear Mr. Shearouse: Appellate case No. 2016-001553

I address the courts in this letter of extraordinary circumstances in the intress of Justice, for "fundemental fairness" and "due process/equal protection" of the law in due diligence in preventing the continuation of A "mockery of court" and to put A stop to the prior mentioned violations as they have been applied in my case that are in quotations. My counsel of record nathan sheldon and all counsel that I have had in any stage of crimminal, appeal, collataral have been ineffective or they removed themselves from my case because of stacked case load. The first counsel I had in General sessions on this case is Erik delany, I had him removed from my case A year plus after he was on my case and after that I had direct Appeal attorney lanei c. durant and I sent in documentation to this court proving her ineffectiveness, and I won this Issue At pcr. On pcr Leah moore relieved herself and michael Hemlepp relieved his self because of A packed case load however they both were attempting to procedurally default me and pursue my case in court without ever communicating with me until they seen that I will fight the courts, I will speak in court and I will learn my issues of law and attempt to get justice served so they relieved themselves using A busy case load excuse. William b. lile was my attorney however it had came weeks or less time for my pcr hearing and I had not heard from him or that he even existed so I was appointed Charles brooks. I have overwhelming proof of his ineffectiveness and I raised that issue At pcr hearing which was my very first issue that is "erroneously excluded" from my pcr transcripts and I filed it in my Amended pcr Application. Attached behind this letter you will see in order letters from mr. Brooks, the first is dated November 4th, 2014 informing me that the Catawba community mental health center that I grew up attending, he received my signature on the release of information form for me to obtain records from their for my pcr hearing and for me to sign various other forms to other Agencies ~~for~~ for my pcr hearing as well. This was also filed in my Amended pcr Application by mr. Brooks for it to be done At my pcr hearing or I would not have A fair hearing and pcr counsel would be ineffective. These things were filed and clock stamped, sealed and on pcr record to be done but were not done, the second letter from his office is dated November 4, 2014 as well but it is addressed to the mental health facility as if my signature is on it and as if it was sent out to them. You will see letters from mr. Brooks in those documents telling me that the only issue I can raise At pcr is ineffective trial counsel, you will see him telling me that that is the only compacity that he will represent me on and since I vent probe. You will see speedy trial motions since June 2009, motion to suppress evidence, grounds, dismissals, wrongful indictment

Discovery materials proving innocence that should have been at PCR, that was filed to be at PCR etc. You will also see Mr. Brooks write me 7-29-2014 to ask me if I pled guilty or took a jury trial, you will see another letter of him telling me my PCR hearing is 8-7-2014. That is how he would have liked to rush my PCR just like all the other attorneys, you will see him in letters tell me I can't get an investigator, witnesses, expert witnesses, present new evidence at a PCR hearing, you will also see letters of him asking me to show how I qualify to get them because I wrote him up for lying to me. It is filed on record, testified to at PCR that I wanted and needed all these things and I did not get none of them done. My PCR was 11-18-2014 and I address issues with all my attorneys because I have read cases as the state (Justin Hunter) addressed in his "return" to deny my motion to relieve counsel saying I had 9 PCR attorneys which I had 6 because Nathan Sheldon was put on my PCR after my PCR hearing was over, a year or two after because I relieved Mr. Brooks with good cause. However it is a miscarriage of justice, mockery of the courts and violation of my due process and equal protection and other rights to have me relieve one attorney as I demonstrate merit and grounds and I get another counsel that is just as ineffective/worse, it is only right for me to continue to relieve ineffective counsel and it does not matter how many in the sense of it prejudicing me or me being the blame, it is the merit and circumstances. I must exhaust my PCR claims in state court, before raising them in federal court and this cannot be done unless I have a new "PCR Hearing" have "effective" counsel, obtain all my records, files etc that I have been requesting well before my PCR hearing. I certify that I have wrote this court informing this court that Nathan Sheldon is not communicating with me, has not been communicating with me, is not honoring my questions, requests, or concerns and wants to be off my case because I want let him procedurally default me and get me denied/reversed on appeal, I have demonstrated incontrovertible evidence of a miscarriage of justice, facts and due diligence in informing the court that the next counsel I get needs to reveal my full files and understand what is going on in my case because my PCR transcripts are not complete as submitted and corrections need to be done, I am not a professional attorney, I am a lay person and don't know the law good but I know that its rules, law, procedure and broad discretion for the courts to reveal this letter, my case/allegations and not have any counsel on

MY CASE ANYMORE FURTHER THAT IS GOING TO CONTINUE THE PATTERN OF MISREPRESENTATION
IF I MUST PURSUE THIS APPEAL AND THE STATE FILE A BRIEF AND IS GRANTED ETC,
I HAVE TO GET ALL MY ISSUES, CLAIMS ETC. RECORDS AND ALL ON THE RECORD
FOR FEDERAL REVIEW BECAUSE FROM 3-31-2009 TO TRIAL, DIRECT APPEAL INITIAL
BRIEF, PCR TESTIMONY ETC I HAVE ALWAYS STATED MY INNOCENCE IN THIS
CASE AND TIME SERVE WAS MY ONLY PLEA OFFERED MULTIPLE TIMES. I TURNED THEM
DOWN, I HAVE NO CRIMINAL BACKGROUND ETC. I CAN NOT ACCEPT SETTING THIS CASE
REVERSED, I AM WANTING TO TAKE A PLEA ANY DAY, RIGHT NOW IF POSSIBLE BUT
I NEED EFFECTIVE COUNSEL. PLEASE SEND ME BACK MY DOCUMENTS ETC! definitely winning

It is 17 documents that need to be received supporting this
letter, it is a much more legal, organized detailed brief
with stacks of evidence and documents I CAN provide
that is if I need to...

The Brooks Law Offices, LLC

CHARLES T. BROOKS, III,
Attorney

309 Broad Street
Sumter, South Carolina 29150
Post Office Box 3512, Sumter, SC 29151
Post Office Box 291226, Columbia, SC 29229
OFFICE: (803) 418-5708
FAX: (803) 934-9618 TOLL FREE: (877) 770-8792
Email: cbrooks@ctbrooks.com

IRMA R. BROOKS
Attorney

November 4, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

RE: PCR


Dear Mr. Williams:

We are in receipt of the signed Medical Release Form for Catawba Community Mental Health Center and we will get this out to them immediately.

In your note, you also gave us the names of some additional facilities that you needed medical records from. Since the release you signed was strictly for Catawba, we have enclosed releases for your signature for the additional facilities. Please return them to us as soon as possible.

With kind regards, I am,

Sincerely,



Charles T. Brooks, III
CTB, III/jlb

Enclosure

The Brooks Law Office, LLC

CHARLES T. BROOKS, III, ATTORNEY AT LAW
IRMA R. BROOKS, ATTORNEY AT LAW

309 BROAD STREET ~ SUMTER, SOUTH CAROLINA 29150
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(803) 418-5708

FAX: (803) 934-9618 TOLL FREE: (877) 770-8792

Email: cbrooks@ctbrooks.com

November 4, 2014

Catawba Community Mental Health Center
448 Lakeshore Parkway, Suite 205
Rock Hill, South Carolina, 29730

RE: Trey A. Williams vs. The State of South Carolina
2013-CP-46-1797

Dear Sir or Madam:

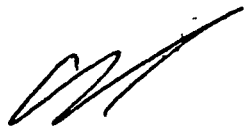
Enclosed you shall find a Medical Release form on Mr. Williams requesting a copy of his medical records from your facility.

Please provide this information as soon as possible as Mr. Williams has requested a copy of these documents and we need this to prepare for his PCR trial.

Thank you for your prompt attention to this matter.

With kind regards, I am,

Sincerely,



Charles T. Brooks, III
CTB, III/jlb
cc: Trey A. Williams

I Trey Alexander Williams Warrent # 2015 327 915
I would like to know who do I contact to request
Speedy trial. I do know that the speedy trial is n.
Speedy anymore but I still want to ask for one.
Also family members of mind would like to get
me a paid lawyer but they dont know
what is going on and I dont no who
my lawyer is.

FILED-RECEIVED

2009 JUN 23 AM 11:24
CB

DAVID HAMILTON
C.C.P. & G.S.
YORK COUNTY, SC

DAVID HAMILTON
C.C.P. & G.S.
YORK COUNTY, SC

2009 JUN 23 AM 11:20

FILED-RECEIVED

David Hamilton
York County
Mass Justice
1675-3A Yo.
29745

EXHIBIT
1
5-26-10 JB

State of South Carolina
COUNTY OF YORK

IN THE COURT OF GENERAL SESSIONS
SIXTEENTH JUDICIAL CIRCUIT
FILED-RECEIVED

2009 JUL 28 AM 11:39

MOTION OF

The State of South Carolina

PLAINTIFF,

DAVID HAMILTON
C.C.P. & S.S.
YORK COUNTY, SC

SUPPRESSED

V.S.

EVIDENCE

TREY ALEXANDER WILLIAMS

DEFENDANT.

My name is Trey Alexander Williams. I am writing this motion retaining to all of the suppressed evidence in the case against me.

Through out my whole motion of discovery, every paper that is est-based states that there was no indication of penetration at all. Another piece of suppressed evidence against me, is the occasions that were said, were not said to be at any certain time. No actual day or round a day. Plus I have not been there at all recently. This is a very large piece of suppressed evidence in my case. This is a bogus charge, it didn't happen at all. I have been locked up since March 31st, 2009. The case against me is not sufficient or true whatsoever.

This case doesn't have any evidence. These are suppressed evidence items in my case. I am not guilty of this bogus charge. I would like this motion to be stamped, notarized, and sent to my public defender and solicitor. Thank you for all your help in this matter.

Sincerely,

TREY
ALEXANDER
WILLIAMS

July 26th, 2009

THE STATE OF SOUTH CAROLINA

In The Court Of General Sessions
16th JUDICIAL CIRCUIT

FILED-RECEIVED
2009 OCT -5 AM 9:25

CERTIFIED TRUE COPY
2009 OCT -5 AM 9:43

COUNTY OF: York
State Of South Carolina
v. s.
Trey Alexander Williams
Plaintiff, Defendant.

DAVID HAMILTON
C.C.P. & G.S.
YORK COUNTY, SC

MOTION
-of-
FAST
-and-
SPEEDY
TRIAL

DAVID HAMILTON
CLERK OF COURT
YORK COUNTY, SC

My name is Trey Alexander Williams. I have been charged with Criminal Sexual Conduct in the first degree. This is a bogus charge against me. I did not commit the crime listed above. I have been incarcerated since March 31st, 2009. I have been ready to go to trial since I've been charged with this. I am innocent. I have sat here for around 5 months now, and I'm ready to leave. I am tired of sitting around, waiting on my lawyer to tell me something. That is why I have filed this motion. I am completely ready to go to trial. This motion will just speed the process up.

I would like this motion to be stamped and notarized. Also, I would like a copy of this motion to be sent to my solicitor and my public defender, after it has been stamped and notarized. I would like a stamped and notarized copy sent back to me as well. Thank you for all of your help in this matter.

Sincerely,
Trey A. Williams

State of South Carolina
County of York

Sixteenth Judicial Circuit

FILED-RECEIVED

2010 APR 09 AM 11:41

DAVID HAMILTON
C.C.P. & G.S.
YORK COUNTY, SC

Trey Alexander Williams
(Defendant)

Motion of Dismissal

Comes now the defendant, Trey Williams, would motion this honorable court of South Carolina, for dismissal and/or disposition of any and all evidence, witness information, or complaints that(s) being held against the defendant to which it is keeping the defendant held in the county jail also any/or evidence(s) having been lodged by the State of South Carolina or any of its agents.

If any witness information or evidence or any additional information regarding the defendant vs. the South Carolina state, is not being brought to the court(s) attention, and the State of South Carolina has no intention of having any said evidence brought to the courts, then the defendant asks that the State of South Carolina notify the defendant in writing of the state's intention and copy of the states notification shall be forwarded to the offender records Branch, Y.C.C., Moss Justice Center, 1675-3A York Highways, C 29745.

Therefore the Applicant prays that the Honorable Court file, take notice and compel that the appropriate action be taken pursuant to this motion.

4-6-10

Thank you to all
Trey Williams
Trey Williams

YORK COUNTY, SC
CLERK OF COURT
DAVID HAMILTON
2010 APR 09 PM 12:12
CERTIFIED TRUE COPY

Grounds for Dismissal

The Applicant now comes, prase, and more CS; this HELED-RECEIVED to dismiss his charges imposed on (date of arrest), and (date and year of arrest).

710 APR - 9 AM 11 41

1. A (Charge)

Criminal sexual conduct w/ minor, C Warrant: DAVID HAMILTON (45)
C.C.C.P. & G.S.
YORK COUNTY, SC

Reason for Dismissal

I Trey Alexander Williams, case # 0902231135 is hear to bring grounds for Dismissal to the courts.

A medical exam was done by medical doctor Dwight A. Reynolds, and the exam came back as normal. The victim in this case is six years of age, my charge and the outcome of the exam is not possible.

The doctor is a professional from Dickerson center for children on 1615- Augusta rd. West Columbia South Carolina 29169, Phone number (803) 791-1511.

Also at Piedmont medical center - Rock Hill SC 29732, Medical doctor Thomas L. Wilkins and his staff rules out any physical damage to any area on the victim, however I am accused of penetrating the victim in her vagina and anus numerous times.

The victim's mom says she saw a discharge while washing her daughter but the experts cant see any sign of that being true.

The victims mom also gave untruthful statements to police in the incident reports, case slummers, and to experts on the job of the case.

These are things that can be proven easily that she lied about where the victim lived, how the charge occurred and she kept the care taker/guardian who the victim lived with out off the picture.

I have been incarcerated for a year and a week waiting on my case to be dismissed based of off medical experts, the person who took care of the victim and the courts, nothing adds up to the facts of the case.

Those are a few reasons why I ask for the honorable courts to dismiss my charges, and I have been denied request for trial.

Date: 4/6/10

YORK COUNTY, SC
CLERK OF COURT
DAVID HAMILTON

Yours very truly
Trey Williams

2010 APR - 9 PM 12:12

CERTIFIED TRUE COPY

STATE OF SOUTH CAROLINA)

COUNTY OF YORK)

INDICTMENT

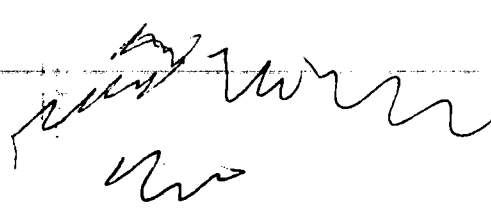
At a Court of General Sessions, convened on June 18, 2009 the Grand Jurors of York County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR, FIRST DEGREE

That on or about February 23, 2009, the Defendant Trey Alexander Williams did willfully and unlawfully commit the crime of Criminal Sexual Conduct with a Minor in the First Degree, in that the Defendant Trey Alexander Williams did engage in a sexual battery with a minor victim who, at the time of the incident, was less than eleven (11), to wit: the Defendant Trey Alexander Williams (Date of Birth: September 21, 1988) did commit the sexual battery of cunnilingus (oral intercourse) upon the minor victim Jada Westbrook (Date of Birth: September 17, 2002), in that said Defendant did place his mouth upon the vaginal/genital area of said minor and/or said Defendant did kiss and/or lick the vaginal/genital area of said minor victim. Said incident occurred in York County, South Carolina. Said incident did occur within York County, South Carolina. All in violation of Section 16-3-655(A)(1), of the Code of Laws of South Carolina (1976, as amended).

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

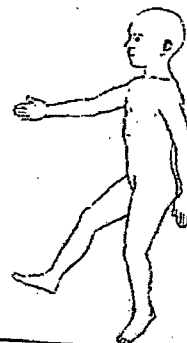
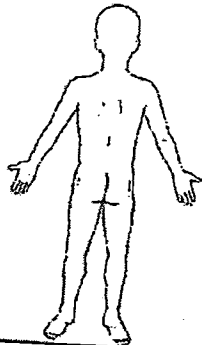
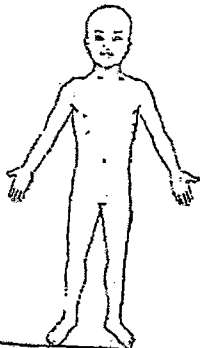

ASSISTANT SOLICITOR



Child's Name Jada Westbrook

DOB 9-17-02

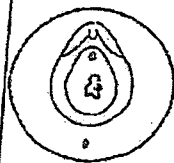
Document findings on appropriate diagrams, as applicable.



Skin Findings/Comments: Photos

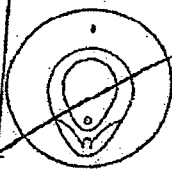
No signif skin pathology

Female Genital Exam Findings



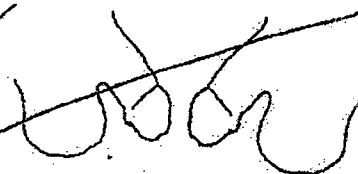
Colposcope: Exam Photos
Positioning: supine Prone KC
Other _____

Tanner: PH 1 B 1



Hymen: Annular Crescentic
 Estrogenized Fimbriated
 Redundant Septate
 Microperforate/imperforate
Other: Specify _____

Male Genital Exam Findings



Colposcope: Exam Photos
Positioning: supine Prone KC
Other _____

Tanner: PH _____ G _____

Circumcision: Yes No

Comments:

Mom indicates STDs were tested for 2-24 in Rock Hill.

Comments:

The Brooks Law Offices, LLC

CHARLES T. BROOKS, III,
Attorney

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Sumter, South Carolina 29150
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Email: cbrooks@ctbrooks.com

IRMA R. BROOKS
Attorney

July 29, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

RE: Trey Williams v State of South Carolina

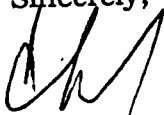
Dear Mr. Williams:

Please be advised that we will try to schedule a phone conference as quickly as possible.

Also, please advise me whether you pled guilty or whether you were convicted after a jury trial.

With kind regards, I am,

Sincerely,



Charles T. Brooks, III
CTB, III/jlb

The Brooks Law Offices, LLC

CHARLES T. BROOKS, III,
Attorney

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Sumter, South Carolina 29150
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Email: cbrooks@ctbrooks.com

IRMA R. BROOKS
Attorney

July 29, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Hwy
Bishopville, South Carolina, 29010

RE: PCR Hearing

Dear Mr. Williams:

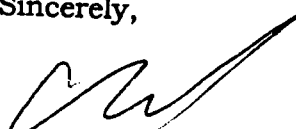
After our telephone call today, we received notice that your PCR hearing has been scheduled for August 7, 2014, at the Moss Judicial Center, beginning at 9:30 AM.

We are in the process of scheduling a telephone conference with your prior to that to discuss all aspects of your case.

If you have any questions please do not hesitate to contact me.

With kind regards, I am,

Sincerely,


Charles T. Brooks, III
CTB, III/jlb

The Brooks Law Offices, LLC

CHARLES T. BROOKS, III,
Attorney

309 Broad Street
Sumter, South Carolina 29150
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OFFICE: (803) 418-5708
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Email: cbrooks@ctbrooks.com

IRMA R. BROOKS
Attorney

September 16, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

RE: Trey Williams v State of South Carolina

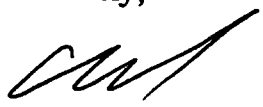
Dear Mr. Williams:

We are in receipt of your letter asking that some investigations be done on your case.

Please be more specific as to what you need investigated so that we may submit a request for funding to the Judge. Please be advised that you need to be very specific in order to try and get funding approved.

With kind regards, I am,

Sincerely,



Charles T. Brooks, III
CTB, III/jlb

The Brooks Law Office, LLC

CHARLES T. BROOKS, III, ATTORNEY AT LAW
IRMA R. BROOKS, ATTORNEY AT LAW

309 BROAD STREET ~ SUMTER, SOUTH CAROLINA 29150
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(803) 418-5708

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Email: cbrooks@ctbrooks.com

October 1, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

RE: Trey Williams v State of South Carolina

Dear Mr. Williams:

Please tell me what witnesses you want and how they are relevant to your PCR case.

If you have Amendment(s) that you wish to have filed on your behalf, please provide those to us and we will be happy to take care of that for you.

Also, we will schedule a telephone conference with you.

Sincerely,

Charles T. Brooks, III
CTB, III/jlb

The Brooks Law Office, LLC

CHARLES T. BROOKS, III, ATTORNEY AT LAW

IRMA R. BROOKS, ATTORNEY AT LAW

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POST-OFFICE BOX 3512 ~ SUMTER, SOUTH CAROLINA 29151

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FAX: (803) 934-9618 TOLL FREE: (877) 770-8792

Email: cbrooks@ctbrooks.com

October 15, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

RE: Trey Williams v State of South Carolina

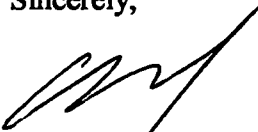
Dear Mr. Williams:

I am again in receipt of a letter you sent to the Supreme Court.

Please be advised that I have not oppressed you in anyway, nor have I destroyed any of your paperwork.

Also, you referred to my having been paid \$15K to handle your case. Please be advised that no money has every been sent nor paid by anyone on your behalf to handle your case.

Sincerely,



Charles T. Brooks, III

CTB III/11

The Brooks Law Office, LLC

CHARLES T. BROOKS, III, ATTORNEY AT LAW
IRMA R. BROOKS, ATTORNEY AT LAW

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FAX: (803) 934-9618 TOLL FREE: (877) 770-8792

Email: cbrooks@ctbrooks.com

October 23, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

*For MAIL ROOM USE
TO MAIL OUT DOCUMENTS
WITH PROOF & VERIFICATION
OF SENDER TO RECEIVANT
etc!!*

RE: Trey Williams v State of South Carolina

Dear Mr. Williams:

Enclosed please find a properly completed Medical Release for your records from Catawba Mental Health. Please sign and date this form and return it to my attention in the envelope provided.

I represent you for a Post Conviction Relief matter and the issues to be determined in a PCR hearing are limited to the assistance of your counsel during your General Sessions trial. There is not an offer from the Attorney General to "plea out" in this matter. Again, this is a civil trial dealing with the legal representation you received at the criminal level.

I have requested the Continuance you asked me to request. You were present in the courtroom with me when the Judge informed us that he would not grant another Continuance in this PCR matter. The Judge has denied this request and I have sent you a copy of that decision.

I understand that you wish to speak with me and I have instructed my staff to schedule a telephone conference in the coming days so that we can discuss your PCR case and how I can assist you in this PCR matter. I look forward to the opportunity to discuss your case with you soon.

If you should require anything additional please do not hesitate to contact my offices.

Sincerely,


Charles T. Brooks, III
CTB, III/jlm

The Brooks Law Office, LLC

CHARLES T. BROOKS, III, ATTORNEY AT LAW
IRMA R. BROOKS, ATTORNEY AT LAW

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FAX: (803) 934-9618 TOLL FREE: (877) 770-8792

Email: cbrooks@ctbrooks.com

November 10, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

RE: Trey Williams v State of South Carolina

Dear Mr. Williams:

Please allow me to remind you again that you should cease to mail documents to the Clerk's offices. As I am appointed as your attorney the Clerk's offices will not file documents on your behalf.

You will have an opportunity to speak directly with the Judge at your PCR Hearing and request that I be relieved as your attorney at that time. This decision will be left up to the Court's discretion.

Additionally I would like to remind you that the matter for which I represent you is strictly limited to the representation or failure of representation of you at your General Sessions trial. You acted as your own counsel at the time of your General Sessions trial.

I have asked the Court for a Continuance for your scheduled upcoming hearing at your request. This request was denied by the Court. The hearing will move forward and be presented to the Court for a Post Conviction Relief matter.

This is not a new trial of evidence or witnesses. Again, this matter will deal directly with whether or not your trial counsel was ineffective.

I am available to assist you if you have questions or concerns about your PCR matter. If you should require anything additional please do not hesitate to contact my offices.

Sincerely,


Charles T. Brooks, III Under
CTB, III/jlm And J

~~The Attorney of~~

General

PCR CA

and the

my fault

Under

And J

John Smith

The Brooks Law Office, LLC

CHARLES T. BROOKS, III, ATTORNEY AT LAW

IRMA R. BROOKS, ATTORNEY AT LAW

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Email: cbrooks@ctbrooks.com

December 17, 2014

Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

RE: Trey Williams v State of South Carolina

Dear Mr. Williams:

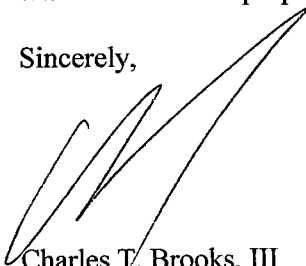
I am once again in receipt of documents you have sent on your own behalf concerning your case. Please be advised, again, that as your PCR attorney any communications should be sent through my offices and not directly to the Courts.

I have informed you several times, as you outline in your letter to the Supreme Court of South Carolina, that I represent you in a PCR capacity only. I have informed you several times that a PCR is limited and these hearing will not entertain "new evidence". A PCR is a limited matter. It is not up to me to set the scope of such things but this has been established by the Courts.

Also, I have submitted a Proposed Order in PROPER format to the Judge for his review and determination. Trial counsel has thirty (30) days from the date of a hearing to prepare such an Order. As you are aware my Order was submitted well before that deadline. The Attorney General's Office will also submit a Proposed Order denying the PCR. The Judge will determine whether or not to grant or deny the PCR Application you filed in this matter.

Enclosed please find the materials you sent to Judge Lee which were sent to me as your contact with them was not proper as indicated in their letter to your attention dated December 12, 2014.

Sincerely,



Charles T. Brooks, III
CTB, III/jlm
Enclosed as stated

09-2646

I REQUEST A COPY OF EVERY MOTION, Document, order, Indictment, court document filed under my WARRANT # 0902231135. Any Court document filed under my WARRANT #, when I WAS Indicted, when An Amended Indictment WAS filed etc... Any and everything from the State !!!

I Am Trey Alexander Williams ~~████████~~

Anything that was presented, waived, cancelled etc And by whom...

I Also wish to have CHARLES Thomas Brooks III removed immediately. removed off my case for ~~these~~ threats, FRAUD, sexual Abuse etc !!!

And I request All motions, documents, letters I have sent to this Court.

SABRINA C. Todd is over the investigation At "The Supreme Court of Disiplinary Counsel" !!! My life liberty And Limb is indanger because of Mr Brooks !!!

Trey Williams

FILED-RECEIVED
2015 MAR -2 PM 2:03
DAVID R. MILLON
C.C.P. & G.S.
YORK COUNTY, SC

The Brooks Law Office, LLC

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March 18, 2016

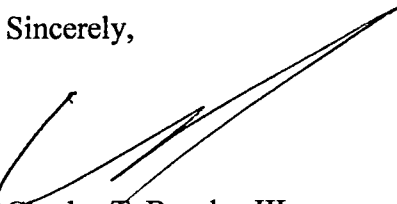
Trey Williams, 341036
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina, 29010

RE: Trey Williams v State of South Carolina

Dear Mr. Williams:

Per your conversation with my assistant, enclosed please find a Consent Order to Relieve me as your counsel. Please sign where indicated, and return it to me in the envelope I have provided. Once I receive this document, I will forward it to Judge Hall and present you with an executed, filed copy for your records.

Sincerely,



Charles T. Brooks, III
CTB, III/srw

STATE OF SOUTH CAROLINA
In The Supreme Court

Certiorari to York County
Court of Common Pleas

The Honorable Alison R. Lee, Circuit Court Judge

Appellate Case No. 2016-001553

Trey Williams #341036 Petitioner-Respondent

v.

State of South Carolina Respondant - petitioner

Motion of Conflict of Interest / Motion to Relieve All Counsel
who does not do the following in this motion / Notice to
the Courts.

This matter comes before the court pursuant to Actual Innocence of one who is having a total miscarriage of justice in all phases of criminal and collateral on appeal who can demonstrate this in incontrovertible evidence, however is being denied access to my court records, documents, my PCR transcripts are invalid and I was denied a fair PCR hearing and am being denied effective counsel in every stage of court even when one counsel is relieved for specific reasons another counsel is appointed not collecting but being more ineffective than the last and it is a mockery of justice and court to have this continuous situation going on when all counsel needs to do is have the courts be the mediator and instruct counsel to review the totality of my case, allegations, claims etc because in PCR the burden is on me by a preponderance of the evidence to establish constitutional violations in my conviction, furthermore I must exhaust all claims in PCR court to properly preserve all my issues for Federal Review. The South Carolina Supreme Courts ruling in *Hott v. State*, 381 S.C. 622, 674 S.E.2d 491 (2009) which held that Rule 11, SCR CP is not applicable to or in PCR proceedings therefore this motion should be filed with or without compliance with Rule 11 and this filing should be treated by this court and counsel as if it was filed by an attorney at bar. This motion is an extension connected to the letter to the courts enclosed with this motion and to the relief of counsel motions and states return.

To prevent having conflict with attorneys, and its due diligence and in good cause and faith being all the counsels I have had, conflicts with appellate defense etc all for the same reasons of them not revealing the totality of my case files, rules discoveries, York County Clerk of Court PCR records, the South Carolina Supreme Court records, my documents, PCR application and amendment because of the nature of these circumstances and it seems that because I'm indigent that I can't get effective counsel and my PCR hearings transcripts are invalid and incomplete. Furthermore failure to take the requested action on record would be a miscarriage of justice that will deny me due process of law and equal protection under the United States of America constitution. Also an attorney's error or any error during appeal and direct appeal reveal may provide "cause" to excuse a procedural default, and I have addressed these courts, clerks etc in the S.C. supreme court many times for years on this very matter and have proof, documentation, records they have received them, clock stamped etc and I currently am being denied results to addressing my PCR transcripts being invalid and the other concerns in the letter I sent to the courts and this motion based on me having counsel, but counsel has admitted to not wanting to represent me, of being a procrastinator in my words and in the interest of justice this is error having undue delays, prejudicing me etc. MY case can not adequately go forward with these errors, issues etc being ignored using procedural smoke screens when I have asked the courts to use broad discretion to resolve this matter because I'm being denied a fair process and opportunity to comply with the states procedures and obtain an adjudication of merits of claims. U.S.C.A. Const. Amend Sixth supports these action by counsel, and courts would be the "cause" to excuse any procedural defaults, which reflects equitable judgement that only where a prisoner is impeded or obstructed in complying with the states established procedural rules, will a federal court excuse the prisoner from the usual sanctions of default. I'm being hindered from complying with S.C. code Ann § 17-2-80 and § 17-27-90. The Supreme Court in Townsend v. Sain, 372 U.S. 293, 83 S. Ct. 795. Federal courts on habeas review "must" hold an evidentiary hearing if applicant did not receive a full and fair evidentiary hearing in state court either at the time of trial or in collateral proceeding, See, 28 U.S.C.A § 2243. If petitioner meets all five prongs in Townsend, even where procedure employed does not violate constitutional standards, if it appears to be seriously inadequate for ascertainment of the truth, it is federal judges duty on habeas corpus, or "State Supreme Court" to disregard states findings and take evidence anew.

When evidentiary hearing is required because of unresolved factual dispute, state court record, state court record is competent evidence, and either party may choose to rely ~~on~~ solely upon evidence therein, but petitioner and state must be given opportunity to present other testimonial and documentation evidence relevant to disputed issues. See petitioners discovery, clerk of court files York County PC, S.C. Supreme Court records, my personal files I have attempted to file, PCR Application Amendment/Judicial Notice, see Cullen v. Pinholster, 131 S.Ct. 1388 (2011), Federal Court can not entertain unless its in the lower court Record.
To not follow up on this letter/motion is a miscarriage of justice ~~and~~ *definitely wrong*

State of South Carolina
County of ~~York~~ York

In the Court of Common Pleas
Sixteenth Judicial Circuit
2013-CP-46-1797

Trey A. Williams, #341936
v.

Applicant

State of South Carolina
Respondent

Motion for contin-
uence

Petitioner asserts and deems that he was appointed PCR Counsel on July 18th, 2014. PCR Counsel did not attend petitioner's PCR Application, consulted with petitioner regarding any issues to be developed, investigated, ascertained or elicited regarding any Constitutional Violations. See exhibit #1, letter from PCR Counsel. In this letter PCR Counsel has stated by clear and convincing evidence that he has not reviewed my case or familiarized himself with any of the law or facts of my case four (4) business days before this hearing.

As this court is aware of petitioner bears the burden of proof at PCR hearings, and as such this cannot be established unless petitioner is appointed effective assistance of Counsel to demonstrate petitioner's Constitutional Violations. All Counsel "must" perform up to professional standards in all removal proceedings, even in collateral review under The U.S. Supreme Court's ruling in *Martinez v. Ryan*, 2012 WL # 912950; *Starkland v Washington Supr*; *Laffie v. Corp-ER*, 132 S.Ct. 1376 (2012); *Missouri v. Frye*, 132 S.Ct. 1399 (2012); and *Padilla v. Kentucky*, 132 S.Ct. 1473 (2010) all of which supports petitioner's stand.

Petitioner points out that despite the importance of PCR remedies as safeguarded against unjust, unconstitutional, and erroneous confinements, this systemic devolving of the importance of PCR process by way of ineffective assistance of PCR Counsel is widespread. Convicted persons in South Carolina raising post conviction challenges rely exclusively on the States appointed Counsel, most of which is evident here today have little experience in this area of law. The purpose of the "PCR Act" is to provide a comprehensive mechanism to the States Courts' attention to any unresolved and previously not mentioned questions of law and facts relevant to their conviction or sentence, and obvious why PCR Counsel cannot do this if he has not familiarized himself with the law or the facts of the case. It is through counsel that petitioner "must" allege particular grounds for relief and the specific defects in the trial or criminal proceeding that warrant a reversal or revision including the legal basis for the claims supporting facts, and relief.

Trey Williams, # 341036

MA/lock up # 120

Lieber Correctional ^{Institution} ~~Correctional~~

PO Box 205

Ridgeville, SC 29472

RECEIVED

NOV 15 2016

MAIL ROOM
LIEBER C.L.

THE Supreme Court of South Carolina
1231 Gervais St.
Columbia, South Carolina 29201