

S.C Supreme Court.

November 28, 2014

Dear Clerk of Court

I recently went through some of my paperwork and realized that I forgot to submitted my conclusion with the brief I submitted on or about Nov 7, 2014. I was already written but I merely made a mistake of including in my haste. Can you please, include this with my brief. Thank you in advance.



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Recommendation 23:

Recommend that all state and local agencies, including but not limited to DOC, SCPPPS, SLED and the SCJD, begin coding data in the same formats so there is consistency in the data as to the type of offense that has been committed, the code section under which the crime is prosecuted, the sentence that is ordered and the sentenced served. Ensure that the current DOC coding systems are supplemented and not replaced, so that the additional offensive coding by DOC is not omitted and that for all agencies, there is no loss to the information currently connected

Conclusion

Petitioner asserts that counsel did render deficient and ineffective counseling for the following but not limited reasons: The lab analysis was conducted nearly two years after the true bill indictments; Petitioner was over sentenced for controlled substance, and as an 85% no-purse offender; Counsel did not inform Petitioner of elements of PWIP or lesser included offenses; In App # 09-2-4, Counsel Chaplin ADMITS at PCR hearing that he did not inform Petitioner that he was facing 100-plus years; Counsel could not state with certainty if he went over pertinent discovery materials, stating "he would have hoped he did"; All the weights were below prima facie evidence amounts; Counsel could not state with certainty that weight amounts were apart of any negotiations with the state in the cross-examination; Counsel stated repeatedly that he thought the evidence was weak and was ready for trial, but never vividly stated or how he intended to rebut the state in adversarial argument. Thus petitioner was prejudice because the offenses were and are serious strikes against him, and was also withheld from his release. Counsel suggest he merely 'overlooked' substantial mitigating factors in his "haste" and concern of just the big picture and getting something resolved, which is not fair representation under the U.S Const 6th Amend. Thus, Petitioner prays this convictions are vacated upon review.

Respectfully Submitted



Vincent Rice #216178

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November, 7, 2014

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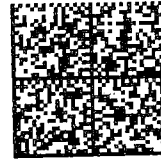
S.C. SUPREME COURT

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