

To Whom It May Concern

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11-17-16

I wanted to enclose this ^{NOV 28 2016} ~~second~~ letter to ask, since my direct appeal has ^{SC Court of Appeals} been filed, can you please go ahead and appoint me counsel and advise me on who has been appointed to my case. Although it may not speed up the appeal process, it will give us more time to correspond and to prepare. I have an issue with my sentence as a 3rd offender. I believe I have caselaw that would put me as a first offender. I have only had mere drug possession offenses (poss. of marij. + poss. of meth). Scott vs State says that a mere drug poss. cannot be used to enhance a later felony drug conviction. Although in Scott it is a marij. conviction. But I think it states a mere drug conviction cannot be used. I have other caselaw's that deal with enhancement of uncounseled conv. my attorney Mrs Merrill did not require the state to prove that any of my mere poss. drug conv. was counseled. I tried to get her to bring this up. She would not do it. I can try to explain this issue further after I am appointed counsel.

Thank you very much Earnest E. Vaughn Jr.

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To The Office Of

Pg. 1

Appellate Defense **RECEIVED** -17-16

NOV 23 2016

To: Whom It May Concern, SC Court of Appeals
my notice of appeal has been filed by the
Attorney who was appointed to represent me
in a jury trial in Greenwood Co: Jane Merrill.
I understand that ineffective assistance of
counsel normally can't be heard on a direct appeal.
However, I have filed a complaint against
Ms. Merrill with the office of disciplinary counsel.
Beside's the fact Ms. Merrill did very little for
my defense. On the day of my trial she told
me the all 7 of my defense witnesses would
not be testifying. At this point, I became aware
that Ms. Merrill had flipped on me or I don't
really feel that she had my best interest at
heart from the beginning. She was only on my
case for approx. 3 months. Surely not enough
time to prepare. In this letter I wanted
to bring to your attention, why I filed the
complaint. My Girl-Friend is suppose to file a
copy of the complaint with this office,
Tara Tharpe. Ms. Merrill injured me several

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times during this 3 day trial. She stomped my left foot 2 times with the heel of her shoe. She stabbed me in the side of my left leg one time with her ink pen, and 7 or 8 times she kicked me on side of my left leg spiking me to times on my shin breaking the skin causing my leg to bleed. As the result of this abuse (misconduct) by Ms. Merrill, I have nerve damage in my left foot, left leg and scars on the shin of my left leg. Now I have been unable to get proper medical treatment for my injuries by medical here in the South Carolina Dept. of Corrections. Now my question is, since I am going to be represented in my appeal by this office, can this office have an impact on the investigation being done by the Office of Disciplinary Counsel? Also can this misconduct by Ms. Merrill and my injuries have an impact on my appeal or help me in getting an appeal bond so I can get the medical treatment I serously need. I am kinda up to date on the rules of

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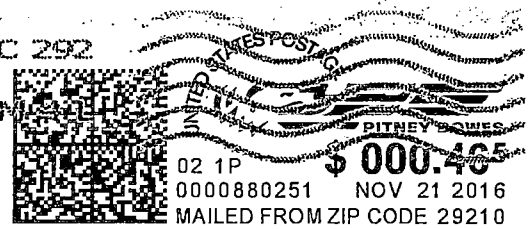
evidence and other methods normally used in drug cases, and Ms. Merrill did move to suppress the evidence due to possible tampering, and the motion was denied. The arresting officer claimed he seized 18 grams of meth. The evidence man said 22½ grams because he added to it the next day. But 18 grams was listed on the arrest warrant. They are other facts and issues about my arrest involving the 4th Amendment violation where they used a sham arrest warrant that was used to justify detaining me. That warrant has never been shown and I was never indicted on it. It was a charge of Poss. w/I to dist meth. I was never arrested on this warrant until this trafficking charge was brought against me. Also in this trafficking charge they took me out of the view of the dash cam to search me. All of this will be in my transcript. Well if you can help me this early in my appeal it would be greatly appreciated. Please Respond.

Thank You Very Much
Eamonn Vaughn, Jr.

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