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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

APPEAL FROM YORK COUNTY CIRCUIT COURT
IN THE COURT OF GENERAL SESSIONS

Roger L Couch, Circuit Court Judge

Case No. 2016-GS-46-0127

The State of South Carolina.....Respondent,

v.

James Phillip Rhinehart.....Appellant.

NOTICE OF APPEAL

James Phillip Rhinehart appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Roger L Couch on October 18, 2016. The Appellant pled guilty to Habitual Traffic Offender. Appellant received a sentence of five (5) years, suspended on the service of forty-two (42) months, with credit for time already served.

Pursuant to South Carolina Appellate Court Rule 203, Counsel is initiating this appeal at the request of the Defendant and pursuant to SC Appellate Court Rule 203 (d) (1) (B) (iv) counsel is not aware of any issue of merit that might be raised in this appeal.

October 28, 2016

Respectfully Submitted,

P John Freeman
Halford, Niemiec & Freeman, LLP
238 Rockmont Drive
Fort Mill, SC 29708
Attorneys for Appellant

Other Counsel of Record:
Ms. Erin M Joyner, Assistant Solicitor
Sixteenth Judicial Circuit Solicitor's Office
1675-1A York Highway
York, SC 29745

Re: The State v. James Rhinehart
Appellate Case No. 2016-002213

Nov 29, 2016

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Cc: Mrs. Jenny Abbott Kitchings

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Clerk: The South Carolina Court of Appeals

SC Court of Appeals

Mrs. Kitchings, I James P Rhinehart am writing my reasons for my appeal, And I'll swear under Oath and proudly submit to a poly-graph test that what's in my statements are the truth, so help me GOD. I was arrested on March 11th, 2016 for Habitual Traffic Offender, D.U.S After being out on bond. A couple hours after my arrest I was informed that a Detective would like to talk to me, so I agreed. Upon being questioned, I was informed about a Criminal Sexual Conduct Case he was investigating. In which he had a hit on my D.N.A. I informed him that I had had sex with the alleged victim and no such or kind of Sexual Assault had taking place between me and the Allegged victim. And Informed him that something must have transpired after I dropped her off. So I was also charged with Criminal Sexual Conduct 3rd degree which is the lowest of Sexual Assault Charges. So they knew I was innocent of the charge and charged me anyway. I asked for my Motion of Discovery and upon reading it learned that my Solicitor in my case was Ms. Erin M Joyner, Assistant solicitor sixteenth Judicial Circuit Solicitor's Office 1675-1A York Highway, York, S.C 29745 and my Pro-bono Public Defender was John P Freeman of Halford, Niemiec & Freeman, LLP 238 Rockmont Drive Ft Mill S.C. 29708. I immediately wrote the solicitor's office wanting someone to come talk to me so we could clear up this misunderstanding and asked repeatedly for a polygraph test, even asked the Detective for a polygraph test before I was charged to no-avail. After months of being ignored and no response to my letters begging and pleading for help to no-avail. I Decided to write The South Carolina Bar Association and file a complaint, and was referred to The Supreme Court of South Carolina office of Disciplinary Counsel. I filed a complaint against Assistant solicitor Erin M Joyner and my Defense Counsel pro-bono Attorney John P Freeman. My Complaint was unethical and immoral behavior by my prosecution and Defense and prejudice and racial motives for lack of Defense and being forced to do several months without due process, denied preliminary hearing just because Allegged C.S.C. victim wasnt the same race as me. My innocense could have easily been proven months earlier. Once my prosec-

-utor knew that the C.S.C case was going no where. Erin M Joyner and my pro-bono Public Defender John P Freeman. Both conspired to get even with me for filing complaints against them both. On Aug 22, 2016 I went to a hearing ordered by the Office of Disciplinary Counsel. Erin Joyner and John P Freeman both picked Aug 22, 2016 because a visiting Judge Cole was presiding at the sixteenth Judicial Circuit for that week. When my attorney read the part of my letter to the Disciplinary Counsel Judge Cole immediately became hostile and talk to me in a very racist and disrespectful tone and attitude, because I filed a complaint against my Public Defender John P Freeman. In the hearing Judge Cole told me if I take back my complaint against my attorney John P. Freeman and Erin M Joyner He would get me back in court on my Habitual Offender charge before he leave on the end of the week. He had me to write the Disciplinary Counsel and tell them that I would like to keep John P Freeman as my attorney. I did what he asked and he did not get me back in court the end of the week. He lied to me and was very rude and offensive and talked to me like I was trash. I would like for you to get the court transcript of Aug 22, 2016 of this hearing by Judge Cole and solicitor Erin M Joyner and pro-bono Public Defender John P Freeman. I would also like the transcript for sept 22 in front of Judge Hayes where my attorney John P Freeman asked Judge Hayes for a bond on my Habitual Offender Charge, which was denied. The Assistant Solicitor Erin M Joyner and my attorney John P Freeman the gave the Judge a court date of Oct 18, 2016 in which another visiting Judge Curch was due to be presiding that week only. A Judge who they knew would give me the MAX in Driving offenses. After 7 1/2 months the only time I get to go to court is when there's a visiting Judge for that week only. I would also like for you to get the transcript of Oct 18, 2016 when I was sentenced to this 5 years suspended to 3 1/2 years and 1 year probation, terminated upon completion of Defensive Driving Class. I want you to request my motion of Discovery the complete motion, Critical Parts of my Motion of Discovery was withheld from me. Detectives lied and falsified documents and tampered with D.N.A evidence it's all in there. I have never in my life been so violated and disrespected by a Judicial System. That was designed and put in place to give and dispense Justice without non-partisan impartial Judging and sentencing. I know there has to be a set of guidelines regarding ethics and ethical restraints. I truly believe Im being punished by a propensity case in which the solicitor's office feel I did something in the past that condons their actions. Pull my Criminal history and the motions of Discovery and you'll see Im no criminal, Just an innocent man forced to Plea to charges not guilty of. MY rights have been violated, and Ive been mishandled by the Judicial System.

Mr. James P Rhinehart 277327
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4344 Broad River Road
Columbia S.C. 29210


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