

original
written
appeal

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APR 28 2017

SC Court of Appeals

1. Violation of 6th Amendment to the U.S. Constitution

Alabama v. Shelton (2001) states explicitly that a defendant is entitled to a public defender if the defendant is indigent and facing a jail sentence as an option from the judge.

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2. Violation of SCRPC Brady Material within 30 days

I did not receive Brady Material within 30 days of the Brady motion.

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3. Improper notice of trial date

I received a letter from the court notifying me of the trial for Tuesday, August 16, 2016 at 1 p.m. Letter said nothing about jury selection. I received letter Saturday, August 6, 2016 via certified mail. I then went out of town Saturday, August 6, 2016 and came back Monday night August 8, 2016. I went to court Tuesday, August 9, 2016 and asked when was jury selection. I was told August 16, 2016 at 1 p.m. I then went back to the court next day, Wednesday, August 10, 2016 and asked when the trial would be. I was told that the trial would take place right after jury selection. This gave me 6 days notice. My 2 witnesses could not make the date: one had to work and the other was going to be out of town. I filled out a continuance form at clerk's window stating I wanted to hire an attorney and was denied approximately 10 minutes later. I think I was denied by Judge Sadler but am not sure.

4. Judge Brooks erred during trial in not allowing me to argue the law, I said "We go by the law" and that "attempt to injure" must be proven. He improperly ruled and didn't allow me to go further. The trial was about the law and nothing else.

5. Violation of speedy trial

6. Judge Brooks erred during trial in telling the jury toward the very end that trials usually don't go this long. A trial takes as long as it takes. I have been before this judge previously in an unrelated matter and he was utmost professional, however in this case the judge was biased in favor of prosecution in just about every ruling if not all of them.

7. Improper ruling in pre-trial motion in violation of 6th Amendment to the U.S. Constitution

On August 16, 2016, before jury selection, I asked for a continuance so I could hire an attorney. I was denied by Judge Brooks.

8. Improper ruling during trial

Judge Brooks erred in not reading a piece of paper or asking what I was trying to accomplish with piece of paper that was presented to prosecution witness. I was going to expose lies by a witness.

9. Perjury by alleged victim occurred twice during trial

I can prove to the court or anyone else that the alleged victim lied twice under oath. The alleged victim lied under oath on the witness stand: once about his own actions and once about my actions.

10. This criminal case where I could have been sentenced to jail time should have never proceeded to trial because there were no attorneys representing both sides: prosecution or defense.