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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APR 28 2015

Appeal from Pickens County  
James R. Barber, III, Circuit Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

Vincent Missouri,

Appellant.

APPELLATE CASE NO. 2014-001176

PRO-SE APPELLANT BRIEF  
PURSUANT TO ANDERS V. CALIFORNIA.

By: Vincent Missouri, #197996  
Broadriver Corr. Inst.  
4460 Broadriver Rd.  
Columbia, S.C. 29210

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CONSTITUTION AND STATUTES.

U.S. Constitution's Sixth and Fourteenth Amendment  
S.C. Constitution Article I Sections §3 and §14  
S.C. Code of Laws §14-3-330(2)

RULES

S.C. Appellate Court Rule 205  
State v. Scott, 2004 WL 6248999 (S.C. App. 2004)(jurisdiction  
once "notice of appeal is filed")

EXHIBITS IN THIS CASE.

For this Court's convenience, appellant included approximately eighteen pages, beginning with the "June 26, 2012" assertion of right to proceed pro-se. The September 11, 2013 "reassertion" of such right. The "Intent to appeal the December 19, 2013 ruling", that reference a federal docket number (i.e. 1/30/2014) and date as such was subsequently submitted in federal court. And various rejections of motions filed pro-se attempting to prepare for trial.

(ii)

STATEMENT OF THE CASE

On June 18, 2012, the Appellant was arrested in Easley, South Carolina. And charged (he and a codefendant) with Entering a Bank with Intent to Steal, and Armed Robbery, and Failure to Stop for Blue Light. No weapons were involved in this case.

As noted within Appellant's stamped filed copy of pre-trial motions filed pro-se. (i.e. motion to change venue, motion for self-representation, and motion for discovery), on June 26, 2012, and made part of this appeal record herein. While being transported to the Pickens County Jail. Officer Scott Ticknor openly expressed to Appellant, "Niggers would normally get hung for what I was being accused of out of Pickens". Such was the basis of Appellant moving for change of venue, feeling that he would not be afforded a fair trial in Pickens. See Exhibits.

Even in the face of "the motion to proceed pro-se" in this criminal matter. Stamped and filed with the Clerk of Court in Pickens County, on June 26, 2012. Counsel, Mr. Aaron Angell, was literally forced upon him from July 2012, up to a first hearing to relieve him on December 19, 2013, throughout trial and conviction in clear violation of Appellant's various Constitutional rights, as will be detailed herein.

This pro-se brief is being respectfully brought before this Honorable South Carolina, Court of Appeals. As a result of Appellate Defender, Ms. Tiffany L. Butler's conclusion; that the appeal has no merit. For which is firmly and lawfully rejected by

Appellant, in accordance with Anders.

As the Anders Court noted beginning with Griffin v. Illinois, 351 U.S. 12 (1956), where it held "that equal justice was not afforded an indigent appellant where the nature of the review depends on the amount of money the has", at 19, and continuing through Douglas v. California, 372 U.S. 353 (1963), this Court has consistently held invalid those procedures "where the rich man, who appeals as of right, enjoys the benefit of counsel's examination into the record, research of the law, and marshaling of arguments on his behalf, while the indigent, already burdened by a preliminary determination that his case is without merit, is forced to shift for himself".

Nevertheless, Appellant is required to point out those issues he believes have merit, or should have been raised by appellate counsel instead of filing a Anders brief.

ISSUES TO BE PRESENTED FOR REVIEW.

- I. WHETHER THE COURT DEPRIVED APPELLANT OF HIS SIXTH AMENDMENT RIGHT TO "CHOICE OF COUNSEL", FROM JUNE 26, 2012, UNTIL AFTER CONVICTION AND SENTENCE?
- II. WHETHER THE COURT ARBITRARILY DEPRIVED THE APPELLANT HIS SIXTH AMENDMENT RIGHT TO REPRESENT HIMSELF DURING ANY AND ALL TIMES MENTIONED ABOVE IN ISSUE (I)?
- III. WHETHER THE COURT RETAINED "SUBJECT-MATTER-JURISDICTION" TO TRY THE CASE ON MAY 19, 2014, WHERE A STATUTORY APPEAL WAS PROPERLY FILED, DIVESTING CIRCUIT COURT JURISDICTION, WHILE CONFERRING JURISDICTION UPON THE S.C. COURT OF APPEALS?

- IV. WHETHER THE APPELLANT WAS DENIED DUE PROCESS AND A TIMELY HEARING FROM THE TIME THE ASSERTION OF THE RIGHT TO PROCEED HIMSELF?
- V. WHETHER THE APPELLANT WAS ENTITLED TO BE TRIED BY AN IMPARTIAL JUDGE FAMILIAR WITH FUNDAMENTAL AND CONTROLLING LAW?

BRIEF SUMMATION OF THE CASE

The gravity of whether the Appellant was denied his Sixth Amendment rights to (1) "choice of counsel", and (2) "the right to represent himself", turns in this case according to controlling authority, on when the right was asserted, and the results of the right once asserted.

Here, the evidence clearly demonstrates the Appellant invoked the right sufficiently and adequately, on June 26, 2012. Electing "himself" to be best counsel under the circumstances of his defense, which ~~co~~relatively sanctioned "the right to proceed pro-se".

As demanded under South Carolina law. In order for the above rights to be considered by the court. The defendant must assert them before trial. Appellant's trial was conducted on May 14, 2014, and "he asserted and re-asserted" his Sixth Amendment rights several times over the course of twenty three months continuously, and exhaustingly.

In the event "the right to choose counsel" and "the right to represent one self", can be arbitrarily ignored for the twenty months of pre-trial delay. In a attempt to pit the Appellant on

the day of trial, against the odds of being totally without twenty three months of defense tools (i.e. witnesses, documents, as well as pre-trial motions or the compulsory process for obtaining witnesses in his favor), and call this a fair trial. Then the Federal and State Constitutional guarantees in regards the above protections have absolutely no meaning.

I. QUESTION AND ARGUMENT.

WHETHER THE COURT DEPRIVED APPELLANT OF HIS SIXTH AMENDMENT TO "CHOICE OF COUNSEL", FROM JUNE 26, 2012, UNTIL AFTER THE CONVICTION AND SENTENCE?

Here and again, Appellant invoked "his right to choice of who would represent his criminal cause on June 26, 2012". It is clearly evident by the "stamped filed copy which also invoked the right to proceed pro-se without the appointment of counsel".

Appellant's letter/motion clearly reads:

Dear Clerk: I am being held in the Pickens Jail charged Bank Robbery. On June 22, 2012, I recieved a letter from the Pickens County Public Defender's Office, stating they would not be able to represent me (blessings come in all forms). I, however, will be representing myself, and could use some assistance in getting to a "law library" or a lap top computer with Nexis Lexis capabilities.

In addition, please file and forward a copy of these (3) motions included herein. Only because the jail could not assist me with copying them. In Conclusion, please forward me "a Docketing Sheet" to verify my motion have been filed on the active court docket. I appreciate your time and attention in this matter and if you have any questions please contact me at the Pickens jail. cc: forward to Solicitor's Office. See copy of latter enclosed. Drafted 6/25/2012.

In United States v. Gonzalez-Lopez, 548 U.S. 140, 126 S. Ct. 2557 (2006), the Supreme Court interpretation of this Sixth Amendment right suggest that; "the right to counsel of choice, however, commands not that a trial be fair, but that a particular guarantee of fairness be provided to wit, that the accused be defended by the counsel he believes to be best". cf. Crawford v. Washington, 541 U.S. 36, 61, 124 S. Ct. 158. That once the right is violated, "no additional showing of prejudice is required to make the violation complete". That under Sullivan v. Louisiana, 508 U.S. 275, such an error is not subject to harmless error analysis, and is instead a "structural error".

The Supreme Court further pointed out; "different attorneys will pursue different strategies with regard to investigation and discovery, development of the theory of defense, selection of the jury, presentation of the evidence and witnesses, and style of witness examination and jury argument. And the choice of attorney will affect whether and on what terms the defendant cooperates with the prosecution, plea bargains, or decides instead to go to trial". In light of these myriad aspects of representation, the erroneous denial of counsel of choice bears directly on "the framework within which a trial proceeds", rather than an error at trial. See Fulminante, supra at 310, 111 S. Ct. at 1246.

Whereas, the only exclusion to the above outlined guarantee, is where the defendant "is not footing the bill" for the attorney he selects to represent him. Since the Appellant is his own attor-

ney during the times the guarantee should have been but was not extended. The exclusion would not apply in this case. And Appellant had a Constitutional right to choice of counsel, which was arbitrarily denied by the state.

As outlined, the Appellant's defense strategies (without having to qualify the harm done) was totally withheld by "forcing a unwanted attorney on his case", preventing pre-trial motions or any way "to conduct and manage his own defense. See McKaskle v. Wiggins, 465 U.S. 168, 174 (1984)

In otherwords, appointed counsel in this case was a "malicious and strategic plot by the state to ensure the defendant had absolutely no chance at prevailing at trial". Which is tantamount to prosecutorial misconduct, and malpractice openly committed by the attending defense counsel. These errors are deemed "structural (i. e. 'the denial of choice of counsel and the right to represent one self') and structural errors are automatically reversible", as this case should be.

## II. QUESTION AND ARGUMENT.

WHETHER THE COURT ON 12/19/2013, ARBITRARILY DENIED THE  
THE APPELLANT HIS SIXTH AMENDMENT RIGHT TO REPRESENT HIM ?

In this case 'time' plays a vital role in assessing whether a reversible error occurred. Such is based on when the Constitution explains "the right to counsel attaches". In Gideon v. Wainwright, 372 U.S. 335, 342 (1963)( 6th Amendment right to counsel in crimi-

nal proceedings applies to the states through the Fourteenth Amendment). In Kirby v. Illinois, 406 U.S. 682, 689-90 (1972)(plurality opinion) the answer to the question posed is simple. "The initiation of judicial criminal proceedings marks the commencement of the 'criminal prosecution' to which alone the explicit guarantee of the Sixth Amendment are applicable". See Rothgery v. Gillespie, 554 U.S. 191, 213 (2008)(right to counsel attaches at "a criminal defendant's initial appearance before a judicial officer, where he learns the charge against him and his liberty is subject to restriction"); see also Brewer, 430 U.S. at 401 (right to counsel attached at interrogation after arraignment because adversarial proceeding had begun).

With the right to counsel under the Sixth Amendment attaching once the criminal prosecution commences. Then for argument sake, "so does the right to (1) choose one's counsel; (2) whether or not that choice is himself". Thus, Appellant's choice was invoked on June 26, 2012, and several additional times thereafter. Below is a record of the colloquy between the appellant and the court, on "the date trial commenced (i.e. May 19, 2014)".

Beginning at Tr.tr. p. 11, lines 5-25, the Appellant states for effective appellate review:

The Defendant: Your Honor, could I say one other thing before we go into that? To put it on the record, I had also, eight days after this incident occurred in Pickens County, I also filed a motion prior to Mr. Aaron Angell being appointed to my case, to actually represent myself. I had a

motion filed with the Pickens County Clerk asking for self-representation so that we don't get into a situation whereas a motion that should---(missing portion of record) be heard is not based on "hybrid restrictions", and counsel failing to file requested motions. (added the missing portion as Appellant recalls what he conveyed to the court).

The Court: So there's a motion to terminate Mr. Angell and to represent yourself?

The Defendant: Yeah, There's also a motion pending that Judge Verdin heard on December 19, 2013, and denied that motion.

The Court: Well, that motion has been taken care of.

The Defendant: And there's a "subsequent one on appeal".

The Court: I don't know about an appeal. That motion has already been heard.

Tr. tr. p. 12, lines 1-8.

The defendant: But it wasn't based on the factual finding as I understood it.

The Court: Well, I can't go behind her on her-- I don't know anything about her ruling, but if she denied the motion, I don't have the ability to go back and say, hey, you were wrong, and I----because I'm here now---I just can't undo what some other judge has already done and ruled on. And if there's any error in that regard, then you will have to deal with it in the future.

Based on the colloquy above between the court and appellant.

It is clear the court was admonished (1) that on June 26, 2012, the appellant "chose himself as best counsel", and had no opportunity to do so since the right had been asserted; (2) that there has been a subsequent motion to relieve counsel Aaron Angell and represent himself, that was denied by Judge Verdin on December 19, 2013; and (3) was alerted an "immediate appeal was taken from the December 19, 2013 denial, which is extremely important but will be discussed later".

Going back to the final disposition by the court as outlined on page (8) here. The court was essentially explaining "that here under South Carolina's jurisprudence, there exist a 'longstanding rule', that a successor judge of the circuit court has no authority and cannot overrule another judge in the same court". See Tisdale V. Merican Life Ins. Co., 216 S.C. 10, 56 S.E2d 580 (1950) and Dinkins v. Robbins, 203 S.C. 199, 26 S.E.2d 689 (1943).

Yet, on Tr.tr. p. 32, lines 4-12. Although comprehending such attempt to overrule another judge is consistent with "a void judgement", and would be of no effect. The court attempted to "extend appellant's right to represent himself". Which appellant pointed out on Tr. tr. p. 35, lines 3-16, the disadvantages of forward self representation, on the day of trial forward. Without the benefit of conducting and managing one's defense at "the commencement of the criminal prosecution". See McKaskle v. Wiggins, 465 U.S. 168, 174 (1984)("a pro-se defendant must be allowed to control the organization and content of his own defense, to make motions, to argue points of law, to participate in voir dire, to question witnesses, and to address the court and the jury at appropriate points in the trial") which already had resulted in a "structural error".

Thus, being "forced to make such a decision on the day of trial", was not a voluntary abandonment of appellant's asserted rights to choice of counsel and represent himself. See Patterson, supra, 487 U.S. at 292 n. 4 (waiver must be voluntary). Although Patterson was decided on the reversed scenario ( forcing a defen-

dant to chose between representing himself and poor counsel), the distinction in the case at bar, is without a constitutional difference. In otherwords, appellant was "forced to permit counsel to continue involuntarily", because the court (in first breaking it's longstanding rule of not overruling another circuit court, Tisdale v. American Life Insu. Co., 216 S.C. 10 (1950)), abandoned such practice, to further deprive the appellant of having any opportunity to present a "complete defense", as outlined in Holmes v. State, 547 U.S. 319, 324 (2006)(affirming defendant's right to "meaningful opportunity to present a complete defense")(quoting Crane v. Kentucky, 476 U.S. 683, 690 (1986)).

Remember, at Tr. tr. p. 11-12. The court stated it cannot overrule Judge Veridns ruling denying appellant's choice to porceed pro-se. Yet here is the following colloquy between the appellant and the court. Tr. tr. p. 46/33 lines 2-25.

The Court: Mr. Missouri, I just got-----

The Defendant: I just have some question, Sir.

The Court: to Pickens County today. I don't know about anything that happened in the past. If you are interested in representing yourself, I will have certain questions I want to ask you. If I find you're competent to do so, you will be able to represent yourself and we'll go forward--

The Defendant: Sir, are you stating on the record that actually the court at an earlier time made an error?

The Court: I'm not saying anything about it. I'm telling you what I'm prepared to do. If you make the motion, that is fine. We're ready to go. What is it you want to do?

The Defendant: May I speak" It kind of puts me in an awkward position, your honor, because (omitted from record) appellant's recollection ("I filed my motion to proceed pro-se on June 26, 2012)

The Court: Mr. Missouri, you're no different now than you

were at eleven thirty this morning when Mr. Angell indicated that that was something that you might want, and that is to represent yourself. That's the first time I heard about this.

The Defendant: Okay. But again, you know, you stated your reason that you said you was not going to do--(ommitted from the record) ("appellant's recollection") it was because you could not overrule Judge Verdon's ruling.

The Court: If you're prepared to make the motion,

Tr. tr. pg. 34/47 lines 1-25.

I'm prepared to consider it.

The Defendant: And what would happen to Mr. Angell?

The Court: I'll have to see. I don't know. He may go home. I assume that's what you wanted when you made the motion before.

The Defendant: Yeah, I made the motion June 26th, 2012, in lieu of South Carolina procedure that you can't really manage your defense as far as doing---during pretrial because South Carolina Supreme Court has a directive saying that if you are represented by counsel (ommitted from the record) ("Appellant's recollection") you would not be allowed to manage and conduct your own defense.

The Court: Mr. Missouri, we are here today, it is May 19th, we are going to pick a jury at two o'clock.

The Defendant: Right.

The Court: We're going to pick a jury and you're either going to have this gentleman representing you or you're going to represent yourself.

The Defendant: Okay. If I decide to represent myself, Your Honor, there's a whole ton of motions that was self-constructed that haven't been, you know,--(ommitted from the record) ("Appellant's recollection") and witnesses for the defense.

The Court: There are no other motions pending in this court.

The Defendant: That he drew up, that he did, that Mr. Angell have done. There's plenty motions that I have did and I feel like if I'm going to be granted the authority

Tr. tr. p. 35/48, lines 1-15.

to represent myself, then it should have started at the time the defense started.

The Court: Mr. Angell--I mean, Mr. Missouri, this is the first I've had this case. Do you want to represent yourself? Do you want to represent yourself? If you're not going to make a motion, then I'm going to assume that you don't want to represent yourself and this gentleman is going to represent you.

The Defendant: Okay. If I want to represent---the only thing I'm saying, Your Honor, and don't take that the wrong way. If you grant me the right to represent myself, please grant me the right to go over my material as opposed to what Mr. Angell did a poor job of doing this morning. Please give me that right.

The Court: No, sir.

The Defendant: I need to represent myself completely, or not at all.

The above concludes "verbatim" the colloquy between the court and the appellant. Which explicitly shows; "the appellant did not voluntarily give up his right to represent himself". And instead, "was arbitrarily denied from doing so by several distinct obstructions instituted by the state".

To reiterate, (1) such right attached once the initial arraignment informing the accused of the charges, to which his liberty became restricted. See Rothgery v. Gillespie, 554 U.S. 191, 213 (2008)(citing Brewer, 430 U.S. at 401). (2) With the right to counsel, comes the right to "choice of counsel and the right to represent one's self". See United States v. Gonzalez-Lopez, 548 U.S. 140, 126 S. Ct. 2557 (2007) and State v. Barnes, 407 S.C. 27, 753 S.E. 2d. 545 (S.C. 2014); see also State v. Jackson, S.E.2d WL 4938028 (S.C. 2014). As a matter of fact, what essentially qualifies the accused is "when he asserts the right to self representation 'prior to

trial'". As properly done when the appellant asserted his rights on June 26, 2012. And again on September 11, 2013. As opposed to what the court attempted to 'arbitrarily' do after trial had commenced. When the controlling authority on the issue require the motion to proceed pro-se be asserted prior to trial. State v. Barnes, supra.

Then bringing McKaskle v. Wiggins, 465 U.S. 168 (1984), into the picture. The Court clearly extended "the fight to conduct and manage one's own defense". For which went totally lacking in this case (3). Especially (4) in light of a Supreme Court directive which "restricts pro-se filings once a attorney is appointed to represent the accused".

In the clear cautionary language of Faretta, (Quote) "To force a lawyer on a defendant can only lead him to believe that the law contrives against him. Moreover, it is not inconceivable that in some rare instances, the defendant might in fact present his case more effectively by conducting his own defense. Personal liberties are not rooted in the law of averages" (unquote).

Thus, appellant knew that "his defense" to the charges could prevail. While counsel had absolutely no defense, he failed to call requested witnesses for the defense, neglected to file or argue pre-trial motions requested by appellant, or to obtain scientific evidence for the appellant's trial. And looked forward to sanctuary behind the guise of appellate defenders that see no errors in fundamental deprivation of substantial rights.

Whereas, the December 19, 2013 ruling straight forwardly as well as arbitrarily deprived the appellant of any opportunity to receive a fair trial. And the conviction and sentences should be reversed. As well as appellant counsel's Anders brief.

### III. QUESTION AND ARGUMENT.

WHETHER THE COURT RETAINED "SUBJECT-MATTER-JURISDICTION" TO TRY THE CASE ON MAY 19, 2014, WHERE A STATUTORY APPEAL WAS FILED ON DECEMBER 22, 2013, DIVESTING THE LOWER COURT OF JURISDICTION WHILE CONFERRING SUCH UPON THE S.C. COURT OF APPEALS?

In paying very close attention to the above question and argument. It is noteworthy to posit the importance of the circuit court assuring itself of subject matter jurisdiction, specifically in this case, on May 19, 2014.

In Pierce v. State, 338 S.C. 139, 526 S.E.2d 222 (2000), the Court held; "subject matter jurisdiction is the power of a court to hear and determine cases of the general class to which the proceedings in question belong". Dove v. Gol Kist Inc., 314 S.C. 235, 442 S.E.2d 598 (1994).

Then in State v. Gentry, 363 S.C. 93, 610 S.E.2d 494 (2005), this Court determined "that issues related to subject matter jurisdiction may be raised at any time". See Brown v. State, 343 S.C. 342, 540 S.E.2d 846 (2001). In furtherance, the Brown Court determined "the lack of subject matter jurisdiction may not be waived, even by consent of the parties, and should be taken notice of by this Court".

The jurisdiction of a court over the subject matter of a proceeding is determined by the Constitution, the laws of the State, and is fundamental. State v. Hatward, 564 S.E.2d 279 (S.C. App. 2002).

Below is a verbatim rendition of Appellant's intent to appeal, for which is not restricted under the "hybrid directive".

Comes now, Vincent Missouri, appearing in pro-se capacity to "appeal his motion to relieve counsel", heard before the honorable Judge Verdin, at the Pickens County Courthouse, on December 19, 2013.

Judge Verdin's ruling is in direct conflict with a United States Supreme Court decision, see Faretta v. California, 422 U.S. 806, 95 S.Ct. 2525 (1975). As such time it took to deny Missouri of this entitled Constitutional right. Other important pre-trial motions could have been addressed. Respectfully Submitted.

With this "immediate appeal" being timely filed by the Appellant, of a pre-trial ruling denying a substantial right. Appellant plainly argues; "the circuit court was without subject matter jurisdiction" on May 19, 2013, to commence a trial.

Turning to South Carolina jurisprudence, as a "well established general rule". This Court has repeatedly held; "the denial of a party's right to a particular mode of trial is immediately appealable as a substantial right under §14-3-330(2)". See Falgstar v. Royal Surplus Lines Inc., 341 S.C. 68, 72, 533 S.E.2d 331, 333 (2000)(pursuant to §14-3-330(2), this Court has held on numerous occasions that "when a trial court deprives a party of a mode of trial to which it is entitled as a matter of right, such order is immediately appealable"). See Creed v. Stokes, 285 S.C. 542, 331 S.E.2d 351 (1985); see also Haygood v. Summerville, 363 S.C. 191, 607 S.E.2d 707 (2005).

That the reason often cited by state courts which have concluded such an order may be immediately appealable include (1) the importance of party's right to "choice of counsel" in an adversa-

rial system; (2) the importance of the attorney-client relationship, which demands a confidential, trusting relationship that often develops over time; (3) the unfairness in requiring a party to pay another attorney to become familiar with a case and repeat preparatory actions already completed by the preferred attorney; and (4) an appeal after final judgment would not adequately protect a party's interest because it would be difficult or impossible for a litigant or an appellate court to ascertain whether prejudice resulted from the lack of a preferred attorney. See Goldston v. American Motors Corp., 326 N.C. 723, 392 S.E.2d 735, 737 (1990)

After considering the permissive right the appellant had retained under South Carolina law. The question becomes apparent on its face; "whether the circuit court on May 19, 2014, retained subject matter jurisdiction". In answering the question in accordance with controlling authority, On May 19, 2014, "the circuit court in this case lacked subject matter jurisdiction", where the appellant had previously filed an immediate appeal from the trial court's December 19, 2013 ruling, denying appellant a substantial and entitled right".

Appellant followed the letter of law in filing the appeal. What Pickens County Clerk of Court elected to do with such a properly filed intent to appeal is not a concern of Appellant's. Due process of law required it to be docketed, that the issue which was the target of the appeal taken, would "divest the lower court of subject matter jurisdiction to answer it, and confer such authority upon the court of appeals". See Griggs v. United States, 459 U.S. 56, 58 (1982); and Haygood v. Summerville, 607 S.C. 707 (S.C. 2005);

also see Neeltec Enterprises Inc., 397 S.C. 563, 725 S.E.2d 926 (S. C. 2014), citing §14-3-330(2).

What is being proven here, is the length Pickens County South Carolina would go to, in order to convict a person who could otherwise prove innocence, if the opportunity came available. Based on a affirmative insanity defense.

Judge Barber's colloquy in regards to questioning the appellant concerning whether the appellant wanted to represent himself or not, "was without proper jurisdiction". As it was requested on June 26, 2012, and again on September 11, 2013. And ruled on by Judge Verdin, on December 19, 2013.

Such ruling denied the appellant of a substantial rights, to which appellant "immediately appealed". Thus, that issue was outside the proper scope and authority for any circuit to answer". And the unanswered "mode of trial" could not proceed constitutionally, or statutorily, without a decision handed down by this Honorable Court of Appeals. Thus, the circuit court Judge Barber, was without subject matter jurisdiction. Such issue could not have been waived, and this Court of Appeals is required to take notice of such defect and vacate the conviction and sentences "with prejudice". And for any other reason accompanying this appeal.

#### IV. QUESTION AND ARGUMENT.

WHETHER THE APPELLANT WAS DENIED DUE PROCESS AND A  
TIMELY HEARING BASED ON HIS REQUEST TO PROCEED PRO-

SE CONTRIBUTING TO VIOLATE HIS RIGHT TO PRESENT  
A COMPLETE DEFENSE AS DECIDED BY THE UNITED STA-  
TES SUPREME COURT IN HOLMES V. S.C. 547 U.S. 319  
324 (2006)?

As a threshold matter, appellant argues that the Due Process Clause made applicable to the states by way of the Fourteenth Amendment provides that "No person shall be deprived of life, liberty, or property, without due process of law". The Clause protects individuals against two types of government action.

"Substantive due process" prevents the government from engaging in conduct that "shocks the conscience", Rochin v. California, 342 U.S. 165, 72 S.Ct. 205 (1952), or interferes with "implicit rights in the concept of orderly liberty". Polko v. Connecticut, 302 U.S. 319, 58 S. Ct. 149 (1937).

"Procedural due process" is deficient when "it offends some principle of justice so rooted in the traditions and conscience of our people as to be ranked as fundamental". Medina v. California, 505 U.S. 437, 445-446, 112 S. Ct. 2572 (1992) (quoting Patterson v. Newyork, 432 U.S. 197, 97 S. Ct. 2319 (1977)).

Turning to South Carolina's jurisprudence on this subject. In State v. McGrier, 378 S.C. 320, 663 S.E.2d 15 (2008). This Court expounded that "the Sixth Amendment rights to notice, confrontation, and compulsory process guarantee that a criminal charge may be answered through the calling and interrogation of favorable witnesses, the cross-examination of adverse witnesses, and the orderly introduction of evidence". State v. Schmidt, 288 S.C. 301, 342 S.E.2d 401 (1986).

"These basic rights are applicable to the States through the due process clause of the FOURteenth Amendment". Id. "The Amendment essentially 'constitutionalizes' the right to present a defense in an adversarial criminal trial". Id.

It is and was, as well as "remains" the appellant rights under the due process clause discussed above "to present a complete defense in an adversarial criminal trial". It was appellant's due process right to "chose" counsel, albeit the choice was himself. Afterwards, it was appellat's right to "proceed pro-se", without unnecessary and highly prejudicial delay, as a tactic designed purely to abridge the guarantees secured under the constitution, relating to the rights above.

Keeping in compliance with Barnes v. State, 407 S.C. 27, 753 S.E.2d 545 (S.C. 2014), the appellant asserted the above rights prior to trial. Because a criminal defendant is entitled to counsel "once the adversary process has been initiated, the Sixth Amendment guarantees a defendant the right to counsel at all critical stages of the criminal process". See State v. Reid, 408 S.C. 461, 758 S.E.2d 904 (S.C. 2014)

Due process compels 'action' on the asserted rights in a manner that is fair to the defendant. Rather than "shocking to the conscience of society". With the asserted right invoked on June 26, 2012. Whereas 'the time' between the right asserted and a formal hearing into the matter (i.e. December 19, 2013) accounts for approximately eighteen (18) months. It resulted in appellant being

without counsel "of choice" for that amount of time. Which coorelatively deprived appellant of "self-representation", for that same amount of time. When the law of due process compelled a different result. And if such was not detrimental enough to appellant's defense, "the court on December 19, 2013, further deprived the appellant of these above rights". And denied such 'arbitrarily' and capricious.

Arbitrary in this context is committed "when a issue is determined by a judge rather than by fixed rules, procedures, or law". (of a judicial decision) founded on prejudice or preference rather than on reason or fact. A judge does an act 'capricious' (of a degree) when the decision is "contrary to the evidence or established rules of law". See Black's Law (Fourth Pocket Edition).

As opposed to the December 19, 2013 trial court, with jurisdiction over the subject matter to base the decision on traditional Faretta concerns, (citing State v. Barnes, 407 S.C. 27 (S.C. 2014)), as 'controlling authority dictated'. The court ruled "based on the seriousness of the charges", and what the court felt was best for the appellant (to continue with appointed counsel), did the court deny the above substantial rights. See 12/19/2013 pre-trial hearing transcript, on page 7., lines 17-23.

Appointed counsel came 'straight back' and falsely asserted the appellant had previously had a lawyer or two appointed to represent him. Which as noted, "the Public Defenders Office" in Pickens, was the only other entity that conveyed "it would not be able to repre-

sent the appellant". Based on the Public Defender's Office and Solicitor agreeing to take on the codefendant in this case. So the codefendant could testify against the appellant.

Getting back to the matter at hand however, considering the lapse of eighteen (18) months to conduct a hearing on a motion to proceed pro-se. In light of the Supreme Court directive in South Carolina, prohibiting "hybrid" representation. Leaves no doubt that the appellant was denied not only choice of counsel, and the right to represent himself. But also, appellant was denied a fair opportunity to be heard.

In Holmes v. South Carolina, 547 U.S. 319, 126 S. Ct. 1727, (2006), the Court declared; "whether rooted directly in the Due Process Clause of the Fourteenth Amendment or in the Compulsory Process or the Confrontation Clause of the Sixth Amendment, the Constitution 'guarantees' criminal defendant's 'a meaningful opportunity to present a complete defense'". Crane v. Kentucky, 476 U.S. 683, 690.

What occurred between June 26, 2012 and December 19, 2013, is a cognizable deprivation of due process. What occurred on December 19, 2013, is "structural errors". In Arizona v. Fulminante, 499 U.S. at 310; see also Waller v. Georgia, 467 U.S. 39, 49 (1984)("[T] the defendant should not be required to prove specific prejudice in order to obtain relief for a violation considered to be a structural error"). The erroneous denial of a defendant's Sixth Amendment rights to "choice of counsel", and the "right to represent himself", according to Fulminante above, has been declared structural errors.

McKaskle v. Wiggins, 465 U.S. 168, 177 n.8 (1984)(denial of right to proceed pro-se is either respected or denied and not subject to harmless error analysis but requires reversal per-se); see also U.S. v. Gonzalez-Lopez, 548 U.S. 140, 150 (2006)(reversible error when court erroneously denied pro hac vice admission to defendant's counsel of choice).

In conclusion of this due process claim. Appellant respectfully asks this court to grant relief by finding a meritorious appeal brief should have been filed. And reverse the conviction and sentences, finding that "appellant has done a adequate job in demonstrating constitutional violations", for which this court has the authority to reverse the convictions.

V. WHETHER THE APPELLANT WAS ENTITLED TO BE TRIED BY AN IMPARTIAL JUDGE FAMILIAR WITH FUNDAMENTAL RIGHTS OF THE ACCUSED AND CONTROLLING AUTHORITY IN LAW?

Here, appellant contends under the guise of due process in retaining a "fair trial". One essential component is that the accused be tried before a impartial judge. And pursuant to Rule 63, (Rules of Civil Procedure), once a sucessor judge takes over the case, he was suppose to bring himself up to speed on the various details presented by a particular case. See Cristy v. Cristy, 556 S.E.2d 701 (S.C. App. 2001).

The court prior to taking the bench, should also know and un-

derstand procedural and substantive law. So not only on May 19, 2014, should the court have been aware that appellant's constitutional rights to due process had already been denied by the December 19, 2013 ruling. It should have been aware of what a "immediate appeal" taken from such a ruling entailed.

On Tr. tr. p 11, lines 14-23. It clearly demonstrates that the new trial court had no information relating to the course this case had previously traveled. Thus, he could not be impartial when deciding any matter of substantial importance. Such is relevant here where at first, "the court denies appellant" the right to proceed pro-se, and comes back and states on Tr. tr. p. 32, lines 20-25, "that he just recently have read a case while we were at lunch that indicated that appellant may be entitled to do so".

However, proceeding to trial with a judge which is not impartial amounts to yet "another structural error", according to Fulminante, supra. Any judge that tries a case based on important rights of the accused, for which he is unaware of, and have only read a case during lunch. And applies such a limited understanding. Such ruling cannot be relied on as producing fair or just results.

Appellant's entire compilation of fair trial rights were denied prior to the trial date in this case. His pre-trial challenges of rights to a speedy trial on jurisdictional grounds were omitted. Appellant's challenge to the invalid indictments in this case were strategically omitted. Appellant's entire defense, witnesses and forensic testimonial expert evidence, was strategically omitted. Once counsel was "forced upon him". The state in so doing,

as outlined in Faretta, supra, "contrived against him". This is a picture perfect example of exactly why the Supreme Court made unconstitutional, the procedures experienced by this appellant.

For these reasons, the Appellant respectfully moves to deny appellate counsel's presumption concerning this case. And find that a merits brief should have and could have been filed. That appellant counsel was ineffective, and the resulting appellant brief is adequate for this Honorable Court of Appeals, to reverse the conviction and sentences, in accordance with controlling law.

Respectfully Submitted,

1s/ Vincent Missouri  
Vincent Missouri, #197996  
Broadriver Corr. Institution  
4460 Broadriver Road  
Columbia, S.C. 29210

cc:  
filed 4/ /2015

---

"Exhibits"

"Exhibits"

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Clerk of Court  
214 E. MAIN Street  
Pickens, S.C. 29671

6/25/2012

CLERK OF COURT  
PICKENS COUNTY  
SOUTH CAROLINA

2012 JUN 26 P 2:22

In re: Vincent Missouri v. State

Dear Clerk;

I am being held in the Pickens Jail charged with Bank Robbery. On June 22, 2012, I recieved A letter from the Pickens County Public Defender's Office, stating they would not be able to represent me (blessings come in all forms).

I however, will be representing myself, and could use some assistance in getting to a "law library" or a laptop computer with Nevis Lexis capabilities.

In addition, please file and forward a copy of these (3) motions included herein. Only because the jail could not assist me with copying them. In Conclusion, please forward me "A docketing sheet" to verify my motion have been filed on the active court docket.

I Appreciate your time and Attention in this matter and if you have any questions please contact me at the Pickens Jail.

P.S. "Forward To Solicitor's office"  
6/25/2012

Sincerely  
Vincent Missouri

State of South Carolina )  
County of Pickens )

General Sessions Court  
Thirteenth Judicial Circuit

State of South Carolina,  
Respondent,

vs.

Case No: \_\_\_\_\_

2013 SEP 11 PM 3 28  
CLERK OF COURT  
PICKENS COUNTY  
SOUTH CAROLINA

Vincent Missouri,  
Defendant /

Motion To Relieve Counsel For Defendant

This matter comes before this court by way of a pro-se defendant, to request that this court "relieve Mr. Aaron Angell", existing counsel of record from any continuing representation in the matter of State v. Vincent Missouri.

Counsel is completely uninterested or overburdened with prior caseloads (and I opine the former) whereas, he cannot competently comply or be of any "assistance of counsel" as guaranteed under the Sixth Amendment.

On several occasions I have requested "motions be filed on my behalf", to obtain my Rule 5 material, not limited to especially all "docketing information" (i.e. action on the criminal cases pending) in

accordance with "my due process guarantees".

These matter have not been handled and it directly interferences with my entitled right to receive "a fair trial", which I doubt will ever occur with a black man, scheduled for trial in Pickens County.

On every hand "verbally and in writing" I have warned Mr. Angell that gross negligence will not be tolerated by this defendant. There is a professional standard for which legal practitioners must abide, ethical considerations and constitutional standards to gauge a lawyers conduct.

With the accusations occurring on June 12, 2012. And I have been on bond for only 2 1/2 months. I should be scheduled for trial or pre-trial hearings. Yet pre-trial hearings is to my disadvantage when "the Supreme Court is restricting pro-se filings and defense counsels, as clearly demonstrated "in textbook form", is blatantly refusing to do their job.

In otherwords "I have to also fire my attorney" in order that my pre-trial motion are scheduled for a hearing, which isn't the only reason for requesting Mr. Angell withdraws.

For these reasons, the defendant respectfully request that Mr. Aaron be relieved from this criminal matter.

Respectfully Submitted,  
 1st Vincent Missouri  
 Vincent Missouri

cc: A. Angell

9-2-2013

(2 of 2)

20 Mc Gee Street

Greenville, S.C. 29601

9-8-2013

September 8<sup>th</sup>, 2013

Mr. Harold P. Pat Welborn, Jr.  
Clerk of Court  
P.O. Box 215  
Pickens, S.C. 29691

2013 SEP 11 PM 3 28  
CLERK OF COURT  
PICKENS COUNTY  
SOUTH CAROLINA

IN re: Your Sept. 4, 2013 Response letter

Dear Mr. Welborn:

Surely there must be more to look forward to than your inability to comprehend what you cite to defendants, while you rush to respond in opposite of a defendants entitlement.

Let me take this time to point out to you Mr. Welborn, that is occupying the position of Pickens County Clerk of Court, that one of your obligatory expectations is that "you are able to read and comprehend the English language." And if you select to foreclose on a defendant's filings pro-se, by citing caselaw. At least refer to a case you can understand, to state a valid point to sustain your position.

However, for what I filed on September 2, 2013 (i.e. motion to relieve counsel), there is absolutely "no caselaw" nor rule that supports what you did.

By returning my motion to relieve counsel by you personally Mr. Welborn, you deprived me intentionally of Due Process and Equal Protections under South

Carolina's Law, as well as the United States Constitution. When you failed to file it. You failed to do the job entrusted upon you by the citizens of this state. You exposed me to having to draft this letter, spending time I could otherwise be focusing on my defense, as well as costing me additional postage to "re-mail" what you should have filed in the first place.

Your cited case within your response letter, *State v. Stuckey*, 333 S.C. 56 does not support not filing my motion to relieve counsel, "it instead actually supports filing it". And I suggest you "re-read" the case you cited.

And since this is a "motion to relieve counsel", the requested material I sent for needs to be included in your next response letter. Because I do not have the type nor kind of Attorney client relationship envisioned by the Constitution's Sixth Amendment. But moreover, "it is the accused" not counsel that the Constitution directs, must be informed of the nature and cause against him. And there is no better or definite way to accomplish that request than by forwarding "this defendant" a copy of his True Billed Indictment, that "you say" has copies in the attorney's possession.

In conclusion, there plainly exist a clear conflict of interest in any further communications between this office and myself, whereas, I only attempted to file my motions and obtain all materials for mounting a effective defense. As expected, Pickens County is at odds with Due Process and Equal Protection for minorities, something I aggressively expressed prior to this blatant disregard for the law. They've lodged a 6-17-2013 detainer after the defendant has

been in custody since 11-9-2012. They've charged Armed Robbery knowing "no weapon is involved in the case". They've requested 3-times as much prison time as Greenville, for the exact identical accusations. And is the only incident that retrieved 100% of their loss back.

This is simply the latest intentional malicious prosecution tactic being arranged to deprive this defendant of Due Process. For these reasons, the defendant will move to "change venue", and dismiss this case for malicious and vindictive prosecution.

Sincerely  
1st Vincent M. Morrison  
Vincent Missouri  
20 McGee Street  
Greenville, S.C. 29601

CC: S. Ct

Filed

9-8-2013

(3 of 3)

Federal Habeas Stamp ↑

State of South Carolina }  
County of Pickens }

General Sessions Court  
Thirteenth Judicial Circuit

State of South Carolina,  
Respondent,

vs.

Case No: 12-GS-39-2202; 12-GS-  
39-2203; 12-GS-39-2204

Vincent Missouri,

Defendant.

Intent To Appeal "Pre-Trial" Ruling

Comes Now, Vincent Missouri, appearing in pro-se capacity to "appeal his motion to relieve counsel", heard before the honorable Judge Verdini, at the Pickens County Courthouse, on December 19, 2013.

Judge Verdini's ruling is in direct conflict with a United States Supreme Court decision, See Farratt v. California, 422 U.S. 806 95 S.Ct. 2525 (1975). At such time it took to deny Missouri of this entitled Constitutional right. Other important pre-trial motions could have been addressed.

Respectfully Submitted,  
1st Vincent Missouri

Vincent Missouri  
20 McGee Street  
Greenville, S.C. 29601

cc: filed

" 12-22-2013 "

Exhibit

TELEPHONE (864) 898-5857  
FAX (864) 898-5863  
[PWELBORN@CO.PICKENS.SC.US](mailto:PWELBORN@CO.PICKENS.SC.US)

*Office of Clerk of Court*  
PICKENS COUNTY  
**Harold P. "Pat" Welborn, Jr.**  
P.O. BOX 215  
PICKENS, SC 29671

CIVIL RECORDS (864) 898-5862  
CRIMINAL RECORDS (864) 898-5864  
FAMILY COURT (864) 898-5598

January 2, 2014

Mr. Vincent Missouri  
20 McGee St  
Greenville, S.C. 29601

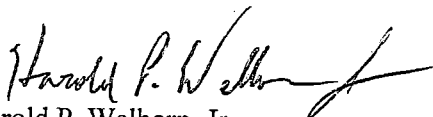
RE: Letter/Motion Dated: 12/22/2013

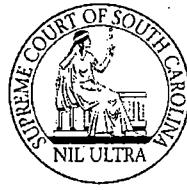
Dear Mr. Missouri,

I am in receipt of your letter/ motion dated: 12/22/2013

You have an attorney; all motions must be filed by your attorney. Write to your attorney. I am sending information concerning Grand Jury Sessions for 2012 and 2013. I will place your letter/motion in the courts file.

Sincerely,

  
Harold P. Welborn, Jr.  
Pickens County  
Clerk of Court



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499

August 20, 2013

Mr. Vincent Missouri  
Greenville County Detention Center  
20 McGee Street  
Greenville, SC 29601

Dear Mr. Missouri:


This responds to your letter to Chief Justice Toal seeking a clarification of the law. Since you are apparently represented by counsel in the underlying criminal cases, no action will be taken on this letter. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010);<sup>1</sup> *Jones v. State*, 348 S.C. 13, 558 S.E.2d 517 (2002); *State v. Stuckey*, 333 S.C. 56, 508 S.E.2d 564 (1998);<sup>2</sup> *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

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<sup>1</sup> "Since there is no right to 'hybrid representation' that is partially *pro se* and partially by counsel, substantive documents, with the exception of motions to relieve counsel, filed *pro se* by a person represented by counsel are not to be accepted unless submitted by counsel. [citations omitted]. Because petitioner was represented by counsel, the *pro se* motion was not proper, should not have been accepted, and should not have been ruled upon. The motion was essentially a nullity. . . . We also take this opportunity to remind judges and clerks of court of our directive in *Foster* not to accept substantive documents, with the exception of motions to relieve counsel, filed *pro se* by a party who is represented by counsel."

<sup>2</sup> " . . . 'Faretta does not require a trial judge to permit 'hybrid' representation. . . . A defendant does not have a constitutional right to choreograph special appearances by counsel.' *McKaskle v. Wiggins*, 465 U.S. 168, 183, 104 S.Ct. 944, 953, 79 L.Ed.2d 122, 136 (1984). Since the matter of hybrid representation is left to the discretion of the trial judge, then, by implication, there is no Sixth Amendment right to hybrid representation. *Accord State v. Rickman*, 148 Ariz.

Sincerely,



Daniel E. Shearouse

cc: Symmes Watkins Culbertson, Sr., Esquire  
701 Crecent Ave.  
Greenville, SC 29603

Solicitor, 13th Judicial Circuit  
305 East North Street, Suite 325  
Greenville County Courthouse  
Greenville, South Carolina 29601

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499, 715 P.2d 752 (Ariz.1986); *People v. Arguello*, 772 P.2d 87 (Colo.1989); *Johnson v. State*, 246 Ga. 126, 269 S.E.2d 18 (Ga.1980); *State v. Thomas*, 331 N.C. 671, 417 S.E.2d 473 (N.C.1992).

Furthermore, this Court has previously held that there is no right under the South Carolina Constitution to hybrid representation. *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989); *State v. Sanders*, 269 S.C. 215, 237 S.E.2d 53 (1977). Since there is no right to hybrid representation, substantive documents filed *pro se* by a person represented by counsel are not accepted unless submitted by counsel."

TELEPHONE (864) 898-5857  
FAX (864) 898-5863  
PWELBORN@CO.PICKENS.SC.US

*Office of Clerk of Court*

PICKENS COUNTY  
**Harold P. "Pat" Welborn, Jr.**  
P.O. BOX 215  
PICKENS, SC 29671

CIVIL RECORDS (864) 898-5862  
CRIMINAL RECORDS (864) 898-5864  
FAMILY COURT (864) 898-5598

August 20, 2013

Mr. Vincent Missouri  
20 McGee St  
Greenville, S.C. 29601

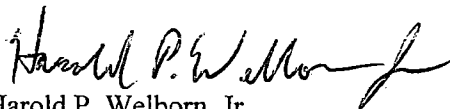
RE: Letter/Motion Dated: 8/14/2013

Dear Mr. Missouri,

I am in receipt of your letter/ motion dated: 8/14/2013

The Solicitor's Office sets the docket for General Sessions Court. You will have to write to them about when your case will be heard. State v. Stuckey 333 S.C. 56 a state Supreme Court case that Chief Justice Toal signed off on, holds that a defendant is not entitled to a "hybrid representation" where a defendant has an attorney but also represents themselves. Write to your attorney. I will place your letter/motion in the courts file.

Sincerely,



Harold P. Welborn, Jr.  
Pickens County  
Clerk of Court

TELEPHONE (864) 898-5857  
FAX (864) 898-5863  
PWELBORN@CO.PICKENS.SC.US

*Office of Clerk of Court*  
PICKENS COUNTY  
**Harold P. "Pat" Welborn, Jr.**  
P.O. BOX 215  
PICKENS, SC 29671

CIVIL RECORDS (864) 898-5862  
CRIMINAL RECORDS (864) 898-5864  
FAMILY COURT (864) 898-5598

August 20, 2013

Mr. Vincent Missouri  
20 McGee St  
Greenville, S.C. 29601

RE: Letter/Motion Dated: 8/19/2013

Dear Mr. Missouri,

I am in receipt of your letter/ motion dated: 8/19/2013

In the state of South Carolina the Solicitor's Office sets the docket for General Sessions Court.  
Write to your attorney. I will place your letter/motion in the courts file.

Sincerely,



Harold P. Welborn, Jr.  
Pickens County  
Clerk of Court

"Exhibit" (A)

TELEPHONE (864) 898-5857  
FAX (864) 898-5863  
PWELBORN@CO.PICKENS.SC.US

*Office of Clerk of Court*  
PICKENS COUNTY  
**Harold P. "Pat" Welborn, Jr.**  
P.O. BOX 215  
PICKENS, SC 29671

CIVIL RECORDS (864) 898-5862  
CRIMINAL RECORDS (864) 898-5864  
FAMILY COURT (864) 898-5598

September 4, 2013

Mr. Vincent Missouri  
20 McGee St  
Greenville, S.C. 29601

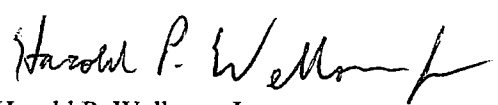
RE: Letter/Motion Dated:

Dear Mr. Missouri,

I am in receipt of your letter/ motion dated:

Write to your attorney he has the copies you are requesting. State v. Stuckey 333 S.C. 56  
defendants are not entitled to a hybrid representation. I will place your letter/motion in the courts  
file.

Sincerely,



Harold P. Welborn, Jr.  
Pickens County  
Clerk of Court

"Requested True Billed Indictments"

9-8-2013

TELEPHONE (864) 898-5857  
FAX (864) 898-5863  
PWELBORN@CO.PICKENS.SC.US

*Office of Clerk of Court*  
PICKENS COUNTY  
**Harold P. "Pat" Welborn, Jr.**  
P.O. BOX 215  
PICKENS, SC 29671

CIVIL RECORDS (864) 898-5862  
CRIMINAL RECORDS (864) 898-5864  
FAMILY COURT (864) 898-5598

September 11, 2013

Mr. Vincent Missouri  
20 McGee St  
Greenville, S.C. 29601


RE: Letter/Motion Dated: 9/8/2013

Dear Mr. Missouri,

I am in receipt of your letter/ motion dated: 9/8/2013

You are currently represented by an attorney. I am forwarding a copy of your letter / motion to your attorney and the Solicitor's Office. You obviously do not understand that I am trying to help you by telling you to contact your attorney. I will place your letter/motion in the courts file.

Sincerely,



Harold P. Welborn, Jr.  
Pickens County  
Clerk of Court

TELEPHONE (864) 898-5857  
FAX (864) 898-5863  
[PWELBORN@CO.PICKENS.SC.US](mailto:PWELBORN@CO.PICKENS.SC.US)

*Office of Clerk of Court*  
PICKENS COUNTY  
**Harold P. "Pat" Welborn, Jr.**  
P.O. BOX 215  
PICKENS, SC 29671

CIVIL RECORDS (864) 898-5862  
CRIMINAL RECORDS (864) 898-5864  
FAMILY COURT (864) 898-5598

September 9, 2013

Mr. Vincent Missouri  
20 McGee St  
Greenville, S.C. 29601

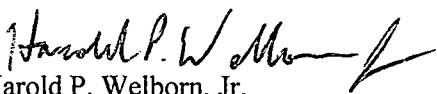
RE: Letter/Motion Dated: 9/5/2013

Dear Mr. Missouri,

I am in receipt of your letter/ motion dated: 9/5/2013

You will be represented by your attorney until a Circuit Court Judge signs an Order relieving him as your attorney. Write to your attorney. I will place your letter/motion in the courts file.

Sincerely,

  
Harold P. Welborn, Jr.  
Pickens County  
Clerk of Court

TELEPHONE (864) 898-5857  
FAX (864) 898-5863  
PWELBORN@COPICKENS.SC.US

*Office of Clerk of Court*  
PICKENS COUNTY  
**Harold P. "Pat" Welborn, Jr.**  
P.O. BOX 215  
PICKENS, SC 29671

CIVIL RECORDS (864) 898-5862  
CRIMINAL RECORDS (864) 898-5864  
FAMILY COURT (864) 898-5598

October 4, 2013

Mr. Vincent Missouri  
20 McGee St  
Greenville, S.C. 29601

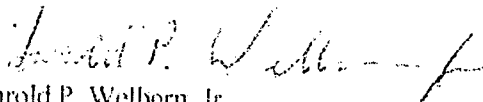
RE: Letter/Motion Dated: 9/29/2013

Dear Mr. Missouri,

I am in receipt of your letter/ motion dated: 9/29/2013

I am enclosing copies of your Indictments and one dismissal. These have not been presented to the Grand Jury at this time. You will be represented by Mr. Angell until a circuit court judge signs the motion to relieve him as your council. You can write to your attorney or the Solicitor's Office about scheduling. I have also included information on the cost of copies. All copies from this point on will have to be paid for in advance. I will place your letter/motion in the courts file.

Sincerely,

  
Harold P. Welborn, Jr.  
Pickens County  
Clerk of Court

TELEPHONE (864) 898-5857  
FAX (864) 898-5863  
PWELBORN@CO.PICKENS.SC.US

*Office of Clerk of Court*  
PICKENS COUNTY  
**Harold P. "Pat" Welborn, Jr.**  
P.O. BOX 215  
PICKENS, SC 29671

CIVIL RECORDS (864) 898-5862  
CRIMINAL RECORDS (864) 898-5864  
FAMILY COURT (864) 898-5598

December 10, 2013

Mr. Vincent Missouri  
20 McGee St  
Greenville, S.C. 29601

RE: Letter/Motion Dated: 12/8/2013

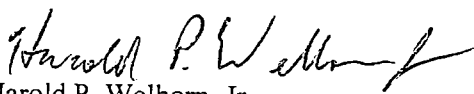
Dear Mr. Missouri,

I am in receipt of your letter/ motion dated: 12/8/2013

You have an attorney of record. Your attorney will file all necessary motions. I am returning this to you so you may send it to your attorney. I will place your letter/motion in the courts file.

---

Sincerely,

  
Harold P. Welborn, Jr.  
Pickens County  
Clerk of Court

April 27, 2015

Court of Appeals

Clerk of Court

Columbia, S.C. 29

RECEIVED

APR 28 2015

SC Court of Appeals

In re: Pro-Se Appellant Brief

Dear Clerk;

Please note that my submission of this pro-se brief is being forwarded based on Ms. Tiffany L. Butler filing an Anders Brief in my case. I however, have received no letter from this court of appeals extending the time in which to submit this pro-se brief.

Thus, in order to avoid being time barred, where Ms. Butler forwarded the Anders Brief on March 23, 2015. Do I feel the need to forward my brief for consideration, prior to the forty-five (45) days running its toll.

Respectfully Submitted,

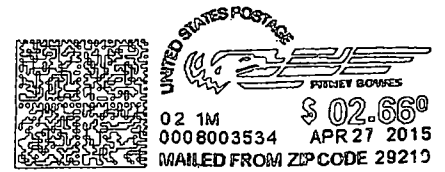
Vincent Missouri  
Vincent Missouri, #197996

cc: filed 4/27/2015

(not U)



Broadriver Correctional Institution  
4460 Broadriver Rd.  
Columbia, S.C. 29210



The S.C. Court of Appeals  
Clerk of Court  
1015 Sumter Street  
Columbia, S.C. 29201

**RECEIVED**  
APR 27 2015  
BRCI  
MAILROOM