

In the court of Appeals  
Appellate case No. 2017-001576

state of south carolina

VS.

Randall Matthew Simpson

Defendant.

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AUG 10 2017

SC Court of Appeals

Re: The state v. Randall Matthew Simpson

Appellate Case No. 2017-001576

To Whom ever it My concern at the court of  
Appcal. I am writing becuse. My appeals were  
denied by R. Scott sprouse, Circuit court Judge on  
case No. 2017GS0400464, 65, 66. you will find my reasons  
why they should have not been denied on the  
follow pages.

1. I am appealing the court's denial of my Motion for Continuance on May 15, 2017. The State disclosed evidence less than two (2) weeks prior to the date that the case was scheduled for trial, May 15, 2017. I required additional time to fully review this newly disclosed evidence pursuant to Rule 5 of the South Carolina Rules of Civil Procedure and *Brady v. Maryland* (373 U.S. 83) (1963). I moved to continue the case on May 15, 2017 and the court denied said Motion, requiring me to decide whether to plead guilty or proceed to trial. This pressure on me caused my plea to be entered not voluntarily. And I have still not received my new discovery. Also I had no idea I was going up for a trial I never asked for a trial. So this also caused my plea to be entered not voluntarily.

2. I am appealing the court's denial of my Motion to relieve my court appointed counsel and appoint new counsel for me. I became dissatisfied with the services of my court-appointed attorney, G. Lee Cole, Jr., and moved to relieve Mr. Cole as counsel if I so desired; however, the court indicated that it would

not appoint new counsel for the defendant and that it would not continue the case for the defendant to attempt to retain new counsel. The decision by the court denied me my right to counsel and caused my Plea to be entered not voluntarily. I also filed a Motion to relieve counsel on 4-30-2017 with the Clerk of Court and with my attorney I do have a copy of that Motion.

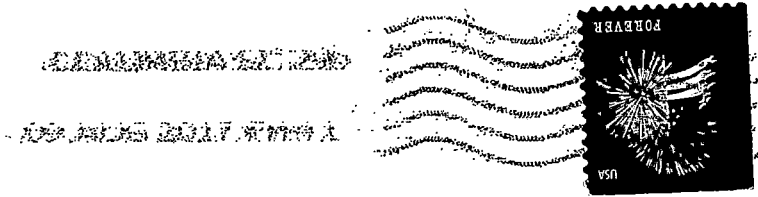
3. I feel my Indictments should impose concurrent sentences instead of consecutive sentences. This is based on the following:

1. I pled guilty to Murder, Voluntary Manslaughter, Attempted Armed Robbery, And Possession of a Weapon during a Violent Crime.
2. The court sentenced me to 30 years on the Murder charge, 15 years on the Attempted Armed Robbery, and 5 years on the possession of a weapon during a Violent Crime, to be served consecutively.
3. The court also sentenced me to 20 year on the Voluntary Manslaughter to be served concurrently.
4. Although my guilty plea and convictions are to separate and distinct offenses under the law, My crimes are based upon the same action, And the were committed at the same time they should be considered as one offense pursuant to S.C. Code Ann. Sec. 17-25-50
5. These charges should be concurrent instead of consecutive

Also all 3 of my co-defendants charges got ran concurrent for Voluntary Manslaughter, 2 times and Attempted Armed Robbery, two of my co-defendants received 25 year sentences and one co-defendant received a 70 year sentence I don't feel as if I should have been charged with Murder if should have also been 2 counts of Voluntary Manslaughter and ran concurrent. Also my co-defendants gave more then one (1) statement a peace and I never got to discuss this with my attorney. In the amount of time that my case has been going on I never not one time got to discuss any of my discovery or any of my case with my attorney. I never wanted to plea to anything And I did not want to go to trial I wrote my attorney numberuse times asking him to come visit me to discuss my case I also ask for copy of everything I sent him and never got them. I feel my time should be Reconsider because of these facts.

Sincerely,  
Randall Simpson  
Dated- 8-6-2017

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