

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
MAR 21 2017
SC Court of Appeals

Appeal from Pickens County
Honorable John C. Hayes. Circuit Court Judge

THE STATE,

RESPONDENT,

v.

BRENT C. McLAUREN, JR

APPELLANT

APPELLATE CASE NO. 2015-001147L

ANDERS BRIEF OF APPELLANT
PRO SE APPELLANTS BRIEF

BRENT C. McLAUREN, JR
ATTORNEY OF RECORD. Pro Se
LCI - 166894 - WANDO D-182
P.O. Box 205
136 Wilborn Drive
Ridgeville, SC 29472-0205

(Sworn deposition made parthereof this ^{2.} 16th day of March 2017; Note, my request for additional time to perfect pro se appellate brief must be denied.

). Thus;

STATE OF SOUTH CAROLINA

APPELLATE CASE NO. 2015-001147

On July 17, 2015, Appellate addressed correspondence to the office of - indigent Appellate Defense requesting a copy of his trial transcript; soon thereafter, in fact, in an August 17, 2015 letter, Appellate receive a one page reply stating he would receive a transcript ONCE THEY RECEIVED HIS TRIAL TRANSCRIPT, TOGETHER WITH "ALL DOCUMENTS FILED IN CONNECTION WITH HIS CASE".

Meanwhile, appellant received yet another letter dated December 22, 2015 signed by Vivian H. Cross, Court Reporter in and for the Tenth Judicial Circuit; That piece of correspondence states the trial transcript was ordered by the SC Indigent Defense; She goes on to state that my trial transcript "WAS PROVIDED TO THEM ON AUGUST 8, 2015. (note; prior to that, an associate of - this appellants, The Reverand AL Salmon, and himself, made several efforts in vein to procure the elusive transcript of the two day jury trial, without any success). The office of so called Appellate Defense, meanwhile, did get around to affording appellate with what appeared to be a copy of some trial transcript, however, upon carefull perusal, the purported 'transcript' was clearly nothing but a sanitized, poorly altered; revised 'version' (Sic) and one, sadly, which can be of no use to the Court Of Appeals, or anyone else for that matter.

On August 15, 2016 Appellate received a purpoted copy of some transcript by the office of indigent defense, clearly, also not an accurate version of the actual jury trial. Additionally, also another copy dated November 15, 2016, upon perusal, found to be yet another fake effort to sit in for the real act! The trial itself had been a three ring circus.

THE SUPREME COURT OF SOUTH CAROLINA

(Re; Amendment to Rule 607, SCACR, COURT REPORTER TRANSCRIPTS AND TAPES).

Pursuant to Article V, §4, of the South Carolina Constitution, Rule - 607(i), SCACR was amended (this order was issued by the SC Supreme Court on June 26th 2002, ordering court reporters to cease destruction of all tapes in criminal and post conviction relief cases was 'HEREBY VACATED', IT WAS SO ORDERED,,, A serious problem developed out of that fiasco; Appellants nor their lawyers can ever be certain that any so called transcript is actually a verbatim representation. In my own case, I am able to clearly see that major portions of the so called transcript have been cleaned up, so to speak. Bench conferences are not on the record, nor are motions I made and neither is dialog between myself and the solicitor or others in the court room.

THEM WE HAVE THE PROBLEM OF BEING DENIED DUE PROCESS

What can we possibly say? when we run a system of supposed jurisprudence which essoterically tells us we have a right to challenge any court reporter who the state must rely upon to prepare directly off a recording (can we even believe that South Carolina is still living in a non-technological era, light years behind this nations court reporters who decades ago began using transcription devices, while our reporters are still using tape recorders to transcribe our trials) "When they say 'we've come a long way'!, JUST WHO ARE THEY REFERRING TO ANYWAY? Could it be South Carolina? well, we wish it were so. But in the matter of Brent McLauren vs. State, as an example, the police effected an arrest and set forth an actual charge without any, DOES ANYONE HERE UNDERSTAND THE LITTLE WORD 'ANY', but it is true, they had absolutely no probable cause, NONE! ZIP! Not a single Honest witness who could identify me

A POINT OF SPECIAL INTEREST

In yet another scenario, we find a missive dated February 9, 2017 undersigned by Vivian H. Cross, Court Reporter, in which she advises me that "pursuant to our 'court reporter' (sic) manual, "a period of one month is allowed for any challenge to a transcript once prepared". And that "following a thirty day period after preparation we may dispose of our records. Due to the volumes of records a reporter must store, most of us - including me - do following this procedure."

SPOILATION & SANCTIONS

INASMUCH as the deliberate destruction of a citizens trial transcript will often (i.e. more frequently than not) result in fatal injury of an irreparable degree to any appellant who finds himself the victim of the states deliberate destruction of his complete jury trial records; the only remedy at this juncture is to bring formal charges against the state of South Carolinam et al. and to demand sanctions, among other things for this deliberate adverse criminal interference as conducts such as these patently abuse the the judicial process of our entire state; the parties to the fatal distruction(s) in this case attach as Federal Civil Procedure outlines the prerequisites. Note; as used herein, spoliation refers to the destruction or material alteration of evidence or to the failure to preserve property for another use AS EVIDENCE, IMPENDING OR REASONABLY FOR LITIGATION. See *Silvestri v. General-Motors, Corp* U.S. Court Of Appeals, 4th Circuit, November 14. 2001 271 F3rd 583, 2001 WL 1422137.

The sixth amendment protects a defendants affirmative right to self - representation. U.S. Court of Appeals, 4th Circuit, Sept 2. 2015/ 800 F.3d 642.

The South Carolina Court of Appeals feels, somehow that they possess some

representation. U.S. Court OF APPEALS, 4th Circuit, September 2, 2015/800 F.3d 642. The South Carolina court of Appeals feels somehow, that they possess some almost magical resource over the lives of their subjects, and more often than otherwise, use our states laws against vs, for the people. Who does not know this? Note; a new trial is appropriate since we can establish that the incomplete nature of the purported trial transcript prevents court from conducting a meaningful appellate review. STATE V. LADSON Court of Appeals SC April 9th, 2007 v. State Dorchester Co. held that reconstruction was insufficient for meaningful review of direct appeal issues, thus warranting a new trial. (reversed and remanded).

Note; Presently, there is a complete absence of any accurate record(s) or any verbatim transcripts, or even the original tapes which we certainly could used/depended upon to sort out this mess. The original court reporters records are essential if we are to confirm the plethora of areas which require our attention.

Subsequent to trial, I moved for directed verdict based upon the patent absence of any legitimate evidence, as a matter of law. The court, if my memory serves me, simply stated denied as it was a matter of where there is any evidence, and we can not concern ourselves with the weight of any evidence, but of course, in a dim, dim non existant light most favorable to the state, (EVEN WHEN THERE IS NO HONEST, REAL EVIDENCE WHATSOEVER), all S.C. requires is a lively imagination; we dont need a weapon of any type; we dont need any money at all (not to mention the \$195.00 in united states currence which TRAVIS RIGGS, PICKENS CITY CHIEF OF POLICE 'STOLD' (Sic) from my person; he stated he wanted to check it against cash already the property of the bank: knowing full well of course, that the bank had no way of telling us what serial numbers were on the banks currency; The bank never even figured out how much cash they were out of; makes me wonder, maybe there was no bank robbery?

BRENT CHRISTOPHER McLAUREN, JR

V. STATE OF SOUTH CAROLINA

Appellate Case No. 2015-001147

BRENT CHRISTOPHER McLAUREN, JR V. STATE OF SOUTH CAROLINA. In McLauren, the state failed to afford appellant any right to challenge the transcribed trial transcript altogether, we need only to peruse the actual records of this case file for absolute verification of this obvious fact. Appellant made a myriad number of efforts to procure his trial transcripts, yet it wasnt until the dates of November 14th, 2016 and August 15, 2016 that this appellant had initial access to the documents he was given which merely purported to be appellants trial transcript. Upon perusing same, appellant first discovered that many major alterations had taken place, all of which render the the purported trial transcript nothing but a carefully devised fabrication of the actual verbatim version of this appellants jury trial. Naturally, appellant has no alternative but to object which he has done and continues to do. Any interested party need only contact the mail room at the Lieber correctional institution for verification of the fact appellant had no way of challenging his trial record where he never received a copy of the actual transcript and now he becomes advised that the actual record, i.e. backup and original tapes of that trial have been deliberately destroyed, thus, it makes no sence at this late juncture, to attempt to reconstruct this case without actual records of any reliable type.

BRENT CHRISTOPHER McLAUREN, JR

V. STATE OF SOUTH CAROLINA

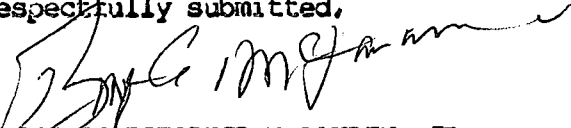
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WHEREFORE,

Please cause to file this pro se document forthwith,

Respectfully submitted,



BRENT CHRISTOPHER MCLAUREN, JR

ATTORNEY OF RECORD PRO SE

Note to court clerk

A piece of correspondence will arrive shortly germane to this matter, no time to prepare & mail it at this juncture, my apology,,, BCM/jr

APPROVALS

CERTIFICATE OF SERVICE

Subscribed and sworn to before me
this 16th day of March 2017.

Ludrean Bryant

Notary Public for South Carolina

My commission EXPIRES On May 26, 2020

WHEREFORE,

Please cause to file this pro se document forthwith,

Respectfully submitted,

BRENT CHRISTOPHER MCLAUREN, JR

ATTORNEY OF RECORD PRO SE

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~~AFFIDAVIT~~
~~CERTIFICATE OF SERVICE~~

Subscribed and sworn to before me
this 16th day of March 2017.

Ludrean Bryant

Notary Public for South Carolina

My commission EXPIRES on May 26, 2026.

BRENT CHRISTOPHER MCLAUREN, JR
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RIDGEVILLE, S.C. 29727-0205

LEGAL AND CONFIDENTIAL

THE STATE V. BRENT CHRISTOPHER MCLAUREN, JR
APPELLATE CASE NO. 2015-001147

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MAR 16 2017

MAIL ROOM
LIEBER C.I.

RECEIVED

MAR 21 2017

SC Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK OF COURT
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1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201