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SEP 25 2017

Trial Lawyer was ineffective for  
failure to obtain a ruling from the  
Court as to whether bad acts would  
be allowed to be introduced at trial  
prior to convincing him to plead no  
Contest

Trial Counselor was ineffective for not filing a brief on the bad acts before advising ~~him~~ to plea. Applicant was never arrested for a crime of trafficking, Cocaine or any other crime similar to this crime. Therefore judge prejudice applicant by saying he was going to allow bad-acts in under a common scheme or plan exception. Where there's no evidence of any similar crime and also text message is not a crime. See State v. Kwasi Roosevelt Tuffour 364 S.C. 497 (2005) 613 S.E. 2d 814, so therefore trial ~~at~~ lawyer was ineffective.

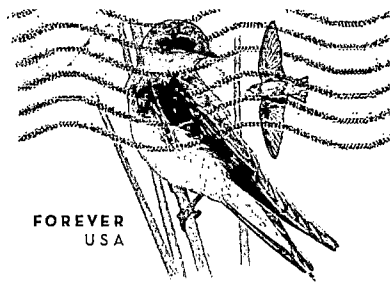
Trial Counsel was ineffective for allowing applicant to Plead to a crime that he did not Commit.

Trial Counsel was ineffective for not challenging the fact that applicant did not commit a crime, because applicant did not commit any offense, because it is not a criminal offense to process imitation drugs. It is illegal only to actually distribute or deliver imitation cocaine, S.C. Code Ann. § 44-53-390(a)(6) (1985). To be found guilty of traffic cocaine or conspiracy to traffic cocaine you have to have a controlled substance. Therefore Applicant testified see per Transcript. that he wanted to go to trial, but based upon trial counsel advise he pled guilty to an offense which he did not commit. therefore applicant was prejudiced by trial counsel's performance.

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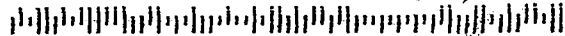


Bank Swallow

The Supreme Court of South Carolina  
PO Box 11330  
Columbia SC 29211

(4)

29211-133030



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SEP 22 2017

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