

AMENDMENT MOTION - TO RECONSIDERATION
MOTION

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THE SYSTEM IN OPERATION

S.C. SUPREME COURT

THE OPERATION ORGANIZATIONS EXIST WITHIN A -
SOCIAL CONTEXT IN WHICH THE SUBJUDS AND PERSONNEL
FIND SOME ACTIVITIES REWARDING AND OTHERS TENSION-
PRODUCING:

THE POLICIES FOLLOWED IN AN EXCHANGE SYSTEM WILL
EVOLVE TO MAXIMIZE GAINS AND MINIMIZE STRESS.
THE ADMINISTRATION OF JUSTICE IS GREATLY AFFECTED
BY THE VALUES OF DECISION MAKERS WHOSE CAREERS -
INFLUENCE AND POSITIONS MAY BE MORE IMPORTANT TO
THEM THAN CONSIDERATION FOR THE FORMAL REQUIREMENTS
OF THE LAW. Thus when decisions that might
BE DISRUPTIVE ARE CONTEMPLATED ACCOMMODATIONS
ARE SOUGHT WITHIN THE EXCHANGE SYSTEM. BECAUSE
THEY FEAR THEY WILL BE CRITICIZED FOR COMMITTING
WORK CRIMES. THE MEMBERS OF THE CRIMINAL JUSTICE
SYSTEM ARE BOUND TOGETHER INTO AN EFFECTIVE NETWORK
OF COMPLICITY. THIS NETWORK CONSISTS OF A WORK
ARRANGEMENT IN WHICH BATTERS SECRETIVE INFORMAL
BREACHES AND EVASIONS OF DUE PROCESS ARE INSTITUTIONA
LIZED BUT ARE NEVER THE LESS CLAIMED NOT TO EXIST.

A WHOLE LANGUAGE WITH MEANINGS KNOWN ONLY TO SYSTEM
ACTORS HAS EMERGED WITHIN THE ADMINISTRATION OF -
JUSTICE. THIS COOPERATION IMPLIES AN UNDERSTANDING OF THE
REQUIREMENTS OF THE OTHER FUNCTIONARIES IN THE SYSTEM.
ABILITY IMPLIES THE CAPACITY TO FULFILL THOSE NEEDS AND
RATIONALITY OR REASONABLENESS SUGGESTS THE ACCEPTANCE OF
PREVAILING ASSUMPTIONS. PROSECUTING ATTORNEYS PLAY A
CENTRAL ROLE IN THE ADMINISTRATION OF CRIMINAL JUSTICE

The defendant goes on to say more about the system that our so call - Judicial system "our judges our court appointed lawyers listening to them talk about the defendant" those persons are arrested - tried and sentenced who can offer the fewest rewards for nonenforcement of the laws and who can be processed without creating any undue strain for the - organizations which comprise the legal system... But here where the judicial system, evidence from the system demonstrates that a disproportionate number of the defendant in criminal cases are poor and are members of racial or ethnic minorities... Such listening to our judicial system that we love so much says about me " such defendants may be vulnerable to the actions and manipulations of both counsel and the criminal justice officials... Go on and listening to the rest of it" The typical defendant is unable to cope effectively with the system... it is a complex and the disadvantaged do not understand its intricacies. The low visibility of the entire system shields it from the public and even from other officials... Judges and others criminal justice actors work with a great deal of independence from supervision. In this case here in the jurisdictions the filtering process work so well that statistically, if the prosecutor says a person is guilty, the person is guilty. From the standpoint of the crime control model, and the courts increasingly become tribunals of last resort after the administrators of the system have made their decisions... Most research indicates that the values of the administrative or crime control model are widely held by police, prosecutors, court officials, and even defense attorneys. The track of comments by these actors reveals that the conditions under which decisions are made contribute to the assumption and reinforcement of those values... as one experienced prosecutor told the author we know that more than 80 percent of these guys are guilty. After a while, you get so that you can look at the case record)



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AND TELL WHAT IS GOING TO HAPPEN.
SIMILAR ATTITUDES HAVE BEEN EXPRESSED BY JUDGES OF OUR
COURT SYSTEM " AS WELL AS THE LOWER TRIAL COURTS AND
BY THE ATTORNEYS WHO DEPEND ON CRIMINAL CASES FOR A
MAJOR PORTION OF THEIR WORK. A STARTLING EXAMPLE
IS THE JUDGE WHO SAYS THAT HE ASSUMES THAT A DEFENDANT
WHO HAVE SURVIVED THE SCRUTINY OF THE POLICE AND
PROSECUTOR MUST BE GUILTY. SOCIETY HAS CHARGED
THE CRIMINAL JUSTICE SYSTEM WITH PREVENTION AND
CONTROL OF CRIME WITHIN THE FRAME WORK OF LAW
AND OF OUR CULTURAL VALUES. ALTHOUGH THIS GOAL MAY
SEEM CLEAR - A VIEW OF THE CRIMINAL JUSTICE SYSTEM
IN OPERATION REVEALS THAT A NUMBER OF VALUE DECISIONS
MUST BE MADE AT EACH POINT IN THE LAW ENFORCEMENT
AND JUDICATION - AND CORRECTIONS PROCESS AS TO THE BEST
WAY TO FULFILL THE PURPOSE OF OUR CRIMINAL JUSTICE SYSTEM
IT IS IN THE DAY TO DAY PRACTICES AND POLICIES OF THE
PROCESSING AGENCIES THAT THE LAW IS PUT INTO EFFECT AND
IT IS OUT OF THE STRUGGLE TO REFORM THEIR TASKS IN WAYS
WHICH MAXIMIZE REWARDS AND MINIMIZE STRAINS FOR THE
ORGANIZATION AND THE INDIVIDUALS INVOLVED THAT THE
LEGAL PROCESSING AGENCIES SHAPE THE LAW. THIS WHETHER
YOU ARE INNOCENT THE LAW HAS A RIGHT TO FINE YOU
GUILTY FOR A CRIME YOU DIDN'T COMMITTED AT ALL
AND YOUR COURT APPOINTED ATTORNEY KNOWS THIS
THE JUDGE KNOWS THIS THE SOLICITOR KNOWS THIS
BUT TO GIVE THE STATE A WIN SO THAT SOMEONE
CAN INVADE IN HER/SHE CARE " THE DEFENDANT
LOSS HIS CASE AS WELL AS HIS FREEDOM " TO THE
MIS CARRIAGE OF JUSTICE. . . . THIS OUR COURT
SYSTEM THAT WE BELIEVE IN AND TRUST ALL THE WAY
TO THE END OF TIME " THE LEGAL SYSTEMS. (1/2)

The defendant goes on to say more about the system that our so call - Judicial system" our judges our court appointed lawyers listening to the system what they say "The defendant those person that are arrested - tried and sentenced who can offer the fewest rewards for non enforcement of the law and who can be processed without creating any undue strain for the law which organizations which comprise the legal system" you see legislatures define certain acts as crimes when they are committed in accordance with the principles outlined above and in the presence of certain attendant circumstances while the offender is in a certain state of mind... together, these three factors - (the act), the attendant circumstances, and the state of mind - this is called the elements of a crime... even if it appears according to the formal words of the applicable statute that the accused has committed a crime, the prosecution will only be successful only if the elements correspond to the interpretations of the law made by the courts... as the law states the paralyzing the development of the law in the search-and-seizure area are issues related to illegally obtained evidence, what remedy is available to the defendant who has been the subject of an unreasonable search and seizure" but here where the law didn't had any search warrant to search the defendant personal properties but did so but didn't at any time produce such to this defendant nor did the law find any drugs within the defendant properties" but found drugs in the driver car that the defendant had no knowledge of at all!" The defendant has a right by the laws of this land to be set free from such punishment.

ILLEGAL ACTS OFTEN VIOLATE BOTH STATE AND FEDERAL LAWS, SO THE PROHIBITION AGAINST THE DEFENDANT IS A VIOLATION OF JUSTICE. THE STATE MUST PROVE ITS CASE BY USING LAWFULLY GATHERED EVIDENCE.

THE CONSTITUTIONAL REQUIREMENT THAT ALL PERSONS BE TREATED FAIRLY AND JUSTLY BY GOVERNMENT OFFICIALS THIS MEANS THAT AN ACCUSED PERSON CAN BE ARRESTED, PROSECUTED, TRIED, AND PUNISHED ONLY IN ACCORDANCE WITH PROCEDURES PRESCRIBED BY LAW.