

VOLUME II OF II

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Williamsburg County

Honorable D. Craig Brown, Circuit Court Judge

RECEIVED

MAR 24 2017

S.C. SUPREME COURT

DENNIS WRIGHT,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001243

APPENDIX

LANELLE CANTEY DURANT
Appellate Defender

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

ATTORNEY FOR PETITIONER

ALAN WILSON
Attorney General

JULIE COLEMAN
Assistant Attorney General

Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

ATTORNEYS FOR RESPONDENT

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This letter concerns a 'Sqe. F. Casey Dale Cornwell. When Judge James rules against me, again as he always has since the beginning of my case # 2009 GS-45-K9 through my PCR. I'm requesting these issue(s) be addressed/raised. They are as follows these are Constitutional violations 1 6 8 14 Amendments. The transcript will be changed by MT Sullivan so not to reflect what was said and done on 13 April, 2015 in sumter at my kangaroo hearing concerning my PCR case # 2012 CP4500403. I am not going to abandon any of my issue(s), as spoken by me during that hearing.

- Solicitor Kimberly Barr vouched for witness stating:

At her age 90 years old, because this is the downside of her life, she is preparing herself one day to meet her maker, you mean to tell me that the same God that she is going to see in Heaven, she is going to put her hand on the Bible and swear to him and lie about that. Trans at 10 Oct, 2010

The prosecutor essentially gave personal assurance of the witness's veracity in religiously tinged language. pg 363-7-12

This prejudiced me because the witness at issue was the state's only piece of evidence and her credibility was clear questionable

SEE: Appellant Brief: Elizabeth Franklin Best
There is no religious test for public Trust a Separation of Church and state

- Charles Barr of Kingstree, failed to object he asked the victim no question(s). I also never testified. Cornwell, ~~X~~ Look in the Trial Trans.

did not give up my rights to confront this witness. I was prejudiced by these religious reference(s). Solicitor also stated witness had only one man all her life until claim against me, and all she does is go to church. (2) 49

- A Jury must make its own assessment on the Credibility of a witness, it is inappropriate for the state to assure the jury of a government witnesses credibility.

I am not going to abandon any of my issues! Had Charles Barr objected to preserve for appealant review our come would have been different. He had a predetermined desired out come. I never testified at trial

- I had only one meeting as verified by S.C. Bar investigator Ernest Jarrett and Bar president Michael Jordan. Also stated in their letter they don't know what Charles Barr did because he kept "NO records" and has yet to provide any. Meeting was to pay Barr

- No notice of a trial date no prep for me or anyone Told during roll-call

• ABHAN

Solicitor produced no evidence hid All medical Physical and Scientific forensic; introduced ABHAN without objection from Charles Barr "a lesser charge" so Judge Newmann could instruct jury. of that "charge lesser"

- Judge James Kicks me out of Court room 13 April, 2015 Will not allow me to petition the Court for redress of grievances, SAYS I have a attitude come back in 15 min.

I ask for expert services to explain the exculpatory evidence material hidden by the state and allowed by Charles Barr

1) GI report from Lake City (GA) where the "so-called victim" told Williamsburg County Sheriff's she was hurting. Anally and Vaginally yet refused to be seen 2-22-09, transported by Sheriff of Williamsburg

2) A test and exam from Dr. Johnson OBGYN dated 2-26-09 "Normal healing" Post-op DTC Surgery. Nothing of anything wrong

I need expert services to explain both to hold up when state appeals. Refused by Judge James. Would have made a difference these report(s) hidden, investigator Carla Lowenstein found them page(s) 1-4 missing faxed from source(s). Need All material

I am not going to Abandon any of my issues

3) Charles Barr had no records of her family doctor to impeach allowed him to be the states expert yet had no records of his, with his own expert to challenge his records of the state of mind of "so-called" witnesses (2002-200 Oct). CARLA Lowenstein with chart of so-called victim states Dementia worsening dated 05-05-09. When IR 0901544 states no mental problem stated by her doctor... Dr. Faile the states Expert. His testimony was heard unchallenged. Charles Barr tells me not to testify because the jury must find me guilty. said the following

- No one will believe me over a doctor yet had no expert or anyone else to testify for me

3 Tapes initial interview of both she / me also redacted version played in ct, 3 pictures not given me, charts

SAID I had a Criminal Record; Judge James (4) 99
SAID the SAME Calling me homeless and a
Bum SEE: motion to get DNA MT Sullivan

yet again Court reporter. SEE: Scribner motion
the theory of transfer and exchange. SAID she wiped herself in nothing like name
she must be there she said she wiped blood of had a bowel movement.

SAID IN Court and during my PCR hearing
the state doesn't have to turn over any
evidence if it not going to use it. SEE: Brady

Kyle V Whitley Correct but wrong; don't have use it but
must turn it over and use by defense to impeach

* In Court Kimberly Barr stated just because
Charles Barr asked for Discovery motion material(s)
doesn't mean she has to turn them over
SEE: pg(s) 118-121 Court TRANS Oct 10, 2010
Haven taken place Williamsburg County Judge
Newman sitting Judge ... MT Sullivan reporter.
SEE: Brady v Maryland

Charles Barr told the Judge about this
violation but didn't object. This was
told with the Jury out of the Court room.
HAD he objected the outcome would have
be different had he objected. All agreed not to talk about
it SEE: 118-121

I am not going to Abandon any of my issues)

HAD I been allowed to petition the Court for
redress of grievances my Constitutional rights
during my PCR with out Judge James scolding
me telling me shut-up, Kicking me out, applying
G mental status test and other sick CRAZY
stuff there would be no need for this SEE:

The state has an on going duty to disclose
exculpatory information "if" that evidence is
material either to guilt or to punishment
and available for trial and the duty extends
throughout the legal proceedings including post-
conviction ... so the conduct of knowingly

Concealing evidence of my innocence through my trial, Appeal and now PCR establishes a due process violation. Remember 16814. as I spoke it in Court 13 April, 2015

Charles Barr also put a state witness on the stand Edie Mae Brooks to testify against me who gave hearsay testimony about the "so-called victim" saying she said "her butt was hurting." Yet she the "so-called victim" refused treatment after being transported by sheriffs and admitted as reported by investigator Carla Lowenstein. 2-22-09 Lake City ER.

Then Dr. Johnson's report dated 2-26-09 post-op DTC two weeks before claim. Normal healing.

I was denied Expert services by Judge James. When Judge Cochran said so May, 2014 to send exculpatory material evidence with Fulton Casey Cornwell's help to the Court to put Expert services where needed to get out of prison and a New trial and he wanted to hear this case in or about sometime after May 2015 a year later when he returns. Cornwell refused saying Judge Cochran doesn't know what he is talking about, I'm mentally ill and I'd never said anything about Expert(s) then I have no case. Then boldly saying he works for the state. If what I have written is not true why hasn't he championed my cause? SEE PCR so-called Amended Application garbage by Cornwell.!!!

Ask Bailey of the state have I misspoken... Barr should have called an expert service to support defense...

© Barr

Had Charles Barr objected to the missing exculpatory material evidence hidden by the State to Judge Newman, or to preserve for appeal purpose(s) the out come would have been different. I was prejudice because he didnt. I was prejudice by Judge James, Fulton Casey Dale Cornwell is ineffective for not bringing my case forward Charles David Barr is ineffective for all this matter. Kimberly Barr should have stopped two hours after they arrested me but I was thrown into jail my tooth knocked out my shoulder damaged and made to eat food off the floor and told to drink the water out of the toilet

8th Amendment **BASTARDS !!!**

* Extrensic fraud Dr. faile ~~said he didnt know if~~ ^{so-called victim} seen by medical services yet a month after being told by Emma Strakdale on 2-25-09 GAVE no meds, STD med nothing no exam nothing. SEE 2-26-09 Dr. Johnson 2-26-09 test / exam pgs 1-4 missing Dr Johnson referring doctor for faile State kept she was, yet stubborn perjury need faile records Barr had nothing

Charles Barr is a Drug dealing lawyer and is being protected. that lady told me this when I was going to report this to Brian ^{Hemingway} ^{police} told I got arrested. This could only happen if Charles Barr Allowed it!!!

* pg 4 - Kimberly Barr says pg 121 line 5-16 of Trans if Charles Barr wanted the physical medical scientific forensic evidence he should have

Subpoenaed it himself besides those items ^{(7) of 9}
are not in the possession custody or control
of the state. SEE Kyle v Whitley Brandy
SEE: IR reports # 0901544 items subpoenaed by
the state and in their possession. Not gained
by any investigation by Charles Barr of
Kingstree. I asked for per re 17-27-180

Comwell said he had files file how, when Barr
didn't have it. He Comwell is ineffective as
is Charles Barr

I am not going to Abandon
any of my issue(s). MT Sullivan
will change the transcript as she has
done and HAS been caught at it.
The combination of Charles Barr, James
MT Sullivan... I should play the lottery!

Crooks... what seems to be random or
serendipitous had been calculated, Williamsburg County,
and Charles Barr have a systematic way of destroying
a people who they feel are socially, economically and
educationally disenfranchised. In use, the art of
innuendo's, double talk, evasive phrasing and
arcane word usage.

Whoever fights monsters should see to it that
in the process he doesn't become a monster.
And when you look long into the Abyss, the
Abyss also looks into you.

Law works best when lawmakers and
thoughts who are appointed to uphold the
Law. Obey the law themselves. I am
Dennis Wright prisoner # 843201 not going to
Abandon any of my issue(s)

I innocent!!!

I asked Judge James the following
13 Apr. 1, 2015? and he said

- If he did my bond hearing, said he wasn't talking ^{about that}
 - An appeal of of fee dispute against Charles Barr again not talking
 - ✓ • Motions concerning my case
 - you don't need experts when asked for
- during the trial Oct 2010 the so-called victim had a fit in court. This was removed in the transcript (MT Sullivan reporter). Witnesses to this were in the court room not allowed to speak. Nor did Cornwall attempt to call them, also 3 statements to this fact Barr said it didn't happen Sullivan was sitting right there also. Barr didn't object for mistrial. I'm not going to abandon any of my Court Audio Back up Tapes!
- ✓ • Wouldn't let me continue, saying be quiet or words to that effect. sit down
 - * • I'm hear to try you...*

sit down
denied due process and equal protection of laws
He's protecting a drug dealer

Ask Goulery!!! and Cornwall

cc: file

This is my petition to the court to correct the wrongs done to me but not allowed by Judge James nor given help by Fulton Casey Dale Cornwall ineffective, like Charles Barr

9
499

Judge James, Charles Barr, Cornwall
ruling on issues concerning expert(s)
services... What a shame!!!
medical + scientific

I can not will not get a fair
hearing. The entire 3rd Circuit
is Dirty...

No physical, medical and forensic evidence
no bruises or
of a person 90 years of age who said
her feet where by her head... 200 plus
pounds me 150 with out complete mobility
of my right ~~arm~~ arm due to surgeries to
my right side of my 100% total disabled
body. With all the proof within 4 days
of my arrest. All hidden by the state
SEE: IR 0901544 and the index of items
submitted by the state upon request for Charles
BARR as stated in et TRANS 09-200 have in
taken place Williamsburg County 2009-GS-45-199
MT Sullivan Court reporter. Now does
this resemble any rape you have heard of?
She has Dementia Delirium since 2002
and said her family rapes her too. SEE
exhibit # 1 dated 2-27-09

Innocent

I am not going to abandon any of my issues)

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Harrison, Radeker</u> C. Date of Delivery <u>6/19/08</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: <u>request for evidence Amend PCR App. Rec: 19 June 2008 LCI</u></p>	
<p>1. Article Addressed to:</p> <p><u>F. Casey D Cornwell</u> <u>LAW OFFICES</u> <u>Harrison & Radeker P.A.</u> <u>P.O. Box 50443</u> <u>Columbia, South Carolina</u> <u>29250</u></p>		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

2780 0003 3562 5854

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>A. Radeker</u> C. Date of Delivery <u>1/27/14</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p><u>Motion for Discovery 17-27-150</u> <u>Amend PCR Application 764</u></p>	
<p>1. Article Addressed to:</p> <p><u>F. Casey Cornwell</u> <u>LAW OFFICES</u> <u>Harrison & Radeker PA</u> <u>P.O. Box 50443</u> <u>Columbia, S.C. 29250</u></p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>2. Article Number (transfer from) <u>7010 2780 0003 3562 6240</u></p>			

Domestic Return Receipt 102595-02-11-1540

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 SHARON L. STANGERS
 CLERK OF COURT
 KINGSTREE, S.C.

Exhibit 2

Exhibit

3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
F. Casey D. Cornwell Law Offices Harrison & Radeker P.A. P.O. Box 5043 Columbia, South Carolina 29250		Andrew Radeker	6/19/13
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No Amend PCR App. Rec: 19 June 2013 LCI	
2. Article Number (Transfer from service label)		3. Service Type	
7010 2780 0003 3562 5854		<input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004 Domestic Return Receipt		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

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 MINISTERS, S.C.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
F. Casey D. Cornwell P.O. Box 50143 Columbia, SC 29250		Andrew Radeker	10-15-13
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3rd Attempt to Amend PCR Application	
2. Article Number (Transfer from service label)		3. Service Type	
7012 2920 0001 0727 6271		<input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
PS Form 3811, July 2013 Domestic Return Receipt		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
F. Casey D. Cornwell Law Offices Harrison & Radeker PA P.O. Box 50143 Columbia, S.C. 29250		Andrew Radeker	10/24/13
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 4th Attempt Amend PCR Application request	
2. Article Number		3. Service Type	
		<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

Exhibit (4)

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2016 JUL -1 PM 3: 36

SHARON B. SLEDGERS
CLERK OF COURT
KINGSTREE, S.C.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>Attn: Fulton Case Date Corridor</i> <i>448 Deerwood St.</i> <i>Unit 9A</i> <i>Cola, SC 29905</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes.</p>
<p>2. Article Number (transfer from ser) 7012 1010 0002 9701 5969</p>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540



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JUL 08 2015

Exhibit 5

6 July, 2015

South Carolina Bar

Sir/Ma'am

pg 1 of 2

My name is Dennis Wright 343201 an Innocent man. Please find enclosed in this envelope, this letter with attached my concerns with Court appointed attorney

F Casey Dale Cornwell

I have never been able to contact since his appointment as my attorney, He refused to Amend my PCR application as requested (?) seven times, even when certified mailings sent, no phone number to reach him either.

Therefore to protect my rights to a 59e motion if all issue(s) are not ruled upon by Judge James who handled my PCR hearing in Sumter County 13 April, 2015. Please instruct him to file a 59e motion with the court on All issue(s) presented to the court if not ruled upon by Judge James' order. I'm sending this letter to your office, requesting that you please forward to

F Casey Dale Cornwell

who has refused yet another certified mailing with his work address or contact information given to me by your officer(s) (Enclosed) Please return my request a copy clock stamped to me at my address.

Also please find my request for production of my PCR case file; In the matter of Haddock also requested to be forwarded

15 total pages

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JUL 10 2015
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S.C.

Pg 2 of 2

to :
 F Casey Dale Cornwell

I thank you for your time and effort(s)
 concerning this matter. I am prisoner #
 343201. Dennis Wright

Innocent !!!

I am not going to Abandon any
 of my issue(s)

Thank you

cc: South Carolina Supreme Court
 South Carolina office of Disciplinary Counsel
 South Carolina Bar
 U.S. Justice Department
 dk

2016 JUL -1 PM 3:36
 CLERK OF COURT
 KINGSTREE, S.C.

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Exhibit 7



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

May 19, 2015

Fulton Casey Dale Cornwell, Esquire
448 Deerwood Street, Unit 9A
Columbia, SC 29205

RE: *Wright v. State*, 2012CP4500403

Dear Mr. Cornwell:

2015 JUL - 1 PM 3: 36
FILED
SHEAROUSE & SHEAROUSE
CLERK OF COURT
KINGSTREE, S.C.

Enclosed is correspondence received from your client, Mr. Dennis Wright. Since you represent him in this matter, no action will be taken on these *pro se* filings. *Miller v. State*, 388 S.C. 347, 697 S.E.2d 527 (2010); *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); *Foster v. State*, 298 S.C. 306, 379 S.E.2d 907 (1989).

I am copying the Attorney General with this letter so that office can be aware of Mr. Wright's concern about the delay in resolving this matter. I note that the last action reflected by the public case index for this case was in July 2014.

Sincerely,

Daniel E. Shearouse

Enclosures

cc: Office of the Attorney General (with enclosures)
Mr. Dennis Wright, #343201

July, 2015 Exhibit 8

Greetings Sir/Ma'am
 My name is Dennis Wright 343201
 Innocent man being kept in Lee County
 Correctional against my will. Please
 enclosed this envelope mailings addressed
 to Desiree Allen Supreme Ct. Admin Court
 Recorder Section Manager. It is as she
 requested so I can get the needed info
 to the material(s) to prove my wrongful
 conviction. Please ensure she receives
 this information. The attorney given me
 by the State: Appointed by Judge James wouldn't
 allow me to change him on 13 April, 2015 summer

RECEIVED
 JUL 27 2015
 OFFICE OF
 CHIEF JUSTICE

~~F Casey Dale Cornwell~~
 I have never been able to contact by phone
 or written request, certified or any other way, he
 is not helping. Appointed 26 March, 2013. Never
 has or have either.

Please forward all attachments to
 • Ms Allen Supreme Ct Admin Court reporter
 • F. Casey D. Cornwell "attorney"

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 2016 JUL - 1 PM 3:36
 STATE OF SOUTH CAROLINA
 CLERK OF COURT
 KINGSTREE, S.C.

I am Dennis Wright a prisoner # 343201
Innocent!!!

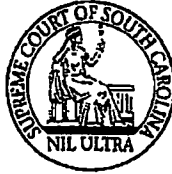
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to: U.S. Justice Department
 file

JUL 27 2015
 S.C. SUPREME COURT

Please check stamp and return to me All
 Total (eight) 8 pages
T. Innocent!!!

Exhibit 9



The Supreme Court of South Carolina

OFFICE OF DISCIPLINARY COUNSEL

Lesley M. Coggiola
Disciplinary Counsel

Post Office Box 12159
Columbia, South Carolina 29211

Ericka M. Williams
Assistant Disciplinary Counsel

Telephone: (803) 734-2038
Fax: (803) 734-1964

August 24, 2015

PERSONAL & CONFIDENTIAL

Dennis Lee Wright #343201
Lee Correctional Institution
990 Wisacky Hwy.
F6B 1254
Bishopville, SC 29010

2016 JUL -1 PM 3:36
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SUPREME COURT
CLERK OF COURT
KINGSTREE, S.C.

RE: Lawyer: Fulton Casey Dale Cornwell, Esquire
File Number: 15-DE-L-0667

Dear Mr. Wright:

We have received your additional letters of complaint against Fulton Casey Dale Cornwell, Esquire. Our investigation is ongoing and we will include any additional allegations in that investigation.

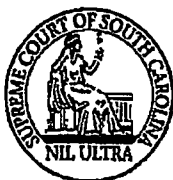
It is important that you understand that our office will not become involved in your underlying case. Likewise, we will not be able to forward information to your attorney at your request. Once our investigation is completed, you will be notified of the final disposition of your complaint. It is often many months after receipt of a complaint before a final decision is made. In the meantime, feel free to contact me if you have any questions or concerns.

Sincerely,

Ericka M. Williams

EMW

Exhibit 10



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 28, 2015

Mr. Fulton Casey Dale Cornwell, Esquire
448 Deerwood Street
Unit A
Columbia, South Carolina 29205

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2016 JUL -1 PM 3:36
SHARON L. KINGSTREE
CLERK OF COURT
KINGSTREE, S.C.

Re: Mr. Dennis Wright #343201

Dear Mr. Cornwell:

This will acknowledge a letter from Mr. Wright received in this office on August 28, 2015. We are forwarding you a copy of Mr. Wright's letter for any assistance you may be able to give him.

Very truly yours,

CLERK

cc: Mr. Dennis Wright #343201

Greetings Si. / MA'am Exhibit 30 Sept, 2015

This is a cover letter to the enclosed letter written 30 Sept, 2015 to Mr. Shearouse

I'm requesting help please from your office concerning the following attorney law

* Fulton Casey Dale Cornwell *

I've written 7 Certified mailings and regular mailings since his appointment MARCH 2013 by Judge James without hearing nothing from him. "He's a puppet from the state"

- I'm asking for information of my PCR hearing having taken place in summer April 13, 2015 in front of Judge James
- I've asked him "Cornwell" to file a timely 59e motion so James will rule on all the issue(s) presented concerning the exculpatory material and scientific forensic evidence as well as the other countless issue(s) raised and hidden by the State and allowed by Charles D Barr of Kingstree
- I'm asking for my PCR case file: Complete fi
In the matter of Haddock

It's reproduction within 15 days. I've asked for this 6 months ago
Please clock stamp and return this page ^{clock} stamp as well as the Shearouse letter stamped + clear

Innocent!!!

cc: US Justice Department
File

Greetings Sir/Ma'am Exhibit 1/2

My name is Dennis Wright 343201
 innocent man & prisoner. I'm asking
 help. I've written attorney:

FILED
 2016 JUL -1 PM 9:36
 CLERK OF SUPERIOR COURT
 KINGSTON N.C.

- F Casey Dale Cornwell (App MAR 2015)
 several times since his appointment by
 Judge James with the address provided
 by your office, the South Carolina Bar
 the disciplinary counsel, with no response.
- I'm requesting the status of my PCR hearing
 having taken place in Sumter County with
 guess who as the sitting Judge? yes
 Judge James. 13 April, 2015
- I've also asked for the reproduction of my
 PCR case file: In the matter of Haddock
 and have never heard one nothing of a word
 from the above mentioned attorney
- I've also sent him as I did the 3
 office(s) in the 1st bullet paragraph my request
 that he file a timely sge to Judge James
 (who did my Bond hearing, Affidavit, motions for
 DNA a fee dispute, and then the appeal of that
 fee dispute, then without notice 26 Feb, 2014
 his first attempt of my PCR then my PCR
 on 13 April, 2015 when Judge Cottrhan said he
 wanted to hear it. A total of 6 Attempts)
 to rule on ALL the issue(s) of my PCR
 MST Sullivan who has been the recorder
 for 7 of 10 times I've been in court was.

not there 26 Feb, 2014, for ^{Exhibit 13} Judge James 2 of 2
so nothing was done. But when something
wrong was done the combination of James
Barr, Charles David of Kingstree, and M.T.
Sullivan all present. Please clock stamp
and return to my address a copy
of both pages. Please forward a copy
of this request to lawyer conduct.

I am as you know

Innocent!!!

A prisoner

Dennis Wright 343201

SECRETARY OF PROBATION
CLERK OF COURT
KINGSTREE, S.C.

2016 JUL - 1 PM 3: 36

FILED

cc: U.S. Justice Department
file

Also I've filed, and issued everything in a
timely manner. The (court) Williamsburg County
Cheats lies again as you know as does
Ms. Allen. I've requested ^{filed} nothing late Sir

Innocent!!!

I'm being cheated. ~~James also did my~~
preliminary hearings

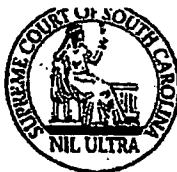


Exhibit 14

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

October 7, 2015

Mr. Dennis Wright #343201
Lee Correctional Institution
990 Wisacky Highway
Bishopville, SC 29010-1775

FILED
2016 JUL -1 PM 3:36
SHARON S. HAGGERS
CLERK OF COURT
KINGS TREE, S.C.

Dear Mr. Wright:

This relates to your letter dated September 30, 2015. This letter appears to be related to the case of *Wright v. State*, 2012CP4500403.

I have enclosed a copy of the public case index for Williamsburg County that shows the status of this case.

Further, as you have requested, I am forwarding your letter to the Commission on Lawyer Conduct. In the future, please file any complaint of this nature directly with the Commission at 1220 Senate Street, Suite 305, Columbia, SC 29201.

Very truly yours,

CLERK

Enclosure (Pubic Case Index)

cc: Commission on Lawyer Conduct (with copy of correspondence)

Exhibit 15



Williamsburg County Third Judicial Circuit Public Index



[Williamsburg County Home Page](#) [South Carolina Judicial Department Home Page](#) [SC GOV Home Page](#)

Switch View

Dennis Lee Wright VS State of South Carolina					
Case Number:	2013CP4500403	Court Agency:	Common Pleas	Filed Date:	07/31/2012
Case Type:	Common Pleas	Case Sub Type:	Post Convict Rel/500	File Type:	Non-Jury
Status:	Dismissed	Assigned Judge:	Clerk Of Court C P, G S, And Family Court		
Disposition:	Other / Circuit Civil	Disposition Date:	07/08/2015	Disposition Judge:	JAMES, GEORGE CYN
Original Source Doc:		Original Case #:			
Judgment Number:		Court Roster:			

Case Parties

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
<input checked="" type="checkbox"/> Cornwell, Fulton Casey Dale	PO Box 50143 Columbia SC 29250				Plaintiff Attorney		05/10/2013
<input checked="" type="checkbox"/> State of South Carolina					Defendant		07/31/2012
<input checked="" type="checkbox"/> State of South Carolina					Defendant Pro Se		07/31/2012
<input checked="" type="checkbox"/> Wright, Dennis Lee					Plaintiff Pro Se		07/31/2012
<input checked="" type="checkbox"/> Wright, Dennis Lee					Plaintiff		07/09/2015

Actions

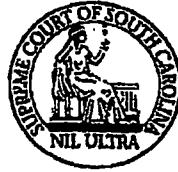
Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Wright, Dennis Lee	Order/Dismissal	Order		07/08/2015-13:45		
Wright, Dennis Lee	Order/Continuance	Order		07/01/2014-13:51	07/08/2015-13:51	
Wright, Dennis Lee	Amended/Amendment to Application For Post Conviction Relief	Filing		02/03/2014-15:44	07/08/2015-15:44	
Wright, Dennis Lee	PL/Ag/Filing Of Motion to Authorize Discovery and Funds	Filing		02/03/2014-15:43	07/08/2015-15:43	
Wright, Dennis Lee	Order/Continuance	Order		01/17/2014-11:51	07/08/2015-11:51	
Wright, Dennis Lee	Amended/Amendment to Application	Filing		11/04/2013-15:49	07/08/2015-15:49	
State of South Carolina	Order/Continuance	Order		10/15/2013-16:31	07/08/2015-16:31	
State of South Carolina	Order/Continuance	Order		10/04/2013-11:10	07/08/2015-11:10	

Exhibit 16

Wright, Dennis Lee	Amendment to Application for PCR	Filing		09/25/2013-10:08	07/08/2015-10:08
Wright, Dennis Lee	Order/Substitution Of Counsel	Order		05/06/2013-13:48	07/08/2015-13:48
Wright, Dennis Lee	Order/Substitution Of Counsel	Order		05/06/2013-09:21	07/08/2015-09:21
State of South Carolina	Return	Filing		01/17/2013-09:30	07/08/2015-09:30
Wright, Dennis Lee	Post Conviction Relief	Filing		07/31/2012-15:23	07/08/2015-15:23

FILED
 2016 JUL -1 PM 3:36
 SHIRLEY H. JOHNSONS
 CLERK OF COURT
 KINGSTREE, S.C.

Exhibit 17



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

October 28, 2015

Mr. Dennis Wright #343201
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina 29010-1775

FILED
2015 JUL -1 PM 3:36
STATE CLERK OF COURT
KINGSTREE, S.C.

Re: *Wright v. State*, 2012CP4500403

Dear Mr. Wright:

This responds to your letter dated October 26, 2015. I have been unable to locate any record of a notice of appeal being filed in the above matter.

As to obtaining a copy of the circuit court order issued in the above matter, I cannot provide you with a copy since a copy of that order has not be filed with this Court. I am providing your attorney with a copy of your letter so that he can be aware of your desire to obtain a copy of this order.

Very truly yours,

CLERK

cc: Fulton Casey Dale Cornwell, Esquire (with copy of correspondence)
Office of the Attorney General (with copy of correspondence)

Exhibit 18

23 Nov, 2015

Greetings Sir, My Name is Dennis Wright 343201 a prisoner held against my will an innocent man. Please allow this letter to serve as my notice of Appeal in the below reference case:

Dennis Wright 343201-Vs- State of South Carolina
Case# 2012-CP-4500403

Please Clock Stamp and file and return a copy to me at my address

I was appointed Counsel MAR, 2013, f Casey D Cornwell I have never been able to Contact him by Certified Mailings or any type mail or phone. as I've sent copies to your office with the address information provided by your office. Also the South Carolina Bar and the Disciplinary Office, Counsel. Cornwell was appointed by George James after Ashley Nance was removed for some Contract reason? He asked for files

I Dennis Wright Appeal the order of George James dated 8 July 2015, filed 31 July 2012 dismissing Appellants Post Conviction-Relief petition. Appellant has NOT received written notice as of this dated 8 July, 2015 order. The Appellant was notified by letter from your office dated 7 Oct, 2015, with a copy of the public Index of Williamsburg County, by the South Carolina Supreme Court. This can be verified by SCDC Lee County Admin. Ms. Thompson and its mailroom supervisor Ms. Eastridge upon your request as stated by both person(s) office(s). I've also written Williamsburg County Clerk of Court office (certified) for the dismissal order dated 8 July, 2015. AS of this dated letter NO reply

I'm sending a copy this letter to the following with enclosures

- cc: state Attorney Gen office
- Appellants Michael Dudek
- Williamsburg County Clerk of Court
- Jutton Casey Dale Cornwell (Will not Answer) (where is he?)
- file

FILED
 2015 JUL 29 PM 3:36
 SHARON S. STAGGERS
 CLERK OF COURT
 WILLIAMSBURG, S.C.

X Dennis Wright

RE: Dennis Wright v State

Exhibit 19

1 of 2
Innocent!!!

Appellate Case No. 2015-002424

Let this letter serve as a Motion to the Court

My name is Dennis Wright a prisoner held against my will #343201. I have expressed my desire to seek review of the denial of my Post-Conviction-Relief application dated 8 July, 2015, which I have never seen. I was told of this action by the Supreme Court of South Carolina by Public Inmate Williamsburg County on 7 Oct, 2015. Court rule 50(6) expressly provides for appointment of Counsel to an indigent to seek appellate review of a denial of a PCR.

Fulton Casey Dale Cornwell failed to timely, 59(e) seek review. Rule 50(6), I'm asking that it be enforced I'm entitled to a fair PCR proceeding, complete with a petition for Certiorari to the South Carolina State Supreme Ct. you are in possession of all documents to support my claim as your office stated in your letter dated 28 Jan, 2016 - Appellate case # 2015-002424

I have never seen my order of dismissal so how could I have provided a copy in my November 23, 2015 letter to you? I am not an attorney, nor do I wish to be held to the same standard(s) of one. I am indigent and, I'm asking for the appointment of one by way of appellate defense. Supreme Court rule 50(6) again provides for the appointment of counsel to an indigent to seek appellate review of a denial of PCR. I was ABANDON by Fulton Casey Dale Cornwell. The facts are:

- Will not answer phone Ext. at 20
- refused to amend PCR application with specific narrowing plea's or get documents and "expert services" prior to PCR. showed up at PCR court empty handed. When told by Judge Cochran 30 May, 2014 to do so
- refused to allow witness testimony

2422

Innocent!!!

SHARON J. ROGERS
CLERK OF COURT
KINGSTREE, S.C.

2016 JUL -1 PM 3:37

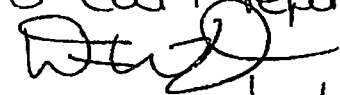
FILED

Post PCR

- Did not provide notice of decision
- Did not file any notice of appeal when requested to do so. 4 different addresses and answer none.
- Did not provide copy of dismissal order
- Did not file 59(e) if needed or any other Appeal
- Refused to turn over PCR case file(s)

Petition for Certiorari

- I am not an attorney, nor do I wish to be held to the same standard(s) of one.
- Request appointment of Counsel for CASE No. 2015-002424 (Appellate Defense) due to being Indigent. rule 50(6) provides for the appointment.
- Obtain a copy of my dismissal order and proper files for case
- Approval to file belated 59e if needed (based on order)
- Allowed to brief issue(s) for Writ of Certiorari
- I'm in possession of All Court room transcripts a total of ten times in Court 6 of 10 PCR Court. Action taken only when the combination of James, Barr and Court reporter MT Sullivan in place

X 
Innocent!!!

8 Feb, 2016

Exhibit 21

The Supreme Court of South Carolina

Dennis Wright, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-002424

Lower Court Case No. 2012CP4500403

FILED
2016 JUL -1 PM 3:37
SHARON B. STEADERS
CLERK OF COURT
KINGSTREE, S.C.

ORDER

This Court received a *pro se* notice of appeal on November 25, 2015. The order on appeal shows that it was entered with the clerk of the circuit court on July 8, 2015.

Based on the failure of petitioner's counsel to provide this Court with the date on which he received written notice of entry of the order on appeal as requested by this Court's letter dated February 3, 2016, petitioner has failed to establish that the notice of appeal has been timely served under Rule 243(b) and 203(b)(1) of the South Carolina Appellate Court Rules. *See also* Rule 203(e)(1)(C) ("if appropriate for the determination of the timeliness of the appeal, [the notice of appeal shall contain] a statement of when the appealing party received notice of the order or judgment from which the appeal is taken")

Accordingly, the notice of appeal is dismissed. This dismissal is without prejudice to whatever right petitioner may have to seek relief under *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991). The remittitur will be sent as provided by Rule 221, SCACR.

The *pro se* motion to appoint new counsel is denied as moot.



FOR THE COURT C.J.

Columbia, South Carolina
March 01, 2016

cc: Fulton Casey Dale Cornwell, Esquire
Daniel Francis Gourley, II, Esquire
Mr. Dennis Wright

1 of 2

Innocent!!!

10 total pages

Dennis Wright, Petitioner, Exhibit 22

v State of South Carolina, Respondent

Appellate Case No. 2015-002424

lower court case no. 2012 CP 45004

SHARON E. JOHNSON
CLERK OF COURTS
KINGS MOUNTAIN, S.C.

2016 JUL -1 PM 3:30

FILED

my name is Dennis Wright a prisoner held against my will on Innocent man #343201

Please let this letter serve as a motion for reconsideration of appeal and a Motion to appoint new Counsel from the order dated March 01, 2016.

Petitioner had PCR hearing 13 April, 2015 in Sumter County. In front of by Judge James. Petitioner was represented by Felton Casey D. Cornwell. Petitioner began to seek information concerning the status of the case. May 19, 2015 by Supreme Court letter Exhibit #1. Then the second notification by letter, South Carolina Supreme Court Exhibit #2 dated October 7, 2015 along with Williamsburg County Third Judicial Circuit Public Index also dated October 7, 2015, that no appeal had been filed. The order of dismissal dated 8 July, 2015. This is the 1st notification of the order in this case. Then Supreme Court letter dated October 28, 2015 Exhibit #3 that no appeal filed.

Petitioner then began to gather information pertaining to mail received from Williamsburg County; Judge James and Felton Casey D. Cornwell.

E...bit 23 2 of 2 Innocent!!!

During the time period for appeal to be filed. NO legal mail was received from those agencies. Please SEE: Exhibit 4 4A 4B 4C

These are E-mails requested from the SCDC MAIL room. Stating that NO legal mail was received from any of those agencies.

Note: visitation made by those agencies during that sometime frame: None: per Assit warden DAVIS ref: 16-048632, inmate E-mail

Based on the above proof of NO notice to the Petitioner, the petitioner is asking for reconsideration of the dismissal of the Petitioner Appeal by reinstating the Appeal and Granting the motion to appoint Counsel to perfect the appeal

The petitioner declares that everything claimed in this motion for reconsideration of this Appeal is true and Accurate.

I am Dennis Wright a prisoner #34320P
against my will

2016 JUL -1 PM 3:37
STATE OF SOUTH CAROLINA
CLERK OF COURT
KINGSTREE, S.C.

FILED

Innocent!!!

Fulton Casey Dale Cornwall would not answer me or write me. In a letter dated 3 Feb 2016 he did the same to the Supreme Court.

Innocent!!! Dennis Wright
11 March, 2016

Inmate Request

Today's Date: 3/9/16 10:36

Exhibit 4A

Name: WRIGHT, DENNIS LEE
 Booking #: 343201
 Permanent #: 343201

Reference #: 15-899052
 Date Requested: 11/17/15 10:36
 Request Type: Mail
 Requested By: Kiosk

Exhibit 24

Request Details: Ma'am please reread my last message, the time frame of legal mail from Williamburg County clerk of Ct, S. Stagers, and Attorney Casey Cornwell is between the Months of 8 July 2015 and 30 September 2015. Did Dennis Wright receive any mailings from these two people or agency during the start of this Month 8 July 2015, thru the ending month 30 Sept 2015.

Disposition: Complete
Officer:
Disposition Date: 12/01/15 10:23

Request Responses

Date	Author	Note
12/01/15 10:14	c38044	JULY-- I have the SC Supreme Court (received on 7/6/14 and signed for on 7/7/15) and SC Admin. Law Ct. (Received on 7/30/15 and signed for on 7/31/15) I searched the whole month of July and these are the only 2 you received. AUGUST--SC Supreme court and SC Ct admin. d(received both on 8/17/15 and both signed for on 8/18/15) SC Supreme Ct. (rec'd on 8/26/15 signed on 8/27/15) SC Supreme Ct(rec'd on 8/24/15 signed 8/25/15) <P>August 28th signed for and received SC CT Admin. 8/1/15 SC Supreme Ct. Received on 8/31/15 signed for on 9/1/15 Hope this helps</P>
12/01/15 10:25	c38044	

FILED
 2016 JUL -1 PM 3: 37
 SHARON STAGGERS
 CLERK OF COURT
 KINGSTREE, S.C.

Inmate Request

Today's Date: 3/9/16 10:35

Exhibit 4B

Name: WRIGHT, DENNIS LEE
Booking #: 343201
Permanent #: 343201

Reference #: 15-902366
Date Requested: 11/19/15 10:07
Request Type: Mail
Requested By: Kiosk

Exhibit 25

Request Details: Greetings Ma'am the time frame needed in my previous request would be from 8 July 2015 through 19 JULY 2015. This mail coming from Attorney F Casey Dale Cornwell. To me here at LCI. I thank you for your time and efforts concerning this matter.

Disposition: Complete
Officer:
Disposition Date: 12/01/15 10:02

Request Responses

Date	Author	Note
12/01/15 10:04	c38044	No, I have the SC:Supreme Court (received on 7/6/14 and signed for on 7/7/15) and SC Admin. Law Cl. (Received on 7/30/15 and signed for on 7/31/15) I searched the whole month of July and these are the only 2 you received.

FILED
2016 JUL -1 PM 3:37
SHARON L. MOORE
CLERK OF COURT
KINGS TREE, S.C.

Exhibit 4c

Exhibit 26

http://redocoffendmange.com/~c304H@LRE - OMS - v.4.8.5 - Internet Explorer

PROVIS Offender Management System

OMS Messages: 0 new Search By: Go

Home My Home Settings Tools Reports Help

Home	WAGNER, D'ANILEE	Release	Location	LEP	Phone	145571	Print Section	Initiate Status
Age	DOB	SSN	SSR	Block	CR	CR	Plans Needed	ECOP
Sex	Race	SCDC#	362281	CR	CR	CR		

Request Information

Request Type: Reference: 15-284505
 Date Received: 07/09/2015 07:53
 Requested By: [Name]
 Request Details: Greyness, Iliem. I'm requesting the following information please: Has any legal mailings from Williamsburg County or Sheriff Paulsen Daily Cash Control come through your office and what are the dates from 9 July 2015 through 30 Sept 2015. I thank you for your time and efforts concerning this matter. Thank you.
 Review Level: [Level]
 Disposition: Complete
 City of: N.C.S.C.
 Escrow/Case: 151170015 07/27

Request Responses

Date	Author	Note
151170015 07/27	Doris Cochran	We need a more specific date as to when Fay said they had the mail (ie around July 20-19th)

Ready (1) 16775033 SCDC1311 NORM 01.011

2016 JUL -1 PM 3:37
 FILED
 CLERK OF COURT
 KINGSTREE, S.C.

Dennis Wright, Petitioner

Exhibit 27

V
State of South Carolina Respondent

Appellate Case No. 2015-002424

Lower Court Case No. 2012 CP450040

my name is Dennis Wright a prisoner
against my will an Innocent man #34-3201.

FILED
2016 JUL - 1 PM 3:31
RECEIVED
CLERK OF COURT
WILKINSON COUNTY
SOUTH CAROLINA

This is a motion to Amend the motion dated
11 March, 2016 to reconsider the dismissal order
dated 1 March, 2016.

Additional information has come into the
possession of the petitioner concerning visits
made by those agencies during the time
frame for appeal (Williamsburg County, Fulton
Casey Dale Cornwell attorney and, Judge Jones).
SEE: Exhibit #5 Reference *16-048632* This
information is in addition, to show NO legal mail
was received from those same agencies, therefore
petitioner was Never informed from the PCR
Court of any decision concerning the lower court
case. Petitioner's only option was to file a
belated appeal. Petitioner, as of this date, has
yet still Never received a copy of the dismissal
order. I am Dennis Wright a prisoner No. 34
3201.

Innocent!!!

* ON PAGE 2 Note: Visitation*

Refer: 16-048632 Exhibit 5

- Also please SEE: letter dated
6 July, 2015. Received July 8, 2015
South Carolina Bar, enclosed

Dennis Wright
18 MARCH, 2016

Exhibit #
Reference 16-048632

Exhibit
28



NIKKI R. HALEY, Governor
BRYAN P. STIRLING, Director

Dennis Wright #343201
Lee Correctional Institution

Dear Inmate Wright:

The purpose of this letter is to respond to your inquiry regarding legal visits to you from Attorney Fulton Casey Cornwell, Clerk of Court Sharon Staggers, or Judge James during the time period of July 1, 2015 to August 31, 2015.

I personally checked with the office here that schedules legal visits. That office maintains a log of all scheduled legal visits. The log shows no legal visits from any of the above-noted individuals for the time frame of July 1, 2015 to August 31, 2015.

I trust that this serves to address your question.

James E. Sligh, Jr. 3/17/16
James E. Sligh, Jr., Programs Manager
Lee Correctional Institution

2016 JUL - 1 PM 3:37
SHARON M. STAGGERS
CLERK OF COURT
KINGSTREE, S.C.
FILED

RECEIVED

JUL 08 2015

6 July, 2015

South Carolina Bar

Sir/Ma'am

Pg 1 of 2

Exhibit :

My name is Dennis Wright 343201 an Innocent man. Please find enclosed this envelope, this letter with attachments my concerns with Court appointed attorney

F Casey Dale Cornwell

I have never been able to contact him since his appointment as my attorney. He refused to Amend my PCR application as requested (7) seven times, even when certified mailings sent, no phone number to reach him either.

FILED
JUL - 1 2015
CLERK OF COURT
KINGSTREE, SC

* Therefore to protect my rights to a 59e motion if all issue(s) are not ruled upon by Judge James who handled my PCR hearing in Sumter County 13 April, 2015. Please instruct him to file a 59e motion with the court on All issue(s) presented to the court if not ruled upon by Judge James' order. I'm sending this letter to your office requesting that you please forward to

F Casey Dale Cornwell

who has refused yet another certified mailing with his work address or contact information given to me by your office(s) (Enclosed) Please return my request a copy clock stamped to me at my address.

Also please find my request for production of my PCR case file; In the matter of Haddock also requested to be forwarded

15 total pages

Pg 2 of 2

to : F Casey Dale Cornwell

Exhibit 30

I thank you for your time and effort(s)
 concerning this matter. I am prisoner #
 343201. Dennis Wright

Innocent !!!

I am not going to Abandon any
 of my issue(s)

Thank you

cc: South Carolina Supreme Court
 South Carolina office of Disciplinary Counsel
 South Carolina Bar
 U.S. Justice Department
 fk

2016 JUL -1 PM 3:37
 SHARON R. HARRIS
 CLERK OF COURT
 KINGSTREE, S.C.

FILED

Exhibit 31



Michelle Dennis
FEE DISPUTES COORDINATOR

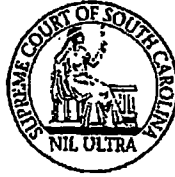
Fulton- Casey Dale Cornwell
448 Deerwood St.
Unit 9A
COLUMBIA, SC 29205

2016 JUL -1 PM 3:38
CLERK OF COURT
KINGSTREE, S.C.

FILED

950 Taylor Street
P.O. Box 608
Columbia, SC 29202-0608
803-799-6653, ext. 163
803-799-5290 Fax
mdennis@schar.org
www.schar.org

Exhibit 32



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
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

January 28, 2016

Mr. Dennis Lee Wright, 343201
Lee Correctional Institution
990 Wisacky Highway
Bishopville SC 29010

Re: Dennis Wright v. State
Appellate Case No. 2015-002424

2016 JUL - 1 PM 3:38
FILED
CLERK OF COURT
KINGS REE, S.C.

Dear Mr. Wright:

This responds to your letter dated January 25, 2016.

As requested, I have enclosed a copy a post-conviction relief application form along with a civil action cover sheet form.

Your letter of November 23, 2015, was construed as a *pro se* notice of appeal.

Further, while you did not provide a copy of the order under appeal with your *pro se* notice of appeal, this office has obtained a copy of the order that was filed with the circuit court.

As to your request for a copy of all the documents that have been filed in this appellate case (including your latest letter and its attachments), I can provide you with a copy for \$ 18.90. This represents the cost of copying 66 pages at our standard rate 25 cents a page plus a mailing fee of \$2.40. If you would like a copy, please send a check or money order in the above amount payable to the South

SEE: letter dated
25 Nov, 2015
→

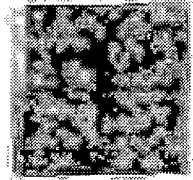
FILED

2016 JUL -1 PM 3:38

CLERK OF COURT
KINGSTREE, S.C.

Williamsburg County Clerk of Court
125 W. Main Street
Kingstree, SC 29556

313701



016H25514561

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03/17/2016

Mailed From 29556
US POSTAGE

RECEIVED

MAR 22 2016

LEE CORRECTIONAL INST

DENNIS WRIGHT
LEE CORRECTIONAL INST. F6B-1254
990 WISACKY HWY
BISHOPVILLE SC 29010

2901021775 C002



STATE OF SOUTH CAROLINA)
 COUNTY OF WILLIAMSBURG)
)
)
 Dennis Wright, #343201,)
)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
)
 Respondent.)
 _____)

IN THE COURT OF COMMON PLEAS
 THIRD JUDICIAL CIRCUIT

2016-CP-45-00292

**RETURN AND PARTIAL
 MOTION TO DISMISS**

Respondent, making its Return to the application for post-conviction relief (PCR) filed July 1, 2016, would respectfully show this Court:

I.

Applicant is presently confined in the South Carolina Department of Corrections pursuant to the Williamsburg County Clerk of Court's orders of commitment. The Williamsburg County Grand Jury indicted Applicant at the July 2009 term for criminal sexual conduct, first degree and abuse of a vulnerable adult (2009-GS-45-199). Charles David Barr, Esquire, represented Applicant. On October 14, 2010, Applicant appeared before The Honorable Clifton Newman. Applicant pled guilty to both charges as indicted. Judge Newman sentenced Applicant twenty years' imprisonment for criminal sexual conduct and five years for abuse of a vulnerable adult. The sentences are set to run concurrently.

A timely notice of appeal was filed. The South Carolina Court of Appeals affirmed Applicant's convictions and sentences. State v. Wright, Op. No. 2012-UP-408 (S.C. Ct. App. filed July 11, 2012). The Remittitur was sent on July 27, 2012.

2012-CP-45-0403

Applicant filed an application for post-conviction relief (PCR) on July 21, 2012, alleging ineffective assistance of counsel and prosecutorial misconduct. An evidentiary hearing on the matter was convened on April 13, 2015, at the Sumter County Courthouse before the Honorable George C. James, Jr. Applicant was present at the hearing and was represented by Casey Cornwell, Esquire. Respondent was represented by Assistant Attorney General Daniel Gourley of the South Carolina Attorney General's office. Judge James denied Applicant's application for post-conviction relief on June 26, 2015.

On November 23, 2015, Applicant filed a *pro se* notice of intent to appeal Judge James's Order of Dismissal. After Applicant's attorney failed to provide proof that the notice of appeal was timely served, the Supreme Court of South Carolina dismissed Applicant's appeal on March 1, 2016. Applicant filed a motion for reconsideration and a motion to appoint new counsel. Both motions were denied on June 15, 2016. The Remittitur was issued on June 15, 2016.

II.

In his current application for post-conviction relief, Applicant alleges that he is being unlawfully held in custody for the following reasons:

1. Ineffective Assistance of PCR Counsel

- a. "PCR counsel failed to file the 59(e), upon the judge's Order of Dismissal. Applicant expressed to his PCR counsel thru letters dated May 26, 2015 that he wanted PCR counsel to file the Rule 59(e) (Exhibit 1) against the Order of Dismissal, so all of Applicant's issues would be preserved. Applicant also sent several letters to PCR Counsel to Amend his PCR application, which PCR Counsel never amended Applicant application. See Exhibits (Exhibit 2 & 3). This is in violation of his rights to due process of law and effective assistance of Counsel. See Austin v. State, 305 S.C. 453; 409 S.E.2d 395 (1991)."

For the purposes of this Return, Respondent incorporates herein and by reference the records of the Williamsburg County Clerk of Court, the Applicant's records from the South

Carolina Department of Corrections, the record on appeal, Applicant's prior application for post-conviction relief, the Order of Dismissal, and Applicant's current application for post-conviction relief. Respondent reserves the right to amend this Return upon receipt of any relevant materials.

III.

Applicant alleges that he was denied the right to appeal the dismissal of his previous post-conviction relief application. Pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991), a post-conviction relief applicant may petition the South Carolina Supreme Court for discretionary review of the dismissal of their application. Respondent lacks sufficient information to admit or deny this allegation. Respondent requests an evidentiary hearing on this ground for relief. Sharper, Id.; Austin, 305 S.C. 453, 409 S.E.2d 395.

IV.

Respondent submits this all other allegations in the application for Post-Conviction Relief beyond Austin review should be summarily dismissed because it is a successive application for post-conviction relief and raises a claim that is not proper for post-conviction relief. Successive applications for post-conviction relief are disfavored. Land v. State, 274 S.C. 243, 262 S.E.2d 735 (1980). S.C. Code Ann. § 17-27-90 (1985) states:

All grounds for relief available to an applicant under this chapter must be raised in his original, supplemental or amended application. Any ground finally adjudicated or not so raised, or knowingly, voluntarily and intelligently waived in the proceeding that resulted in the conviction or sentence, or in any other proceeding the applicant has taken to secure relief, may not be the basis for a subsequent application, unless the court finds a ground for relief asserted which, for sufficient reason, was not asserted or was inadequately raised in the original, supplemental or amended application.

Under this statute, successive post-conviction relief applications are forbidden unless an applicant can point to a "sufficient reason" why new grounds for relief were not raised or were not properly raised in previous applications. Aice v. State, 305 S.C. 448, 409 S.E.2d 392 (1991). Respondent submits this application should also be dismissed because it raises a claim that is not proper for post-conviction relief.

Applicant's contention that he received ineffective assistance of counsel on his prior post-conviction relief application is not a ground for relief and is not a sufficient claim to warrant a successive application. There is no constitutional right to appointed counsel for collateral review of a conviction. Pennsylvania v. Finley, 481 U.S. 551 (1987). The Sixth Amendment right to effective assistance of counsel does not extend to state post-conviction relief actions. Coleman v. Thompson, 501 U.S. 722 (1991).

The South Carolina Supreme Court in Aice v. State held that the PCR rules "contemplate an adjudication on the merits of the original petition, one bite at the apple as it were." 305 S.C. 448, 452, 409 S.E.2d 392, 395 (1991) (citing Gamble v. State, 298 S.C. 176, 178, 379 S.E.2d 118, 119 (1989)). Finality must be realized at some point in order to achieve a semblance of effectiveness in dispensing justice. Id. at 451, 409 S.E.2d at 395. The Court in Aice further held that "the contention that prior PCR counsel was ineffective is not per se a "sufficient reason" allowing for a successive PCR application under § 17-27-90." Id. at 452, 409 S.E.2d at 394. Respondent submits the Applicant's contention that prior PCR counsel was ineffective is not *per se* a sufficient reason warranting a successive PCR application under '17-27-90. This Court should summarily dismiss this allegation with prejudice.

V.

Respondent submits that all allegations beyond Austin review should be summarily dismissed for failure to comply with the filing procedures of the Uniform Post-Conviction Procedure Act. S.C. Code Ann. §17-27-10 to -160. S.C. Code Ann. §17-27-45(a) reads as follows:

An application for relief filed pursuant to this chapter must be filed within one year after the entry of a judgment of conviction or within one year after the sending of the remittitur to the lower court from an appeal or the filing of the final decision upon an appeal, whichever is later.

The South Carolina Supreme Court has held that the statute of limitations shall apply to all applications filed after July 1, 1996. Peloquin v. State, 321 S.C. 468, 469 S.E.2d 606 (1996). The Applicant pled guilty to the aforementioned offense on February 13, 2012. Therefore, the Applicant was required to file his application by February 14, 2013. This application was filed on March 2, 2016, which was *over four years* past the expiration of the statutory period.

A motion for summary judgment may properly be used to raise the defense of statute of limitations. McDonnell v. Consolidated School District of Aiken, 315 S.C. 487, 445 S.E.2d 638 (1994). In addition, S.C. Code Ann. § 17-27-70(c) (2003) authorizes the Court to “grant a motion by either party for summary disposition of [an] application when it appears from the pleadings ... that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.” Therefore, Respondent submits that this Court should summarily dismiss these allegations for failure to file within the time mandated by the Post-Conviction Procedure Act.

VI.

Respondent denies each allegation that is not expressly admitted, qualified or explained.

VIII.

WHEREFORE, Respondent moves to dismiss all allegations beyond Austin review in the application because they are successive, they were filed after the statute of limitations had expired and they are improper because post-conviction relief is not the proper ground for Applicant's relief sought. Furthermore, Respondent requests an evidentiary hearing solely on the issue of Applicant's request for a belated appeal of his first application for post-conviction relief pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991).

Respectfully submitted,

ALAN WILSON
Attorney General

ROBERT BOLCHOZ
Chief Deputy Attorney General

DONALD J. ZELENKA
Deputy Attorney General

JULIE A. COLEMAN
Assistant Attorney General

P.O. Box 11549
Columbia, S.C. 29211

By:


Attorneys for the Respondent

Columbia, South Carolina
March 3, 2017

STATE OF SOUTH CAROLINA)

COUNTY OF WILLIAMSBURG)

DENNIS WRIGHT, #343201)

Applicant,)

vs)

STATE OF SOUTH CAROLINA,)

Respondent.)

IN THE COURT OF COMMON PLEAS

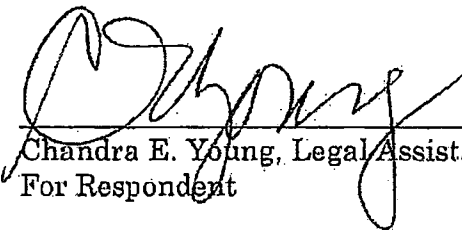
2016-CP-45-0292

AFFIDAVIT OF SERVICE BY MAIL

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the Return in the above-captioned matter on the following person(s) by depositing same in the United States mail, postage prepaid:

Lance S. Boozer
 1400 Laurel Street, Suite 4A
 Columbia, SC 29201

DATED this 3rd day of March, 2017.


 Chandra E. Young, Legal Assistant
 For Respondent

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INDEX

Post Conviction Relief Hearing 03/27/173

Certificate6

INDEX OF WITNESSES

(Court Reporter's Note: There was no direct or cross examination of any witnesses.)

INDEX OF EXHIBITS

(Court Reporter's Note: No exhibits were marked or received into evidence.)

1 (The following proceedings are reported on
2 March 27, 2017.)

3 THE COURT: Call your case, please.

4 MS. COLEMAN: Yes. May it please the Court.

5 This is Dennis Wright versus the State of South
6 Carolina, Docket Number 2016-CP-45-292. I will just
7 summarize the procedural history very quickly.

8 He was indicted in July 2009 for criminal
9 sexual conduct first degree and abuse of a vulnerable
10 adult. He went to trial and was convicted as indicted
11 at trial. He filed an appeal. He had his direct
12 appeal.

13 He subsequently filed an application for post
14 conviction relief. On his first application, he was
15 represented by Mr. Casey Cornwell. It was denied and
16 dismissed. He attempted to appeal his first -- the
17 denial of his post conviction relief action, but it was
18 filed pro se, and the Court dismissed his appeal.

19 So Mr. Wright is back today with a second
20 application for post conviction relief requesting
21 several things, including a belated appeal pursuant to
22 Austin v. State.

23 Your Honor, at this time I would move to
24 dismiss all allegations beyond the scope of Austin
25 review, but we have had some conversations with

1 Mr. Cornwell who represented him on his first PCR.
2 Based on these conversations, the State is willing to
3 consent to the belated review of his first PCR under
4 Austin.

5 THE COURT: Mr. Boozer?

6 MR. BOOZER: Thank you, Your Honor. If it
7 pleases the Court. Judge, I reviewed, of course, the
8 application with Mr. Wright. One of his allegations is
9 that he feels that Mr. Cornwell didn't do certain things
10 properly at his initial PCR hearing, including not
11 filing a motion to reconsider.

12 I have informed Mr. Wright -- and he
13 understands -- that really the only thing that this
14 Court can do is grant him the belated Austin appeal and
15 not file any other ineffectiveness of Mr. Cornwell,
16 which he understands he can pursue this appeal.

17 We are in agreement and that the proper
18 resolution is the consent by the State.

19 THE COURT: All right. Mr. Wright, if you
20 would stand please, sir.

21 If you would swear him in, please.

22 CLERK: Sir, can I get you to raise your right
23 hand.

24 State your name.

25 MR. WRIGHT: My name is Dennis Lee Wright.

1 DENNIS C. WRIGHT is first duly
2 sworn.

3 THE COURT: Mr. Wright, how are you doing
4 today, sir?

5 MR. WRIGHT: Very good, sir.

6 THE COURT: Do you understand what is going on
7 here?

8 MR. WRIGHT: Yes, I do, sir.

9 THE COURT: Do you have any questions you wish
10 to ask of the Court?

11 MR. WRIGHT: No, sir.

12 THE COURT: Very well. Get me an order with
13 the regards to that consent.

14 MS. COLEMAN: Yes, Your Honor. Thank you.

15 *** END OF REQUESTED TRANSCRIPT OF RECORD ***
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C E R T I F I C A T E

I, the undersigned L. Coconut Pantsari, Official Reporter for the Third Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of all the proceedings had and the evidence introduced in the hearing of the captioned cause, relative to appeal, in the Civil Court for Sumter County, South Carolina, on the 27th day of March, 2017.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

May 27, 2017

s/L. Coconut Pantsari

Court Reporter

STATE OF SOUTH CAROLINA)
COUNTY OF WILLIAMSBURG)

Dennis Wright, #343201,)

Applicant,)

v.)

State of South Carolina,)

Respondent.)

IN THE COURT OF COMMON PLEAS
THIRD JUDICIAL CIRCUIT

2016-CP-45-00292

CONSENT ORDER GRANTING AN
APPEAL PURSUANT TO
AUSTIN V. STATE¹

FILED
MAY 11 2017
CLERK OF COURT

This matter comes before the Court pursuant to an application for post-conviction relief filed July 1, 2016. Respondent filed its Return and Partial Motion to Dismiss on March 3, 2017, requesting an evidentiary hearing be convened solely on the issue of whether Applicant was entitled to an appellate review of his first post-conviction relief action pursuant to Austin. Lance Boozer, Esquire, was appointed to represent Applicant by the Williamsburg County Clerk of Court. An evidentiary hearing was held on March 27, 2017, at the Sumter County Courthouse. Applicant was present and represented by counsel, Boozer. Assistant Attorney General Julie A. Coleman of the South Carolina Attorney General's Office represented Respondent.

I. PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections pursuant to the Williamsburg County Clerk of Court's orders of commitment. The Williamsburg County Grand Jury indicted Applicant at the July 2009 term for criminal sexual conduct, first degree and abuse of a vulnerable adult (2009-GS-45-199). Charles David Barr, Esquire, represented Applicant. On October 14, 2010, Applicant appeared before The Honorable Clifton Newman. Applicant pled guilty to both charges as indicted. Judge Newman sentenced Applicant twenty

¹ Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991).

DCB
p. 10/14

years' imprisonment for criminal sexual conduct and five years for abuse of a vulnerable adult. The sentences are set to run concurrently.

A timely notice of appeal was filed. The South Carolina Court of Appeals affirmed Applicant's convictions and sentences. State v. Wright, Op. No. 2012-UP-408 (S.C. Ct. App. filed July 11, 2012). The Remittitur was sent on July 27, 2012.

2012-CP-45-0403

Applicant filed an application for post-conviction relief (PCR) on July 21, 2012, alleging ineffective assistance of counsel and prosecutorial misconduct. An evidentiary hearing on the matter was convened on April 13, 2015, at the Sumter County Courthouse before the Honorable George C. James, Jr. Applicant was present at the hearing and was represented by Casey Cornwell, Esquire. Respondent was represented by Assistant Attorney General Daniel Gourley of the South Carolina Attorney General's office. Judge James denied Applicant's application for post-conviction relief on June 26, 2015.

On November 23, 2015, Applicant filed a pro se notice of intent to appeal Judge James's Order of Dismissal. After Applicant's attorney failed to provide proof that the notice of appeal was timely served, the Supreme Court of South Carolina dismissed Applicant's appeal on March 1, 2016. Applicant filed a motion for reconsideration and a motion to appoint new counsel. Both motions were denied on June 15, 2016. The Remittitur was issued on June 15, 2016.

Applicant subsequently filed this second application for post-conviction relief on July 1, 2016 (2016-CP-45-00292). In his current Application, the Applicant alleges that he is being held in custody unlawfully for the following reasons:

1. Ineffective Assistance of PCR Counsel
 - a. "PCR counsel failed to file the 59(e), upon the judge's Order of Dismissal. Applicant expressed to his PCR counsel thru letters dated May 26, 2015 that he wanted PCR counsel to file the Rule 59(e)

DCB
P 7/1/16

(Exhibit 1) against the Order of Dismissal, so all of Applicant's issues would be preserved. Applicant also sent several letters to PCR Counsel to Amend his PCR application, which PCR Counsel never amended Applicant application. See Exhibits (Exhibit 2 & 3). This is in violation of his rights to due process of law and effective assistance of Counsel. See Austin v. State, 305 S.C. 453; 409 S.E.2d 395 (1991)."

At the outset of the evidentiary hearing, Respondent renewed its Motion to Dismiss All Claims Beyond Austin Review of the First PCR. This Court granted the motion and the hearing proceeded on the claim of Austin relief.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Applicant alleged that he was denied the right to appeal the dismissal of his previous post-conviction relief application. Pursuant to Austin, a post-conviction relief applicant may petition the South Carolina Supreme Court for discretionary review of the dismissal of his prior application. Prior to the start of the evidentiary hearing, the State indicated to this Court that it consented to an Austin review.

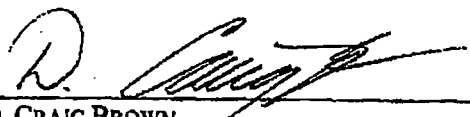
After review of the facts and circumstances surrounding the waiver of Applicant's right to appeal the denial of his post-conviction relief application, this Court finds that Applicant is entitled to appeal the denial of his post-conviction relief application (2014-CP-43-2142). Pursuant to Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991), post-conviction relief applications may petition the South Carolina Supreme Court for discretionary review of the dismissal of their application. This Court finds that Applicant did not voluntarily waive his right to appeal the post-conviction relief court's denial and dismissal of his prior post-conviction relief action.

Based on the foregoing, this Court finds that the granting of an appeal of Applicant's first post-conviction relief action (2014-CP-43-2142) pursuant to Austin v. State is warranted.

IT IS THEREFORE ORDERED:

1. That Applicant be granted an appeal of case 2012-CP-45-0403 pursuant to Austin v. State; this second application for post-conviction relief is hereby denied and dismissed with prejudice;
2. Within thirty (30) days of the service of this Order, counsel for Applicant must file a Notice of Appeal to secure the appropriate appellate review of Applicant's first post-conviction relief action. Counsel and Applicant are directed to King v. State, 308 S.C. 348, 417 S.E.2d 868 (1992) and Rule 243, SCACR, for the appropriate procedure for a belated appeal; and
3. That Applicant remain in the custody of the South Carolina Department of Corrections.

AND IT IS SO ORDERED this 7 day of April, 2017.



D. CRAIG BROWN
Presiding Judge
Third Judicial Circuit

Florence, South Carolina.

DCB
P. 4 of 4

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

APPEAL FROM WILLIAMSBURG COUNTY
Court of Common Pleas

JUN 01 2017

S.C. SUPREME COURT

The Honorable D. Craig Brown, Circuit Court Judge

Case No. 16-CP-45-292

Dennis Wright, #343201.....Petitioner,

v.

State of South Carolina.....Respondent.

NOTICE OF APPEAL

Now comes the Petitioner, by and through his undersigned and appointed Attorney, stating Petitioner's Notice of Appeal should be heard pursuant to the Final Order of the Honorable D. Craig Brown which granted an *Austin* review of the Honorable George C. James' Final Order dated June 26, 2015, in Case No. 2012-CP-45-403. The Petitioner received written notice of the Final Order granting an *Austin* review on May 31, 2017. A copy of the Final Order is attached herewith.

Respectfully submitted,



Lance S. Boozer
The Boozer Law Firm, LLC
1400 Laurel Street, Suite 4A
Columbia, SC 29201
Tele: 803-608-5543

Columbia, South Carolina
May 31, 2017

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

JUN 01 2017

APPEAL FROM WILLIAMSBURG COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable D. Craig Brown, Circuit Court Judge

Case No. 16-CP-45-292

Dennis Wright, #343201.....Petitioner,

v.

State of South Carolina,.....Respondent.

PROOF OF SERVICE

I, Lance S. Boozer, attorney for Petitioner, certify that I have today served within Notice of Appeal upon the Respondent by depositing a copy of it in the United States Mail, postage prepaid, addressed to Assistant Attorney General Julie Coleman, P.O. Box 11549, Columbia, SC 29211. I further certify that all parties required by Rule to be served have been served this 31st day of May, 2017.



Lance S. Boozer
The Boozer Law Firm, LLC
1400 Laurel Street, Suite 4A
Columbia, SC 29201
Tele: 803-608-5543

WITNESSES

SHERIFF'S OFFICE

Pamela Lail

ARREST WARRANT NUMBER

M 060543 & M 060544

D/A: 02/23/09

ACTION OF GRAND JURY

True Bill

Sara J. Higgins
Foreperson of Grand Jury
Date: *7/2/09*

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2009-GS-45-199

The State of South Carolina

County of WILLIAMSBURG

COURT OF GENERAL SESSIONS

JULY TERM 2009

THE STATE
vs.

DENNIS LEE WRIGHT

Indictment for

CRIMINAL SEXUAL CONDUCT-- FIRST
DEGREE AND ABUSE OF
VULNERABLE ADULT)

C. KELLY JACKSON, SOLICITOR

FILED

09 JUL -2 AM 1:39

CAROLYN F. WILLIAMS
CLERK OF COURT
KING'S TREE, S.C.

A CERTIFIED TRUE COPY

Carolyn F. Williams

CAROLYN F. WILLIAMS
CLERK OF COURT
WILLIAMSBURG COUNTY

STATE OF SOUTH CAROLINA)
)
 COUNTY OF WILLIAMSBURG) **INDICTMENT FOR**
CRIMINAL SEXUAL CONDUCT- FIRST DEGREE
AND ABUSE OF VULNERABLE ADULT

At a Court of General Sessions, convened on July 6, 2009, the Grand Jurors of WILLIAMSBURG County present upon their oath:

COUNT ONE - CRIMINAL SEXUAL CONDUCT- FIRST DEGREE- § 16-3-652

That **DENNIS LEE WRIGHT** did in Williamsburg County between February 15, 2009 and February 22, 2009, commit the offense of criminal sexual conduct in the second degree; in that he did engaged in sexual battery with the victim through the use of aggravated force, in violation of Section 16-3-652 of the Code of Laws of South Carolina (1976), as amended.

COUNT TWO - EXPLOITATION OF VULNERABLE ADULT - § 43-35-85 (B)

That **DENNIS LEE WRIGHT** did in Williamsburg County between February 15, 2009 and February 22, 2009, did knowingly and wilfully abused the victim, a vulnerable adult, by forcibly committing a sexual assault upon her, in violation of Code Section 43-35-85 (B) of the Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

FILED
 09 JUL -2 AM 1:39
 CAROLYN E. WILLIAMS
 CLERK OF COURT
 KINGSTREE, S.C.

A CERTIFIED TRUE COPY _____
C. Kelly Jackson
 SOLICITOR
Carolyn E. Williams
 CAROLYN E. WILLIAMS
 CLERK OF COURT
 WILLIAMSBURG COUNTY

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS 563

COUNTY OF WILLIAMSBURG

INDICTMENT/CASE#: 2009-GS-45-0199

STATE VS.

DENNIS L. WRIGHT

AW#: M060543

AKA:

Date of Offense: February 19, 2009

Race: Black

Sex: Male

Age:

S.C. Code §: 16-03-0652

DOB:

SS#:

CDR Code #: 0160

Address:

SENTENCE SHEET

DL#

SID#

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Criminal Sexual Conduct in the 1st degree

In violation of § 16-3-652 of the S.C. Code of Laws, bearing CDR Code # 0111610

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45 (CSC w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (Defendant Initial)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Charles D. Barr

Solicitor

SC Bar #

Defendant

Attorney for Defendant

SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 20 days/months/years or under the Youthful Offender Act not to exceed ___ years and/or to pay a fine of \$___; provided that upon the service of ___ days/months/years and/or payment of \$___; plus costs and assessments as applicable; the balance is suspended with probation for ___ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

PURSUANT TO 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-85 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred, Defendant Waives Hearing, PTUP

Ordered

Total: \$___ plus 20% fee: \$___

Payment Terms:

Set by SCDPPPS

Recipient:

*Fine:

\$14-1-208 (Assessments 107.5%)		\$	\$
\$14-1-211(A)(1) (Conv. Surcharge)	\$100	\$	\$
\$14-1-211(A)(2) (DUI Surcharge)	\$100	\$	\$
\$56-5-2995 (DUI Assessment)	\$12	\$	\$
\$56-1-286 (DUI Breath Test)	\$25	\$	\$
\$47.12 (Public Def/Prob)	\$500	\$	\$
\$14-1-212 (Law Enforce. Funding)	\$25	\$	\$
\$14/1/213 (Drug Court Surcharge)	\$100	\$	\$
\$50-21-114(BUI Breath Test Fee)	\$50	\$	\$
\$56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	\$
\$90.7 (SCCJA Surcharge)	\$5	\$	\$
3% to County (if paid in installments)		\$	\$
TOTAL		\$	\$

days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling

Random Drug/Alcohol Testing

Fine may be pd. in equal, consecutive weekly/monthly

prmts. of \$___ beginning _____

\$___ paid to Public Defender Fund

Other:

CAROLYN F. WILLIAMS

CLERK OF COURT

WILLIAMSBURG COUNTY

Appointed PD or appointed other counsel, \$47.12 requires \$500 be paid to Clerk during probation.

PRESIDING JUDGE

Judge Code: 2 1 2 7

Sentence Date: 10 1 14 1 2010 1

Carolyn F. Williams
Clerk of Court/ Deputy Clerk

Court Reporter: Margaret Sullivan

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF WILLIAMSBURG
STATE VS.

INDICTMENT/CASE#: 2009-GS-45-0199

DENNIS L. WRIGHT

A/W#: M060544

AKA:
Race: Black Sex: Male Age:
DOB: SS#:

Date of Offense: February 19, 2009
S.C. Code §: 43-35-0085(B)
CDR Code #: 2655

Address:

SENTENCE SHEET

DL# SID#

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Abuse of Vulnerable Adult

In violation of § 43-35-0085(B) of the S.C. Code of Laws, bearing CDR Code # 2161515

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS \$17-25-45
(CSC w/minor 1st or Lawd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (Defendant Initial)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Solicitor

SC Bar #

Defendant

Charles D Barr
Attorney for Defendant

SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center, for a determinate term of 5 days/months/years or under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$____; provided that upon the service of _____ days/months/years and/or payment of \$____; plus costs and assessments as applicable*; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: _____

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

PURSUANT TO 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-85 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred, Defendant Waives Hearing, PTUP

Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms:

Set by SCDPPPS

Recipient:

*Fine:

\$14-1-206 (Assessments 107.5%)		\$
\$14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
\$14-1-211(A)(2) (DUI Surcharge)	\$100	\$
\$56-5-2995 (DUI Assessment)	\$12	\$
\$56-1-286 (DUI Breath Test)	\$25	\$
\$47.12 (Public Def/Prob)	\$500	\$
\$14-1-212 (Law Enforce. Funding)	\$25	\$
\$14/1/213 (Drug Court Surcharge)	\$100	\$
\$50-21-114(BUI Breath Test Fee)	\$50	\$
\$56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
\$80.7 (SCCJA Surcharge)	\$5	\$
3% to County (if paid in installments)		\$
TOTAL		\$

_____ days/hours Public Service Employment

Obtain GED
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling
Random Drug/Alcohol Testing
FINE TRUE COPY
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____
\$ _____ paid to Public Defender Fund

Other: CAROLYN F. WILLIAMS
CLERK OF COURT
WILLIAMSBURG COUNTY

Appointed PD or appointed other counsel, \$47.12 requires \$500 be paid to Clerk during probation.

Carolyn F. Williams
Clerk of Court/ Deputy Clerk
Court Reporter: Margaret Sullivan

PRESIDING JUDGE G. Heard
Judge Code: 2127
Sentence Date: 10 / 14 / 2010

565

ARREST WARRANT

M-060543

STATE OF SOUTH CAROLINA
County/ Municipality of
WILLIAMSBURG

THE STATE
against

CERTIFIED TRUE COPY

CAROLYN F. WILLIAMS
CLERK OF COURT
WILLIAMSBURG COUNTY

STATE OF SOUTH CAROLINA

County/ Municipality of
WILLIAMSBURG

AFFIDAVIT

Form Approved by
S.C. Attorney General
July 26, 1993
SCCA 518

Personally appeared before me the affiant INV. PAMELA LAIL who
being duly sworn deposes and says that defendant DENNIS LEE WRIGHT
did within this county and state on 02/19/2009 to 02/19/2009 violate the criminal laws of the
State of South Carolina (or ordinance of County/ Municipality of WILLIAMSBURG)

try the following particulars:
DESCRIPTION OF OFFENSE: 16-03-0652 / CRIMINAL SEXUAL CONDUCT-FIRST DEGREE

DENNIS LEE WRIGHT

Address:

Phone: SSN: 4

Sex: M Race: B Height: 5-9 Weight: 187

DL State: SC DL#:

DOB: Agency ORI#: SC0450000

Prosecuting Agency: WCSO

Prosecuting Officer: INV. PAMELA LAIL

Offense: CRIMINAL SEXUAL CONDUCT-FIRST DEGREE Offense Code: 0160

Code/Ordinance Sec. 16-03-0652

This warrant is CERTIFIED FOR SERVICE in the
County/ Municipality of

The accused
is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant DENNIS LEE WRIGHT
on 2/23/09

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
WILLIAMSBURG COUNTY MAGISTRATE
209 SHORT STREET
KINGSTREE, SC 29556
(843) 355-9565

CAROLYN F. WILLIAMS
CLERK OF COURT
WILLIAMSBURG COUNTY

STATE OF SOUTH CAROLINA

County/ Municipality of
WILLIAMSBURG

Affiant's Address WMSBG CO SHERIFF, 126 S JACKSON ST.
KINGSTREE SC 29556
Affiant's Telephone 843-355-6381

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that
on 02/19/2009 defendant DENNIS LEE WRIGHT
did violate the criminal laws of the State of South Carolina (or ordinance of
County/ Municipality of WILLIAMSBURG) as set forth below:
DESCRIPTION OF OFFENSE: SEX / CRIMINAL SEXUAL CONDUCT - FIRST DEGREE

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said
defendant and bring him or her before me forthwith to be dealt with according to the law. A copy of this Arrest Warrant shall be delivered
to the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me
on 02/23/2009

Signature of Judge (L.S.)
DELORES F WILLIAMS

Judge Code: 5992

Judge's Address 209 SHORT ST.
KINGSTREE SC 29556
Judge's Telephone 843-355-9565

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

Case: 0901544

ARREST WARRANT
M-060544
STATE OF SOUTH CAROLINA
 County/ Municipality of
WILLIAMSBURG

CERTIFIED TRUE COPY
Carolyn F Williams
CAROLYN F. WILLIAMS
CLERK OF COURT
WILLIAMSBURG COUNTY

THE STATE
against

DENNIS LEE WRIGHT
Address: _____
Phone: _____ SSN: _____
Sex: M Race: B Height: 5-9 Weight: 187
DL State: SC DL#: _____
DOB: _____ Agency ORI#: SC0450000
Prosecuting Agency: WCSD
Prosecuting Officer: INV. PAMELA LAIL
Offense: ABUSE/ABUSE OF VULNERABLE ADULT
Offense Code: 2655
Code/Ordinance Sec. 43-35-0085(B)

This warrant is CERTIFIED FOR SERVICE in the
 County/ Municipality of _____
The accused
is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge (L.S.)

Date: _____

RETURN

A copy of this arrest warrant was delivered to
defendant DENNIS LEE WRIGHT
on 2/23/09
[Signature]
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
WILLIAMSBURG COUNTY MAGISTRATE
209 SHORT STREET
KINGSTREE, SC 29556
(843) 355-9565

STATE OF SOUTH CAROLINA)
)
 County/ Municipality of)
WILLIAMSBURG)

AFFIDAVIT

Form Approved by
S.C. Attorney General
July 26, 1990
SABA 316

Personally appeared before me the affiant INV. BRENDA LAMBERT Pamela Lail-off who
being duly sworn deposes and says that defendant DENNIS LEE WRIGHT
did within this county and state on 02/19/2009 to 02/19/2009 violate the criminal laws of the
State of South Carolina (or ordinance of County/ Municipality of WILLIAMSBURG)
in the following particulars:

DESCRIPTION OF OFFENSE: 43-35-0085(B) / ABUSE/ABUSE OF VULNERABLE ADULT

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:

THAT ON OR ABOUT 02-19-09, AT _____, HEMINGWAY, S.C. WHICH IS WITHIN THE JURISDICTION OF
WILLIAMSBURG COUNTY, THE DEFENDANT DID FORCIBLY COMMIT THE OFFENSE OF CRIMINAL SEXUAL CONDUCT 1ST
DEGREE WITH AN 88 YR OLD FEMALE THAT HE WAS PROVIDING CARE. THAT ON ~~THE~~ ABOUT NOVEMBER 2008, THE
DEFENDANT MOVED INTO THE VICTIM'S RESIDENCE TO PROVIDE CARE FOR HER, DUE TO HER ADVANCE AGE. THAT THE
DEFENDANT WAS ALLOWED TO RESIDE IN THE VICTIM'S HOME, FOR SAFETY PURPOSES, SO THAT SHE WOULD NOT BE
ALONE, AT NIGHT. THAT ON THE NOTED DATE, THE DEFENDANT FORCIBLY ENGAGED IN SEXUALLY ASSAULTING THE 88
YR OLD VICTIM AND THEN, THROUGH VERBAL AND NONVERBAL ACTIONS, CAUSED THE VICTIM TO FEAR FOR HER LIFE
AND SAFETY, THEREFORE PREVENTING THE VICTIM FROM REPORTING THE INCIDENT UNTIL WHICH TIME THE
DEFENDANT WAS NOT AT HER RESIDENCE. ALL AGAINST THE PEACE AND DIGNITY OF THE STATE OF S.C. AND THE S.C.
CODE OF LAWS. (0901544)

Signature of Affiant

[Signature]

STATE OF SOUTH CAROLINA)
)
 County/ Municipality of)
WILLIAMSBURG)

Affiant's Address WMSBG CO SHERIFF, 126 S JACKSON ST.
KINGSTREE SC 29556
Affiant's Telephone 843-355-6381

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
It appearing from the above affidavit that there are reasonable grounds to believe that
on 02/19/2009 defendant DENNIS LEE WRIGHT
did violate the criminal laws of the State of South Carolina (or ordinance of
 County/ Municipality of WILLIAMSBURG) as set forth below:
DESCRIPTION OF OFFENSE: ABUSE / ABUSE OF VULNERABLE ADULT

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said
defendant and bring him or her before me forthwith to be dealt with according to the law. A copy of this Arrest Warrant shall be delivered
to the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me)
on 02/23/2009)
Delores F Williams (L.S.))
DELORES F WILLIAMS
Judge Code: 5992

Judge's Address 209 SHORT ST.
KINGSTREE SC 29556
Judge's Telephone 843-355-9565

Issuing Court: Magistrate Municipal Circuit

Case: 0901544

ORIGINAL