

December 26, 2017

To whom it may Concern,

My name is Curt Davis and I am writing this memorandum to go along with the Anders Brief; Appellate case no 2017-00190; written by Taylor D. Gilliam, Appellate Defender, with the South Carolina Commission on Indigent Defense.

I would like to start with the maintaining of my innocence in the case.

I would like to bring light to the emfisses of time in the case. The time from the date of March 21, 2015 to the dates of January 23 and 24, 2017. There is one year and ten months of time from the date of the incident to the dates of the trial. In the transcripts of the case it is stated by the witnesses that they do not remember important facts pertaining to the case.

The investigator in the case did not get the Alarm Code used to activate the alarm system if activated, the Alarm Code used to deactivate the alarm system if deactivated was not brought forward in the trial. There was no video servalance of the closing of the store the night before the incident occured, the video servalance would prove that prope procedure was followed and the alarm System was activated. There was no closing receipt brought forward in the trial to prove proper procedure was followed, the correct amount of money closed with, and who was the employee that closed the store the night before the incident.

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There was a picture of a set of keys in evidence. There was no action taken to prove that the keys used in the incident was apart of those set of keys in evidence.

There was four months of time from the last time Mr. Rice saw me to the incident on the surveillance video. I only worked with Mr. Rice for a year and a half. Mr. Rice stated he knew me for three years prior to the incident which is impossible since I only met him when I started working at the Grease Monkey. Mr. Rice and myself were only roommates for a short period of time; which did not end friendly; before my incarceration in November 2014. Mr. Rice had knowledge of my release from incarceration the evening before the incident occurred. Mr. Rice who called the police first and was the acting manager running the business had time to call around to motels looking for my whereabouts was later identified as the tipster for the police of my location at the motel.

There was atleast six months of time from the last time Mr. Brantley saw me to the incident on the surveillance video. I only worked with Mr. Brantley three months before he was transferred to another store.

Mr. Rice and Mr. Brantley both stated in the transcript they know my movements, my build, my walk, and my stance; entirely to quickly; to the police with the short time of the surveillance video and talking together prior to talking to the police.

The investigator and the judge both mention in the transcript the movement of swaying in the surveillance video in reference to

being an alcoholic when no one else mentions it, I was clean and sober for four months in the Lexington County Detention Center, I had no money upon being released from the Lexington County Detention Center free and clear of all charges and probation.

My wife paid for the motel room for two days which is the closest one to the Lexington County Detention Center. The arrest at the motel room, no alcoholic beverages were mentioned or seen. The lay out of the motel and the positioning of there doors; with the blinds pulled closed to cover the window, the lights off in the room, and the door open only the width of my body; it would make it impossible to see over or around me; as stated in the transcript; and have plain view of anything in the room. No evidence was taken off my person. The items in the room were layed out in order and the clothing in the room was hung up on the hangers in the room.

In conclusion; I ask with the Anders Brief and this memorandum. Please! Take a complete closer look at this case. The facts as stated in the transcripts do not support me being the person of interest in this case. There is no hard evidence or proven facts other than hear say testimony that put me as the person of interest in this case. I was free and clear after almost three years on probation and ready for the new life without probation. I am now approaching a year in the South Carolina Department of Corrections after a year and ten months in the Lexington County Detention Center. I have a friend who could really use my help as she has lost her husband, my best friend, since

my incarceration and has no one close to help her out around her house or with her medical needs. She is more than willing to help me out with an address and a place to live. She will provide me help with finding work and transportation for work as to help us both out with bills and the transition for a forty three year old man back into society.

Thank you for your consideration

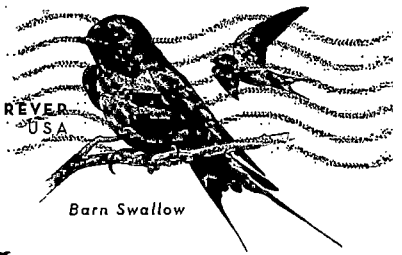
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