

~~Dec~~ January 5th 2018

①

Dear Ms. Kitching and Court of Appeals,

I believe there is a huge mistake at hand here. My lawyer Mark Grier was told to withdraw my plea bargain on August 23rd 2017, the day after I accepted the plea bargain and was told by Judge Daniel D. Hall that I David Antonio Kucinski had 10 days to withdraw my plea bargain by telling Mark Grier my Public Defender to inform the Courts of my withdrawal.

As such I would be still an innocent man and able for a trial. Mark instead of withdrawing my plea bargain filed this appeal, I not aware until days ago when he said I couldn't withdraw my plea bargain that he made this huge error. The State promised me a trial and IT is in the

transcripts of August 22nd 2017

that I had 10 days to withdraw my plea bargain. I withdrew on

August 25th 2017 by mail from Lancaster County Detention Center to the Public Defender's office by

RECEIVED
JAN 10 2018
CLERK OF SUPERIOR COURT
DANIEL D. HALL

mailed. I expect this to be honored and I did not fully understand what explanation was required by myself for a STATE Judge Officially allowed a deadline for me to withdraw my plea bargain so I could venture on to a trial. Now I ask the State and Court of Appeals to interrogate Mark Grier of Sixth Judicial Circuit Public Defenders Office about my withdrawal of Plea bargain back on August 25th 2017 which met the State of FL's deadline for withdrawal. Thank you and God bless! I expect to be back to the County jail soon and a bond hearing scheduled.

RECEIVED

Sincerely,

JAN 05 2013

David Antonio Kucinski, Appellant

SC Court of Appeals

Appellate Case No. 2017-001847

PS - I have proof of me withdrawing my plea to return back to trial

2

My additional thoughts are that not only did Mark Greer NOT withdraw my plea bargain as ordered and instructed but his reason was "to the best of MY knowledge your plea cannot be withdrawn" Now Mark was at the trial so he knew that I was able to withdraw my plea bargain within 10 days after August 20th 2017. To make matters worse he tells me his OPINION 4 months after I withdrew my plea bargain formally, instead of going to Judge Hall and Asst. Solicitor Lisa Collins with my withdrawal of plea bargain. His opinion is incorrect and not researched properly and it shows he was not paying attention in Court. Please I beg you to pull General Sessions transcripts from Mike Watkins (Court Reporter) and you shall see that I was instructed that I could withdraw my plea bargain and go to trial but I had to do it within 10 days. Like I said I told

August 20th 2017

Mr. Grier to withdraw my plea bargain
but instead he filed this appeal. I
hope you all can reverse this mess
and honor the Courts decision. I
should not be held accountable
for Mark Griers actions and misinterpretation
of what the Judge ordered. I wish
to go to trial like I stated on August
23rd 2007. I formally withdrew my
plea bargain ONE DAY after it was
accepted and Deadline set so it must
be honored, NOT to do so would show
the great citizens of South Carolina that
our Judicial System is corrupt and
lies within the chambers of office. I
do not think this is so, only that a
great mistake on part of a STATE
appointed attorney occurred therefore
it is a STATE problem and mishap
not of the Defendant. So please
honor what the Honorable Judge Hall
ordered. Thank you.

and my follow-up request to confirm
to succession of his order to withdraw
my plea bargain before the deadline.

David Antonio Kuzinski #273036
Kirkland Reception & Evaluation Center
4814 Broad River Road
Columbia, SC 29210 USA



South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia, South Carolina 29211 USA

RECEIVED

JAN 04 2018

**KIRKLAND R&E CENTER
MAILROOM**

RECEIVED

JAN 05 2018

SC Court of Appeals

**LEGAL
MAIL
ONLY**

SCDC
Christmas
Packet

2921181629 5012

