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JAN 09 2018

SC Court of Appeals

Dear South Carolina Court of Appeals,

First of all, I hope and pray that this letter reaches your agency in it's same form and opens the eyes of the SC judicial system. My name is Townsend O'neal Dawkins Sr. I was sentenced on 11-28-17 by the Honorable J. Derham Cole to a (10) year sentence for ABHAN concurrent, (5) years on the Possession of a Gun during the Commission of a Violent Crime, Concurrent, 30 days on the Simple Assault and Battery, and (3) years on the Malicious Injury to Jail Property, Concurrent. I was represented by attorney Matthew R. Nierniec from Fort Mill SC who refused to prepare for my case, and told my family members he wasn't going to file a Post Conviction Relief on my behalf. I was forced to plead under the NC vs. Alford because I was afraid of being found guilty with such poor representation. My attorney filed for a continuance during my Pre-Trial hearing on 11-27-17 blaming me for his Ineffective and Negligence of Counsel. I was locked up at York County Detention Center from 11-9-16 until 11-30-17. I never received a Probable Cause hearing after I filed for one numerous times, I was indicted to a Grand Jury for 7 charges which contradicted the whole meanings of my arrest. I was arrested for Attempted Murder/murder, Possession of a Weapon During The Commission of a Violent Crime to Commit Attempted Murder and 4 kidnappings, Criminal Conspiracy to commit Attempted Murder and 4 kidnappings, and 4 individual kidnappings. I was indicted on 4-6-17 for ABHAN, Possession of a Weapon to commit ABHAN, Criminal conspiracy to commit ABHAN and or kidnapping, and 4 kidnappings that totally contradicted my arrest warrants that said these individuals was kidnapped with a firearm, my Indictments never mentions the firearm.

I was prosecuted under False Indictments and no Probable Cause for my arrest. I brought all of these matters to my lawyers attention he mentioned none of them on my behalf. On November 15 2017 two weeks before my trial date 3 of the 7 charges were dropped. The Solicitor dropped my Criminal Conspiracy and 2 Kidnappings. On my pre-Trial date 2 more kidnappings were dropped, I was facing trial for 2 out of my 7 Indictments that shows you it was clearly a Bad Faith Investigation. My whole case was full of Inconsistent statements which Solicitor Matthew Shelton admitted to J. Derham Cole. It was never a Firearm recovered but there was 3 spent gun casings, 2 45 autos, and 1 10mm auto without my fingerprints on any of them. Detectives Russ Yeager and J. Brantam told multiple lies during this Investigation an at my Pre-Trial hearing. Detective Russ Yeager wrote 2 voluntary statements, 1 for a witness ~~Kidnap victim~~ that never says anything about being kidnapped, another for a witness that claimed to be sleep throughout the entire Incident. Detectives typed Involuntary statements for all victims except one that never was present during my Pre-Trial Hearing. Detectives said that it was against their policy to record Involuntary statements which is unheard of so they could type lies and try to prosecute them. The only statement recorded was from my Co-Defendant but that statement wasn't against their policy to record! I told J. Derham Cole that I wished to go to trial on all 7 offenses I was Indicted for and he told me that I was going to trial for ABNAN and Possession of A Weapon to Commit ABNAN. All of these so-called victims in my case were facing Prosecution from York County themselves and agreed to testify, my Co-Defendant Antionne Dion Hollis, Kidnap victim Micheal Eugene Davis, Gunshot victim Waylon Shane Neal. I wrote several agencies, NAACP, SC Bar, ACLU, SC Supreme Court, Office of Disciplinary Counsel. My Civil Rights were violated over and over.

Deputy Sgt. Jenny Forsythe was "fired" 1 of the first 2 officers to arrive at the scene of the crime I was arrested for. She handled my Chain of Command Physical Evidence 18 times, the Solicitor withheld this information from me along with my attorney Matthew Niemiec until 11-23-17 4 days away from my trial date. I filed numerous motions that were in the proper form and was denied this information pertaining to this case. Sgt. Jenny Forsythe also came to York County Detention Center and signed off on an 2nd Degree Assault and Battery on February 9th 2017 knowing she was going to be a witness on my original charges which was clearly a conflict of interest towards my case. That's why the Solicitor Matthew Shelton withheld her signature from my Chain of Command Physical Evidence sheet, and when I brought it to Matthew Niemiec's attention which I'm sure he already knew he said he wasn't filing the motion for me. I was devastated knowing all along Criminal Procedure Rule #5 and #6 was being violated due to the fact of #6 I wished to have any an all parties that handled the physical evidence present at trial! I had 2 previous lawyers before Matthew Niemiec, Attorney Leah Moody Esquire who filed for a probable cause hearing on a Jury Trial which clearly stated I had my rights confirmed by now retired J. Hayes that I was to receive a probable cause hearing before I went to trial! I also had Attorney Melissa Inzerillo who never filed any motion for my probable cause hearing, so I wrote the SC Supreme Court office of Disciplinary Counsel on behalf of her refusing my rights to a probable cause hearing and she filed a motion to relieve herself of my counsel. I never spoke to Leah Moody who filed motions on my behalf leaving out the Possession of Weapon charge because they had no weapon. I would appreciate if your agency really consider this letter I have all documentation to back it up It's all true 100%.

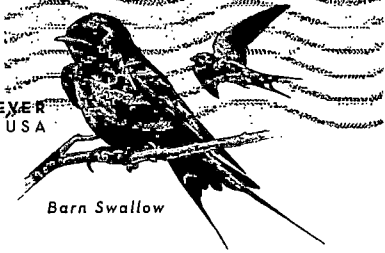
Thanks In Advance

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