

February 4, 2018

The Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina
29211

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Re; Pro Se Response
David A. Tyre v. State
Appellate Case No. 2017-001141

S.C. SUPREME COURT

Dear Members of the Court,

First of all I would like to thank you for taking the time to read this and review my case. The main point I ask you to consider is contained in the accompanying motion from 2009. My attorney at the time, Shawn Campbell, acknowledges my need for medical attention, which the Court agreed with. In denying the motion to reinstate home detention the Court orders that I be allowed access to my psychiatrist, Dr. Wells. Mr. Campbell took no further action to ensure that I receive a psychiatric evaluation or assistance. Because no evaluation or even a simple conversation took place, no one can say whether or not any information produced would be helpful or harmful. Mr. Campbell denied himself and me a source of information that could have been key to a successful strategy. It is right here for you to see for yourselves, in black and white, a provision for psychiatric assistance, not utilized by my attorney. Please keep in mind that at the time of my arrest I was 31 years old and had never been involved in any violent crime or act in my life. To be suddenly involved in a crime such as this would cause anybody to wonder what had happened and then when provisions were made to get the answer utilize them. But not so in the case of Mr. Campbell. Reference was made to my working and receiving several awards, showing, in the Courts opinion, that I was functional and well adjusted. While I cannot and will not argue points of law, something I know very little about, I will discuss common sense. In the sad history of this country we have seen many people who were thought of as being well adjusted and highly functional suddenly and inexplicably resort to acts of great violence. Something happens, a switch is flipped and the person changes. Since my incarceration I've had the opportunity to receive counselling and help. I can honestly tell you that while I was functioning, I was not well adjusted and once the stress reached a critical point the proverbial switch was flipped. While I have no doubt that Judge Burch is a fine jurist he is just that a jurist and not a trained psychiatrist. I plead with you to keep that in

mind when reviewing his findings when they touch on mental health issues.

In closing I would like you to note that in none of the documentation before you do you find a medical evaluation of any kind. However, in the PCR transcript we find Mr. Campbell testifying that his goal was to get me out of jail. While I freely admit my knowledge of the legal process is limited, I do believe that an attorney's job is to provide the best defense possible, in doing this he must avail himself of whatever provisions are provided. Mr. Campbell failed in this regard, rendering himself ineffective. Thank you for your time.

Respectfully,

David Tyre
SCDC No.-343149
Perry C.I.
430 Oaklawn Rd.
Pelzer, S.C.
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State of South Carolina)
County of Spartanburg)

In The Court of General Sessions
For the Seventh Judicial Circuit

Indictment Nos.: 09-GS-42-4508 and 4509
Warrant No.: M114674 and M114675

State of South Carolina,)
vs.)
David Anthony Tyre,)
Defendant.)

**ORDER TO DENY MOTION TO
REINSTATE HOME DETENTION**

This matter came before the Court on October 30, 2009, by the motion of the Defendant attorney, Shawn Campbell, seeking an order to allow the Defendant to be release on home detention pursuant to his previous bond. The Defendant had violated home detention and was placed back into the Spartanburg County Detention Center. The Court also heard from the bondmen on this case during this matter, also. Present at the hearing were: Principal Deputy Solicitor Barry Barnette for the State. The Defendant and his attorney, Shawn Campbell; Sgt. Mark Freeman of the Spartanburg Detention Center; and the bondsmen, Collidge and Geraldine Gosnell. Pam Green was the Court Reporter.

At the hearing, the Court determined that the Defendant needs to remain in the custody of the Spartanburg County Detention Center. Sgt. Mark Freeman told the Court about several text messages that the Defendant had on his own phone and had sent to other individuals. In this text messages, he had made comments in which he inferred that he would hurt or kill himself as well as possibly burn down "something big". Shawn Campbell told the Court that the Defendant from his actions needed medical treatment concerning these issues that he was dealing with. The Court agrees that the Defendant


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does need access to his doctor during his stay in the Spartanburg County Detention Center. The Court also heard from the bondsmen and agreed to allow them to be removed from the Defendant's bond.

After hearing for both sides, the Court finds that the Defendant will remain in the Spartanburg County Detention Center. The Defendant will be allowed to have access to his doctor, Dr. Kenneth Wells, 943 North Church Street, Spartanburg, SC 29303 (Phone No.: 864-585-2214) for his scheduled appointments. The bondsmen, Collidge and Geraldine Gosnell, were also released from the bond.

IT IS SO ORDERED!



The Honorable Judge Roger L. Couch
Chief Administrative Judge
for the Seventh Judicial Circuit

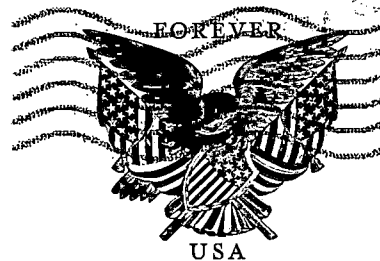
Spartanburg, South Carolina
November 12, 2009

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