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**S.C. SUPREME COURT**

**SUPREME COURT OF SOUTH CAROLINA**

**POST CONVICTION APPELLANT BRIEF**

**OUT OF SUMTER SOUTH CAROLINA**

**JOSEPH WADELL DUNBAR JR.**

**VS.**

**THE STATE OF SOUTH CAROLINA**

**CASE# 2017000019.**

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**TABLE OF AUTHORITIES**

A.) IN THIS PCR PROCEEDING, PETITIONER MUST MEET THE STANDARD ESTABLISHED IN; STRICKLAND V. WASHINGTON, 466 U.S.668,104 S.CT.2052,80 L.Ed.2d 674 (1984).

B.) THESE PRINCIPLES ARE ROOTED IN DUE PROCESS AND THE BELIEF THAT JUSTICE IS BEST SERVED WHEN A TRIAL IS FUNDAMENTALLY FAIR. SEE; BRECHT V. ABRAHAMSON, 507 U.S.619,629,113 S.CT.1710,1717,123 L.Ed.2d 353,367(1993).

## **STATEMENT OF THE CASE**

This is post conviction release arising out of Sumter S.C.

Of a final judgment issued in Sumter Municipal Court Sumter county  
state of south Carolina case no; 10-GS-43-0543 Hearing on November  
7, 2011-11,9, 2011 before The Honorable William j. young.

January 1, 2010 there was alleged armed robbery at untouchable cuts .

## **STATEMENT OF THE ISSUES.**

1.) Did counsel error ineffective assistance of counsel failure to object to state witness adding new statement onto there one page victim statement to falsifying evidence to get a convection.

2.) Did counsel error by not objecting or asking the judge to remove himself from openly trying to stop MR. Dunbar from getting a fair and a impartial hearing by the statements judge said if one of the jurors knows this person and knows that he is a creep or something that they're staying on the jury.page114-line-24-25 trail transcript.

3.) Did the trail counsel error by not objecting to jury eyes closed or filing a mistrial.

4.) Did counsel error by not asking for all the state witnesses not being in the court room at the same time.

5.) Did the court error with the photo lineup with a blue, background behind Mr. Dunbar and the rest where black back ground

6.) Did the trial counsel error by not calling witnesses to trial or taking depositions of the victims or witnesses or have investigator investigate the case before going to trial.

## **ARGUMENT.**

Mr. Lion racial profile Mr. Dunbar Jr. by color of his skin and last name the area where his cousin Rockeem Dunbar lived rockeem went to get his hair done untouchable cuts as he left a robbery took place Mr. Lion stopped him as he was walking home and brought him in for questioning to see if he seen anything or heard anything and let him go and found out that Rockeem had nothing do with the robbery . Joseph Dunbar was not in Sumter he was in Florida. Mr. Lion called Mr. Joseph Dunbar on the phone to ask about a robbery Dunbar Joseph told him that he is in Florida. He's father got on the phone with Mr. Lion's to let him know that Joseph was in Florida at the time. A week later the U.S. Marshal Came to the house.

Jahmeila ward victims statement says that a  
light skin men kept his face thing up say" ya betta not tell no one or  
I'm come after ya the victims statement one page and no objection to  
state adding new statements. If joseph attorney that he paid over  
8,000 dollars, for a defence. that had some typ of investigation.

See Exhibit A. jahmeila ward. Statement.

## **JURISDICTION**

The supreme court of south Carolina has appellate jurisdiction code of laws title 14-chapter-8 the court to the extent the supreme court may by rule provide for it to do so, has jurisdiction to entertain petition for writs certiorari in postconviction relief.

Subject matter jurisdiction is the power of this court to hear and determine cases of the general class to which the general class to which the proceedings in question belong, and this court has jurisdiction over this subject matter postconviction relief.

**STATE OF SOUTH CAROLINA SUPREME COURT**

**CONCLUSIONS OF LAW.**

We are asking this Honorable Court for a reversal or  
any other type of relief that this honorable court can give.

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