

375354  
**LEGAL  
MAIL  
ONLY**

THE STATE OF LEXINGTON COUNTY  
V.  
MARION WADE FRYE

March, 17, 2018

South Carolina Court of  
Appeals

P.O. Box 11629  
Columbia, SC 29211

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MAR 21 2018

SC Court of Appeals

RE: Arguable basis to assert that there are legal issues preserved for appeal. Contesting legal issues p. 1 of 2

Appellate Case # 2018-000239

1. Ineffective assistance of Counsel created by deficient acts of Counsel created prejudice when defendant was denied his request to call witnesses to testify on his behalf about conflicting evidence and when defendant didn't receive fair hearing, and if not for Counsel's deficient performance the outcome of this case would have been different

U.S.C.A. CONST Amend 6

Lafley v. Cooper 132 S.Ct. 1316 (2018)

2. Counsel failed to argue for an Immunity hearing in relation to evidence findings to South Carolina Statute: § 16-11-450, § 17-13-10, and § 17-13-20

State v. ISAAC 747 S.E. 2d 677 (2013)

State v. James 786 S.E. 2d 132 (2016)

3. Official Certified transcripts, prejudice and Bias of officers Statement, about 9 pages lost, and failure to give Maranda Right, before asking questions, defendant stating he wanted attorney present when taken into questioning. Attorney failed to suppress statements.

Marion Wade Frye  
Marion Wade Frye SCDC # 375354  
Kirkland RBE Center  
4344 Broad River Road  
Columbia, SC 29204

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4. Counsel denied defendants request to call certain witnesses on defendants behalf of conflicting evidence and wasn't prepared to present evidence findings in my case for my defense at trial.

In regards to #'s 1, 2, 3, and 4, Criminal defense attorneys have a duty to undertake a reasonable investigation which at a minimum includes interviewing potential witnesses and making an independent investigation of the facts and circumstances of the case  
U.S.C.A. Const. Amend. 6.

CC:

South Carolina Court of Appeals

P.O. Box 11629

Columbia, SC 29211

Marion Wade Frye

Marion Wade Frye SCLC # 375354

Kirkland R3E Center

4344 Broad River Rd.

Columbia, SC 29210

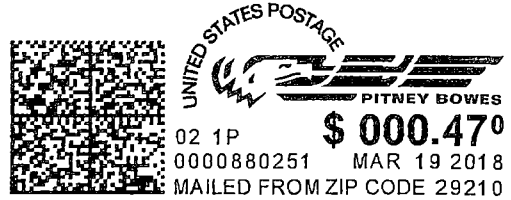
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MAR 21 2018

SC Court of Appeals

Marlon Wade Frye SCDC # 375354 CI-10

Kirkland Correctional Institution  
4344 Broad River Road  
Columbia, S.C. 29210



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