

The Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court
Post Office Box 11330
Columbia, South Carolina 29211

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APR 23 2018

S.C. SUPREME COURT

IN RE: Dennis M. Temple v. STATE OF SOUTH CAROLINA
Appellate Case NO. 2016 - 002254

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APR 24 2018

SC Court of Appeals

Dear Mr. Shearouse:

My name is Dennis Temple. I am an inmate at Perry Correctional Institution of the South Carolina Department of Corrections.

In 2010, I was falsely imprisoned and maliciously prosecuted in Oconee County. A predominantly all white jury found me guilty of the charges. The trial judge sentenced me to 100 years in prison.

On September 28, 2012 my appellate attorney, Wanda M. Carter of the South Carolina Commission on Indigent Defense filed a Anders brief on my behalf on direct appeal in the South Carolina Court of Appeals. See. STATE v. Dennis Temple

Appellate Case No. 2011-182806. My appellate counsel argument was stated as the follows:

ARGUMENT

"The trial Judge erred by what was in effect coercing appellant to appear pro se at trial because although he waive his right to counsel prior to trial; ultimately, he rescinded that waiver after the jury was selected and reasserted his right to counsel by requesting the representation of appointed counsel for his trial.

My concern is this - the argument my appellate counsel present to the South Carolina Court of Appeals was a dead bang winner. A Judge can not force a criminal defendant to represent himself during a Jury trial. However, the South Carolina Court of Appeals dismissed this appeal on September 11, 2013.

On October 15, 2013 I filed a Post-Conviction Relief application in Oconee County. The PCR was dismissed on October 24, 2016. A Notice of Appeal was timely filed on all parties. see. Dennis Temple v. STATE, 2013-CP-37-729.

On March 2017 I was contacted by a attorney, Taylor Gilliam of the South Carolina Commission on Indigent defense. Mr. Gilliam informed to me that he will be the appellate defender that will draft and file a petition of writ of Certiorari on my behalf in the South Carolina Supreme Court, see. Dennis M. Temple v. STATE OF SOUTH CAROLINA, Appellate No. 2016-002254. This appeal was submitted to your court on August 2, 2017. However, Chief Justice Donald Beatty issued a order on October 30, 2017, which transferred my appeal back to the South Carolina Court of Appeals to be reviewed and decided.

It is a fact that the South Carolina Court of Appeals dismissed my direct appeal in 2013. The issue that was presented to the court of appeals should have gotten my direct appeal overturned. But it did not because the South Carolina Court of Appeals did not even review it and ordered a dismissal of the appeal.

As of now, based upon the evidence and facts presented herein, I strongly feel that the South Carolina Court of Appeals is not going to review my present appeal. The Judges

will just issue a order to dismiss my appeal without even reviewing it. It was filed under a Johnson Petition of Writ of Certiorari.

I would like for the South Carolina Supreme Court to Reassign my case and review it instead of the South Carolina Court of Appeals.

Sincerely yours



Dennis M. Temple, # 294802

Perry CORR. Inst Q2A121

430 Oaklawn Road

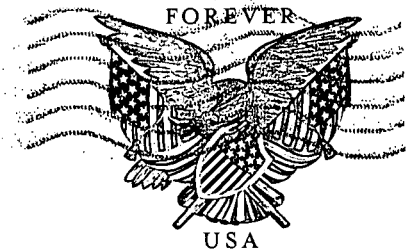
Pelzer, South Carolina 29669

April 18, 2018

Mr. Dennis M. Temple, SCDC # 274802
Perry Correctional Institution, Q2A121
430 Oaklawn Road
Pelzer, South Carolina 29669

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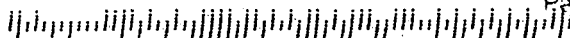
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