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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

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Robert M. Dudek, Chief Appellate Defender
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June 22, 2018

RECEIVED

JUN 22 2018

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk of Court
The South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211

Re: Javan Frederick Mays v. State of South Carolina
Appellate Case No. 2017-000891

Dear Mr. Shearouse:

Enclosed is a copy of the pro se petition that was sent to our office by Mr. Mays.

I am available should any questions arise regarding this letter.

Sincerely,

Wanda H. Carter
Deputy Chief Appellate Defender

WHC/smf

Enclosure

5/31/2018

Dear Mrs. Wanda Carter,

i am Asking that you please

File another petition for Writ of Certiorari to Case no: 2015-CP-42-01784, I've enclosed a petition for you to view the rule 5 and the Brady violation, Please inform me if its can be of any help, Thank-you

Mr. Jovan F. Mays

250287
5-31-18

P.S. The PCR Judge erred by saying I had to subpoena the medical records, All i had to do was make a general request. I filed for the Medical records and the solicitor refused to give me the records, so the Trial Judge noted my objection Tr.p. 243, L. 5-7 And view Tr.p. 242, L. 1-3. Lastly view Tr.p. 241, L. 9-15 to show the Jury based there decision on whether a bullet actually grazed the victims head. Medical records shows "No" bullet grazed the victims head.

May 31, 2018

/s/ Jovan F. Mays
Jovan F. Mays
P.C.I.
430 Oaklawn Rd.
Pelzer, SC. 29669

RECEIVED

JUN 21 2018

APPELLATE DEFENSE

Ms. Wanda H. Carter
Deputy Chief Appellate Defender
Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, S.C. 29201-3332

~~Document 001~~, ~~001~~
May 31, 2018

Re: My Petition For Writs of Certiorari

Dear Ms. Carter:

I objected at trial to the state's failure to provide me the victim's medical records to "disprove" the state's evidence that "a bullet grazed the victim's head" to support its "Attempted Murder" charge against me. Tr. p. 242, L. 1-3.

The record shows that the trial judge acknowledged my objection to the state's failure to provide me the discovery of the victim's medical records which did not show that a bullet grazed his head. Tr. p. 243, L. 5-7.

Consequently, even though I preserved the issue of the state's failure to provide me discovery of the victim's medical records for appellate review, my appellate counsel, Ms. Susan B. Hackett, S.C. office of Appellate Defender, raised an Unpreserved issue of the trial judge's erroneous jury charge that "Attempted murder" required a "general intent" instead of a "specific intent to kill". As a result of this error by Ms. Hackett, I argued in my PC that I was denied the right to effective assistance of appellate counsel for abandoning my preserved "objection" to the state's failure to provide me discovery of state's medical records showing that no bullet grazed the victim's head to support the state's "Attempted murder charge against me."

Ms. Carter the transcript of record clearly shows that the jury based their decision on whether a bullet actually grazed the victim's head. Tr. p. 241, L. 9-15. As the medical records show that no bullet grazed the victim's head, I would have been entitled to a reversal of my conviction had Ms. Hackett raised and argued the state's discovery violation, regarding the victim's medical records.

1/5/ Jovan F. Mays
Jovan Frederick Mays #250287
Perry Corr. Inst.
430 Baklawn Rd.
Pelzer, SC. 29669

~~Document 001~~, ~~001~~
May 31, 2018