

July 2, 2018

Alonzo C. Jeter, III
Perry Correctional Institution
Q2-A-108 / #282902
430 OAKLAWN ROAD
Pelzer, SC 29669

Supreme Court of South Carolina
Daniel E. Shearouse, Clerk of Court
Donald Beatty, Chief Justice
Post Office Box 11330
Columbia, SC 29211

RECEIVED

JUL 11 2018


S.C. SUPREME COURT

Re: Appellate Case No. 2017-001777

Dear Justice Beatty and Clerk of Court:

Enclosed, please find letter seeking instructions from the Court. Please return a clocked filed stamped copy to me in the provided envelope.

Thanks for your assistance in this matter.

Sincerely, 
Alonzo C. Jeter, III

Cc: File

Office of the Attorney General - (Julie Coleman)
Division of Appellate Defense - (LaNelle C. Durant)

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S.C. SUPREME COURT

Re: Alonzo Columbus Jeter, III v State of South Carolina
Certiorari to Cherokee County - Petition for Writ of Certiorari
Appellate Case No.: 2017-001777

Dear Justice Beatty and Clerk of Court:

I am writing to you today in regards of the above stated case. Appellate defender, LaNelle Cantey Durant of South Carolina Commission on Indigent Defense, has been appointed to represent me in this case. Ms. Durant has filed the Petition for Writ of Certiorari on June 6th, 2018. Although she has filed this Merits Petition, she has failed to include ~~two~~ ⁽⁶⁾ of the ⁽⁷⁾ issues that I raised at PCR. Also, she has failed to include the issue of my Motion for Discovery which was filed with the PCR Court and denied by Judge Robin Stilwell. This denial of discovery ultimately


resulted in Post-conviction relief being denied, because there was "No Proof of my assertions" as the Judge and State claimed.

I received copy of the filed Petition for Writ Certiorari on June 13, 2018. It was then that I became aware that appellate attorney Durant chose of her own volition to waive or abandon these issues preserved for appeal. I am quite upset that Attorney Durant omitted and failed to raise these meritorious issues that I have took great pains to ensure were presented to and preserved by the PCR Court's final order.

After several attempts to confer my desire that no preserved issues be waived or abandoned, and after sending materials and documents to Attorney Durant that support the merits of my arguments and beliefs, Attorney Durant wrote ~~to~~ to me and informed me that she would not make any effort to raise these issues. This letter was received on June 13, 2018 at the same time that ~~the~~ I received the filed Petition for Writ of Certiorari.

I ask that you please not consider my issues as waived or abandoned and please inform me of how I may rectify this defective appellate defender's wrongs.

Thank you for your time and attention in this matter.
Sincerely,


Alonzo C. Jeter, III

July 2, 2018

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South Carolina Commission on Indigent Defense
Attn: LaNelle Cantey Durant
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

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S.C. SUPREME COURT

Re: Amend Petition For Writ Of Certiorari -
Case No. 2017-001777

Dear Ms. Durant,

I am writing to you today seeking that you will amend my petition for Writ of Certiorari by adding all of my issues. Every issue that was argued does have merit and non are frivolous. These issues are very important to me and all serves a purpose in my post-conviction relief.

Again, I do not wish to waive or abandon any issues. These are novel issues, the enhancements and proximity charges, and will therefore set precedent in South Carolina. I received your letter dated June 8, 2018, in which you inform me that you chose not to raise the issue of the proximity charges. You state that I raised the proximity issue as a sufficiency of the indictment. It may have leaked that way in my PCR Application, but I did not argue it that way in PCR hearing. My PCR counsel was supposed to amend my PCR Application and he never did.

Again, I do not wish to waive or abandon any of my issues. These issues may not appear to be strong issues in your eyes, but they in fact are.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alonzo C. Jeter, III".

Alonzo C. Jeter, III

The issues that I raised in PCR and that Ms. Durant failed to raise are:

1) Mental Health & Competency (Duress) - I testify at PCR that I had issues with not being provided with my medication, I was being assaulted at the Jail prior to my plea, and that I couldn't think straight enough to assist my attorney in my case.

2) Proximity to a Church's basketball goal - I testified that this basketball goal was at a church and owned by the church, churches are not included as part of the proximity statute (SC Code of Laws 44-53-445) "grounds" in that statute includes all school/church owned property. see State v Green 567 SE2d 505. Ms. Durant stated that I raised this issue as a subject matter Jurisdiction issue. It did look this way in my PCR Application, however I didn't raise this as a subject matter Jurisdiction issue at the PCR hearing. I asked my PCR Attorney to amend my PCR and he failed to do so.

3) Number of Controlled Buys - Both, my Plea Counsel and I testified that it was two (2) buys from the informant and not three (3). However, I plead guilty to three (3) buys which was an error.

4) Enhancements - There were charges used as enhancers which should not have been used.

5) Motion for Discovery - This motion was denied by PCR Judge Robin Stilwell, and this was abuse of discretion.

6) Motion to reopen the PCR record - This motion was submitted by the State and it was a violation of my due process rights for PCR Judge Stilwell to allow additional documents to be added to the record after the PCR hearing. Also, the convictions spoke about there was not an issue when I entered a guilty plea, so I never needed to dispute these at the guilty plea phase because they weren't used.

7) Motion for Reconsideration denied by PCR Judge Stilwell.

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P.C.I. MAILROOM

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LEGAL MAIL