

LETTER TO THE S.C. SUPREME COURT
CLERK FILING THE NOTICE OF APPEAL

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NOV 02 2018

S.C. SUPREME COURT

HONORABLE D. SHEOROUSE
Clerk (S.C. Supreme Court)
P.O. Box 11330
Columbia, South Carolina 29211

Re: Scotty Brown #257869 V, . State of South Carolina
2017-CP-42-0854

Dear Mr Sheorouse,

Enclosed for filing is a notice of appeal in the above case.

also, enclosed are the following:

- 1). Proof of service of the NOA on the respondents,
- 2)..Copy of the Order which is to be challenged on appeal,
- 3). Sworn affidavit,
- 4). Copy of envelope



Scotty Brown

10-29-18

NOTICE OF APPEAL FROM A
POST-CONVICTION RELIEF HEARING
THE STATE OF SOUTH CAROLINA
SUPREME COURT

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S.C. SUPREME COURT

APPEAL FROM SPARTANBURG COUNTY

COURT OF COMMON PLEAS

GRACE KNIE, Circuit Court Judge

2017-CP-42-0854

Scotty Brown #257869

Appellant,

v.

State of South Carolina

Respondent.

Appellant Scotty Brown #257869, appeals his denial of post-conviction relief. This appeal is taken from the Order of Honorable Grace Knie dated August 20, 2018 and received by appellant on October 1, 2018. See attached envelope.

Scotty Brown 10-29-18

PROOF OF SERVICE ON NOTICE OF APPEAL

STATE OF SOUTH CAROLINA

SUPREME COURT

APPEAL FROM SPARTANBURG COUNTY

COURT OF COMMON PLEAS

C/A 2017-CP-42-0854

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S.C. SUPREME COURT

PROOF OF SERVICE

I, Scotty Brown #257869 certify that I have served a copy of this Notice of Appeal and attachments on the Respondents in this case by depositing a copy in the U.S. Mail at Perry, postage pre-paid, addressed as follows:

Alan Wilson
Attorney General Office
P.O. Box 11549
Columbia, S.C. 29211

I, Scotty Brown #257869 certify and verify under the penalty of perjury that the forgoing is true and correct.

 10-29-18

STATE OF SOUTH CAROLINA
COUNTY OF SPARTONBURG

IN THE COURT OF COMMON PLEAS

SCOTTY BROWN #257869
Applicant,

v.

SWORN AFFIDAVIT OF
SCOTTY BROWN

STATE OF SOUTH CAROLINA
Respondent.

The applicant Scotty Brown #257869 make this sworn affidavit a
and state the following:

- 1) A PCR hearing was held in Spartanburg county common plea court
on June 22, 2018.
 - 2) Richard Vieth represented the applicant in the hearing.
 - 3) After hearing, applicant instructed attorney Veith to supplement
the record because of a misrepresentation of the facts alleged
by Fletcher Smith.
 - 4) Applicant sent letter to attorney Veith to review the Order so
tha, the record would be accurate for a meaningful appellate
court review.
 - 5) Applicant recieved a copy of the Order on October 1, 2018.
 - 6) Applicant spoke by phone to Veith about the accuracy of the
Order, Veith denied applicant's instruction to file a 59(e)
motion.
 - 7) Attorney Veith abandoned applicant's case.
 - 8) The attorney genenal at the hearing misrepresented the facts
in the Order that he prepared. The Order is the findings of facts
by the attorney general and not the Judge, and
 - 9) Applicant filed a timely pro-se 59(e) to preserve his issues
- I, Scotty Brown #257869 certify and verify under the penalty of
perjury that the forgoing is true and correct. Scotty B 10-29-18



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**Henderson
Brandt &
Vieth, P.A.**

SUITE 101
360 EAST HENRY STREET
SPARTANBURG, SC 29302

— Attorneys At Law —

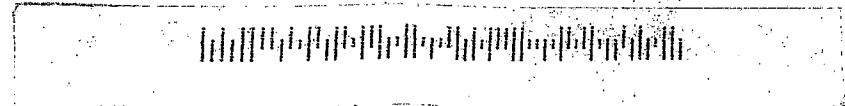
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TO:

Scotty Brown #257869
Perry Correctional Institution
430 Oaklawn Rd.
Pelzer, SC 29669

FIRST CLASS MAIL

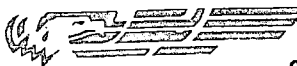
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OCT 01 2018
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Scotty M. Brown # 257869
Perry Ross
430 Oakhawn Rd
Pelzer, S.C. 29929

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