

MEMORANDUM

TO: THE STATE OF SOUTH CAROLINA

COURT OF APPEAL

FROM: HILTON HAYES

DATE: JANUARY 30TH, 2019

SUBJECT: APPEAL REVIEW (MEMORANDUM BRIEF)

RECEIVED
FEB 04 2019
SC Court of Appeals

This is to state that the chain of custody of the evidence was inadequate also the officer and the CI testimonies were in conflict with each others. The chain of custody was in question. My attorney has shown to be ineffective for counsel. Plus multiple other mistakes and reasons within this trial proceedings held on February 12th & 13th, 2018, which has brought this case of appeal to you today.

The jury should be known by common sense or by being instructed with an example to fully understand all rights of the judgments and final decisions as the final duty as a juror. During the viewing of the audio and video evidence they were to note that you hear no talk or see any money transfers. You can't say you clearly see or hear anything if it is not clearly seen or heard. So they were led to assume and I feel I was missed judged by the jury as well. It was brought to the attention of the courts but was never tended to the matter of each person who had access to the drugs were to show in court but most did not. Their testimonies never heard neither. So with that and the chain of command in question, one witness and them separating the charges this case should have never made it to trial without all who were to attend.

Furthermore, My attorney has shown to be an ineffective counselor in my case. She didn't make enough objectives. She never brought in the private investigator we hired with her help. With him being an ex narcotics officer and had went with my attorney to the viewing of the evidential video tapes provided by the Chester County prosecutor. His testimony was of value to my case. There was plenty of subjects and things that were never brought up or mentioned. My attorney later mentioned to me that Candice Lively was her mentor of hers and they were close, during her time of schooling for her bar exam but during my trial she stated I later noticed in the court transcript that she had Mrs. Lively as a previous client of hers.

There are several things that led up to the trial date that led me to believe that Chester County wouldn't be a fair trial anyway, I have had a history of problems with them and their officers since 2012. One particular officer Chris Reynolds and his close co workers (officer Brad Bowers, Trey Hunter, Sinclair, Lt Crawford). Outside of the police dept. is Julia Halls and probation officer Wixx. My mother and I have experienced being harassed at my mothers and other homes I visited whether I was there at the time or not. Reynolds has slandered my name to inmates saying I was a CI and I have inmates willing to testify that is a true statement. I have done nothing to this man nor have I even known him until I was told by a woman I dated 2012 told me that he dated her sister. Who had a problem with her dating black men. That was what started the whole thing. Later he had tried to arrest me on false charges (2013) and

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(2015), which involved, Officers Brad Bowers and Trey Hunter also Lt Crawford. Lt. Crawford was brought in to this case, I feel, so I could not say that this was a race due to color of skin. Mrs Wixx had been my probation officer when I threatened over a recorded phone conversation. I was told I could get off early. I went and reminded her of that and asked her. That's when this indictment happened. I had kept checking in like I was supposed to and continued to make my payments. I fell behind some in payments and was told I needed to catch up to have probation terminated early. It was approximately 4 months later I was arrested on these charges and that's when Officer Wixx said she heard me talk of and seen money and drug transaction in video, This was said in the probation hearing after I was arrested and chose to violate me being a false violation. She also told me she had to ask Officer Reynolds if he was ok for me to be released from probation early, which he denied. I guess he's still upset I won the cases previous and making the complaints since 2012, I also put a complaint on all who were involved and that's what has happened to lead up to the case I bring this appeal to you all now.

During the trial it was brought up to the courts that I was recently in a serious automobile accident and was currently seeing doctors and specialists due to the damage it caused to my neck, spine, and legs. In this case, I had one more epidural shot in the neck to be done and from there they were to make a decision on the type of surgery to perform on my neck/spine. Being incarcerated has worsened my injuries and treatment being prolonged has done more damage due to being refused to help or follow the treatments that were required and was in the trial transcript also.

Whatever your decision, Please accept my sincere Thanks for your time and consideration of my request!

HILTON R. HAYES
Milton R Hayes

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