

## The South Carolina Court of Appeals

In *Rodriguez - Harold B. Pratt v. The States*, not have pleaded guilty and would have the United insisted on going to trial. States court of Appeals for the sixth circuit held the Petitioner had to meet the Strickland standard in order to prevail on a claim of ineffective assistance of counsel, a standard tailored to the guilty-plea context in *Pratt v. United States*. The court held that the first prong of the test was met because counsel had been objectively unreasonable. In *Harold B. Pratt* extended sixth Amendment ineffective-assistance-of-counsel claims to the guilty-plea context, but held that Strickland prejudice requires a showing of a reasonable probability that, but for counsel's errors, (Pratt the Defendant) would not have pleaded guilty and would have insisted on going to trial." The prejudice prong even without a showing that they would have going to trial were it not for counsel's deficient performance." Noting that is no constitutional right to engage in plea bargaining the court notes that if plea negotiations take place, the (Defendant Pratt) has a right to effective assistance of counsel in that process. If that assistance is ineffective, the question then becomes "whether the (Defendant Pratt) can show a reasonable probability that, with proper advice, the outcome of those negotiations would have been different."

**RECEIVED**

FEB 11 2019

SC Court of Appeals

Jenny Abbott Kitchings

This letter is to let you know that I was push in to a guilty plea. And the one's that push was Peggy Hinds, B. Douglas Mellard, Breen Stevens. This is the first time that I've been in trouble this kind of trouble. I'r stop school in the 8<sup>th</sup> grad. I was not good in school so I was put in special Ed for 3 or 4 year's. That's way I stop in the 8<sup>th</sup> grad. But the other letter I had alot of help with. I'm not asking to get out of here just want to try to give some of this time back. I need surger and this place want help me with that. I been on Medical for 8 mounth's and no help still in pain. But all I'm asking for help to go back to Court with a good lawyer. No I dont have the money for one. But I dont want Mis Peggy Hinds.

**RECEIVED**

FEB 11 2019

SC Court of Appeals

Harold Ray Pratt #374093  
Broad River Correctional MO-209  
4460 Broad River Rd.  
Columbia, SC 29210

**RECEIVED**

FEB 8 2019

BRCI  
MAILROOM

**RECEIVED**

FEB 11 2019

SC Court of Appeals

Jenny Hbbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629,  
Columbia, SC

2921131629 8012 292

