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SC Court of Appeals

The State v ANCRUM, David
Appellate Case No, 2011-188949

Inordinate delay, wholly aside from possible prejudice to a defense on the merits, may seriously interfere with the defendants liberty, whether free, on bail, or not, and... may disrupt his employment, drain his financial resources, curtail his associations, subject him to public obloquy; and create anxiety in him, his family and friends.

U.S. v Marion

Sentencing Court may not indefinitely delay a sentence. Cr. Proc. Rule 32(a)(b)(1,6) 18 U.S.C.A.

U.S. v Flowers 983 F. Supp. 159

EVEN if a conviction is based on a guilty plea, it is subject to attack if the charge was originally barred by the applicable limitation period.

The transcripts show clearly that the sentencing was deferred for 6 months. Instead it was delayed an additional 3 years. The State and Federal officials received help from David Ancrum during that time with 3 convictions with his help. He also put his life at risk dealing with threats of killing him and its also on the States record at Eric Ancrum's Trial. He's been in prison almost two years and is serving a 7 yrs sentence. It's alright for the courts to give a date and if the defendant doesn't show him/her will be issued an warrant for arrest. It's clearly shown that the court was prejudice against David Ancrum because of the delay of sentencing, not giving him credit (3 yrs.) for his assistance or changing his guilty plea. His direct appeal process to receive the benefit of amended guidelines for reduced sentence under 18 U.S.C. § 3582 or 18 U.S.C § 3553. Also during his incarceration he received his GED and has no write ups (clean disciplinary). Proof of prejudice is generally a necessary, but not sufficient in every case. What remains to be assessed are the reasons for the delay.

C.A. 2 (N.Y) 6 A1.3(a) 6 A1.3 comment

21 S.v Palta 880 F.2d 636 appeal

after remand 101 F.3d 108