

DEAR, COURT OF APPEALS

My name is LARRY WAYNE BRADY. I am currently incarcerated in South Carolina Department of Corrections. I am at the Evans Correctional Facility.

I was sentenced in the County of Spartanburg General Sessions. I WAS sentenced on October 23<sup>rd</sup> 2018. The Judge was Duram Cole. I filed a motion to have my sentence modified.

RE: WARRANT NO. 2018 A4210202555,  
Indictment No. 2018-GS-42-5905,  
S.C. Statute Code - 43-35-0085B.

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SC Court of Appeals

The charge carried a total maximum sentence of 5 years.

I was sentenced to 30 months and 5 years of probation.

I have been sentenced quite a few times in my life. NEVER was the time and probation exceeded the maximum time in which the charge carried.

I'm indigent, and I am on disability which stopped because of my incarceration. I do not have the funds to hire an

ATTORNEY. I WAS REPRESENTED BY MR. ABUSAFI, BUT MR. JAMES CHECKS WAS THE LAWYER I PLACED WITH. I DID NOT WANT THEM TO REPRESENT ME BECAUSE OF THE POOR JOB THEY DONE. THE CLERK OF COURT ADVISED ME TO TALK TO AN ATTORNEY. SO I WROTE THE HEAD PUBLIC DEFENDER WHICH IS MR. CLAY ALLEN. I TOLD HIM I DID NOT WANT MR. CHECKS NOR MR. ABUSAFI TO REPRESENT ME.

HE THE MOTION WAS FILED ON FEBRUARY 14, 2019. MR. ALLEN SAID HE HAD NOT BEEN GIVEN A COPY. I GAVE THE WRONG SECTION 17-25-386, BUT HE DID CORRECT ME IN SAYING THAT 17-25-326 WAS THE PROPER SECTION. AND HE SAID UNDER RULE 29 OF THE SOUTH CAROLINA RULES OF CRIMINAL PROCEDURE, STATES THAT I HAD SHOULD OF FILED WITHIN 10 DAYS AFTER THE IMPOSITION OF MY SENTENCE. I'M NO LAWYER, BUT JAMES CHECKS SHOULD HAVE FILED THE MOTION, I DIDN'T KNOW THAT I DIDN'T HAVE BUT 10 DAYS.

MR. ALLEN SAID THAT UNDER SECTION 24-21-440, WHICH SAYS THAT DEFENDANTS MAY BE PLACED ON PROBATION FOR NO MORE THAN 5 YEARS.

OK I understand that. That does not say that by law you can give the combination of time and probation and it exceed the maximum time in which the original charge carries. As my charge only carried the maximum of 5 years. Now if you make parole on a sentence and the remainder of the time you have left your parole time will double. As in my my case 30 months of incarceration time, the remainder of time which was 30 months can not be doubled. But the right thing would have been to give me 30 months probation. Like I said I'm no lawyer but I do understand this because of my past experience's with the court system.

He ~~went~~<sup>went</sup> on to say that if I messed up on the 5 year probation and had only a month left the court could give me the rest of the suspended sentence which was 30 months.

Again this does not satisfy the fact that Judge Cole give me 30 months time and

5 YEARS probation which exceeds the maximum time that the original charge carried, which was 5 years.

Like I said I am no lawyer and I need help in this matter. I wanted to let this be handled in Spartanburg County, but I have not got any thing from the court to let me know that this would be taken care of.

I do not have a lawyer and if I have to stand in court myself I will. I will max out these 30 months Oct. 1st or no later than Nov. 1st this year.

Thank you for your time and could you please help me in this matter I sure would appreciate it.

God Bless!

Sincerely

Larry W. Brady

PS: Also MR. Allen of the public Defender's Office, refused to assign me another attorney.

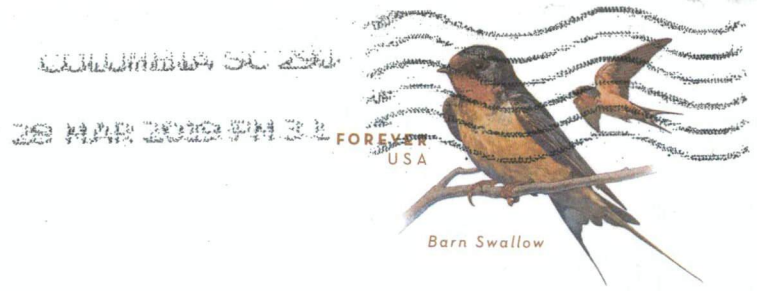
LARRY BRADY #233296  
2B-T46A

EVANS CORR. INST.

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P.O. Box 11629  
Columbia SC. 29211



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