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S.C. SUPREME COURT

To whom it may concern:

I am writing this to further brief the issues presented in my Post Conviction Relief (PCR) as I believe I have been asked via Writ of Certiorari letter.

It is my belief that I should be granted an appeal due to my original Defense Counsel's ineffective assistance of counsel. It is stated multiple times in my Post Conviction Relief transcripts that I was not presented with my Discovery until after my incarceration. It is also abundantly clear in transcripts that I agreed to take a plea deal only if two conditions were met. Those conditions were that my wife's charges would be dropped or she would receive probation and that my sentence would be under twenty years, all concurrent. Had my Defense Counsel fully investigated my claims, there would have been a significant increase in mitigation, which Counsel alleges he moved to do after a November 2016 meeting where I agreed to "take responsibility" in plea deal.

Defense Counsel claims he reviewed my Discovery with me. However, I claim that is not the truth. From March 2013 until I received a copy of my Discovery in June 2018, I was led to believe by Defense Counsel that a separate investigation had been conducted by Counsel. If the Counsel did not complete said investigation, it was negligent to lead his client to believe so. If he had any inclination to even attempt to establish a defense for me, he had from March 2013 until November 2016 when he and I discussed the details of my plea. However, he failed to establish a defense while leading me to believe that all evidence from both investigations was, in his opinion cause for me to "take responsibility". Based on what I now know was ineffective counsel, I assumed that "responsibility" in court in January of 2017. This was before access to my Discovery and all that it includes, or even the knowledge of said Discovery (page 7 lines 8-11 and 19-21; page 8 lines 15-16; page 10 lines 1-4). Access to or even knowledge of my Discovery would have allowed me to see that no investigation on my behalf was conducted which would have raised doubts even then about the effectiveness of my Counsel's understanding of my case. I, as the one accused, of course know of all texts, actions that led up to Soren's passing. However, knowledge is not guilt. Knowledge of events is not the same as concrete evidence that might be used to convict a person. The texts can be construed as admissions, but the texts do not provide the full story. The full story my attorney failed to investigate and thus led me to believe both Prosecution and Defense evidence would end with my conviction of a heinous crime I did not commit. Placing my trust in my defense attorney, I naively entered the plea for which I am now serving time for. However, had I been informed of Discovery I would have been better prepared to question my Counsel's professional opinion in my case and subsequent plea offer.

Furthermore, my Defense Counsel's testimony under oath on July 17, 2018 reflects that I fully expected a capped plea in exchange for my "taking responsibility". His suggestion of twenty years or less to me is not deemed as a promise by the court; yet me repeating my attorney's words of "taking responsibility" is deemed as a free will confession to charges. My Defense Counsel admits under oath several times in the Post Conviction Relief transcript (page 33 lines 5-9; page 35 lines 20-23; page 36 lines 3-5) that I believed my wife would be left alone. It is also indicated (page 39 lines 5-7; page 39 lines 19-23; page 48 lines 21-25; page 49 lines 2-4) that my cooperation would get twenty years or less. So, with those admissions (along with mine and my Mother's testimony) it is reasonably correct to say that a person who has never been in legal (significant) trouble would be led to believe his attorney at face value for his statements. Counsel's own admissions state that my plea would only be accepted in exchange for these conditions. I did not willfully enter into this open plea, but rather a negotiated plea which Counsel failed to produce to the Prosecution and Judge. My sentencing papers were blank which is indicated in testimony, and testimony was given about questions raised to Counsel before plea. Only one story

that's being told is true and Counsel admitted that I only wanted to do a plea deal in exchange for certain conditions in return, so how is my attorney effective if those facts are never presented?

Finally, the issue of how an investigation would have altered my decision. My Counsel stated several times about mitigation (page 29 lines 14-19; page 34 lines 16-19; page 35 line 8; page 46 lines 23-25; page 47 lines 1-3; plus other sections of transcript). However, the only investigative work that Counsel did was after I agreed to a deal in November 2016. So, how could a defense counsel come to the conclusion that a plea is the best option if he failed to investigate? From the time I was arrested I was assumed guilty (page 25 lines 13-15). I believe this is Counsel's thoughts as well since from March 2013 to November 2016 he did nothing besides review the work of those who were saying I was guilty. Yet, Counsel says he investigates several items. He claims to investigate the conspiracy regarding my wife (page 28 line 11) then says it's "early in game" (page 29 lines 14-19) calling for experts. Five months later he says he has sufficient evidence to recommend I take a plea. Then he states the conspiracy against my wife "arrived late" (page 33 lines 5-9), yet to that date he had done nothing to establish a defense.

Ultimately it comes down to the fact that had Counsel investigated the situation he would have discovered the shirt that Soren was wearing was left behind at the scene by the Lancaster Sheriff's office. He also would have found that Soren was sick (vomit on rug) and a private autopsy would have corroborated that fact. All of which corroborates that which I told police - that while throwing up she passed out and ultimately never recovered. Counsel told my Mother and Father that he would retain a forensic specialist to complete the autopsy. My Mother testified to that fact during the July 2018 hearing.

Counsel failed to bring to light my previous neighbors, close friends, family, and even my ex-spouse who would have all spoken to the point that I traveled long distances to have a relationship with my children. Counsel speaks of mitigation yet offers none except Dr. Sutton. No character witnesses, no expense records showing trips every other week to Illinois to pick up my children, no reasons as to why I quit my job or why I failed out of two different colleges. Select texts are used against me and Counsel let others be buried. Multiple incident reports dispute each other; many are fabricated out of thin air. We are faulted for not riding with Soren when we were told she was being airlifted to Carolinas Medical Center. Counsel did not investigate why or the fact that I was pulled over for speeding by Lancaster County enroute to Carolinas Medical Center. Had Counsel investigated any of this, it's not speculative - it would have disproved most of all the Prosecution.

Counsel's deception about investigating this matter cost my wife and I our freedom, our children lost their parents, our parents their child. I take responsibility for my actions but I did not kill Soren, nor do I deserve to sit in prison for 38 years because of an attorney's negligence and failure to fully investigate. I was naïve and my attorney took advantage of that fact by telling me lies and selling me out.

Respectfully submitted,

Phillip Bryan Gleason

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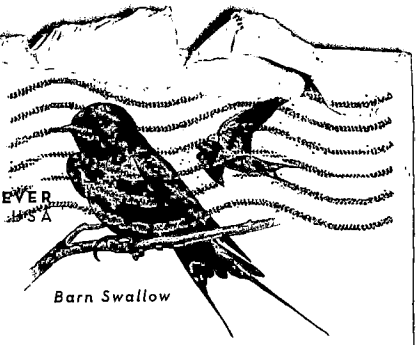

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