

RE: WRIT OF CERTIORARI

CASE # 2014-CP-32-02548

DEAR HONORABLE CLERK (DANIEL E. SHEAROUSE)  
I'M SENDING 2 COPIES OF MOTION TO  
PROCEED PRO-SE WITH THE ASSISTANCE OF STAND-BY  
COUNSEL. PLEASE CLOCK STAMP BOTH AND FILE  
1 SET WITH THE COURT. PLEASE SEND THE OTHER  
BACK TO ME, I HAVE INCLUDED A SELF-ADDRESSED  
ENVELOPE WITH PREPAID POSTAGE AFFIXED FOR YOUR  
CONVIENCE.

DATE: 29 APR 2019

THANKS

ANDREA JAMISON 337461

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MAY 06 2019

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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MAY 06 2019

S.C. SUPREME COURT

APPEAL FROM LEXINGTON COUNTY  
COURT OF COMMON PLEAS  
FOR THE 11<sup>TH</sup> JUDICIAL CIRCUIT  
WILLIAM A MCKINNON PRESIDING JUDGE

CASE NO. 2014-CP-32-02548

ANDRA B. JAMISON  
PRO-SE


PETITIONER

V S

STATE OF SOUTH CAROLINA

RESPONDENT

MOTION FOR THE COURT; TO PROCEED PRO-SE WITH  
THE ASSISTANCE OF STAND-BY COUNSEL, ALSO REQUEST  
THE ENTIRE LOWER COURT RECORD INCLUDING  
PER. TRANSCRIPT AND ALL ELSE THAT'S NECESSARY  
TO PERFECT WRIT CERTIORARI.

  
ANDRA B. JAMISON 337461  
CROODMAN c/o BT-3313  
4556 BOARD RIVER RD  
COLA SC. 29210

DATE 29 APR 2019

APPELLANT MOVES TO REPRESENT HIS OWN CAUSE UNDER 40-5-80 AND PROCEED PRO SE WITH ASSIGNED APPELLATE DEFENDER ADAM SINCLAIR RUFFIN ESQUIRE AS STAND-BY COUNSEL TO MAKE NECESSARY COPIES AND SUPPLY APPELLANT WITH ALL RECORDS FROM THE LOWER COURT UNDER STATE V BREWER 328 SC 117 (1997) (THE SUPREME COURT HELD THAT DEFENDANT HAD RIGHT TO PROCEED PRO SE WITH ASSISTANCE OF STAND-BY COUNSEL) SEE GUNTER V STATE 267 SC 486 (1976) (STATE IS NOT CONSTITUTIONALLY REQUIRED TO FURNISH FREE TRANSCRIPT TO INDIGENT LITIGANT COLLATERALLY ATTACKING CONVICTION UNDER UNIFORM POST-CONVICTION PROCEDURE ACT WHEN NO SHOWING OF NEED WAS MADE AND NO ISSUES OF MATERIAL FACT WERE RAISED IN APPLICATION).

I NEED THE PCR TRANSCRIPT CASE NO. 2014-CP-32-0259 BECAUSE ISSUES OF MATERIAL FACT WERE RAISED AT EVIDENTIARY HEARING AND IN PCR APPLICATION.

- 1 TRIAL COUNSEL WAS INEFFECTIVE FOR FAILING TO ARGUE HOW THE STATE LOSING THE PETITIONER'S BLOOD SAMPLE DENIED A STATUTORY RIGHT TO A REASONABLE OPPORTUNITY TO HAVE TESTING BY AN INDEPENDENT QUALIFIED PERSON, REQUIRING DISMISSAL OF CHARGE. §56-5-2946-50
- 2 TRIAL COUNSEL WAS INEFFECTIVE, DEFICIENT AND PREJUDICIAL FOR NOT OBJECTING TO THE ARRESTING OFFICER'S FAILURE TO PRODUCE VIDEO OF THE INCIDENT SITE AS REQUIRED BY §56-5-2953(B) AND STIPULATING TO CAUSE PUBLIC SAFETY AFFIDAVIT IN THAT IT CURED THE REQUIREMENT UNDER §56-5-2953(B)
- 3 TRIAL COUNSEL WAS INEFFECTIVE FOR FAILING TO INFORM THE PETITIONER THAT THE TRIAL JUDGE'S DAUGHTER WAS EMPLOYED BY THE 11<sup>TH</sup> CIRCUIT SPLICATORS OFFICE, THE OFFICE THAT WOULD BE PROSECUTING THE PETITIONER

4. TRIAL COUNSEL WAS INEFFECTIVE FOR FAILING TO MOTION THE COURT TO SUPPRESS PICTURES OF THE CRIME SCENE AFTER LEARNING THAT THE FIRE DEPT. WASHED DOWN THE CRIME SCENE PRIOR TO IT BEING PROPERLY DOCUMENTED.
5. 1<sup>ST</sup> APPELLATE COUNSEL WANIDA CARTER WAS INEFFECTIVE FOR FAILING TO RESPOND TO THE STATE'S CLAIM OF HARMLESS ERROR BEFORE SUBMITTING HER FINAL BRIEF.
6. 2<sup>ND</sup> APPELLANT ATTORNEY JEREMY THOMPSON WAS INEFFECTIVE FOR FAILING TO DEMONSTRATE HOW THE STATE NEGLECTED TO PROVIDE A STATUTORY RIGHT TO A REASONABLE OPPORTUNITY TO A INDEPENDENT BLOOD TESTING WAS A SUBSTANTIAL ERROR THAT CAN NOT BE HARMLESS.
7. TRIAL JUDGE ROYCE KNOX McMAHON COMMITTED REVERSEABLE ERROR WHEN HE FAILED TO DISCLOSE THE SPECIAL RELATIONSHIP THAT HIS DAUGHTER WORKED IN THE LEXINGTON COUNTY 11<sup>TH</sup> CIRCUIT AS AN ASSISTANT SOLICITOR, AND NEGLECTED TO OFFER THE OPPORTUNITY TO HAVE HIMSELF RECUSED, AS HE HAD DONE BEFORE.
8. THE CIRCUIT COURT ERRED BY FAILING TO RULE ON THE SUMMARY JUDGMENT THAT SOUTH CAROLINA FAILED IT'S CONSTITUTIONAL DUTY TO PROVE ALL ELEMENTS OF FELONY DUI/DEATH BEYOND A REASONABLE DOUBT.

## CONCLUSION

PETITIONER RESPECTFULLY REQUEST PERMISSION TO EXERCISE HIS RIGHT TO PROCEED PRO-SE WITH ASSISTANCE OF STANDBY COUNSEL, AND PCR. TRANSCRIPT BECAUSE OF TESTIMONY, AND EVIDENCE OF ISSUES OF MATERIAL FACT.

1. PETITIONER ALSO REQUEST TRANSCRIPT OF THE TRIAL
2. APPLICATION FOR POST-CONVICTION RELIEF (P.C.R.)
3. RETURN TO APPLICATION
4. REGAIN THE TRANSCRIPT OF (P.C.R.) POST CONVICTION RELIEF HEARING
5. ORDER OF DISMISSAL
6. ALL CLERK OF COURT RECORDS
7. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS RECORDS

CERTIFICATE OF SERVICE

I ANDRA B Jamison # 337461 DO HEREBY FILE MOTION FOR THE COURT, TO PROCEED PRO-SE WITH THE ASSISTANCE OF STAND-BY COUNSEL AND SERVICE TO THE PARTIES LISTED BELOW BY DEPOSITING SUCH IN THE HAND OF GOODMAN'S MAILROOM CLERK IN ACCORDANCE WITH AND PURSUANT TO THE "MAIL BOX" RULE AND HOUSTON V. LACK. THE ENVELOPE IS PROPERLY ADDRESSED PREPAID AND STAMPED 1ST CLASS MAIL ALL ON THIS DAY 29 APR 2019 TO BE MAILED TO THE ADDRESSES BE LOW.

ADDRESSEES:

ADAM SINCLAIR RUFFIN  
APPELLATE DEFENDER  
P.O. Box 11589  
Columbia SC. 29211

THE HONORABLE DANIEL E. SHEAROUSE  
CLERK SUPREME COURT OF S.C.  
P.O. Box 11330  
Columbia SC. 29211

ATTORNEY GEN. OFFICE  
P.O. Box 11549  
Columbia S.C. 29211

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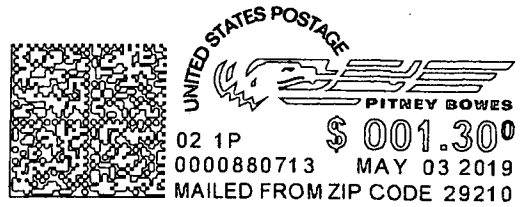
ANDRA B JAMISON # 337461  
S.C. SUPREME COURT GOODMAN C/E BI-338  
4556 BROADRIVER Rd  
COLA SC 29210

SWORN BEFORE ME  
THIS DAY 29 OF MAY 2019  
COUNTY OF RICHLAND  
STATE OF S.C.

NOTARY PUBLIC

8/30/2026  
COMMISSION EXPIRES

ANDRA B JAMISON # 337461  
CROODMAN CIA BI-33B  
4556 BROADRIVER RD  
Columbia SC 29210



MAIL ROOM  
MAY 03 2019  
CDC

THE HONORABLE DANIEL E. SHEAROUSE  
CLERK SUPREME COURT OF SC.  
P.O. BOX 11330  
Columbia SC 29211