

I believe I'm entitled to an appeal, because my public defender had met ^{to} sign two different charges. He knows from the first day I spoke to him I told him what I was charged with, (CSC 3rd degree) explained to him what happened, and asked him if he could get the charge dropped to a Simple Assault. He said he'd work on it for me and I told him fine. On November 26, 2018 when I had my Preliminary hearing, Mr. Macdonald told me that the Solicitors were trying to figure out if I should've known from the beginning that the victim had dementia, I asked him, How was I suppose to know that, the way she came at me? By that I mean my friend and I were inside the nursing home sitting at a table waiting for the CNA'S to hand their lunch trays out, my friend, ALVIN RAY JONES, is a patient there →

also. He told me how the victim, Annie White, was a table away from us staring at me, I glanced over there and sure enough, she was staring me down. After their trays were handed out I heard someone say "HEY YOU" and the voice came from the area which she was sitting. I looked over there and she asked me to come to her table, I went over there, she asked me to have a seat, and asked me for my name and age. I told her what she wanted to know about me, and I asked her the same questions. She didn't hesitate on giving me her name, but she just came out and told me she was too old for me and I couldn't handle her. When she said that I was like, "What are you talking about?" Anyway, she told me she was 66 and had two sons and one daughter, and one of her sons and daughter were suppose to be visiting her the next day.

(2)

We continued on talking and she asked me if I could do her a favor. I told her sure, she asked me if it would be alright if she called me baby, and I told her sure. From that day forward that's all she called me was her baby and telling people I was her man. Then she told me, baby. I'm going to tell you right now, two things I don't like doing, and that's wearing bras or panties. After that came from her mouth, it stunned the heck out of me, and I just told her we all had our ways of life. I looked back over to where my friend was sitting and saw he was still eating. Then I turned my head back to Annie and saw she had already unbuttoned the top button of her blouse working on the other one, I told her not to do that and she said she was sorry she had forgotten other →

people were in there. About two minutes later my friend let me know he had finished eating and was ready to go back to his room. Annie asked me if I could take her to her room also, her room was just down the hall from my friend's room, I told her no problem, I got my friend straight and took Annie to her room, where we talked for another three or four minutes, and I told her I had to run along. She asked if I'd be back the next day, and I told her I'd put forth every effort. She gave me a hug and kiss and I left. The next day she and I were in the dining room, she'd just finished eating, and once again told me her son and daughter were supposed to be visiting her. In about eight or nine minutes her son, Nathaniel and her daughter, I don't remember her name, arrived.

(3)
She introduced me to both of them by telling them I was her new baby. I greeted both of them and talked with them for a little while and told Annie I was going to check on my friends, Mr. Gregory Keaton and Ray Jones. I told her I'd be back shortly and to find out more about her children. As I got up from my chair to leave, she grabbed me by my arm and gave me a hug and kiss in front of both of them, and all they said was "THAT'S MY MAMA FOR YOU!" Throughout the month of August, ²⁰¹⁸ when I visited my friends, I checked on her. On September 8, 2018 when the incident happened, I was leaving Gregory's room going to Annie's room. She was sitting in her recliner watching television. As I entered, she gave me a hug and kiss and asked for me to sit on her bed. We talked for a good →

twelve to thirteen minutes and she got up from
(I didn't know she could walk. I always pushed her in her wheelchair and that's why I thought
her recliner, walked behind me, and closed her
she was there in the nursing home)
door up. When she came back in front of me her
blouse was halfway unbuckled and she asked me if I
remembered the two things she told me she didn't
like doing. Before I could get a word out of my
mouth, she finished unbuckling her blouse, took it off
and didn't have a bra on and unbuttoned and unzipped
her pants with no panties on. She begged me to
have sex with her for just one time, but I turned
her down and tried to leave. She continued to
grab me and told me if I left her room she
would start screaming. Her room wasn't anymore
than nine to twelve yards from the CNA's desk
where there was usually at least one CNA there.
I said to myself "WHAT HAVE I gotten myself into this
time?"

(4)

People had already seen me in her room that day and if I would have left and she stayed screaming she could've said anything. She even could've had a heart attack or stroke. That's how bad she wanted me. She got on her bed and got up under her cover and asked me to come sit beside her. I did as she asked me and she pulled my hand up under her cover with her and asked me to stick my finger up in her. She grabbed my index finger, I switched to my middle finger, and she pulled it on up in there and I took it from there. She enjoyed it and all of a sudden she raised up and grabbed mine and started playing with him. When she noticed he had awakened, she asked for me to stand up. I stood up, she unzipped my shorts, and pulled him out. She asked me for the last time to →

have sex with her. Before I could get another word out of my mouth, she grabbed me and pulled me on top of her, she was under the cover and I was on top of the cover at first. Then I got under the cover with her. I pretended like I was trying to get him through but he wouldn't fit. I asked her if she had any grease or lotion and she just asked me to lift her thighs up. I did that, but to no success. As I put him back in my shorts and zipped him up, about four to six seconds later her door opened. It was a CNA I hadn't seen before, and prior to this I had been visiting the nursing home for the past 1 1/2 to 2 yrs, she asked if everything was alright and I said yes. Then two more CNAs arrived that I had seen and knew, and they asked me if we had had any sex in there. I got ready to respond, but Annie stepped in. She

(5)

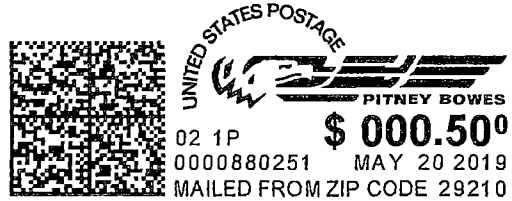
told them that she'd been telling them I was her baby and her man, and she told them yes we'd been having a little sex in there, and she enjoyed every bit of it and it was her idea. They looked at each other for a good eight to nine seconds and then they left. Within three minutes, someone else came in there and told me I had to come to her office. AS I got up from Annie's bed where she and I were lying holding hands, to go to the office with her, Annie told her the same thing she told the CNA'S that were there prior to her showing up. That I did nothing wrong and it was her idea I went to her office with her, answered questions, and waited on the police. They arrived, I told them what happened and they charged me with
 CRIMINAL SEXUAL CONDUCT 3RD DEGREE

AFTER ALL OF THAT; How was I supposed
to know that she had dementia? One thing
for sure I did know of her, and that was
that she knew all about sex. I've been LOCK-
ed up for eight months and I just say this is
enough time for my sin I comitted. In February ²⁰¹⁹ when I sent
my offerings, I did choose ASSAULT and Battery 1st
over Five years Home Detention and serving five
years and then five years probation. on April 22
2019 on my court day. I was in the waiting room
listening to Mr. James CHECKS explain plea deals, wait-
ing on Daniel. He arrived, we went outside of the
room, and walked. He showed me the charge, simple
ASSAULT as I had asked for. I signed and initiated
it as he asked. As I was in the courtroom waiting for
my name to be called, here comes Daniel with another
piece of paper in his hand, the ASSAULT and BATTERY 1st.
He said they had to switch over because Annie's other son
was in the courtroom and a trial was going on.

(6)
What does that suppose to mean? He just told me to bare with him and he had everything under control, I should have gotten up and left the courtroom as I started to, but like an idiot, I just took his word for it, and signed and initiated the ASSAULT and BATTERY 1st charge as I did the SIMPLE ASSAULT CHARGE. I didn't know that the ASSAULT and BATTERY 1st charge carried a maximum of 10yrs. as the CSC 3rd degree, and sure enough that's what the judge hit me with on a non violent crime. I just asked for this appeal to have one more chance of getting my life together sooner. God knows that all of these down here with violent crimes such as murder, breaking and entering, etc. THIS IS HOME I just continue to hope and pray that he'll see me through.

Christopher Sachols Polson

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