

IN THE SOUTH CAROLINA COURT
OF APPEALS

9-24-2019

RECEIVED

SEP 26 2019

CASE: TREV WILLIAMS V. STATE OF SC
CASE #. 2016-001553

Motion for Counsel/
Additional

Motion to object to
change of State Attorney
General/objection to
Rehearing being filed on
record BY CLERKS AND
Additional Appeal Bond Hearing
Request...

ENCLOSED IS OFFICIAL S.C. COURT DOCUMENTS
SHOWING SOME OF THE CHANGES IN THE STATE
ATTORNEY GENERAL'S IN THIS CASE.

WILLIAM M. BLITCH JR. BAR # 15608

FILED A ERRONEOUS MOTION/RETURN RECENTLY
INVOLVING THIS CASE WHILE NOT BEING ON
THIS CASE HAVING ADEQUATE INFORMATION
TO FILE ANY RETURN.

SECONDLY, EVEN MR. WILLIAM RECOGNIZED
THAT A REHEARING MOTION WAS NEVER
SPECIFICALLY FILED BY ME AND I SHOULD

Not be pending in court for a rehearing.
LASTLY, I Request A Appeal Bond
hearing to present medical records And
documents showing that it's best And
safest if I AM out on bond pending
the rest of this Appeal. I Am
Innocent, NO criminal record, NO
evidence Against me of facts, I have
A stable place to live, Job etc.
I would like to have witnesses
testify from my community And
Alleged victims family to show
being in favor of me Getting released
on BAIL. (over 4 Attorney Generals in case for delay)
I turned myself in, I Am not A
Flight Risk, And I Request counsel
to help me obtain things I need
to continue this case And obtain
Appeal Bonds. Please Dismiss Rehearing,
transfer case to hear Appeal Bond.

See enclosed A document showing I
have been beaten, sprayed And stabbed
to be killed by SCD staff And
Inmates while waiting on Appeal.
during visit



ALAN WILSON
ATTORNEY GENERAL

September 16, 2019

VIA Hand Delivery

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Trey Williams v. State
Appellate Case No.: 2016-001553

Dear Ms. Kitchings,

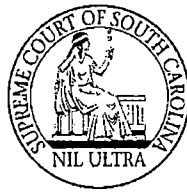
The State received a copy of this Court's letter dated September 6, 2019, as well as a copy of Mr. Williams' letter seeking clarification of the Court's opinion. This Court construed the letter as a Petition for Rehearing and sought a Return from the State. Please accept this letter in lieu of a formal Return; however, should the Court require a formal Return, please do not hesitate to contact me. It is the State's understanding that the PCR Court granted Mr. Williams relief in the form of a new trial. This Court affirmed that holding in its Opinion filed August 21, 2019. As a result, it is the State's understanding Mr. Williams' case is being remanded for a new trial.

Please also accept this letter as a request to remove Janell Gregory and substitute the undersigned as counsel of record for the State of South Carolina in this matter. Please forward all future correspondence regarding this matter directly to me.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General
Bar No. 15608

cc: Trey Williams, Inmate # 341036



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211
1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

March 22, 2019

Mr. Trey Williams, 341036
McCormick Correctional Institution
386 Redemption Way
McCormick SC 29899

Re: Trey Williams v. State of South Carolina, Appellate Case No. 2019-000113
Trey Williams v. State of South Carolina, Appellate Case No. 2016-001553

Dear Counsel:

This responds to your recent correspondence.

As to your question about removal to federal court, I will not respond to this legal question. If you need advice or legal assistance, you should consult with an attorney.

Any motion to be admitted to bail under Rule 243(j) of the South Carolina Appellate Court Rules will need to be made to the South Carolina Court of Appeals where the post-conviction relief case is currently pending.

Finally, if you have questions about what the Court of Appeals has received in its case, you will need to contact the Clerk of that Court.

Very truly yours,


CLERK

cc: John Benjamin Aplin, Esquire
Jenny Abbott Kitchings, Esquire

necessary or appropriate for this Court to consider the documents filed in that case,
it can do so.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line and a small flourish.

CLERK

cc: John Benjamin Aplin, Esquire
The Honorable Jenny Abbott Kitchings



ALAN WILSON
ATTORNEY GENERAL

September 16, 2019

VIA Hand Delivery

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Trey Williams v. State
Appellate Case No.: 2016-001553

Dear Ms. Kitchings,

The State received a copy of this Court's letter dated September 6, 2019, as well as a copy of Mr. Williams' letter seeking clarification of the Court's opinion. This Court construed the letter as a Petition for Rehearing and sought a Return from the State. Please accept this letter in lieu of a formal Return; however, should the Court require a formal Return, please do not hesitate to contact me. It is the State's understanding that the PCR Court granted Mr. Williams relief in the form of a new trial. This Court affirmed that holding in its Opinion filed August 21, 2019. As a result, it is the State's understanding Mr. Williams' case is being remanded for a new trial.

Please also accept this letter as a request to remove Janell Gregory and substitute the undersigned as counsel of record for the State of South Carolina in this matter. Please forward all future correspondence regarding this matter directly to me.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General
Bar No. 15608

cc: Trey Williams, Inmate # 341036,



ALAN WILSON
ATTORNEY GENERAL

April 30, 2019

The Honorable Daniel E. Shearouse
Clerk of Court, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: The State v. Trey A. Williams
Appellate Case No. 2016-001553

Dear Mr. Shearouse:

Please be advised that my last day with the Attorney General's Office will be May 1, 2019. Please consider this letter as my motion to change my status to former counsel for the State in the PCR appeal listed above. Kindly add Assistant Attorney General Janell Gregory as current counsel for the State in this matter.

By copy of this letter, I am notifying opposing counsel of the request for change of status.

Sincerely,

J. Benjamin Aplin
Senior Assistant Deputy Attorney General
S.C. Bar No. 8729

JBA/tb

cc: Trey A. Williams, pro se
Janell Gregory, Esquire
Victim Advocacy Division



ALAN WILSON
ATTORNEY GENERAL

January 11, 2017

The Honorable Daniel E. Shearouse
Clerk of Court, South Carolina Supreme Court
PO Box 11330
Columbia, South Carolina 29211

Re: Trey A. Williams, #341036 v. State of South Carolina
Lower Court Case No. 2013-CP-46-1797
Appellate Case No. 2016-001553

Dear Mr. Shearouse:

The **Petition for Writ of Certiorari and Appendix** in the above appeal are due to be served and filed today. I respectfully request a thirty-day extension of this deadline in which to serve and file this Petition.

I have contacted opposing counsel who has notified me that he does not consent to this request. I graciously ask that the deadlines be held in abeyance pending the resolution of this extension request.

This extension request is not intended for the purpose of delay, but is necessitated by my heavy workload.

Respectfully yours,

Justin J. Hunter
Assistant Attorney General
S.C. Bar No: 101254

JJH/jyb

cc: Nathan J. Sheldon, Esquire

467 169

of the materials Respondent seeks to include were presented to the lower court. Respondent's supplemental matter must therefore be excluded. Petitioner thus submits that this Court should deny Respondent's Motion.

Respectfully submitted,

ALAN WILSON
Attorney General

V. HENRY GUNTER, JR.
Assistant Attorney General

KEVIN S. BRACKETT
Solicitor, Sixteenth Judicial Circuit

BY:



V. Henry Gunter, Jr.
S.C. Bar No. 102259

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

January 28, 2019

ATTORNEYS FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

October 23, 2014

The Honorable David Hamilton
York County Clerk of Court
Post Office Box 649
York, South Carolina 29745

Re: Trey Williams v. State of South Carolina
Civil Action No. 2013-CP-46-1797

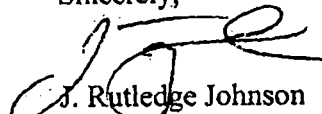
Dear Mr. Hamilton:

I received a document titled "Judicial Notice of Adjudicated Facts" in the above referenced matter on October 22, 2014. Rule 11 of the South Carolina Rules of Civil Procedure requires every pleading, motion or other paper of a party represented by counsel to be signed by at least one attorney of record who is an active member of the South Carolina Bar. If a pleading, motion or other paper is not signed, "it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant." Rule 11 SCRPC.

Furthermore, the South Carolina Supreme Court has stated that counsel cannot serve as a mere conduit for *pro se* documents in an effort to avoid the prohibition against hybrid representation, but must use their professional judgment in reviewing the documents and shall only submit those arguments that are relevant and have been edited by counsel. Jones v. State 348 S.C. 13, 14, 558 S.E.2d 517, 517 (2002).

The above mentioned "Judicial Notice of Adjudicated Facts" is merely Williams's submission typed by his attorney. Therefore, the State does not consent to this action because it does not comply with Rule 11 and Jones v. State. By court order, I am notifying opposing counsel of the State's position.

Sincerely,


J. Rutledge Johnson
Assistant Attorney General

JRJ/cey

cc: Charles T. Brooks, III, Esquire

WARDEN'S DECISION AND REASON:

BRCI-0846-16

Inmate Williams, Trey #341036

You stated in the grievance that on October 13, 2016, while housed at Broad River Correctional Institution you were set up to be gassed in the face and to be killed. You stated that Unit Manager Captain McNut sprayed you in the face. Then, you stated that Lieutenant Clark unlocked your cell door and up to 80 inmates stabbed and beat you with a weapon. You further stated that you were rushed to the emergency trauma unit at Palmetto Health Hospital where you were treated. You also stated there is a hit on your head to be killed. Finally, you stated that the officers are behind this will be back at the institution shortly. Your case was referred to the Division of Police Services for review. Based upon the investigation, it was determined that you received multiple stab wounds to your back from inmates due to your cell door not being secured. You were instructed by Unit Manager McNut to go to your cell. As you were attempting to your cell, you were gassed by Unit Manager McNut with chemical munitions. Due to the amount of gas used, you were unable to see as unidentified inmates were hitting you. You threw some punches to defend yourself, but you do not believe that you hit Unit Manager McNut. Then, Sergeant Clark came to your cell and unlocked the door and left. Sergeant Clark heard a female voice say "you better get him this time". Several unidentified inmates entered your cell and assaulted you. You could not identify any of the inmates involved in the assault, however Unit Manager McNut was advising inmates to go to their cells for count. When she approached your cell, you began to use profanity at her and then you approached her with your fist clinched. Due to your actions, she had to administer chemical munitions to your facial area. You swung and hit her on the left side of her face. At this point, she became disoriented and was assisted off the wing. After leaving the wing area, Unit Manager McNut did not recall if she locked your cell door. Unit Manager McNut did not witness you being assaulted, however she was aware that you were stabbed and she did not observe the incident or who had stabbed you. Following the incident, you were seen and treated by medical staff for the injuries that you sustained from the assault. Due to the actions of the inmates involved in the incident, the necessary amount of force was used (gas) to gain control of the situation. Therefore the Division of Police Services deemed it necessary to Administratively Close your case

Therefore, your grievance is denied.

If you disagree with this Warden's Decision (Decision), you may file an appeal by completing SCDC Inmate Grievance Form 10-5A, provided to you while serving you this Decision, and placing it in the Grievance Box at your local correctional institution within five (5) days of your receipt of this Decision.

Warden Signature

Date

☐ I accept the Warden's decision and consider the matter closed.

☐ I do not accept the Warden's decision and wish to appeal.

Grievant Signature

Date

IGC Signature

Date

INSTRUCTIONS FOR COMPLETING STEP 1 GRIEVANCE FORM

1. An informal resolution shall be attempted prior to the filing of Step 1 by sending an Inmate Request to Staff Member (RTSM) form or Kiosk reference number to the appropriate supervisor. A copy of the answered RTSM must be attached to the grievance when the grievance is filed.
2. Complete each section in its entirety writing only in the space provided for inmate use. No additional pages will be permitted.
3. Only one (1) issue is to be addressed on each form.
4. Submit the completed form by placing it in the Grievance Box at your institution within eight (8) working days of the date on the RTSM response; policy grievances can be filed at any time. Disciplinary and Classification Review appeals must be submitted within five (5) working days of the hearing/review. Do not write in the space provided for the Warden's response.
5. If you are not satisfied with the Warden's decision, you may appeal to the appropriate responsible official within five (5) days of your receipt of the Warden's decision, by placing your Step 2 appeal form in the Grievance Box at your institution.

Trey Williams 391086
M.G. I. BHU # 69
386 Redemption way
McCormick SC 29899



The South Carolina Court
of Appeals
1220 Senate Street
Columbia SC, 29201

RECEIVED

SEP 26 2019
SC Court of Appeals

