

OCTOBER 11, 2019

ALEXANDER SMALLS 381295
KIRK LAND CORRECTION R/E INSTITUTE
4344 BROAD RIVER ROAD
COLUMBIA, SC 29210

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OCT 16 2019

SC Court of Appeals

Re: STATE V. ALEXANDER SMALLS
APPELLATE CASE No. 2019-001532

DEAR APPEALS COURT OF SC:

I AM WRITING IN REFERENCE TO THE ABOVE STATED APPELLATE CASE No. THE APPEALS COURT IS REQUIRING THAT I RESPOND IN WRITING OF ANY ARGUABLE BASIS THAT I HAVE ON ISSUES PRESERVED FOR AN APPEAL.

I HAVE FOUND SEVERAL ISSUES IN MY CASE (CHARGE: ROBBERY / WARRANT No: 2019A3810700309) WHERE THE COUNTY OF ORANGEBURG FORCED ME TO TAKE A PLEA RECOMMENDED BY THE STATE AND WAIVE MY RIGHT TO PRESENTMENT OF THE GRAND JURY. WHERE THE PARTIES PHILIP GIESE SC BAR # 100615 AND BREEN R. STEVENS VIOLATED SOUTH CAROLINA RULES OF COURT FOR CRIMINAL PROCEDURE. IF PROPER OBSERVANCE IS DONE AND MY PRETRIALS MATTERS ARE VIEWED THRU MY CLERK OF COURT FILE YOU WILL SEE THE ABOVE STATED PARTIES IMPROPERLY CONDUCTED THEM SELVES IN THESE MATTERS.

VIOLATIONS STARTING AT RULE 2 PRELIMINARY HEARINGS (A) NOTICE OF RIGHT. STATES THAT "SUFFICIENT EVIDENCE EXISTS" TO WARRANT THE THE DEFENDENTS DETENTION AND TRIAL. THERE WAS NO EVIDENCE PRESENTED AT THIS HEARING AND IT WAS STILL PUSHED TO GENERAL SESSIONS BY JUDGE DERRICK DASH. THIS HEARING TOOK PLACE ON 4-1-19 ON RECORDINGS.

RULE 3. DISPOSITION OF ARREST WARRANTS (C) ACTION ON WARRANT. WITHIN 90 DAYS AFTER RECEIPT OF AN ARREST WARRANT FROM THE CLERK OF COURT, THE SOLICITOR SHALL TAKE ACTION ON WARRANT BY (1) PREPARING AN INDICTMENT FOR PRESENTMENT TO GRAND JURY, WHICH INDICTMENT SHALL BE FILED WITH CLERK OF COURT, ASSIGNED A CRIMINAL CASE NUMBER, AND PRESENTED TO GRAND JURY (2) FORMALLY DISMISSING THE WARRANT, NOTING ON THE FACE OF THE WARRANT ACTION TAKEN; (3) MAKING OTHER AFFIRMATIVE DISPOSITION IN WRITING AND FILING SUCH ACTION WITH CLERK OF COURT. THE ACTION DID NOT TAKE PLACE WHICH VIOLATES MY DUE PROCESS AND FIFTH AMENDMENT OF FEDERAL CONSTITUTION. THIS CAN ALSO BE VIEWED THRU MY CLERKS FILE WHERE NO MOVEMENT OR MOTIONS WERE FILED FOR MONTH

RULE 5 DISCLOSURE IN CRIMINAL CASES. (A) DISCLOSURE OF EVIDENCE BY THE PROSECUTION. (3) TIME FOR DISCLOSURE. THE PROSECUTION SHALL RESPOND TO THE DEFENDANTS REQUEST FOR DISCLOSURE. NO LATER THAN THIRTY (30) DAYS AFTER THE REQUEST IS MADE, OR WITHIN SUCH TIME AS MAY BE ORDERED BY THE COURT. NO RESPONSE WAS MADE FROM THE SOLICITOR'S OFFICE FOR LONGER THAN THIS TIME FRAME ALLIOTED. (D) (1) PROTECTIVE AND MODIFYING ORDERS

(2) FAILURE TO COMPLY WITH A REQUEST PROTECTS ME FROM THE VIOLATION COMMITTED BY THE SOLICITORS OFFICE. THEY NEVER RESPONDED TO MY REQUEST TO DISCLOSE THE EVIDENCE WITHIN 30 DAYS OF TRANSMITTAL TO THERE OFFICE WHICH DENIED ME MY RIGHT TO A FAIR TRIAL BY A JURY UNDER RULE 14 (C) WHERE I COULD REVIEW EVIDENCE. I STILL TO THIS DATE STATED ABOVE HAVE BEEN FORWARDED A COPY OF THIS MOTION TO DISCLOSE THIS EVIDENCE.

WITH THESE COURT PROCEDURES AND RULE BEING VIOLATED BY ORANGEBOURG COUNTY SOLICITOR OFFICE AND PUBLIC DEFENDER OFFICE OF THE FIRST JUDICIAL CIRCUIT HOW COULD I STAND BEFORE A JURY AND ARGUE MY INNOCENTS WITH KNOWLEDGE OF WHAT WAS GOING ON, ON MY CASES BEHALF. AS WELL AS MY LAWYER REPRESENTATION COHERSING ME AND TELLING THAT THEY COULD DO THAT AND IF I SPOKE OUT AGAINST IT TO THE JUDGE OR ASK FOR A TRIAL THAT IT WASNT A GOOD CHOICE AND I WOULD BE DENIED AND PUNISHED MORE HARSHLY.

SINCERLY,

ALEXANDER SMALLS
Alex Small



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SOUTH CAROLINA COURT OF APPEALS
1220 SENATE STREET
COLUMBIA, SC 29201

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