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SC Court of Appeals

To whom it may concern,
I am writing this letter with a basis
for an appeal. I would like to appeal my
case for the following reasons:

• Ineffective Assistance of Counsel:
• My lawyer had assured me in the month
of April in the first court term of the month
that I would go home on a P.R. bond
because the Solicitor(s) wouldn't be ready for
trial at the appointed time. I never got my
P.R. bond that my lawyer promised. Instead I
ended going to trial.

- Lack of trial preparation; being that I have
a very serious case and my lawyer failed to
properly prepare for trial (he only came to
see me 2-days the week before trial for
trial preparations) this also makes him an ineffective
assistance of counsel.

- Both Me and my co-defendant had Public
Defenders in the same office. Being that they both
were in the same office they could have
easily spoke to one another about the case
or seen paper on either me or my co-defendant.
Being that my co-defendant and I both had
Public Defenders (Lawyers) in the same office
it has effected my Lawyers' ability to properly
represent me. NOT only that it is a strong
conflict of interest; makes my lawyer ineffective assistance.

- Lawyer failed to put Affidavit into the record of
my case. Not only did he fail to file my Affidavit
he lied about me giving it to him at my Preliminary
Hearing. He recieved my Affidavit in November of
2017 my Preliminary hearing was on 11/15/17

My lawyer not only denied my access to the courts, he also flat out lied to me. This also puts him at ineffective assistance of counsel = my Lawyer failed to file the motion(s) I asked him to file to challenge my indictments

• Conflicts of Interest:

- Melanie Dubose was a biased Judge at my Preliminary hearing due to relationship with Aiken Sheriff Mike Hunt

= My co-defendant and I both had Public Defenders who work in the same office. Who both also work together everyday.

This is a strong conflict of interest

• Right to effective assistance of counsel denied by Judge Newman. He said that I have to keep my Public Defender instead of allowing me to go Pro Se or get a Pro Bono lawyer. Which in the end he did not allow me to fire my Public Defender so my right to effective assistance of counsel was violated

• Due Process - Violation(s):

- My indictments were signed off on May 10th, 2018.

But the Grand Jury came together and was convened on May 14th, 2018. If the "Action of Grand Jury" can't take place until the Grand

Jury comes together and convenes itself then why was I tried under improper indictments

even after alerting my lawyer of the issue (I asked him to file a motion to Quash Indictments)

and asked about this issue at my "Relief of Counsel" hearing in September of 2019. The "Action of Grand

Jury took place on May 10th 2018. Yet, the Grand Jury came together and was convened on May 14th, 2018. To my

understanding, and by S.C. state law this is subject matter jurisdiction. Not only that since I was tried on

indictments issued by an illegal grand jury I can

• Due Process Violation(s) continued:

say that my Due Process of Law (Being Deprived of Life, Liberty or Property) is being violated in light of the 5th and 14th Amendment and the S.C. Constitution

- The Solicitors' Office in Aiken County has control over the criminal docket. The Solicitors' Office had control over the criminal docket even after my 2nd 545-day hearing. Being that the Solicitors' Office has had control of the docket the entirety of my case this is a violation of not only my Due Process rights, but also my Speedy Trial rights as well. (State vs. Langford; S.C. Code Sect 17-330)

- In light of Erie Railroad v. Tompkins (1938), being that only the Federal Constitution of 1878-1887 (which is based on contract law and Commerce applying to Corporate Artificial Persons (strawman) "U.S. Citizens") is being applied and not the original constitution of 1787-1791; there are no constitutional courts of Due Process. Since there are no constitutional courts of Due Process (in light of Erie Railroad v. Tompkins (1938)) this is also another reason I feel as if my Due Process rights are being violated.

- Procedural Due Process was denied because of the emotional distress caused by the denial of Fair Process and by an unjustifiable deprivation of liberty or property attributable to lack of fair process, and lack of equal protections of laws (14th amendment violation).

- "As a minimum, due process REQUIRES that an accused be given reasonable notice of the charge against him, the right to examine the witness against him, the right to be represented by counsel." - re Oliver, 333 U.S. 273 Supreme Court case of 1948; I was not given proper notice of the charges against me, didn't get to examine witnesses in Preliminary or Trial, and my Lawyer could not properly assist me as counsel (ineffective assistance); This is another due process violation.

• More reasons for ineffective assistance of counsel:

- U.S. v. Hill, 1 Brack. 156, Chief Justice Marshall indicated that presentment & indictment are ONE ACT and the second to be considered ONLY as an amendment to the first. The usage of this country has been to pass over, unnoticed, presentments on which ~~my attorney~~ did not think it proper to institute in proceedings. This also puts him at ineffective assistance of counsel cause he is not properly fighting for me.

"All federal law & Supreme Court cases apply to ^{state court} state court cases" - Howlett v. Rose U.S. 356 (1990)

• More reasons for Due Process Violation:

- In the case of Hale vs. Henkel (1906) it is clearly shown that arrest warrants are a form of presentment. In U.S. v. Hill the Chief Justice Marshall indicated that presentment and indictment are ONE ACT and the second to be considered ONLY an amendment to the first. I was NOT properly indicted nor given proper or reasonable notice of the charges against me. When this was brought up along with the fact an illegal Grand Jury was set up when I was "indicted", I was still taken to trial (I asked for trial). Being that an "warrant" is considered an presentment AND indictment it is technically known as a "True Bill". "True Bills" or indictments cancel out the warrant. My "True Bills" or indictments were improper and an illegal grand jury was set up when I was indicted. Yet, I was still tried. This is a Due Process Violation

sincerely,