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SC Court of Appeals

November 8th, 2019

To: SC Court of Appeals
1220 Senate St. W

Columbia, SC 29201

From: Richard Lamar Littleton

Re: Case # 2019.001618

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If it please the court, I, Rick Littleton, would like to appeal the aforementioned case and sentence handed down by The Honorable Grace Krie, 7th Judicial Circuit. As asked of me by the Clerk of Court in The Appellate Court, Columbia, SC, I am giving my account of events that transpired on March 22nd, 2019 that led to Case # 2019 OS4203931 being filed charges of which I am Not Guilty. On the aforementioned date in the City of Wellford, SC myself and a female by the name of Kayla Snow went to O'Billy Auto parts. We were in her vehicle to attain a ughy cover gasket to repair her car. She picked me up and we traveled in her car to purchase this part, as I offered to repair her vehicle. When we arrived

at O'Reilly Auto Parts, I asked if she had any D. When she said ~~no~~ no, I handed her \$20 at which point, to my shock and surprise, she began to convulse violently. I later ~~found~~ learned this was a drug overdose as the result of Ms. Snow having ingested a very large # of the controlled substance pills I sold. The manager observed this incident and proceeded to call 911. Approximately 10 minutes later, the fire department, EMS, Chief and Lieutenant of Wellford Police arrived. I was not in the vehicle when emergency personnel arrived. ~~Ms. Snow~~ Ms. Snow was put on a stretcher and administered Narcan. I was put in handcuffs. The Lieutenant at the time produced a syringe and a clear bottle, the contents of which I later learned ~~was~~ ~~was~~ ~~were~~ were methamphetamine, a large quantity. I stated to the Lieutenant, "That is not mine." He said he got it out of a backpack found in the back seat of Ms. Snow's car. He then placed me

of O'Reilly

in his vehicle and transported me to the JcDC. While on the way, he mentioned to me THREE times that I would "beat this in court." My response then was, "Then why did you arrest me?" He did not answer my question. After I spent over a month in jail, Ms. Snow came to my residence and told me that the Willford City Debraant who arrested me, told her I had got the meth + syringe out of a purse in the back floorboard. Ms. Snow had agreed to testify on my behalf about the incident. Being indigent, I contacted the Pub. Def. office and was assigned Pub. Def. Andrea Price for my representation. When I met her at the Courthouse the day of my roll call for ^{Gen. Sessions} court, Sparta County, she asked "if I was pleading guilty." I said "No, I am not guilty" and told her I wanted to request a jury trial. The court adjourned before reaching my case that day. I told my attorney I was arrested w/o cause that day and charged w/ Poss. of Meth. She told me that her office had heard

of Wellford Police ~~also~~ making inappropriate arrests, planting evidence, etc

Case # 2019GS424792

~~On June 5th, 2019~~ Case # 2019GS4203009

(in question)

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The first of the 2 above case #s was when I was charged with Possession of Controlled Substance Schedule I to V 1st ~~cc I am guilty~~ on June 5th, 2019 I am guilty of this. However, the second case # was when, on the same day, I was charged with Possession of Meth 2nd. I am absolutely not guilty of this charge. There was no meth. Green PD Officer Jonathan McWhite was the arresting officer. ~~and~~ I had 1/2 of a Xanax bar (for which I had a Rx) and 5 Klonopin pills. He charged me w/ 2 counts of Poss. w/ Intent to Distribute. I was taken to jail and went before the Magistrate and was given a bond. I was transferred to ~~the~~ Spart. County Detention Center. As a part of my bond I was placed on house arrest with GPS ankle monitor as a condition of bond.

Upon my release I reported to
have detention and got fitted
for the ankle monitor.

After approx 2 months I
had to go to the eye doctor,
Clemson Eye on Pelham Rd in
Greenville SC, I had a tear
in my Retina and being
in considerable pain and taking
almost 5 hours I returned home
and I was greeted by a knock
at the door and it was Spartanburg
County Sheriffs Dept (home detention)
they came in and wanted to
know where I'd been and I
told them and I gave them
my doctors evaluation, they then
asked me to give them a
urine specimen, I couldn't urinate
because I'd just used the
bathroom. They then handcuffed
me and took me to jail.

I after 50 days ^{was} contacted
by Mr James Cheek about pleading
guilty at which time I told
him I would plea guilty

to the pills, 1/2 Xanax bar and approx 5 Klonopins. In which I've got a prescription for the Xanax. He brought up the Wellford charge, and I told I was not guilty. So they brought me to court and the honorable Judge Hayes was presiding, and when I was called, I stood before him and he ask me how I plead, and I said, "Not Guilty" and Mr. James Cheek came almost running up to me and in a fit of rage he told me go, go get back in the box and said that I wouldn't be out of jail and back into court for at least 1 year. Now I'm pretty confused at this point and protest. Now I went back into court for the 4th time and the honorable Judge. Kneis, presiding. Mr Cheek now at this point has only told me ~~that~~ and produced a letter stating that the pills I had in my possession when

I was arrested by greer SC police officer mcwhite ① Arrest warrant 2019 A2320500826 1/2 Xanax or Alprazolam
② 2019 A2320500825 approx 5 Klonopin's tested and Methamphetamine, and he then tells me, "you need to sue the doctor and the pharmacist", Im like you are wrong and let me see the test results and by what lab performed this test, Now the assistant solicitor and Mr Cheeks are talking and he then returns to me and says Im going to get you up in front of the judge possibly tomorrow. Now im back in jail and Andrea Price comes and sees me and was furious and was like, why did you say you were "not guilty" when you are! I told her that when she was my public defender and representing me on the wellford SC charge in which I was NOT guilty and wanted to take it to a jury + she was all about it,

Now that I was in the Spartanburg
County Detention Center and Mr.
Cheek came and saw me
and tells me that, I'm going
to plead guilty to a tenth
of a gram or a quarter of
a baggy of Methamphetamine
on the Wellford SC Charge
I told him then, that I was
not guilty of Nothing in that
Wellford SC Charge and that
that Wellford Police Sergeant
had handcuffed me in the
parking lot of Oriolis Auto parts
and placed me in his patrol
car and took me to the Spartanburg
County Detention Center, telling
me 3 times again on the way
to jail that, "you will beat
this court" and I said to him
"why are you doing this to me,
this will violate my probation"
I also said, this is wrong of you
sir! This fell on deaf ears
I told Andrea Price and James Cheek
that all they would need to do

is to request to see that Wellford
Police Lieutenant's Body Cam and
that would show that he DID
NOT TAKE that Dottle of Meth
and the syringe out of my
backpack!!!

Now when I got out of jail
on bond after approx 2 months
the owner of that car, in which
I was riding at Okiejo in Wellford
SC Kayla Snow came by
the house and told me that
that Wellford SC Police Lieutenant
told her that he got that
Meth & Syringe out of a purse
in that back floor board behind
the drivers seat, and she also
said that the purse belonged
to Melissa a friend of hers.
which I had my doubts on that
and it was probably Kayla Snow's
In closing I feel that MR Cheek
the public defender never had
my best interest or the true facts
of my side of the story and
these charges are and were

brought forth against me
to serve his and the assistant
Solicitors own agenda.

Mr Cheek never and I mean
never told me what I
was going to be given in
a sentence by the court.
Also my mother as well as
myself told Mr Cheek that
I had suffered a TBI of
traumatic brain injury, and
I take medications and that
I don't really understand
why they are doing this to
me. Now Judge Knie sentenced
me to 5yrs SCDC suspended
to 1 year intensive probation and
1 year on house arrest w/ GPS ankle
monitor, Vocational Rehab and I
must keep a job also drug abuse
counseling at the Forrester Center
in Spartanburg SC

Now I am in compliance
with all that Judge Knie handed
down to me. And I do not agree
with my sentence based on all

the evidence I had to
be found innocent and
based on my clearly stating
when Judge Hayes asked
me how I plead, NOT GUILTY,
and Mr Cheek got mad at
me. I'm only guilty of having
the Klonopin and the 1/2 Fluproxidone
or Xanax, Not Meth in any
shape or form. And for
my public ~~defender~~ defender to
trump up charges along with the
assistant solicitor Lindsey H Overby.
Also per the record, MR Cheek
stated in his Appeal Explanation
That no issues were raised during
the guilty plea, that is a ball face
Lie! Your honor I would also
like to say that Judge Grace B King
acted very professional in all aspects
of my case as did the assistant solicitor
Lindsey H Overby. of the 7th
judicial circuit solicitor's office
I was misrepresented by my public
defender James Cheek in my guilty
plea. And I wish to withdraw it at

this time. Now since I'm
currently disabled and drawing a
disability check below \$1500 a month
and have 3 children that I've
raised with my youngest daughter
being 10 years old and a single
dad I also taking care of my
80 year old mother in the same
household. Therefore I ~~cannot~~
can not afford an attorney.
I also would apologize for my
heart writing and for any delays
on my part. Once again if it
pleases the court, Mr James
Cheeks of the Public defender
office lied to me and totally
disrespected me and as far
as I'm concerned as well as
others we talked with. He
disrespected the public defender
office and the 7th judicial court
as well. To fabricate evidence before
the court against another man is
dishonorable and inexcusable when
you're in a position of trust and
not just clearing the courts docket.

I'm closing my explanation of the charges brought against me by the 7th circuit court and subsequent sentence and punishment. I appeal the decision and will say that I'm not guilty of any and all methamphetamine charges and only the 1 pill charge of Klonopin as I have a prescription per the Ala Prosalarn.

And I clearly did not mean to waste the courts time and Mr James Cheek assumption of my guilt and my handicap of a traumatic brain injury.

And saying to coerce me into saying that I was guilty of having 1/10th of a gram of meth in a baggy in the wellford SC police coverup and having a quantity of meth in the Geep SC case. And the pills tested as meth. Thank you for any and all considerations in my appeal of my innocence Richard Lottman

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