

Wednesday, November 13, 2019

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NOV 18 2019

SC Court of Appeals

South Carolina Court of Appeals  
Post office Box 11629  
Columbia, SC 29211

RE: Basis for Appeal

To whom it may concern: I truly beg forgiveness for having to fashion this motion to you, however other remedies has failed. On October 16, 2019 I (Elijah D. Witherspoon) was scheduled to start trial for case No. 2018-GS-43-1234, which my Attorney (Mr. Allen Jackson Barnes Esquire) at the time, had not made any preparations for with me at all. I informed the court's on that day, by stating on record "that I didn't feel comfortable with Mr. Barnes re-  
presenting me", because he wasn't trying to fight on my behalf,  
nor did I understand clearly what my Plea offer was even before  
I chose my jury, but was denied which would've sent me to  
trial with someone who didn't have my best interest, or made me  
plea to something that I didn't clearly understand, which I did.  
I have a civil Action on the Prosecutor who was over my case  
(Bronwyn K. McElveen) which should've removed her cause that  
is a "conflict of interest". My case number to that is (Case: 3:19-cv-  
02721-MGL-PJG). I was also Promised by Law Enforcement, both County, and Federal, and was forced to sign a Puffer Agreement that was suppose to reduce the "offer", "sentence", that was also done by Mr. Barnes.

I know if I was given the chance to Proceed with my trial, and had better counsel, we would've been able to Prove that it was an "illegal search and Procedure", and could've gotten a lesser sentence. The eighth amendment Prohibits cruel and unusual Punishment,

and the fifth and fourteenth amendment secure the well-established federal protected right to Procedural and Substantial due Process of law and equal protection of law.

(1) In conclusion, the available basis for my appeal are as follows:  
insufficient Counsel which I notified the courts on record, Conflict of interest, which I have a civil case involving the Prosecutor who Prosecuted my case, and the fact that I know if I was allowed the chance to Proceed to trial with "Better Counsel", I would've been able to Prove that it was an illegal search and Procedure, and could've gotten a lesser sentence.

Therefore, I come to you seeking judicial relief from this cruel and unusual Punishment and these grave constitution violations.

S/Elijah D. Witherspoon

Elijah D. Witherspoon  
#315785-FB-259

Kirkland Reception and Evaluation  
4344 Broad River Road  
Columbia SC 29210

\*Excuse my Pensmanship for I am not allowed to write in Pen.

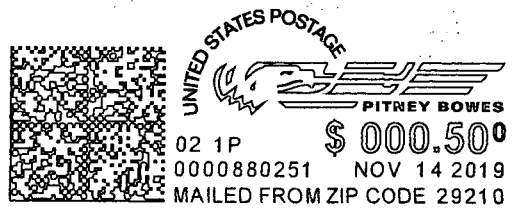
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Columbia, SC 29210

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