

STATE OF SOUTH CAROLINA, IN THE COURT OF Appeals  
Court of Appeals, FOR SOUTH CAROLINA

v.

DAVID GREEN JR.

, Petition For A Appeal  
, for/From A Bond Hearing  
, In Greenville County 13th  
, General Sessions Circuit Court  
, Case No. 2017A2330206508,  
, 2017A2330206510, 6102PO390254,  
, and 6102PO390255  
, Amended Appeal Petition

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Now comes the Petitioner David Green, Is requesting a appeal of General Session Bond condition of G.P.S monitor.

1) Defendant does not live in the State of South Carolina and the G.P.S monitor requires one to live in the <sup>County</sup> ~~City~~ of Greenville in order to be eligible for the program. As stated in United States v. Wright that ones residence should not be a factor in requiring bail due to National and international transportation.

2) The courts is asking me to stay in Greenville County at which he has no where to live. He has to leave family and residence just to be allowed a bond. Which should not be. Defendant has paid a bond already as surety to the courts and therefore should satisfied appearance at trial

3) The bail/bond is set higher than an amount of reasonableness which is a violation of Defendants 8th amendment.

4) The G.P.S monitor also is a violation of the Defendant's 8th amendment due to a excessive Fine which defendant would have to pay weekly. At this time in our nation it's hard to find a job. To pay a fee for a monitor, find a place to stay due to the defendant not having a home or residence in South Carolina is excessive bail and fines.

5) Defendant has been in detention for almost 3 years now. And to no fault to him has his care not been to trial. Defendant is suing former lawyer for curtail of services. The last trial date was defendant trial was not heard due to another trial overlapping on to his date. As stated in cases Hudson v. Parker and Stack v. Boyle bond is a traditional right to freedom before conviction permits the hampered preparation of a defense, which has already accrued and serves to prevent the infliction of punishment prior to conviction" which has already been done in this 3 year detention. Defendant has lost evidence needed in his case. Defendant has been keep in detention for absurd amount of time and punished in detention with detention rules, food, actions, lack of needs, high commissary price that are price hiked, etc. Defendant has not been arrested for a capital offence and should be awarded bail that's reasonable "Rule 46 (A)(1), 18 U.S.C."

6) Defendant has a Family and is married with 3 kids. The state / County of Greenville expect for the defendant to leave all his responsibilities in order to have a bond. The defendant has a home to stay at in his own town of Maryland. And during this covid-19 his Family needs all the help he can give. Defendant also has a job back in Maryland where he was going to when stop on High-way I-85 north from a trip to Atlanta. Defendant has never stayed in Greenville, South Carolina (1) one day of his life and has no Family he knows of in Greenville, South Carolina.

7) Defendant has exceptional reason, as circumstances which are clearly out of the ordinary, uncommon, and rare. Defendant is in the same circumstances as the case United States v. Childs (D.S.C. # 2020). Defendant is 42 years old, has high blood pressure, is over weight "clinically obese," and is boarder line diabetic. Defendant is significantly higher to catch the covid-19 in detention due to no social distancing.

8) Judge also acted outside of her jurisdiction and powers by adding a \$5,000 bond on a Maryland Fugitive from justice warrant/hold which is non-criminal. This hold for Maryland has nothing to do with the State of South Carolina nor Greenville County and Maryland never imposed a bond it's self. The rule to the Fugitive from justice charge is that once a defendant has satisfied their bonds here on the charges from where they are being held that County / State would call the

County / State / City of where the hold is for and then that County / City / State would have a 20 days (Government Office) to come and pick up that person for that hold or warrant and if not picked up then that person is to be released on the satisfied bond release. Defendant has posted his \$36,293.00. Two (2) bonds pose only 30 day max sentence impose case number 6102PO390254 and 6102PO390255 and the defendant has done this time 24 to 36 times already. In doing so these 2 bonds were not need because time is done and others people have got their own recognizance but they have not done the time. These (2) two 30 days charges and the \$35,000.00 bonds have been paid for over a year now 4-12-19 and 4-15-19. Defendant has been arrested and in detention for over 3 years come 7-11-20. The Judge is violating the defendant's rights of the United States Constitutional Amendments (8th, 9th, 11th, and 14th). 8th Excessive bail. 9th certain rights shall not be construed to deny. 11th Judicial powers shall not construed to extend to any suit in law. 14th No state shall make or enforce any law which shall abridge the privilege or immunities of citizens of the United States and nor deny to any person with-in it's jurisdiction the equal protection of the laws.

Defendant asks for the relief of this unconstitutional bonds.

Respectfully Submitted  
David Green Jr

## CERTIFICATE OF SERVICE

I, David Green (ID #300923-0355) hereby state that a copy of the Attached Petition For A Appeal For/From A Bond Hearing Amended Appeal Petition, was served upon the 13th Judicial Circuit Solicitor's Office of Greenville County, by depositing a copy of the same in the United States Mail with proper First class postage prepaid, ~~ad~~ and was address to their office at 305 East North Street, Greenville, South Carolina 29601 Suite 325 on this 27th day of June 2020.

Respectfully Submitted,  
David Green Jr.  
David Green Jr.  
ID # 300923-0355

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Cover Letter To Court

Date: 6-27-20

To Whom It May Concern,

Due to me not know~~ing~~ of where i'll be at when the court gets this letter or make a decision on this matter please send responds to these addresses listed below. Thank you.

1) 4900 Challedon Road, Apt. B1  
Baltimore, Maryland 21207

2) 8142 Halifax Way  
North Charleston, South Carolina 29420

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Still use my name David Green Jr.

Yours Truly,  
David Green Jr.  
David Green Jr.

DAVID GREEN # 500723-0300

Greenville County Detention Center  
20 McGee Street  
Greenville SC 29601



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To: South Carolina Court of Appeals  
Clerk of Court Jenny Abbott Kitchings

P.O. Box 11629

Columbia, South Carolina 29211