

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Honorable Larry B. Hyman Circuit Court Judge

CASE NO. 2017-002374

Christopher L. Hampton,

APPELLANT

v.

State of South Carolina

RESPONDENT

SUPPLEMENTAL AFFIDAVIT TO  
PRO SE BRIEF OF APPELLANT PURSUANT  
TO White v. STATE

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SEP 14 2020

SC Court of Appeals

PERSONALLY APPEARED BEFORE ME, Christopher L. Hampton who having first been duly sworn, deposes and avers the following:

I am the pro se appellant in the above captioned case. On May 31, 2019 my appellate counsel filed an Anders brief in response to the direct appeal part of my case; On July 03, 2019 I filed a pro se brief pursuant to White v. State.

In my pro se brief, my main and most meritorious issue

is the fact that the court ordered a mental evaluation pursuant to South Carolina Code Ann. § 44-23-410; in my case and the lower court erred in accepting my guilty plea without ordering a competency hearing pursuant to South Carolina Code Ann. § 44-23-430

Section 44-23-430 provides a competency to stand trial hearing "shall" be held after a psychiatric examination has been ordered under section 44-23-410. Quoting State v. Blair, 273 S.E.2d 536 (1981).

Because there is evidence of irrational behavior on my part while I was awaiting trial that includes repeatedly ramming my head against the cell door at the County jail which caused the unit officer to place a camcorder in front of my cell window to record the 'episode' and then on a separate incident, something unexplainable happened that caused me to shatter a cell window which resulted in me being placed in segregation on suicide watch.

Also, a history of diagnosed mental problems runs in my family; in light of those, and other unmentioned facts, a competency to stand trial hearing should have been held in my case and there should have been an expert opinion as to my competency before trial or before my guilty plea was ever accepted.

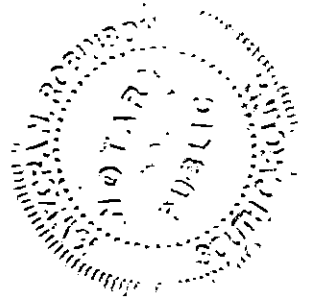
Because there was an inadequate finding of my competency to stand trial in my case, my conviction and sentence should be reversed. See Dusky v. United States, 362 U.S. 402.

And finally, because the competency issue in my case is meritorious, it should be better presented and briefed

by an attorney; because an indigent defendant is entitled to appointment of counsel to assist him on his first appeal, Entsminger v. State of Iowa, 386 U.S. 751. Quoting Douglas v. People of California, 372 U.S. 353. See also Anders v. California, 386 U.S. 738.

FURTHER AFFIANT SAYETH NOT.

Christopher L. Hampton  
Christopher L. Hampton  
Pro se Appellant.



SWORN TO AND SUBSCRIBED TO BEFORE ME  
THIS 10<sup>th</sup> DAY OF September 2020  
Kanessa Robinson  
NOTARY PUBLIC FOR SOUTH CAROLINA

my Commission expires 8/5/2024

Christopher L. Hampton #314697  
Broad River Correctional Institution mo#237  
4460 Broad River Road  
Columbia, South Carolina 29210



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SOUTH Carolina Court of Appeals  
Jenny ABBOTT Kitchings, Clerk  
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