

DATED: 11-2-20

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SC Court of Appeals

MR. CHARLES VERMEULE VERNER, ESQ.
P.O. BOX 484
1219 BOYCE STREET
NEWBERRY, S.C. 29108

RE: WRITING TO REQUEST THAT YOU PROVIDE AN DNA TESTING HEARING TRANSCRIPT FOR THE PURPOSE OF APPEAL.

MARIO VALERIO-GONZALEZ HERNANDEZ, #361963, --vs-- STATE OF SOUTH CAROLINA
APPELLATE CASE NO: 2020-001022

DEAR MR. VERNER:

MY NAME IS MR. MARIO VALERIO-GONZALEZ HERNANDEZ #361963, AN INMATE CURRENTLY AT THE ALLENDALE CORRECTIONAL INSTITUTION IN FAIRFAX, S.C. I AM WRITING BECAUSE YOU WERE APPOINTED TO REPRESENT ME ON A APPLICATION FOR FORENSIC DNA TESTING. IT IS MY UNDERSTANDING THAT A HEARING WAS CONDUCTED, YOU AND THE SOLICITOR BOTH PARTICIPATED TO ARGUE THE ISSUE. I DID NOT RECEIVE FROM YOU ANY CORRESPONDENCE BEFORE OR AFTER THE HEARING TOOK PLACE. I DO BELIEVE THAT YOU ARE RESPONSIBLE FOR OBTAINING THE HEARING TRANSCRIPT. I ALSO BELIEVE THAT THIS BEHAVIOR REPRESENTS DEFICIENT PERFORMANCE IN VIOLATION OF THE S.C. APPELLATE COURT RULES 407 RULES OF PROFESSIONAL CONDUCT IN VIOLATION OF 1.1 COMPETENCE, 1.3 DILIGENCE, 1.4 COMMUNICATION, 2.1 ADVISOR, 3.2 EXPEDITING LITIGATION, 7.3 DIRECT CONTACT WITH PROSPECTIVE CLIENTS, 8.4 MISCONDUCT.

MY REASON FOR CONTACTING YOU IS BECAUSE I FILED AN BELATED APPEAL WITH THE SOUTH CAROLINA COURT OF APPEALS, TO PROTECT MY LEGAL OBLIGATION AND MY CONSTITUTIONAL RIGHTS, IN PURSUANT TO THE S.C. APPELLATE COURT RULES 247 CERTIORARI TO REVIEW DNA TESTING DECISIONS, AND IN PURSUANT TO §17-28-90(G). I HAVE MADE SEVERAL ATTEMPTS OF CONTACTING YOU, BUT WERE UNSUCCESSFUL BECAUSE OF WRONG ADDRESS. I AM CONTACTING YOU AND THE S.C. COURT OF APPEALS, THE S.C. COURT ADMINISTRATION IN REFERENCE TO THIS REQUEST THAT YOU BE HELD RESPONSIBLE FOR OBTAINING THE HEARING TRANSCRIPT.

THE COURT HEARING WAS HELD IN NEWBERRY COUNTY, BUT I CAN'T RECALL WHAT DATE THE HEARING WAS, OR WHO THE JUDGE WAS. PLEASE SEND ME A COPY OF THE ORDER OF DISMISSAL. PLEASE RESPOND BACK AT YOUR EARLIEST CONVENIENCE. I LOOK FORWARD TO HEARING FROM YOU WITHIN THE NEXT (30) THIRTY DAYS FROM THE DATE OF THIS LETTER. THE SUPREME COURT HELD * IN THE MATTER OF HADDOCK, 321 S.Ed.2d 601 (S.C. 1984)(A DEFENDANT'S CASE FILE BELONGS TO THE DEFENDANT AND SHOULD BE FORWARDED TO THE DEFENDANT UPON THEIR REQUEST.) THIS REQUEST IS SPECIFIC FOR THE DNA HEARING TRANSCRIPT FOR THE PURPOSE OF APPEAL. PLEASE SEND ME THE NAME AND ADDRESS OF THE COURT REPORTER.

DATED: 11-2-20.

RESPECTFULLY SUBMITTED,
/s/ Mario V. Gonzalez Hernandez
MR. MARIO V. GONZALEZ HERNANDEZ #361963
ACI. COLLETON UNIT F-1 B#38
P.O. BOX 1151
FAIRFAX, S.C, 29827

cc: ENCLOSURES

JENNY A. KITCHINGS

WILLIAM M. BLITCH, JR. ESQ.

DESIREE ALLEN, COURT REPORTER MANAGER

Mr. Marie Valerio-Honzalez-Hernandez # 361963

ACT. Colleton Unit F-1 B#38

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AUGUSTA, GA 309

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Jenny A. Kitchings, Clerk

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