

Jimmy D. Williams Jr
Kirkland Correctional Institution
4344 Broad River Road
Columbia SC 29210

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DEC 03 2020

SC Court of Appeals

Re: The State vs. Jimmy D. Williams Jr.
Appellate Case No. 2020-001430

Dear Court of Appeals,

I am writing trying to explain my reason for appealing and asking for a continuance in my case. On November the 17th I received a letter explaining that I had twenty (20) days to explain in writing why I believe I have an arguable basis that there are issues preserved for an appeal for my guilty plea. Then I received a letter on November the 20th stating that the appeal had been dismissed since counsel for the appellant had failed to provide a sufficient plea explanation. The paperwork that came from the public defender who represented me in the case said that my letter had to be sent off before December 2, 2020. How can the case be dismissed with only three days of receiving the letter of appeal from the public defenders office?

My attorney had told my natural parent (victim) and myself that I would be receiving a suspended sentence and probation. In the result of ineffective assistant of counsel that I received is one of the main reasons for my appeal. The aggrieved party is also trying to appeal the case which a party may appeal from a decision not amounting to a final judgment only where provided by statute. In the case of State vs. Looper says that absent the presence of an exception to the "final judgment" rule, appealability is determined by a final judgment and an aggrieved party. The "aggrieved party" who may appeal from a final judgment is one who is injured in a legal sense or has suffered an injury to person or property. This case was a domestic violence case or an assault and battery 1st clearly being an offense involving a particular relationship with a natural parent, family, or household member. I was originally charged with attempted murder that was reduced to assault and battery high and aggravated nature which I received the maximum penalty that the charge carried. Prior to being sentenced, the prosecutor was told by the victim that he didn't want me to go to prison and agreed to a suspended sentence with probation. The day I was sentenced some paperwork arrived at my families home about me being released on probation and a gps monitor. My family has been trying to get in touch with my public defender

for two (2) weeks and has not been successful in doing so. Last year I ask for Charles Snyder to file for my Rule 5/6 and Brady Motion for Discovery and Inspection which he hadn't complied. Within the Brady motion it says that any and all photographs taken of the defendant on any portion of his body. Also, it states my and all photographs taken at the scene of the alleged crime and/or the alleged victim or prosecuting witness. The Presiding Judge should have issued an order prohibiting the prosecution from introducing at trial evidence not disclosed in my motion of Discovery. Resulting, constituted a violation of my due process and violated my Constitution rights along with my 14th Ammendment, I will be proceeding on petition for post conviction relief for ineffective assistant of counsel and over sentencing. One of the last issues I have has to be with virtual court hearing. If I wouldn't have been on a monitor being tried for a crime that resulted in being over sentenced tremendously then I may had had a fair trial. I am a single father of an eight year old daughter that is fighting for his life and I hope that you all will consider my appeal.

For Court of Appeals
By Jimmy Williams Jr.
Appellante

Spartanburg, South Carolina
November 30, 2020
cc: Jimmy D. Williams Jr., 00384161

Jimmy Williams SCDC # 384161
Kirkland Reception and Evaluation Center A1-2
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Inter Agency

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