

RECEIVED

FEB 22 2021

February 16, 2021

To: The Supreme Court of South Carolina

Re: Richard B. Mock v. State
Appellate Case No. 2020-000916

S.C. SUPREME COURT

Your Honor,

Thank you for this opportunity to address the concerns of this case. It seems that the counsel appointed to me is going to do no more than the original public defender assigned to my case. Below are the concerns and points of ineffective assistance of counsel and prosecutorial misconduct. Unfortunately, I was not aware of these issues until after coming to my institution and having to file a court proceeding, forcing the attorney to provide all the evidence and discovery on the case. Below shows their violations of my 5th, 6th, and 8th amendment rights;

- An official agent of the courts did not sign many of the original arrest warrants. This is a gross neglect. **Ineffective assistance of counsel and prosecutorial misconduct.**
- I was never taken for a bond hearing and was repeatedly told by my counsel there was no need to as "I would never get a bond anyway." **Ineffective assistance of counsel.**
- Weeks before my hearing, counsel presented me with a letter from the prosecutor concerning contact of the victim threatening that if I did not sign it I would face a life sentence. This was signed under duress, coercion, and fear of retribution. **Ineffective assistance of counsel and prosecutorial misconduct.**
- Counsel repeatedly told me that I should not go to trial as I would "get life and would never get a fair trial because of the charges against me." **Ineffective assistance of counsel.**
- I was advised by counsel to "take a plea" because it would be easier to "fight" my case while in prison. This is a gross neglect of counsel's knowledge of the law and lying to a client. **Ineffective assistance of counsel.**
- Prosecutor added more charges days before hearing in order to add-up the right "prison time" that victim's family demanded. This is vengeful sentencing. **Prosecutorial misconduct.**
- After the hearing, I demanded counsel to file a direct appeal and withdraw my plea, which was ignored. **Ineffective assistance of counsel.**
- As I stated previously, once I got to my institution, I had to file an order demanding counsel to release the evidence. Only then did I discover exculpatory evidence that would have only help my case. This is a gross negligence. **Ineffective assistance of counsel.**

Before I was incarcerated, I had not been in trouble or considered a repeat offender. I was a professional who owned an architectural design/build company. I trusted my counsel, believing innocently that she had my best in mind. I was under the belief that I had my case in the hands of a professional that was trained in her job, took the position to defend her client, and to fight for the

innocent before being declared guilty. I was wrong. I have no doubt that you will prejudge my letter, like the rest you receive, to be a lie. Before my incarceration, I was trusted and respected in my field and many people like yourself would entrust me with your money and future home to be designed and built with my upmost care, honesty, and integrity. This is what I was led to believe of my counsel. There is no doubt that despite the trust and respect I would have once had by you, just because I am incarcerated, the veracity of my words are discounted. Likewise, just because my counsel states the contrary about my case does not mean they are telling the truth. Not everyone incarcerated is lying, as not everyone in the legal profession is truthful.

Your honor, I am not asking for retrial, I am asking for a trial. That is what I demanded from counsel when I asked for a direct appeal and to withdraw my plea, and that is what I have been fighting for since. I was misled and lied to by counsel, and if I had of known the law, and was advised properly with honesty and integrity, I would have never made the decision I did. That is at the heart of ineffective assistance of counsel, and if just one of the eight statements I made is remotely true then just that one alone should be enough. What is the point of offering ineffective assistance as an option? If even one of these is not reason enough then what is? In a time where men are set free day in and day out after years of false imprisonment from ineffective assistance of counsel and prosecutorial misconduct, I ask; are you not concerned?

I ask; what does anyone lose by allowing me my day in court? The day I would have taken had I not been misled and lied to. If this case is so strong, why then did defense counsel disobey their oath and not allow me to be properly defended? Why then is the prosecution so afraid to allow me to have a trial at all? You must ask these things yourself these things when considering the injustice I endured because of such flagrant ineffective assistance of counsel. If this option is available to people as myself and the courts do not consider it, why is it offered at all? I pray you will come to the same conclusion as you consider my plea to your court. What is the harm of allowing me the trial I am asking for and so rightly deserve? I wait in hope of a positive decision on your part.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. B. Mock', with a long horizontal flourish extending to the right.

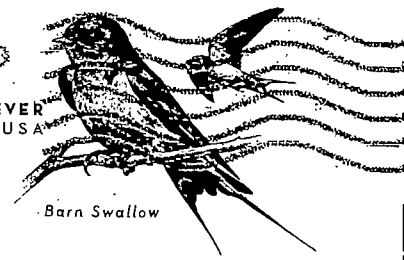
Richard B. Mock

RICHARD MOCK 369163
BRCI - GREENWOOD 2090
4460 BRAD RIVER RD
COLUMBIA, SC 29210

COLUMBIA SC 290

18 FEB 2021 PM 4 LUSA

FOREVER



Barn Swallow

RECEIVED

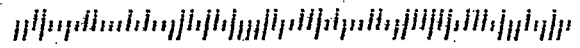
FEB 18 2021

BRCI
MAILROOM

Legal & Confidential

Supreme Court of South Carolina
PO Box 11330
Columbia, SC 29211

29211-133030



THE DEPARTMENT OF CORRECTIONS HAS NOT
CENSORED THIS ITEM; THEREFORE, THE DEPARTMENT
DOES NOT ASSUME RESPONSIBILITY FOR ITS CONTENTS.

BROADRIVER CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS



THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT 

© USPS 2016