

Shakel Raheem Dixon

v.

The State of
South Carolina,
County of
Aiken.

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OCT 01 2021

SC Court of Appeals

MOTION FOR
APPEAL

On this 15th day of the month of
September, in the year of 2021, Shakel Raheem
Dixon does hereby come before the
2nd Judicial Court of South Carolina for a MOTION
FOR APPEAL on the following warrant/docket
numbers:

2019A0210200648/Murder;
2019A0210700187/Kidnapping;
2019A0210700186/Possession of a Weapon
during Violent Crime.

The DEFENDANT does come before the
as PROSE, filing under 42 U.S.C §1983 and

requests to proceed *in forma pauperis* under 28 U.S.C. § 1915(a)(1). And that the court hold the DEFENDANT according to such Federal rules pursuant to 42 U.S.C. § 1983.

I.

That on Thursday August 19 of 2021 a jury did find the Defendant guilty of the prior stated indictments. At this time a jury that was prejudicially selected, lacking any true peers of the defendant, did render a verdict of guilty.

Under the United States and South Carolina Constitutions Defendants are promised the full protection of the law from unfair jury trials. These protections guarantee that jurors would have no prior knowledge of the Defendant or the case that they should hear. That is to say that jurors should have no exposure to any type of media and/or prejudicial information or images of the Defendant or the case being heard.

This protection cannot be guaranteed when media, information, and images of the case were frequently posted, reported on, and displayed all throughout Aiken County for the years leading to the trial.

It is, therefore, prejudicial that attorney Barry Thompson would select an all caucasian jury and alternates, in the County of Aiken, the county of alleged incident, the county of ALL media reporting, and the county of incarceration. It is impossible to presuppose that any member of a jury, in a clearly hostile environment, would not act prejudicially.

To mention that the Defendant is an African American male, being heard by an all caucasian, mostly female (10/2) jury, with exposure to the case being heard should be an immediate station for a retrial, but most expressly a mistrial. The United States was not founded on principles that placed young African American males under such burdensome circumstances.

II.

That the Defendant was incarcerated during the time of trial at the Aiken County Detention Center. Daily, Aiken County Detention Center staff and Aiken County Sheriff Office deputies would transport the Defendant to and from court. At this time the Defendant was dressed in an orange

jumpsuit wearing both handcuffs and leg shackles. Once the Defendant would arrive at the Aiken County Court he was transported, in orange and fully shackled, across the street in full view of the court parking lot and traffic on adjacent roads.

That the record will show that a selected juror did pass by the Defendant on an adjacent road and made eye contact with the Defendant. The record will further show that attorney Barry Thompson did have an "off-record" meeting with Judge Newman concerning this. That Judge Newman did dismiss the concern without concern for the preconception of guilt that could have been impressed upon the exposed juror.

Once more both the United States and South Carolina Constitution protects against the building of potential biases as these. It is a shame and a discredit to the Constitution that such as this was allowed to take place inside of a supposed bias and prejudice free environment.

III.

That the Defendant was not given a

Fair and impartial trial and that the Defendants DUE PROCESS rights were violated.

Not only were there many prejudicial stumbling stones set for the Defendant, but even his most simple rights were violated. That the Defendant had to wait in excess of three years to be heard, a three year period that allowed the prosecution to build a media frenzy as well as a nonsense, no evidential, case, is a clear violation of his right to a FAST AND SPEEDY TRIAL.

And to call Covid-19 at fault is a farse. The United States Constitution does not evaporate nor are the rights and protections granted under it diminished or rendered inoperative by reason of an illness, no matter how serious or pervasive the illness may be. Even if the Government cannot maintain a widespread illness, the rights granted under the Constitution still demand and require a speedy trial shall be granted.

With all honor and respect:
Shakel Dixon

9/15/21

VI.

That both the United States and South Carolina Constitutions provide a clear path for men and women to maintained qualified, unbiased, well practiced, and capable legal representation. Under this protection men and women enjoy the right to fair and impartial court appointed representation. That is to say that, if needed, the state carries the burden of providing legal representation, people who do not work for the interest of the state, but to those to whom they defend, for otherwise indigent men and women.

That the Defendant was appointed such representation as Mr. Barry Thompson. And that Mr. Barry Thompson was provided ample amounts of time to prepare for and deliver a fair trial served with a verdict of not guilty. Mr. Barry Thompson, however, did not appear to be prepared or capable of delivering even in a case with no evidence and a lying witness.

It is, therefore, disturbing that in Aiken County, South Carolina the Constitution has been lessened to a place of ill repute by the office of the Public Defender. That, as with the Defendant, the office of the Public Defender and Mr. Barry Thompson acted in a passive manner to a case in which the Defendants life was placed in the

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balance.

Furthermore, Mr. Barry Thompson has refused to file requested appeals, forcing the Defendant to beg leave for 42 U.S.C § 1983 in order to be given understanding of ignorance and construction for improper form. It is sad that the Defendant has had to take on a task, a task that both Constitutions promise protection from, to defend himself in a legal matter of such ramifications.

Due to this unfortunate series of events, the Defendant also supposes that Mr. Barry Thompson should be released from further duty to the Defendant. That the release of Mr. Barry Thompson is just as much included in the appeal process as the appeal in it self. And that the state should appoint legal representation that is not associated with the Aiken County Office of the Public Defender.

This is a sworn attachment to the Defendants original Motion For Appeal.

Shakel R. Dixon
Shakel R. Dixon

LEGAL
MAIL
ONLY

9/17/21

Shakel Dixon # 385800
Kirkland R¹/₂E Center, A2-24-B
4344 Broad River Rd.
Columbia SC 29210

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Aiken County Clerk of Court
PO Box 583
Aiken SC 29803

Clerk,

Please find, file, copy, and return
receipt of the following motion for appeal.

Thank you,

Shakel Raheem Dixon

CC: Copy to

Shakel Dixon # 385800
Kirkland R¹/₂E Center, A2-24-B
4344 Broad River Rd.
Columbia SC 29210

ROBERT J. HARTE
CLERK OF COURT
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AIKEN SC 29802-0583

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ROBERT J. HARTE
Clerk of Court
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SC Court of Appeals

Court of Appeals
Jenny Abbott Kitchings
P.O.Box 11629
Columbia, SC 29211

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