

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

vs

Exhibit-A

The State Of South Carolina

Letter From The Clerk
& Final Order Of Dismissal
of P.C.R. Claim

AFFIDAVIT OF SERVICE

I (Shellra Mance) certify under penalty of perjury that I received the Final Order Of Dismissal of the P.C.R. Claim filed on (August16,2017) Order of Dismissal with Prejudiced signed by the (Honorable J.DERHAM COLE) presiding Judge Seventh Judicial Circuit.

Enclosed with a Burden Of Proof that the MF- Deputy Court Of Court sent photo copy of the Final Order Of Dismissal on May 10th 2021 bearing the Chief of Court, official Letterhead stamp and seal on these Documents along with a Notice from (M.Hope Blackley) Clerk Of Court dated August 16th 2017, Revealing Notice sent to=1 Valarie Vanole 2.
E.Chailderese

Respectfully
Submitted,
Shellra Mance
May 24,2021

RECEIVED

OCT 13 2021

S.C. SUPREME COURT

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

vs

Exhibit A-2

The State Of South Carolina

The (Appellant) files this
Motion Pursuant to S.C.S.C.P.

Rule 227 Certorari To
Review (P.C.R.) Action

AFFIDAVIT OF SERVICE

The (Appellant) files this Motion for a Writ of Certorarie to
Review Final Order Of Dismissal of the P.C.R. claim.

The (Appellant) did not knowing and voluntarily waived her
rights to appeal Final Order of Dismissal of her first
(P.C.R.claim) nor did she waived her rights to appeal the 2nd
Order Of Dismissal of the second P.C.R. filed in 2013, dismissed
on 2017. (Appellant) was prejudiced by both (P.C.R.) counsels.
the (Apellant) was denied a right to appeal. The Final Order
and was never giving a copy of the Final Order until May 17th 2021
The Order was signed on August 15th 2017. Enclosed is Court
document from the Chief of Court.

Respectfully
Submitted,
Shellra Mance
May 24th 2021

RECEIVED
OCT 13 2021
S.C. SUPREME COURT

Supreme Court Of South Carolina

State Of South Carolina
County Of Soartanburg
Shellra Mance#297248

Court Of Common Pleas
2013-CP-42-1360
Exhibit-B

vs

The State Of South Carolina

Final Order Of Dismissal
Received on May 17th 2021

AFFIDAVIT OF SERVICE

I (Shellra Mance) certify under Penalty Of Purjury that I (Shellra Mance) received a copy of The Final Order Of Dismissal of this (P.C.R.claim) on May 17th, 2021. Official in this case was:

- 1)Valerie Cievanole
- 2)E.Chalederose

signed by Coriee Ty. on August16th 2017

The (Appellant) was never given a copy of the Final Order Of Dismissal of this claim until this (17th day of MAY 2021)

I further contend notices was sent by the Chief Of Court Ms.Amy W. Cox. MF- Deputy Court Clerk dated May 10th 2021

Enclosed is a Photo copy of this letter bearing the Clerk Of Court official seal & letterhead as burden of proof in this matter at bar closing statement.

P.C.R. Atty.Mr.Grose Jr. failed to officially notify the (Appellant) that this case was denied and dismissed with perjudice. The Respondent and the Clerk Of Court did not notify the (Appellant) that this case was dismissed. Atty.(MR.Grose) did not file and appeal. The (Appellant) did not (waived) her rights to appeal

Repectfully
Submitted,
Shellra Mance
May 24th, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

v

Exhibit B2

The State Of South Carolina

Motion For A New Trial

S.C.R.C.P. Rule 59E

AFFIDAVIT OF SERVICE

I certify under penalty of perjury that I have served Chief Atty.Gen. Wilson at P.O.Box 11549, Columbia, S.C. 29211 a copy of this Notice Of Intent To Appeal

Notice Sent To:

Spartanburg Clerk Of Court Amy W. Cox

Supreme Court Clerk

Honorable: Daniel E. Shawes

P.O.Box 11330 Columbia S.C. 29211

Respectfully

Submitted,

Shellra MANCE

May 24th 2021

Supreme Court Of South Carolina

Inre)Shellra Mance#297248

2013-CP-42-1360

vs

Exhibit-C

The State Of South Carolina

Statement Of Fact The
(Appellant) was denied
A Right to Appeal the
P.C.R. claim:14th
Amendment U.S.C.A.
AFFIDAVIT OF SERVICE

The (Appellant) was denied and deprived of her rights to (Appeal)
The Final Order Of Dismissal of her (P.C.R. claim)
The (Appellant) did not waived her rights to appeal the P.C.R.
claim.

The (Appellant) was never officially notified taht the P.C.R.
was dismissed.

The (Appelleant) is entitled to an appeal for Appellant review.
The (Appellant) is seeking review by the Supreme Court, based
on after discovered evidence on late notice of Dismissal of
this (P.C.R.claim). The South Carolina Supreme Court held, that
a (Defendant) that pleads guilty or found guilty is entitled
to have his one shot of the apple to Appeal his (P.C.R. claim)
Quoting Austin citing Alice-v-State. 305S.C.448.450 S.E.2d.
392.394. (1991). Odom -v- State,337S.C.256,256,523S.E.2d.753(1999

Respectfully
Submitted,
Shellra Mance
May 24th 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

vs

Exhibit C-2

The State Of South Carolina

Yhe(Appellant) Files

This Motion To Modify

The Judgement Pursuant

To S.C.A.C.R. Rule 59E

AFFIDAVIT OF SERVICE

The above cautioned (Appellant) hereby moves upon the above Court on said Motion To Modify The Judgement Pursuant To S.C.A.C.R. Rule 59E.

The (Appellant) states that she is entitled to S.C. code Ann Law section (16-25-95) after serving 1/4 of her prison sentence.

The Supreme Court ruled that any (defendant) pled guilty or was found guilty of any household crime, shall be entitle to (1/4) time credit a parole date an eligibilty for parole.

This was a criminal Demostic Violent case, where the (Appellant) suffered from (post pardon syndrome) with a history of physical and emotional abuse, and is currently medicated by the (S.C.D.C.) pychartic medical team. (Leath C.I.) Dr.Agnosis (Pyscos)

Respectfully

Submitted,

Shellra Mance

May 24th 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

vs

Exhibit C-3

The State Of South Carolina

Appellant files This
Motion For A New Trial
Pursuant to S.C.A.C.R. ^P

Rule 60b

AFFIDAVIT OF SERVICE

The (Appellant) files this Motion, Pursuant to S.C.A.C.R Rule 60b. A Motion for a New Trail: Ineffective Assistance of Counsel. The sentence is in violation with a State statute which is consistent with S.C. code Ann Law, (16-25-95).

The statute was applicable at the time of the (Appellant) crime and sentencing was deprived to have the (Jury) charged on Battered Women Syndrome in lieu of Criminal Demostice Violence Act. in conjunction with Post Pardon Depression.

Argument: P.C.R. counsel, Trial counsel failed to raise this defense and failed to entertained a Court Order (SUA-Sponte) for a Pyschological Profile of the (Appellant) failed to obtain a qualified medical Expert of Psycharistic for system of Psychological Examanation of the (Appelleant)

Respectfully

Submitted

Shellra Mance

May 24th 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

vs

Exhibit-D

The State Of South Carolina

Issue For Review

Whether (P.C.R.) counsel

Prejudiced the (Appellant's)

Right to Appeal 6th

Amendment Violation

AFFIDAVIT OF SERVICE

The (Appellant) raise the Issue of Ineffective Assistance of counsel where (P.C.R.counsel) failed to file a Notice and Motion to Appeal Final Order of Dismissal of the P.C.R. claim.

6th Amendment U.S.C.A. violation where Atty. did not submit (Appellant) review by the Supreme Court and failed to officially notify the (Appellant) of her rights to appeal. Final Order of Dismissal in lieu advising the (Appellant) states that the Courts (Colloquy). Transcripts with show that the (Appellant) did not waive her rights to appeal.

Respectfully

Submitted,

Shellra Mance

May 24th, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

vs

Exhibit E

The State Of South Carolina

Motion To Set Aside

S.C.^R~~A~~.C.^P~~R~~. Rule 59E

AFFIDAVIT OF SERVICE

The (Appellant) files this Motion To Set Aside The Judgement Pursuant To S.C.A.C.R. Rule 59E

Ground One,

The (Appellant) did not waive her rights to appeal. Atty. did not appeal

Ground two,

The (Appellant) was deprived of her rights guaranteed to her by the U.S. Constitution

Ground three,

The (Appellant) P.C.R. counsel was bias and legally prejudiced her rights to appeal.

Ground four,

The (Appellant) was not given a copy of the Final Order of Dismissal of her (P.C.R.) until May 17th 2021

Ground five,

respondent violated the A.T.D.P.A. Rule 12 delayed response over 2 years and addition 1 year and 11 months for Final Order.

Respectfully

Submitted,

Shellra Mance

May 24th 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

vs

The State Of South Carolina

Exhibit E-2

The Appellant files

This Motion Pursuant

to S.C.R.C.P.59E

To set Aside the Judgement

AFFIDAVIT OF SERVICE

The above captioned (Appellant) moves upon the above court on said motion to set aside The Order of Judgement in this case at bar. Pursuant to S.S.R.C.P. Rule 59E.

The (Appellant) was legal bias by (P.C.R. Atty.) Mr.Grose misrepresentation which was a condition that deprived the (Appellant) of her rights to have her (P.C.R. claim) ~~appeal~~ appeal for review by the Supreme Court of S.C. Atty. (Mr.Grose) committed the (Act) of misleading assertion using or relying ~~upon the case law of (Robertson-v-State) 418S.C.505(2016);~~ upon the case law of (Robertson-v-State) 418S.C.505(2016); consequently to that is the (Atty.) failed to file a motion for an Order of release from judgement S.C.R.C.P. Rule 59E base on (A.T.D.P.A.) statute of limitation had (expired) in which the (Atty.Gen.) failed to reply or respond to the ~~claim~~ (P.C.R. claim) according to the (S.C.R.C.P Rule 12). The Respondant did not respond to the claim until(2years) after the claim was failed. The (honorable) R.Keith Kelly Chief ~~Judge~~

Administrative Judge, issue a Conditional Order Of Dismissal filed August 31st 2015. The (Applicant) filed a motion to (reconsider) (C.O.D.) on the grounds submitted in (Applicant's) preview reply.

Judge Kelly granted the motion to stay and the case was stayed by Order filed October 15th 2015 with instruction to bring the matter to the attention of the court after decision in Robertson-v-State. Respondent brought the matter to this Court's attention by letter dated July 17th 2017.

requesting the (Stay) be lifted and the Conditional Order ~~of~~ of

Dismissal Finalized.

Again, one year and 11 months has elapsed before the second Ruling of Dismissal of the (Applicant's) claim was dismissed.

the (Appellant) was legally prejudice by the Respondent and P.C.R. Counsel who again failed to serve notice on the (Appellant) about the Final status of her case in lieu of her rights to appeal the Final Order Of Dismissal.

Again the Respondent (Atty.Gen.) violated the rules of the court.

The (EQUITABLE-Tolling) the (Respondent) (SLEPT) on their time. The Statute of Limitation has expired. Quoting, Precedent case

Laws S.C. Rules of Uniform Post Conviction Relief Act. The Anti Terrorism Death Penalty Act, Quoting Albert Hooland-v-Florida.

S.C. of the U.S. 130 S.CT.2549,560,U.S.631(2010) Washington-

v-Ryan U.S.Courts of appeal Jan. 15th 2021 840, Fed, Appx.143

Respectfully
Submitted,
Shellra Mance
May 24th 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2013-Cp-42-1360

vs

Exhibit F-1

The State Of South Carolina

Table of Authorites

- (1) 6th Amendment U.S.C.A./ Ineffective Assistance
- (2) 14th Amendment U.S.C.A./ denied Due Process of Law
- (3) 18th U.S.C.A. 18:3131(H)(8)(C)(Prohibited) not allowed
- (4) 18th U.S.C.A. 18:3161(H)(8)(A) Exparte Nix Motion
- (5) S.C. code Ann Law A.E.Death Penatly Act(1996)
- (6) Linda-v-Murphy 117.S.Ct.2059(1977)
- (7) United States Exrel Walton-v- Gilmore(1997)
- (8) Amaker-v-Lacy 941.F.supp.1340(E.D.N.Y)1996
- (9) Holland-v-Florida, 560 U.S.631 (2010)
- (10) U.S.-v-Gleen Taylor NO.96-30467 (5thCir.47.54)
- (11) U.S.-v-Lawarance 549U.S.at.331-35
- (12) Wilson-v-State 348, S.C.,215,559S.E.2d,581-82 (2002)
- (13) S.C.A.C.R. Rule 11, S.C.A.C.R. Rule 12.
- (14) S.C. code Ann Law (17-27-70b)
- (15) Alice-v-State 305 S.C.,448,450,S.E.2d,392-94 (1991)
- (16) Odom-v-State,337,S.C.,256, S.E.2d.753(1996)
- (17) Cherry-v-State.300,S.C.115,386,S.E.2d,624,189
- (18) Holland-v-State 322S.C.111, ~~45203 Supp.2000~~ 470, S.E.2d 378 (1996)
- (19) S.C. code Ann Law 17-27-45A(supp.2000)
- (20) Case-v-State,277,S.C.474,289.S.E.2d4B(1982)
- (21) S.C.A.C.R Rule 71.1(g)
- (22) S.C. code Ann Law (17-24-70a(Supp.2001)State-v-Hornsby

Respectfully
Submitted,
Shellra Mance
May 24th 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2013-CP-42-1360

vs

Exhibit F1-1

The State Of South Carolina

Table Of Authorites

The (P.C.R.) Atty. violated the Atty&Client Doctrine. Atty. was legally bias towards the (Applellant) and falsely represented the (Appellant) in lieu of failing to file for an appeal and failed to preserved any grounds for appeal, consequently failure to inform the (Appellant) that she could appeal. Quoting: AUSTIN-V-State, 305 S.C. 453,409S.E.2d 395(1991). The (Applicant) is entitle to his "one bite at the apple" and this includes "Appeal" from the (denial) of Post Conviction Relief citing Alice-v-State, 305 S.C.448 459,409,S.E.2d,392-94(1991). If the (Applicant) requests an "Appeal" and none is given, or if the (record) otherwise shows that the (applicant) did not "knowing and intelli gently" waived his right to appeal the (P.C.R.Court) in a successive application may find that the (applicant) is entitled to a (Belated Appeal) of his (First P.C.R. Application) Quoting Odom-v-Stateb337.S.C.256,523,S.E.2d,753(1999). The Supreme Court has determined that the (Statute) of "Limitation" does not apply in seeking a belated appeal from P.C.R. Application. Odom... P.C.R. Counsel, failed to perfect the (Appellant's) P.C.R. Claim, but allowed the claim to remain as is, for the purpose of losing or causing the claimed to be dismissed with prejudice in lieu of having not informed the (Appellant) that if she did not file an (Appeal) of the (P.C.R Claim) that she will be (forever) barred from reentering the State Courts. Quotig Holland-v-State, 322,S.C.111,470,S.E.2d,378(1996). The Supreme Court will not (uphold) the finding of a (P.C.R.Court). If not supported by Probative Evidence.

The conduct and character of Atty. misconduct is similar to the conduct of (Atty. Robert Mance) see:(Inre The matter of Robert Mance)

September 04,2013(405S.C.431,748,S.E.2d,276 (Atty. Mance) failure to submit a Brief on appeal resulting in a (Time-Table) of delayed rights to appeal which bar the (Appellant) rights under (A.T.D.E.A.). Failure to inform the (Appellant) of (her) and of the (Statute Of Limitation). The Supreme Court held that

failure to disclose of the Discovery Evidence he obtained why (he) accepted the case as a (Pro Bono) Counsel. Failure to notify the Court to be removed as (Pro Bono) counsel in which (Atty. Grose) received by the Court in this case.

What (Atty. Grose) discovered in the (Appellant's) discovery package was mitigating evidence and probative evidence to show an Act of Mercy and Compassion was made to (Donate) The (Deceased) "ORGAN" to any person who was on the Emergency Donor list. The Heart, Eyes, Kidney, Lungs, and Liver. All of the Vital Organs were donated your Honor. The State Limine out of Court. (donor) The crime was committed, yet, the aftermath of the crime reveals a heart of sorrow and grief. If I could undo what I've done I would do so because I cannot do so. I offer the best way to show my regret and sorrow for what I done. If it is permissible, I beg the courts to look at the (5) people lives who has been changed as a result of the crime. I hope that your court would look at how I was deprived of due process of Law and not at the crime in it's self but to acknowledge that a crime has also been committed against me also your Honor I beg the Courts to grant me a new Trial in lieu of a Modification of my sentence because I am a battered woman, and I'm being treated and has changed my ways of thinking. Your Honor. I'm asking for another chance in life. I plea for mercy in the Court.

Respectfully
Submitted,
Shellra Mance
May 24, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

v

The State Of South Carolina

2013-CP-42-1360

Exhibit B3

Destination Of Matter

AFFIDAVIT OF SERVICE

I certify under the penalty of perjury that the following Documents are enclosed

Exhibits A1,2

Exhibits B1,2,3

Exhibits C1,2,3

Exhibits D

Exhibits E1,2

Exhibits F1,1

Motion to Appeal S.C.A.C.R Rule 203

Motion To Alter The Judgement S.C.R.C.P. Rule 59E

Motion For A New Trial S.C.R.C.P. Rule 60

Motion For A New Trial S.C.R.C.P. Rule 59E

Motion To Set Aside Judgement S.C.R.C.P. Rule 59E

Motion To Motify The Judgement S.C.R.C.P Rule 59E

Motion For A Writ Of Certeroria Rule 227

Respectfully

Submitted,

Shellra Mance

May 24th 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2006-CP-42-1108

vs

Exhibit C

The State Of South Carolina

S.C.A.C.R. Rule 227

Issue Raise for

Review

AFFIDAVIT OF SERVIC

The (Appellant) raise the issue for review.

(1) The (Appellant) did not waive her rights to Appeal Final Order Order Of Dismissal P.C.R. claim.

The (Appellant) did not knowing and intelligently waived her rights to Appeal (P.C.R.) Final Order of Dismissal.

Atty. P.C.R. Atty. failed to file an Appeal for Appellate review. P.C.R. Atty. violated the (Appellant) rights to have the claimed reviewed by the Supreme Court.

P.C.R. Atty. was prejudiced and legally prejudiced in violation of the Atty.& client doctrine, which deprived the (Appellant) a right to Due Process of Law. Quoting-Odom-v-State,337S.C.256, 523,S.E.2d,753(1999). The Supreme Court ruled in Odom-v-State, that a SUCCESSIVE (application) may find that the (Applicant) is entitled to a Belated Appeal of (his) first (P.C.R.claim).

In Austin-v-State,305,S.C.453,409.S.E.2d,395(1991-caseLaw) Supreme Court ruled that an (Applicant) is entitled to his one bite at the apple and this includes Appeal from the (denial) of (Post Conviction Relief Claim) Quoting Alice-v-State,305 S.C.448-450,409S.E.2d392(1991-caseLaw). If the (record) of the Court shows that the (Applicant) did not knowing and intelligently waived her right to a belated Appeal in a second (P.C.R.claim).

The matter in this case at bar, is that the (Appellant) has been denied and deprived of right to Appeal the first P.C.R. claim in; conjunction with a right to Appeal the second (P.C.R.claim). The (P.C.R.) counsels, has deprived the (Appellant) of her rights to an Appeal of the Denial of both (P.C.R.claims).

This is an approximate cause of Atty. Breach of professional Ethic, under the 6th Amendment U.S.C.A. and false representation in lieu of prejudice.

Respectfully

Submitted,

Shellra Mance

May 24, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2006-CP-42-1108

vs

AFFIDAVIT OF SERVICE

The State Of South Carolina

I certify under penalty of perjury that the following has been served a copy of this Notice to Intent to Appeal.

Atty.Gen. (Prentess Counts)

P.O.Box11549 Columbia S.C.,29211

Amy Cox Clerk of Court

Mr. Daniel E. Sharons

P.O.Box11330 Columbia S.C.,29211

Respectfully
Submitted,
Shellra Mance
May 24, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2006-CP-42-1108

vs

Exhibit B

The State Of South Carolina

Notice OF Intent

To Appeal Pursuant To

S.C.A.C.R. Rule203

AFFIDAVIT OF SERVICE

The (Appellant) files this Notice of Intent to Appeal Final Order Of Dismissal of the (P.C.R.) claim from the court of Common Pleas on July 30th 2007 from Judge (J.Durham Cole). The (Appellant) was represented by (J.G.Reckenbell). The (Respondant) Atty.Gen. (Prentess Counts. Eqs.)

The (Appellant) P.C.R. hearing was held on Decemder 7th, 2006 and was denied on July 30th, 2007. The (Appellant) was not officially notified by Atty.(J.G.Reckenbell) that no Appeal was filed or that (he) wasn't going to file an (Appeal) on the (Appellant) behalf. The (Appellant's) case is a (Prima Facie) case of Atty. misconduct and breach of his official representative character, which demonstrate legal prejudice in lieu of violation of the 6th, 14th Amendment U.S.C.A. denying the (appellant) a right to an (Appeal) and false representation. Depriving the (Appellant's) rights to Due Process of LAW, Equal Protection of the Law guaranteed to the (Appellant) by the U.S. Supreme Court. A right to Due Process of Law.

Respectfull

Submitted,

Shellra Mance

May 24, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2006-CP-42-1108

vs

Exhibit D

The State Of South Carolina

Statement OF Fact

AFFIDAVIT OF SERVICE

Trial Counsel, P.C.R. Counsel failed to perfect an Appeal from the Order Of Dismissal of the (P.C.R.claim). P.C.R. Atty. failed to present open court Testimony in relation to the (Deceased) being taken off Life Support by the (Doctor's) in violation of the medical and hospital Policy. There must be a Court Order signed by the Judge to terminate Life Support. It must be a written consent ordered signed by the Court or the Parent. The argument, medical doctor cause the death by withholding Life Support System. (see page3 line2)

Respectfully
Submitted,
Shellra Mance
May 24, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2006-CP-42-1108

vs

Notice Of Intent

The State Of South Carolina

TO Appeal

S.C.A.C.R. Rule203

AFFIDAVIT OF SERVICE

The (Appellant) files this Notice&Motion to Appeal Final Order Of Dismissal of the above (P.C.R.) claim.

Appealing The Honorable Judge J.Darham Cole. Order Of Dismissal with prejudice from the Court of Common Pleas in Spartanburg, S.C. on July 30th 2007.

Respectfully

Submitted,

Shellra Mance

May 24, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2006-CP-42-1108

vs

Exhibit E1

The State Of South Carolina

S.C.A.C.R. Rule227

Motion For Writ

Of CERTIORARI

AFFIDAVIT OF SERVICE

The (Appellant) files this Notice&Motion Pursuant to (S.C.A.C.R. Rule227) Motion for A Writ Of CERTIORARI.

Issue Raise For Review.

(1) Inaffective Assistant Of Trial Counsel 6th Amendment Rights Violation. Trail Counsel falsely represented the (Appellant) failed to call expert witness, failed to provide a adquated trial counsel, failed to give or charge the jury to find the (Appellant) Not guilty of the (Death of the Deceased) based on the facts that (medical examiner) pulled the (Deceased) off Life Support. In violation patients Bill Of Rights Act. (~~EMTALA~~) (EMTALA). Meaning Emergency Medical Treatment Active Labor Act (Internal Procedures) (EMATALA) Ancillary critical medical condition, desperate treatment

violated the rule of the (Hospital) the medical doctor, did not have Legal Technical Authority to pull the Deceased off Life Support. Only if the (Deceased) had Active brain waives. The brain stem was active. The (Solicitorand Trial Atty.) conspired to deceived the Court and to (Limine) out of Court, the (Deceased) medical Records. In; conjunction, with that issue the (State) failed to produce any evidence of the (Deceased Body) being (Autopsy) which will show the (Examiner) Doctor removing the (Deceased)(Organs) and the (Organs) was giving to (DONOR'S). This is a crime in itself. (Impeachment of the Autopsy is Needed). Trial Counsel, testified that on (page3) line (10) trial counsel stated that (he) received an (offer) from the (State) for a lesser included offense line(11) for (20) twenty years, and (he) would've met with the (Appellant) to discuss the offer in June of 2002. Trial counsel met with the (Appellant) on (September 25th 2002) (September 26th 2002) (October 7th 2002)

Shellra Mance#297248

2006-CP-42-1108

vs

Exhibit E2

The State Of South Carolina

S.C.A.C.R. Rule227

Motion For Writ Of

CERTIORARI

AFFIDAVIT OF SERVICE

and for a (Preliminary Hearing) on (December 2nd 2002). It's safe to say that trial counsel has a preconceived mind set, as to how (He) was going to (present) the (Appellant). meaning False Representation.

For A First Defense:

Trial counsel did not inform the (Appellant) that the State offered (her) a (guilty plea deal) that is concealing evidence. Citing Precedent case Law Gibson-v-State, 334 S.C. 515, S.E.2d, 320 (1999). In Gibson the (Prosecution) failed to inform (appellant) and (his counsel) that an (eyewitness) changed her story after being brought to the crime scene and confronted about the obstructed. Gilson testified that (he) would not have pled guilty had he known that the (State witness) had recanted (changed her story); Therefore, that makes Prosecution misconduct, to knowingly conceal crucial evidence tending to prove the innocence of the (Defendant) is in violation of (Brady-Evidence of Discovery) citing Brady-v-Maryland, 373 U.S. 83, 83, S.Ct, 1194.10.L.Ed.2d.205 (1963)

The key factor in the (Appellant) case which shows that (Trial Counsel) was (Prejudice) and Bias to (her) is that (Trial Counsel) stated on (page3) (line2) the (Doctor) took the (deceased) off Life Support (page3)(line2) counsel could've raised this defense at Trial. On (page4) counsel testified (he) saw no need to get the (Appellant) evaluated. Again misconduct false representation. Counsel does not have a (Degree in Behavioral Science) that's not his (Profession). (He) is not an expert on Psycho's behavior his profession is the Law of this State. Trial Counsel own personal opinion is the finding facts in this case at bar. It is what the (Trial Counsel) wanted not what the (Appellant) wanted. On (line8) Trial Counsel stated (Appellant) seemed rooted in reality and not delusional. On (line12) Trial Counsel stated he did not think that the (Doctor) taking (line12) the (Deceased) off Life Support, would've been a (plausible defense). On (line15) Trial Counsel, stated that this would've been (line16)

Shellra Mance#297248

2006-CP-42-1108

vs

Exhibit E3

The State Of South Carolina

S.C.A.C.R. Rule227

Motion For Writ Of

CERTIORARI

AFFIDAVIT OF SERVICE

an Inconsistent (Defense) in Trial Counsel stated that (his) Trial strategy was that the (Appellant) did not harm the child and that (line16) the child had fallen off a porch. So there would be no need to blame the (doctor). Again, counsel knew that the (State Offer A Guilty Plea Deal). Why would (Trial Counsel) take the (Appellant) to trial, knowing a Life W-O-P would be her sentence? On (line17) Counsel testified that (HE) did think the Judge statement were improper and saw no need (line18) to object to them, stated, that it was during sentencing and the Judge may say whatever he want (line19). In sentencing on page7 (line11) counsel stated again personal vendetta, bias and legal prejudiced by (Trail Counsel) mannerism and language of Law. How do an (Attorney) violates the rights of the client? It is prohibited, by the United State Constitution to deprive any adequate competent representation. Again, Trial Counsel, failed to inform the (Appellant) and the Court that the State had offer a (Guilty Plea Deal) and that the (Appellant) was not informed of the Deal, and that (Trial Counsel) chose to conceal the (Guilty Plea Deal) of (20) years, from the (Appellant) which makes the Plea of not guilty, invalid. The (Appellant) would not have gone to trial if "she" the (Appellant) had knowledge that the State had offered her (Appellant) a 20 years cap for a Guilty Plea. Atty. misconduct in violation of article VI clause 2. This Act is prohibited and Attorney can be (S-T-R-I-P-P-E-D) from his legal representative Character, and the Law cannot protect him with (Immunity) it is not applicable for the (Atty.) for violation of the Laws of this State, conceal evidence failure to use the Bill of Rights to Defend his (client) To allow his (client) to be framed for a murder of her child, when the (child's) death was actually caused by a (medical-doctor) withholding medical treatment and depriving the (Deceased) of adequate medical treatment pursuant to the E.M. Treatment Active Labor Act. Internal Procedures (EMTALA) Ancillary the critical medical condition of the (Deceased) cannot be denied. The medical ~~condition cannot be denied any more consent from the (Deceased)~~.

Shellra Mance#297248

2006-CP-42-1108

vs

Exhibit E4

The State Of South Carolina

S.C.A.C.R. Rule227

Motion For Writ

Of CERTIORARI

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Doctor, must obtained a written consent from the family to withhold (Recesseration) Life Support from the (Deceased). Quoting Cherry-v-State300,S.C.113,386,S.E.2d,624. In Cherry-v-State Supreme Court held that counsel's conduct was below the realm of professional conduct and that the (Petitioner) was prejudice by counsel's performance.

Final Argument:

The (Appellant) was Entrapped to go to trial. The (Appellant) also had the voluntary intoxicant as her defense. (S.C.code Ann Law)(17-20-10). The (Appellant) was under use of drugs combine with other substances.

Trial Counsel erred when he failed to have the (Jury charged) on a Motion notwithstanding the verdict of not guilty, due to medical doctor, withholding Life Support from the (deceased). Did the lower court, erred, when they held that the jury charged Homicide by Child Abuse was properly submitted to the jury when (child) died after ingesting a (doctor prescribe medication) for an existing medical condition, when the State failed to show that she gave the (med) for deceased intending to "chemically restrain the (deceased) S.C.,code Ann-16-3-85(8)(1) Quoting State-v- Paris Avery 2013. Supreme Court over turned the conviction of Paris Avery. She was released from prison. Trial Counsel's was also ineffective for failing to preserve a legitimate, genuine issue for appear. The (Appellant) was prejudice by (Trial Counsel's) failure to raise the issue of medical doctor's withholding treatment caused the (deceased death). The (Jury) should've been charged with great bodily injury or A.B.H.A.N. Assault&Batter High Aggervated Nature.

Respectfully
Submitted,
Shellra Mance

May 24, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2006-CP-42-1108

vs

S.C.A.C.R Rule227

The State Of South Carolina

Motion For A Writ Of

CERTIORARI

AFFIDAVIT OF SERVICE

Exhibit(E)1of1

The above captioned (Appellant) files this Motion, Pursuant to (S.C.A.C.R. Rule227) For A Writ OF (CERTIORARI). Appealing final Order Of Dismissal of (P.C.R.) from Judge J. Durham Cole, Spartanburg Court OF Common Pleas on the 30th day of July 2006.

ISSUE RAISE FOR REVIEW:6th AMENDMENT U.S.C.A.

INEFFECTIVE ASSISTANCE OF TRAIL COUNSEL

- (1) Failure to inform the court of (20year plea deal) was offered to the Appellant, yet, Trial Counsel conceal the (Plea Deal) and proceed with a jury trial
- (2) Whether Trial Counsel was ineffective for failing to charge the jury on a Motion notwithstanding the verdict because the (Appellant) Acts of violence did not caused the (Deceased Death).
- (3) Whether Trial Counsel was bias and prejudiced toward the (Appellant) and falsely represented her.
- (4) Whether Trial Counsel erred when he failed to have (Appellant) Evaluated.
- (5) Whether Trial Counsel erred when he failed to have Expert Medical Examine to testify on the use of Life Support being withheld from the Deceased.

Respectfully

Submitted,

Shellra Mance

May 24, 2021

Supreme Court Of South Carolina

Shellra Mance#297248

2006-CP-42-1108

vs

S.C.A.C.R. Rule227

The State Of South Carolina

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6th Amendment U.S.C.A-Ineffective Assistance

14th Amendment U.S.C.A

S.C.A.C.R. Rule227a

S.C.R. Evidence Rule 404b

S.C.R. Of Evidence Rule 607

S.C.R. Of Evidence 608

S.C.R. OF Evidence 403

S.C.R. OF Evidence 608c

6th Amendment Right, Confrontation Clause-

State-v-Tyes,402S.C.211.740.S.E.2d512(ct.App.2013)

Gibson-v-State,334.S.C.515.S.E.2d.320(1999)

Brady-v-Maryland,373.U.S.83.83.S.Ct.1194,10.L.Ed.2d,205(1963)

Cherry-v-State,300.S.C.115.386.S.E.2d.624

Odom-v-State,337.S.C.256,523.S.E.2d.753(1999)

Entrapment Defense

S.C.Code ANN Law/(17-20-10)Voluntuary Intoxicant Defense

State-v-Paris Avery-2013WL.8596560

S.C.Code Ann Law-(16-25-90) Chapter13&21 of Title24

Bannister-v-State,333,S.C.298,509.S.E.2d.807(1998)

Fraster-v-State,306,S.C.158.410.S.E.2d.572.(1991)

The Argument:

Trial Counsel, failed to Surpeona Medical Doctor to give open Court Testimony as to why he pulled (Deceased) off Life Support, and Donated all his organs.

Respectfully,

Submitted,

Shellra Mance

May 24, 2021