

State of South Carolina

In the Supreme Court

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Appeal from Marion County

Honorable D. Craig Brown Circuit Court Judge

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Lindell Davis v. Petitioner

State of South Carolina Respondent

Appellate Case No. 2020-001568

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Pro SE Response

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S.C. SUPREME COURT

TABLE of Contents

TABLE of Contents \_\_\_\_\_ i

TABLE of authorities \_\_\_\_\_ ii

Statement of ISSUE APPEAL \_\_\_\_\_ 1

Statement of the CASE \_\_\_\_\_ 2

Argument

1

did the court erred by allowing Investigator Jackson to testify for the fifteen-year old.

minor told her that sexual Penetration occurred in this case since this testimony beyond the "time and place exception and it was highly

Prejudicial hearsay testimony where the alleged victim admitted she wanted to have sex with appellants but where appellant told the police penetration never occurred before the minor's aunt walked into the room \_\_\_\_\_ 3

Discussion \_\_\_\_\_ 5

Conclusion \_\_\_\_\_ 7

## ARGUMENT

the court erred by allowing Investigator JACKSON to vouch for the fifteen-year-old minor in saying she told her that "sexual penetration" occurred in this case since this testimony went beyond the time and place exception" and it was highly prejudicial hearsay testimony where the alleged victim admitted she wanted to have sex with appellant but where appellant told the police penetration never occurred before the minor's room walked into the room.

There was a rape kit sent to sled no sperm no semen none of that was found. - (126) - Line - 12-13-7R

improper bolistering is testimony that indicates the witness believes the victim  
(Chappell v. state)

Even though experts are permitted to give an opinion they may not offer an opinion regarding the credibility of other it is undeniable that the primary purpose for calling a forensic interviewer (state v. Kromh) also see state v. Jennings

the assessment of witness ~~generally~~ credibility is within the exclusive province of the jury and that witnesses generally are not allowed to testify whether another witness is telling the truth." state v. McKerley.

397 S.E. 461 - 464 - 725 S.E. 2d - 139. 14 (Ct. App. 2012)

the Investigator swabbed me and there was no DNA was not found  
on her are in the shop - TR. 127) Line - 15-19-20-21-22

There were no text messages nowhere on my phone nothing pertaining  
to Magen Jones was there. TR-(129) Line - 21-22-23

Appellant is claiming his innocence because this whole case  
is based off of credibility because if there was evidence  
the rape kit was sent to SLED and no sperm no semen none of that  
was found.

### CONCLUSION

I'm fighting this case they no this is wrong and you an I no this  
There is no DNA There no hospital reports There's no Ems reports  
no sperm found no semen found why is There's is no SLED reports why is  
That I no why and you no why they lied about everything Magen and Christal  
and Jackson they was under oath and all of them lied and that perjury  
Everything about this case is all lies that's why they didn't want me  
to take the stand they new I was going to the truth lying under  
oath that's perjury. I want the courts to do what's right about this matter  
By reason of the foregoing argument Appellant conviction should be reversed  
and this case remanded to the Marion County Court of General Sessions for a  
new trial.

10-27-21

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