

The Honorable JEAN H. TOAL

Chief Justice

P.O. Box 12456

Columbia, S.C. 29211-2456

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APR 18 2013

S.C. SUPREME COURT

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OFFICE OF
CHIEF JUSTICE

TO: The Honorable JEAN H. TOAL

My Name is Terry Davis and I am writing you as a last resort because I need someone to protect my Constitution rights. From being violated. I want you to clearly understand that what I am writing you in this letter is the truth that I'm not writing this letter to confuse or manipulate the court system. I need you to take my concern seriously, and I need you to safeguard my rights. I have no one else to turn to and I am entitled to not have my rights violated, just because I am indigent incarcerated individual.

I have a case that is pending in the court of appeals case no. 2012-212078 I'm represented by attorney Robert M. Dudek of the South Carolina Commission Indigent Defense. I inform Mr. Dudek as I am now informing you. That these state court officials who are intentionally redacting, and making omission and making addition to the trial transcript of my criminal proceeding specifically the trial transcript has testimony omitted from the witnesses Linda Glover, and the defendant Terry Davis. The testimony of these two witnesses are redacted in such a way that it manipulates the contents and context of these witnesses

testimony and a different meaning is being conveyed which is contrary to what the witnesses testified. Also the trial transcript has added segments of testimony attributed to witnesses Linda Glover and defendant Terry Davis which neither witnesses actually spoke out of their mouth. This results in a manipulation of the contents, and context of these witnesses testimony and a different meaning is being conveyed which is contrary to what a witnesses testified. Additionally the indictment document 2010 GS-CG-00023 and 00383, which are listed on the ^{trial} transcript date October 5, 2010 by Cheri L. Young were never read into nor introduced at my trial.

I know that what I just wrote to you is bizarre and goes against normal occurrences at trials, but I assure you that what I just describe to you is the truth. I have try to get my record of trial properly and truthfully transcribed. I have written Court Reporter Lisa H. Davenport and she inform me that she intrusted Court Reporter Cheri L. Young to transcribe my transcript. Court Reporter Lisa H. Davenport also inform that she check her records and her records reflect that a transcript has not been made of my trial as of April 8, 2012. I was shocked by this information because the transcript is fabricated in my physical possession that is label transcript of record heard October 5, 2010, by Court Reporter Cheri L. Young. I received this transcript from my Post Conviction Hearing Attorney Aimee J. Zmroczek in January 2012. she intentionally deceive by introducing this fabricated trial transcript January 25, 2012 at the post conviction hearing. After I receive the correspondence from Lisa H. Davenport, I wrote Court Reporter Cheri L. Young.

And inquired of her when did she transcribe my trial transcript on behalf of Lisa H. Davenport Court Reporter Cheryl Young said that she was unassigned on that date, and as such would have no knowledge about any proceeding heard at that time, and didn't transcribe my trial/hearing. I was shocked to hear this because Cheryl Young signature is on the fabricated transcript that is in my possession as the Court reporter who transcribe this transcript.

I informed my Appeal Counsel Robert M. Dudek that my trial transcript has been altered and manipulated and is not a true reflection of what occurred at my trial. There is a very criticalable and a real danger that I will be deprived of my ability to exercise my writ to appeal because state court officials are depriving me of my constitutional right to have a true record of what occurred at my trial. I told my Appeal Attorney Robert M. Dudek to file a Rule 60 (B) Relief From Judgment or Order, For Fraud Upon the Court and he refused to do anything I ask. I'm also in the same position as a guy named Travis Anthony Ladson who had his trial transcript inadequate to give him a meaningful review of his appeal issues (see STATE V. LADSON 644 S.E.2d 271)

Fraud Upon the Court (Hazel-Atlas Glass Co v. Hartford Empire Co 322 U.S. 238 64 S.Ct. 997, 88 L.Ed 1250 (1944) is the leading Fraud Upon the Court decision)

I do not need to be deprived of my Constitutional rights to have a meaningful review of my appeal issues. I know that you have a lot of responsibility with your job and position

but I sincerely ask you not to pass my concern because of indigency and status as an inmate. what I have told you is the truth and I need your help to resolve my transcript issues and protect my rights.

I thank you for your time and energy on this matter.
I will be awaiting a response from you.

Respectfully,
x Terry Davis, 197349
Terry Davis 197349
WCT B-1-C19
4340 Broad River Rd.
Columbia, S.C. 29210

SWORN TO AND SUBSCRIBED Before me

this 15th Day of April 2013

Isolanda Long

Notary Public For South Carolina

My Commission Expires 1/20/2022

Terry Davis, 197344

WCT Building 1 - C19

4340 Broad River Rd.

Columbia, S.C. 29210

EAGLE MAIL

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COLUMBIA SC 2920

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The Honorable Sean H. Tate

Chief Justice

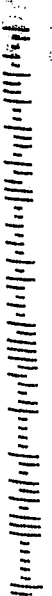
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