

AFFIDAVIT OF FACT

I, LEVERN McCrea, SWEAR UNDER PENALTY OF PERJURY that the following declarations is true, correct, certain, complete, and not misleading;

(1) I, LEVERN McCrea BEING COMPETENT to state the matters HEREIN!

(2) I, Affiant — deposes and states that during trial on October 17, 2011, Investigator Willie Brown and Solicitor Kimberly Barr, both conspired against Affiant and committed perjury and misconduct during Affiant's trial. Investigator Willie Brown stated that there was NEVER a deal for Christopher Briggs testifying against Affiant during trial. It's clear by the record, that Solicitor Kimberly Barr intentionally, solicited false testimony from Investigator Willie Brown. [SEE Exhibits of Supplemental Report Pg. 6 AND SEE TTP: 402 at NO: 10 to 25]

(3) Affiant AVERS, that P.C.R. Hearing held on JUNE 1, 2018, where Solicitor Kimberly Barr stated that she inquired about that letter of LENIENCY with Investigator Willie Brown at the beginning of Affiant trial. But she NEVER informed the Court, or Affiant of that missing Brady discovery. [SEE Exhibits of P.C.R.T]

Pgs. 170 at NO: 1 to 25. Pg. 171 at NO: 1 to 25.

Pg. 172 at NO: 1 to 25. Pg. 173 at NO: 1 to 25

Pg. 174 at NO: 1 to 25. Pg. 175 at NO: 1 to 25

Pg. 176 at NO: 1 to 16.

Affiant, AVERS that during Affiant's, P.C.R Hearing held JUNE 1, 2018 solicitor Kimberly Barr stated that she didn't see any EVIDENCE of Christopher Briggs INVOLVEMENT. Which totally contradicts her statements made to the jury during her closing argument to the jury. SEE: TTP: pg. 596 at NO: 3 to 22. THEN SEE: P.C.R HEARING transcripts pgs: 173 at NO: 18 to 25. Pg. 174 at NO: 1 to 25. Pg. 175 at NO: 14 to 25.

Affiant AVERS, that the states solicitor Kimberly Barr violated Brady v. Maryland, by failing to disclose all EXCULPATORY and IMPEACHING EVIDENCE prior and/or during the PETITIONER trial. Which PERJUDICE PETITIONER trial. Affiant AVERS, that Appellate Counsel Taylor Gilliam, has deliberately sabotaged Affiant's claim for relief. By refusing to address CONCLUSIVE EVIDENCE of Brady violation(s) within Affiant's writ of certiorari claim for relief. Which is clear by the RECORD, that the states solicitor Kimberly Barr, did in fact, committed an Egregious act of prosecutorial misconduct. Where Appellate Counsel, has conspired to protect his colleague, solicitor Kimberly Barr's wrong doing.

Affiant AVERs, that during Affiant's trial held on October 17, 2011, Solicitor Kimberly Barr maliciously solicited false testimony from Investigator Willie Brown on direct examination about that letter of leniency. That she knew was fabricated testimony that would effect the jury decision. Affiant AVERs, that during the P.C.R hearing held on June 1, 2018. That Affiant's Attorney Lance Boozer addressed with Solicitor Kimberly Barr, about that missing brady evidence, that was withheld from Affiant's RULE-5 brady motion. Where as the court, in his final P.C.R order, denied Affiant relief concerning the letter of leniency. Which were legitimate grounds for Appellate Counsel Taylor Gilliam, to address that missing letter of leniency within Affiant's claim for writ of certiorari. Affiant AVERs, that the missing letter of leniency was material. And there is a reasonable probability that had the letter been disclosed to Affiant, the result of proceeding would have been different. SEE: People vs. Brown, 506 Mich. 440 958 N.W. 2d 60. SEE: Napue vs. People of State of Ill, 360 U.S. 264 79 S. Ct. 1173 2. L. Ed 2d 1217. SEE: People vs. Smith, 498 Mich. 466. 475-476. 870 N.W. 2d 299. SEE: Brady vs. Maryland, 373 U.S. 83. 83. S. Ct. 1194 10 L. Ed 215 (1963). ANDERS VS. STATE OF CALIFORNIA, 386 U.S. 738 S. Ct 1396 (May 8, 1967)

INEFFECTIVE ASSISTANT OF APPELLATE
COUNSEL.

Further Affiant sayeth NOT!

1 Mr. Levern McCrea Mr. Levern McCrea
Affiant

SWORN AND SUBSCRIBED BEFORE ME
This 12th day of Nov. 2021. A.D.
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: _____

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 12th DAY OF Nov.

20 21. Virginia Robinson

NOTARY PUBLIC
STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES April 21, 2031

RECEIVED

DEC 14 2021

S.C. SUPREME COURT