

Petitioner was called back to court on Dec. 3, '21, and counsel did not have the evidence needed. However, tried to present Petitioner's PCR without the evidence that counsel had motioned the court for. Counsel tried to tell Petitioner that the Brady issues could not be raised on PCR. The court tried to compel the Petitioner to proceed without the evidence. Also Petitioner told the court that counsel told the court that this evidence was needed and the court granted the funds to have this evidence, and that counsel has failed to prepare with Petitioner to present these claims. Counsel failed to have the witness in court. Thus Petitioner could not present the PCR in full without the evidence and witnesses. This so-called hearing was, to have Petitioner's PCR dismissed. Petitioner moves this court for appeal and to reinstate Petitioner's PCR. With the evidence already granted

by the court. This evidence clearly establish the Brady issue and that the Petitioner never confessed to this crime. Petitioner now being confined to a wheelchair and having a broke jaw, is unable to move around as needed. Petitioner respectfully brings this motion and Notice of Appeal to this Court with Respect. Inclosed is a copy of the Courts granted motion.

Rickey Rodriguez # 353218

Dec. 9, 2021

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SC Court of Appeals

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