

Clerk of Court

Sir/Madam,

My name is Lindy Lamont Jones and I am trying to get this letter to my lawyer Ms. Kathrine H. Hudgins at the Division of Appellate Defense. As I am indigent I ask this court if possible to send me a clock stamped copy of letter being sent to my lawyer at the address below. Any and all help would be greatly appreciated.

Sincerely,

Lindy Lamont Jones #335250
Evans CI
610 Hwy 9 west
Bennettsville, SC 29512

RECEIVED ~~**RECEIVED**~~

JAN - 4 2022

~~JAN - 4 2021~~

S.C. SUPREME COURT S.C. SUPREME COURT

Ms. Kathrine H. Hodgins,

I am Lindy Lamont Jones. You were recently appointed as my lawyer on Writ of Certiorari. I look forward to working with you. As you stated in your letter that the decision on which issues to present are yours. However, this is my life so I ask that you review everything I have written with the utmost consideration. My first Order of business is to ask you to address the court as it relates to the Order of Dismissal Drafted by the Attorney General at my PCR hearing. The Attorney General's office has the responsibility to make sure they draft an honest Document before presenting it to the presiding judge to sign. The Order in my case clearly misrepresents the facts of the case, Does not rule on all issues presented before the PCR court and misconstrues the arguments of each issue. I raised three issues at my PCR hearing. Two were misconstrued as one issue and one was not ruled on at all but clearly raised and acknowledged by the courts. Issue one

- * Counsel was ineffective for failing to object to the Charge of Assault with intent to commit a Criminal sexual Conduct because the evidence does not support or warrant the charge because it was proven that the sexual battery had taken place. (See) PCR Transcript Pg. 7 lines 8-24 Pg 8 lines 1-19

Issue Two

- * Trial Court lacked Subject Matter Jurisdiction to try and convict me for Assault with intent to commit criminal Sexual Conduct because there was no indictment charging me with this Crime at the time the Jury was sworn in. See PCR Transcript Pg. 9 lines 15-25 Pg 10 lines 1-10

Issue Three

- * Trial counsel was ineffective for failing to object and request that the trial Court charge the jury with all the elements as it relates to the charge of Assault with intent to commit a Criminal sexual Conduct, even if it is a lesser included offense. (See) PCR Transcript Pg 11-lines 7-25 Pg 12 lines 1-20.

With this third issue if you look at trial transcript pg 340 lines 19-25 the judge lessened the burden the state had to prove by telling the jury that basically it's an attempt to commit without being successful. The elements are (1) An assault (2) Upon the Victim (3) by the defendant (4) who intended to commit a sexual battery against the victim (5) Under Circumstances indicating a possibility that the rape or criminal sexual conduct might be accomplished. The Judge never instructs the Jury on all the elements nor does the Jury have all the elements with them during deliberations

Issue Three was clearly raised and acknowledged by the courts but not put in the order drafted by the Attorney General's office. I believe there pulling a fast one to try and Uphold my Conviction. As I stated before I look forward to working with you. I know the nature of my case is frowned upon and treated ill. All I ask is for a fair and adequate representation.

Sincerely,
Lindy Jones #335250
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610 Hwy 9 west
Bennettsville, SC 29512

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Bennettsville S.C. 29512

COLUMBIA SC 290

30 DEC 2021 PM 3 L



DEC 23 REC'D

The Supreme Court of South Carolina
Clerk of Court
P.O. Box 11330
Columbia, South Carolina 29211

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COLUMBIA SC 290

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S.C. DEPARTMENT OF CORRECTIONS