

Exhibit A-1

The State of South Carolina
In the Court of Appeals

The State of South Carolina

Appellate No: 2021-000388

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Respondent

VS

Cieara Rogers
Appellant

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SC Court of Appeals

Table of Authorities

4th Amendment U.S.C.A.

6th Amendment U.S.C.A.

5th Amendment U.S.C.A.

14th Amendment U.S.C.A.

S.C.R.C.P. Rule 59(c) motion to Alter the Judgement

1) Horton v California 496 U.S. 128, 133, 110 S.Ct. 2301, 110 L.Ed.2d 112. (1992)

2) Tyler v Danny Cortez Brown respondent NO: 27202-n-10-31-2012 (Dec 19, 2019)
Rehearing denied (Jan. 26, 2013)

3) Bacues, 367 S.C. At. 500, 625 S.E. 2d, at 221

4) Steven H. John, Jr. v South Carolina S.C. 82, 389 S.C. 473, 698 S.E. 2d 811

5) Ezell v State, 345 S.C. 312, 548 S.E. 2d 852. (2001)

6) Gibson v State, 334 S.C. 515, S.E. 2d 320. (1999)

7) State v Stuckey, 337 S.C. 56, 508 S.E. 2d 564 (1998)

8) Brady v Maryland, 373 U.S. 83, 83 S.C. at 1194, 10 L.Ed. 2d 215

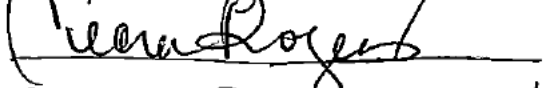
9) Sutherland v State, 337 S.C. 610, 524 S.E. 2d 833 (1999)

10) Schlup v State, 513, 115 S. at 851, Id. 316, 115 S. at 851

citing: Murray v Carrier, U.S. 478, 496, 106 S.C. 2639, 91 L.Ed. 2d 397, 10, At F.N. 32, 513, U.S. At 326, 115 S. at 851

The United States Supreme court, held that a tainted conviction will not be upheld, when the evidence of facts are clearly shown in the record, prosecution misconduct, concealed crucial evidence from a (defendant) will render the guilty plea to be involuntary / invalid. It will not support an illegal conviction.

Respectfully Submitted,



CIEARA ROGERS 02/11/2022

Exhibit A2 The State of South Carolina
In the Supreme Court

The State of South Carolina
Respondent
VS
Ciara Rogers
Appellant

Appellate NO: 2021-000388
Issue Raised for Review - Guilty
plea involuntarily entered

The (appellant) raises the issue of the guilty plea and
ineffective assistance of counsel. 6th Amendment U.S.C.A.
14th Amendment U.S.C.A.

The appellant's guilty plea was rendered involuntary, in
violation of the discovery evidence [prosecution misconduct];
In lieu of ineffective assistance of counsel for failing to fully
explain the process of entering a guilty plea.

MAR 01 2022

The State of South Carolina

Respondent

VS

Cieara Rogers

Appellant

SC Court of Appeals

Appellate NO: 2021-000388

Motion for A WRIT of Certiorari,
to Review Guilty Plea and

Reconsideration S.C.A.C.R. Rule 243

Coerced Guilty Plea, Involuntarily Rendered.

The lower court erred, when the date, time of incident did not or was not accurate with arresting officer's body camera and dash camera.

- 1) Illegal Search & Seizure of appellant and property.
- 2) Arresting officer [tampered] and concealed portions of the (traffic stop) Body Camera was not on during the initial stop. Search of the appellant, by the arresting officer, cutting the (appellant) and taking her property was all done after the body camera was turned on. The dash camera does not reflect what the officer stated was his probable cause to search the vehicle.
- 3) The dash camera and body camera could have been tampered with. The miranda rights were violated. A new trial is warranted when arresting officer concealed and conspired to hold defendant as a hostage, for a traffic stop and proceeds to search and seize the defendant property, while being extendedly detained. Violation of Miranda rights. Nutter Pursuant to (S.C. Rule of Evidence (Rule 401))

Quoting: Tyler v Danny Cortez Brown (respondent) The Supreme Court Justice (J. Beatty) held that (search) "induce" to arrest (exception-to-warrant requirement) "did not apply." To justify warrantless search of (duffle bag) removed from vehicle in which (defendant) was a passenger, following his arrest, for an open container violation. Exclusionary rule "did not apply" to preclude the (admission) of the drugs - evidence found in (defendant's) duffel bag. The 4th amendment U.S.C.A rights were violated in this case at bar. Justice J. Beatty held that a search of a person's person or the individual's interest in private cases

Exhibit A-3

The State of South Carolina in
the Court of Appeals

The State of South Carolina
Respondent
VS

Cicarr Rogers
Appellant

Appellate No: 2021-000388
Motion for A WRIT of
Certiorari ...continued

U.S. Constitution protects people from unreasonable search and seizures
IQ: 27202-N70-31-2012. (Dec. 19, 2019).

Bacues, 367 S.C. at 500. 625 S.E. 2d at 221. A search deprives the individual of (dominion) over his or her person or property. Quoting: *Horton v. California*, 496 U.S. 128, 133, 110 S. at 2301, 110 L. Ed. 2d 112 (1992)

Sterren H. John, Jr. v. South Carolina, S.C. 82-389. S.C. 473. 698 S.E. 2d 811

The State of South Carolina In the
Court of Appeals

The State of South Carolina

Respondent

VS

Cecara Rogers

Appellant

Appellate No: 2021-000388

Statement of Fact

The appellant's case is a (*prima facie* case) of police harassment, police bias, prejudice and police officer misconduct, while operating in his official capacity as an (alter ego) of the state. 4th Amendment, 5th Amendment U.S.C.A. Violation.

Ground 1. Arresting Officer violated the rule of law in relation to stopping the appellant on alleged (theory) of a traffic violation, driving to slow in the left lane. Arresting officer, held the appellant illegally as a (hostage) against her will. Proceeded to instruct the appellant to get out of the car, failed to mirandize the appellant while being detained but wouldn't let appellant return to vehicle for any reason. Arresting Officer failed to turn his body camera on during the initial stop, consequently missing the key reasons he claims to have developed a suspicion of illegal activity [probable Cause].

Ground 2. 4th Amendment Violation. Arresting officer handcuffed the appellant and searched the items in the trunk of vehicle, then proceeded to call for "backup", perhaps a female officer was requested to assist in the body search of the appellant. All done prior to retrieving the car keys, appellant's phone and/or any other items that were in her possession.

Ground 3. 14th Amendment U.S.C.A Violation. Arresting officer, obstructed the course of justice, concealed portions of the (body camera) video since it was not turned on during the entire stop of the vehicle. Un authorized behavior, failing to notify his (superior officer) as a respondent at the beginning of the [arrest]. Arresting officer, violated the corporate policy of his law enforcement division and breached his official policy by racial profiling.

Ground 4. Prosecution concealed evidence. 14th Amendment U.S.C.A.

The State of South Carolina
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VS

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Appellant

Appellate No: 2021-000388

Statement of Facts

[Grounds]...continued

Ground 4. The solicitor presiding over this case failed to note that the arresting officer failed to have his body camera on in the initial stop. The trial transcript on page 3.35 (line 7) the record reflects "there was (in sufficient evidence presented to the trial court, when it accepted the (appellant's) guilty plea according to S.C. Code Ann Law - this is a genuine issue for a motion to alter the Order of Judgement, pursuant to S.C.R.C.P. Rule 59e. The concept of the guilty plea deal in lieu of (absence) of the microscopic evidence, tending to prove this crime. The state had a duty to preserve all evidence if to be used and presented in open court.

what the solicitor did do, along with the trial counsel, was entrap the appellant into entering a guilty plea. Quoting: Gibson v State 334 S.C. at 523. 514 S.E.2d. at 324. In this case, the Supreme court held that "after discovered evidence" is a (discovery violation) by the prosecution for failure to disclose evidence. (Impeachment of the evidence) This error was held, to render (Gibson's) guilty plea to be involuntary. Therefore, a motion to alter the Order of Judgement pursuant to (S.C.R.C.P. Rule 59e) is applicable to this case at bar.

Ground 5. The incident report from arresting officer is contradictory (its self). Blackwelder starts with him not following standard procedure, by approaching on passenger side. Later in the report he states he ask [her] to exit the vehicle, which is unnecessary for a traffic stop. The evidence in the supplemental incident report [16-052908] written by officer Blackwelder cannot be supported by video proof, since the body camera was, Not turned on. Once the order was given for (appellant) to exit

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Statement of Fact
[Grounds]... continued

Ground 5 [continued] the vehicle, that places the (appellant) under arrest, without miranda rights being read. The (appellant's) 4th and 5th Amendment U.S.C.A. rights were violated, on the onset of this illegal traffic stop. Just by reading the incident report given by officer Blackwelder, there were no miranda warnings given.

Ground 6. Trial Counsel conspired against the (appellant) in this case at bar. There was no fair trial available so attorneys [threaten] the appellant to plea guilty or suffer by getting a harsh long sentence based on muddling minimums. From the beginning when plea offers were being presented nothing under 7 years was being offered. It appeared that the attorney and prosecutor were working together. The officer involved purged himself on the stand in an attempt to cover his misconduct in the field. Appellate defense attorneys submit defective appeal briefs and provide insincere / false representation often. Quoting: *Stuckey v Robert M. Dudek and Cara Harding v Robert Mance* Sept. 4, 2012. 405 S.C. 431-748. S.E.2d. 276. (Appellant's) trial counsel could have filed motions under S.C.A.C.R. Rule 211 b to make sure the evidence was presented in its entirety from the pretrial hearing up to the suppression hearing. Hiring the proper experts to testify on K-9 behavior was crucial; and although trial attorney had (someone) there, his expertise was questioned since he hadn't been certified in quite some time.

Conclusion. Many errors were made at the scene and up to the date of the hearing which prompted appellant to plea guilty. This case should be viewed again without prejudice. At the reconsideration hearing (1) year was taken off the plea, should not the plea itself be reconsidered and allow the Judge to take

Exhibit C1 The state of South Carolina
in the Supreme Court

The state of South Carolina
Respondent
VS

Appellate No: 2021-0003888

AFFIDAVIT OF SERVICE

Cieara Rogers
Appellant

I, Cieara Rogers, certify that I have served the South Carolina Court of Appeals and the Attorney General's office a copy of my (Pro Se Brief) in opposition to the brief submitted by the Defense attorney assigned to my case. On this 17th day of February, 2022.

Sworn to and Subscribed before me on this 17th Day of February, 2022.

Notary Public for the State of South Carolina

Cassandra Kelly

My Commission Expires: 11/16/24

Cieara Rogers
CIEARA ROGERS 02/17/2022

cc: Attorney General's Office
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South Carolina Court of Appeals
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Legal Mail

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