

Exhibit A-1

The State of South Carolina  
In the Court of Appeals

The State of South Carolina

Appellate No: 2021-000388

A  
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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(e) motion to Alter the Judgement

1) Horton v California 496 U.S. 128-133. 110 S.Ct. 2301, 110 LEd.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 LEd. 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*

CIEARA ROGERS 02/11/2022

Exhibit A2      The State of South Carolina  
In the Supreme Court

The State of South Carolina  
Respondent  
VS  
Cierra 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. 6<sup>th</sup> Amendment U.S.C.A.  
14<sup>th</sup> 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.

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The state of South Carolina

Respondent

VS

Cieara Rogers

Appellant

SC Court of Appeals

Appellate NO: 2021-000588

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

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

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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. 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 proclude 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...

Exhibit A-3

The State of South Carolina in  
the Court of Appeals

The State of South Carolina

Respondent

VS

Cicero 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. Ct. 2301, 110 L. Ed. 2d 112 (1992)

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

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# The state of South Carolina in the Court of Appeals

The state of South Carolina

Respondent

VS

Cleara 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. 4<sup>th</sup> Amendment, 5<sup>th</sup> 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. 4<sup>th</sup> 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. 14<sup>th</sup> 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. 14<sup>th</sup> Amendment U.S.C.A.

The state of South Carolina  
In the Court of Appeals

The state of South Carolina

Appellate No: 2021-000388

Respondent

VS

Ciara Rogers  
Appellant

Statement of Facts

[Grounds]...continued

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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 59c) 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) 4<sup>th</sup> and 5<sup>th</sup> 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 attorney submit defective appeal briefs and provide insincere / false representation often.

Quoting: *Stuckey v Robert M. Dudek and Cara Harding v Robert Manee* Spt. 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 view again without prejudice. At the reconsideration hearing (1) year was taken off the plea, should not the plea it's self be reconsidered and allow the Judge to take

Exhibit C1

The state of South Carolina  
in the Supreme Court

The state of South Carolina

Appellate No: 2021-0063888

Respondent

VS

AFFIDAVIT OF SERVICE

Ciara Rogers

Appellant

I, Ciara 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

Ciara Rogers  
CIARA ROGERS 02/17/2022

cc: Attorney General's Office  
Alan Wilson, Atty General  
PO Box 11549  
Columbia, SC 29211

South Carolina Court of Appeals  
V. Claire Allen, Chief Deputy Clerk  
P.O. Box 11029  
Columbia, SC 29211

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Clara Rogers 370411  
Health Connection CMOS  
2804 Airport Rd  
Greenwood SC 29641

Legal Mail

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**SC Court of Appeals**

South Carolina Court of Appeals  
Jenny Abbott Kitchings, Clerk  
PO Box 11629  
Columbia, SC 29211

