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MAR 18 2022

SC Court of Appeals

P10F2

To Whom it may Concern: Appeal, fast speedy trial

My Name Robert Hough Im here at the Chester County Detention Center, Chester S.C. Conspiracy Narcant No 2021A1210100898, PWID 3rd sch II 2021A1210100897, POSS.

Firearm Convicted Violent febr 2021A1210100887. I was charged Nov. 17, 2021 on these Charges. I was denied bond in magistrate Court on these Charges, I then went to General Sessions on Feb 4 and was denied bond again reason stated in bond order Inclosed.

I have not had a drug charge since 1998, witch was a misdemeanor and before that in 1993 one felony No Weapons charges since 1985 but Im charged with a PWID 3rd sch II, No where in my record supports these charges. In Feb 2022 I ask my attorney to remove herself from my case for ineffective counseling a motion was filled

for the relief and for a fast and Speedy Trial. Both these motions were heard here in the Chester County General Session Court on 3-10-2022 By the Honorable Judge R. Gibbinson. Motion for fast and Speedy Trial were filled under my Sixth Amendment of the

US Constitution Article 1 Section 14 of the S.C. Constitution Also the sixth and fourteenth Amendments of the United States Constitution Article One, Section fourteen of South Carolina Constitution

State vs Chapman. In both Bond Hearing and speedy trial Motion my Attorney did nothing more than state my name to the court and made it clear it was not her motions being filled, that they were mine, I have other Warrants no[#] that were in the motion dated back in March of 2021

I was denied a speedy trial my charges in 2021 March are being used to keep me from being released on bond and no Attorney to represent me. I'm writing to your office for help in the form of a Appeal on all my past court hearings I fill decriminated against, no Justice, and Judges showing favoritism for the state Please help Me in this matter or direct me to the next Chain of Command in this matter

s/ Robert M. Hough
Robert M Hough

3/11/2022

P.S. Please return copies

Chester Co Detention Center

CCDC

2740 Dawson Drive

Chester S.C.

29706

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L Sherril Davis, Esquire

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STATE OF SOUTH CAROLINA)
COUNTY OF CHESTER)

State of South Carolina)

v.)

Robert Mitchell Hough,)

Defendant.)

IN THE COURT OF GENERAL SESSIONS
SIXTH JUDICIAL CIRCUIT

Warrant Nos.: 2021A1210100295; 2021A1210100296;
2021A1210100297; 2021A1210100298;
2021A1210100299; 2021A1210100300;
2021A1210100887; 2021A1210100897;
2021A1210100898

MOTION FOR SPEEDY TRIAL

NOW COMES Defendant, Robert Mitchell Hough, by and through his undersigned Counsel, who will move before this Court at the next term of court, or at another time which is mutually convenient for the parties and the Court, for an order requiring a speedy trial in this case.

This motion is based on the Sixth and Fourteenth Amendments of the United States Constitution, and Article One, Section Fourteen of the South Carolina Constitution.

I. RIGHT TO A SPEEDY TRIAL

The Speedy Trial Clause of the Sixth Amendment of the U.S. Constitution, as well as Article I, Section 14 of the S.C. Constitution provide that the defendant in a criminal case shall have the right to a speedy trial. S.C. Const. art. I, § 14; U.S. Const. amend. VI. This constitutional guarantee protects every defendant from being prosecuted unnecessarily or after an unreasonable delay in time. State v. Chapman, 289 S.C. 42, 344 S.E.2d 611 (1986) (finding that willful neglect on the state's part would serve as a foundation for unnecessary and/or unreasonable delay in prosecution). Further, "[w]hether or not a person accused of a crime has been denied his constitutional right to a speedy trial is a question to be answered in the light of the circumstances of each case." State v. Brazell, 325 S.C. 65, 75, 480 S.E.2d 64,70 (1997)

(citing State v. Dukes, 256 S.C. 218, 222, 182 S.E.2d 286, 288 (1971) (quoting Wheeler v. State, 247 S.C. 393, 400 147 S.E.2d 627, 630 (1966)).

The speedy trial guarantee which is afforded to every defendant is “designed primarily to minimize the possibility of lengthy incarceration prior to trial, to reduce the lesser, but nevertheless substantial, impairment of liberty imposed on an accused while released on bail, and to shorten the disruption of life caused by arrest and the presence of unresolved criminal charges.” United States v. MacDonald, 456 U.S. 1, 2 (1982).

II. CONCLUSION

Based on the aforementioned authorities, Defendant hereby invokes all of his speedy trial rights as guaranteed by both the United States and South Carolina Constitutions. Defendant is currently being detained at the Chester County Detention Center without bond, due to his bond being revoked on February 4, 2022. Therefore, Defendant respectfully requests that this Court determine a reasonable amount of time for the State to respond to this motion and to set his case for trial.

L. SHERRIL LAW, LLC



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South Carolina Bar No.: 102490
Attorney for Robert Mitchell Hough

February 21, 2022
Rock Hill, SC

Show the FTAs

STATE OF SOUTH CAROLINA)
COUNTY OF CHESTER)

State of South Carolina)

v.)

Robert Mitchell Hough,)

Defendant.)

IN THE COURT OF GENERAL SESSIONS
SIXTH JUDICIAL CIRCUIT

Warrant Nos.: 2021A1210100295; 2021A1210100296;
2021A1210100297; 2021A1210100298;
2021A1210100299; 2021A1210100300;
2021A1210100887; 2021A1210100897;
2021A1210100898

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Defendant's Motion for Speedy Trial in the above-captioned case, along with a copy of this Certificate of Service, have been furnished to the following persons via USPS to the following addresses on February 21, 2022:

The Honorable Renee Rawls
Chester County Clerk of Court
P.O. Box 580
Chester, SC 29706

Deputy Solicitor Candice Lively
Sixth Circuit Solicitor's Office
P.O. Box 723
Chester, SC 29706

L. SHERRIL LAW, LLC



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Email: sherril@lsherrillaw.com
South Carolina Bar No.: 102490
Attorney for Robert Mitchell Hough

February 21, 2022
Rock Hill, SC

III. The Court has considered:

A. Allegations against the Defendant by the State:

Seriousness of Crime(s) charged: _____

Flight Risk: _____

Prior Record of Flight to Avoid Criminal Prosecution;

Prior Record of Failure to Appear in Court; *No supported documents*

Defendant is an alien unlawfully in the United States and poses a substantial flight risk due to this status.

Danger to Community and/or Individual: _____

Prior Record: Extensive

Pending Charge(s) not subject to this Bond: _____

Incident Report(s) _____

Defendant appears in SLED state gang database: _____

Defendant allegedly commits a violent crime (defined in Section 16-1-60) while out on bond for a previous violent crime and subsequent violent crime did not arise out of same series of events as prior crime:

Bond hearing on subsequent offense is held within thirty days of arrest on subsequent charge.

Other: State moved to revoke \$19,000 Bond (March 2021 charges) due to these current charges.

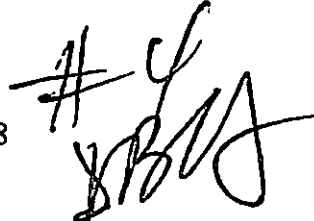
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[Signature]

B. The Defense has asserted:

- The Defendant is _____ years old;
- The Defendant resides at _____;
- The Defendant's education level is college;
- The Defendant's work history is _____;
- The Defendant arranged to surrender to law enforcement;
- The Defendant's Family Ties;
- The Defendant's Character/Mental Condition;
- The Defendant's Financial Resources;
- The Defendant has been detained for 78+ days;
- Other: _____

IV. The Court has also considered everything herein and so orders:

- Existence of above evidence or factors showing that the Defendant is an unreasonable danger to the community/individual and no conditions imposed will alleviate this danger and bond should be:
 denied or revoked.
- Existence of above evidence or factors showing that the Defendant is a flight risk and no conditions imposed will alleviate this risk and bond should be:
 denied or revoked.
- That it is likely/unlikely the Defendant is a danger to the community/individual and Bond should be granted as the following conditions should reasonably alleviate the existence of any danger.
- That it is likely/unlikely the Defendant is a flight risk and Bond should be granted as the following conditions should reasonably alleviate the existence of any risk.



Robert M. Hough
Chester Co. Detention Center
CDC
Chester SC.
29706

CHARLOTTE NC 280

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SC Court of Appeals

South Carolina Court of Appeals

1220 Senate St.

Columbia South Carolina

29201-376999



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