

Panteleimon Spirakis  
343051 F6 1258  
Lee Correctional  
990 Wisacky Highway  
Bishopville, SC 29010

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MAY 06 2022

S.C. SUPREME COURT

Supreme Court of South Carolina  
Patricia A Howard, Clerk of Court  
Post office Box 11330  
Columbia, South Carolina 29211

May 3, 2022

Dear Supreme Court of South Carolina,

This letter is to respond to the letter sent to me on March 30, 2022, which I received on April 4, 2022. I am filing a prose response to the court to raise and argue the issues I believe the court should consider in this appeal. My PCR attorney Carla F. Grabert - Lowenstein presented these issues at PCR, but no proof to support these issues were presented to the PCR court. I believe the following issues have merit in my case and I have provided the issues and where in the record you may find them. I will refer to the Appellate Case no. 2021-000887, sent to me by my appellate attorney David Alexander, as the TOR.

1. My codefendant Lindsay Honeycutt admitted on a phone call from Ambrose Heavener, from J. Ruben Long Detention Center, that she was going to lie to the court against Panteleimon Spirakis.
  - A. Copy of the call on 6/21/2018 may be obtained directly from the jail
  - B. Page 4 line 2 of the transcript of the phone call. (From J. Ruben Long)

C. Ralph Wilson Sr. had this transcript and audio copy of this phone call in his file prior to my guilty plea. I did not have any knowledge of these calls until I filed a Motion to Compel on November 13, 2020 (TOR pg 239) and was denied on April 13, 2021 (TOR pgs 244-245) This was the only witness the state had and she admitted in her Affidavit on March 20, 2022 (TOR pgs 302-303) that she lied about everything to get mental health court. Lindsay also testified at the PCR trial (TOR pgs. 292-297) that she lied about everything. The phone call from the jail showed that Lindsay intended to lie from the very beginning. William H. Ray made the whole PCR hearing out to judge the credibility of Lindsay Honeycutt, who was addicted to heroin, opiates and marijuana; and not on her proper mental health medicines. Mr. Ray did not discuss any of the eleven (11) issues brought up by my PCR attorney.

2. The trial attorney Ralph Wilson Sr. did not investigate my case or call any witnesses in my defense.

A. Did not know where I lived, my home address, or where I worked. (TOR pgs 284 lines 24-25) I lived at 407 Queens Road Myrtle Beach, S.C. 29572 and worked at 2815 Hwy 17 South, North Myrtle Beach, S.C. 29580. Not a duplex side by side.

B. Did not know the name of the grandmother or the name of Lindsay Honeycutts or Ambrose Heavener's mother. (TOR pg 282 Lines 24-26 pg 283 Lines 1-3) Lindsay's mother's name is Rebecca Lynn Sullivan not Ms. Heavener.

C. Did not know where all the children were living when the incident was suppose to have happened. The twins Mia and Vander's older sisters Savannah and McKinsey Sullivan were enrolled in Myrtle Beach schools (School Records Horry County)

3. Conflict of interest. Ralph Wilson Sr and Ralph Wilson Jr.

both worked on my previous case. Now Ralph Wilson Sr. was my attorney and Ralph Wilson Jr. was Ambrose Heavener's attorney. (JOR Pg 46 Lines 1-25), (Pg 48 Lines 1-25) (Pg 49 Lines 1-25)

4. The eleven (11) issues my PCR attorney Carla F Grabert-Lowenstein brought up in the record and can be found in the (JOR) Transcript of Record Appellate Case Number 2021-000887 Pages 307-310. Under the heading III Current Application the issues are in summary as follows.
1. Trial Council Ralph Wilson Sr. did not adequately investigate the statements of Lindsay Honeycutt.
  2. Trial Council Ralph Wilson Sr. did not adequately investigate the fact that there were additional suspects which Ms. Honeycutt had material information.
  3. Trial Council Ralph Wilson Sr. did not investigate the facts Mrs Honeycutt was not on her proper mental health medicines and was self medicating with drugs not proscribed by a physician and was using illicit drugs, heroin, opiates and marijuana.
  4. The record shows there was no credible information found in law enforcement investigation substantiating that the alleged minor victims could identify Mr. Spirakis as the perpetrator of the alleged molestations of the minor victims.
  5. The defendant's Council made a challenge to the Child Recovery Tapes but did not examine and challenge the tapes to show gaps in memory, the children became distracted by surroundings, drifted away from interviewers questions and in general exhibited a substantial amount of inability to focus on the interview and questions. I never saw the tapes any my name was mentioned by the interviewer prompting the children.

6. All factors should have been presented as the tapes of the children and Ms Honecutt's statements were the only basis of the state's case.
7. Trial Council Ralph Wilson Sr. did not investigate the fact the children did not live at Mr Spirakis Residence. Henry County School records would have shown their true address.
8. Petitioner was without the full evidence which was going to be used against him by trial council, nor was there a discussion of the state move to admit alleged prior bad acts.
9. Motion to Quash the Search Warrant should have been heard. The unit at 2811 was on the warrant the upstairs unit at 2809 was not. Illegal search and seizure. Trial Council told me pornographic videos of the children were found. In actuality - NO evidence of such videos was found during such searches. I found out all of this while at South Carolina Department of Corrections.
10. Trial Council Ralph Wilson Sr. did not investigate whether or not the grandmother, Ms Heavener, had influence over the children's interviews.
11. If all of the aforementioned factors above had been properly investigated applicant Panteleimon Spirakis would not have entered his guilty plea.

The trial attorney Ralph Wilson Sr. did not investigate any of the above issues. He refused to go to trial and insisted I plead guilty. He said, "The evidence and witnesses are overwhelming." When in actuality after I received the evidence

in the South Carolina Department of Corrections there was nothing. My PCR attorney Carla F. Grabert-Lowenstein brought up all my issues, but did not present to the court witnesses and evidence to substantiate my claims. The affidavit of Lindsay Honeycutt and her testimony was the only evidence presented. The other two children Savannah and McKinsey Sullivan and their grandmother, Lindsay's mother, Rebecca Lynn Sullivan were never interviewed and asked to testify. If I had all of the above evidence and the testimony of witnesses, were made available to me I would have insisted on going to trial. As it was I had nothing but the word of my trial attorney

Ralph Wilson Sr. who said there was one welling evidence, that did not exist. If I had been made aware of the lack of evidence I would have not pled guilty but insisted on a jury trial. Therefore based only on his word I entered a guilty plea.

Thank you in advance for the opportunity to present my case

Sincerely

Panteleimon Spirakis

Panteleimon Spirakis

Panteleimon Spirakis 343051 F6 1058

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