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TWANA BURRIS-ALCIDE, ESQ.  
MANAGING ATTORNEY AND COUNSELOR AT LAW  
TWANA.BURRIS@THEBURRISLEGALGROUP.COM

May 13, 2022

**RECEIVED**  
MAY 19 2022  
SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

**RE: The State of South Carolina v. Bobby Ray McClure Jr.**  
**2021GS4602091- Trafficking Crack Cocaine 28 g or more but less than 100 g, 2<sup>nd</sup> offense**

Dear Honorable Kitchings:

I hope this letter finds you well. Enclosed please find a copy of the motion to withdraw the guilty plea filed by counsel for Bobby Ray McClure, Jr. The order from The Honorable Durham Cole was not reduced to writing, however the Motion was denied on the record.

Thank you, and with kindest regards, I am,

Twana Burris- Alcide, Esquire  
TNBA/vm  
Enclosure



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TWANA BURRIS- ALCIDE, ESQ.  
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March 9, 2022

**RECEIVED**

MAY 19 2022

SC Court of Appeals

FILED-RECEIVED  
2022 MAR -9 PM 1:19  
DAVID HAMILTON  
C.C.C.P. & GS  
YORK COUNTY, SC

The Honorable David Hamilton  
York County Clerk of Court  
1675 York Highway  
York, SC 29745

The Honorable J. Derham Cole  
P.O. Box 1744  
180 Magnolia Street 2<sup>nd</sup> Floor  
Spartanburg, SC 29304

Assistant Solicitor Austin Smith  
Sixteenth Circuit Solicitor's Office  
1675-1A York Highway  
York, SC 29745

**RE: The State of South Carolina v. Bobby Ray McClure**  
**2021GS4602091-** Trafficking in meth. or cocaine base - 100 g or more, but less than 200 g  
**2021GS4602092-** PWID Crack Prox School  
**2021GS4602095-** PWID Marijuana-- 1st offense  
**2021GS4602096-** PWID Marijuana Prox school

Dear Honorable Hamilton, Honorable Cole and Assistant Solicitor Smith:

Please be informed that I represent the interests of Mr. Bobby Ray McClure, who has been charged in York County with the offenses listed above.

Enclosed please a copy of the **Notice of Motion and Motion to Withdraw Plea**, entered on March 7<sup>th</sup> before the Honorable J. Derham Cole, together with a Certificate of Service, concerning the above matter which is served upon you. This guilty plea was entered on March 7<sup>th</sup>, 2022, before the Honorable J. Derham Cole. We are hereby filing this Notice and Motion with the York County Clerk of Court and hereby serving a copy of the motion to Assistant Solicitor Austin Newman Smith.

Thanking you in advance for your assistance in this matter, I am,

Sincerely,

Twana Burris- Alcide, Esquire  
TNBA/vm

RECEIVED

MAY 19 2022

SC Court of Appeals

IN THE YORK COUNTY  
GENERAL SESSIONS COURT

STATE OF SOUTH CAROLINA )  
 COUNTY OF YORK )  
 )  
 )  
 State of South Carolina )  
 )  
 vs. )  
 )  
 Bobby Ray McClure )  
 )  
 Defendant. )

MOTION TO WITHDRAW PLEA

2021GS4602091(Pled)  
 2021GS4602092  
 2021GS4602095  
 2021GS4602096

FILED-RECEIVED  
 2022 MAR -9 PM 1:20  
 CLERK OF COURT  
 YORK COUNTY, SC

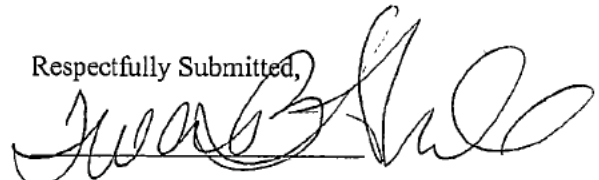
The abovementioned Defendant by and through His undersigned attorney hereby make a Motion to Withdraw the guilty plea entered on Monday, March 7, 2022 to the lesser charge of Trafficking in ice, crank, or crack- 28 g or more, but less than 100 grams-2<sup>nd</sup> offense on Indictment number 2021GS4602091.

The basis for the Motion is that Defendant alleges that he did not see all of the evidence or the Defendant only saw the evidence from an actual different speed and or a different angle. It is the Defendant's position and Defendant alleges that had he seen all of the evidence, the evidence will exonerate him.

Defendant also desires to withdraw the plea on the basis that he alleges that he was not fully informed and therefore he did not make an informed decision.

With the foregoing in mind and pursuant to Rule 29(a) of the South Carolina Rules of Criminal Procedure, Counsel is hereby requesting on behalf of the Defendant for this Honorable Court to allow Defendant to withdraw his guilty plea entered on March 7, 2022

Respectfully Submitted,



Twana Burris-Alcide ( SC Bar 72010)  
 Attorney for Defendant Bobby McClure  
 The Burris Legal Group, PA  
 PO Box 10311  
 Rock Hill, SC 29731



THE STATE OF SOUTH CAROLINA  
In the South Carolina Court of Appeals

**APPEAL FROM YORK COUNTY**  
Court of General Sessions

The Honorable J. Derham Cole, Circuit Court Judge

**RECEIVED**

MAY 19 2022

SC Court of Appeals

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Case No.: 2021-GS-46-02091  
Sentence Date: March 7, 2022  
Post-Trial Motion Date: March 10, 2022

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Attorney of Record for the State:  
Assistant Solicitor Austin Smith  
Sixteenth Circuit Solicitor's Office  
1675-1A York Highway  
York, SC 29745  
(803) 628-3020

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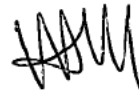
Attorney of Record for Defense:  
Twana N Burris-Alcide  
The Burris Legal Group, PA  
204 Johnston St  
PO Box 10311  
(803) 980-0100

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Bobby Ray McClure, Jr. APPELLANT  
The State of South Carolina, Respondent  
v.  
Bobby Ray McClure Jr., Appellant

**Certificate of Service**

This is to certify that a copy of the motion to withdraw the guilty plea and the order denying the motion in the case of The State vs. Bobby Ray McClure Jr. was served upon the Clerk of Court of the South Carolina Court of Appeals, The Honorable Jenny Abbott Kitchings, on May 16<sup>th</sup>, 2022 by US mail to P.O. Box 11629 Columbia, SC 29211 by the undersigned.



---

Veronica Mendez, Legal Assistant to  
Twana N. Burris-Alcide, Esquire  
Defense Attorney for Bobby Ray McClure, Jr.



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THE HAMPTON HOUSE  
204 JOHNSTON ST. P.O. BOX 10311  
ROCK HILL, SC 29730 U.S.A.

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MAY 19 2022

**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

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MAY 16 2022

IN GOD WE TRUST