

IN RESPONSE TO: STATE OF SOUTH CAROLINA VS DANNY RAY MURPHY

APPEAL CASE NO: 2022-000500

RECEIVED 5-18-22

MAY 27 2022

I, DANNY RAY MURPHY SR. AM ~~W/80 COURT OF APPEALS~~ TO THE COURT

OF APPEAL BECAUSE I WAS COHERCED INTO ACCEPTING A PLEA FOR CASE

NO. 2019 GS2602099. BY AND DUE TO THE ADVICE OF INEFFECTIVE COUNSEL.

Jonathan M Hiller IS ALSO GUILTY OF LEGAL MALPRACTICE IN WHICH HE DISCLOSED

A KEY PIECE OF MY DEFENSE TO THE STATE WHICH RESULTED IN ME

BEING CHARGED WITH A SECOND CRIME 2 YEARS AFTER THE 1ST

CHARGE CASE NO. 2021 GS2601117. THE RECORDS WILL SHOW THAT IN

2019 I WAS CHARGED WITH CSC 2 OF A MINOR UNDER 16 OVER 14. THE

RECORD WILL ALSO REFLECT I HAVE ALWAYS CLAIMED MY INNOCENCE. THE

ONLY EVIDENCE BROUGHT AGAINST ME AT THE TIME WAS THE INCONSISTANT

STATEMENTS OF THE ACCUSER UNTIL A QUESTIONABLE DNA TEST CLAIMING

I WAS THE FATHER OF THE ACCUSERS CHILD. THE RECORD WILL SHOW I

STILL CLAIMED MY INNOCENCE. I SAID IN 2019 THE TEST WAS WRONG

OR FAULTY. I ALSO MADE MR. Jonathan Hiller AWARE THAT IF THE

TEST RESULTS WERE IN FACT RELIABLE THEN THE STATES OWN

EVIDENCE CLEARED ME OF THE CHARGE. BECAUSE THE TEST ALSO

STATED THAT THE ACCUSER OR ALLEGED VICTIM DID NOT BECOME PREGNANT

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UNTIL AFTER HER 16 BIRTHDAY WHICH WAS THE LEGAL AGE

OF CONSENT BY SC STATE LAW. THE RECORD WILL ALSO

REFLECT THE MOST CONSISTENT PART OF THE ALLEGED VICTIMS STATEMENTS
WAS THAT SHE WAS NEVER FORCED THREATENED OR TOLD NOT TO TELL
ALTHOUGH SHE GAVE DIFFERENT REASONS AS TO WHY SHE NEVER
TOLD ANYONE BUT HER BOYFRIEND AFTER HE HAD PRESSURED HER
ABOUT THE PATERNITY OF THE CHILD. WHICH THE ACCUSER STATED TO
OFFICERS ON THE BODY CAM WHEN THEY RESPONDED TO THE
CALL MADE BY HER BOYFRIENDS MOTHER ON THE DAY THE BOYFRIEND
"AUDRY EUANS" CAME TO MY HOUSE WITH GUNS AND SCARED THE
ALLEGED VICTIM. BASICLY FORCING HER TO TELL HER "STORY TO POLICE!"
I'VE ALWAYS MAINTAINED MY INNOCENCE. I REQUESTED A SPEEDY TRIAL
ON THE 1ST CHARGE IN 2019 IT NEVER HAPPENED NOR DO I HAVE ANY RECORD
SHOWING A MOTION FOR A SPEEDY TRIAL WAS FILED. Mr. Hiller WAS NOT
AWARE THAT I HAD BEEN INDICTED ON A SECOND CHARGE IN 2021
UNTIL A ROLL CALL HEARING AT THE END OF 2021. AN INDICTMENT
AND WARRANT THAT HAD NEVER BEEN SERVED ON ME. MY COUNSEL HAD
DNA TEST ANALYZED IN "2022" AND THE REPORT STATED THERE WERE
SEVERAL DISCREPENCIES "FOR INSTANCE MY MOUTH SWAB SAMPLE
WAS HELD FOR "WEEKS" PAST THE STANDARD FOR DNA TESTING
AS WELL AS NO REPORT SHOWING IF ANY OF THE SAMPLES PASSED A
QUALITY TEST, MY SAMPLE WAS BELOW THRESHOLD

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THERE WERE SEVERAL CLERICAL ERRORS. I FEEL THIS

INFORMATION IN THIS REPORT WAS ENOUGH TO FILE A MOTION TO
SUPPRESS THE DNA RESULTS OR CONDUCT ANOTHER TEST WHICH I
FORMERLY REQUESTED BE DONE BY AN OUTSIDE AGENCY EVEN OFFERED
TO PAY FOR COUNSEL FAILED TO INFORM ME OF ANY ATTACK ON DNA
RESULTS OR RELIABILITY OF THE METHODOLOGY. COUNSEL FAILED TO
DO ANY INVESTIGATIVE DISCOVERY OF PROBABILITY OF MATCHES BASED
ON KINSHIP AS WELL AS POPULATION STATISTICS. COUNSEL FAILED TO
INVESTIGATE DID NOT SPEAK TO ALLEGED VICTIM. COUNSEL DID
NOT SPEAK TO "AUNDY EVANS" WHO IS THE 1ST AND ONLY PERSON
TO HEAR THIS STORY FROM THE ALLEGED VICTIM. COUNSEL DID NOT
SPEAK TO ANY OF MY WITNESSES INCLUDING ONE KEY WITNESS WHO
HAD SPOKEN TO ALLEGED VICTIM AFTER MY ARREST. OR THE POTENTIAL
FATHER OF ALLEGED VICTIM WHO WAS SAID TO BE MY BROTHER ONLY
AFTER MY ARREST. ACCUSER WAS HEARD SAYING "IT WAS CONSENTIAL"
"TO HER IT WAS A RELATIONSHIP." COUNSEL INFORMED ME THE ACCUSER
STATED IT WAS CONSENTIAL. EVEN ADVISED ME TO TESTIFY THAT IT
HAPPENED AFTER ALLEGED VICTIM WAS OF LEGAL AGE
BECAUSE THAT WOULD NOT BE A CRIME. I REFUSED

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ACKNOWLEDGING THE FACT THAT I'D BE PERJURING MYSELF ALSO GIVING
A JURY REASON TO BELIEVE IF SOMETHING HAPPENED BETWEEN US
WHEN THE ACCUSER WAS OF AGE THEN IT COULD HAVE POSSIBLY TAKEN
PLACE BEFORE. WHEN I REFUSED TO ACCEPT THIS AS A DEFENSIVE
STRATEGY. INSTEAD OF ATTACKING THE INCONSISTENT STATEMENTS THE
QUESTIONABLE DNA RESULTS. AS WELL AS INSISTING SUPERNAS FOR KEY
WITNESSES. I WAS MET BY ANGER AND FRUSTRATION FROM MY COUNSEL
AND THE MEETING WAS OVER. ON APRIL 11th 2022 COUNSEL APPROACHED
ME ONCE AGAIN WITH A PLEA BARGAIN I TURNED IT DOWN THEY
TOOK ME IN A ROOM ALONG WITH MY SISTER A WITNESS AND INSISTED
THAT IF I DIDNT TAKE THE PLEA I WOULD GET 30 YRS AND WOULD
BE SENT TO A PRISON WITH BAD PEOPLE. I STILL REFUSED THEY
CAME BACK SAYING "10 IS BETTER THAN 30" AND THEY WERE AFRAID
THAT THEY WERE GOING TO COME UP SHORT. THEY DIDNT WANT TO
SEE ME GET 30 YRS. THAT UPSET MY SISTER AND GAVE ME NO
INCLINATION NOR CONFIDENCE THAT THEY WERE PREPARED OR WILLING
TO FIGHT FOR MY FREEDOM. I ASKED FOR AN OFFERED PLEA THEY SAID
NO. IF I WAS GOING TO SIGN I NEEDED TO DO IT BEFORE ALLEGED
LEGAL MAIL VICTIM SHOWED UP. AFRAID OF GETTING 30 YRS I SIGNED
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AFTER SIGNING THE PLEA BARGAIN FOR THE MAJOR OFFENSE "WHICH
THERE WAS NO EVIDENCE AGAINST ME" COUNSEL APPROACHED ME
4 TIMES TELLING ME / ADVISING ME ON HOW TO RESPOND TO THE
"COLLOQUY" STATING THAT IF I SAID ANYTHING OTHER THAN I'M
GUILTY THAN THE PLEA WOULD BE NOT ACCEPTED BY THE JUDGE
AND THAT I'D GO TO TRIAL THAT DAY AND GET 30 YRS. BEING THAT
COUNSEL PUT UP PRACTICALLY NO ARGUMENT JUST 3 WEEKS PRIOR
TO MY TRIAL DATE - WHEN THE SOLICITOR MADE A MOTION TO
AMMEND "CHANGE THE DATES" ON MY ORIGINAL ARREST WARRANT
AND INDICTMENT "3 YEARS LATER" I HAD NO CHOICE BUT BELIEVE
THERE REPRESENTATION WOULD BE BELOW AN OBJECTIVE STANDARD
OF REASONABLENESS. AGAIN THERE WAS NO PROPER DEFENSE DISCUSSED
BEYOND ME COMMITTING PURSURY. NO DISCUSSION TO SUPPRESS DNA
RESULTS EVEN THOUGH IT COULD HAVE BEEN DEEMED INADMISSABLE ON
GROUNDS OF RELEVACY OR PREJUDICE DUE TO POSSIBLE CONTAMINATION
OF MY SAMPLE SPECIFICALLY AS WELL AS CHAIN OF CUSTODY QUESTIONS.
I REQUEST A HEARING ON THESE MATTERS AS WELL AS NEW REPRESENTATION
MY COUNSELS PERFORMANCE WAS DEFICIENT AND PREJUDICED ME WHICH IS A
DIRECT VIOLATION OF MY US CONSTITUTIONAL RIGHTS U.S.C.A 6
IN ADDITION I REQUEST UNDER THE BRADY DISCLOSURE RULE

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THAT ALL OR ANY EVIDENCE THAT COULD BE FAVORABLE BE
RELEASED BY DETECTIVES AND SOLICITORS WORKING ON MY CASE
INCLUDING THE PHONE DUMPS OF ALLEGED VICTIM AND DESHAY
BROWN' WHO WAS ALLOWED TO SPEAK AGAINST ME ON 4-11-22 EVEN
THOUGH IT WAS A NEGOTIATED PLEA AND THE ALLEGED VICTIM NEVER
SPOKE IN COURT. I REQUEST ALL COURT TRANSCRIPTS CONCERNING
MY CASE INCLUDING BOTH BOND HEARINGS UP UNTIL 4-11-22. I
INTEND TO PROVE CORRUPTION, INCONSISTANCY AS WELL AS HOW
MY COUNSEL WAS DEFICIENT AND HOW THERE ACTS PREJUDICED
ME AND THE DAMAGES IT CAUSED WHICH LED TO MY CURRENT
INCARCERATION. I HAVE WITNESSES AND YOUR OWN COURT RECORD
WILL VERIFY MY ALLEGATIONS IN CLOSING I DID NOT
APPEAL MY PLEA BASED ON THE LANGUAGE USED BY THE
PLEA JUDGE AS MR HINER HAS FILED IN HIS WRITTEN
EXPLANATION OF "NO BASIS FOR APPEAL" JUST ANOTHER
EXAMPLE OF DEFICIENT COUNSEL THAT PREJUDICE
ME. WE NEVER SPOKE ABOUT THIS PROCESS OR MY REASONING
FOR IT.

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