

RONNIE L. KIMBLE 0628799
ODOM CORR. INST. RT. 1 BOX 36
JACKSON, N.C. 27845

19 SEPTEMBER 1999

W. DAVID LLOYD
101 SOUTH ELM ST., SUIT 310
GREENSBORO, NC 27401

DEAR DAVID:

I KNOW THAT YOU DO NOT PLAN TO ADDRESS ALL OF THE ERRORS BUT I HAD WANTED THESE REVERSIBLE ERRORS AND PLAIN ERRORS TO BE HEARD SO PLEASE FILE A MOTION TO HAVE THESE ADDED TO THE APPEAL ON RECORD. ALSO, PLEASE DO MORE RESEARCH AND ADD ANY CASE LAW OR APPLICABLE LEGAL STANDARD WHICH APPLIES AS TO PRESENT THESE ERRORS EFFECTIVELY WITH MERIT.

THE STATES EVIDENCE WAS INSUFFICIENT AND CONTRADICTING.
N.C.G.S. § 15A-1442 (3) , N.C.G.S. § 15A-1443 (A)-(B)

PRIOR TO 1600 THERE IS NO QUESTION THAT PATRICIA WAS STILL ALIVE SO STARTING AT 1600. EVID. T P 1198 LINES 11-15 DET. CHURCH GAVE THE DISTANCE AND TIME OF TRAVEL FROM LYLES BUILD. MAT. TO BRANDON STATION COURT. WHICH WAS 12.1 MILES AND TOOK 18 MIN. EVID. T P 1199 LINES 5-8 DET. CHURCH GAVE THE DISTANCE AND TIME FROM BRANDON STATION COURT TO MY HOUSE. WHICH WAS 8.3 MILES AND TOOK 10 MIN. EVID. T P 1381 LINE 1 DET. CHURCH ANSWERED THAT PATRICIA'S DEATH WAS SHORTLY AFTER 1600. (IN ONE OF

MY BROTHERS HEARINGS?) MR. PANISH STATED THAT PATRICIA DIED AT 1600. EVID. T P 1380 LINES 22 - T P 1381 LINE 8 WHEN READ IN CONTEXT DET. CHURCH IS SAYING I LEFT LYLES SHORTLY AFTER 1600. ALTHOUGH HE WAS CUT OFF BY OBJECTION. EVID. T P (? CLOSING ARGUMENTS?) MR. PANISH STATED AND WROTE ON THE BOARD THAT I WAS AT LYLES AT 1600. EVID. T P 2095 LINE 8 I ANSWERED THAT I LEFT LYLES SOMETIME AFTER 1615

ALL OF THIS EVIDENCE SUPPORTS MY ALIBI AND WHEN YOU CONSIDER THE CREDIBILITY OF MY ALIBI WITNESSES, (UNDER THESE CIRCUMSTANCES NO-ONES IN-LAWS OR WIFE WOULD LIE BECAUSE THEY WOULD FEAR FOR THEIR OWN LIVES), IT WAS IMPOSSIBLE FOR ME TO HAVE COMMITTED THIS CRIME BECAUSE THERE WAS NOT ENOUGH TIME.

WHEN YOU PLACE A TIME ON THE EVIDENCE AND NATURAL KNOWN FACTS OF WHAT WOULD HAVE HAD TO OCCUR THE TIME GOES BEYOND 1700. EVEN IF I HAD BEEN GETTING IN THE CAR TO LEAVE LYLES WHEN MR PANISH SAID I WAS THERE I COULD HAVE NEVER BEEN AT THE HOUSE BEFORE PATRICIA, (ACCORDING TO DET. CHURCH), OR TO MY HOME BEFORE JAMES STUMP.

WHEN YOU PRESENT THIS ERROR PLEASE MAKE THE CONTRADICTIONS CLEAR AND DRAW A PICTURE THAT WILL MAKE THE JUDGES THINK OF THE TIME IT WOULD TAKE DOWN TO THE SMALLEST DETAIL.

MR. PANISH INTENTIONALLY MISLEAD AND DECEIVED THE JURY THROUGH OUT THE TRIAL. N.C.G.S. § 14-230. HE RECKLESSLY MADE FALSE STATEMENTS AND USED IMPROPER METHODS CALCULATED TO PRODUCE A WRONGFUL CONVICTION. 18 U.S.C.A. § 1001. IN DOING SO HE VIOLATED MY RIGHTS UNDER THE DUE PROCESS CLAUSE. BECAUSE OF MR PANISH'S INTENTIONAL PROSECUTORAL MISCONDUCT THESE ERRORS SHOULD DEMAND REVERSAL.

I DO NOT HAVE THE CLOSING ARGUMENTS YET SO I CANNOT PIN POINT THE BEST SUPPORTING ERRORS. I EXPECT AND TRUST THAT YOU WILL STATE THE "PLAIN ERRORS" AS WELL AS THE REVERSIBLE ERRORS CONCERNING THIS ISSUE.

1. MR. PANISH MISUSED, MISSTATED, ALTERED, AND WITHHELD EVIDENCE. 18 U.S.C.A. § 1001.
 - A. HE ALTERED THE EVIDENCE BY PLACING A BATTERY IN THE LAZER SIGHT ON THE GUN WHICH DID NOT WORK. N.C.G.S. § 14-221.1
 - B. HE WITHHELD EITHER TWO OR THREE LETTERS BETWEEN JANET AND I THAT SPOKE OF ENDING THE LETTER WRITING.
 - C. I WAS INTERROGATED AND SPENT 11 HOURS IN CUSTODY BEFORE GUILFORD COUNTY READ ME MY MIRANDA RIGHTS. THE JAG. OFFICERS, (LEGAL REPRESENTATIVES OF THE MARINE CORPS.) READ ME MY MIRANDA RIGHTS AND HAD ME SIGN A WAIVER OR ACKNOWLEDGMENT SHEET BEFORE TALKING TO ME ABOUT SIGNING MY RELEASE

OVER TO GUILFORD COUNTY BUT AFTER EXPLAINING THEIR PURPOSE. MR. PANISH MISUSED A COPY OF THAT SHEET TO DECEIVE THE COURT AND JURY INTO BELIEVING THAT IT COVERED GUILFORD COUNTY'S RESPONSIBILITY OF READING ME MY MIRANDA RIGHTS. (IF THEY WERE SO TRUTHFUL THEN WHY DIDN'T THEY CALL THE N.I.S. AGENTS TO THE STAND?!) N.C.G.S. § 15A-501. (5)

- D. HE MISLEAD THE JURY TO BELIEVE THAT I HAD LIED ON MY ENLISTMENT PAPERS AND FRAUDULENTLY ENTERED THE MARINE CORPS.
- E. HE MISLEAD THE JURY TO BELIEVE THAT I HAD NEVER BEEN DIAGNOSED WITH A SLEEPING DISORDER, THAT I REQUESTED DISABILITY, AND THAT I WAS FRAUDULENTLY TRYING TO GET DISABILITY. HE LEAD THEM TO BELIEVE THAT THE SLEEPING DISORDER IN WHICH THE MARINE CORPS DIAGNOSED ME WITH WAS NOTHING MORE THAN EXCESSIVE SLEEPINESS.
- 2. MR. PANISH BROKE THE RULES OF CLOSING ARGUMENTS, STATE, AND FEDERAL LAWS. (N.C. TRIAL PRACTICE) N.C.T.P. § 6-6 RULE OF CLOSING ARGUMENTS, N.C.G.S. § 15A-1230
 - A. HE DISCREDITED MY WITNESSES WITH NO EVIDENCE TO SUPPORT HIS ACCUSATIONS.
 - B. HE READ A QUOTE FROM THE APOCRYPHA AND STATED THAT MITCH W. BELIEVED IT. THERE WAS NO SUPPORTING EVIDENCE, IT WAS HIS PERSONAL BELIEF, AND IT WAS AN APPEAL TO THE PASSIONS OF

THE JURY.

- C. HE STATED IN REFERENCE TO MITCH W., "THIS IS A MAN WHO HAS GIVEN HIS ENTIRE LIFE TO GOD," "HE COULD NOT STAND BEFORE YOU, PUT HIS HAND ON THAT BIBLE AND SAY A FALSE STATEMENT. AGAIN THIS WAS HIS PERSONAL BELIEF WITH NO SUPPORTING EVIDENCE, IT WAS AN APPEAL TO THE PASSIONS OF THE JURY, AND IT WAS AGAINST THE LAW! N.C.G.S. 8C-1 RULE 601 FED. R. EVID. RULE 610.
- D. HE STATED, "THERE WAS A RELATIONSHIP BETWEEN RONNIE AND TED, NO MATTER HOW MUCH HE WANTS TO DENY IT'S TRUE." THIS WAS HIS PERSONAL BELIEF WITH NO SUPPORTING EVIDENCE.
- E. HE STATED, THAT I WAS TRYING TO GET DISABILITY OUT OF THE MARINE CORPS JUST LIKE MY FATHER. THIS WAS A FALSE STATEMENT AND AGAINST THE LAW. 18 U.S.C. § 1001. THIS STATEMENT IS DEFAMATION AGAINST MY FATHER! MY FATHER WAS NEVER IN THE MILITARY. THIS STATEMENT AND OTHER HAS LAUSE MY FATHER PROBLEMS.

PLEASE SEND ME A COPY OF THE APPEAL INFORMATION STATEMENT.

DAVID, I AM IN NO WAY INSULTING YOUR ABILITY. I KNOW THAT YOU HAVE MANY OTHER CLIENTS TO REPRESENT AND YOU DON'T HAVE THE TIME TO DO THE AMOUNT OF RESEARCH FOR EACH CASE THAT

YOU'D LIKE TOO. I'M NOT A LAWYER OF ANY KIND BUT I KNOW THESE ARE STRONGLY SUPPORTED ERRORS FROM THE CASE LAW THAT I'VE READ. THAT IS WHY I WANT THEM TO BE HEARD. IT IS ALSO WHY I HAD WANTED TO DISCUSS THESE AND OTHERS WITH YOU BEFORE YOU FILED THE APPEAL ON RECORD. I KNOW THAT IT SHOULD BE KEPT BRIEF AND THAT IS WHY I ONLY WANT THESE TWO ADDED. BESIDES WHILE I MAY SEE THE OTHER ERRORS AS REVERSIBLE ERRORS, ACCORDING TO THE CASE LAW I'VE READ THEY WOULD BE WEAK AND MAYBE CONSIDERED HARMLESS. I'LL STILL WRITE THEM OUT AND SEND THEM TO YOU JUST INCASE YOU SEE THEM DIFFERENTLY BECAUSE THEY MAY BE WORTH MENTIONING IF YOU DO AN ORAL BRIEF?!

A QUICK NOTE! I'M SURE THAT YOU ALREADY KNOW BECAUSE I SEEN THAT YOU CITED THE SINGLETON CASE IN A PRETRIAL MOTION BUT TO BE SURE..... IT IS NOW A LAW THAT A FED. COURT DA. CANNOT OFFER LENIENCY IN EXCHANGE FOR TESTIMONY!!

ONE LAST THING! EVERYTHING I'VE LEARNED HAS BEEN THROUGH MY EXPERIENCE OF THE TRIAL BUT MOSTLY FROM LAW BOOKS. IF YOU KNOW OF AND HAVE TIME WOULD YOU PLEASE RECOMMEND A PARALEGALS HANDBOOK. I'M NOT SURE WHERE TO ORDER ONE FROM. THANK YOU DAVID!
I ALSO SINCERELY THANK YOU FOR YOUR HARD WORK AND WOULD APPRECIATE YOUR ASSISTANCE IN ADDING THESE ERRORS.

Free In Christ,

Ronnie L. Kimble

CERTIFICATE OF SERVICE

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I, THE UNDERSIGNED HEREBY CERTIFY THAT I HAVE SERVED A COPY OF THE PURPOSED REVERSIBLE ERRORS AND PLAIN ERRORS THAT I REQUEST TO BE ADDED TO THE APPEAL ON RECORD UPON THE PARTIES INDICATED BELOW, BY PLACING THE SAME IN A ENVELOPE AND PLACING THE ENVELOPE IN THE MAIN HALL MAIL BOX AT ODOM CORRECTIONAL INSTITUTION ADDRESSED AS FOLLOWS:

W. DAVID LLOYD
ATTORNEY AND COUNSELLOR AT LAW
101 SOUTH ELM ST., SUITE 310
GREENSBORO, NC 27401

JOHN B. HATFIELD, JR.
ATTORNEY AT LAW
219 W. WASHINGTON ST.
GREENSBORO, NC. 27401

PETITIONER: Ronnie L. Hinkle
0628799
ODOM CORR. INST.
RT 1 BOX 36
JACKSON, NC 27845

SUBSCRIBED AND SWORN TO
BEFORE ME, Ol L Mauts
THIS 21ST DAY SEPTEMBER 1999
MY COMMISSION EXPIRES 02-19-03