

October 14, 2015

The Office of Commission:

I, Timothy O. Pinckney, am writing to The Commissions on Lawyer Conduct in the State of South Carolina, because I need to clarify a matter in my July 2012 case #J608221. My attorney's name was Greg Seigler, ESQ.

After completing 3 weeks of training and passing all tests (both written and driving) and a physical, I was on the verge of being hired by TransDev, a company which provides transportation for senior citizens and disabled/handicapped persons. On July 21, 2015, I was told that I needed to see Ms. Amidy Taylor in Human Resources. She asked me about my charge and I informed her that I had taken a plea of misdemeanor trespassing back in October 2012. She informed me that the background check came back and stated that I took a plea for assault and battery/3<sup>rd</sup> degree. Since the company can't hire anyone with an assault charge, I was told that I could no longer work for the company until I got the matter straightened out with South Carolina (Edgefield County).

Since July 22, 2015, I have been diligently trying to get this matter straightened out to no avail. I have called and faxed courts in Lexington, Saluda, Edgefield and Columbia, South Carolina. You will see that since my arrest in July 2012, I've done my best to communicate with Mr. Seigler (my court appointed lawyer) during the three months that I was incarcerated and as recently as July and August 2015. I had faxed my concerns to Mr. William C. Campbell from The Supreme Court of South Carolina starting in August 2012 and I have spoken to Mr. W. C. Campbell as recently as July 2015 which he explained to me that his office did not handle that part of my situation but was very helpful in directing me in the right direction. I've spoken to Mr. Casto by phone, email and fax from Lexington County Judicial Center for which he was very helpful, but unable to do much for me. I've spoken to Ms. Barbra Hinson whom told me to file a complaint and gave me your address. I've spoken to Chief Magistrate The Honorable Brenda B

Carpenter as recently as July 2015 which has also instructed me to contact Mr. Casto, as of this present time, I'm still waiting on a response.

On October 3<sup>rd</sup> 2012 Mr. Siegler came to the Edgefield County jail and asks me would I agree to a plea of trespassing and that all other charges in this case matter J608221 would be dropped. At the time of this agreement, Mr. Seigler and I were the only two persons in the room. I did not agree to assault and battery, I agreed to misdemeanor trespassing. During a conversation with Mr. Casto, he asked me to try and find my plea arrangement written or oral, any type of transcripts on or before my release, in front of a Judge, Magistrate, and Solicitor, D.A. or stenographer. I have looked on every public document to try and find all necessary documents, but none were found. Everyone, from Clerks to Judges, found no transcript of my plea arrangement. I even called Edgefield County Jail to see if they had a copy of my release papers and the only document they had was a property release form that I signed. According to Judge Carpenter, since sessions were in, no release papers were given, because the paper work just needed to Judge's signature and then I was able to be released.

I am asking these Commissions to clear up a few questions:

- 1) Where is the signed agreement of my plea arrangement with Mr. Seigler?
- 2) Why I was not brought in front of a Magistrate, Judge and/or Solicitor in regards to the plea bargain now on my record?
- 3) If my attorney and I had an agreement of a trespassing plea, why did he agree to a different plea and not inform me prior to my release?
- 4) While looking up my case on the Public Index site, I noticed that my then attorney, Mr. G. W. Seigler, was in my file on 02/10/2015. Can someone tell me why he would go into my file 2 ½ years later?
- 5) Why would a Magistrate or Solicitor sign off on a plea agreement without explaining to me what I was agreeing to?
- 6) I had been applying for a lot of jobs and most ask about my criminal background. Since I was under the impression that I was released with a trespassing charge but now finding out that an assault and battery charge

was put on my record, how can this be corrected so that these charges are removed so that I can go back to work and support my family?

Basically, I am trying to get my life back in order and I really want to work. If it weren't for Ms. Taylor at TransDev, I would still be blind to what was and is in my criminal background report. I called Mr. Seigler but was told he was out of the office and would be in the following morning after 9:00 am. When I called to speak with him, I was told that Mr. Seigler would not be accepting any of my calls. According to the Solicitor's office, even though Mr. Seigler is now a Family Court Judge, he was my lawyer back in 2012 and should still answer my questions.

Sincerely,



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cc: The Honorable Loretta E. Lynch  
Governor Nikki Haley