

STATE OF SOUTH CAROLINA )  
COUNTY OF YORK )  
)  
)  
)  
Christopher Woody, #309141, )  
Applicant. )  
)  
vs. )  
)  
State of South Carolina )

IN THE COURT OF COMMON PLEAS  
SIXTEENTH JUDICIAL CIRCUIT  
C.A.: 2018-CP-46-1650

AFFIDAVIT OF APPLICANT  
CHRISTOPHER WOODY

I, Christopher Woody, Applicant in the above captioned case, being over the age of eighteen years, and a prisoner at Broad River Correctional Institution, swear and/or affirm the following to be true:

While preparing my federal *habeas corpus* petition in 2017, I had an enlightening conversation with my attorney. I asked him if there was such a thing as a STATE *habeas corpus*. He informed me that while it's possible to file one, no one ever really wins those. He shared that the last time he heard about someone getting relief from filing the state *habeas corpus* was due to the fact that the judge went into the jury room during deliberations and spoke to them outside of the courtroom setting. We then discussed the known and seemingly accepted corruption of York County, and he admitted he wouldn't be surprised if something like that happened there. I did not believe the judge would put himself in that position, but after denying my right to counsel, withholding evidence and encouraging/suborning perjury, I had no doubt the 16<sup>th</sup> Circuit solicitor's office was capable of this crime. Even with documented evidence of the aforementioned violations, the ineffective assistance of my previous counsel allowed the 16<sup>th</sup> circuit to sweep all of it under the rug.

My attorney told me that uncovering that type of violation would definitely get me out of prison quickly, and that the state would jump at the chance to make that go away so that further investigation into those practices wouldn't start the "shit storm" of attempting to have all of the guilty solicitor's trials and cases questioned and reopened. He then advised me not to waste time attempting to go this route because, even if it was true, I would never get the evidence.

When questioning him about why he felt this way, his response was that the prosecutor would never admit to jury tampering and jurors would not admit anything happened that would inconvenience them with any type of jury responsibilities again. He explained that jurors may not be legal experts, but they know when something feels wrong. And even when something feels sketchy, they will rarely speak up against a prosecutor understanding the power the office of Solicitor holds. I then explained to him how emotional my jury was, to the point a jury member had to be consoled. I also explained that I chose psychology as a major in college because I enjoy observing people's behavior, and I could clearly perceive that this was not a jury who believed they were rightfully sending a guilty murderer to prison. There was no righteous indignation, judging eyes or anger at my actions. All I saw was pity, confusion and shame from the ones brave enough to look at me. I knew something was amiss, but I thought it was mainly the complexity and stress of the trial and the intimidation by the deceased man's family.

**There is no way I could have KNOWN that those tasked with upholding and enforcing the law would indulge in such criminal activity to secure a victory in court, until receiving the report from Kathy Broom.**

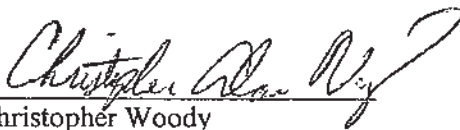
Further contemplating the facts of how someone succeeded with a state *habeas corpus* and the willingness shown to violate my constitutional rights by the law enforcement community of York County, my desperation for freedom inspired me. The idea was to assume someone had indeed violated the sanctity of the jury. From this foundation, I decided to formulate the questions AS IF I already knew what happened and was looking for corroboration. While my mother worked on finding a private investigator

willing to do what we asked, I came up with a sequence of questions designed to further prove I was not afforded the right to a fair trial. The affidavit by Kathy Broom and the corroboration of someone entering the jury room in the affidavit by Wyatt Thompson are the results of this idea.

After receiving the evidence of jury impropriety in the mail, I thought I had until August 17, 2018, to file something in court. I assumed the attorney who unintentionally led me to this evidence would jump at the chance for more money and an easy win, but I was mistaken. At the next meeting with my lawyer, his confident intelligence was immediately transformed by this knowledge of jury impropriety into something akin to anxiety or fear. He abruptly told me that he could no longer represent me, and I have not seen him since.

Around that time, there was a lot of talk about prisoners' legal mail being misplaced, lost and/or thrown away at the BRCI mailroom and all over SCDC, and I expressed this concern to my mother. We viewed this as just another instance of the South Carolina legal system protecting itself with more corrupt/conveniently negligent practices. My then lawyer's trepidation joined with how people were submitting legal work from prison and having such problems led us to attempt to assure there were no filing issues. Being ignorant of the law and legal proceedings, I attempted to file the *habeas corpus* in the South Carolina Supreme Court. My reason for going straight to the Supreme Court is that I thought it was foolish to expect the 16<sup>th</sup> Circuit, which has previously violated my right to due process, to all of a sudden decide to do the right thing. My thinking was along the lines of, "How can the same ones who illegally convicted me be expected to correct the issue when a willful criminal act was committed instead of a mistake?" With such damning proof of prosecutor malfeasance in violating (or negligence in protecting) my right to a fair trial and an impartial jury, we suspected the state may resort to underhanded tactics to try to once again hide an instance of prosecutorial misconduct. We expected to bypass those tactics and problems with the mailroom by hiring an out of state attorney (McPheeters) to hand deliver the writ of *habeas corpus*.

During my visit with McPheeters on May 25, 2018, he informed me that he understood my thinking, but the law states that I had to file a PCR application in the lower court. He informed me that I had a deadline of May 31, 2018. I expeditiously threw together the application and had the Notary Public, who was also the mailperson, notarize my signing of the PCR application, then date and time stamp the document for delivery. I legally met my deadline when I dropped it off in the BRCI mailroom on May 29, 2018. The fact that the postmarked envelope has been replaced in my filed documents with documents from case number 2018-CP-46-1655 shows, at best, negligent filing practices and, at worst, the corruption citizens face with South Carolina's "justice" system. From my perspective, this act is even more validation of the state's willingness to illegally secure and maintain a conviction. Instead of attempting to hold me, at the time a *pro se* petitioner in prison, to a standard of professionalism or thwart justice by concocting a nonexistent procedural error to keep me in prison, law enforcement should be focused on crimes committed by prosecutors and righting the wrongs suffered by a US citizen due to the violation of his 6<sup>th</sup> amendment rights.

  
Christopher Woody

Subscribed and sworn before me this the  
3 day of September, 2021.

  
Notary Public of South Carolina

My Commission Expires: June 15, 2031