

The State of South Carolina
In the Court of Appeals

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JUN 14 2022

SC Court of Appeals

Appeal from Georgetown County

General Sessions

Fifteenth Judicial Circuit, The Honorable Judge Roger Couch

Case No. 2009-GS-22-00778

State
Respondent

v.

Terron Dizzley
Appellants

MOTION TO AMEND DIRECT APPEAL, PURSUANT to APPELLATE COURT LOSS OF JURISDICTION BY WITHDRAWING PETITIONER'S DIRECT APPEAL WITHOUT AN ANDERS BRIEF AND CONDITIONAL ORDER

Petitioner moves before this Honorable Court with a motion to amend his Motion to Reinstate Direct Appeal, Pursuant to Appellate Court Loss of Jurisdiction by Withdrawing Petitioner's Direct Appeal without Ander Brief and Conditional Order filed on June 8, 2022.

Petitioner moves to amend his request for conditional order that he is released from prison if his direct appeal is not reinstated in a reasonable amount of time. Petitioner further supports this request with a Fourth Circuit case pursuant to a South Carolina case in which a decision denying a writ of habeas corpus filed to reinstate a direct appeal was denied in the District Court, and The Fourth Circuit of The

United States Court of Appeals reversed and remanded the case back to the District Court with a conditional order that The District Court grant the writ of habeas corpus and order the lower courts to reinstate direct appeal in a reasonable amount of time or release the petitioner from prison.

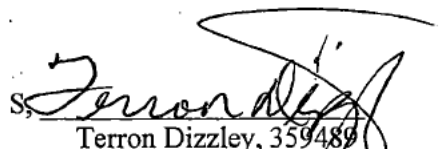
See: Bostick v Warden of Broad River Corrections, 2010 WL 360514, “This matter is on remand from the United States Court of Appeals for the Fourth Circuit. On December 17, 2009, The Fourth Circuit reversed this court’s prior decision denying the petition for writ of habeas corpus and remanded this case with instructions to grant Mr. Bostick writ of habeas corpus and order him released from prison unless The State of South Carolina grants him a direct appeal within a reasonable time. See: Bostick v Stevenson, No. 8-3661 (4th Cir. Dec. 17th, 2009).

Accordingly , pursuant to The Fourth Circuit’s decision, and its mandate filed January 25, 2010, this court’s orders that the writ of habeas corpus is granted. The State of South Carolina shall grant Mr. Bostick a direct appeal no later than May 1, 2010, or he shall be released from prison pursuant to The Fourth Circuit’s mandate.” See also: State v Bostick, 392 S. C. 134 (2011).

For the foregoing reasons, Petitioner request that his direct appeal, as of right, is reinstated within a reasonable amount of time, or release him from prison. Petitioner has supported this motion with a ruling from our own Fourth Circuit pursuant to a South Carolina case.

Date: June 9, 2022

Respectfully submitted,


Terron Dizzley, 359489
4460 Broad River Road
Columbia, SC 29210

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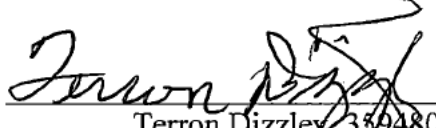
Terron Dizzley

Appellant

Certificate of Service

I, Terron Dizzley, certify that I have filed a "MOTION TO AMEND MOTION TO REINSTATE DIRECT APPEAL, PURSUANT to APPELLATE COURT LOSS OF JURISDICTION BY WITHDRAWING PETITIONER'S DIRECT APPEAL WITHOUT AN ANDERS BRIEF AND CONDITIONAL ORDER" by depositing in U. S. Mail, Postage Pre-paid, on June 9, 2022, addressed to the addresses below:

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

S, 
Terron Dizzley, 339480
4460 Broad River Road
Columbia, SC 29210

Attorney General Office
Alan Wilson
P.O. Box 11549
Columbia, SC 29211

Chief Judge, James Edward Lockemy
P.O. Box 750
Dillon, South Carolina 29536

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Notice of Service

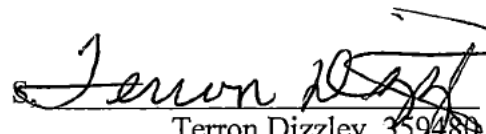
Dear Clerk:

Enclosed, please find an original and one copy of a "MOTION TO AMEND MOTION TO REINSTATE DIRECT APPEAL, PURSUANT to APPELLATE COURT LOSS OF JURISDICTION BY WITHDRAWING PETITIONER'S DIRECT APPEAL WITHOUT AN ANDERS BRIEF AND CONDITIONAL ORDER" Stamp filed. Please send copy back to me.

Date: June 9, 2022,

With kind regards,

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211


Terron Dizzley, 359489
4460 Broad River Road
Columbia, SC 29210

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Columbia, SC 29211

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4460 Broad River Road
Columbia, SC 29210



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