

2019-CP-07-1049

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON

COUNTY OF BEAUFORT

2022 MAY 31 PM 12:18

PLEAS

SAUL WILLIAMS

JERRI ANN ROSENEAU  
BEAUFORT COUNTY, S.C.  
CLERK OF COURT

PETITIONER

v

MOTION FOR RELIEF

STATE OF SOUTH CAROLINA et

) FROM JUDGEMENT PURSUANT

AL RESPONDENT

) TO RULE 60(B)

NOW HERE COMES THE PETITIONER WHO HEREBY MOVES BEFORE THIS COURT FOR AN ORDER VACATING THE ORDER BY JUDGE DEARDEA JEFFERSON DISMISSING HIS AMENDED APPLICATION FOR POST CONVICTION RELIEF DATED MARCH 5TH 2020

IN THE AMENDED APPLICATION THE PETITIONER ASSERTED A FEDERAL CONSTITUTIONAL VIOLATION THAT HAD NOT BEEN PREVIOUSLY PRESENTED TO ANY COURT OR RULED UPON ON THE MERITS.

THE PETITIONER STATED THAT HIS RIGHTS UNDER BOYLIN V ALABAMA 395 US 238 89 S Ct 1709. WAS VIOLATED IN THAT THE REQUIREMENTS OF FR CRIM PROC RULE 11 WAS VIOLATED WHEN THE COURT FAILED TO GIVE HIM NOTICE OF THE ELEMENTS OF THE OFFENSE OR OF THE MANDATORY MINIMUM PENALTY FOR ARMED ROBBERY

THE COURT DISMISSED THE APPLICATION IN VIOLATION OF 17-27-80 BECAUSE IT DID NOT MAKE ANY FINDINGS OF FACTS AND CONCLUSIONS IN RELATION TO THIS CLAIM.

IN PITTMAN V STATE 524 SE 2d 623 THE COURT  
FOUND THAT PITTMAN'S GUILTY PLEA WAS NOT  
KNOWINGLY INTELLIGENTLY OR UNDERSTANDINGLY MADE BECAUSE  
THE COURT FAILURE TO ADVISE HIM OF THE ELEMENTS OF  
THE OFFENSE AND THE MANDATORY MINIMUM WHICH  
WAS (10) YRS

PETITIONER PRESENTS SUCH A CLAIM TO THE COURT  
AS IS SUPPORTED BY THE TRANSCRIPT OF RECORD  
SEE TRANSCRIPT OF RECORD.

#### RELIEF

THEREFORE PETITIONER REQUEST THAT THE ORDER  
BE RESCINDED AND HE BE GRANTED EITHER A  
HEARING ON THE MERITS, APPOINTMENT OF COUNSEL OR  
RELIEF VACATING HIS GUILTY PLEAS .

x Seed Williams

PETITIONER

CERTIFICATE OF SERVICE

THIS IS TO HEREBY CERTIFY THAT I SAUL  
WILLIAM HAS CAUSED A MOTION FOR RELIEF FROM  
JUDGEMENT TO BE FILED WITH THE CLERK OF  
COURT FOR BEAUFORT COUNTY AND HAS CAUSED THE  
SAME TO BE SERVED UPON THE RESPONDENTS BY  
PLACING THE SAME IN THE UNITED STATES MAIL  
HERE AT KIRKLAND CORRECTIONAL INSTITUTION ON  
THIS 25th DAY OF May 2022

Persons Served

Attorney General.

P.O Box

11549

COLUMBIA SC 29211

Saul Williams

PETITIONER