

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Post Conviction Relief

Jennifer B. McCoy, Circuit Court Judge

Lower Court Case No.: 2018-CP-10-00602

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AUG 03 2022

S.C. SUPREME COURT

Te'Quan PERRY # 361380, Petitioner,

vs.

State of South Carolina, Respondent.

PROSE RESPONSE TO JOHNSON V. STATE, 294 S.C. 310,
364 S.E.2d 201 (1988).

The Appellant, Te'Quan PERRY # 361380, response to counsel's petition for writ of certiorari indicating that this appeal is without merit. After receipt of written notice of the Order of Dismissal, but not later than 10 days after, appellant requested that counsel file a rule 59(e) motion pursuant to SCRCP, because the PCR judge denied and dismissed with prejudice, appellants original grounds for relief, asserted in his original application for post-conviction relief. Please see (Order of dismissal Tr. 4-5). The PCR court incorrectly held that appellants' claims in his original PCR application were voluntarily waived and abandoned. Appellant argues that he did not voluntarily waive or abandon his original grounds for relief asserted in his original application for post-conviction relief. The only indication appellant waived and abandoned his original grounds for relief, was the incorrect judgment of the PCR court.

Moreover, appellant argues that a motion for a rule 59 (e) should have been filed as requested in accordance with the rules of SCRPC, to alter or amend the PCR judgment, that incorrectly denied and dismissed appellants original grounds for relief, asserted in his original Post-conviction application.

T. Perry

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McCormick, SC 29899

July 26, 2022

McCormick, South Carolina

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S.C. SUPREME COURT