

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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Aug 10 2022

S.C. SUPREME COURT

APPEAL FROM WILLIAMSBURG COUNTY
Court of Common Pleas

Honorable Diane S Goodstein Circuit Judge

APPELLATE CASE No. 2022-000629

Roy Moore 294950.....PETITIONER

V.

State of South Carolina.....RESPONDENT

MOTION TO RECALL REMITTITUR

Petitioner moves this court to recall the Remittitur issued August 9, 2010. Counsel's practice is to file Notices of Appeal on all PCR cases that were dismissed on the merits. In almost all cases the Office of Appellate Defense emails counsel to determine if he was appointed to the case and if so the Office of Appellate Defense takes over the appeal. I was appointed to Petitioner's PCR. There was poor communication between my office and Appellate Defense on this case. I have since contacted Appellate Defense and been advised that they will take over this appeal.

The lower court granted Petitioner relief pursuant to Austin v State, 303 S.C. 453,409 S.E.2d 395 (1991). Counsel was preparing for two General Sessions jury trials for the weeks of August 1, 2022 and August 8, 2022 and failed to respond sooner to this matter.



James K Falk
Falk Law Firm
PO Box 1058
Charleston, SC 29402

August 10, 2022