

State of South Carolina,
Plaintiff,

vs.

Nathaniel Glenn, Jr., #303563,
Defendant.

Case No. 2013-000919

Proof of Service

I certify that I have served the Order of Dismissal, Notice of Appeal and an enclosed letter to Jenny Abbott Kitchinas, Clerk of S.C. Court of Appeals on Salley W. Elliot, Attorney General by depositing a copy of it in the U.S. Mail, postage prepaid, on May 15, 2013, addressed to Salley W. Elliot, Attorney General by depositing a copy of it in the U.S. Mail, postage prepaid, on May 15, 2013, addressed to Salley W. Elliott, Attorney General, Post Office Box 11549, Columbia, S.C. 29211-1549.

cc: Filed

cc: Robert M. Dudek

cc: Tommy Thomas Esq.

Date: May 15, 2013.

S/ Nathaniel Glenn Jr.
Nathaniel Glenn, Jr. #303563
BRCI
4460 Broadriver Rd.
Columbia, S.C. 29210

Re: Notice of Appeal was mailed April 26, 2013.

RECEIVED

MAY 17 2013

SC Court of Appeals

Honorable Jenny Abbott Kitchings,
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

Re: Case No. 2013-000919

Honorable Jenny Abbott Kitchings:

This letter is in reference to inform the Court of Appeals that my Attorney Tommy A. Thomas, Esq. filed a Motion to Alter or Amend on the date of April 22, 2013, due to the fact that the Original Motion of my case that was clock-dated and stamped copied filed on the date of May 19, 2011, at 10:16 am, was not officially ruled upon in the enclosed Order. And as to my knowledge the Motion to Alter or Amend is currently pending.

Date: May 15, 2013

s/ Nathaniel Henry

RECEIVED

MAY 17 2013

SC Court of Appeals

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

The State of South Carolina,)

v.)

Nathaniel Glenn,)

Defendant)

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT

2002-GS-23-6529

**ORDER DENYING DEFENDANT'S
MOTION FOR A NEW TRIAL**

2013 APR 10 AM 11:36
CLERK OF COURT
THIRTEENTH JUDICIAL CIRCUIT
GREENVILLE, SOUTH CAROLINA

THIS MATTER is before the Court on Defendant's motion for a new trial. Defendant's motion is made pursuant to Rule 60 of the South Carolina Rules of Civil Procedure. This Court finds that a motion made pursuant to Rule 60 is not the appropriate avenue for appeal as it applies to civil cases. The Defendant argues that evidence admitted at trial was tainted and that he should be granted a new trial pursuant to Rule 29 of the South Carolina Rules of Criminal Procedure. However, Rule 29 provides a basis for a new trial only when dispositive evidence has been discovered after a trial. The evidence in question in this case was admitted at trial. Further, Defendant has also previously filed two applications for Post-Conviction Relief which have been denied by Judges Welmaker and Hill.

April 9, 2013



Letitia H. Verdin
Circuit Judge