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MAY 30 2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

S.C. Supreme Court

Appeal from Aiken County

Honorable: James R. Barber, III Circuit Court Judge

Alonzo ~~KEY~~

v.

PETITIONER

STATE OF SOUTH CAROLINA

RESPONDENT

PETITION FOR DEFAULT

Appellate case No. 2011-198347

CERTIFICATE OF SERVICE

I Alonzo Key #192814, do certify that a true original of the petition for Default in this case have been served on the State of South Carolina in the Supreme Court, by mailing in the U.S. mail, at this institution L.C.I. and properly addressed to the addresses below:

The Supreme Court of South Carolina
Mr. Daniel E. Shearouse
Clerk of Court
Post Office Box 11330
Columbia, South Carolina, 29211

Attorney General
Mr. Allen Wilson
Post office Box 11549
Columbia, South
Carolina, 29211

Date 5/27/2013

Petitioner

SI Alonzo Key
Alonzo Key #192814
Lee C.I.
Sumter - S. - 1139
990 Wisacky Highway
Bishopville, S.C. 29010

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ALONZO KEY

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WANDA H. CARTER
Deputy Chief Appellate Defender
South Carolina Commission on
Indigent Defense, Division of
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PETITIONER PRO SE
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ALLEN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney
General

SALLEY W. ELLIOTT
Senior Assistant Deputy
Attorney General

MARRY S. WILLIAMS
~~ASSISTANT~~ Attorney
General

Post Office Box 11549
Columbia, S.C. 29211

ATTORNEY FOR
RESPONDENT

Petitioner Alonzo Key pled guilty to possession with intent to distribute crack cocaine within proximity of school indictment # 10-GS-02-0458, during the March 2010 term of the Aiken County General Sessions Court, a separate charge of cocaine base indictment # 10-GS-02-0459, was dismissed and nolle prossed as a condition of a negotiated plea, before the Honorable Judge Doyet A. Early.

Petitioner was sentenced to a term of imprisonment of a period of 12 years, suspended to 8 years upon completion, 3 years probation. Charles David Hayes represented petitioner at the guilty plea proceeding, on the date of 3/15/2010.

Petitioner did not appeal his conviction or sentence App. 1-17.

On September 3, 2010, petitioner filed a PCR application with the Aiken County Office of the Clerk of Court, App. 19-48. The respondents filed a return on 3/24/2011, requesting that a hearing be held in this case. App. 49-52.

An amended PCR application was filed on 6/30/2011, App. 53-59.

A PCR hearing was held on 7/13/2011, at the Aiken County Court house before Judge James R. Barbar. App. 60-101. Brett H. Lancer represented petitioner at the PCR hearing, on 8/17/2011, an order was issued in this case by Judge Barbar, dismissing the case App. 102-108.

Petitioner appealed Judge James R. Barbar's dismissal of PCR application by his Attorney Brett H. Lancer.

Petitioner's Appellate Court Counsel Ms. Wanda H. Carter submitted a petition for writ of Certiorari indicating that this appeal is without merit and moves to be relieved as counsel on 6/11/2012, Appellate Case # 2011-198347. Petitioner filed a pro se response that this case do have merit on 6/19/2012, and properly addressed

to Mr. Daniel E. Shearouse, Clerk of Court to the Supreme Court of South Carolina, Post Office Box 11330, Columbia, South Carolina 29211.

Petitioner contend that he filed a PCR on 9/03/2010, than an order of dismissal was rendered by the Honorable Judge James R. Barber on 8/17/2011, an appeal was taken by petitioner and his Attorney Mr. Brett H. Lancer on 8/31/2011, that it has been more than 22 months since the appeal, that it has been more than 31 months since the filing of the original PCR application, the petitioner has a max out date of 11/13:

RELIEF SOUGHT: Petitioner pray this Court will Compell Respondents to hold such a hearing to determine the merit, and ~~genuine~~ issue of material facts and Law in question and grant this Writ of Mandamus to Compel the Court and Respondents to honor this appeal, Writ of Certiorari, and grant an order of Judgment, to free Petitioner from his unconstitutional confinement.

Petitioner contend that the Writ of Mandamus also required for Respondents to answer all allegations of the attached within 30 days from the date after receipt of this Writ of Mandamus.

If you fail to answer within the prescribed time a judgment by default will be rendered against you, filed date of 4/16/2013.

Petitioner at this time am Motioning this Court for a Default Judgment against Respondents pursuant to Rule 55 of South Carolina Rules of Civil Procedures, that it has been more than 30 days since the filing of the Writ of Mandamus filed date of 4/16/2013, up until to days date, petitioner has received no response from the Court there fore the Respondents have Defaulted.

Date 5/27/2013

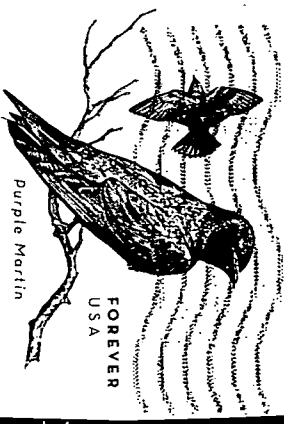
Petitioner

SLH Longo Key
Alouzo Key #192814

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 Sumter - S-1139
 990 K. Sackety Highway
 Bishopville, S.C. 29010

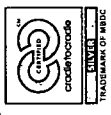
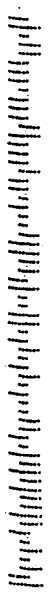
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The Supreme Court at South Carolina
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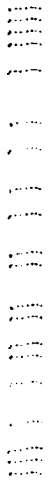
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