

John Bates, # 356426
SSR-XDL-39
Kirkland Correctional Institution
4344 Broad River Road
Columbia, SC 29210

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DEC 16 2022

S.C. SUPREME COURT

December 13, 2022

S.C. Supreme Court
Patricia A. Howard, Clerk of Court
Post Office Box 11330
Columbia, SC 29211

Re The State vs. John Bates
Lower Court Case No. 2021-CP-4004621
Appellate Case No. 2022-000157
Re Open Case

Dear Clerk:

The Petitioner John Bates moves this Honorable Court asking for an order to reopen case. The following Grounds the Petitioner asserts:

- 1) The Petitioner did not get a fair opportunity to present a(n) colorable claim of ineffective assistance of counsel deserving one full round for the Courts to make the necessary corrections.
- 2) The Petitioner did Filed his Post-Conviction Relief Application in a timely fashion manner.
- 3) The Petitioner is an unexperience Prose Litigant who avers that Counsel of Record should not be excused who is fully responsible because Counsel did not file his appeals.

Page 1 out of 3.

**LEGAL
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The Petitioner demonstrate to the Court that on September 2, 2020, the Petitioner was sentenced to serve time as an incarcerated inmate within the Department of Corrections. On July 08, 2021, the clerk of Court for Richland County Judicial Center replied to the Petitioner's PCR Application informing the Petitioner to give more information to Process the Application. See Attached

On July 24, 2021, the Petitioner made the necessary requirements. See Attached. The Application was then processed meeting the S.C. Code Ann. § 17-27-90.

The Petitioner asserts that when he sent his PCR Application to the Clerk of Court, he attached a single document entitled page 3A, 3B asserting he need a lawyer to help present an colorable claim of ineffective assistance of counsel and a request to receive his rule 5 discovery and obtain court records pertaining to his case.

When the Court afired a (w) conditional order the Petitioner did not know what steps to take to secure his appeal nor had the understanding to file a proper response. However, the page 3A and 3B went missing during the course of the Clerk of Court filings. That's why the Court could not understand his cognizable claim.

WHEREFORE UPON, the above legal premises, the Petitioner ask the Court to reconsider and open the case to pursue his ineffective assistance claim.

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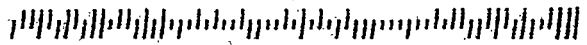
S.C. SUPREME COURT

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South Carolina Supreme Court
Patricia A. Howard, "Clerk of Court"
Post office Box 11330
Columbia, SC 29211

29211-133030



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THE DEPARTMENT OF CORRECTIONS HAS NOT
INSPECTED OR CENSORED THIS ITEM, THEREFORE, THE
DEPARTMENT DOES NOT ASSUME RESPONSIBILITY FOR
ITS CONTENTS.



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