

UNITED STATES OF AMERICA )  
STATE OF SOUTH CAROLINA )  
)  
)  
)  
)  
DONOVAN MURRAY )  
(Inmate Number 304604), )  
)  
)  
VS. )  
)  
STATE OF SOUTH CAROLINA )

IN THE SUPREME COURT  
FOR THE STATE OF SOUTH CAROLINA  
CASE NUMBER: 2011-CP-10-8319

**NOTICE OF INTENT TO APPEAL**

Donovan Murray hereby gives notice of his intent to appeal the dismissal of his Post-Conviction Relief in this case. The dismissal was imposed by the Honorable R. Markley Dennis on February 15<sup>th</sup>, 2013. The Order for Dismissal was filed on February 28<sup>th</sup>, 2013; a Motion to Reconsider was filed on March 3<sup>rd</sup>, 2013; the Attorney General's Office filed a Motion to Dismiss the Applicant's Motion to Reconsider on March 7<sup>th</sup>, 2013; and the Honorable R. Markley Dennis granted the State's Motion to Dismiss the Applicant's Motion to Reconsider on April 23<sup>rd</sup>, 2013.

Respectfully Submitted,

**RECEIVED**  
MAY 20 2013  
S.C. SUPREME COURT

  
Mark A. Peper, Esq.  
The Peper Law Firm, P.A.  
1637 Savannah Hwy., Suite 202  
Charleston, SC 29407  
O: (843) 225-2520  
F: (843) 225-2554  
mark@peperlwafirm.com  
**Attorney for Plaintiff**

May 14<sup>th</sup>, 2013  
Charleston, South Carolina

UNITED STATES OF AMERICA )  
STATE OF SOUTH CAROLINA )  
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DONOVAN MURRAY )  
(Inmate Number 304604), )  
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CASE NUMBER: 2011-CP-10-8319

**CERTIFICATE OF DELIVERY**

I, Elizabeth R. Lawrence, hereby certify that I have served the Notice of Intent to Appeal on The State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on May 14, 2013, addressed to the following parties.

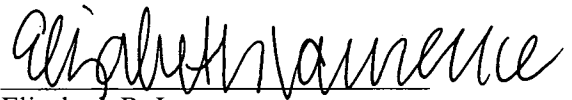
Ashleigh R. Wilson, Esquire  
Assistant Attorney General  
P.O. Box 11549  
Columbia, S.C. 29211

Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211

Donovan Murray  
(Inmate Number 304604)  
Broad River Correction Institution  
Saluda B/208  
4460 Broad River Road  
Columbia, SC 29210

South Carolina Commission on Indigent Defense  
PO Box 11433  
Columbia, SC 29211

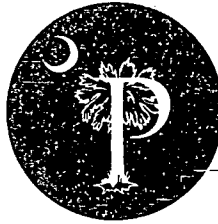
Respectfully Submitted,



Elizabeth R. Lawrence  
Paralegal to Mark A. Peper, Esq.  
The Peper Law Firm, P.A.  
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mark@peperlwafirm.com  
**Attorney for Plaintiff**

May 14<sup>th</sup>, 2013  
Charleston, South Carolina

MARK A. PEPER, ESQ.  
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May 14, 2013

WWW.PEPERLAWFIRM.COM

RECEIVED

MAY 20 2013

**VIA US MAIL**

Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211

S.C. SUPREME COURT

Re: Donovan Terrell Murray v. State of South Carolina  
Case Number: 2011-CP-10-8319

To Whom It May Concern:

I hope this correspondence finds you doing well. My office was previously retained to represent Mr. Murray with regard to his Post-Conviction Relief case. Enclosed, please find the Affidavit of Indigency for Mr. Murray's Appeal.

I am under the impression that this must first be submitted to your office before it can be accepted by the Office of Indigent Defense. If this is inaccurate, please contact me at the information listed above so that I may rectify this accordingly.

As always, should you need any further documentation, please contact our office at the information listed above and I will do my best to accommodate you as quickly as possible.

With best regards, I remain

Sincerely,

Elizabeth R. Lawrence  
Paralegal to Mark A. Peper

Enclosures as stated.

MAY 20 2013

STATE OF SOUTH CAROLINA )  
COUNTY OF Charleston )

S.C. SUPREME COURT  
AFFIDAVIT OF INDIGENCY

Case Name Mr. Donovan Terrell Murray vs. State of South Carolina

Criminal Case No. 2011-CP-10-8319

Current Address: 4460 Broad River Rd., Columbia, S.C. 29210

Are you incarcerated?  Yes (If "Yes") Where? Broad River Corr. Inst.  
 No

What were you convicted of? PWID cocaine, PWID cocaine within prox. of school

What was your sentence? 10 yrs concurrent with 15 yrs

In what county was this hearing held? Charleston

Presiding Judge's name? ~~Presiding Judge~~ Judge Young

Date of hearing? January 22, 2013

Are you appealing from a trial, guilty plea or from a post-conviction relief hearing? Post conviction Relief hearing

Were you represented by a court-appointed attorney, public defender, , or retained counsel?  
court appointed

Name of attorney/public defender? Mark A. Peper

If retained, how much did you pay for attorney fees? \$ \_\_\_\_\_

If you still owe money to your attorney, how much? \$ \_\_\_\_\_

1. Are you presently employed? Yes \_\_\_\_\_ No

a. If "yes," state the amount of your salary or wages per month, and give the name and address of your employer. \_\_\_\_\_

b. If "no," state the name and address of last employment, date of termination of employment, and amount of your salary or wages per month. 2010 Cates car wash, No address, 2007 I was terminated, didn't work for a whole month, approx. 200 was first week pay

2. List by name, age and relationship to you, any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support. None

3. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or form of self-employment?  
Yes \_\_\_\_\_ No

b. Rent payments, interest or dividends?  
Yes \_\_\_\_\_ No

c. Pensions, annuities or life insurance payments?  
Yes \_\_\_\_\_ No

d. Gifts or inheritance?  
Yes \_\_\_\_\_ No

e. Any other sources?  
Yes  No ~~\_\_\_\_\_~~

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months. My Father sent me \$50 once and I think \$40 once within 12 months.

4. Do you own cash, or do you have any money in a checking or savings account?  
Yes \_\_\_\_\_ No

If the answer is "yes," state the total amount of the cash owned. \$ \_\_\_\_\_

5. Do you own any real estate, stocks, bonds, notes or other valuable property (excluding ordinary household furnishings and clothing)? Yes \_\_\_\_\_ No

If the answer is "yes," describe the property and state the appropriate value of the items owned. \_\_\_\_\_

6. What kind of motor vehicle do you own? ~~car~~ approx 1984 Honda 450 motorcycle

Is it paid for? Yes  No \_\_\_\_\_

If not, what are the monthly payments? \$ \_\_\_\_\_

7. How much do you owe (on liens, mortgages, other encumbrances or debts)? \_\_\_\_\_

I do solemnly swear that the account by me delivered into this Court does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I, or any person in trust for me, have or at the time of my possession had, or am, or was, in respect, entitled to, in possession, remainder or reversion and that I have not at any time since charges were made against me or before, directly or time since charges were made against me or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over, in trust for myself or otherwise, other than is mentioned herein.

I understand that the State shall file a claim against me in an amount equal to the cost for representation, but that such claim shall not constitute a lien against my property, unless, the claim is reduced to judgment by the Order of the Court after giving me at least thirty days' notice.

Under penalty of perjury, I certify that the information give by me on this affidavit is true and correct, and I understand that I will be subject to civil and/or criminal penalties if I knowingly furnish false information.

I am financially unable to employ counsel.

This 7<sup>th</sup> day of February, 2013.

Mr. Donovan Murray  
Defendant

I understand that I am entitled to at least thirty days' notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

This 7<sup>th</sup> day of February, 2013.

Mr. Donovan Murray  
Defendant

SUBSCRIBED AND SWORN to before  
me this 7<sup>th</sup> day of February, 2013.

Alizabeth Laurence  
NOTARY PUBLIC FOR SOUTH CAROLINA

My commission Expires: 9/16/20



THE PEPER LAW FIRM, PA  
1637 SAVANNAH HWY., STE. 202  
CHARLESTON, SC 29407

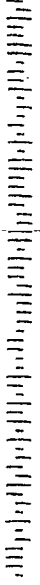
**VIA US MAIL**  
Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211

\$0.460  
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29407



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29211+1330



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[About SCDC](#)

## INCARCERATED INMATE SEARCH

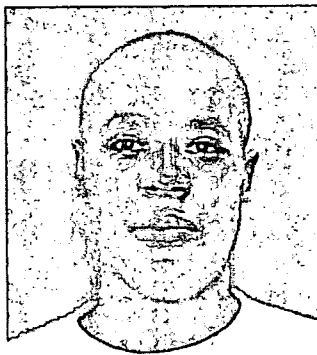
SCDC ID:       SID:

First Name:       Last Name:

Phonetic Match     

SCDC ID	Name	Sex	Race	Height	Weight	Age
00304604	MURRAY, DONOVAN	MALE	BLACK	6' 00"	195	28

### 1 Inmate Found



Inmate Description		Inmate Sentence and Location	
<u>Name</u>	Murray, Donovan	<u>Offender Type</u>	Adult-straight Sentence
<u>SCDC ID</u>	00304604	<u>Offense</u>	Mdp Narc Sched-3rd,subse
<u>SID</u>	SC01366162	<u>Sentence Start Date</u>	12/12/2007
<u>DOB</u>	01/14/1985	<u>Sentence Length</u>	15 YRS, 0 MOS, 0 DYS
<u>Citizenship</u>	Citizen - Native Born	<u>Admission Date</u>	07/10/2008
<u>Build</u>	Medium	<u>Committing County</u>	Charleston
<u>Complexion</u>	Dark Brown	<u>Location</u>	Broad River
<u>Hair Color</u>	Black	<u>Projected Release Date</u>	10/08/2021
<u>Eye Color</u>	Brown	<u>Projected Parole Eligibility</u>	Not Eligible
		<u>Supervised Furlough Eligibility</u>	Not Eligible

Picture Date 07/10/2008

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[Version: 3.1.1 Built: 03/26/2013 03:02:34 PM Time: 09:26:22 AM]

MARK A. PEPER, ESQ.  
MARK@PEPERLAWFIRM.COM



THE PEPER LAW FIRM, PA  
1637 SAVANNAH HWY., STE. 202  
CHARLESTON, SC 29407  
843.225.2520 (O)  
843.225.2554 (F)

May 23, 2013

**VIA US MAIL**

WWW.PEPERLAWFIRM.COM

Supreme Court of South Carolina  
Attention: Daniel Shearouse  
Post Office Box 11330  
Columbia, SC 29211

Re: Donovan Terrell Murray v. State of South Carolina  
Case Number: 2011-CP-10-8319

To Whom It May Concern:

I hope this correspondence finds you doing well. My office served as Counsel for the Post-Conviction Relief in the above-referenced case number. Enclosed, please find Attorney Mark A. Peper's Notice of Intent to Appeal, which was previously filed in your office without a Certificate of Service. Therefore, please also find the Certificate of Service. If you could please file this with the court, I would be most appreciative.

I have mailed the original trial transcript, PCR application, Final Order, State's Return and Motion to Dismiss, Affidavit of Indigency and all other appropriate documentation to the SC Commission for Indigent Defense as well.

I apologize for the inconvenience and hope that we have finally gotten this process understood and under control.

As always, please do not hesitate to contact the numbers listed above should you have any questions or concerns.

With best regards, I remain

Sincerely,

Elizabeth R. Lawrence  
Paralegal to Mark A. Peper

Enclosures as stated.

cc: Donovan Terrell Murray  
Ashleigh Wilson, Esquire  
SC Commission on Indigent Defense

**RECEIVED**

MAY 28 2013

S.C. SUPREME COURT

UNITED STATES OF AMERICA )  
STATE OF SOUTH CAROLINA )

IN THE SUPREME COURT  
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CASE NUMBER: 2011-CP-10-8319

DONOVAN MURRAY )  
(Inmate Number 304604), )

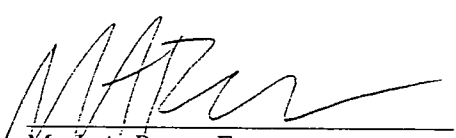
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mark@peperlwafirm.com  
**Attorney for Plaintiff**

May 14<sup>th</sup>, 2013  
Charleston, South Carolina

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MARK@PEPERLAWFIRM.COM



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PCR

May 14, 2013

WWW.PEPERLAWFIRM.COM

**VIA US MAIL**

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Columbia, SC 29211

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As always, please do not hesitate to contact the numbers listed above should you have any questions or concerns.

With best regards, I remain

Sincerely,

Elizabeth R. Lawrence  
Paralegal to Mark A. Peper

RECEIVED

MAY 20 2013

S.C. SUPREME COURT

Enclosures as stated.

cc: Donovan Terrell Murray  
Ashleigh Wilson, Esquire