

RE: "2016 [REDACTED] GS-420-5451-54"
(No legal indictments exist)
The Supreme Court of South Carolina

February 20th, 2023

To whom it may concern,

Pursuant to S.C. Code Ann. § 17-28-40, I am requesting an application for Post Conviction DNA Testing. Please send the application to the following address:

Genuine Truth Banner #375165
Kirkland Correctional
Maximum Security Unit/Solitary - 26
4344 Broad River Rd
Columbia, SC 29210

RECEIVED

FEB 24 2023

S.C. SUPREME COURT

Requested forms enclosed

**LEGAL
MAIL
ONLY**

2. Give the date of the entry of the judgment and sentence: _____

and current place of incarceration: _____

3. Identify all previous or ongoing proceedings, together with the grounds therein asserted, taken by the applicant to secure relief from his conviction or adjudication:

(a) _____

(b) _____

(c) _____

4. Make a reasonable attempt to identify the physical evidence or biological material that should be tested: _____

Identify the specific type of DNA testing being sought:

5. Explain why the identity of the applicant was or should have been a significant issue during the original court proceedings, notwithstanding the fact that the applicant may have pled guilty or nolo contendere or made or is alleged to have made an incriminating statement or admission as to identity:

6. Explain why the physical evidence or biological material sought to be tested was not previously subjected to DNA testing, or if the physical evidence or biological material sought to be tested was previously subjected to DNA testing, provide the results of the testing and explain how the requested DNA test would provide a substantially more probative result:

7. Explain why if the DNA testing produces exculpatory results, the testing will constitute new evidence that will probably change the result of the applicant's conviction or adjudication if a new trial is granted and is not merely cumulative or impeaching:

8. I assert that I am actually innocent of the listed offense, that this offense is listed in S.C. Code Ann. § 17-28-30 and that I am currently incarcerated for the listed offense. I attest that this application is made to demonstrate innocence and not solely to delay the execution of a sentence or the administration of justice.

9. If DNA testing is conducted and results are determined to be inculpatory by the Court, I understand that:

- (a) The Court may hold me in contempt of court if it determines that my assertion of actual innocence was intentionally false;
- (b) The Court may assess the cost of any DNA testing against me;
- (c) The South Carolina Department of Corrections may use this determination to deny good conduct credit; and,
- (d) The Department of Probation, Parole, and Pardon Services can use this determination to deny parole.

Print Applicant Name

Signature of Applicant

STATE OF SOUTH CAROLINA

)
)
)

VERIFICATION

County of _____

I _____, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; and that the matters and allegations set forth are true.

Signature of Applicant

SWORN to and subscribed before me this _____
day of _____, 2____.

Notary Public (L.S.)

My Commission Expires: _____

**APPLICATION TO PROCEED WITHOUT PAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF**

I, _____, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Signature of Applicant

SWORN to and subscribed before me this _____
day of _____, 2_____.

Notary Public (L.S.)

My Commission Expires: _____