

Juan M. Nimmons # 256828  
Allendale Corr. Inst.  
1057 Revolutionary Trail  
FairFax, South Carolina - 29827

RECEIVED

JUL 05 2023

S.C. SUPREME COURT

June 7, 2023.

Clerk of Court  
P.O. Box 150  
Bamberg, South Carolina - 29003

Re: South Carolina Rules of Criminal Procedures  
Rule - 60(b). Motion

Dear Clerk:

Enclosed you will find the original and a copy of the above  
reference, Rule - 60 (b). Motion for your filing.  
Please return the clocked file copy to me for my record.

Thank you very much.

Sincerely, *Juan M. Nimmons*

cc: ACLW  
S.C. COURT ADMIN.

NOTE: PLEASE, PROVIDE THIS MOTION WITH A 2023-GS-05-<sup>2</sup> CASE NO. #

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S.C. SUPREME COURT

The State of South Carolina  
County of Bamberg

In The Court of General Sessions  
For The Second Judicial Circuit

Juan M. Nimmons # 256828 )  
Petitioner, )  
V. )  
State of South Carolina )  
Respondent, )  
\_\_\_\_\_ )

Case No. \_\_\_\_\_

S.C. Rules of Crim. Procedure

Rule - 60 (b). Motion

FACTS

I Juan N. Nimmons, moves this Honorable Court under Rule-60 (b). To make a ruling on the constitutionality on the unconstitutional burden shifting instructions concerning malice murder. Petitioner, further request a question and answer of law. Is this burden shifting instructions by the trial judge in petitioner murder trial in March of 1999, unconstitutional?? 99-GS-05-028,029.

Petitioner, contends based on Rule - 60 (b). That justice must be done in light of all fact Even, if a individual has been barred by AEDPA and or stature of limination.

Petitioner, prays this Motion be granted in the interest of justice.

Respectfully, Submitted

Juan M. Nimmons

Juan M. Nimmons # 256828  
Allendal Corr. Inst. F-  
1057 Revolutionary Trail  
FairFax, South Carolina

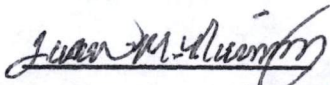
29827

CERTIFICATE OF SERVICE

RECEIVED  
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S.C. SUPREME COURT

I do hereby certify that I have serve the original and copy of the Rule - 60(b). Motion on the following counsels of record, by placing the same in the United States mail with sufficient postage affixed thereto, here at the Allendale Corr. Inst. mailroom.

June 7, 2023.  
Allendale, South Carolina

  
Juan M. Nimmons # 256828

CC: Clerk of Court  
P.O. Box 150  
Bamberg, S.C. 29003