

Terrell McCoy, 256070
PCI C.X. 3
430 Oaklawn Rd
Pelzer SC 29669

RECEIVED

SEP 21 2023

S.C. SUPREME COURT

September 18, 2023

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

RE: Terrell McCoy, 256070 v. The State
CIA 2013-Cp-10-1994
Appellate Case No. 2023-001382

Dear Clerk of Court, Enclosed please find Petitioner Motion for leave to the lower court where the lower court did not rule on Petitioner's SCRCP Rule 60(B) (1) that was filed on January 26, 2023. The Order of denial only addressed the 60(B) (2)(3)(4)(5). Petitioner timely filed a SCRCP Rule 59(c), but the Court had not ruled on the motion before Petitioner filed a notice of Appeal in this Court. The lower court lost jurisdiction once the ~~motion~~ Notice of appeal was filed. I have also enclosed proof of service as evidence of service upon you.

cc:
Danielle Dixon

Terrell McCoy
PCI.C.X. 3
430 Oaklawn Rd
Pelzer SC 29669

PROOF OF SERVICE

I, Terrell McCoy, hereby declare that on 9-18-23, I personally placed a copy of Petitioner's motion for leave inside a prepaid stamp envelope to be mailed by U.S. postal service to the following address.

The Supreme Court of SC
Patricia A Howard, Clerk of Court
Post office Box 11330
Columbia SC 29211

Danielle Dixon
South Carolina Attorney General office
Post office Box 11549
Columbia SC 29211