

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

September 25, 2023

**RECEIVED**

SEP 28 2023

S.C. SUPREME COURT

The South Carolina Supreme Court  
Patricia A Howard, clerk of Court  
Postoffice Box 11330  
Columbia, South Carolina 29211

Terrell McCoy v. The State  
Appellate Case No. 2023-001382

Dear Clerk of Court:

Enclosed please find Petitioner's Memorandum of Law and Supporting Affidavits, and Motion for leave based on Rule 29 SCR CrimP, Rule 60(B)(2)(1); Rule 59, and 15 SCRCP based on Newly discovered evidence, and Rule 60(b)(1) to be filed attached to the Motion for leave. The lower court has failed to comply with this Court mandate dated February 1, 2019. Kemp v. United States, 142 S.Ct. 1856 213 L.Ed. 2d 90 2022, was decided June 13, 2022 regarding Rule 60(B)(1) motions. The lower court has failed to Rule on Petitioner's SCRCP Rule 60(B)(1). Can you please file these in this Court, and return a file copy for my record. I have also enclosed proof of service as evidence of service upon you.

dated 9-25-23

1/ Terrell McCoy 256070

PROOF OF SERVICE

I, hereby declare that I Terrell McCoy placed a handwritten copy of Memorandum of Law, Supporting Affidavits, & Motion for leave and attached Motions (s) Rule 29 SCR CrimP, Rule 60(B)(2)(1) Rule 59, and 15 Inside prepaid stamp envelope to be mailed to the SC Supreme Court, Post office Box 11330, Columbia SC 29211

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

Terrell McCoy 256076  
PCI Co X 3  
430 Oaklawn Rd  
Pelzer SC 29669

**RECEIVED**  
SEP 26 2023  
PCI MAILROOM

**RECEIVED**  
SEP 28 2023  
S.C. SUPREME COURT

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

LEGAL MAIL