

STATE OF SOUTH CAROLINA |
COUNTY OF CHARLESTON |

Termaine Nelson, #316883,
Petitioner,

V.

STATE OF SOUTH CAROLINA,
Respondent,

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT

CASE NUMBER: 2022-CP-10-4440
AW# 1100994

" MOTION FOR JUDGMENT
BY DEFAULT "

RECEIVED

OCT 20 2023

SC Court of Appeals

This matter comes before the Court of Common Pleas by way of the Uniform Post-Conviction Procedure Act application filed with Charleston County Clerk of Court on September 22nd, 2022, at 2:34 P.M. It is evident that the Attorney General's Office (AGO) are liable for judgment by default against Respondent's for failure to respond within sixty (60) days. The Petitioner hereby moves this Honorable Court with a "MOTION FOR DEMAND JUDGMENT BY DEFAULT". This motion is in pursuant to SCRCP Rule 54(c) and Rule 55(b)(2). The Petitioner asserts that he is entitled to an hearing and demands judgment by default for failure to give an answer within the allotted time. The defaulting party's are in violation of section 17-27-70(A).

CONCLUSION:

WHEREFORE, the Petitioner, Termaine Nelson #316883, hereby moves this Court and respectfully asks that this Motion For Judgment by Default be granted for failure to give an answer to case number 2022-CP-10-4440. May the Court also proceed with an hearing to resolve this matter of law.

10-12-2023

(s) Termaine Nelson
EVANS CORR. INST.
610 Hwy 9 West
Bennettsville, SC 29512

CERTIFICATE OF SERVICE

I hereby certify that the Judgment by Default Motion was mail on the Attorney General's Office on October 12, 2023

(s) Termaine Nelson

RECEIVED

OCT 20 2023

SC Court of Appeals

October 12, 2023

SOUTH CAROLINA COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

RECEIVED

OCT 20 2023
SC Court of Appeals

RE: Tremaine Nelson #316883, Petitioner
Vs. STATE OF SOUTH CAROLINA, Respondent,
Case Number # 2022-CP-10-4440

Dear Ms. Kitchings;

Enclosed please find the Petitioner's Motion
For Judgment By Default For Failure to respond
within the allotted time prescribed by the S.C.
Code of Laws Section 17-27-70(A).

I'll would like a copy from Ms. J. Armstrongs for
my record.

Your assistance in this matter is greatly appreciated.

Sincerely,
1st Tremaine Nelson
EVANS CORR. INST.
610 HWY 9 WEST
Bennettsville, SC 29512

cc: ALAN McCrory Wilson, Attorney General
Julie J. Armstrong, Clerk of Court, Ninth Judicial Circuit

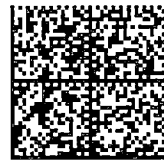
Tremaine Nelson # 316883
EVANS CORR. INST.
610 Highway 9 West
Bennettsville, SC 29512

RECEIVED

OCT 20 2023

SC Court of Appeals

The South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211



US POSTAGE TM PITNEY BOWES



ZIP 29512 \$ 000.63⁰
02 4W
0000378442 OCT. 17. 2023

NOV 21 2023

2921181629 5012

