

STATE OF SOUTH CAROLINA
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IN THE SUPREME COURT

AUG 01 2013

Appeal From oconee county
S.C. SUPREME COURT ifton Newman, circuit court Judge

RICKY DEAN DUNCAN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate case No. 2012-213472

MOTION TO AMEND APPEAL

I RICKY DEAN DUNCAN am the Pro-se PETITIONER whom will show cause to vacate the sentence of Judge Alexander S. Macaulay. I never waived my indictment I was indicted under C.D.R code 0019. I was sentenced under CDR code 1151 without the judge amending the indictment or reindicting me which made the judge use another enhancement. A measure is an ex post facto law when it retroactively alters the definition of a crime or increases the punishment for a crime U.S.C.A. CONST. ART. I § 10 cl 2; CONST. ART. I § 4. ANY changes done in the sentencing sheet should have been anished by the judge. The sentencing judge should have made it apart of the record that he was changing my CDR code in which increase my time, and violated ex post facto law!! Also my due process. And showed vandiety in sentencing.

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APPEALS FROM OCONEE COUNTY
CLIFTON NEWMAN, CIRCUIT COURT JUDGE.

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RESPONDENT.

CERTIFICATE OF SERVICE

I certify that a true copy of the motion to amend the appeal in this case have been served on John Walt Whitmire, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201. This 30 day of July, 2013.

SWORN TO BEFORE ME this 30th day
of July, 2013

Ricky Dean Duncan
Appellate
Pro-se

Ernie Hays
Notary Public for South Carolina

My Commission Expires: 4-27-2016

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S.C. SUPREME COURT

Date 7-26-13

Dear Mr. Shearson,
will you please forward this Amended motion
to the proper office. Thank you so much for
the professional service you give to us.

God Bless

Ricky D. Duncan