

Daniel E. Shearouse,
Clerk of Court Supreme Court
P.O. Box 11330
Columbia S.C. 29211

Re: Appellate Case No^o 2012 21 3219
Lower Court Case 2009 340521

September 5, 2013

RECEIVED

SEP 11 2013

S.C. SUPREME COURT

Dear Mr. Shearouse,

In pursuant to South Carolina Appellate Court Rule 240(f) Reply,
I pro se petitioner John B. Campbell responds to the States Return
dated August 29, 2013, recieved September 3, 2013.

Also, petitioner responds to Counsel Kathrine H. Hudgins Return dated
August 29, 2013 recieved September 4, 2013.

In this Reply, petitioner Respect Fully, request to withdraw the
Petition for a Writ of Certiorari Filed on my behalf By Counsel
Kathrine H. Hudgins dated March 11, 2013.

1. This Request to Withdraw the Petition for a Writ of Certiorari
is Based on counsel Deficient performance as Counsel
during the Direct Appeal of case # 2009 136346
2. It is my understanding a Petition for Writ of Certiorari is
a Discretionary Appeal following a Direct Appeal.
See Poston v. State 339 S.C. 37, 528 S.E2d 422 S.C. 2000
3. Therefore, In October of 2012, when I Filed a motion
to Relieve Counsel at the Conclusion of the Direct Appeal
Based on Counsel Failure to Redress concerns regarding
the usage of Rule 220 B(1)

4. Furthermore, In Douglas v State 213, 613 S.E2d 542. S.C.
2006

Footnote: State's We overrule Poston to the extent it
may be read to hold that a claim of ineffective assistance
of counsel may be made against an attorney involved
in pursuing Certiorari after a direct Appeal.

5. Therefore, in Light of Douglas, I state for the
foregoing reason, I did not give Counsel Kathrine
H. Hudgins my consent to file a petition for a
Writ of Certiorari.

6. Counsel Kathrine H. Hudgins and I appellant John B. Campbell
have incompatible Interest with regards to conviction and
Sentence., subject matters,

See attached Motion filed to William B. Funderburk,

Gracefully submitted
John B. Campbell
430 Oak Lawn Road
Pelzer S.C. 29669

5th day of September 2013

The Honorable William B. Funderburk
P.O. Box 996
Bennettsville S.C. 29512

Re: Case # 2009 GS-34-0521

date: April. 1, 2013,

FILED
2013 APR 21 AM 10 09
WILLIAM B. FUNDERBURK
CLERK OF COURT
MARLBORO COUNTY, S.C.

Dear Clerk of Court,

Enclose for filing is a petition for sentence to be vacated. Upon filing please forward a clock stamped copy to petitioner addressed at John B. Campbell 228072 Perry Court, Inst Q2 A118 430 Oaklawn Road Pelzer S.C. 29669. Also 2 sheet concerning sentencing are

Gracefully Submitted
John B. Campbell
430 Oaklawn Road
Pelzer S.C. 29669

State of South Carolina
County of Marlboro
John B. Campbell

In the Court of Common Plea
2009 GS-34-0521

Petitioner

Petition for Sentence to Be
vacated.

VS.

State of South Carolina

Respondent

1. Today April 1, 2013, I John B. Campbell the herein petitioner petitions for redress to sentence imposed against him for violating S.C. Code of Law 16-1-80 attempt. see attached sentencing sheet.

2. Petitioner claim the sentence of 15 years the violation of 16-1-80 Attempt,

3. On March 25, 2013 at Perry Correctional Institute petitioner and S.C. D.C. classification Mr. Norman discussed petitioner eligibility for custody advancement.

4. At this Meeting Petitioner discovered information that Leded to the filing of this Petition, Also given the following case law to support this Petition State v Storage, 277 S.C. 412, 288 S.E2d 397

5. In addition Mr. Norman provided 2 sheeting sheets.

2013 APR 21 AM 10 09
WILLIAM B. FUNDERSBURK
CLERK OF COURT
MARLBORO COUNTY, S.C.

FILED

Gracefully submit
John B. Campbell

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Marble
STATE VS.
John Bernard Campbell
AKA:
Race: B Sex: M Age: 31
DOB: 1/22/78 SS#: 242-
Address: 133 Cain Road
City, State, Zip Bennettsville, SC 29514
DL# _____ SID# _____

INDICTMENT/CASE#: 09 -GS- 34 - 521
AW#: M 075185
Date of Offense: 4-1-09
S.C. Code §: 16-1-80
CDR Code #: P 1 0 1 9 1 5
 CASE RESTORED na 424
SENTENCE
 PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
TO: Attempted Kidnapping
in violation of § 16-1-80 of the S.C. Code of Laws, bearing CDR Code # aa 14, 2, 4 1151 (SRM) (MRB)
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
ATTEST:
Elizabeth R. Munnelin Solicitor Arnold B. Defendant Arnold B. Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____
months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation,
which are incorporated by reference.
 CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State
Department of Corrections.

SPECIAL CONDITIONS:

RESTITUTION: Heard, Waived, Ordered
Total: \$ _____ plus 20% fee: \$ _____
Payment Terms: _____
 set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
Obtain GED _____
Attend Voc. Rehab. or Job Corp. _____
May serve W/E beginning _____
Substance Abuse Counseling _____
Random Drug/Alcohol Testing _____
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund
Other: _____

Recipient: _____
*Fine: CJA 5.00
\$14-1-206 (Assessments 107.5%) \$ _____
\$14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00
\$14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____
\$56-5-2995 (DUI Assessment) \$12 \$ _____
\$ 35.13 (Public Def/Prob) \$500 \$ _____
\$73.3, 1B TP (Law Enforce. Funding) \$25 \$ 25.00
\$33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____
\$50-21-114(BUI Breath Test Fee) \$50 \$ _____
\$56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____
3% to County (if paid in installments) \$ 3.90
TOTAL \$ 133.90

Appointed PD or appointed other counsel, \$35.13 TP
Requires \$500 be paid to Clerk during probation.

William B. Sunderland
Clerk of Court/ Deputy Clerk
Court Reporter: Pamela Orment - Cortes

PRESIDING JUDGE Earl C. Coffey
Judge Code: 818 4 11
Sentence Date: 8-11-09

STATE OF SOUTH CAROLINA)

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Mauro)
STATE VS.)
John Bernard Campbell)
AKA:)
Race: B Sex: M Age: 31)
DOB: 1/22/78 SS#: 247)
Address: 133 Cain Road)
City, State, Zip: Bennettsville, SC 29524)
DL#: _____ SID# _____)

INDICTMENT/CASE#: 09 -GS- 34 - 521
AW#: 1 MAR0008
Date of Offense: 4-1-09
S.C. Code §: 16-1-80
CDR Code #: P 1 0 1 9 1 5
 CASE RESTORED na 424
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TO: Attempted Kidnapping (ERM) (MRB)
in violation of §16-1-80 of the S.C. Code of Laws, bearing CDR Code # AA-4-2-4 1151
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
ATTEST:
Elizabeth R. Munneley Solicitor Myrold B Defendant Myrold B Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 15 days/months/years or under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____
months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation,
which are incorporated by reference.
 CONCURRENT or CONSECUTIVE to sentence on: _____
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APR 14 2009
CLERK OF COURT
SOUTH CAROLINA

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Payment Terms: _____
 set by SCDPPPS _____

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*Fine: CJA 5.00\$

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§ 35.13 (Public Def/Prob)	\$500	\$
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§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	\$	\$ 390
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Attend Voc. Rehab. or Job Corr. _____
May serve W/E beginning _____
Substance Abuse Counseling _____
Random Drug/Alcohol Testing _____
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____
\$ _____ paid to Public Defender Fund
Other: _____

Appointed PD or appointed other counsel, §35.13 TP
Requires \$500 be paid to Clerk during probation.

William B. Zunderburg
Clerk of Court/ Deputy Clerk
Court Reporter: Pamela Ogmont - Carter

PRESIDING JUDGE Elizabeth R. Munneley
Judge Code: 813
Sentence Date: 8-11-09

John B Campbell 28802
P.O. I. 04815
430 Oaklawn Road
Pelzer S.C. 29969

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SEP 05 2013

P.C.I. MAILROOM

Daniel E Shearouse
Clerk of Court Supreme Court
P.O. Box 11330
Columbia S.C. 29211

Agency
mail

LEGAL MAIL