

STATE OF SOUTH CAROLINA
COURT OF APPEALS

IN RE: DON-SARVI CHISOLM

PETITION FOR WRIT OF HABEAS

RECEIVED

JAN 28 2025

SC Court of Appeals

The petitioner, Don-Sarvi Chisolm, moves the court pursuant to Rule 65 of the South Carolina Rules of Civ. Pro. for a WRIT OF HABEAS, directing Judge Monte Murphy to enter a judgement in response to the defendant/appellant's Motion to Alter and Amend Judgement, dated Oct. 31, 2021 in the matter of State vs Chisolm, 2022-66-12-0004 to which the judge on original judgement/final order on Oct. 13, 2021. In support of the motion the appellant shows the following to the court:

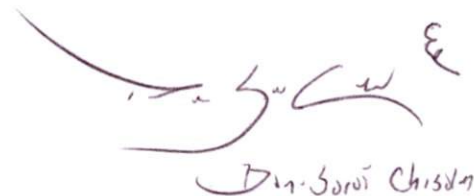
SPECIFIC GROUNDS OF WRIT

1. On Aug 23, 2011 Judge Edgar Dickson gave a verbal decision in the matter of State vs Chisolm⁽¹⁾ and thereafter adjourned the jury.
2. On Sept. 12, 2011 a second trial was conducted without an Order of Mistrial, Order for Retrial, or second subsequent indictment, before Judge Diane Goodstein. The defendant was thereafter convicted and sentenced.
3. Following a period of approximately ten years (10) the appellant became aware that the public index showed no record of a first trial and/or authorization of a second trial.

4. On Apr 23, 2021 the defendant-appellant motioned for Entry of Judgment of Mistrial, Alter and Amend Judgment and submitted additional post-trial motions.
5. On Oct 11, 2021 Judge Mark Murphy ruled on the post trial motions yet failed to make certain specific findings of fact on all the motions filed.
6. On Oct 31, 2021, after receiving threats ruling, the defendant filed [REDACTED] and served a timely Motion to Alter and Amend Judgment. The Court has not ruled on the motion in excess of three (3) years. The court has last updated of the pending motion by email on Dec. 31, 2024. (Exhibit B)
7. On or about Oct 31, 2021 the applicant was made aware that final judgment in the second trial of State vs Christa was withheld until approximately Oct. 16, 2024 and that the defendant has not received a physical copy of that judgment for over (10) ten years.
8. An affidavit supporting the Writ is attached as exhibit A.

WHEREFORE, the appellant moves this Honorable Court for a WRIT of HABEAS CORPUS directing Judge Mark Murphy to enter judgment in response to the appellants Motion to Alter and Amend Judgment in the matter of State vs Christa, 2008-65-18-0009, and any further relief in favor of the petitioner as the Court deems just and appropriate.

This 21 day of January
2025.



David Scott Christa
386 Redington Way
McDonough, SC
29849

CERTIFICATE OF SERVICE

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SC Court of Appeals

I did on this date serve, Judge Monte Murphy and Solicitor David Pascoe, by placing a copy of the Notice of Appeal and Writ of Mandamus in a United States Postal Service Mail box, postage paid and addressed as follows:

David Pascoe, Solicitor
101 Ridge St, 2nd Floor
St. George, SC
29477

Chief Admin. Judge of General Sessions
Monte Murphy
3220 East Jim Bilton Blvd
St. George, SC
29477

Jan. 20, 2025


Dana Sordani Chisolm
336 Redemption Way
McLaurin, SC
29899

Don-Surel Chisolm, 347831, F4H-254
386 Redemption Way
McLormich, SC
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SC Court of Appeals

PO Box 11629

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29211

