

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Case No. 2011-CP-18-533, Judge Carmen T. Mullen
Austin Review Granted on Case No. 2005-CP-18-288, Judge R. Ferrell Cothran, Jr.
Appellate Case No. 2013-000015

NORMA HALL, 283470,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

**REPLY TO RETURN TO PETITION
FOR WRIT OF CERTIORARI**

TARA DAWN SHURLING
Attorney and Counselor at Law
South Carolina Bar No. 5099

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ATTORNEY FOR PETITIONER.

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OCT 08 2013

S.C. SUPREME COURT

INDEX

INDEX.....1
QUESTION PRESENTED.....2
ARGUMENT.....3
CONCLUSION.....4

Question Presented

- I. Is a reference to the Post-Conviction Relief record contained in the Respondent's Return misleading?**

ARGUMENT

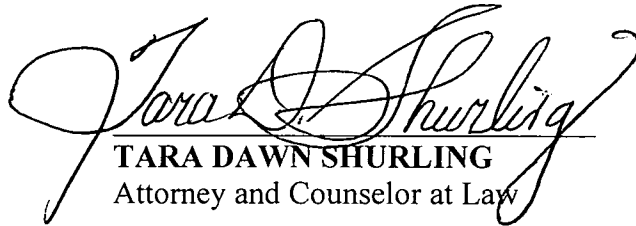
In the Respondent's Return to the Petition for Writ of Certiorari they state that the Petitioner pleaded guilty, "because the threat of a life sentence if convicted '*upset her mother*'". Return pg. 8, para.1, quoting *App. p. 560, ll. 14-20*. While this is technically an accurate statement, it is misleading. A fair reading of the portion of the PCR transcript quoted by Respondent, when read in context, indicates that the Petitioner's testimony was that the threat that she would definitely receive a life sentence if she was convicted at a jury trial, as conveyed to her the morning of her plea, upset her mother. Thus, the Petitioner did not say that the possibility of a life sentence if she were convicted at trial upset her mother and therefore, influenced her to plead guilty. The Petitioner would respectfully submit that it is clear from a reading of the testimony found at *App. p. 560, ll. 6 – 20*, that the Petitioner was referencing her mother's fearful reaction to the threat conveyed to the Petitioner the morning of her plea proceeding when she testified concerning what influenced her decision to plead guilty.

The Petitioner relies upon the positions and authorities presented in her petition for the remainder of her arguments.

CONCLUSION

Based upon the reasons and authorities set forth in her Petition for Writ of Certiorari, as well as herein, the Petitioner asks that the Writ be issued and that the Petitioner be afforded the opportunity to submit a full appellate briefing on the issues summarized in the petition filed in this PCR appeal. Alternatively, she would ask that this Honorable Court dispense with further briefing and grant her a new trial.

Respectfully submitted,


TARA DAWN SHURLING
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ATTORNEY FOR PETITIONER

This ^{7th} day of October, 2013.

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Case No. 2011-CP-18-533, Judge Carmen T. Mullen
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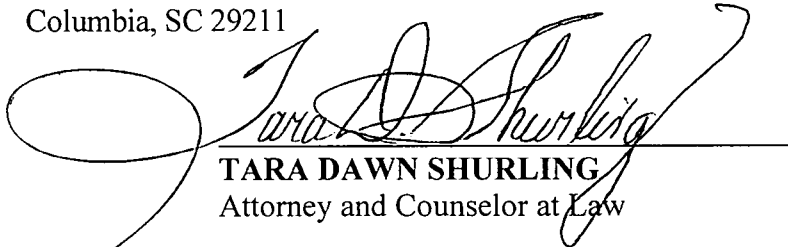
STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

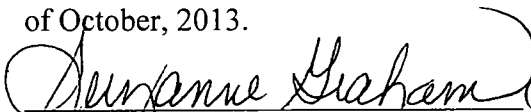
The undersigned attorney hereby certifies that a copy of the Reply to State's Return to Petition for Writ of Certiorari in the above-entitled case have been served upon opposing counsel, Megan E. Harrigan, Assistant Attorney General, this 7th day of October, 2013, by mailing one (1) copy in a stamped envelope properly addressed to:

Megan E. Harrigan, Assistant Attorney General
Office of the Attorney General
P O Box 11549
Columbia, SC 29211


TARA DAWN SHURLING
Attorney and Counselor at Law

ATTORNEY FOR PETITIONER.

SWORN TO BEFORE me this 7th day
of October, 2013.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: 2/28/2023

LAW OFFICE OF



TARA DAWN SHURLING, PA

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October 7, 2013

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

RE: Norma Patrick Hall, 283470, v. State of South Carolina;
Case No. 2011-CP-18-533, Judge Carmen T. Mullen
Austin Review Granted on Case No. 2005-CP-18-288, Judge R. Ferrell Cothran, Jr.
Appellate Case No. 2013-000015

Dear Mr. Shearouse:

Enclosed for filing please find the original and six copies of the Reply to State's Return to Petition for Writ of Certiorari and my Certificate of Service in the above-captioned case. I would appreciate your clocking and returning the extra two (2) copies of the Reply in the envelope provided. Thank you for your assistance in this matter. I remain,

Sincerely yours,

A handwritten signature in black ink that reads "Tara Dawn Shurling". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Tara Dawn Shurling
Attorney and Counselor at Law

TDS/sm
Enclosures

cc: Megan E. Harrigan, Assistant Attorney General (w/enclosures)
Norma Patrick Hall, 283470 (w/enclosures)
Alice Maybin (w/enclosure)

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