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APR 23 2025

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY COURT
OF COMMON PLEAS

HONORABLE PERRY H. GRAVELY, Circuit Judge

CA No.: 2024-CP-23-00716

ANTHONY MAURICE LOUNDS,

Appellant,

vs.

STATE OF SOUTH CAROLINA,

Respondent.

Notice of Appeal

ANTHONY MAURICE LOUNDS APPEALS THE ORDER DATED MARCH 13, 2025 AND APRIL 9, 2025 BY THE HONORABLE PERRY H. GRAVELY. THE COURT DID NOT TAKE INTO ACCOUNT THE FACTS THAT THE COURT

had to rule on both of his issues; RES JUDICATA
AND AUSTIN CLAIMS. A copy of both orders are
attached hereto.

4/21/25

Respectfully Submitted,

~~Stay Lint~~

ANTHONY MAURICE LOWNDS

STATE OF SOUTH CAROLINA)
 COUNTY OF GREENVILLE)
)
 Anthony Maurice Lounds, #227456,)
)
 Applicant,)
 v.)
)
 State of South Carolina,)
)
 Respondent.)
)

IN THE COURT OF COMMON PLEAS
 THIRTEENTH JUDICIAL CIRCUIT

Case No: 2024-CP-23-6716

FINAL ORDER OF DISMISSAL
(with prejudice)

25 MAR 13 PM 4:26
 JAY GRESHAM COC GVL SC

This matter comes before the Court by way of an application for post-conviction relief filed on November 20, 2024, by Applicant Anthony Maurice Lounds. Respondent made its return on or about February 4, 2025, and moved for summary dismissal of the application. Respondent conjunctively submitted a proposed conditional order for the Court’s consideration. Respondent asserted that the application was not timely filed within the one-year statute of limitations, is improperly successive, and barred by *res judicata*.

After consideration of the application, return and relevant documents attached thereto, this Court issued a Conditional Order of Dismissal on February 4, 2025, finding that the action should be dismissed as untimely, improperly successive, and barred by *res judicata*. The Order further adopted Respondent’s argument that Applicant has had the opportunity to litigate within the avenues of post-conviction relief, and that it is appropriate to reject Applicant’s additional attempt to prevent upsetting finality attached to the numerous prior orders denying Applicant relief.

Applicant was given the opportunity to respond and show cause as to why the Conditional Order should not become final. As evidenced by the attached Certificate of Service, Applicant was served with the Conditional Order on February 11, 2025. (Attachment 1). Applicant filed a timely response to the Conditional Order on February 20, 2025.

This Court has reviewed its prior Conditional Order along with Applicant’s response and

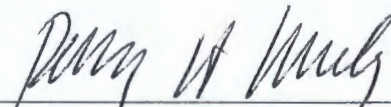
finds Applicant has failed to show cause as to why the Order should not become final. Applicant simply restates his claim as raised in his application and asserts that the claim was not properly raised in his two prior PCR actions because he "did not have material fact." Applicant has not provided an explanation that would entitle him to a successive PCR application, as Applicant has not only received his one bite of the apple in filing a PCR action, but Applicant has raised this specific issue in his prior action which alleges that the notice of intent to seek LWOP referenced offenses for which Applicant was not indicted or convicted. Applicant has failed to show an applicable exception to avoid these procedural bars or demonstrate a potentially meritorious claim.

The Remittitur of Applicant's direct appeal was filed on July 17, 2013, and Applicant filed his first PCR application on August 2, 2013, and his second PCR action on August 7, 2015. The current application was filed over ten years after the statutory deadline had passed, is improperly successive, and frustrates the critical need for finality and therefore must be dismissed.

THEREFORE, this Court reasserts all its specific findings in the Conditional Order of Dismissal and concludes that the application must be summarily dismissed as untimely, improperly successive, and barred by *res judicata*.

IT IS THEREFORE ORDERED that for the reasons set forth in the Court's Conditional Order of Dismissal the application for post-conviction relief is **DENIED** and **DISMISSED** with prejudice.

IT IS SO ORDERED this 7th day of March, 2025.


Perry H. Gravely, Chief Judge for
Administrative Purposes, Common Pleas
Thirteenth Judicial Circuit

Greenville, South Carolina

Copy mailed to Attorney <u>general (KS)</u> Applicant on <u>3</u> / <u>13</u> / <u>2025</u>

ATTACHMENT TO FINAL ORDER
Certificate of Service (Conditional Order of Dismissal)

****NOTICE****

This Court gives notice that Applicant must file and serve a notice of appeal **within 30 days** of the receipt of this order to secure appellate review. *See* Rule 203(b)(1), SCACR. Applicant's attention is directed to Rule 243, SCACR, for further procedures regarding an appeal.

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Anthony Maurice Lounds

Plaintiff,

v.

State of South Carolina

Defendant.

IN THE COURT OF GENERAL SESSIONS
THIRTEENTH JUDICIAL CIRCUIT

Case No: 2024-CP-23-06716

ORDER

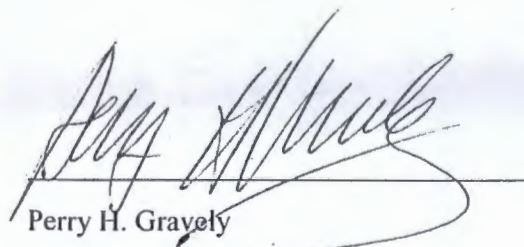
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JAY GRESHAM CJC GVL SC

This matter comes before the Court by way of a Rule 59(e) Motion to Alter or Amend Judgment of the Order filed on March 13, 2025. The Motion was filed on March 26, 2025. After review of the record and consideration of the arguments presented in Applicant's Motion, the Court finds that no basis has been presented to Alter or Amend the March 13, 2025 order and Applicant's Motion is denied. Further, the Court has determined that no additional hearing or oral argument was needed to address this Motion.

It Is So Ordered.

April 9, 2025

Greenville, S.C.


Perry H. Grayely
Presiding Judge 13th Circuit

Copy mailed to
Attorney general / Applicant
on 4 / 10 / 2025.

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430 oaklawn Rd
Pelzer, SC 29669

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S.C. SUPREME COURT

South Carolina Supreme Court
1231. Gervais St
Columbia SC 29201

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