

Parnell Riley SCD# 164169  
B.R.C.I. Murray A-Side 151  
4460 Broad River Road  
Columbia, South Carolina 29210

October 17, 2013

MR. DANIEL E. Shearouse  
Supreme Court - Clerk's Office  
Supreme Court Bldg., P.O. Box 11330  
Columbia, South Carolina 29211

Dear Mr. Shearouse,

Enclose please find (2) two Original Copies  
of Pro Se Appeal of the Final order of Dismissal Case No: 2012-  
CP-400-7930, Clock stamp both Original Copies and return one of the  
Copies in the self addressed Pre Paid envelope that has been provided.  
Thank you for your time and understanding

Sincerely, Parnell Riley

**RECEIVED**

OCT 21 2013

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

) In The Supreme Court  
)

Parnell Riley, #164169,

)  
)  
) Applicant,

)  
)  
) v.

)  
)  
) The State Of South Carolina,

)  
)  
) Respondent.  

---

NOTICE OF APPEAL

Case No.:2012-CP-400-7930

NOW COMES, the Applicant in the above-captioned Post-conviction Relief matter, acting by and through pro se representation, hereby give Notice of Intent To Appeal the Order of Dismissal denying his Post-conviction Relief Application dated September 11, 2013, issued by the Honorable Judge L. Casey Manning, presiding Judge. The Order of Dismissal was filed with the Richland County Clerk of Court on September 17, 2013, and received by the Applicant on September 23, 2013.

*Parnell Riley*  
Parnell Riley #164169  
B.R.C.I. Murray A-Side -151  
4460 Broad River Road  
Columbia, SC 29210

Pro se

**RECEIVED**  
OCT 21 2013  
S.C. SUPREME COURT

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STATE OF SOUTH CAROLINA  
In The Supreme Court

OCT 21 2013

S.C. SUPREME COURT

Appeal From Richland County  
Court Of Common Pleas

L. Casey Manning, Presiding Judge

2012-CP-400-7930

Parnell Riley, #164169,

Applicant,

v.

The State Of South Carolina,

Respondent.

CERTIFICATE OF SERVICE

The undersigned pro se, hereby certify that one copy of the Applicant's Notice of Appeal in this above-captioned has been served on opposing counsel, ~~MR. Robert Daniel Corney~~, by placing a copy of the same in the U.S. Mail at the Broad River Correctional Institutional Mailroom with postage prepaid on this day 17, October 2013.

Parnell Riley  
Parnell Riley, #164169  
Murray A-side 151  
4460 Broad River Rd.  
Columbia, SC 29210

Sworn and subscribed before me  
this 17 day of September 2013.

Eugene [Signature]  
S.C. Notary Public

My Commission Expires: \_\_\_\_\_  
My Commission Expires April 4, 2016

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
Parnell Riley #164169, )  
Applicant, )  
v. )  
State of South Carolina, )  
Respondents.)

IN THE SOUTH CAROLINA SUPREME COURT  
Case No.: 2013-CC-400-7930  
Pro Se Appeal of  
The Final Order of Dismissal

RECEIVED  
OCT 21 2013  
S.C. SUPREME COURT

COMES NOW, the Applicant Parnell Riley, pro se, who respectfully submits to the Honorable Court his Appeal of the Final Order of Dismissal dated September 11, 2013, received by the Applicant September 23, 2013, as follows:

This Court issued an Order filed September 17, 2013, giving the Applicant thirty (30) days from the date of the Order to file and serve a Notice of Appeal. Therefore, Applicant's appeal of the Final Order of Dismissal is due October 23, 2013, and is timely.

The Applicant hereby appeals on the following grounds:

GROUND ONE

The Lower Court erred by finding that the Applicant filing his timely notice of appeal (of his prior 2006 PCR Application) to the wrong Clerk of Court Office does not constitute sufficient grounds as to why the Conditional Order of Dismissal should not become final.

Here the Applicant argues that: He filed documented evidence to the Lower Court and provided Respondents with copies of the

of the documents which proved that the Applicant did file his timely notice of appeal to the Clerk of Court's Office by mistake. The Respondent confirmed this sufficient fact with-in their Motion for Conditional Order of Dismissal, See Exhibit 1, Respondent Conditional Order of Dismissal filed February 11, 2013, (Case No.:2012-CP-400-7930) paragraph (2) of page (6 of 7) line (6) It appears Applicant filed a Notice of Appeal with the Richland County Clerk on January 31, 2008). The Applicant further asserts that the Clerk of Court neglected to administrate their ministeral duties which are: verifying documents containing a Case Caption, a proper County designation, and the signature of the filing party, and to forward a copy of the documents to the Attorney General's Office.

Had the Clerk of Court taken the initiative to emulate the ethic reasoning as brought out above, and notified the Applicant of the mistake or return Applicant's notice of appeal, the Applicant would have timely submitted his notice of appeal to the appropriate Clerk of Court's Office. Upon further review of the facts the court should note that: The Applicant is prejudiced by the Clerk's deliberate indifference/error, because their neglect hindered the Applicant a State Statutory right to file his notice of appeal to the denial of his prior 2006 PCR Application (Case No.;2006-CP-40-07502).

The Applicant prays that the Court would consider Rule 60(B)(1) SCRCP, in this matter, and deem Applicant's mistake in filing his notice of appeal to the denial of his 2006 PCR Application to the wrong Clerk of Court Office, and the Clerk of

failure to notify Applicant of the mistake or return the Applicant's documents, so Applicant could have resubmit his notice of appeal in a timely manner to the Clerk of South Carolina Supreme Court Office.

#### GROUND TWO

The Lower Court erred by finding that the fallacious instructions the Division of Appellate Defense Office had erroneously advised Applicant to file a subsequent Post-conviction Relief Application requesting a belated appeal pursuant to Austine v. State is not a sufficient reason to permit a successive application.

Here the Applicant argues that he has provided the Lower Court and the Respondent with material evidence to substantiate his claims that he was directed to file a subsequent Post-conviction relief Application to secure an appellate review of the denial of his prior 2006 Post-conviction Relief Application. See Incorporated herein, Exhibit 2, which clearly shows that the S.C. Indigent Defense Agency directed the Applicant to file such an Application. Clearly this Applicant was only following instructions that the Division of Appellate Defense Office Advised. Therefore, Applicant should not suffer the loss of his fundamental right to appeal.

Further, the Post-conviction Relief Application Case No.: 2012-CP-400-7930. Question No. (19), clearly reflects the Applicant's true intent in filing a successive Application, See

Applicants' PCR Application Case No. 2012-CP-400-7930, page (6), question (19), which reads: State clearly the relief you seek in filing this Application. The Applicant simply stated "Applicant review of prior PCR issues." Obviously, this Applicants' inadvertance was orchestrated by the Division of Appellate Defense Office.

Furthermore, this Applicant humbly urges the court to take note that: He exercised due diligence in trying to locate information pertaining to the Notice of Appeal to the denial of his prior 2006 PCR Application by writing a Freedom of Information Act Petition to Ms. Jeanette W. McBride, Richland County Clerk of Court. See Exhibit (3 and 4), Ms. McBride never responded to the Applicants' Petition for information pertaining to his case, and Ms. McBride never forward any of the materials or documents he requested. Instead Ms. McBride forward Applicants' Petition to the Division of Appellate Defense Office.

Based upon the forgoing its clear that the Applicant, Ms. McBride, Clerk of Richland County, the Division of Appellate Defense all of which have made mistakes in this matter, mistakes that this Honorable Court has the power and the authority to correct and deem all parties errors in this vital matter, as excusable neglect, and grant Applicant an appeal.

#### GROUND THREE

The Lower Court erred by finding that the Applicant inadvertently filed in the wrong location does not warrant

equitable tolling or other such action. Pelzer v. State, 378 S.C. 516, 662 S.E.2d 618 (2008).

Here the Applicant argues that the case of Pelzer v. State, is clearly distinguishable from the Applicant's case. For in Pelzer the court recognized that Pelzer had been properly instructed or had knowledge of where to file his notice of appeal and yet still he filed it in the wrong court. to the contrary, there is no evidence shown by the Court or Respondent, which would show that this Applicant had been properly instructed what specific Clerk of Court to file his notice of appeal. So the Lower Court reliance upon Pelzer v. State, is irrelevant to this Applicant case, because not only did this Applicant filed a timely notice of appeal in the county he was convicted, this Applicant also filed his documents accordingly to the procedures pursuant to the statute of limitations. Therefore, this Applicant prays this Honorable Court would take into consideration that: This Applicant did not deceive, mislead or with-held evidence from the Lower Court or Respondents', and that this Applicant only seeks appellant review on the grounds raised in his 2006 PCR Application, for which to challenge his conviction and sentence.

#### CONCLUSION

WHEREFORE, Applicant prays that this Honorable Court will thoroughly examine the genuine material facts that this Applicant has produced, acknowledge the fact that this Applicant has followed everything the Court has instructed, and that the Lower Court and Respondents has admitted to the Applicants' notice of

appeal was filed in a timely fashion, deny the Lower Court motion for a Final Order of Dismissal, and grant Applicant an appellate review on the rounds raised in his 2006 PCR Application.

Respectfully Submitted,

*Parnell Riley*

---

Parnell Riley #164169  
BRCI Murray A-side 151  
4460 Broad River Rd  
Columbia, SC 29210

Pro se

This day 17, October 2013.

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2012CP4007930

Pernell #164169 Riley

State of South Carolina

PLAINTIFF(S)

DEFENDANT(S)

|                     |  |
|---------------------|--|
| Submitted by: _____ | Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> Self-Represented Litigant |
|---------------------|--|

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (V61 Non);  Rule 43(k), SCRPC (Settled);  Other \_\_\_\_\_
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other \_\_\_\_\_
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  Affirmed;  Reversed;  Remanded;  Other \_\_\_\_\_

RICHLAND COUNTY  
 FILED  
 2013 SEP 17 AM 12:38  
 JEANETTE W. BRIDE  
 CLERK OF COURT

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

This order  ends  does not end the case.

Additional Information for the Clerk : \_\_\_\_\_

**INFORMATION FOR THE PUBLIC INDEX**

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

| Judgment in Favor of (List name(s) below) | Judgment Against (List name(s) below) | Judgment Amount To be Enrolled |
|---|---------------------------------------|--------------------------------|
|   |                                       | \$                             |
|   |                                       | \$                             |
|   |                                       | \$                             |

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge \_\_\_\_\_ Judge Code \_\_\_\_\_ Date \_\_\_\_\_

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this 17 September 2013 to attorneys of record or to parties (when appearing pro se) as follows:

Pernell #164169 Riley

Robert Daniel Corney

Pernell #164169 Riley

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter \_\_\_\_\_

Clerk of Court

*Jeanette W. Bride*

relevant Appellate Court Rule(s) for properly securing appellate review. Applicant, having been explicitly advised of his right to appeal and having previously proceeded through the process of a PCR appeal on his 1995 PCR action, was well aware of the process.

Any failure to appropriately secure appellate review of the 2006 PCR action is attributable to Applicant alone. "The legal axiom that ignorance of the law is no excuse has long been the law of this nation and state." Gregory v. Gregory, 292 S.C. 587, 358 S.E.2d 144 (1987). Likewise, Applicant's alleged ignorance of the rules associated with securing appellate review is no defense, especially in light of his apparent experience with the appellate process and the well evidenced notice given to Applicant of the right to appeal. It appears Applicant filed a notice of appeal with the Richland County Clerk on January 31, 2008; however, the South Carolina Supreme Court was never sent such a notice. Therefore, Applicant failed to secure and/or perfect an appeal of the circuit court's decision. Accordingly, the contention that Applicant received "ineffective assistance of PCR appellate counsel" is wholly without merit and fails to set forth any genuine issue of material fact for this Court to consider.

A motion for summary judgment may properly be used to raise the defense of statute of limitations. McDonnell v. Consolidated School District of Aiken, 315 S.C. 487, 445 S.E.2d 638 (1994). In addition, S.C. Code Ann. §17-27-70(c) (1985) authorizes the Court to "grant a motion by either party for summary disposition of [an] application when it appears from the pleadings ... that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law." Therefore, this Court finds that the application for post-conviction relief is summarily dismissed for the reasons explained above.

Based upon its review of the pleadings in this matter, this Court does not see the need to appoint counsel to represent Applicant and expresses its intent to summarily dismiss this matter



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Joseph L. Savitz, III, Chief Attorney  
Wanda H. Carter, Deputy Chief Attorney

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

March 13, 2009

Mr. Pernell Riley #164169  
Broad River Correctional Institution  
4460 Broad River Road  
Columbia, SC 29210

Dear Mr. Riley:

Your letter of March 4, 2009 addressed to Ms. McBride, the Richland County Clerk of Court, was forwarded to our office for a response.

We do not have an appeal pending from your 2006 PCR. We also checked with the Supreme Court and they do not have an appeal pending.

In order for an appeal to be perfected it must be filed with the Appellate Court as well as the County Clerk. In order to perfect your appeal at this time, you will need to file a subsequent post-conviction relief application requesting a belated appeal pursuant to Austin v. State.

Sincerely,

A handwritten signature in black ink that reads "Kathrine H. Hudgins". The signature is written in a cursive style.

Kathrine H. Hudgins  
Appellate Defender

KHH/sag

EXHIBIT(3)

MR. FERNELL RILEY, #164169  
B.R.C.I. MURRAY A-255  
4460 BROAD RIVER ROAD  
COLUMBIA, SOUTH CAROLINA 29210

DATE: September 10, 2009

MRS. JEANETTE W. MCBRIDE, CLERK  
RICHLAND COUNTY CLERK OF COURT  
P.O. BOX 2766  
COLUMBIA, SOUTH CAROLINA 29202-2766

RE: PERNELL RILEY V. STATE OF SOUTH CAROLINA  
CASE NO. 2006-CP-400-7502

Dear Mrs. McBride:

RE: FREEDOM OF INFORMATION ACT.

Pursuant to § 20-4-10. Freedom of information Act. The undersigned individual request disclosure pursuant to § 30-4-20. Within this agency, of all materials and of documents, which do not fall under § 30-4-40. For case no. 2006-CP-400-7502. The post conviction application/a hernative petition for state habeas corpus, with an initial Brief, that was filed on December 18, 2006, (2) copies of the Attorney General's requested conditional order of dismissal filed May 24, 2007, also my reply to the conditional order of dismissal, filed June 7, 2007, (3) copy of the final order of dismissal that was ruled upon by the Administrative Judge the Honcrable Alison R. Lee, filed January 17, 2008, finally, my documentation for a notice of appeal that was filed January 25, 2008, with the Richland county clerk of court office. Without access to these materials the defendant will be effectively precluded from presenting to the court

anything other than conclusory allegations based upon his memory of the petition of habeas corpus proceedings.

The defendant is currently incarcerated at the Broad River Correctional Institution, Columbia, South Carolina 29210. The defendant is an indigent inmate and cannot afford to pay the costs of the production of the disclosure of the material requested in this freedom of information act. Wherefore, the defendant respectfully requests that this material be provided to him.

At the time these motions was filed with the clerk of court, Ms. Barbara A. Scott, was the clerk of court there with the Richland county clerk of court office. The defendant would like to obtain a copies of the materials requested. The defendant is entitled to have a adequate and complete record necessary to present his claims on a fair and equal basis.

Thanking you in advance for your assistance and cooperation in this matter. I will be looking forward to your reply concerning this matter at your earliest convenience.

RESPECTFULLY SUBMITTED BY,

*Purnell Rily*  
\_\_\_\_\_  
DEFENDANT

SWORN TO AND SUBSCRIBED BEFORE ME

THIS *10th* DAY OF *September* 2009

*Susan S. Johnson*  
\_\_\_\_\_  
NOTARY PUBLIC FOR SOUTH CAROLINA My Commission Expires  
March 5, 2018

MY COMMISSION EXPIRES: \_\_\_\_\_

5482  
4

FORM 5

2012 01400 9930

STATE OF SOUTH CAROLINA )  
County of Richland )

IN THE COURT OF COMMON PLEAS

Pernell Riley #164169 )  
Full name and prison number (if any) of Applicant )

v. )

State of South Carolina )

2012 NOV 30 PM 2:18  
JEANNETTE W. HARRIS  
C.C.P. & G.S.  
RICHLAND COUNTY  
FILED

APPLICATION FOR  
POST-CONVICTION RELIEF

INSTRUCTIONS B READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention B.R.C.I. Mur, A-224, 4460 Broad River Rd. Columbia, South Carolina 29210
2. Name and location of Court which imposed sentence Richland County Court of general Sessions, Columbia, S.C. 29202
3. Name(s) of co-defendant(s) (if any) Antonio Roach, Theodore Mosebly, Richard Jefferson, Michael Knightner, Lamont Lyles.
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
  - (a) 89-65-40-0784 Murder

- (b) 89-G5-40-0785 Armed robbery
- (c) 89-G5-40-0787 Possession of Stolen Vehicle

5. The date upon which sentence was imposed and the terms of the sentence:

- (a) November 29, 1989 Life sentence with 25 years
- (b) \_\_\_\_\_ and 5 year Concurrent
- (c) \_\_\_\_\_

6. Check whether a finding of guilty was made:

- (a) after a plea of guilty \_\_\_\_\_
- (b) after a plea of not guilty After a Plea of not guilty
- (c) after a plea of nolo contendere \_\_\_\_\_

7. Did you appeal from the judgment of conviction or the imposition of sentence?  
Yes

8. If you answered Ayes@ to (7), list:

(a) the name of each Court to which you appealed:

- i. South Carolina Supreme Court
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

(b) the result in each such Court to which you appealed:

- i. Affirmed
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

(c) the date of each such result:

- i. May 22, 1991
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

(d) if known, citations of any written opinion or orders entered pursuant to such results:

- i. Mem, Op. no. 91-MO-121
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

9. If you answered Ano@ to (7), state your reasons for not so appealing:

- (a) N/A

- (b) \_\_\_\_\_  
 (c) \_\_\_\_\_
10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:  
 (a) Ineffective assistance of PCR appellate Counsel  
 (b) \_\_\_\_\_  
 (c) \_\_\_\_\_
11. State concisely and in the same order the facts which support each of the grounds set out in (10):  
 (a) Pursuant (Austin v. State), Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), S.C. Code of § 17-27-100  
 (b) Failure to protect my rights to seek appellate review  
 (c) of my prior PCR
12. Prior to this application have you filed with respect to this conviction:  
 (a) any petition in a State Court under South Carolina Law? Yes  
 (b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? Yes  
 (c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? NO  
 (d) any other petitions, motions or applications in this or any other Court? Yes
13. If you answered Ayes@ to any part of (12), list with respect to each petition, motion or application:  
 (a) the specific nature thereof:  
 i. Post-Conviction Relief (95-CP-40-4301)  
 ii. Petition for Writ of Certiorari  
 iii. Federal Habeas Corpus (2:02-2424-12AJ)  
 iv. \_\_\_\_\_  
 (b) the name and location of the Court in which each was filed:  
 i. Richland County Court of Common Pleas  
 ii. South Carolina Supreme Court  
 iii. United States District Court - South Carolina

- iv. \_\_\_\_\_
- (c) the disposition thereof:
  - i. Dismissed
  - ii. Denied
  - iii. Summary Judgment granted to State
  - iv. \_\_\_\_\_
- (d) the date of each such disposition:
  - i. January 6, 2000 filed February 16, 2000
  - ii. August 8, 2001
  - iii. May 25, 2004
  - iv. \_\_\_\_\_
- (e) if known, citations of any written opinions or orders entered pursuant to each such disposition:
  - i. N/A
  - ii. N/A
  - iii. N/A
  - iv. \_\_\_\_\_

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?  
Yes

15. If you answered "yes" to (14) identify:
- (a) which grounds have been presented:
    - i. Improper Final Summation
    - ii. \_\_\_\_\_
    - iii. \_\_\_\_\_
  - (b) the proceedings in which each ground was raised:
    - i. Direct Appeal
    - ii. Post-Conviction Relief
    - iii. Petition for Certiorari

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

- (a) All grounds set forth in (10) are first time
- (b) challenges, except final summation
- (c) \_\_\_\_\_

17. Were you represented by an attorney at any time during the course of:

- (a) your arraignment and plea? No
- (b) your trial, if any? Yes
- (c) your sentencing? Yes
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? Yes
- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? \_\_\_\_\_

18. If you answered Ayes@ to one or more parts of (17), list:

- (a) the name and address of each attorney who represented you:
  - i. Joseph Dennis Bolt, Esq.  
Richland County Bar
  - ii. Tara Dawn Shurling - 3614 Landmark Drive.,  
Suite D - Columbia, South Carolina 29204
  - iii. Katherine Carruth Link - Columbia Appellate  
Defens office
- (b) the proceedings at which each such attorney represented you:
  - i. Trial and Sentencing
  - ii. Direct appeal and Post - Conviction Relief
  - iii. Petition for Certiorari

19. State clearly the relief you seek in filing this application:

Appealate review of Prior PCR issues

20. Are you now under sentence from any other court that you have not challenged?

No

Revised 3/20

STATE OF SOUTH CAROLINA )  
County of Richland )

VERIFICATION

I, Pernell Rile, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Pernell Rile

SWORN to and subscribed before me this 4th day of May, 2012.

Susan H. Frye (L.S.)  
Notary Public

My Commission Expires: \_\_\_\_\_  
My Commission Expires  
March 5, 2018

APPLICATION TO PROCEED WITHOUT PAYMENT  
OF COSTS AND AFFIDAVIT  
IN SUPPORT THEREOF

I, Pernell Riley, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Pernell Riley  
Applicant

SWORN or affirmed to and subscribed before me this  
11th day of May, 2012.

Susan H. Dye  
Notary Public

My Commission Expires  
March 5, 2018

My Commission Expires: \_\_\_\_\_

RICHLAND COUNTY  
FILED  
2012 NOV 30 PM 12:17  
JEANNETTE W. MCBRIDE  
C.C.P. & G.S.

Parnell Riley scdc #164169

B.R.C.I. Murray A-Side 151

4460 Broad River Road

Columbia, South Carolina 29210



**RECEIVED**

OCT 17 2013

MR. DANIEL E. Shearouse  
Supreme Court - Clerk's Office  
Supreme Court Bldg., P.O. BOX 11330  
Columbia, South Carolina 29211

