

STATE of South Carolina

County of Spartanburg

) In The South Carolina
Supreme Court

Gary L. Petty

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JUL 02 2025

APPELLATE CASE # 2025-000821

v.

STATE of South Carolina

S.C. SUPREME COURT

Petition For Bail pending
OUTCOME of APPEAL

Appellant makes this petition for bail pending
the outcome of appeal (Appellate Case # 2025-000821)
pursuant to RULE 243(C) SCACR, (Filed April 29th 2025)
Explanation as to why the lower courts determination
was improper in reference to PCR application (04184)

This Court may grant bail in its discretion where
the sentence exceeds ten years, notwithstanding
statute providing that no bail shall be allowed when
the defendant has been sentenced to life imprisonment...
STATE V. WHITNER, 225 S.C. 244 (1954)

FACTORS Considered

Appellant asserts that the lower courts ruling
that his PCR application was barred by statute
17-27-45(A) is ERR; as appellant had stated and
shown that the claims and application had been
filed pursuant to section 17-27-45(C) and 17-27-20,
(filed within 1yr of being discovered/ascertained, and
claims require vacation of conviction and ~~restoration~~)

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(1 of 5)

JUN 30 2025

PCI MAILROOM

Appellant also has an appeal pending before the South Carolina Court of Appeals, that's based upon the lower court's abuse of discretion in refusing to grant Appellant a hearing (new trial) on Juror (voir dire concealment) misconduct motion.

Appellant's appeal is not frivolous or without substance as Appellant shall prevail on appeal.

Appellant asserts that it may be several months or years before the appeal(s) will be considered and ruled on by the Court, which during this time Appellant can be released on bail to the care of a halfway house, his pastor (co-worker at barbershop) his daughter or aunt; on gps monitoring.

Appellant being able to maintain his already existing job at the barbershop would enable Appellant to be able to obtain adequate legal counsel.

Appellant has family ties in Spartanburg County and Spartanburg. Appellant has been incarcerated for 25 years, with the increased police patrolman, advanced technology and geographical changes and an attempt to flee is remote; Appellant does not intend to make matters worse with disobedience to a court order.

Appellant asserts that with him being released to "his Community", does not rise to the level of danger as children with guns that currently exist in society. Appellant is harmless and can use his learned legal knowledge to assist in protecting communities.

The crime for which appellant is incarcerated is isolated, as the newly discovered DNA evidence information (stated in PCR App. 04184) shows that the trial presented DNA evidence was false. Although not life threatening, the seriousness of the offense is the same as all offenses, serious. Appellant apologize to the victim and all victims.

The actions of appellant while incarcerated were the results of adjusting to prison life or just careless mistakes that have not continued through out the years.

Appellant can be part of the solution to prison overcrowding as his bunk can be filled by a much better, deserving occupant. Appellant plans to expand upon the leadership platform by using his prison experience to mentor individuals to see their failures of their current way of life and recognize better possibilities; and to also mentor victims of crimes to understand all parties and police work.

Appellant would also provide law enforcement efficient and timely labor services; and appellant would continue to study the law in hopes to one day be able to provide legal services to the state and system.

Appellant respectfully request that this honorable court grant him bail so that he can post a reasonable bond, with any conditions the court deems appropriate,

Respectfully Submitted,

Gray R. Perry

Gray Lamont Perry

Perry Coll. Inst.

430 Oaklawn Rd.

Petzer, S.C. 29669

This 30th day of JUNE, 2025