

STATE of South Carolina  
In the Court of Appeals

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Appeal From Spartanburg County SC Court of Appeals  
Court of General Sessions

J. MARK HAYES, II, Circuit Court Judge  
APPELLATE CASE NO. 2025-001324

Gary Lamont Perry . . . . . Petitioner

v.

STATE of South Carolina . . . . . Respondent

Amendment to Petition for Rehearing  
For rehearing en banc and bail

August 7th, 2025

(1 of 5)

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## Citation of Authorities

### I) Rules

Rule 219(b) SCACR

Rule 221(b) SCACR

### II) STATUTE

14-8-200(A)

18-1-90

### III) STATE V. WHITENER, 225 S.C. 244 (1954)

1. PLEASE FIND ENCLOSED INFORMATION TO BE INCLUDED WITH PETITIONER'S PETITION FOR REHEARING FILED 8/4/25.

Pursuant to Rule 219(b) SCACR petitioner makes suggestion for rehearing en banc on petition for rehearing.

2. Petitioner also makes petition for bail pursuant to statute 14-8-200(A), 18-1-90 and Rule 221(b).

stating that the Supreme Court as well as the Court of Appeals has the power to grant petitioner bail where the sentence exceeds 10 years, notwithstanding statute 18-1-90, providing that no bail shall be allowed when a defendant has been sentenced to life.

### Factors to be Considered for bail

There is a high probability that petitioner will prevail on petition for rehearing and appellate review as the Circuit Court's ruling was an error of law, resulting in an abuse of discretion.

In reference to the seriousness of the offense, all offenses are serious in nature as degrees don't distinguish the seriousness; due to the unlawful conviction of petitioner the state had failed to prove its burden and elements. Without the false DNA evidence presented, there was only a preposterous change in the case.

The seriousness of the offense can not be attributed to appellant as facts and evidence show that appellant was not assailant in the crimes.

Petitioner can not pose a danger to any community as an innocent man of no prior felony convictions, on GPS monitoring in his community or in a halfway house,

maintaining a barber job at pro cuts barber shop and continuing legal study to be a paralegal. Due to the issues in the case, petitioner would not flee as he is from the Spartanburg County Area and will have the support of his family and pastor at the barber shop.

Petitioner was made to attempt to adjust to very inhumane prison life at an early age and has made several careless mistakes along the way of becoming a man of a different outlook on life. Petitioner has maintained job assignments and continues to fight for his freedom. Petitioner asserts that he can adjust to circumstances of living in society after serving 25 yrs.

Respectfully Submitted,  
Gary Lavont Petty

(4 of 5)

In The Court of Appeals  
of South Carolina

STATE of South Carolina  
Spartanburg County

Appellate Case No. 2025-001324

Gary Lamont Petty

Suggestion For Rehearing  
en banc / petition for bail

v.

The State of South Carolina

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Certificate of Service

SC Court of Appeals

I, Gary Lamont Petty, Certify that I have served Respondent with petitioner's suggestion for rehearing en banc and petition for bail, by placing a copy in the mail, pre-paid postage and addressed as follows:

Spartanburg County Solicitor  
BARRY BARNETTE  
180 Magnolia St.  
Spartanburg, S.C. 29306

S.C. Attorney General  
MARK REYNOLDS FRIEDING  
1000 Assembly St. Suite 501  
Columbia, S.C. 29201

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SC Court of Appeals

*Gary L. Petty*  
Gary Lamont Petty  
Peckey Core. Just.

This 17<sup>th</sup> day of August, 2025

430 Oaklawn Rd.  
Petzer, S.C. 29669

(5 of 5)

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ATTN: HONORABLE Clerk of Court of Appeals

Please find enclosed petitioner's awarded  
information to be included with petitioner's  
petition for rehearing

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SC Court of Appeals

Thank You,

Gray Lamont Perry, # 2004235

Perry Coe. Inst.

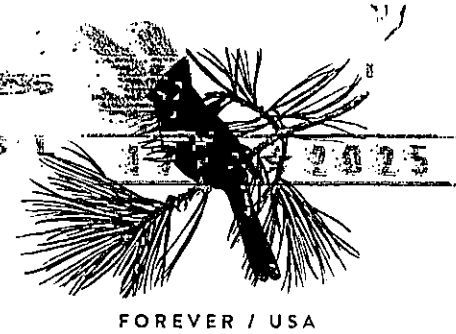
430 Oaklawn Rd.

Pelzer, SC 29669

This 7<sup>th</sup> day of August, 2025

GARY LAMONT PERRY, # 264235 / Q3 B 224  
Perry Corp. Trust  
430 OAKLAWN Rd.  
Pelzer, S.C. 29669

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SC Court of Appeals

South Carolina Court of Appeals

P.O. Box 11629

Columbia, S.C. 29211

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