

Terrell McCoy, 256070  
BRCI WAA #241  
4460 Broad River Rd  
Columbia SC 29210

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SEP 22 2025  
SC Court of Appeals

September 17, 2025  
The Honorable Jenny A. Kitching, Clerk  
Post office Box 11629  
Columbia SC 29211

RE: Terrell McCoy v. State of South Carolina  
Appellate Case No 2024-000601  
"Supplemental Citation Rule 208 (a)(7) SCACR; Rule 28  
FRAP (J) (350 words)

Dear Clerk of Appellate Court, Pursuant to the above SCACR, I would  
to include significant authorities which came to my attention after the  
petition for writ of certiorari has been filed. Lewis v. State 439 S.C. 635  
889 S.E.2d 570 (2023) Wilson v. Parker 515 F.3d 682, 698 (6th Cir. 2008)  
Cook v. Ryan 688 F.3d 598, 610-12 (9th Cir. 2012) Harrington v. Richter 562  
U.S. 86 131 S.Ct. 770 178 L.Ed. 2d 624 (350 words)

The citation pertains to the circuit Judge's denial of Rule 60(b)(1) under  
Error of Law and Error of fact. Rule 60(b) SCRCP and FRCP. where the PCR  
Judge's June 14, 2019 Order of dismissal involving ineffective assistance of  
trial counsel claims for failure to subpoena witness, and investigate evidence.  
The PCR Judge denied PCR Counsel of direct examination of public defender  
Lorelle Proctor based on Judge Hyman's ruling that there were no state nor  
federal case where a prose defendant raised ineffective assistance of coun-  
sel during the pretrial stages. See September 9, 2015 Summary Judgment  
hearing pages 8 line 21-25, pages 9 line 1-25. At the conclusion of the  
hearing, Judge Hyman did allow PCR Counsel to file an Amended PCR applic-  
ation. See September 9, 2015 Summary Judgment hearing transcript pa-  
ge 20 line 12-25. (Appendix)

On December 4, 2015 PCR Counsel filed the Amended PCR application  
which included additional IAOC claims for failure to subpoena witnesses  
and investigate. See December 4, 2015 Amended PCR Application (Appendix)

On December 14, 2015, PCR Counsel called Lorelle Proctor as a witness  
and the state objected. PCR Judge sustain the objection, and public defen-  
der was not allow to testify. See December 14, 2015 PCR hearing transcrip-  
t page 4 through page 7.

See Also PCR Judge's Amended Order of Dismissal page 10 of 21. (Appendix)

In 2023, The South Carolina Supreme Court decided Lewis v. State Supra at \*646. The Court held " We have never adopted a brightline rule forbidding prose defendant's from alleging ineffective assistance of pretrial counsel, and we decline to do so today. Rather we acknowledge a prose defendant may present a colorable claim of pretrial ineffective assistance of pretrial counsel. Citing Wilson v. Parker, 515 F.3d 682, 698 (6th Cir. 2008)

Therefore, Mr. McCoy, was entitled to an evidentiary hearing under S.C. Code of law 17-27-20 (A)(1)(4)(b); 17-27-45 (b) (c)

\*The PCR judge's order of dismissal is error of law and facts, under Rule 60(b)(1) Kemp v. United States, - U.S. 142 S.Ct. 1856 213 L.Ed. 2d 90 (2022) There exist a defect in the integrity of the PCR proceeding.

I declare that a copy of this Supplemental Citation has been mailed to the attorney general of record.

9-16-25

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