

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

GARY L.L. GRANT # 280988
APPELLATE

v.

STATE OF SOUTH CAROLINA
RESPONDANT

SOUTH CAROLINA COURT OF APPEALS
C/A No: _____

MOTION TO HAVE APPEAL
GRANTED ... DUE TO THE JUDGE
COMMITTING AN ERROR
OF LAW IN NOT GRANTING
APPELLATE MOTION FOR RULE
60 (B)(2) + (3) ...

RECEIVED

NOV 20 2025

SC Court of Appeals

NOW COMES APPELLATE GARY L.L. GRANT # 280988, MOVES UPON THIS
COURT TO GRANT HIM AN APPEAL FROM AN ORDER FROM THE LOWER
COURTS ...

APPELLATE GARY L.L. GRANT WAS CHARGE WITH MURDER, KIDNAPPING X4
ARM ROBBERY, BURGLARY 1ST DEGREE X2 IN BERKELEY COUNTY ON AUGUST
4TH, 2006 AND WAS INDICTED FEB. 7TH, 2007.

DEFENDANT ALSO PROCEEDED TO TRIAL IN FRONT OF THE HONORABLE
JUDGE DEBRA L. JEFFERSON AND WAS SENTENCE TO LIFE IN PRISON
WITHOUT THE POSSIBILITY OF PAROLE ON AUGUST 30TH, 2007...
AT THE HEARING THAT WAS HELD ON SEPTEMBER 29TH, 2025 IN
FRONT OF THE HONORABLE JUDGE ROGER YOUNG. APPELLATE CORRECTED
ON RECORD THAT AN INDICTMENT NUMBER THAT WAS APART

OF THIS HEARING WAS AS FOLLOWS, 2007-GS-08-00314, 315, 316, 317, 319, 343 AND 347 ... FURTHERMORE ON RECORD APPELLATE ESTABLISH THAT HIS RULE 29 (B) THAT WAS FILE JAN. 18TH, 2024 WAS AMEND TO A RULE 60 (B) (2) & (3) PURSUANT TO S.C. CIVIL. P. ON JUNE 14TH, 2024, IN JUDGE YOUNG ORDER HE DID NOT ADDRESS THE MOTION FOR RULE 60 (B) (2) & (3) BUT ADDRESSED THE MOTION FOR RULE 29 (B) WHICH WAS AN ERROR BY THE COURTS ...

RELEVANT FACTS

AS THE RECORD REFLECTS THAT THE APPELLATE IN FACT PROCEEDED TO TRIAL IN FRONT OF THE HONORABLE JUDGE JEFFERSON, AND DURING THE COURSE OF THE APPELLATE TRIAL, THE COURT WAS FACED WITH TWO (2) CO-DEFENDANT'S STATEMENTS ON RECORD THAT THEY WERE NOT OFFER ANY "PLEA DEALS" FOR THEIR TESTIMONY AGAINST THE APPELLATE IN WHICH BOTH CO-DEFENDANT'S ALONG WITH THE SOLICITOR STATED NO DEAL WAS OFFER. SEE: EXHIBIT (1) TRIAL TRANSCRIPT PG. 397 LINE: 1-10 DIRECT EXAMINATION BY SOLICITOR BLAIR JENNINGS/KERRY HOLLINS WHICH STATES:

Q. AND IN THE CONVERSATIONS WE'VE HAD, WE HAVE NOT DISCUSSED ANY SOLUTION OF YOUR CASE?

A. NO, SIR

Q. OKAY, SO AS OF RIGHT NOW, THERE IS NO DEAL IN PLACE?

A. RIGHT

Q. AND WHEN YOU AND I SPOKE, MY ONE INSTRUCTION TO YOU WAS WHAT?

A. TELL THE TRUTH

Q. AND IS THAT WHAT YOU INTEND TO DO?

A. YES, SIR

ALSO, DURING THE COURSE OF THE TRIAL, THERE WAS A LENGTHY DISCUSSION CONCERNING CO-DEFENDANT KERRY HOLLINS TESTIMONY AGAINST THE APPELLANT ON THE NOTION THAT HAS ANY (DEAL) BEEN PROMISE FOR THE EXCHANGE OF HOLLINS TESTIMONY SEE: EXHIBIT (2) TRIAL TRANSCRIPT PG. 769-773...

MR. JENNINGS: SO AT THIS POINT HE HAS NO OFFER, AND DESPITE THEIR CHARACTERIZATION OF SOME SWEET HEART (DEAL) COMING IN AT THE LAST MINUTE, THERES CERTAINLY NO PLANS THAT THE STATE HAS ~~ON~~ ON THAT. IN FACT, THE HONORABLE JUDGE JEFFERSON WAS HIGHLY CONCERN ABOUT BOTH CO-DEFENDANT'S FUTURE SENTENCING BY SAYING "I THINK EVERYBODY NEED TO BE FEED OUT THE SAME SPOON BASED ON THEIR LEVEL OF CULPABILITY" AND NOT REWARDED FOR THEIR TESTIMONY AFTER BOTH CO-DEFENDANT ALONG WITH THE PROSECUTOR ALL STATED UNDER OATH THAT NOTHING WAS EVER PROMISE. SEE: EXHIBIT (2) TRIAL TRANSCRIPT PG. 771...

FURTHER MORE, JUDGE JEFFERSON ACKNOWLEDGE ON RECORD THAT BASED ON THE ROTATION OF JUDGES THROUGH OUT THE CIRCUIT IT WOULD BE MIND BOTHERING FOR ANOTHER JUDGE TO TAKE INCONSIDERATION FOR CO-DEFENDANT TESTIMONY RATHER THAN THEIR CULPABILITY CONCERNING THEIR ACTION. SEE: EXHIBIT (2) TRIAL TRANSCRIPT PG. 772 LINE 18-26...

THE DEFENDANT CONTENTIONS IN THIS CASE THE ADVERSARY PROCESS HAS FALLEN WELL BELOW THE BELT ON THE FACE OF THE RECORD FOR THE FOLLOWING REASON; (1) THAT A GIGLIO VIOLATION WAS INTENTIONALLY VIOLATED IN WHICH BOTH THE SOLICITOR AND CO-DEFENDANT'S COMMITTED PERJURY ON RECORD THAT THEY WAS NOTHING PROMISE TO THEM FOR THEIR TESTIMONY, AND (2) ITS CLEARLY THAT THE PROSECUTION TEAM WENT "JUDGE HOPPING" AS IF JUDGE JEFFERSON RULING

WASNT ALREADY WRITTEN IN STONE AU IN WHICH VIOLATED S.C. CIVIL P. RULE 63 "DISABILITY OF A JUDGE"...

ISSUES

- ① DID THE LOWER COURT ERROR IN NOT GRANTING APPELLATE MOTION FOR RULE 60(B)(2)+(3), DUE TO THE FACT THAT A GIGLIO VIOLATION WAS INTENTIONALLY COMMITTED?
- ② A GIGLIO VIOLATION WAS INTENTIONALLY COMMITTED BY THE STATE'S PROSECUTOR THAT "NO DEAL" WAS OFFER TO BOTH REMAINING CO-DEFENDANTS FOR THEIR TESTIMONY AGAINST THE APPELLATE?
- ③ DID THE LOWER COURT ERROR IN NOT GRANTING APPELLATE MOTION FOR RULE 60(B)(2)+(3), DUE TO THE FACT THAT A BRADY VIOLATION WAS INTENTIONALLY COMMITTED?
- ④ DID THE LOWER COURT ERROR IN NOT GRANTING APPELLATE MOTION FOR RULE 60(B)(2)+(3), DUE TO THE FACT THAT APPELLATE U.S. 6th AMENDMENT CONSTITUTIONAL RIGHT WAS VIOLATED? TO WIT: THE STATE LEFT THE JURY TO ASSUM THAT CO-DEFENDANT KERRY HOLLINS AND KAREEM KING WAS TESTIFYING WITHOUT ANY DEALS BEING MADE TO THEM... SEE: STATE V. DEAN, 828 S.E. 2D 243 (2019), III "IN ALL CRIMINAL PROSECUTIONS, THE ACCUSED SHALL ENJOY THE RIGHT TO BE CONFRONTED WITH WITNESSES AGAINST HIM". U.S. AMEND. VI "THE CONFRONTATION CLAUSE GUARANTEES A DEFENDANT THE OPPORTUNITY TO CROSS-EXAMINE A WITNESS CONCERNING BIAS" STATE V. BREWAL, 303 S.C. 169, 171, 399 S.E. 2D 593, 594 (1991) (CITING DAVIS V. ALASKA, 415 U.S. 308, 94 S.Ct. 1105, 39 L.Ed. 2D 347 (1974)) "THE FACT THAT A COOPERATING WITNESS AVOIDS A MANDATORY MINIMUM SENTENCE IS CRITICAL INFORMATION THAT A DEFENDANT MUST BE ALLOWED TO PRESENT TO THE JURY" STATE V. GRACEY, 399 S.C. 363

374-75, 731 S.E. 880, 886 (2012).

⑤ DID THE LOWER COURT ERROR IN NOT GRANTING APPELLATE MOTION FOR ATTORNEY TO BE APPOINTED, WHEN UNDER GENERAL SESSION APPELLATE IS ENTITLED TO HAVE AN ATTORNEY?

DISCOVERY/ARGUMENT

BASED ON THE DEFENDANT GARY GRANT BEING STEADFAST AND DILIGENT PURSUING HIS INNOCENCE; GARY WAS ABLE TO DISCOVER THAT THE SOLICITOR IN THIS CASE, AS WELL AS THE CO-DEFENDANT'S HOLLINGS AND KING HAD INDEED COMMITTED PERJURY ON IT'S FACE THAT THEIR WAS A (PLEA DEAL) FOR BOTH THEIR TESTIMONY AGAINST THE DEFENDANT EVEN AFTER A LENGTHY DISCUSSION OF THE MATTER THEIR WASNT A (PLEA DEAL). SEE: PLEA NEGOTIATIONS FOR KAREEM KING AND KERRY HOLLINGS ALONG WITH THEY SENTENCING SHEETS TO SHOW THAT THESE DEALS WAS CARRIED OUT, MARK AS EXHIBIT(3)...

FURTHERMORE, APPELLATE 6TH AMENDMENT UNITED STATE CONSTITUTIONAL RIGHT WAS VIOLATED DUE TO THE FACT THAT THE STATE DEPRIVE THE JURY THE RIGHT TO BE PRESENTED WITH THE DEALS THAT WAS GIVEN TO THE TWO CO-DEFENDANT IN EXCHANGE FOR THEIR TESTIMONY AGAINST APPELLATE WHICH WAS NEVER KNOWN ABOUT BEFORE TRIAL OR DURING TRIAL, THE PLEA DEALS FOR BOTH CO-DEFENDANTS WAS NOT DISCOVERED UNTIL AFTER TRIAL ON FEB. 28TH 2023, WHICH IS NOT IN PUBLIC RECORDS... SEE: EXHIBIT (4) THE LETTER FROM THE CLERK OF COURT WHEN APPELLATE BECAME AWARE OF THE PLEA DEALS THAT WAS NEVER TURN OVER TO THE DEFENSE DURING TRIAL ARE BEFORE TRIAL...

IN THE APPELLATE MOTION FOR RULE 60(B)(2)(4)(3) THE SAKE OF ARGUMENT WAS UNNECESSARY DUE TO THE SOLICITOR IN THIS CASE HAS BROKEN EVERY ETHICAL RULE UNDER OATH REPRESENTING THE PEOPLE

OF OUR STATE ...

IN ANY EVENT IT IS NORMAL PRACTICE FOR A SOLICITOR TO HOLD A CO-DEFENDANT PLEA AGREEMENT IN ABEYANCE FOR THEIR TESTIMONY WHEN THERE IS A DEAL MADE BY THE SOLICITOR ...

NEVERTHELESS, IN THIS CASE, THE STATE PERSUADED THE COURTS OF ANY REASONABLE JUSTICE TO BELIEVE THAT NOT ONE BUT TWO CO-DEFENDANT'S WAS WILLING TO TESTIFY AGAINST THE APPELLATE FOR NO PLEA DEAL AND HOLD THEIR PLEA AGREEMENT IN ABEYANCE UNTIL THEIR TESTIMONY WAS DONE ALL IN WHICH WAS THE RIGHT THING TO DO, SEE: EXHIBIT (1) TRIAL TRANSCRIPT PG 397 LINE 1-10 ...

FURTHERMORE, JUDGE YOUNG REPEATEDLY ~~WAS~~ STATING THAT I WAS THE TRIGGER MAN WHICH IS NOT TRUE, APPELLATE CO-DEFENDANT JERMAINE HARTWELL WAS I.D. BY THE VICTIM AS THE PERSON WHO SHOT HIM, SEE EXHIBIT (5) PRE-LIM HEARING TRANSCRIPT PG. 10 LINE 3-8 ...

DUE TO THE FACT THAT JUDGE YOUNG, DID NOT RULE ON APPELLATE MOTION APPELLATE APPEAL SHOULD BE GRANTED, THE HEARING WAS HELD ON AN EXHIBIT ATTACHED, THE ORDER IS AN ORDER ADDRESSING THE RULE 29(B) WHEN IT WAS MADE CLEAR AT THE HEARING THAT APPELLATE WAS MOVING FORWARD ON THE RULE 60(B), THE 29(B) WAS NOT ADDRESSED BECAUSE IT WAS AMEND TO RULE 60(B) ...

JUDGE YOUNG ABUSED HIS DISCRETION BY NOT GRANTING APPELLATE RULE 60(B) MOTION WHICH HE MADE AN ERROR OF LAW, ... CLEARLY BY THE STATE ACTIONS HE VIOLATED APPELLATE UNITED STATES 6TH AMENDMENT CONSTITUTIONAL RIGHT?

LAW/ANALYSIS

"SUPPRESSION BY THE PROSECUTION FAVORABLE TO AN ACCUSED UPON REQUEST VIOLATES DUE PROCESS WHERE THE EVIDENCE IS MATERIAL EITHER TO GUILT OR TO PUNISHMENT, IRRESPECTIVE OF THE GOOD FAITH OR BAD FAITH OF THE PROSECUTION. SEE BRADY V. MARYLAND, 83 S. CT. 1194 (1963).

~~THE~~ APPELLATE WAS PREJUDICED BY THE STATE VIOLATION'S OF ITS CONSTITUTIONAL OBLIGATIONS TO APPELLATE UNDER BRADY...

WHEN THE RELIABILITY OF A GIVEN WITNESS MAY WELL BE DETERMINATIVE OF GUILT OR INNOCENCE, NON-DISCLOSURE OF EVIDENCE AFFECTING CREDIBILITY FALLS WITHIN THE GENERAL RULE. SEE: GIGLIO V. U.S., 92 S. CT. 763 (1972)...

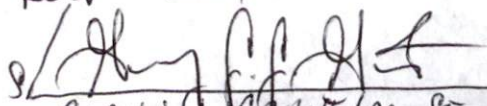
SEE ALSO, STATE V. DEAL, 828 S.E. 2D 243 (2019), FURTHERMORE SEE: STATE V. BROWN, 441 S.C. 464, 894 S.E. 2D 525 (2023)...

CONCLUSION

THE APPELLATE GRANT POSITION IS THAT THE CRUX OF THIS CASE WAS SOLELY RELIED UPON BOTH CO-DEFENDANT'S TAINED TESTIMONY AGAINST THE ~~APPELLATE~~ APPPELLATE FOR A PLEX DEAL THAT THE SOLICITOR REPEATEDLY DENIED ON THE RECORD, HENCE THE APPELLATE CASE SHOULD BE VACATED AND GRANTED A NEW TRIAL

DATE: 11-12-25

RESPECTFULLY SUBMITTED:


GARY L. GRANT/PRO SE

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

GARY L.L. GRANT #280988
APPELLATE

V.

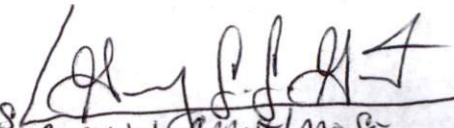
STATE OF SOUTH CAROLINA
RESPONDANT

COURT OF APPEAL SOUTH CAROLINA

C/A No: _____

PROOF OF SERVICE

I GARY L.L. GRANT, BEING DULY SWORN DEPOSES AND SAYS THAT ON THE 12TH DAY OF NOVEMBER 2025, THIS MOTION FOR NOTICE OF APPEAL AND MOTION FOR APPEAL TO BE GRANTED ALONG WITH EXHIBIT (1) MOTION FOR RULE 60(B), CO-DEFENDANT'S PLEA DEAL AND SENTENCING SHEET AND THE DATE NEWLY DISCOVERED EVIDENCE WAS DISCOVERED, WAS SERVED ON THE SOUTH CAROLINA COURT OF APPEAL AND ANN WILLIAMS, SOLICITOR BY FIRST CLASS MAIL


S/ GARY L.L. GRANT / PRO SE

STATE OF SOUTH CAROLINA
COUNTY OF RICHLANDS

GARY L.L. GRANT #280988
APPELLATE

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C/A No: _____

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GRANTED... DUE TO THE JUDGE
COMMITTING AN ERROR OF
LAW IN NOT GRANTING APPELLATE
MOTION FOR RULE 60(B)(2) & (3)

THIS IS A CONTINUATION OF THE MOTION Pg. 1-8, APPELLATE BEG
THIS COURT TO PLEASE SEE THAT JUDGE YOUNG IS ADDRESSING IN
HIS ORDER THE RULE 29(B) THAT I FILED AND NOT THE RULE 60(B)(2)
(3) THAT I AMENDED THE RULE 29(B) TO, AND THE HEARING THAT WAS
HELD ON SEPTEMBER 29TH, 2023 WILL ESTABLISH THAT, THE ATTACHED
RULE 60(B) MOTION SHOULD HAVE BEEN GRANTED DUE TO THE FACTS
THAT APPELLATE PROVE A GIGLIO AND BRADY VIOLATION AND THAT
IT'S DOCUMENTATION THAT SHOWS BOTH CO-DEFENDANT'S KING AND
HOLLINS WAS GIVING DEAL'S FOR THEIR TESTIMONY AGAINST APPE.
LLATE THAT WAS NEVER TURN OVER TO THE DEFENSE DEAL'S ARE
BEFORE TRIAL, AND WAS NOT DISCOVERED UNTIL FEB. 28TH, 2023...
THE PLEA DEAL'S WHICH ARE ATTACHED ALONG WITH THE CO-DEFEN-
DANT'S SENTENCING SHEETS TO SHOW THAT THESE WAS CARRIED OUT
WHICH ALSO VIOLATED APPELLATE 60TH AMENDMENT RIGHT TO THE
U.S. CONSTITUTION...

JUDGE YOUNG HAVE NOT IN HIS ORDER STATED THAT I PRESENTED THE PLEA DEALS AS EVIDENCE, THEY DIDNT JUST CAME OUT THE BLUE, ITS SIGN BY EX-SOLICITOR BRYAN ALFARO AND THE STATE COMMITTED PERJURY DUE TO THE FACT THAT THEY DID MAKE DEALS WITH THESE CO-DEFENDANT'S AND NEVER TURN THESE DEALS OVER NOR DID THE STATE ALLOW THE JURY TO BE AWARE OF THESE DEALS, IN WHICH APPELLATE OUT COME OF HIS TRIAL WOULD HAD BEEN DIFFERENT HAD THOSE DEALS BEEN KNOWN ABOUT DOING OR BEFORE TRIAL, IN WHICH PREJUDICE APPELLATE . . . JUDGE YOUNG MADE THE CLERK OF COURT RETIRE MY 60(B) MOTION AS YOU ALL WILL SEE ON THE FRONT OF THE RULE 60(B) MOTION AND STEIN DID NOT ADDRESS IT WHEN THAT WAS WHAT THE HEARING WAS HELD ON, NOT THE 29(B)?

DATE: 11-12-25

RESPECTFULLY SUBMITTED!

My J. J. Al
PRO SE

STATE OF SOUTH CAROLINA
COUNTY OF ~~ROCK~~ RICHLAND

GARY L.L. GRANT #280988
APPELLATE

v.

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RESPONDANT

IN THE SOUTH CAROLINA COURT OF APPEALS
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SC Court of Appeals

I GARY L.L. GRANT, BEING DULY SWORN DEPOSES AND SAYS THAT
ON THE 12TH DAY OF NOVEMBER 2025, THIS MOTION FOR
NOTICE OF APPEAL AND MOTION FOR APPEAL TO BE GRANTED WAS
SERVED ON SOUTH CAROLINA COURT OF APPEALS AND ANN WILLIAMS,
SOLICITOR BY FIRST CLASS MAIL

Gary L.L. Grant
s/ GARY L.L. GRANT / PRO SE