

Sup-Ct.

The State of South Carolina  
In the Supreme Court

Appeal from Marion County  
Court of Common Pleas  
Hon. Michael G. Nettles

RECEIVED

JUL 12 2013

Case No# 2010-CP-33-0134

S.C. Supreme Court

Perry Young #252478

Appellant

vs

the State

Respondent

NOTICE OF APPEAL

Perry Young appeals his denial for Post-conviction Relief in this case. The order of Dismissal was imposed and signed by the Hon. Michael G. Nettles Nov 4, 2011 which the Appellant filed a timely 59(c) and 15(b) which the Hon. Nettles denied Dec 15, 2011 which Appellant received July 2, 2013.

Other Counsel on Record  
ATA Gen David Spencer  
PO BOX 11549  
Colg SC 29211-1549

51 Perry Young #252478

SEE: attached order denying my 59(c) and 15(b) motion; letter date June 28, 2013 from the Hon. Clerk of Ct. and env. that shows that I did not get this dismisser until July 2, 2013.

PROOF OF SERVICE

I, Perry Young certify that I have served my notice of Appeal upon the below persons by placing the above said into Me Corr. Inst. mail room on this 8 day of July to be placed in the U.S. mail with postage prepaid.

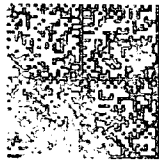
✓ S.C. Supreme Ct.  
PO Box 11330  
Columbia SC 29211

Att Gen David Spencer  
PO Box 11549  
Columbia SC 29211-1549

Marion Co. Clerk of Ct.  
Sherry R. Rhodes  
PO Box 295  
Marion SC 29571

SUBSCRIBED before me  
this 8 day of July 2013, Perry Young #252478  
Joyce R Young  
Notary Public  
My Commission Expires 10/1/2021

Office of  
**Sherry R. Rhodes**  
Clerk of Court, Marion County  
P.O. Box 295  
Marion, South Carolina 29571



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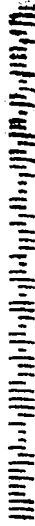
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MCCI  
MAIL ROOM

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Perry Young #252478  
McCormick Correctional Institution F\$B223  
386 Redemption Way  
McCormick SC 29899

29899





COUNTY OF MARION

Office of  
*Sherry R. Rhodes*  
Clerk of Court, Marion County  
P.O. Box 295  
Marion, South Carolina 29571

Telephone:  
843 / 423-8240

Child Support:  
843 / 423-8220

June 28, 2013

Perry Young #252478  
McCormick Correctional Institution F5B223  
386 Redemption Way  
McCormick SC 29899

Dear Mr. Young,

I am writing in regards of your letter requesting your status on your Motion 59(e). Enclosed, you will find an order denying the motion. If you have any other questions or concerns, please don't hesitate to contact me.

With kindest regards,

Sharon Floyd  
Commons Pleas Clerk  
Marion County Clerk of Court

Cc: Enclosure

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF MARION )  
 )  
 Perry Young, #252478 )  
 )  
 Applicant, )  
 )  
 v. )  
 )  
 State of South Carolina, )  
 )  
 Respondent. )  
 )

IN THE COURT OF COMMON PLEAS  
 FOR THE 12TH JUDICIAL CIRCUIT  
 Case No.: 2010-CP-33-0134

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 CLERK OF COURT  
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**ORDER DENYING APPLICANT'S  
 MOTIONS PURSUANT TO RULES  
 59(e) AND 15(b), SCRPC**

This matter comes to this Court by way of a post-conviction relief (PCR) application filed March 1, 2010. The Respondent made its Return and Motion to Dismiss on May 4, 2010, moving to dismiss the PCR application as successive and beyond the statute of limitations. This Court, after reviewing the pleadings and attachments of both parties, issued a Conditional Order of Dismissal on July 5, 2011, provisionally dismissing the application, but allowing Applicant twenty days from service of the Conditional Order to provide this Court with sufficient reason why this case should not be dismissed with prejudice. On August 11, 2011, Applicant responded with a document entitled "Notion and Motion for Filing of Amendment to PCR Application". On November 4, 2011, this Court found Applicant failed to show sufficient reason why the Conditional Order should not become final and dismissed this case by written order dated November 4, 2011. This was mailed to the parties on November 10, 2011.

Applicant now moves pursuant to Rules 15(b) and 59(e), SCRPC to amend the judgment. Applicant argues that his PCR counsel for his first application should have raised issues that Applicant wanted raised. This Court finds that this reason is insufficient to entertain a successive application for post-conviction relief. Aice v. State, 305 S.C. 448, 409 S.E.2d 392 (1991). Accordingly, the motion is denied.

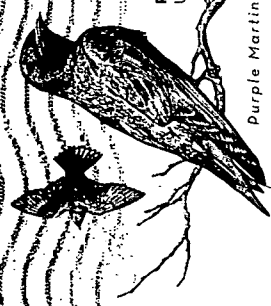
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 Sherry R. Rhodes  
 CLERK OF COURT, MARION COUNTY  
 SOUTH CAROLINA



Perry Young # 252478  
MCCI F4B223  
386 Redemption Way  
McCormick SC 29899

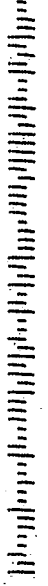
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SEARCHED THIS ITEM THEREFORE THE  
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