

The Petitioner received notice of an unpublished opinion numbered 2026-UP-099 on March 3, 2026.

The Petitioner beleives that this Court overlook or misapprehended the "circumstantial indentification evidence" that Investigator Williams played in the identification, given its timing, bring this Court to question the reliability of that identification. Gail's identification, The circumstantial evidence against was minimal. If the jury learned of Williams's misconduct and the unreliability of the identification, the outcome of respondent's trial would be different. This is material, because its cast doubt upon the reliability of Gail's identification of Petitioner as the intruder.

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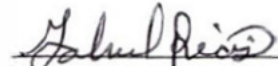
MAR 13 2026

SC Court of Appeals

CONCLUSION

Based on the foregoing, this Court should deny the petition for writ of certiorari and this Court should affirmed the decision of the PCR court granting Petitioner's new trial.

Respectfully submitted



Gabriel Rios

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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Spartanburg County
Brian m. Gibbons, Circuit Court Judge
Appellate Case No. 2023-000378

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SC Court of Appeals

Gabriel Rios.....Petitioner,

v.

State of South Carolina.....Respondent.

PROOF OF SERVICE

The undersigned hereby certify that he mail petition for rehearing to the Office of the Attorney General, Alan M. Wilson, Esquire, P.O. Box 11549, Columbia, S.C. 29211 this ___ Day of March 2026 by depositing same in the U.S. mail.

Sworn To And subscribed Before Me
This 9th day of March 2026

Virginia Rolison

Notary Public of South Carolina
My Commission Expires April 21, 2031

Gabriel Rios

Gabriel Rios



Office of the Attorney General
Alan Wilson. Esquire
P.O. Box 11549
Columbia, SC 29211

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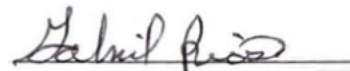
SC Court of Appeals

RE: Gabriel Rios v. State
Appellate Case No. 2023-000378

Dear Mr. Wilson:

Please find petition for rehearing that is served upon you.

yours truly,

A handwritten signature in black ink, appearing to read "Gabriel Rios", is written over a horizontal line.

The South Carolina Court of Appeals
Jenny A. Kitchens, Clerk
Post Office Box 11629
Columbia, SC 29211

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MAR 13 2026

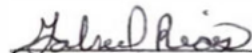
SC Court of Appeals

RE: Gabriel Rios v. State
Appellate Case No. 2023-000378

Dear Clerk:

Please find petition for rehearing that has been served upon you for filing. Please return stamp-filed copy to me.

Yours truly,



Harold Rios 344751 CA-41
Ridgeland Correctional Inst.
P.O. Box 2039
Ridgeland SC 29936

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