

State of South Carolina
County of Berkeley

Court of General Sessions
C/A No: 2007-GS-08-00314,
00315, 316, 317, 318, 343, 346/
APPELLATE CASE NO: 2025-00/
2357

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State

S.C. SUPREME COURT

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Gory L. Grant

SC Court of Appeals

Motion to Reconsider
and preserve all Issues
pursuant to SCRCP Rule
59(e)

Comes now the above named Defendant, who at this time will enter a motion to reconsider, state his objections, and preserve all Issues pursuant to SCRCP Rule 59(e). The motion is as follows

Objections

The Defendant objects to the court's order in whole & in part in that the judge improperly weighed existing evidence witness/ alibi witness testimony and dismissed the motion for New Trial summarily and against the applicable Law and Legal Standard.

The proper thing and just thing to do is Grant the motion for New Trial for ~~three~~(3) reasons. First, when evidence exist that is Newly discovered and has not been priorly heard, and is Favourable to the defendant in that if presented to the jury could result in a different out come if presented to the jury. In this case the evidence that was presented was a sworn affidavit by Koreem King which disclosed evidence that the defendant did not have prior to or during trial. That evidence

was the naming and implication of the Culprit that actually committed the crimes that the Defendant was convicted of and the swearing / testifying that the Defendant Gary L. Grant was not present, did not commit or have anything to do with the crimes that he is convicted of.

That Sworn affidavit by Kareem King admits that he along with the prosecution conspired against and committed criminal acts in order to secure a conviction against this Defendant, and other existing evidence corroborates the sworn affidavit by Kareem King. This court knows that if this evidence was presented to the jury that they could believe Mr King and exonerate this Defendant. This is evidence that is favorable to defendant and was not had at the time of trial. The Defendant has a right to present evidence in his favor and in his defense. It is therefore improper and an abuse of judicial discretion for this court to deny defendant the chance to present this newly discovered evidence that is favorable to his defense to a jury. Thus defendant objects.

Second; The Second reason that this court erred by not granting the motion for a New Trial is, that disputes over genuine issues of material fact exists as to the credibility of Kareem Kings Sworn Affidavit and the evidence that it presents. As well as the dispute over the claims, The State admits that there is a dispute over the genuine issues of material fact in the letter they wrote (See Exhibit B of Sworn Declaration of Gary L Grant - Motion for Limited remand pg 2 L5). Any and all disputes over genuine issues of material fact must go to Jury Trial. So again the court Improperly dismissed the motion for New Trial

and abused its judicial discretion by not allowing the Defendant to proceed to Jury trial on the disputes over Genuine Issues of material Fact. Which in this Case is Newly Discovered evidence that is Favorable to Defendant and could potentially render a different verdict & outcome at trial. Thus Defendant Objects and ask this Court to reconsider & Grant a New Trial in the interest of justice,

Third; The Evidence that was presented and is Newly Discovered (Which warrants a New Trial), is a Genuine issue of material Fact that is disputed (Which warrants a New Trial), is also evidence that was not priorly heard and deals with Credibility of a witness & the weight of his testimony which can only be weighed by the jury. Not the Judge whos duty is to determine if evidence exists not its weight. Thus this Defendant objects to the courts order and its abuse of judicial discretion.

To Further Cement the Defendants claims that the court abused its discretion and improperly denied this Defendant a New Trial on the merits & Newly Discovered evidence, the Defendant will bring this courts attention to the Motion For a New Trial Transcript From the hearing held on September 29, 2025. On Tr pg 45 L 21-25 & Tr pg 46 1-8 The court clarifies what one of the Defendants claims are and is undecided as to whether or not its illegal. (Which infact it is illegal in many ways) The court then ask on Tr pg 46 L 16-19 if their existed an affidavit from anyone saying that there was a deal in existence that should have been disclosed. At the time of the hearing dated September 29, 2025 I (defendant) didnt have the sworn affidavit of Kareem King dated March 3, 2025 & recieved by supreme court

court of Appeals on April 9, 2026 (Which means that it is indeed Newly Discovered evidence). Then on Tr pg 53 Line 4-9 the court simply Gives his opinion as to how plea conversations went then in the same Tr pg 53 L 12-15 he (court) says that he "doesn't know what was said in this particular Instance." "There would only be one of several ways of proving it." On Tr pg 53 L 18-20 he (court) states "The other would be to get the defendants who testified to give you an affidavit. And what do they say got offered to them." ← Note: Right there the court told plaintiff what he needed to prove his claim in order to be granted a New Trial.

Then on Tr pg 54 L 19-21 the court told Defendant that "he didn't have any proof." Now that the proof has surfaced and been presented to the court to prove "1) That there was a deal for 22 yrs; 2) that the Deal was not disclosed; 3) That Solicitor committed criminal acts of Subordination or perjury, obstruction of justice + conspiracy against civil rights against this defendant in order to secure a conviction; 4) That Someone else committed the crimes that Defendant is being punished for, that this Defendant was not there and didn't know anything about the crimes; this court is ignoring the proof + evidence and Improperly denying me a New Trial to present witness testimony that is Newly discovered, not previously heard, and is a Genuine issue of material fact that is being disputed, is Favorable to the defendant + if presented to the jury will result in a different outcome at trial.

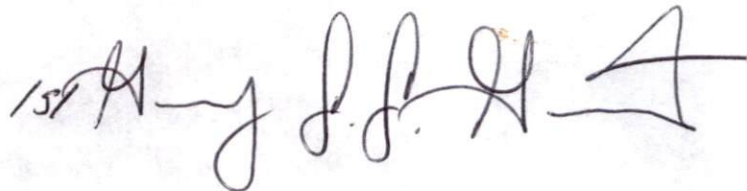
Thus Defendant objects to the court's order and states on + for the record that the proper thing to do is Grant

a new trial in the interest of justice.

Conclusion

The Defendant request that this court reconsider its order and Grant a New Trial because the Defendant provided proof ~~to~~ support his claims as instructed by the court in Tr pg 53 L18-20. The Law is clear in regards to Newly discovered evidence, Government / Judicial officer's misconduct, Genuine issues of Material Fact that are in dispute and witness testimony that is Favorable to defendant. They all warrant a Trial / New Trial. See *Glossip v Oklahoma* 604 U.S. 226; *Napue v Illinois*, 79 S.Ct. 1173, The Summary Judgment Standard, and The Sporn Case.

After the evidence that has been presented has been shown to exist and prove Defendants Claim The only proper thing to do is Grant a New Trial so that the jury can weigh the evidence. In the interest of justice I object ask for this court to reconsider and Grant me a New Trial in accordance to applicable Law. To Support this motion See Attached Declaration & All Exhibits

15/ 
July 8th 2026

DEAR S.C. SUPREME COURT,

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S.C. SUPREME COURT

CAN THIS COURT PLEASE CHECK DATE AND
FEE, AND MAKE SHO I GET A FULL COPIE
OF THIS BACK AND MAKE SURE, AS FELLOW

JUDGE ROGER YOUNG

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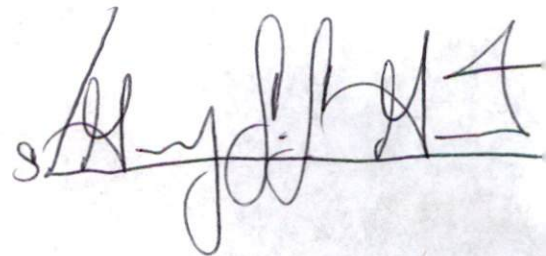
SC Court of Appeals

BERKELEY COUNTY CLERK OF COURT
S.C. COURT OF APPEALS

~~GET~~ A COPIE AS WELL! I'M IN PRISON AND I
HAVE TO HAVE THIS FILED IN 10 DAYS AFTER
THE ORDER OF JUDGE YOUNG ...

AS OF JULY 8TH, 2026 I HAVE NOT GOT A COPIE
YET!

JULY 8TH, 2026



MR. GARY L. L. GRANT #280988
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