

Notice of Appeal - For the Clerk of the South Carolina Supreme Court
THE STATE OF SOUTH CAROLINA

In the Supreme Court
Josh R. Grizzard,

Petitioner / Appellant,
v.

State of South Carolina / McCormick County Magistrate,

Respondent.

Appellate Case No.: _____

(Lower Court Case No.: 2024-CP-35-00085)

NOTICE OF APPEAL

(Pursuant to Rule 243, SCACR)

TO: The Clerk of the Supreme Court of South Carolina

TO: All parties of record

PLEASE TAKE NOTICE that Josh R. Grizzard, appearing pro se, hereby appeals to the Supreme Court of South Carolina from the final Order / Judgment of the Circuit Court of Common Pleas for McCormick County, entered on August 24, 2026 by the Honorable Frank R. Addy, Jr., Circuit Court Judge, which dismissed Petitioner's request to file a Post-Conviction Relief action and ended the case (Case No. 2024-CP-35-00085). This Notice of Appeal is filed pursuant to Rule 243, SCACR (Certiorari to Review Post-Conviction Relief Actions) and Rule 203, SCACR.

Explanation under Rule 243(c), SCACR:

The Circuit Court determined that Petitioner could not file a PCR action because he represented himself and that the grounds were successive. Petitioner asserts this determination was improper because: (1) a pro se defendant is not categorically barred from raising constitutional claims under the Uniform Post-Conviction Procedure Act; (2) the claim raises a due process violation under the Fourteenth Amendment and *Cole v. Arkansas*, 333 U.S. 196 (1948); and (3) the Circuit Court failed to take account of substance over form as required by S.C. Code Ann. § 17-27-70.

Respectfully submitted this 3rd day of Sept, 2026.

Josh R. Grizzard, Pro Se

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S.C. SUPREME COURT



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S.C. SUPREME COURT

Clerk of the Supreme Court of SC
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Columbia, SC 29211

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