

Honorable Daniel E. Shearouse
Clerk, Supreme Court South Carolina
Post Office Box 11330
Columbia South Carolina
09211

April 27th,
2014.

RECEIVED

MAY 01 2014

Re: Appeal from the judgment of ~~the~~ ^{S.C. SUPREME COURT}
State, 2012-CP-23-07208

Dear Mr. Shearouse,

Please find enclosed a copy of a letter I received from counsel as well as the final order. I have not seen the whole final order. I have asked counsel for a copy of a signed copy of the final order. I asked counsel to file 59(c) on all my issues listed in my motion for judgment by ~~counsel~~ default as well as my reply.

Now counsel has given me an unsigned final order which does not list all my grounds for relief nor does the trial judge rule on any of my affirmative defenses of waiver and statute of limitations.

I have no way to write counsel because

I do not have any debit cards. I have no
idea of what this motion contains for the
reconsideration.

I have wrote to the clerk of court for
Greenville County asking for a clocked stamped
copy of the Final Order and was told by
them I must get it from Mr. Johnson, my
attorney, but he is refusing to provide me
with a copy.

I do wish to appeal, yet I have no
clue as to which issues are or are not
properly preserved for appellate review.

I ask this Court to please assist me
in obtaining a ~~copy~~ signed clocked stamped
copy of the Final Order so I can file a
proper 59(e).

Respectfully
Marro Anjos

Marro Anjos 301870
Lee 1/2 SMU-N-50
990 Orsacky Hwy.
Bishopville SC
29010

LAW OFFICE OF BRIAN P. JOHNSON, LLC

P. 864.331.1630
F. 864.672.4009
www.brianpjohnsonlaw.com

522 North Church Street
Greenville, SC 29601
brian@brianpjohnsonlaw.com

April 21, 2014

VIA U.S. POSTAL

Mario Ramos Hinojos
#301870
Lee Correctional Institute
990 Wisacky Hwy
Bishopville, SC 29010

Re: Mario Ramos Hinojos vs. State of South Carolina
Case No.: 2012-CP-23-07208

Dear Mr. Hinojos:

Please find a copy of the judgment denying your motion regarding your application for Post Conviction Relief. Note, that we have thirty (30) days to appeal the decision of the Court. Please let me know if you wish for me to file an appeal.

If you have any questions or concerns feel free to write me at the above address.

Thank you.

Sincerely,



Brian P. Johnson, Esquire

BPJ/lf

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2012CP2307208

IN THE COURT OF COMMON PLEAS

Mario Ramos Hinojos	State of South Carolina
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FILED-CLERK
GREENVILLE
PAUL B. WICK
2014 APR 15 PM 4:15
COURT

PLAINTIFF(S)	DEFENDANT(S)
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Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff, <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant
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DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

Before the Court is Petitioner's motion to reconsider this Court's Order filed February 21st, 2014, which denied Petitioner's motion to reopen proceedings due to purported after-discovered evidence.

To obtain relief based upon a claim of after-discovered evidence, Petitioner must show the evidence (1) is such that it would probably change the result if a new trial were granted; (2) has been discovered since the trial; (3) could not in the exercise of due diligence have been discovered prior to the trial; (4) is material; and (5) is not merely cumulative or impeaching. *State v. Mercer*, 381 S.C. 149, 166, 672 S.E.2d 556, 565 (2009) (citation omitted). Upon thorough review of Petitioner's motion to reconsider and the attached exhibits, Applicant has failed to carry his burden of proof. First, Applicant has failed to prove that the evidence contained in the FBI file would most probably change the result of a new trial. Second, Applicant has not proven that such evidence could not have been discovered prior to trial in the exercise of due diligence. Third, Applicant has not proven that the evidence is material and is not merely cumulative or impeaching. Accordingly, Petitioner's motion to reconsider is DENIED.

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

[Signature] 2137 4/15/14
 Circuit Court Judge Judge Code Date

For Clerk of Court Office Use Only

4-15-14 This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on , to attorneys of record or to parties (when appearing pro.se) as follows:

~~Mario Hinojos 301870 Lcc Correctional Institution 990
 Wisacky Hwy Bishopville, SC 29010~~
 Brian P. Johnson 522 North Church Street Greenville, SC
 29601

Karen Christine Ratigan PO Box 11549 Columbia, SC
 29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer

Paul B. Wickensimer Greenville County Clerk Of
 Court - Clerk of Court

Court Reporter

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

ALAND Hayes 301820
Lee 1/2 3M - N-50
1990 W/Sackly Hwy.
Bishopville S.C.
29010

Honorable Daniel E. Shearouse
Clerk. Supreme Court S/CA Carolina
Post Office Box 11330
Columbia South Carolina
29211

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APR 28 2014

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