

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM GREENVILLE COUNTY  
COMMON PLEAS COURT

Mark, J. Hayes, II, Circuit Court Judge

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Case No. 08-CP-42-3298  
Appellate Tracking No.: 2010-151195

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Nathaniel Green, ..... Petitioner,  
v.  
State of South Carolina, ..... Respondent.

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MOTION

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Nathaniel Green hereby moves to withdraw the Johnson Petition filed by the Office of Indigent Defense and re-file a Petition for Writ of Certiorari and Supplemental Appendix.

This case was stayed to allow Green to file for Rule 60(b) relief in the circuit court. The Rule 60 motion has been ruled on and presents an appealable issue. Green has filed a Notice of Appeal from the Rule 60 order and now seeks to have that issue consolidated into this case by allowing the undersigned to file a Petition and a Supplemental Appendix to present all issues appearing in his PCR case and from his Rule 60(b) motion.

Respectfully submitted,



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J. Falkner Wilkes (SC Bar #12893)  
114 Whitsett Street  
Greenville, SC 29601  
(864) 282-1292  
*Counsel for Appellant/Petitioner*

September 29, 2014.

Other counsel of record:  
Suzanne White, Asst. Dep. Atty. Gen.  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211  
*Trial Counsel for Respondent*

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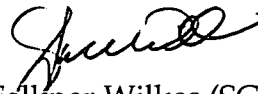
CERTIFICATE

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I certify that on September 29, 2014, I served the Applicant's Motion and Certificate of Service on the Respondent by placing a copy of same in the United States Mail, first class postage prepaid, addressed to counsel of record and others as indicated below:

Suzanne White, Assistant Atty. Gen.  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211

Respectfully submitted,



J. Falkner Wilkes (SC Bar #12893)  
114 Whitsett Street  
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(864) 282-1292  
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*Counsel for Petitioner*