

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

Roger Dale Navy, #251709  
Petitioner

Case Number: 2014-CP-23-0125

VS.

State of South Carolina,  
Respondent

"MOTION FOR AN,  
ENLARGEMENT OF TIME.

"Sworn Affidavit"

Now Comes, Roger Dale Navy, requesting enlargement of time to adequately prepare and file legal grounds, and legal memorandum. This motion is supported by facts in affidavit along with the, Exparte motion for Expenditure of funds to obtain relevant, documentation as, a copy of original transcript from the guilty Plea on date of, August, 5th(1998), Also the relevant transcript from Post Conviction hearing that was conducted on date of, April, 6th(1999), Case Number, 1999-CP-23-1482."Furthermore, (PCR) hearing transcript from date of, February, 6th(2003), Case Number, 2003-23-0887.

- (1) Ground that in question here, and has been where the Courts have not addressed during the (2) Post Conviction Relief hearings are " Grand Jury " documents, the Supreme Court concluded a, defendant has a right to obtain such impanelment documents of grand jury. Documents maybe released to defendant prior to trial upon timely request or, to an applicant in a PCR. According to U.S.C.A Const, Amend, 14, Code 1976; §14-7-1700, 14-7-1720, and 14-7-1770, a defendant's right to obtain recorded proceedings and testimonies before grand jury in preparing his defense. Defendant is allowed to obtain and use the impanelment documents in preparing a defense, and ensuring "PROTECTION OF HIS RIGHTS, under the Due-Process.
- (2) Whether, the Grand Jury which indicted defendant had been properly impaneled pursuant to, S.C. Code Ann §14-7-1630, Supp, 2003. here the Circuit Court would have lacked subject matter, jurisdiction in case, if the grand jury was not properly impaneled
- (3) Section §14-7-1770 is not a complete prohibition on the release of information, (b) release of the documents usually is not prohibited by secrecy provisions or, other concerns following the issuance of a true bill of indictment. (c) A defendant has the right to review the documents to determine whether to, challenge the legality of the grand jury which indicted him.

If, State objects to releasing all or part of grand jury, impanelment documents that defendant has requested, the burden of proof is on the State to demonstrate why the documents should not be released, rule(5)(d).

Here, Roger Dale Navy, petitioner is not represented by counsel, and not to grant the motions herein mentioned, would be a clear, violation of his constitutional rights, unfair prejudice towards petitioner.

NOTARY SERVICE BELOW:

Signature,

*Roger Dale Navy*

Roger Dale Navy, #251709  
Evans Correctional  
610 Hwy 9 West  
Bennettsville SC, 29512

Subscribed before me  
the 5th day of February 2015  
Southern  
(Notary Public of South Carolina)  
Commission Expires 2/24

AFTER FIVE DAYS RETURN TO

PAUL B. WICKENSIMMER  
GREENVILLE COUNTY CLERK OF COURT  
305 EAST NORTH STREET  
GREENVILLE, SOUTH CAROLINA 29601

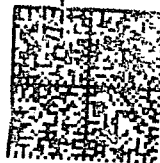


RETURN SERVICE REQUESTED

5P 143

Roger Dale Navy 251709  
Evans Correctional Institute  
610 Hwy 9 West  
Bennettsville, SC 29512-2130

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