

The Supreme Court of South Carolina  
Daniel E. Shearouse, Clerk of Court

Re: Herbert Palmer Jr. v. State  
Appellate case No. 2015-000344

**RECEIVED**

MAR 25 2015

**S.C. Supreme Court**

Dear Courts,

Petitioner's evidentiary hearing for PCR was held in 2004. Attorney for petitioner was Joshua S. Kendrick. Petitioner's PCR was denied by the lower courts but Petitioner did not receive a fair bite at the apple of justice. And was denied Due process due to numerous procedural irregularities on behalf of the PCR attorney. Bailey v. State, 2011 WL 1805347 S.C., 2011, Attorney failed to file rule 59(e) SCRPC motion to alter or amend if the order fails to set forth the findings and the reasons for these findings as required by 17-27-80 and rule 52(a), SCRPC. Humbert v. State, 345 S.C. 332, 598 S.E. 2d 862 (2001), Pruitt v. State, supra. Pruitt v. State 310 S.C. at 256, 423, S.E. 2d at 128. Petitioner was ordered by PCR judge to submit a order which includes all findings of fact and judge stated his decision would be based off of that. PCR attorney failed to submit this order and in fact no such order exist in Petitioner's file, so judge based his conclusion solely on the order submitted by the state, Petitioner was unable to get all his issues on file in

a timely fashion due to the ineffectiveness and negligence by PCR attorney. If attorney had filed Rule 59(e) as his is required to do, then all Petitioner's issues would have come forth in a timely fashion. Petitioner ask that the courts not make him suffer for the unprofessionalism of his PCR attorney and that he be allowed to have his issues heard by the courts, for there is evidence to support his PCR claims, that evidence is in the records of Petitioner's trial transcripts, which is structural error on behalf of the trial judge.

Respectfully Submitted,  
Herbert Palmer Jr.

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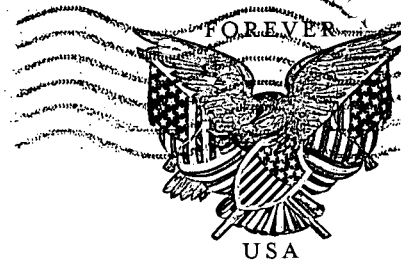
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MAR 20 2015

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LIEBER C.I.



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