

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM RICHLAND COUNTY

ALISON RENEE LEE, CIRCUIT COURT JUDGE

Appellate Case No. 2015-002375
2014CP400053

DEAN C. GRAYSON, 290628, Appellant,

vs.

State of South Carolina, Respondent.

TO: James R. Johnson
POB. 11549
Columbia, SC 29211

RECEIVED

DEC - 7 2015

S.C. Supreme Court

SCACR 243(c) RESPONSE

Appellant responds thereto Court's 11-25-15 letter which was received on or about 12-1-15 in reference to 11-13-15 notice of appeal herein as set forth below herein:

1. Grayson's sentence for homicide (murder after 1996 Act) is illegal and unlawful what is contrary to the 1996 no-parole and 85% Act of South Carolina General Assembly, State v. Starnes, 531 S.E. 2d 907 (2000);
2. Applicant was denied the appeal type due process right(s) when criminal direct appeal counsel supposedly reviewed the record according to Anders, failing to raise, note cruel and unusual punishment in sentencing of the 40 year for homicide prior to the 2010 Act; State v.

Brown, 326 S.E.2d 410 (1985)(Art. I, sec. 15 violation);

3. The discovery in South Carolina Department of Corrections' (SCDC) administration of the 40 years sentence is day for day rather than 85% justifies the successful collateral attack on the plain illegal sentence. State v. Sixby, 644 S.E.2d 54 (2007);

4. Where applicant's APCR was subjected to summary dismissal; McCoy v. State, 737 S.E.2d 623, 624 (2013) stressed "facts presented by applicant are true and view facts in light most favorable to applicant"; it is the rule which should had but was not followed by the lower court which should constitute sufficient error;

WHEREFORE, this Court should order further proceeding(s) herein.

This 4 day of December 2015.

Respectfully submitted,

for /s/ *Dean C. Grayson*
Dean C. Grayson, 290628
RCI, GB-32, POB 2039
Ridgeland, SC 29936

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has caused true and correct copies of the SCACR 243(c) Response and etc. to be mailed, postage prepaid, to respondent's attorney who is set forth above herein this 5 day of December 2015.

for /s/ *Dean C. Grayson*

Dean C. Grayson, 290628
RIDGELAND C. I.
Georgetown B Unit Room 32
P. O. Box 2039
Ridgeland, S.C. 29936

CHARLESTON SC 294

04 DEC 2015 PM 2 T

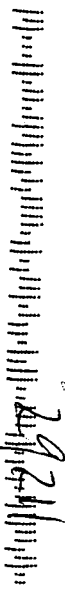


LEGAL MAIL
RIDGELAND CORRECTIONAL
INSTITUTION

DEC 04 2015
MAILROOM

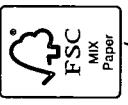
ROY D. Shearvase
CLERK, SOUTH CAROLINA SUPREME
COURT
P 55F OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA

2921181330



© USPS 2013

THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT



RIDGELAND CORRECTIONAL INSTITUTION
S.C. DEPARTMENT OF CORRECTIONS

THE DEPARTMENT OF CORRECTIONS HAS NEITHER
CENSORED NOR INSPECTED THIS ITEM. THEREFORE
THE DEPARTMENT DOES NOT ASSUME RESPONSIBILITY
FOR ITS CONTENTS.