

Certificate of Service

T. Kendrick Muse do here by swear that I did place in the United States mail on the 18 day of February 2014 a copy of the enclosed motion to the clerk of court and the Attorney General of the State of South Carolina at the addresses below.

Ms. Sharon W. Staggars
Clerk of Court
Williamsburg County
123 West Main Street
Kingstree, SC 29556

SC Attorney General's Office
Post Office Box 11549
Columbia, SC 29211

T. Kendrick Muse

RECEIVED

APR 11 2016

S.C. SUPREME COURT

2015-000609

AFFIDAVIT

On February 18, 2014 I went to the institutional mailroom to get my P.C.R. application notarized and sent out on the same day because I never received it back after getting it notarized. It was deemed to be sent out to my knowledge from that point.

However, the expiration date for my PCR application was due to be in the clerk of court's office by March 7, 2014, which was already sent out ever since February 18, 2014.

The Attorney General's Office responded to my PCR application alleging that my PCR application was sent in after the expiration date.

My PCR application reflects the date that the mail room staff witnessed, by notarizing and receiving my application to be mailed out on February 18, 2014 at Lee Correctional Institution mail room.

On the 8th of October I had to report to Associate Warden Sharp Office to further investigate the situation in reference to the date my PCR application was sent out. He contacted different parties with the intentions to locate the actual date and stamp that was on the envelope for proof that I was not at fault or responsible for the date it arrived at the clerk of court, when I sent it out ever since February 18, 2014, which clearly shows I was not responsible.

Moreover, Ms. Sgt. Goodner relayed the message that Associate Warden Sharp conducted his investigation and discovered that the PCR application was actually sent out on February 18, 2014 and the envelope had the same exact date above based on the day that it left Lee Correctional Institution to be mailed to Bishopville Post Office.

/s/ Roswick Mass

Subscribed before me this

2nd day of _____ 2014

[Signature]

My Commission Expires _____

Argument Continued....

Once the applicant places the application in the mail it is therefore "Deemed Filed" by the courts under the "Mail Box Rule." The Applicant filed his P.C.R. Application on Feb. 13, 2014 (See: AFFIDAVIT of the applicant) and filed by the Clerk of Court on March 10, 2014 (Also see: P.C.R. Application for the date it was returned and sent out.

At the time of the filing of applicants P.C.R. Application the institution was on lock-down. I had to be escorted to the mail room by C.T. Bradley to place application in the mail and to be released.

Conclusion

In further conclusion the applicant has put forth that he was advised that his P.C.R. Application was filed in a timely manner and should not be dismissed.

Respectfully Submitted

S. Kendrick Moore

Date December 5, 2014

FORM 5

STATE OF SOUTH CAROLINA)
)
COUNTY OF WILLIAMSBURG)

IN THE COURT OF COMMON PLEAS

RENICK D. MOSE, SCDC #271319)
)
Applicant.)
)
Vs.)
)
STATE OF SOUTH CAROLINA)

Case No.: **14 CP45 125**

APPLICATION FOR
POST-CONVICTION RELIEF

INSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly and handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in form papers, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of Detention Lee Correctional Institution, Bishopville, S.C.
2. Name and location of Court which imposed sentence General Sessions, Kingstree, SC
3. Name(s) of co-defendant(s) (if any) N/A
4. The indictment number or numbers (if known) upon which and the offenses for which sentence is imposed:
 - (a) 2011-GS-45-0105 — Assault (1st degree) and Burglary 1st
 - (b) N/A
 - (c) N/A
5. The date upon which sentence was imposed and the term of the sentence:


 SHARON W. STAGGERS
 CLERK OF COURT
 WILLIAMSBURG COUNTY

State of South Carolina
County of Williamsburg
Rondick D. Muse #271819
Applicant

VS.

State of South Carolina
Respondent

In The Court of Common Pleas

Case no. 14-CP-45-105

Re: Motion In Response
To Conditional Order of
Dismissal

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APR 11 2016

S.C. SUPREME COURT

Procedural History

The Applicant is currently confined to the South Carolina Department of Corrections pursuant to orders of commitment of Williamsburg County Clerk of Court. The Applicant was sentenced to 12 years and 10 years in prison after a plea of guilty.

Argument

Applicant asserts that said Respondent that he Face Her
in a Family manner by showing his
institutional number on February 12, 2014
by the Notary Public, which is #
at Lee Correctional
under Horton v. Lee 108
Richmond City Police Dept 207

(a) March 7, 2013, 10 yrs. running concurrent with 12 yrs.

(b) N/A

(c) N/A

6. Check whether a finding of guilty was made:

(a) after a plea of guilty X

(b) after a plea of not guilty N/A

(c) after a plea of nolo contendere N/A

7. Did you appeal from the judgment of conviction or the imposition of sentence?

No

8. If you answered "yes" to (7), list:

(a) the name of each Court to which you appealed:

i. N/A

ii. N/A

iii. N/A

(b) the result in each such Court to which you appealed:

i. N/A

ii. N/A

iii. N/A

(c) the date of each such result:

i. N/A

ii. N/A

iii. N/A

(d) if known, citations of any written opinion or orders entered pursuant to such results:

i. N/A

ii. N/A

iii. N/A

15. If you answered "yes" to any of the following questions:
- (a) which grounds set forth in 10. were raised:
 - i. N/A
 - ii. N/A
 - iii. N/A
 - (b) the proceedings in which such grounds were raised:
 - i. N/A
 - ii. N/A
 - iii. N/A
16. If any ground set forth in 10. has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:
- (a) As to all the grounds set out in 10, my plea attorney did not inform me of my right to a direct appeal.
 - (b) N/A
 - (c) N/A
17. Were you represented by an attorney at any time during the course of:
- (a) your arraignment and plea? Yes
 - (b) your trial, if any? N/A
 - (c) your sentencing? Yes
 - (d) your appeal, if any from the judgment of the conviction or the imposition of sentence? N/A
 - (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? N/A
18. If you answered "yes" to one or more parts of (17), list:
- (a) the name and address of each attorney who represented you:
 - i. Mr. Cezar Edward McKnight, 106 E. Main Street, S.C. 29560
 - ii. N/A
 - iii. N/A

(a) the specific nature thereof:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

(b) the name and location of the Court in which each was filed:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

(c) the disposition thereof:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

(d) the date of each such disposition:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, action or application which you have filed?

No

(a) the specific nature thereof:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

(b) the name and location of the Court in which each was filed:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

(c) the disposition thereof:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

(d) the date of each such disposition:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

- i. N/A
- ii. N/A
- iii. N/A
- iv. N/A

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

No

STATE OF SOUTH CAROLINA)
COUNTY OF LEE)

VERIFICATION

I, Renwick D. Mose, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the content thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application, and that the matters and allegations therein set forth are true.

Renwick Mose
Renwick D. Mose, #271319
Lee C.I. - Florence N. 1140
990 Wisacky Highway
Bishopville, S.C. 29010-1175

Renwick Mose

SWORN to and subscribed before me
18th day of February, 2014.
Mische Michel (L.S.)
Notary Public for South Carolina
My commission Expires:
9-3-2014

Certificate of Service

I, Rowick Mase do here by swear that I did place in the United States mail on the 12 day of February 2014 a copy of the enclosed motion to the clerk of court and the Attorney General of the State of South Carolina at the addresses below.

Ms. Sharon W. Stappars
Clerk of Court
Williamsburg County
123 West Main Street
Kingstree, SC 29556

SC Attorney General's Office
Post Office Box 11549
Columbia, SC 29211

St. Rowick Mase

From: Renwick D. Mose 201319
L.C.I.-F-1-2210
990 Wsachy Hwy
Bishopville SC 29010



1000



29211

U.S. POSTAGE
PAID
COLUMBIA, SC
29209
APR 07, 16
AMOUNT

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R2304E105978-26



To: The Supreme Court of SC
Daniel E. Shearwise Clerk of Court
Post Office Box 11330
Columbia SC 29211

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Document Mailer



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