

State Of South Carolina
In The Supreme Court
Certionanl To Richland County

Honorable Tanya A. Gee, Circuit Court Judge

RECEIVED

FEB 15 2017

Nathaniel Murray
Petitioner,

S.C. SUPREME COURT

V.

State Of South Carolina
Respondent.

APPELLATE CASE NO. 2016-000901

Amendment to pro se Johnson Petition for writ of Certionanl

February 13 2017



Nathaniel Murray
Broad River Corr Inst
4460 Broad River Rd.
Cola, S.C. 29210

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Issue Presented

Was PCR counsel ineffective for failing after being requested to and agreeing to file motion 59 (e), to Amend the order of the PCR court and preserve for appellate review issue that the court was not clear on.

Argument

Was PCR counsel ineffective for failing to file motion 59 (e)?
As requested and he had agreed to do.

On April 5, 2016, petitioner received from P.C.R. counsel Mr. Jonathan D. Walker, a letter (attached copy), this was in response to petitioner's request that counsel file motion 59 (e), to preserve all of the issues raised by petitioner in his application for P.C.R.

On P.C.R. petitioner raised the issue of his sentence enhancement First his eligibility for L.W.O.P., and second the prior convictions used to enhance, and third what conviction was used to enhance his sentence to L.W.O.P. On page 8 of the P.C.R. court order the court stated "This court finds applicant was a proper candidate for a sentence of Life without parole pursuant to South Carolina code 17-25-45".

Petitioner in his memorandum in support of his P.C.R. application questioned whether his trial counsel was ineffective for failing to request a hearing to determine which charges from his prior record could be used when the state wanted to seek sentence enhancement under S.C. code 17-25-45.

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N. Murray
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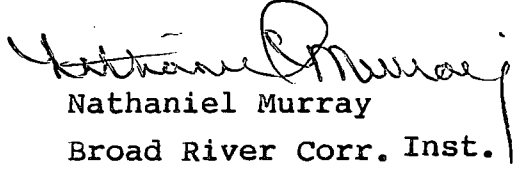
V.
State Of S.C.
Respondent.

Certificate of
Service

Petitioner declares under the penalty of perjury that he mailed a copy of his Amendment to his pro se Johnson brief to the parties listed below by placing them in the U.S. mail, addressed as below:

Clerk Of Court
South Carolina Supreme Court
P.O. Box 11330
Columbia, S.C. 29211

MS. Jessica Kinard,
Rembert Dennis Building
1000 Assembly St. Rm. 519
Columbia, S.C. 29210


Nathaniel Murray
Broad River Corr. Inst.
4460 Broad River Rd.
Columbia, S.C. 29210

cc: File

Dated: 13 FEB 2017

THE

GIESE

LAW FIRM, LLC

April 5, 2016

Nathaniel Murray
SCDC Id.: 00313891
Broad River Correctional Institution
4460 Broad River Road
Columbia, SC 29210


Re: Nathaniel Murray vs. State of South Carolina
C/A No.: 2014-CP-40-07482

Dear Mr. Murray:

Thank you for your letter. I was just recently served with a copy of the Order of Dismissal in your case and am in the process of reviewing the Order for accuracy. Once I have completed my review, I will file the appropriate paperwork, including a 59(e) if I deem that appropriate. I will forward you copies of whatever I file.

I know that it is frustrating, but please try and be as patient as possible throughout this process. If you have any questions, please do not hesitate to ask. My telephone number is 803-708-6767.

Sincerely,

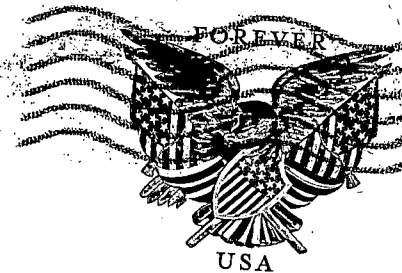


Jonathan D. Waller

WALTER J. L. MURRAY #313891
B.R.C. MURRAY #217
BROADRIVER RD
COLUMBIA, S.C. 29210

COLUMBIA SC 290

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MAILROOM

CLERK OF COURT
SOUTH CAROLINA SUPREME COURT
P.O. Box 11330
COLUMBIA, S.C. 29211

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