

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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APPEAL FROM SPARTANBURG COUNTY

S.C. SUPREME COURT

The Honorable Perry H. Gravely, Circuit Court Judge

Appellate Case No: 2016-001415

RASHAWN MURPHY,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

SUPPLEMENTAL APPENDIX

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ATTORNEY FOR PETITIONER

ATTORNEYS FOR RESPONDENT

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Motion to Amend Post Conviction Relief .....1

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

IN THE COURT OF COMMON PLEAS  
SEVENTH JUDICIAL CIRCUIT

RaShawn Murphy, # 323547 )

Applicant, )

v. )

State of South Carolina, )

Respondent. )

**Motion to Amend Post Conviction Relief**

C.A. No.: 2013-CP-46-1570

1445

**To: Alicia Olive, South Carolina Attorney General, and Spartanburg County Clerk of Court  
for entry of record:**

The Applicant, by and through the undersigned counsel, hereby moves the Court for an order permitting him to amend the application for post-conviction relief to include the following additional grounds for relief:

**Ineffective Assistance of Counsel:**

1. Applicant states his claims of ineffective assistance of counsel are:

- a) Failure to conduct proper closing argument;
- b) Failure to investigate and prepare for the trial; and
- c) Failure to consult with defendant.

2. The judge on his trial withheld evidence from the jury.

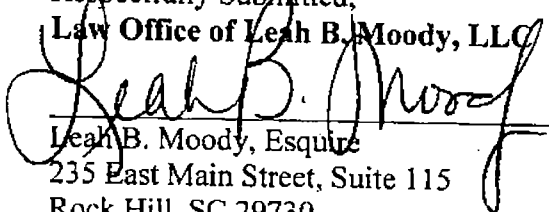
3. Judge Letitia H. Verdin was in violation for allowing his statements to be admissible for the jury to hear. Therefore, the Applicant didn't testify because his attorney informed him it was not the best decision.

4. Applicant states that prosecution is in misconduct for introducing his statements to the jury and that he was hiding guilt behind his actions.

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5. Applicant requests a 6<sup>th</sup> amendment violation if the Brady claim is turned down based on the confrontation clause.
6. The Applicant states that grounds for this argument should state:
  - a) Trial courts error in improperly limiting scope of defense counsels' cross-examination for State's witness; and
  - b) Abuse of discretion by the judge under Rule 5, which upheld [the] objection made suppressing evidence of witness testimony and statement in favor of defense.
7. Applicant states that he exercised his 5<sup>th</sup> amendment but was not afforded the privilege of making the last statement during the closing argument.
  - a) His attorney went first then the prosecutor; and
  - b) Applicant feels his defense o[r] courtroom strategy gave the state an advantage of revising their closing argument.
8. Applicant states that there was "cumulative prejudice."
  - a) The evidence within witnesses (Samantha Hill and Michael Johnson) statements was allowed in as evidence.
9. Applicant states his Miranda rights were not properly given; he doesn't recall signing a waiver form.

Rock Hill, SC  
 March 22, 2016

Respectfully Submitted,  
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