

(S)

# South Carolina Court of Appeals

State of South Carolina,



v.

William Leon Burnett, SDC#35245,

C.A. No: 2012GS4201465. 01466

Notice To Appeal

**RECEIVED**

MAY 18 2017

SC Court of Appeals

The Appellant moves the Court of Appeals to consider his petition to appeal his denial of relief from the Access To Justice Post-Conviction DNA Testing Act - South Carolina Code Ann. 17-28-10 in accordance with South Carolina Code Ann. 17-28-90 (G) on the following grounds:

A: Appellant contends that the court failed to honor or deny his request for Extension of Time .a.k.a. Motion for Leave with out due diligence ;

B: Appellant asserts multiple punishments under indictment No: 2012GS4201466 without circuit court repealing lower courts ruling by Judge William J. Wiley, Jr. ;

C: Denying without responding to appellant's Motion for Appointment of Counsel Filed with Clerk of Court ;

D: Detective Joseph Bohon writing appellant's bogus confession statement that was taken under Collusion and signed under Duress even after appellant informs him of the inability to give accurate and coherent information ; thus is reflected on the record of October 4, 2012 ;

E: Under South Carolina Code Ann. 16-3-652, one of elements required for aggravating factors is positive identification of penetration and physically

being restrained and held against one's own volition;

F: Finally, appellant's Nolle Prosequi indictment contained his conviction. Foregoing reasons, appellant ask for a remand and rehearing for oral testimony.

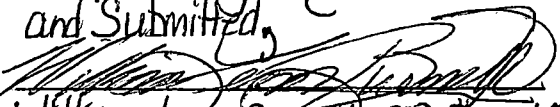
CERTIFICATE OF SERVICE

I, William Leon Burnett, SCDO# 352645, certify that I have deposited one (1) true copy of the Notice To Appeal in the institutional mailroom system on May 16, 2017 to be forwarded to the United States Postal Service (U.S.P.S.), for delivery, as follows, postage prepaid first class:

Ms. Hope Blackley  
Clerk of Court  
7th Judicial Circuit Court  
180 Magnolia Street  
Post Office Box 3483  
Spartanburg, South Carolina 2904-3483

Ms. Jennifer Abbotts Kitchens  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211-1629

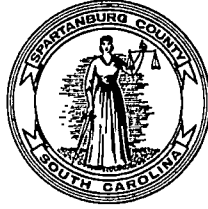
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MAY 18 2017  
SC Court of Appeals

Respectfully Requested  
and Submitted,  
  
William Leon Burnett, SCDO# 352645  
Allendale Correctional Institution  
Barnwell A21  
1057 Revolutionary Trail  
Post Office Box 1151  
Fairfax, South Carolina 29827-2151

# Spartanburg County

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180 Magnolia Street  
P. O Box 3483  
Spartanburg, SC 29304-3483

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**M. Hope Blackley**  
Clerk of Court

**Gail Moffitt**  
Assistant Clerk of Court

August 5, 2016

William Leon Burnett #352645  
Colleton A13  
1057 Revolutionary Trail  
PO Box 1151  
Fairfax, SC 29827-7127

RE: Motion for New Trial (2012GS4201465)

Dear Mr. Burnett,

We are in receipt of your Motion for a new trial. Please be advised that case 2012GS4201465 was dismissed on October 4, 2012. Enclosed you will find the case history report to support this information. If we can be of further assistance to you please let us know.

Sincerely,  
*Tanya Camp*  
Court Supervisor

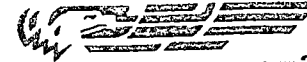
**M. HOPE BLACKLEY**  
Clerk of Court, Spartanburg County  
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Spartanburg, South Carolina 29304-3483

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