

August 10 2017

RECEIVED

AUG 17 2017

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC. 29211

Re: Gray, Noel v. State of South Carolina, 4/19/17. 2017-CP-02-01730 (see
December 21, 2015 premature filing w/EXHIBITS)

Dear Mr. Shearouse,

Enclosed for filing is a Notice of Appeal in the above cited case, also enclosed is the following:

1. Proof of Service of the Notice of Appeal to the Clerk of Common Pleas,
2. a copy of the erroneous Order which is challenged on Appeal;
3. This Appeal is being filed within the Supreme Court because of Rule 243(a)
4. Hon. Murphy dated September 29, 2015
SCACR; clear violations of Rule 711(c) SCRPC; U.S. Const; State Const; and
Judge Early violating the Honorable Toal's Order dated April 12, 2013, and
Rule 407 COPC; Rule 501 COJC; Rule 502 RFJDC Rule 7(a)(i)-(ii) SCACR, and
Petitioner's motion to Recuse him on March 3, 2013 willfully and illegally. "A serious
Conflict of interest" Please Clock stamp the enclosed copy and return in the
SASE provided.

Please Note: the institution has been locked down since August 5, 2017
for gang related stabbings. I can't get to the mail room for legal mail.

Case of Aug. 10, 2017

(Petitioner's Copy Enclosed)

Noel Gray #307590
Noel Gray
BRCE / Murray 152 B
Broad River Corr Inst
4460 Broad River Rd.
Columbia, SC. 29210

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM AIKEN COUNTY

DOYET A. EARLY, III, Chief Admin. Judge

CASE NO. 2017-CP-02-01730

Noel Gray,

Petitioner,

v.

State of South Carolina,

Respondent.

NOTICE OF APPEAL

Noel Gray #307590 appeals the decision of the Honorable Doyet A. Early III, dated July 3, 2017. Applicant received a copy of this decision on August 2, 2017. we are on lock down for gang related stabbings. as of August 5, 2017.
Came off

August 10 , 2017

Noel Gray #307590

Noel Gray

B.R.C.I. / Murray #152 B

4460 Broad River Rd.

Columbia, SC 29210

RECEIVED

AUG 17 2017

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

S.C. SUPREME COURT

APPEAL FROM AIKEN COUNTY
COURT OF COMMON PLEAS

Doyet A Early, III, Chief Admin. Judge

CASE NO. 2017-CP-02-01730

Noel Gray,

Petitioner,

v.

State of South Carolina,

Respondent.

PROOF OF SERVICE

I Certify that I have served the Notice of Appeal to the Aiken County Clerk of Court, by depositing a copy of it in the U.S. Mail Postage Prepaid on August 10, 2017 addressed to the Honorable Clerk of Court Office PO Box 583, Aiken, SC 29802-0583. The Clerk will serve the Respondent. The Petitioner is indigent.

Noel Gray #307590
Noel Gray
B.R.C.I./Murray #152 B
4460 Broad River Rd
Columbia, SC 29200

EXHIBIT B-1

ELECTRONICALLY FILED - 2017 Jul 31 1:33 PM - AIKEN - COMMON PLEAS - CASE#2015CP0201730

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF AIKEN)	SECOND JUDICIAL CIRCUIT
)	
Noel Gray, #307590,)	2015-CP-02-1730
)	
Applicant,)	
)	FINAL ORDER OF DISMISSAL
v.)	
State of South Carolina,)	
)	
Respondent.)	
_____)	

This matter comes before the Court by way of an application for post-conviction relief ("PCR") filed July 9, 2015. Respondent made its Return and Motion to Dismiss on September 29, 2015, requesting the application be summarily dismissed based upon its successiveness, the expiration of the statute of limitations, and the doctrine of *res judicata*.

Pursuant to this request, and after reviewing the pleadings in this matter and all of the records attached thereto, this Court issued a Conditional Order of Dismissal signed October 28, 2015 and filed November 16, 2015, provisionally denying and dismissing this action, while giving Applicant twenty days from the date of service of said Order in which to show why the dismissal should not become final. As evidenced by the attached affidavit of service, Applicant was served with the Conditional Order of Dismissal on November 10, 2015.

Applicant subsequently filed several motions and responses to the Conditional Order of Dismissal, alleging fraud, misrepresentation of material facts, perjury, and bad faith. These responses were filed with the clerk of court on November 4, 2015, December 21, 2015, May 26, 2016, June 6, 2016, July 1, 2016, July 18, 2016, and August 26, 2016.

This Court finds that all of Applicant's objections are meritless. Applicant has failed to show that he should be entitled to a hearing on his untimely and successive PCR application.

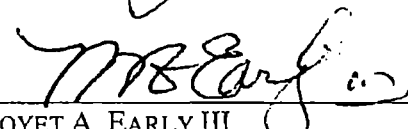
Handwritten signature: MRC
Date: 7/31

Accordingly, this Court finds that Applicant has failed to provide sufficient reason why the Conditional Order of Dismissal should not become final.

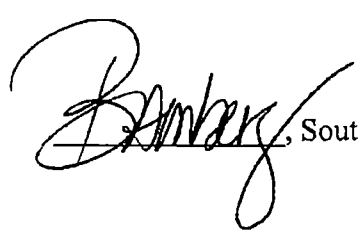
IT IS THEREFORE ORDERED that, for the reasons set forth in this Court's Conditional Order of Dismissal, the PCR application is hereby denied and dismissed with prejudice.

This Court hereby advises Applicant that he must file and serve a Notice of Appeal within thirty days of the service of this Order to secure appellate review. See Rule 203, SCACR. Applicant's attention is directed to Rule 227, SCACR., for the procedures following the filing and service of the notice of appeal.

AND IT IS SO ORDERED this 18 day of July, 2017.



DOYET A. EARLY III
Chief Administrative Judge
Second Judicial Circuit


_____, South Carolina.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
Post Office Box 21787 - Columbia, South Carolina 29221

Pursuant to Rule 4(d)(2) of the South Carolina Rules of Civil Procedure, the Director of the South Carolina Department of Corrections has designated Atonia Jacobs (*Server*) as his duly authorized agent for the purpose of making service of the process on the below named individual.

STATE OF SOUTH CAROLINA)
COUNTY OF Richland)

AFFIDAVIT OF PERSONAL SERVICE

On this 10 day of November 2015, I served the Conditional Order of Dismissal, on Inmate Noel Gray, SCDC Inmate #307590, by delivering personally and leaving a copy of the same at Broad River Correctional Institution. Deponent is not a party to this action.

s/ Atonia Jacobs
SCDC Server

SWORN TO AND SUBSCRIBED BEFORE ME

this 10 day of November, 2015

Tammie S. Sams (L.S.)
Notary Public for South Carolina

My Commission Expires: 6/10/2018

ADMISSION OF SERVICE

Service of a copy of the within Conditional Order of Dismissal is admitted at the South Carolina Department of Corrections (Broad River Correctional Institution), Columbia County, SC this 10 day of December, 2015.

s/ Noel Gray
Inmate
SCDC Inmate #: 307590

The Supreme Court of South Carolina

Noel Gray, Petitioner,

v.

State of South Carolina, Respondent.

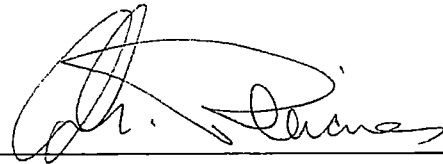
Appellate Case No. 2015-002615

Lower Court Case No. 2015CP0201730

ORDER

Petitioner has filed a notice of appeal in this post-conviction relief case. The order that petitioner has provided with the notice of appeal is a conditional order of dismissal which was filed with the clerk of the circuit court on November 16, 2015.¹

Since a conditional order of dismissal is not an appealable order, the notice of appeal is dismissed without prejudice to petitioner's ability to timely serve and file a new notice of appeal once a final order is filed in this case. *Lewis v. State*, 368 S.C. 630, 630 S.E.2d 464 (2006). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.



C.J.

FOR THE COURT

Columbia, South Carolina

January 8, 2016

cc: Daniel Francis Gourley, II, Esquire
Noel E. Gray, Jr., #307590

¹ The public case index for Aiken County fails to reflect that a final order has been filed in this case.



EXHIBIT

ALAN WILSON
ATTORNEY GENERAL

September 29, 2015

The Honorable Maité Murphy
Chief Administrative Judge, 1st Judicial Circuit
Post Office Box 802
St. George, South Carolina 29477

Re: Noel Gray, #307590 v. State of South Carolina
2015-CP-02-01730

Dear Judge Murphy:

Enclosed please find an original proposed **Conditional Order of Dismissal** in the above-captioned case. The Honorable Doyet A. Early, Chief Administrative Judge for the Second Circuit, has a conflict of interest in this matter. Pursuant to the Order issued by Chief Justice Toal dated April 12, 2013, any circuit court judge residing in or assigned to an adjoining judicial circuit may sign in Judge Early's stead. Therefore, if this Order meets your approval, please sign and return to me in the enclosed envelope. I will then forward to the Aiken County Clerk of Court to be filed and served.

Sincerely,

Daniel Gourley
Assistant Attorney General

DG/cc
Enclosures

cc: Noel Gray, #307590

STATE OF SOUTH CAROLINA)
 COUNTY OF AIKEN)
)
 Noel Gray, #307590,)
)
)
 Applicant,)
)
 v.)
)
 State of South Carolina,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 SECOND JUDICIAL CIRCUIT

2015-CP-02-01730

**CONDITIONAL ORDER
 OF DISMISSAL**

FILED November 16, 2015
 C.C.P. #66
 8:30am

This matter comes before this Court by way of an application for post-conviction relief filed July 9, 2015. In its Return, Respondent requests that the action be summarily dismissed.

PROCEDURAL HISTORY

The Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment of the Clerk of Court for Aiken County. The Applicant was indicted for two counts of Criminal Sexual Conduct (“CSC”) with a Minor - Second Degree (2004-GS-02-1333 & 1334). Kelley P. Brown, Esquire, represented him. Applicant was found guilty of both counts following a jury trial. On February 2, 2005, he was sentenced by the Honorable Jackson V. Gregory to life imprisonment without the possibility of parole.

Applicant filed an appeal, and both an Anders brief and *pro se* brief were submitted. The appeal was dismissed. State v. Gray, Op. No. 2008-UP-040 (S.C. Ct. App. filed January 11, 2008). The Remittitur was sent on January 30, 2008.

Applicant initially filed an application for post-conviction relief (PCR) on April 18, 2008 (2008-CP-02-0734). In his application, Applicant set forth the following grounds for relief:

1. “Violation of Federal Interstate Agreement on Detainers Act.”
2. Ineffective assistance of counsel.

3. Subject matter jurisdiction.

An evidentiary hearing was convened on February 2, 2009, at which Applicant was present and represented by counsel. In an order dated April 2, 2009 and filed April 6, 2009, the Honorable Doyet A. Early, III, denied and dismissed the application with prejudice. A Johnson Petition for Writ of Certiorari was then filed in the South Carolina Supreme Court. The Petition was denied on December 2, 2010, and the Remittitur was sent on December 21, 2010.

Subsequently, Applicant filed a Petition for Writ of Habeas Corpus (4:11-227-CMC-TE) on March 25, 2011 in federal district court. By order dated February, 15, 2012, the Honorable Cameron McGowan Currie denied Applicant's motion for summary judgment, Writ of Mandamus, and default judgment. Judge Currie dismissed the petition with prejudice.

Applicant filed his second post-conviction relief application on December 9, 2011 (2011-CP-02-2776). In his application, Applicant set forth the following grounds for relief:

1. Newly discovered evidence.
 - a. "Trial Counsel failed to record any statements (in writing, or by audio or video), from any conversation with any neighbors or anyone who knew Mike Williams..."
 - b. "...failed to interview any known acquaintances of Linda Brown and Mike Williams to authenticate or disprove what they told the police and the jury."
 - c. "...failed to interview Mike Williams, (Linda Brown's lover), or at least disclose any evidence of bad blood against applicant and evidence of bad blood between Linda Brown and applicant."
 - d. "...failed to conduct an interview with any other occupants that lived within Mike Williams residence before, during, and after the alleged incidents to gather salient information concerning the alleged victim and Mike Williams..."
 - e. Failed to investigate "the total circumstance" of Mike Williams residence and any eyewitnesses to various aspects of the case, including but not limited to: where he was at time of sexual misconduct, his relationship with the victim, relationship of his wife

and Linda Brown, his "real purpose of being a clown," and Mike Williams as the anonymous caller.

- f. Failed to convey plea offer.
 - g. Discovery of trial counsel's resume which shows inexperience.
 - h. Ineffective assistance of trial counsel in:
 - i. Failed to challenge subject matter jurisdiction.
 - ii. Violated due process by not presenting IADA agreement issue as a pre-trial motion.
 - iii. Failed to subpoena and investigate witnesses. (Several named individuals.)
 - iv. Failed to discuss lesser included offense or plea offer.
 - v. Failed to have applicant evaluated by psychologist.
 - vi. Failed to move for trial where Linda Brown was not prosecuted but there was an inference to the jury she would be.
 - vii. "...failed to impeach Dr. Bethea's hearsay testimony that was not supported by material facts, nor was it even scientifically researched, nor does it even exist."
 - viii. "...failed to challenge trial court's denial of directed verdict motion that was preserved for appellate review."
 - ix. "...failed to impeach Mike Williams testimony that impermissibly bolstered the State's case and was prejudicially unconstitutional."
 - x. "...failed to impeach Linda Brown's testimony that was unconstitutionally used to inflame the minds of the jury and the trial court, in which it was extremely prejudicial and harmful error by prosecution and bolstered the State's case."
 - xi. Failed to object to statement that "Linda Brown is not on trial today."
2. Ineffective assistance of PCR counsel.
- a. Failed to address all issues.
 - b. Inadequately raised IADA issue.
 - c. Failed to raise incomplete police investigation.
 - d. Failed to subpoena witnesses (several specific witnesses listed).
 - e. Failed to properly present subject matter jurisdiction issue.
 - f. "...failed to argue that applicant did address the directed verdict motion that was preserved for appellate review."
3. Ineffective assistance of PCR counsel on collateral appeal.
- a. "...failed to address that PCR counsel failed to alter or amend PCR to include all grounds."

- b. "...failed to address that PCR counsel failed to insert applicant's claim, inadequately raised in his original application PCR."
- c. "...failed to address that PCR counsel failed to subpoena witnesses..."
- d. "...failed to address that PCR counsel failed to file a Rule 59(e) as required by law."
- e. "...failed to address that PCR counsel failed to challenge ineffective assistance of appellate counsel on directed verdict motion that was preserved for appellate review."
- f. "...failed to address that PCR counsel failed to challenge ineffective assistance of appellate counsel on directed verdict motion that was preserved for appellate review."
- g. "...failed to address that PCR counsel was incompetent to represent applicant in a civil/criminal procedural review...."
- h. "...failed to move the court that the applicants records were incomplete and were fatally defective, in violation of Rule 609."

Respondent filed its Return and Motion to Dismiss on January 20, 2012. The Honorable Doyet A. Early, III, issued a Conditional Order of Dismissal on January 20, 2012. Applicant filed various objections to the Conditional Order of Dismissal. After reviewing Applicant's objections to the Conditional Order of Dismissal, Judge Early issued a Final Order signed June 26, 2012 and filed on July 5, 2012.

Subsequently, Applicant filed a timely Notice of Appeal. By Order dated April 30, 2012, the South Carolina Supreme Court dismissed Applicant's appeal for failing to show an arguable basis for asserting that the determination of the lower court was improper under Rule 243(C). The Remittitur was issued on September 19, 2012.

On September 24, 2012, Applicant submitted a motion for new trial pursuant to Rule 29, SCRCrimP, in the Aiken County Court of General Sessions asserting, inter alia, he was entitled to a new trial based upon after-discovered evidence; specifically, Applicant claimed that in October 2011, he "discovered" information relating to what he characterized as "plea agreements" that were not communicated to him by trial counsel before trial. After briefs, the

South Carolina Court of Appeals affirmed Applicant's conviction and sentence. State v. Gray, Op. No. 2014-UP-036 (S.C. Ct. App. filed January 29, 2014). The Remittitur was sent on February 24, 2014.

Applicant filed his third application for post-conviction relief alleging that he was being held in custody unlawfully for the following reasons:

1. Ineffective Assistance of Counsel
 - a. Failure to convey two plea agreements
2. Prosecutorial Misconduct
 - a. Using state witness to commit perjury and failure to expose deal for testimony.
3. Ineffective Assistance of PCR Counsel
 - a. Failure to prepare and aid applicant to present procedural barred constitutional issue's...

Subsequently, Applicant filed various documents and motions:

1. "Motion for the Honorable Judge Doyet A. Early, III to recuse himself..." on March 13, 2013.
2. "Motion for Rule 59(e) to Alter or Amend Judgment and Rule 60(b)(1) Relief from Judgment or Order..." on March 13, 2013.
3. "Motion for Appointment of Post-Conviction Relief Counsel" and "Motion for Order Compelling Complete Discovery of trial counsels file..." on April 15, 2013.
4. "Motion for Production of Complete Discovery" on April 24, 2013.
5. "Motion of Production of Documents and Things Pursuant to Rule 34 S.C.R.Civ. P." filed May 15, 2013.
6. "Motion for Discovery Compelling Discovery Pursuant to SCRCIVP Rule 37" on June 17, 2013.
7. "Motion to Dismiss PCR until pending appeal is complete" on July 12, 2013.
8. "Motion to Strike Motion for Appointment of Counsel filed on February 5, 2014 to represent self pro-se" filed April 16, 2014.
9. "Motion to pull PCR application dated March 20, 2013 Appellate Case NO. 2012-213607 and open for post-conviction hearing and amend jurisdictional issues to PCR application."

10. "Motion to Replace PCR application dated February 27, 2013 with Subject Matter and Supplemental Jurisdiction Amendment dated January 23, 2014 with exhibits" filed April 24, 2014
11. "Motion to Transfer Motion to Grant Funding from Court Costs and Expenses of Representation to 2013-CP-02-00478 to Represent Self..."
12. "Declaration of entry of default pursuant to Rule 55(A)(2) on the Honorable Doyet A. Early, III Circuit Court Judge and Respondent" filed July 2, 2014.

Respondent filed its Return and Motion to Dismiss on July 15, 2014. The Honorable Perry M. Buckner, issued a Conditional Order of Dismissal on July 21, 2014 and filed July 28, 2014. Applicant filed various objections to the Conditional Order of Dismissal. After reviewing Applicant's objections to the Conditional Order of Dismissal, Judge Buckner issued a Final Order signed September 9, 2015.

In his current application, Applicant alleges that he is being held in custody unlawfully based on the following allegations:

1. Ineffective assistance of counsel
 - a. Failure to convey plea offer
2. Subject matter jurisdiction

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court finds that this Application for Post-Conviction Relief should be summarily dismissed for failure to comply with the filing procedures of the Uniform Post-Conviction Procedure Act. S.C. Code Ann. § 17-27-10 to -160. S.C. Code Ann. §17-27-45(a) reads as follows:

An application for relief filed pursuant to this chapter must be filed within one year after the entry of a judgement of conviction or within one year after the sending of the remittitur to the lower court from an appeal or the filing of the final decision upon an appeal, whichever is later.

The South Carolina Supreme Court has held that the statute of limitations shall apply to all applications filed after July 1, 1996. Peloquin v. State, 321 S.C. 468, 469 S.E.2d 606 (1996).

The Applicant was convicted of the offense(s) he challenges in this Application on February 2, 2005. Therefore, the Applicant had to file his application by February 3, 2006. This Application was filed July 9, 2015, which was well after the statutory filing period had expired.

A motion for summary judgment may properly be used to raise the defense of statute of limitations. McDonnell v. Consolidated School District of Aiken, 315 S.C. 487, 445 S.E.2d 638 (1994). In addition, S.C. Code Ann. § 17-27-70(c) (1985) authorizes the Court to "grant a motion by either party for summary disposition of [an] application when it appears from the pleadings ... that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law."

Additionally, this Court finds that the application should be summarily dismissed because it is successive to the previous application for post-conviction relief. Successive applications for post-conviction relief are disfavored. Land v. State, 274 S.C. 243, 262 S.E.2d 735 (1980). S.C. Code Ann. § 17-27-90 (1985) states:

All grounds for relief available to an applicant under this chapter must be raised in his original, supplemental or amended application. Any ground finally adjudicated or not so raised, or knowingly, voluntarily and intelligently waived in the proceeding that resulted in the conviction or sentence, or in any other proceeding the applicant has taken to secure relief, may not be the basis for a subsequent application, unless the court finds a ground for relief asserted which, for sufficient reason, was not asserted or was inadequately raised in the original, supplemental or amended application.

Under this statute, successive post-conviction relief applications are forbidden unless an applicant can point to a "sufficient reason" why new grounds for relief were not raised or were not properly raised in previous applications. Aice v. State, 305 S.C. 448, 409 S.E.2d 392 (1991). Any new ground raised in a subsequent application is limited to those grounds that "could not have been raised . . . in the previous application." [Emphasis in original]. Id., 305 S.C. at 450,

409 S.E.2d at 394. If the Applicant could have raised these allegations in a previous application, then the Applicant may not raise those grounds in successive applications. Id. The Applicant bears the burden of showing that the allegations could not have been raised previously. Land, 274 S.C. 243, 262 S.E.2d 735 (1980). In regards to the allegations set forth in Applicant's Amendment to the PCR application, these are the same allegations raised by Applicant in a previous PCR application and therefore, by very definition, are successive in nature.

This Court finds that the current application for post-conviction relief must be summarily dismissed because the doctrine of *res judicata* bars the Applicant's claims. *Res judicata* prohibits subsequent actions by the same parties on the same issues. Bell v. Bennett, 307 S.C. 286, 414 S.E.2d 786 (Ct. App. 1992). A final judgment on the merits in a prior action bars subsequent consideration of those issues in a new action. Foran v. USAA Casualty Ins. Co., 311 S.C. 189, 427 S.E.2d 918 (Ct. App. 1993). *Res judicata* also bars any issues that could have been raised in the former action. Id.


The Applicant had a full opportunity to litigate all allegations regarding ineffective assistance of counsel and subject matter jurisdiction in his previous three PCR actions and in his Federal Habeas Corpus action (4:11-227-CMC-TE). The public interest in finality of judgments requires that litigation must eventually come to an end. Pursuant to Rule 12(b)(6), SCRCPP, the Court summarily dismisses these claims as barred by *res judicata*.

Pursuant to S.C. Code Ann. § 17-27-70(b), the Court intends to dismiss this Application with prejudice unless the Applicant provides specific reasons, factual or legal, why the Application should not be dismissed in its entirety. The Applicant is granted twenty (20) days from the date of service of this Order upon him to show why this Order should not become final.

The Applicant shall file any reasons he may have, factual or legal, with the Aiken County Clerk of Court and shall serve opposing counsel at the following address:

Office of the Attorney General
Attn: Daniel Gourley, Esquire
P.O. Box 11549
Columbia, South Carolina 29211

AND IT IS SO ORDERED this 28 day of Oct., 2015.


MAITÉ MURPHY
Chief Judge for Administrative Purposes
First Judicial Circuit

St. George, South Carolina.

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF AIKEN
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2015CP0201730

Noel E Gray Jr South Carolina State Of

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

Judge Code
 For Clerk of Court Office Use Only

Date: November 16, 2015
 FILED Shari England
 Clerk of Court
 8:30am

This judgment was entered on 11-16-2015, and a copy mailed first class or placed in the appropriate attorney's box on 11-16-2015, to attorneys of record or to parties (when appearing pro se) as follows:

Noel E Gray Jr
Brci Wateree # 281
4460 Broad River Rd Columbia, SC 29210

Daniel Francis Gourley II
P.O Box 11549
Columbia, SC 29211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Liz Godard by Lisa Compton
Liz Godard - Clerk of Court

Court Reporter

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF AIKEN)
)
 NOEL GRAY, #307590)
 Plaintiff,)
 vs.)
)
 STATE OF SOUTH CAROLINA)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 SECOND JUDICIAL CIRCUIT
 CASE NO.: 2015-CP-02-01730
 MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET

Plaintiff's Attorney: Noel Gray, #307590, Bar No. _____ Address: Broad River Correctional Institution Columbia, SC 29210 Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: Daniel Gourley, Bar No. _____ Address: PO Box 11549 Columbia, SC 29211 Phone: _____ Fax _____ E-mail: _____ Other: _____
<input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input checked="" type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input checked="" type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: _____ Estimated Time Needed: _____ Court Reporter Needed: <input type="checkbox"/> YES / <input checked="" type="checkbox"/> NO	
SECTION II: Motion/Order Type	
<input type="checkbox"/> Written motion attached <input checked="" type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
Signature of Attorney for <input type="checkbox"/> Plaintiff / <input checked="" type="checkbox"/> Defendant	September 29, 2015 Date submitted
SECTION III: Motion Fee	
<input type="checkbox"/> PAID - AMOUNT: \$ _____ <input type="checkbox"/> EXEMPT: (check reason)	
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input checked="" type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCP) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____	
JUDGE'S SECTION	
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____
CLERK'S VERIFICATION	
Collected by: _____ Date Filed: _____ <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____	FILED <u>November 16, 2015</u> <i>Shirley Hedard</i> C.C.P. & G.S. <i>[Signature]</i> 8:30am

UNITED STATES POSTAGE
PITNEY BOWES
02 ZIP \$001.40
0000879467 AUG 11 2017
MAILED FROM ZIP CODE 29211

LEGAL MAIL

South Carolina Supreme Court
The Honorable Clerk of Court
Mr. Daniel O. Shearouse
P.O. Box 11330
Columbia, SC
29211

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