

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF ANDERSON) TENTH JUDICIAL CIRCUIT

Corey L. Williams, #259070,)
) C.A. No. 2013-CP-04-2353
Appellant,)
))
v.) Appellant's Motion For
) Reconsideration Pursuant
State of South Carolina,) to Rule 59(E)
))
Respondent.)
_____)

You will please take notice that pursuant to Rule 59(E) of the S.C. Rules of Civil Procedure the Appellant, Corey Williams, would hereby move the Court to reconsider the Final Order issued and submitted to the Appellant on November 6, 2017. The Appellant would request reconsideration on the following grounds:

1.) In the present matter Appellant alleges that the following facts rendered the Court without jurisdiction, and that his conviction violated the Double Jeopardy Clause.

A mistrial was declared in the jury trial of Appellant's Murder case on June 10, 1999. The Prosecution nolle prossed the original indictment for Murder, (1999-GS-04-808). Subsequently re-indicted Appellant for the Murder charge on January 11, 2000, with Murder indictment 2000-Gs-04-227, thus, superseding the original 1999 indictment.

On December 11, 2013, Appellant received confirmation from the Anderson County clerk of court, (see attached disposition exhibit), that indictment 2000-GS-04-227 was also nolle prosecuted. Appellant contacted his caseworker and was informed that his commitment order was for the original indictment, (1999-GS-04-808), that was dismissed and superseded.

Therefore rendering the lower court without jurisdiction Mackey v. State, 595 S.E.2d 241 (S.C. 2004), "All proceedings following an entry of a nolle prosequi are void and the indictment no longer valid". Further, a nolle prosequi prevents a trial court of jurisdiction. In Re Brown, 2944, S.C. 235, 363 S.E.2d 688 (1988).

2.) This Court's order does not address the grounds as presented in the Appellant's application, and briefs before this Honorable Court, motions or memorandums as submitted, and the Appellant would request a ruling with regard to the same.

This motion is based upon the South Carolina Rules of Civil Procedure and all documents hereto filed with this court.

Respectfully Submitted

S/ Corey L. Williams #259070.
Corey L. Williams #259070

Date: November 27, 2017