

South CAROLINA Court of Appeals

FRANK FURTICK, Petitioner.

V.

STATE OF South CAROLINA, Respondent.

MOTION
To Reopen

RECEIVED

DEC 14 2017

SC Court of Appeals

Appellate CASE No. 2017-001562

ORDER

RECEIVED

DEC 15 2017

S.C. SUPREME COURT

Notice of Appeals

Petitioner will show FRAUD UPON
The COURT. Petitioner file his first
APPLICATION for PCR. 2008 July 7. in the
Court of Common Pleas. He Alleged ineffective
ASSISTANCE OF Counsel. Counsel failed to file
A direct APPEAL. There was NO HEARING
ON my PCR APPLICATION. in Petitioner PCR
APPLICATION He stated will Amend At A later
date 5 issues OR less

FRANK FURTICK, Petitioner,

SOUTH CAROLINA COURT OF APPEALS

v.

STATE OF SOUTH CAROLINA, Respondent.

MOTION
TO REOPEN

APPELLATE CASE NO. 2017-001562.

TARA DAWN SHURLING,

on September 30, 2008.

have been substituted as court appointed
counsel to represent in PCR case
2008-CP-40-4869. Now petitioner ask his

counsel TARA for a copy of his TRIAL
TRANSCRIPT so you can amend my PCR
APPLICATION, she refuse to assist. so I
file a grievance on her for wrong-doings.

The attorney-client privilege was waived
by her and the client. she file a motion
to be relieved as counsel that motion was
clocked on February 26, 2009. We then came
before Judge Manning on April 1, 2009 and the
motion was granted.

FRANK FURTICK, Petitioner,

SOUTH CAROLINA COURT OF APPEALS

v.

STATE OF SOUTH CAROLINA, Respondent.

APPELLATE CASE NO. 2017-001562.

MOTION
TO REOPEN

Petitioner first pro se Application
 And second pro se Application
 Petitioner was denied Evidentiary hearing
 he should be permitted to APPEAL his
 FIRST PCR Application pursuant to
 Austin v. STATE, 305 S.C. 453, 409 S.E. 2d. 395, (1991)
 After the statute of limitations has
 expired, if the defendant either requested
 OR did not knowingly AND intelligently
 waive the right to APPEAL. see King v. STATE
 I was entitled to Evidentiary 348, 417 S.E. 2d. 868
 hearing. A full and fair opportunity to present
 claims in one PCR Application (1992)
 ONE bite at the apple

12-11-17

Frank Furtick

FRANK FURTICK H 231663

F 6 B 2235

Lee C. I.

990 WISACKY H W Y

bishopville, SC. 29010

COLUMBIA SC 290

12 DEC 2017 PM 11



USA

RECEIVED

DEC 14 2017

SC Court of Appeals

South CAROLINA COURT OF APPEALS

Kenneth A. Richstad, CLERK

Post Office box 11629

Columbia, South CAROLINA 29211

SCDC
Christmas
Packet

29211-162929



THE DEPARTMENT OF CORRECTIONS HAS NOT CENSORED
THIS ITEM. THEREFORE, THE DEPARTMENT DOES NOT
ASSUME RESPONSIBILITY FOR ITS WRITTEN CONTENTS

LEE CORRECTIONAL INSTITUTE
SC DEPARTMENT OF CORRECTIONS

RECEIVED
DEC 12 2017
LEE CRIMINAL ROOM



THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT 

© USPS 2013