

THE SUPREME COURT OF SOUTH CAROLINA

MARCH 27, 2018

DANIEL E. SHEAROUSE
CLERK OF COURT
POST OFFICE BOX 1130
COLUMBIA SOUTH CAROLINA
29211.

RECEIVED

MAR 30 2018

S.C. SUPREME COURT

DEAR CHIEF JUSTICE BEATTY,
THIS IS A RESPONSE TO YOUR LETTER
DATED MARCH 22, 2018. IT WAS STATED IN
THAT LETTER, THAT CHIEF JUSTICE
BEATTY DID NOT PARTICIPATE BECAUSE
HE WAS NOT PRESENT FOR A WRIT OF
CERTIORARI IN THIS CASE. MY
UNDERSTANDING IS THAT THE CERTIORARI
WAS DENIED BECAUSE OF A VOTE. THE
COURT GIVE BOTH PARTIES A QUESTION OF
VIOLATION TO A STATE STATUTE IN
APPELLATE CASE NO. 2015-00820. I QUESTIONED
MY ATTORNEY WANDA H. CARTER ABOUT
THIS MATTER AFTER THE DECISION WAS
TO WHY, SHE DID NOT GIVE AN ANSWER
TO WHY.

I WROTE THIS COURT ABOUT THE REASON, THE ABOVE ANSWER WAS GIVEN. I UNDERSTAND THAT A STATE HABEAS CORPUS IS NOT ALLOWED ANY LONGER AND THAT A STATE POST-CONVICTION IS THE FORMAT. I NEED A VOTE FROM THE FULL COURT BECAUSE THE STATE OF SOUTH CAROLINA HABEAS CORPUS HAS THE FULL COURT. CHIEF JUSTICE BEATTY IS THE CHIEF IN THE SOUTH CAROLINA SUPREME COURT. HIS INTERPRETATION OF THE LAW IN SOUTH CAROLINA IS NEEDED. ALSO I NEED A DECISION FROM THE CHIEF JUSTICE AND JUSTICES AS A WHOLE, BECAUSE HIS VOTE COULD HAVE CHANGED THE OUTCOME OF THE DECISION. I DONT KNOW WHO VOTED WHAT (2-1 OR WHAT EVERY).

SO PLEASE GET BACK WITH ME ON THIS MATTER SOON BEFORE I MOVE FORWARD ON A FEDERAL HABEAS CORPUS WRIT.

PLEASE FILE THIS LETTER IN CLERK OF COURT OF THE SUPREME COURT OF SOUTH CAROLINA.

THIS IS REMEDIE TO EXHAUST MY
STATE REMEDIES.

I THANK THE COURT FOR ITS
TIME IN THIS MATTER.

John W. Mack

John Willie Mack Jr
#057219
F-1-A, CELL 1116, LEE C/I
990 WISACKY HWY,
BISHOPVILLE S.C 29010.

The Supreme Court of South Carolina

John Willie Mack, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2015-000820


Lower Court Case No. 2013-CP-42-02063

ORDER

Based on the vote of the Court, the petition for a writ of certiorari is denied.

FOR THE COURT

BY



CLERK

Beatty, C.J., not participating

Columbia, South Carolina

February 01, 2018

cc:

Wanda H. Carter, Esquire

Valerie Garcia Giovanoli, Esquire

John Willie Mack, #257219

The Supreme Court of South Carolina

John Willie Mack, Petitioner,

v.

State of South Carolina, Respondent.


Appellate Case No. 2015-000820

ORDER

Counsel has submitted a petition pursuant to *Johnson v. State*, 294 S.C. 310, 364 S.E.2d 201 (1988), and a motion to be relieved as counsel. We deny the motion to be relieved as counsel and direct the parties to address the following question:

In light of *Old Chief v. United States*, 519 U.S. 172 (1997), and *State v. James*, 355 S.C. 25, 583 S.E.2d 745 (2003), is there evidence in the record to support the PCR judge's ruling that trial counsel was not ineffective for failing to object to the State's publication of three of two petitioner's prior burglary convictions to satisfy the elements of first-degree burglary?

Petitioner shall serve and file a petition on this question within thirty (30) days of the date of this order. Thereafter, respondent shall have thirty (30) days to serve and file its return.


FOR THE COURT

C.J.

Columbia, South Carolina

August 11, 2016

cc:

Wanda H. Carter, Esquire

Alicia A. Olive, Esquire

John Willie Mack, #257219

JOHN W. WACK 25727
F-1A CELL 1116 LEECI
990 WISACKY HWY
BISHOPVILLE S.C. 29010

COLUMBIA SC 293

28 MAR 2018 PM 4 L



THE SUPREME COURT OF SOUTH
CAROLINA
CHIEF JUSTICE BEATTY
DANIEL E. SHEAROUSE,
CLERK OF COURT
POST OFFICE BOX 11330
COLUMBIA, S.C. 29211 (LEGAL
COURT)

RECEIVED

MAR 28 2018

LEE CI MAIL ROOM

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

