

Emailed @ 4:20pm

Exhibit (A)

STATE OF SOUTH CAROLINA)
 COUNTY OF SPARTANBURG)
)
 STATE,)
)
 v.)
)
 Marco Bates,)
 Defendant.)

IN THE COURT OF GENERAL SESSIONS
FOR THE SEVENTH JUDICIAL CIRCUIT

ORDER DENYING DEFENDANT'S
APPLICATION FOR FORENSIC DNA TESTING

1997-GS-42-2599
1998-GS-42-2419

2017 SEP 28 PM 4:08
M. HOPE BLACKBERRY

This matter is before the Court upon the defendant's application for DNA testing. The defendant was originally sentenced in 1998 for the offenses of murder and discharging a fire arm into a dwelling. He was sentenced after a jury convicted him of the criminal offenses. In his application, he requests that a bullet be DNA tested to show that no blood can be found on a bullet. By way of reply, the State asserted that the defendant is not entitled to a hearing concerning his request for DNA testing because the application is untimely and that the bullet has already been DNA tested.

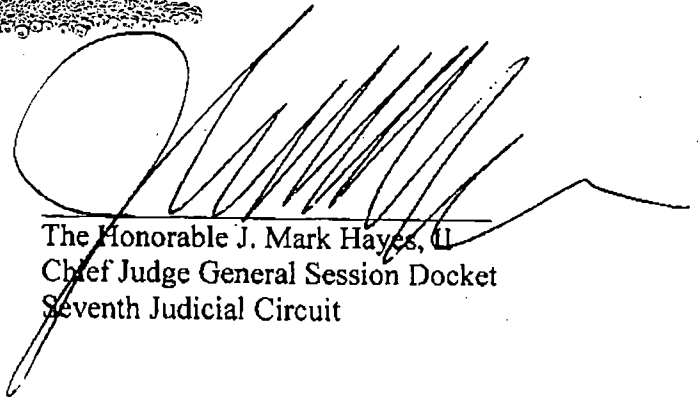
After reviewing the application and the State's reply, the Court is dismissing the application as being untimely. According to S.C. Code section 17-28-30, his application needed to be filed within seven (7) years of the original sentence. The present application was not filed until 2017. Additionally, it appears DNA testing on the bullet was already conducted and the result showed no DNA from the victim was found on the bullet. Thus, the reason requested in the application for the DNA testing has already been accomplished and the result sought by the applicant already has been accomplished.

Therefore, it is order that the Application for Forensic DNA testing is denied.

RECEIVED
APR 10 2018
SC Court of Appeals

Exhibit (A)

IT IS SO ORDERED.



The Honorable J. Mark Hayes, II
Chief Judge General Session Docket
Seventh Judicial Circuit

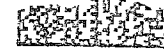
Date: 9/28/17
Spartanburg, South Carolina

2017 SEP 28 PM 4:08
M. HOPE BLACKLEY

M. HOPE BLACKLEY
Clerk of Court, Spartanburg County
Post Office Box 3483
Spartanburg, South Carolina 29304-3483

**RETURN SERVICE
REQUESTED**

Pr
First
Cor.



02 171
0001404194 FEB 13 2018
\$ 000.45⁸

RECEIVED

FEB 15 2018

MAIL ROOM
LIEBER C.I.

AB
17

Melco Bates #249552
LC AB-47
P.O. Box 205
Ridgeville, SC 29472

AS

19 LRJUNP 29472

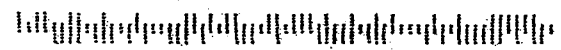


Exhibit (B)

Spartanburg County

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

Phone (864) 596-2591
Fax (864) 596-2239



M. Hope Blackley
Clerk of Court


Assistant Clerk of Court

RECEIVED
APR 10 2018
SC Court of Appeals

February 13, 2018

Exhibit (c)

Marco Bates #249552
LCI AB-47
P.O. Box 205
Ridgeville, SC 29472

Dear Mr. Bates,

I have received your letter and motion for default for your application for DNA testing. Please note the Judge and Solicitor did file a response. I have attached a copy for your records.

Thanks and if you need further information please let me know.

Thanks,

A. Searcy
Spartanburg County Clerk of Court