

The Supreme Court of South Carolina

Jose Alberto Maldonado, #312648, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2017-002092

ORDER


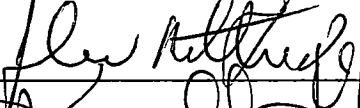
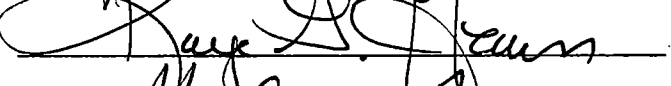


This Court recently dismissed petitioner's notice of appeal of an order denying his fourth application for post-conviction relief (PCR). Petitioner was also given notice and an opportunity to provide reasons why this Court should not impose certain restrictions on petitioner's future filings.

Petitioner has filed a "Brief in Opposition to Order Intend to Dismiss Petition for a Writ of Certiorari." Therein, petitioner seeks reconsideration of this Court's dismissal of his notice of appeal. That request is denied.

With regard to whether restrictions should be imposed on petitioner's future filings, petitioner correctly points out the prior order erroneously referred to a murder conviction. We hereby amend the prior order by deleting reference to a murder conviction and instead referencing petitioner's prior convictions for trafficking more than 28 grams of cocaine (2003-GS-23-004547), possession of cocaine with intent to distribute within a half-mile of a school (2003-GS-23-04545), trafficking in more than 400 grams of methamphetamines, and conspiracy to traffick between 28-100 grams of methamphetamines, second offense (2005-GS-47-26-Counts I & IV).

However, we find petitioner failed to set forth a sufficient reason why this Court should not impose restrictions on petitioner's future filings relating to those drug convictions. We therefore prohibit petitioner from filing any further collateral actions in the circuit court, including PCR actions and habeas corpus actions, as well as any motions relating to the previously filed collateral actions, challenging

indictments 2003-GS-23-04545, 2003-GS-23-004547, and 2005-GS-47-26-Counts I & IV, and the convictions and sentences thereon, or any motions in the underlying criminal cases, including a motion pursuant to Rule 29, SCRCrimP, without first obtaining permission to do so from this Court.


_____ C.J.

_____ J.

_____ J.

_____ J.

_____ J.

Columbia, South Carolina
August 02, 2018

cc:
Megan Harrigan Jameson, Esquire
Jose Alberto Maldonado, 00312648
Paul B. Wickensimer