

# THE BOOZER LAW FIRM, LLC

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May 9, 2018

The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211

**RE: Rainey Crosby v. State of South Carolina**  
***Case No. 2018—00846***

Dear Mr. Shearouse:

Enclosed for filing please find an explanation pursuant to Rule 243(c) regarding the above-referenced appeal as well as proof of service. Thank you for your time and consideration.

Yours very truly,



Lance S. Boozer

Enclosures

cc: Julie Coleman, AAG  
Rainey Crosby, Fed. #57747-056

**RECEIVED**

**MAY 11 2018**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM SUMTER COUNTY  
Court of Common Pleas

The Honorable George M. McFaddin, Jr., Circuit Court Judge

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App. Case No. 2018-00846

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Rainey Crosby, #57747-056, .....Petitioner,

v.

State of South Carolina,.....Respondent.

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**Explanation Pursuant to Rule 243(c)**


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Petitioner submits an arguable basis exists for asserting that the PCR court erred in dismissing Petitioner's PCR application as being barred by the statute of limitations. Petitioner was not present at the PCR hearing as he was and remains presently confined in federal custody out-of-state. Specifically, Petitioner was sentenced on September 29, 2015. Petitioner was required to file his PCR application on or before September 30, 2016. Applicant's sworn and verified original PCR application indicates he completed and mailed his PCR application from his Kentucky facility on September 28, 2016, two (2) days before the statute of limitations expired. The PCR application was not actually clocked and filed with the Sumter County Clerk of Court until October 4, 2016, after the statute of limitations expired.

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MAY 11 2018  
S.C. SUPREME COURT

Applicant submits the PCR court erred in finding he is not entitled to equitable tolling of the statute of limitations under this Court's recent ruling in Mose v. State, 420 S.C. 500, 803 S.E. 2d 718 (2017), due to circumstances beyond his control.

Respectfully submitted,



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**PROOF OF SERVICE**

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I, Lance S. Boozer, appointed attorney for Petitioner, certify that I have today served the within Explanation Pursuant to Rule 243(c) by depositing a copy of it in the United States Mail, postage prepaid, addressed to Assistant Attorney General Julie Coleman, P.O. Box 11549, Columbia, SC 29211 and Rainey Crosby, #57747-056, USP Atlanta P.O. Box 150160, Atlanta, GA 30315. I further certify that all parties required by Rule to be served have been served this 9th day of May, 2018.



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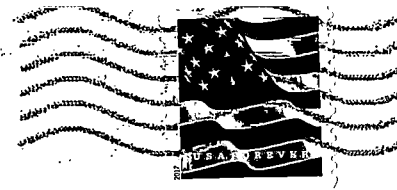
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